

ALAMEDA COUNTY TRANSPORTATION COMMISSION

**ORDINANCE AMENDING ALAMEDA CTC EXPRESS LANES ORDINANCE
FOR ADMINISTRATION OF
TOLLS AND ENFORCEMENT OF TOLL VIOLATIONS**

WHEREAS, Alameda County Transportation Commission’s (“Alameda CTC”) Express Lanes Toll Enforcement Ordinance (“Toll Ordinance”) was adopted in July of 2015 and last updated in April of 2024; and

WHEREAS, the Toll Ordinance establishes civil penalties for the evasion of tolls on the I-680 and I-580 Express Lanes and for noncompliance with other policies set forth in the Toll Ordinance; and

WHEREAS, the boundaries of the Alameda CTC Express Lanes need to be revised to reflect the change in operations due to the dissolution of the Sunol Smart Carpool Lane Joint Powers Authority and the impending completion of the I-680 gap closure project; and

WHEREAS, federal law authorizing a discount for Clean Air Vehicles operating in tolled lanes on Federal-aid Highways, and associated state law implementing the authorization, expired on September 30, 2025; and

WHEREAS, Alameda CTC’s Toll Ordinance must be amended to remove references to the expired Clean Air Vehicle discount and to reflect other changes to the boundaries of the Express Lanes effectuated through completion of the I-680 southbound express lane between State Route 84 (SR-84) and Alcosta Boulevard and dissolution of the Sunol Smart Carpool Lane Joint Powers Authority.

NOW, THEREFORE, THE ALAMEDA COUNTY TRANSPORTATION COMMISSION DOES HEREBY ORDAIN AS FOLLOWS:

SECTION 1. Findings

Alameda CTC finds that the foregoing recitals are true and correct and are incorporated into the Toll Ordinance by this reference.

SECTION 2. Amendments to the Toll Ordinance

- A. **Section 3 “Definitions”** of the Alameda CTC Toll Ordinance is amended as follows with additions in double-underline and deletions in ~~striketrough~~:

f. ~~“CAV Transponder” means a Transponder associated with a FasTrak Account that either BATA or any other California toll operator agency abiding by CTOC interoperability guidelines has designated for use by an eligible Clean Air Vehicle.~~

- g. ~~“Clean Air Vehicle” means a motor vehicle referenced in Section (b)(5) of Section 166 of Title 23 of the United States Code that displays a valid decal, label, or other identifier issued pursuant to Vehicle Code Section 5205.5(a) or any other California law that enables toll free or reduced rate passage on the Alameda CTC Express Lanes.~~

B. **Section 5(d) “Exemptions from Tolls and Discount Tolls”** of the Alameda CTC Toll Ordinance is amended as follows with additions in double-underline and deletions in ~~strikethrough~~:

- d. ~~Motorists driving clean air vehicles shall be eligible to claim the Discounted Toll, if any, specified in Appendix A to this Ordinance. In order for a single-occupant Clean Air Vehicle Motorist to be eligible for a Discounted Toll, the Motorist must (i) use the properly mounted CAV Transponder issued for that Vehicle by the FasTrak Account managing agency and accurately declaring the number of occupants in the Vehicle (by switching the Transponder to the ‘1’, ‘2’, or ‘3+’ setting), or (ii) follow such other methods for indicating eligibility for the Discount as specified by the Alameda CTC in its adopted policies.~~

C. **Appendix A** of the Alameda CTC Toll Ordinance is amended as follows with additions in double-underline and deletions in ~~strikethrough~~:

APPENDIX A

SCHEDULE OF DISCOUNTS/SURCHARGES

Facilities and Tolls

Under the Alameda CTC Express Lanes Toll Enforcement Ordinance, discounts/exemptions applicable to two- and three-occupant Vehicles ~~and single-occupant Clean Air Vehicles~~ shall be as set forth in Table A-1.

D. **Appendix A, Table A-1** of the Alameda CTC Toll Ordinance is amended as follows with additions in double-underline and deletions in ~~strikethrough~~:

Table A-1

(as adopted by the Commission on ____ September 24, 2020 [**DATE OF ADOPTION**].)

Vehicles Eligible for Discounts	Discounts based on HOV Requirements (Discounts may not be combined.)
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	Posted requirement: HOV-2 (Minimum of two- occupant requirement)	Posted requirement: HOV-3 (Minimum of three- occupant requirement)
Vehicle with two occupants	Meets minimum occupancy requirement. No Toll.	TBD (This discount will be set before HOV-3 lanes become operational)
Vehicle with three occupants	Meets minimum occupancy requirement. No Toll.	Meets minimum occupancy requirement. No Toll.
Single Occupant Clean Air Vehicle	50% Toll Discount	

E. **Appendix B** of the Alameda CTC Toll Ordinance is amended as follows with additions in double-underline and deletions in ~~striketrough~~:

Appendix B

Operational Alameda CTC Express Lanes Under Jurisdiction of Alameda CTC

(as adopted by the Commission on April 25, 2024 [**DATE OF ADOPTION**])

- Westbound I-580: Greenville Road to Interstate 680
- Eastbound I-580: Hacienda Drive to Greenville Road
- Southbound I-680 Sunol Express Lanes: Alcosta Boulevard ~~SR-84~~ to Scott Creek Road ~~SR-237~~
- Northbound I-680 Sunol Express Lanes: Auto Mall Parkway to SR-84

SECTION 3. Severability.

If any section, subsection, sentence, clause, or phrase of this Ordinance is for any reason held to be invalid or unconstitutional by a decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance.

The Commission hereby declares that it would have passed the Ordinance, and each and every section, subsection, sentence, clause, or phrase not declared invalid or unconstitutional without regard to whether any portion of this Ordinance would be subsequently declared invalid or unconstitutional.

SECTION 4. Publication/Effective Date of Amended Ordinance.

A summary of this Ordinance shall be prepared by the General Counsel. At least five (5) days prior to the Commission meeting at which this Ordinance is scheduled to be adopted, the Clerk of the Commission shall (1) publish the summary, which will include a web address for access to the full version, in a newspaper of general circulation printed and published within the jurisdiction of the Alameda CTC, and (2) post in the Alameda CTC's Office a certified copy of this Ordinance. Within fifteen (15) days after the adoption of this Ordinance, the Clerk shall (1) publish the summary in a newspaper of general circulation, which will include a web address for access to the full version, printed and published within the jurisdiction of the Alameda CTC, and (2) post in the Alameda CTC Office a certified copy of the full text of this Ordinance along with the names of those Commission members voting for and against this Ordinance or otherwise voting. The Clerk of the Commission shall attest to such adoption and publication of this Ordinance. This Ordinance shall become effective thirty (30) days after adoption.

PASSED AND ADOPTED by the Alameda County Transportation Commission
on _____ by the following vote:

AYES:

NOES:

EXCUSED:

Date Published: _____ (Alameda County)

Attested to:

Dated: _____

Clerk of the Commission