Bay Area Toll Authority
Oversight Committee

July 10, 2024 **Agenda Item 5a-24-0661**

BATA Resolution No. 52, Revised: FasTrak® Policy Changes: Referral to Authority

Subject:

A request that BATA Resolution No. 52, Revised be referred to the full Authority for approval of policy updates related to: (1) inclusion of all Express Lanes (Bay Area Infrastructure and Financing Authority (BAIFA), Alameda County Transportation Commission, Santa Clara Valley Transportation Authority, and San Mateo County Express Lanes Joint Powers Authority) in the payment plan for low-income customers; (2) the replenishment amount and threshold amount for cash paying customers; (3) reduction in violation penalty amounts for Golden Gate Bridge, Highway and Transportation District; (4) updates to one-time waiver of toll evasion penalties for all toll operators; and (5) reduction in the California Department of Motor Vehicles (DMV) fee for placing unpaid violations on registration hold.

Background:

In July 2023, prompted by Assembly Bill 2594 (Ting), BATA deployed a low-income payment plan for the Bay Area toll agencies. Prior to the deployment, the Authority approved BATA Resolution No. 52, Revised in May 2023 to: incorporate policies related to the payment plan and include the reduced violation penalties adopted by express lanes operators for transactions occurring on or after October 3, 2022; amend the policies related to waiver of toll evasion penalties; and make other clarifying changes.

This item will update BATA Resolution No. 52, Revised to reflect that express lanes operators are participating in the low-income payment plan, align the replenishment amount and threshold for FasTrak® accountholders using cash/check to fund their account with the same amounts for accountholders funding with a credit card, reduce the penalty amounts for Golden Gate Bridge violations, and update the region's one-time waiver polices as follows:

- Inclusion of Golden Gate Bridge in the same one-time waiver policy as state-owned bridges
- Inclusion of a low-income waiver for Express Lanes
- Update BAIFA's waiver policies to align with the other Express Lanes operators

- Eliminate the sunset date for the bridges' one-time waiver policy

Payment Plan Participation

When Resolution No. 52, Revised was approved by the Authority in May 2023, only bridges were required to participate in the AB 2594-mandated payment plan starting July 1, 2023. Express lane operators were not required to offer a low-income payment plan until July 1, 2024. However, after Resolution No. 52, Revised was updated with payment plan information, all regional Express Lanes operators received approval from their Boards to participate early starting on July 1, 2023. The proposed changes to Resolution No. 52, Revised reflect Express Lanes participation.

FasTrak Account Replenishment Amount and Threshold Amount

The current FasTrak® minimum replenishment amount for customers who fund their account with a credit card is $25 per toll tag, and the threshold amount for replenishment is $15. For cash/check customers, the replenishment amount is $40 per toll tag, and the replenishment threshold is $30. Staff is recommending the minimum replenishment for cash/check customers be lowered to $25 per toll tag and the replenishment threshold be lowered to $15, effective July 24, 2024, to align with the credit card amounts.

Golden Gate Bridge Violation Penalties

AB 2594 caps violation penalties at a cumulative $50 per violation for bridges. Golden Gate Bridge currently has a violation penalty of $25 for the first notice and $45 for the second notice. Golden Gate Bridge is lowering the penalty for the second notice to $25 effective July 1, 2024.

Waiver Policies

Starting July 1, 2023, BATA created a one-time waiver of violation penalties on state-owned bridges for all customers with no limitation on the timeframe when the violations occurred. This waiver policy is set to expire September 30, 2024. After Resolution No. 52, Revised was approved by the Authority in May 2023, Golden Gate Bridge agreed to offer the same waiver. This one-time waiver addressed the requirement in AB 2594 to provide a waiver of violation penalties for low-income drivers who received bridge toll violations occurring between March

20, 2020 and January 1, 2023 ("COVID Waiver") and expands on the requirements of the AB 2594 COVID Waiver by offering it to anyone with violations on state-owned bridges and the Golden Gate Bridge regardless of income level. To obtain the waiver, a customer must call the FasTrak® Customer Service Center and pay all tolls and DMV fees owed, or if eligible, enter into a payment plan and make the first payment. Golden Gate Bridge will continue this one-time waiver beyond September 30, 2024 with no expiration date. Staff recommends that the BATA one-time waiver also be extended past September 30, 2024 with no expiration date to create a system that is customer-friendly and that helps people get out of debt and into good standing.

After Resolution No. 52, Revised was approved by the Authority in May 2023, BAIFA Express Lanes also agreed to participate in the BATA and Golden Gate Bridge one-time waiver through September 30, 2024. However, after September 30, 2024, BAIFA Express Lanes will align their waiver policies with the other regional Express Lanes operators to maintain consistency for all express lanes.

Starting July 1, 2023, Alameda County Transportation Commission (ACTC), Valley Transportation Authority (VTA) and the San Mateo County Express Lanes Joint Powers Authority (SMCEL JPA) began offering a waiver of all violation penalties on a one-time basis for qualified low-income drivers, using the same criteria as the payment plan. Starting October 1, 2024, BAIFA Express Lanes will also offer this low-income waiver, which was previously included under the broader one-time waiver policy. Resolution No. 52, Revised is being updated to reflect these changes.

Change in DMV Fee

From time to time, DMV adjusts their fee for placing unpaid violations on registration hold. DMV changed the fee for registration holds from $3 to $2, retroactive to July 1, 2023. Resolution No. 52, Revised reflects this fee reduction.

Issues:
None identified.

Recommendations:

Staff recommends that BATA Resolution No. 52, Revised be referred to the full Authority for approval of policy updates related to: (1) inclusion of all Express Lanes (Bay Area Infrastructure and Financing Authority, Alameda County Transportation Commission, Santa Clara Valley Transportation Authority, and San Mateo County Express Lanes Joint Powers Authority) in the payment plan for low-income customers; (2) the replenishment amount and threshold for cash paying customers; (3) reduction in violation penalty amounts for Golden Gate Bridge, Highway and Transportation District; (4) updates to waiver of toll evasion penalties for all toll operators; and (5) reduction in the DMV fee for placing unpaid violations on registration hold. BATA Resolution No. 52, Revised is included.

Attachments:

- BATA Resolution No. 52, Revised
- Presentation

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