

# **Guidelines for Tolling**

**BC Ministry of Transportation**

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## **TABLE OF CONTENTS**

1.	Introduction.....	3
2.	Guidelines for Tolling.....	4

## **1. Introduction**

The provincial government is committed to renewing and expanding British Columbia's transportation infrastructure.

As part of the strategy to fulfill this commitment, the government is working to develop new, more cost-effective partnerships with the private sector. In this document, partnerships refer to arrangements whereby the private sector can be involved in the financing, delivery or management of public services.

The efforts to develop new partnerships range from changes in the terms and conditions of contract forms currently in use, to the adoption of new business models. In all cases, the objectives are to harness the innovation, talent and expertise of the private sector, to develop creative solutions to meet public priorities, and obtain the best value for tax dollars.

One such arrangement would see a partner being responsible for financing some or all of the required new transportation infrastructure, with revenues generated from tolls paid by users providing the means for recovering this financing, including a return on investment.

## **2. Guidelines for Tolling**

In some cases, tolling of users will provide the most appropriate means for recovering some or all of the costs of a significant investment in new highway infrastructure. In order to provide a basis for the use of tolls, the government has developed a number of guiding principles.

### **2.1 Only major projects that result in significant increases in capacity will be subject to tolling.**

Tolls should only be applied to offset costs for significant investments that primarily expand or extend highway capacity. New roadways, new bridges, and major highway upgrades, such as four-laning of a two-lane highway for a substantial distance, would be subject to tolling.

Small improvements, such as passing lanes, and improvements whose primary purpose is to address safety and reliability concerns, such as realignments, would not be subject to tolling.

In some cases, a substantial portion of the cost of a major highway upgrade will be for significant safety and reliability requirements as well as the need to expand or extend highway capacity. In such circumstances, the cost of the safety and reliability improvements may be funded by government, with tolls recovering only the costs related to the increase in capacity.

### **2.2 Tolls will be implemented only if there are clear, demonstrable net benefits for the users of the new or improved facilities.**

The benefits generated from new or improved facilities must outweigh the burden imposed by tolls. User benefits can include travel-time savings, vehicle operating cost savings, and reliability and safety benefits.

### **2.3 Tolls will be implemented only if a reasonable untolled alternative is available.**

The public has a right to a basic level of toll-free access. Therefore, tolls will be implemented only if a reasonable untolled alternative is available.

**2.4 The level of tolls and limits on the amount and frequency of increases will be established in advance.**

In order to provide certainty to the public and partners that tolls will be set at reasonable levels, and not subject to unreasonable increases in the future, the level of tolls and limits on the amount and frequency of any future increases will be set in advance.

**2.5 Public consultation will occur in all cases where new tolls are considered.**

Where improvements to transportation infrastructure will be subject to tolling there must be local input prior to decisions on how tolls are to be implemented.

The government will consult on these matters with affected communities.

**2.6 The public will have the same rights to access tolled highways as non-tolled highways.**

Access to a tolled highway will be the same as to untolled highways. All legal vehicles will have access, except when restrictions are required for public safety or maintenance and construction-related activities. A right of access to tolled highways does not eliminate the obligation of the user to pay the requisite toll.

**2.7 Tolls will be used to generate revenue for transportation projects and provide a return on the investment of the private-sector partners.**

To minimize costs to the travelling public, tolls will be used to defray the costs of designing, constructing, operating and maintaining new highways or major highway upgrades.

**2.8 The same maintenance, safety and other standards, and rules of the road, will apply to tolled highways as non-tolled highways.**

For public confidence, public safety and ease of enforcement, any private-sector partner would have to comply with or exceed the maintenance, safety and other standards that apply or will apply to comparable publicly maintained highways. The same rules of the road will also apply to all highways.

Areas in which standards will apply include but are not limited to safety, maintenance, design, signage, enforcement, and operating performance (e.g. snow clearance).

## **2.9 The privacy of personal information used to levy and collect tolls will be protected.**

To protect the privacy of the travelling public, a highway operator will only be permitted to collect personal information about users of the highway if the information is:

- obtained directly from and with the consent of the person;
- necessary for ensuring safety in relation to the operation of the highway; or,
- necessary for assessing or collecting tolls or other charges related to use of the highway.

A highway operator is not to use or disclose personal information about users of a highway unless the use or disclosure is necessary for:

- ensuring safety in relation to the operation or use of the highway;
- assessing or collecting tolls and other charges associated with the use of the highway;
- satisfying a court order; or
- other uses authorized by legislation.

## **2.10 A fair and expeditious process will be available for resolving tolling disputes.**

Highway operators will be required to use a stipulated process for resolving disputes over toll charges. If agreement is not reached under this process, the dispute will be referred to a third-party arbitration process for resolution.

To ensure impartiality, arbitrators will be independent of the highway operator and appointed by the government for a fixed term. The decision of an arbitrator will be final and binding on all parties.

## **2.11 The consequences of failing to pay tolls will be fair and reasonable.**

As with others who invoice clients for services or goods received, highway operators may apply reasonable interest or other charges to late and/or unpaid bills. Examples include charges to recover the increased costs of collection. To ensure interest and other charges are reasonable, the government will have the authority to limit such charges.

If substantial amounts remain unpaid after the appeals process has been exhausted, the responsible agency may refuse to renew vehicle or driver licences until payment is made, such as is the case for outstanding speeding tickets.