



THE SECRETARY OF TRANSPORTATION
WASHINGTON DC 20590

August 4, 2011

The Honorable John L. Mica
Chairman
Committee on Transportation and Infrastructure
U.S. House of Representatives
Washington, DC 20515

Dear Mr. Chairman:

This letter constitutes the Fiscal Year 2011 Report to Congress on the Express Lanes Demonstration Program (ELDP) in accordance with the requirements of Section 1604(b) of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU), Public Law 109-59. Section 1604(b) of SAFETEA-LU requires the Secretary of Transportation to submit a report annually to Congress.

With the passage of SAFETEA-LU, the Federal-aid highway program offered States and other public entities enhanced opportunities for tolling motor vehicles to finance Interstate facility construction and reconstruction, promote efficiency in the use of highways, reduce traffic congestion, and improve air quality. In furtherance of the goals of SAFETEA-LU, ELDP permits tolling on selected facilities for any of the following reasons:

- To manage high levels of congestion;
- To reduce emissions in a non-attainment or maintenance area under the Clean Air Act Amendments; or
- To finance added Interstate lanes for the purpose of reducing congestion.

Section 1604(b) also authorizes the Secretary of Transportation to carry out 15 demonstration projects under ELDP. The Federal Highway Administration (FHWA) has determined that a demonstration project may include more than one facility so long as such facilities meet any of the criteria listed above.

There is no Federal funding specifically authorized for ELDP. Regular Federal-aid highway funds, such as through the National Highway System Program or the Surface Transportation Program, may be used, subject to the normal eligibility requirements for these funds.

The ELDP permits tolling on any newly-constructed Interstate facilities or non-Interstate lanes, and existing Interstate or non-Interstate high occupancy vehicle facilities. In addition, existing Interstate or non-Interstate facilities that are modified or constructed to create toll lanes are eligible to collect tolls on the entire facility. In 2009, five toll agreements under ELDP were executed between FHWA and two States. A total of approximately \$1.9 billion in Federal-aid Highway funds, such as through the National Highway System Program, along with over

\$2.1 billion in the Transportation Infrastructure Finance and Innovation Act loans will be spent to support the development and operation of these facilities. The enclosed table lists the five current tolling agreements under ELDP.

With the extension of SAFETEA-LU after September 30, 2009, ELDP continues to be available to States as a way to gain tolling authority, and FHWA continues to promote its application and use. Thus far in Fiscal Year 2011, no new toll agreements have been signed under the program. However, the States of Georgia and Texas have made requests for tolling authority under ELDP over the past year. The Georgia Department of Transportation made a request for a managed lane project along I-75 northwest of Atlanta, and the Texas Department of Transportation made a request for a priced and managed lane project in El Paso. Both applications are currently under review.

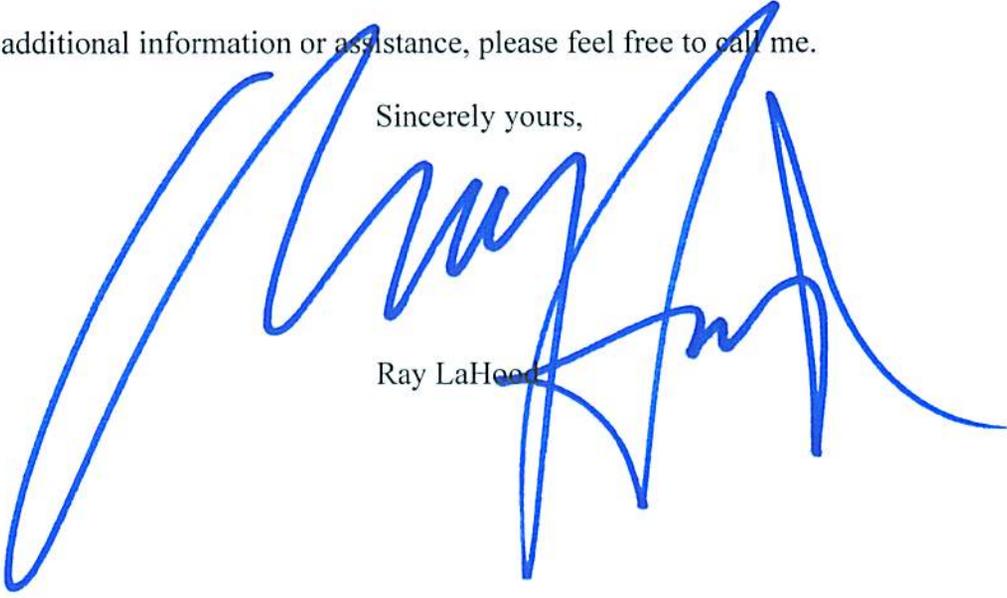
The U.S. Department of Transportation remains focused and committed to addressing traffic congestion throughout the Nation. The Department continues to provide information, guidance, and coordinated and comprehensive tolling and pricing programs to the States and an increasing number of other stakeholders.

A similar letter has been sent to the Ranking Member of the House Committee on Transportation and Infrastructure and to the Chairman and Ranking Member of the Senate Committee on Environment and Public Works.

If I can provide additional information or assistance, please feel free to call me.

Sincerely yours,

Ray LaHood



Enclosure



THE SECRETARY OF TRANSPORTATION
WASHINGTON DC 20590

August 4, 2011

The Honorable Nick J. Rahall, II
Ranking Member
Committee on Transportation and Infrastructure
U.S. House of Representatives
Washington, DC 20515

Dear Congressman Rahall:

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THE SECRETARY OF TRANSPORTATION

WASHINGTON DC 20590

August 4, 2011

The Honorable Barbara Boxer
Chairman
Committee on Environment and Public Works
United States Senate
Washington, DC 20510

Dear Madam Chairman:

This letter constitutes the Fiscal Year 2011 Report to Congress on the Express Lanes Demonstration Program (ELDP) in accordance with the requirements of Section 1604(b) of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU), Public Law 109-59. Section 1604(b) of SAFETEA-LU requires the Secretary of Transportation to submit a report annually to Congress.

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THE SECRETARY OF TRANSPORTATION

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August 4, 2011

The Honorable James M. Inhofe
Ranking Member
Committee on Environment and Public Works
United States Senate
Washington, DC 20510

Dear Senator Inhofe:

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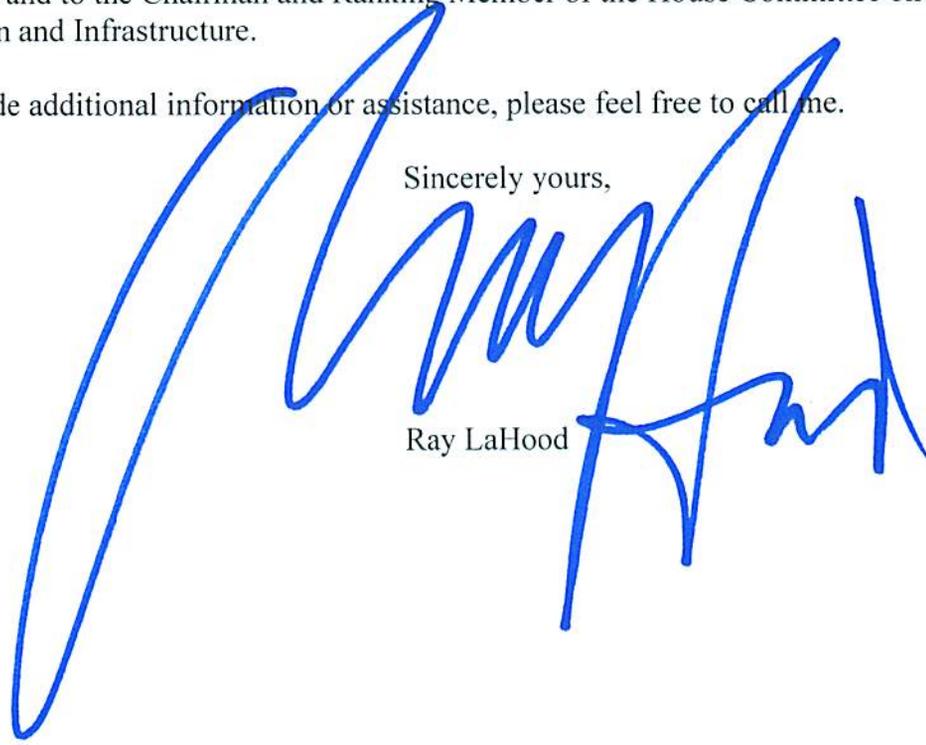
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Ray LaHood



Enclosure

**Tolling Agreements
Under the Express Lanes Demonstration Program
Federal Highway Administration, July 2011**

STATE/ AGENCY	PROJECT	APPLICATION APPROVED	TOLL AGREEMENT SIGNED	FEDERAL FUNDS IDENTIFIED
Texas/ Texas Dept. of Transportation	The I-635 project would consist of the construction of 28 miles of new managed (tolled) lanes as part of the reconstruction of portions of I-635 and I-35E in the Dallas area.	March 19, 2008	March 12, 2009	\$850 million TIFIA direct loan, plus approximately \$261 million in Federal grant funds
Texas/ Texas Dept. of Transportation	The North Tarrant Express project would consist of the construction of approximately 36 miles of new managed (tolled) lanes as part of the reconstruction of portions of I-820, I-35W, and State Highway 183 in the Fort Worth area.	July 16, 2008	March 12, 2009	\$650 million TIFIA direct loan, plus approximately \$454 million from other Federal sources
Texas/ Texas Dept. of Transportation	The I-30 project would consist of the construction of 17 miles of new managed (tolled) lanes and access ramps in the Dallas area.	July 1, 2009	September 30, 2009	\$0
Texas/ Texas Dept. of Transportation	The I-35E project would consist of the construction of 28 miles of new managed (tolled) lanes and access ramps in the Dallas area.	July 1, 2009	September 30, 2009	\$91.43 million in various Federal sources
Florida/ Florida Dept. of Transportation	The I-595 project will include the construction of approximately 10.5 miles of three new, tolled Express Lanes as part of the widening and reconstruction of portions of I-595, in the Ft. Lauderdale area.	July 1, 2009	September 30, 2009	\$603 million TIFIA direct loan, plus \$940 million in Federal-aid (to be paid out over a 30-year concession)