

**MARYLAND TRANSPORTATION AUTHORITY
MONTHLY CAPITAL COMMITTEE MEETING
THURSDAY, OCTOBER 1, 2015
PT. BREEZE HEADQUARTERS BUILDING
BALTIMORE, MD**

OPEN SESSION

MEMBERS ATTENDING: William Ensor, III
W. Lee Gaines, Jr.
William K. Hellmann, P.E.
Michael J. Whitson (via telephone)

STAFF ATTENDING: Milt Chaffee
Deb Sharpless
Dan Williams
Will Pines
James Harkness
Robert Michael
Dave LaBella
Dennis Simpson
Michele Gross
Mike Rice
Cheryl Sparks
Meshelle Howard
Donna DiCerbo
Sabrina Beverley
Chris Thompson
Kimberly Millender, Esquire

OTHERS ATTENDING: Janie Tiedeman, AECOM
Mark Coblenz, ICC Project Director
Dennis McMahon, ICC Team

At 9:00 a.m. the meeting of the Maryland Transportation Authority (MDTA) Capital Committee was called to order by Chairman Hellmann.

The agenda was amended by moving Items 7 and 8 before Item 4.

Upon motion by Member Gaines and seconded by Member Ensor, the agenda was amended by concurrence of the Members.

APPROVAL- OPEN SESSION MINUTES OF September 3, 2015

Upon motion by Member Gaines and seconded by Member Ensor, the Open Session meeting minutes of the Capital Committee's Meeting held on September 3, 2015 were unanimously approved.

APPROVAL CONTRACTS**Contract No. MA-2716-000-006 – Bridge Deck Sealing and Miscellaneous Repairs for Various Bridges on I-95 and I-695**

Mr. Dave LaBella presented this request to seek a recommended approval from the Capital Committee to present Contract No. MA-2716-000-006, Bridge Deck Sealing and Miscellaneous Repairs for Various Bridges on I-95 and I-695 to the full MDTA Board at its next scheduled meeting.

The work to be performed under this contract is located at bridges on the Fort McHenry Tunnel (I-95) and the Francis Scott Key Bridge (I-695) Facilities located in Baltimore City, Anne Arundel County, and Baltimore County, Maryland. The scope of work includes installing a protective sealant on bridge decks, cleaning and replacing bridge deck joint seals, patching deteriorated concrete in bridge decks and parapets, replacing pavement markings, miscellaneous other bridge and roadway repairs, and providing for all necessary maintenance of traffic.

There are allowances of \$25,000 for Railroad Expenses and \$250,000 for Miscellaneous Repairs and Work included in the Invitation for Bids (IFB) that will only be used if necessary and with prior approval of the Engineer.

This project was advertised on July 2, 2015. Six (6) Bids were received on August 12, 2015 and the responsive Bid results were as follows:

<u>Contractor</u>	<u>Bid Amount</u>	<u>% Variance To Eng. Est.</u>
Eastern Highway Specialists, Inc.	\$2,903,639.40	(32.24%)
Martins Construction Corp.	\$3,039,282.00	(29.08%)
Titan Industrial Services, Inc.	\$3,406,351.75	(20.51%)
Concrete General, Inc.	\$3,464,705.00	(19.15%)
Orfanos Contractors, Inc.	\$3,939,701.60	(8.07%)
The Marksmen Company	\$4,640,902.10	8.29%

The Engineers Estimate for this project is \$4,285,440.00. It was noted that the low bid was 32.24% below the Engineer's Estimate. Eastern Highway Specialists, Inc. has performed work on prior MDTA projects. An analysis of the bid compared to the Engineer's Estimate was performed by the Division of Engineering and the low bid submitted by Eastern Highway Specialists, Inc. was determined to be acceptable. A bid justification was completed and the bid was determined to be fair and reasonable.

This solicitation was advertised with a Minority Business Enterprise (MBE) participation goal of Thirty-Three Percent (33%) with sub-goals of Seven Percent (7%) for African American-owned firms and Four Percent (4%) for Asian American-owned firms. Eastern Highway Specialists, Inc. submitted an MBE plan that exceeds the goal. Notice-to-Proceed (NTP) for this Contract is anticipated in November, 2015. The Contract term is Three Hundred Sixty-Five (365) Calendar Days from Notice-To-Proceed.

After reviewing and discussing the differences between the Engineer's Estimate and the bid submitted by the recommended Contractor, upon a motion by Member Gaines and seconded by Member Ensor, the Members unanimously recommended approval of this contract by the MDTA Board at its next scheduled meeting.

Contract No. PB 3001 – Rooftop HVAC Replacement at MDTA Headquarters Building

Mr. Robert Michael presented this request seeking a recommended approval from the Capital Committee to present this Contract No. PB 3001 – Rooftop HVAC Replacement at MDTA Headquarters Building to the full MDTA Board at its next scheduled meeting.

The work to be performed under this contract is located at the Point Breeze Headquarters facility located in Baltimore City. The scope of work includes but is not limited to: Replacement of the existing packaged roof top air conditioning equipment and associated mechanical, electrical, and automatic temperature control specialties as indicated in the contract documents. Existing roof curb and associated ductwork to remain; Rebalance of all variable air volume units served by the replacement packaged rooftop air conditioning equipment per the contract documents; and Addition of sound attenuation of three variable air volume units per the contract documents.

An allowance of \$40,000.00 for miscellaneous repairs has been included in the Invitation for Bids (IFB) and will only be used if necessary and with prior approval of the Engineer.

This project was advertised on June 2, 2015. Three (3) bids were received on August 27, 2015 and the responsive bid results were as follows:

<u>Contractor</u>	<u>Bid Amount</u>	<u>% Variance To Eng. Est.</u>
Fresh Air Concepts, LLC	\$455,000.00	(17.39)%
Temp Air Company, Inc.	\$470,000.00	(14.66)%
Control Sources, LLC	\$553,580.00	0.51%

The Engineers Estimate for this project is \$550,768.27. It was noted that the low bid was 17.39% below the Engineer's Estimate. Fresh Air Concepts LLC has performed work on prior MDTA projects. Fresh Air Concepts LLC is the lowest responsive and responsible bidder and is therefore recommended for award to the full Authority. An analysis of the bid compared to the Engineer's Estimate was performed by the Division of Engineering and the low bid submitted by Fresh Air Concepts, LLC was determined to be fair and reasonable. A bid justification was completed and the bid was determined to be fair and reasonable.

This Contract was designated as a Small Business Reserve (SBR), with a Five Percent (5%) Veteran-Owned Small Business Enterprise (VSBE) participation goal and no Minority Business Enterprise (MBE) participation goal. Fresh Air Concepts, LLC is a certified SBR firm and submitted a VSBE plan that meets the goal. As the total value of this Contract exceeds the delegated authority of Resolution 15-01 dated 1/23/15, the MDTA will seek approval by the Board of Public Works on November 4, 2015. Notice-to-Proceed (NTP) for this Contract is anticipated in December, 2015. The contract term is One Hundred and Fifty (150) Calendar Days from Notice-To-Proceed.

After reviewing and discussing the differences between the Engineer's Estimate and the bid submitted by the recommended Contractor, upon a motion by Member Gaines and seconded by Member Whitson, the Members unanimously recommended approval of this contract by the MDTA Board at its next scheduled meeting.

INTERCOUNTY CONNECTOR PROJECT – I-370 to US 1 IN MONTGOMERY AND PRINCE GEORGE'S COUNTIES

Mr. Mark Coblenz provided an update on the completion of the entire Intercounty Connector project.

The limits of MD200/ICC mainline work begin at I-370 in Montgomery County and extend to US1 in Prince George's County. The 18 miles of new tolled highway and approach roadway improvements have been divided into four (4) separate design build contracts. Contract A was completed and open to traffic in February 2011 while Contracts B and C were completed in November 2011. These three contracts completed the toll road from I-370/Metro Access Road to I-95. The final contract, Contract D/E, completed the ICC by connecting I-95 to US1 in Prince George's County and addressed traffic access issues along the I-95 corridor and Konterra Drive. The Project cost and funding in the Final Financial Plan update is \$2.4B. A reduction of \$59M has occurred since the initial Plan was developed in 2006.

All the Contracts are still administratively active at this time with final payment to the design builder on Contract B anticipated in the next two months (see attachment for Contract Specific information). Contract D/E opened to traffic in November 2014 and, while construction activities have been completed, will remain administratively open for processing/approval of final submittals and to work through the pending claims, the majority of which have been appealed to the Maryland State Board of Contract Appeals.

Contract D/E Change Order Status: 46 processed to date for a value of \$13.3M with \$900,000 pending and an additional \$9.5M requested. Negotiations are progressing with Washington Suburban Sanitary Commission (WSSC) for \$3.9M reimbursement regarding betterment work that was incorporated into Contract D/E and already processed as Change Orders to the design builder for the contract.

At 9:35 a.m. upon motion by Member Gaines and seconded by Member Ensor, the Members unanimously voted to move into Closed Session pursuant to Section §3-305(b)(8) of the General Provisions Article, Annotated Code of Maryland to consult with MDTA and SHA staff about pending or potential claims in various stages of litigation related to the construction of the ICC under Contract D/E. The following persons were present during the closed session discussion: Chairman Hellmann, Member Ensor, Member Gaines, Member Whitson, Milt Chaffee, Deb Sharpless, Dan Williams, Will Pines, James Harkness, Robert Michael, Mark Coblenz, Dennis McMahan, Cheryl Sparks, Kim Millender, Esq., Sabrina Beverley and Chris Thompson.

At 10:10 a.m., a motion was made by Member Whitson and seconded by Member Ensor, with the unanimous approval of the Members, to adjourn the Closed Session and return to Open Session.

No action was taken during the closed session.

At 10:10 a.m. Member Whitson ended his participation with the meeting.

DECLARATIONS OF EXCESS LAND

Mr. Dennis Simpson presented this request seeking a recommended approval to the full MDTA Board to declare the Kane Street Property, Point Breeze Rail Road Track Property, and Point Breeze Power Plant Building excess to the needs of MDTA. Staff will also be seeking the MDTA Board's approval to delegate approval of these Declarations of Excess Land to the Executive Director.

Kane Street Property - (MMC#15-7036)

In January 2004, the President of Canton Railroad, Mr. John Magness, presented a proposal to the MDTA Board for the purchase of the Property to enable the expansion of the Canton's car storage and freight handling capacity. The property is located between Kane Street and I-95, just north of Eastern Avenue. At the May 18, 2004 meeting, the MDTA Board expressed consensus regarding the proposal for the MDTA to pursue the purchase of the Property from the City for use by Canton Railroad as a rail yard. The original plan was to purchase the 9.385 acre parcel of land owned by Baltimore City for a price of \$8,400.

Since the Property was originally purchased by the City with federal funds for I-95 construction (it is a land-locked excess parcel), the Federal Highway Administration (FHWA) is involved. The MDTA requested assistance from FHWA to further explain to the City how the federal regulations applied to the Property. FHWA advised the City that the federal funds reimbursement required (from the City) is 90 percent or 10 percent if the City agreed to a land swap or sale of the Property to the MDTA for transportation use. The Fair Market Value (FMV) of the Property has been determined to be \$84,000. The Purchase Agreement/Payment to the City would be \$8,400 based on FHWA waiving the 90 percent reimbursement requirement.

After extended discussions with the City and environmental due diligence activities, the Property transaction was presented at the November 24, 2010 MDTA Board meeting. At that meeting, the MDTA Board approved the purchase of the property from the City for the sum of \$8,400.

In September 2011, MDOT was awarded a Rail Line Relocation and Improvement (RLR) grant from the Federal Railroad Administration (FRA) for \$1,742,240 for the Canton Railroad Canton Area Rail Improvement Project. The total project cost is estimated to be \$3.879 million with MDOT contributing \$1.0 million and the Canton

Railroad contributing \$986,760 to the project. The remaining \$150,000 is covered by the due diligence work already completed by MDTA for the property.

Baltimore City has requested permission to continue to have access to the site to reach utilities. MDTA staff has recommended that this be accomplished through a right of entry agreement until an easement for those areas can be finalized.

Per MDOT Policy and Procedures, the MDTA shall determine the real property which is extra to its needs by a memorandum from the Executive Director (or designee). This memorandum, referred to as the Declaration of Extra Land Memorandum ("DELM"), designates the end of MDTA Internal Clearance. MDOT will review the DELM and determine if the property is "excess to the needs of MDOT". The DELM is required for all proposed MDTA dispositions, and the property must be deemed "excess to the needs of MDOT" before MDTA owned real estate may proceed through the Modal Clearance process.

By virtue of this DELM and the supporting documentation, staff requested approval to deem the subject property as being "extra to the needs of MDTA".

Upon motion by Member Ensor and seconded by Member Gaines, the Members unanimously recommended approval that the Kane Street parcel be declared "extra to the needs of MDTA" and delegate the authority to the Executive Director to sign the DELM, and proceed with leasing the property to the Canton Railroad by the MDTA Board at its next scheduled meeting. This action is subject to approval by the Board of Public Works.

Point Breeze Rail Road Track Property - (MMC# 15-7035)

The MDTA staff is proposing to dispose of a portion of land owned in fee by MDTA which will include the Point Breeze Rail Line located in the Point Breeze Industrial Park at the rear of Parcel C (Lot 3) in Baltimore, Maryland. The rail road tracks traverse the MDTA and the Maryland Port Administration (MPA) parcels. The MDTA's core business of tunnels, bridges and turnpikes are financially supported through tolls, while railroad operations are not a part of MDTA's core business. The MDTA does not use rail service and intends to transfer the tracks to MPA.

The Point Breeze railroad tracks are comprised of 1.18 acres or 51,460 square feet with MDTA owning the property underneath the tracks. The railroad tracks are located at 2330 Broening Highway, Baltimore MD 21224 in the Point Breeze Industrial Park on Parcel 3, Lot 3. The Point Breeze tracks are a part of the Canton Railway Company,

which was purchased in 1987 by the MDTA to provide rail services to Seagirt Marine Terminal of the Port of Baltimore.

The Point Breeze Industrial Park is comprised of several parcel owners including MDTA, MPA and RREEF. The railroad tracks traverse MDTA, MPA and RREEF's parcels and provide rail service to RREEF and MPA tenants. The MDTA does not use the rail service.

Canton Railroad has experienced derailments and the Point Breeze railroad tracks are in poor condition. Retaining ownership would require MDTA to rehabilitate the tracks; therefore, staff proposes to transfer ownership of the railroad tracks to MPA to preserve the corridor and freight rail service in the Point Breeze Industrial Park.

Per MDOT Policy DOT 654.1, the MDTA shall determine the real property which is extra to its needs by a memorandum from the Executive Director (or designee). This memorandum, referred to as the Declaration of Extra Land Memorandum ("DELM"), designates the end of MDTA Internal Clearance. MDOT will review the DELM and determine if the property is "excess to the needs of MDOT". The DELM is required for all proposed MDTA dispositions, and the property must be deemed "excess to the needs of MDOT" before MDTA owned real estate may proceed through the Modal Clearance process.

Upon motion by Member Ensor and seconded by Member Gaines, the Members unanimously recommended approval that the Point Breeze Railroad Track Property be declared "extra to the needs of MDTA", delegate authority for the Executive Director to sign the DELM, and proceed with transferring the property from MDTA to the MPA by the MDTA Board at its next scheduled meeting. This action is subject to the approval of the Board of Public Works..

Point Breeze Power Plant Building (Building Only) - (MMC# 15-7030)

The MDTA intends to demolish the Power Plant building and retain the land, within the Point Breeze Industrial Park, located at 2320 Broening Highway, Baltimore, Maryland 21224. The Power Plant building is vacant and is of no use to the MDTA. The building was constructed in or around 1929. The MDTA purchased parcel C, within the Point Breeze Industrial Park in 2001 and that purchase consisted of several buildings, which included the Power Plant. The MDTA's plan is to demolish the building due to deterioration and safety concerns. Once the demolition is completed, the MDTA will redevelop the site into a parking lot for its staff.

An environmental assessment was performed and based on the results; remediation of some materials has been recommended for removal and disposal prior to the demolition. It is the intent of Engineering to advertise, award and provide a NTP to begin work in 2016.

The purpose for pursuing the building demolition at this time is to avoid disruption to the planned operations of the Point Breeze campus. MDTA plans to renovate the 2330 building for conversion to the a new Authority Operations/Dispatch Center. Due to the close proximity and limits of disturbance required for the Power Plant demolition, it is more practical to perform both projects concurrently.

Per MDOT Policy DOT 654.1, the MDTA shall determine the real property which is extra to its needs by a memorandum from the Executive Director (or designee). This memorandum, referred to as the Declaration of Extra Land Memorandum ("DELM"), designates the end of MDTA Internal Clearance. MDOT will review the DELM and determine if the property is "excess to the needs of MDOT". The DELM is required for all proposed MDTA dispositions, and the property must be deemed "excess to the needs of MDOT" before MDTA owned real estate may proceed through the Modal Clearance process.

Upon motion by Member Gaines and seconded by Member Ensor, the Members unanimously recommended approval that the Point Breeze Power Plant Building be declared "extra to the needs of MDTA", delegate the authority to the Executive Director to sign the DELM, and proceed with demolition of the building by the MDTA Board at its next scheduled meeting. This action is subject to the approval of the Board of Public Works.

At 10:25 a.m. Member Hellmann left the meeting.

ALL ELECTRONIC TOLLING (AET) LEGISLAIVE FOLLOW UP STUDY

Mr. Dennis Simpson and Ms. Janie Tiedeman (AECOM) updated the Capital Committee on the outcome of an All Electronic Tolling (AET) Legislative follow up study.

This study was undertaken in response to House Bill (HB) 389, passed by the Maryland General Assembly in 2014. That bill requires MDTA to conduct additional studies of All-Electronic Tolling (AET) on its legacy toll facilities before implementation can begin. HB 389 includes the following requirements:

1. An analysis of AET in other states and description of various AET programs

2. An analysis of AET interoperability
3. An analysis of:
 - a. Alternative payment methods that do not exceed the existing cash rates
 - b. Video toll rates based on an analysis of actual costs and potential savings to collect video tolls
 - c. Toll rates needed to address concerns with video toll collection of trucks
4. An analysis of issues and factors related to AET that must be addressed before AET is implemented.
5. An overview of revisions, if any, to MDTA's initial AET proposal.
6. Proposed legislation, if required, related to implementation of AET.

The legislation requires MDTA to respond to the Legislature by January 1, 2016.

MDTA has conducted extensive analyses to respond to the six requirements of HB 389. These analyses have yielded the results summarized below.

AET in Other States and Description of Various AET Programs

Approximately one dozen toll agencies across the United States have converted their facilities to AET or, in the case of Northern Virginia Express Lanes, opened as AET facilities. These agencies are located in Texas, Colorado, Florida, California, Massachusetts and Virginia.

Highlights from our research into the programs of these agencies include the following:

- With regard to transponder toll rates vs. video toll rates, all but one agency charged a higher rate for video. The differential ranged from 16% to 100%.
- Two agencies set the video rate to be equivalent to the "pre-AET" cash rate.
- Transponders (or "mini-transponders") are generally free, provided the account holder pre-loads the account with funds. (It should be noted that most of the agencies use "sticker tags" which are considerably less expensive than *E-ZPass* transponders).
- A couple of the agencies ran transponder raffles at the outset of their programs to try to increase participation. Those promotions ended sometime after AET implementation.
- One agency has some unusual ongoing incentives, including "vanity stickers" and tie-ins for non-transportation items—like pizza.
- Virtually every agency with a transponder program, even if it does not have an AET program, uses video tolling. In some instances, video is used solely for

enforcement. In six cases; however, the video program is advertised, and has a promotional symbol.

- Every AET system is based on transponders and/or video. While some “mobile applications” are in development, none of them are currently in use by any toll agency in the United States.

AET Interoperability

As outlined in the “Transaction Cost Analysis Memo,” prepared for MDTA in September 2012, the last Federal Highway Authorization bill, “Moving Ahead for Progress in the 21st Century (MAP-21)” requires national toll interoperability by July 6, 2016. The toll agencies and industry have undertaken many measures to achieve this broad national goal, including existing interoperability efforts led by *E-ZPass*, trade association committee development towards standard technologies and rules, the Alliance for Toll Interoperability data exchange trials and services, and individual bi-state or regional efforts. It is not immediately certain that national interoperability will be achieved by 2016; however, it can be seen that for all practical purposes a very high degree of national interoperability will be possible within the short-term future.

Alternative Payment Methods That Do Not Exceed the Existing Cash Rates

One of the alternatives possible with a video account would be “pre-register/post-pay”. Under this option, the license plate of a vehicle would be identified when an account is opened, and a credit or debit card would be attached to that account. Once a toll is incurred, the account holder’s credit or debit card would be charged the toll. The pre-registration of the license plate would eliminate the expense to MDTA of identifying the registered owner.

An analysis of video toll rates based on an analysis of actual costs and potential savings to collect video tolls:

As outlined in the “Transaction Cost Analysis Memo,” prepared for MDTA in September 2012, the agency’s costs per transaction for FY 12-13 were:

- Manual (cash) = \$0.61 (nearly \$0.51 due to payroll costs)
- Transponder = \$0.30 (the lowest costs per transaction)
- ITOL (Image Toll, charged to a transponder account when the transponder is not read) = \$0.64 (mainly due to image review costs associated with linking a license plate to an existing *EZPass* account)
- Video Toll = \$2.27 (primarily due to image review, mailing costs, and Motor Vehicle Administration (MVA) lookups)

The additional expenses associated with video tolling are entirely related to identifying the vehicle, identifying the vehicle owner, notifying the vehicle owner, and collecting from the vehicle owner. Many of these additional costs could be significantly reduced through a license plate “pre-register/post-pay” subsystem, as described before. Still more of these additional costs could be reduced through the use of a license plate “pre-register/pre-pay” subsystem. Such a “pre-register/pre-pay” subsystem would eliminate the need to contact the vehicle owner. It seems likely that such a subsystem would have transaction costs approximately equivalent to ITOL, because the operation would be similar. Thus, the cost for this alternative payment method could come within five percent of the existing cash rate (\$0.64 per transaction for ITOL vs. \$0.61 for cash).

An analysis of toll rates needed to address concerns with video toll collection of trucks (3+ axle vehicles):

Based on a review of FY 2014 toll transaction data for the seven MDTA legacy toll facilities, truck traffic represented seven percent of the total traffic. Additional review of the data has shown that trucks comprised 18 percent of MDTA’s unpaid toll transactions and 55 percent of uncollected revenue. Thus, collecting uncollected tolls from trucks is even more important than collecting uncollected tolls from automobiles. Of the approximately 20,000 uncollected truck transactions which could be linked to an address, approximately 38 percent were from states other than Maryland. The top five states were New Jersey, Pennsylvania, New York, Delaware, and Virginia.

There are several approaches which could be taken to mitigate this problem.

- For tractor/trailer units, hold the registered owner of the trailer responsible for the toll, if the toll cannot be collected from the registered owner of the tractor.
- Continue to develop, finalize and use Reciprocal Violation Enforcement (RVE) agreements with other neighboring states. Efforts are now underway with Delaware, Virginia, and Pennsylvania; once those RVEs are in place, New Jersey and New York should be added. However, none of these states currently have enabling legislation to enter into reciprocity agreements.

Issues and Factors Related to AET That Must Be Addressed Before AET Is Implemented

In addition to the toll-rate-specific issues before, MDTA faces a number of policy, public outreach and business rule issues which should be considered prior to implementation of AET. These issues include:

- Account Conversion: Each customer now using cash will be provided with options. Additional customer service staff and additional automated payment options should be provided, particularly during the early days of AET.
- Existing Customer Service Hurdles: Steps need to be taken to address the issues identified in the market research effort conducted for this project, including improving the user-friendliness of the E-ZPass Maryland website.
- Notice of Toll Due (Invoice) Format: The Notice of Toll Due for a video toll is widely perceived by the public to be punitive. A change in format should be strongly considered to make it easier to understand, but the tone needs to stay firm.
- Ease of Obtaining Transponders: All of the current methods (stop-in center, on-line and at a participating retail dealer for “E-ZPass On the Go”) should be continued, and consideration should be given to having toll collectors sell transponders in-the-lane, for a period leading up to the conversion.
- Leakage and Reciprocity: For in-state violators, the most effective countermeasures for this increase would be rigorous enforcement of Maryland’s ability to withhold a vehicle registration renewal (and even cancellation of a current registration) for unpaid tolls. For out-of-state violators, RVE agreements are the most effective. Currently, the three states that are known to have enabling legislation to enter into reciprocity agreements are Massachusetts, Maine, and New Hampshire. These three states have signed agreements that enable the agencies to share motor vehicle and toll data in order to pursue and collect tolls, fines, and other fees from out-of-state toll violators. These agreements are enforced by denial of vehicle registration renewal in Massachusetts and New Hampshire and registration suspension in Maine. Other states are known to be aware of the issue, and some are considering such enabling legislation, but none have passed such legislation yet.
- Long-term Policy Issues: These include simplifying and streamlining business rules and the dispute resolution process, considering the life cycle of existing toll plaza infrastructure in the timing of AET implementation, and ongoing efforts to increase public acceptance of AET.

Overview of Revisions, If Any, to MDTA’s Initial AET Proposal

MDTA initially planned to implement AET at the Hatem Bridge and the Francis Scott Key Bridge in early 2015. As a result of a number of factors, including the results of this study, MDTA has decided to delay any implementation of AET until the contract for the next generation of its toll system (3G) is executed; this is scheduled to occur in 2018 at the earliest. The results of this study are being incorporated, as appropriate, into the Request for Proposals for 3G ETC. During the intervening time, MDTA will continue to

observe other AET implementations to learn further lessons and to improve its existing customer service challenges.

Proposed legislation, if required, related to implementation of AET

We are investigating the potential to introduce legislation to be able to send a Notice of Toll Due to a trailer owner when the tractor pulling the trailer's license plate is unreadable. The legislation would allow the trailer owner then to transfer liability back to the tractor owner pulling the trailer at the time the toll was incurred.

VIDEO TOLL AND CITATIONS PROJECT

Ms. Deb Sharpless updated the Capital Committee on the issues and activities underway to support the implementation of the video toll and citation process approved in HB420. Activities included;

- Announce and implement period for waiver of civil penalties
- Meet with District Court to review plan to address backlog of cases
- Take final action on COMAR changes
- Implement guidelines for waivers under new COMAR changes

There being no further business, the meeting of the MDTA Capital Committee was adjourned by general consensus at 11:05 a.m. following a motion by Member Gaines and seconded by Member Ensor.

The next meeting of the MDTA Capital Committee is scheduled for Thursday, November 5, 2015 at 9:00 a.m., at Point Breeze Headquarters, 2310 Broening Highway, Baltimore, Maryland.