

14-001 Department Use of High Occupancy Toll (HOT) or "Express Lanes"

Los Angeles County Sheriff's Department FIELD OPERATIONS DIRECTIVE



DEPARTMENT USE OF HIGH OCCUPANCY TOLL (HOT) OR "EXPRESSLANES"

BACKGROUND

The Los Angeles County Metropolitan Transportation Authority (Metro) began operation and enforcement of High Occupancy Toll (HOT) lanes known as "ExpressLanes" on I-110 starting on November 10, 2012, and I-10 in early 2013. The I-110 ExpressLanes consist of the existing carpool/busway lanes on north and southbound I-110 from the vicinity of SR-91 to Adams Boulevard in Downtown Los Angeles. This also includes the transition carpool lanes from the I-105 to the I-110 ExpressLanes. The ExpressLanes are operated similarly to the existing SR-91 FasTrak® lanes and the Orange County Toll Roads, which require the use of a transponder. This program was funded by a Federal grant with specific performance requirements placed upon Metro for its operation. Failure to meet these performance requirements could result in forced repayment of the \$210.6 million grant funding by Metro back to the Federal government.

All vehicles which operate in the ExpressLanes will be required to have a transponder. Carpools with two people will travel toll-free 24/7 on the I-110, but on the I-10 during the peak hours M-F (0500 - 0900 and 1600 - 1900 hours) three people are required to qualify as a carpool and two people at all other times.

Lawful use of the ExpressLanes, as they apply to authorized emergency vehicles, is detailed in Section 23301.5 of the California Vehicle Code (CVC).

There are several options for opening an account:

- Purchasers can register at www.metroexpresslanes.net;
- At a Metro ExpressLanes walk-in center in El Monte or Gardena;
- By calling 511 and saying "ExpressLanes;"
- Transponders are also available at any AAA branch (20% savings at account opening) or select Albertsons and Costco stores (10% savings at account opening).

The pre-paid amount to open a Metro ExpressLane FasTrak account is \$40 with a credit card. The transponder deposit is waived. Should the user choose to use the lanes as a toll-paying customer, the toll would be deducted from the \$40 pre-paid toll balance. A toll, between \$0.25 to \$1.40 per mile, based on congestion, is deducted from the \$40.00 deposited in the account, based upon usage of the HOT lane. If a vehicle is traveling as a carpool, no toll will be charged to the vehicle with a switchable transponder in the "2"

or "3" position indicating there are two or three plus persons in the vehicle.

Motorcycles with a standard-issue license plate can travel on the Metro ExpressLanes toll-free without a transponder or FasTrak account. Motorcycles with a personalized plate, disabled plate, or special category plate must be registered with the Metro ExpressLanes Customer Service Center by mailing in a copy of the current registration information.

POLICIES AND PROCEDURES

Individual Responsibility

Department members must be aware that failure to comply with the law or any fraudulent reporting of compliance can subject the violating Department member to an administrative investigation, possibly leading to discipline within existing Department policy. Department members who are non-compliant with ExpressLanes restrictions may be held accountable for any fees and/or penalties assigned.

Department personnel may purchase a transponder and use it with a Department vehicle, but they are required to follow the rules of the ExpressLanes terms of use with Metro. Personnel will be held accountable for the misuse of a transponder in the ExpressLanes if, in fact, there are less than the required number of persons in the vehicle while traveling in the ExpressLanes.

Allowable Exceptions for Marked Units

It is critical for all Department members to understand that they must comply with Section 23301.5 CVC even when operating a marked patrol vehicle. This law specifies that in order to qualify as an "authorized emergency vehicle" the vehicle must be "properly displaying an exempt California license plate, and is properly identified or marked," to include external surface-mounted red and/or blue warning lights and displaying public agency identification. The marked County vehicle, while in the HOT lane, must be driven in response to or returning from an urgent (priority) or emergent call or engaged in an actual emergency. Actual display of emergency lighting is not required under this law.

The Department has entered into Letters of Agreement (LOA) directly with Metro for exemption of certain vehicles, as long as those vehicles comply with the agreed upon restrictions, in that they are only exempt when in the performance of specified duties and not commuting to/from work, training or engaged in routine business not identified within the LOA. Such vehicles have been entered into the toll system as "non-revenue" vehicles. Inmate transportation, law enforcement patrol operation of the 110 bus stations, as well as patrol of the Metrolink stations along 10, are examples of non-revenue vehicles. Marked patrol vehicles (excluding vans, utility vehicles, pickups, etc.) assigned to Carson, Century, South Los Angeles, and Temple Stations are also designated as non-revenue vehicles. In addition, specific specialized emergency response units (i.e., Special Enforcement Bureau, Emergency Services Detail, Arson Explosives and HazMat Details, as well as Emergency Operations Bureau and mobile communication response vehicles) are considered non-revenue.

Reimbursement for Toll Violation Fees and HOT Lane Usage

Claims for reimbursement of toll lane fees are not being accepted by Fiscal Administration Bureau; however, update(s) are anticipated in the future. Refer to Fiscal Notice bulletin(s) and/or contact Fiscal Administration

Bureau for further guidance.

Violations

The ExpressLanes are enforced with a combination of CHP enforcement and cameras that take pictures of vehicle license plates for those vehicles without a transponder. Violator vehicle information is conveyed to the California Department of Motor Vehicles, and the registered owners are sent a violation notice for payment. The first notice allows the violator to pay only the toll amount owed within 14 days of the date the notice was mailed. If the toll is not paid within 14 days, a \$25 penalty is assessed. If the violation is unpaid after 30 days, an additional \$30 penalty is added. After 60 days of non-payment, a hold is placed on the vehicle registration or it will be sent to collections for payment.

In the case of a Department-owned vehicle, all violation notices shall be directed to LASD Communications and Fleet Management Bureau (CFMB). In some cases, toll violations may be misdirected and should be immediately routed to CFMB to initiate proper LASD processing. CFMB will date/time stamp the notice upon receiving it. The notice shall be entered into the Fleet Asset Status Tracking (FAST) program for tracking and archival purposes. Within 24 hours of receiving each notice, CFMB shall forward the violation notice(s) directly to the affected unit commander(s).

Disposition of Violations

Each unit commander is responsible for the review, handling and reconciliation of toll violation notices at the unit level. If the violation was received late (according to the time stamp from CFMB) and an increased fine is already imposed, the unit of assignment must notify CFMB of the concern and provide an explanation about the lag time involved in getting the first notice.

It is incumbent upon the vehicle's assigned unit (at time of violation) operations lieutenant, assistant director, or comparable designee to investigate, identify the operator, and ensure each violation is 1) paid by the violator; 2) formally contested with Metro for good cause; or 3) request a dismissal, per § 23301.5 CVC. The unit of assignment must ensure each violation is properly resolved in a timely manner, and a response shall be sent directly to CFMB.

If determined that the vehicle receiving the toll violation notice was in compliance with Section 23301.5 CVC, the unit of assignment shall provide a written response directly to CFMB utilizing the form provided (attached). The notice to CFMB may only be signed and submitted by the unit operations lieutenant, assistant director, comparable or higher ranking management personnel. This rule was imposed to assure Metro that an official investigation occurred, and the allowable purpose was affirmed by an authorized Department official.

Data Entry – Violation Tracking

The unit operations office shall ensure the final outcome for each reported violation is noted in the FAST program (all units of assignment have been given direct access to the program for this purpose). If there is any trouble accessing or updating the program directly, contact CFMB at (323) 881-3983.

Loaned LASD Vehicles

Toll violations issued to loaned vehicles shall be forwarded to the unit of assignment where the vehicle was

loaned to at the time of occurrence. It shall be the responsibility of CFMB to determine the unit responsible and forward the toll violation(s) to the concerned unit commander to resolve as outlined herein. In the event that the fleet management intake office lacks specific loan records and/or the responsible unit cannot be determined, Metro shall be notified by the fleet management lieutenant.

ExpressLanes Outside of Los Angeles County

Violations for ExpressLanes outside of Los Angeles County shall be handled in the same manner as prescribed above; however, the LOA with Metro does not apply as there are no "non-revenue" list vehicles allowed to use the lanes outside of Los Angeles County.

Questions regarding the content of this Field Operations Directive may be directed to Communications and Fleet Management Bureau (CFMB) at (323) 881-3983.
