



POLICY ON PRIVATIZATION OF TOLL FACILITIES

ATA strongly opposes the lease or sale of toll roads, bridges or tunnels to private parties for the purpose of funding highway infrastructure. If such a facility is sold or leased to private investors, ATA recommends the following:

- Proceeds derived by the government from the sale or lease of a toll facility should be used exclusively for highway investments on untolled facilities. Facility customers should not be required to subsidize unrelated government functions.
- Toll rates should be set at a level that covers only the costs of construction, reconstruction, maintenance and operation of the associated toll facility, plus a reasonable return on investment and debt service costs. Any differences in toll rates among vehicle classes should be reasonable.
- Lessees should provide adequate facilities for the trucking industry, including access to food, fuel and safe parking accommodations for long-term rest.
- A rebate of federal and state fuel taxes for users of the facility.
- A prohibition on the private party imposing its own restrictions or special fees on vehicle configurations (e.g. oversize/overweight vehicles) and commodities (e.g. hazardous materials). It is anticipated that improved truck productivity will be part of any serious discussion of privatization benefits. Therefore increases in vehicle size and weight limits above that allowed under applicable federal or state law is not opposed.
- A sinking fund to ensure that sufficient revenues are available for continued maintenance and operation of the facility.
- Non-compete clauses that prevent improvements to competing highways should not be included as part of a lease or sale agreement.
- Open Road Tolling (ORT) technology that allows motorists to travel at highway speeds must be adopted, and transponder technology must be compatible with technology used on other Interstate toll roads.
- Performance specifications which ensure that the facility is operated and maintained adequately, provides a level of safety that is comparable to similar facilities and provides for acceptable traffic flows.
- A clause that allows the responsible public agency to end the agreement if the public agency believes that continuing the agreement is not in the public's best interest. In addition, a process should be established for amending the agreement. An oversight committee should be established by the responsible public agency to monitor the facility and make recommendations to the agency as to whether the agreement should be amended or terminated. This committee should include representatives of all major stakeholders, including the trucking industry.

Good stuff.

