



COLORADO
Transportation
Investment Office

Express Lanes Safety Enforcement Program Review

July 2024

Agenda

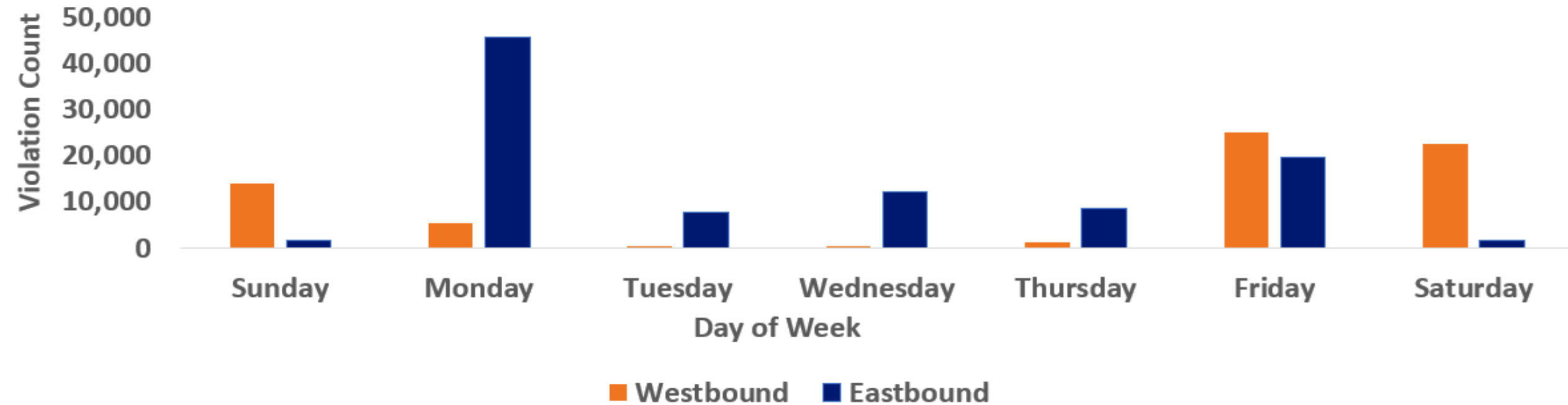


- Program Overview and Background
- Public Outreach and Communication
- Program by the Numbers
- Feedback Received
- Ingress and Egress zones study
- Dispute resolution
- Next Steps

Program Background and Overview

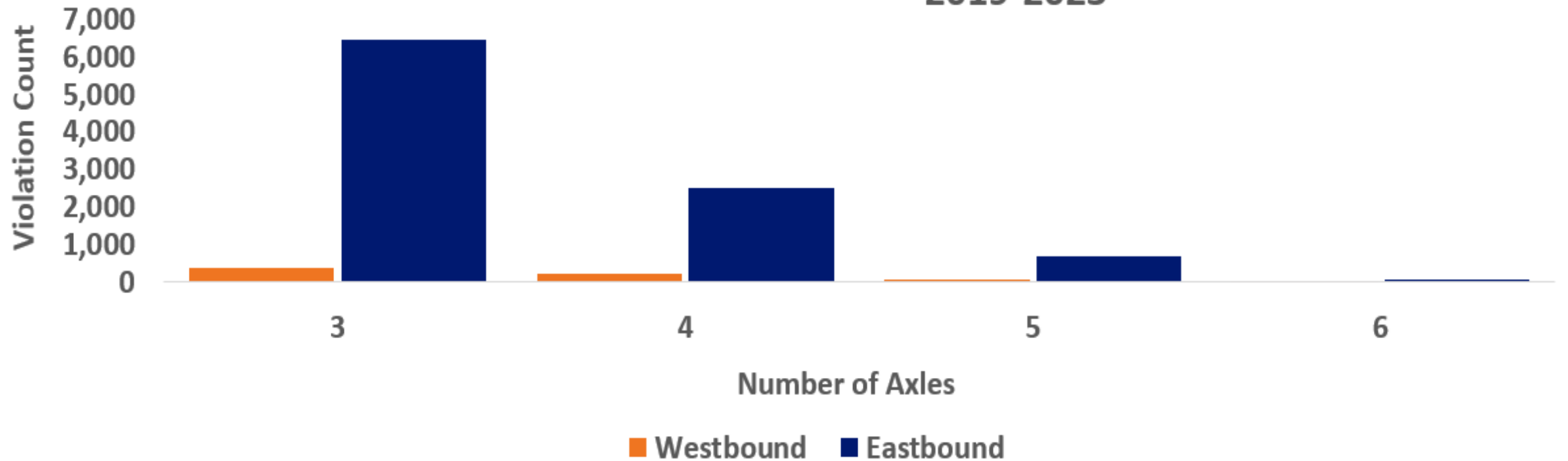
The Problem

Mountain Express Lane Closed Lane Violations 2019-2023



The Problem

Mountain Express Lane Extra Axle Violations 2019-2023



Network-Wide Pain Points

Adjacent lanes with no barriers presented problems.

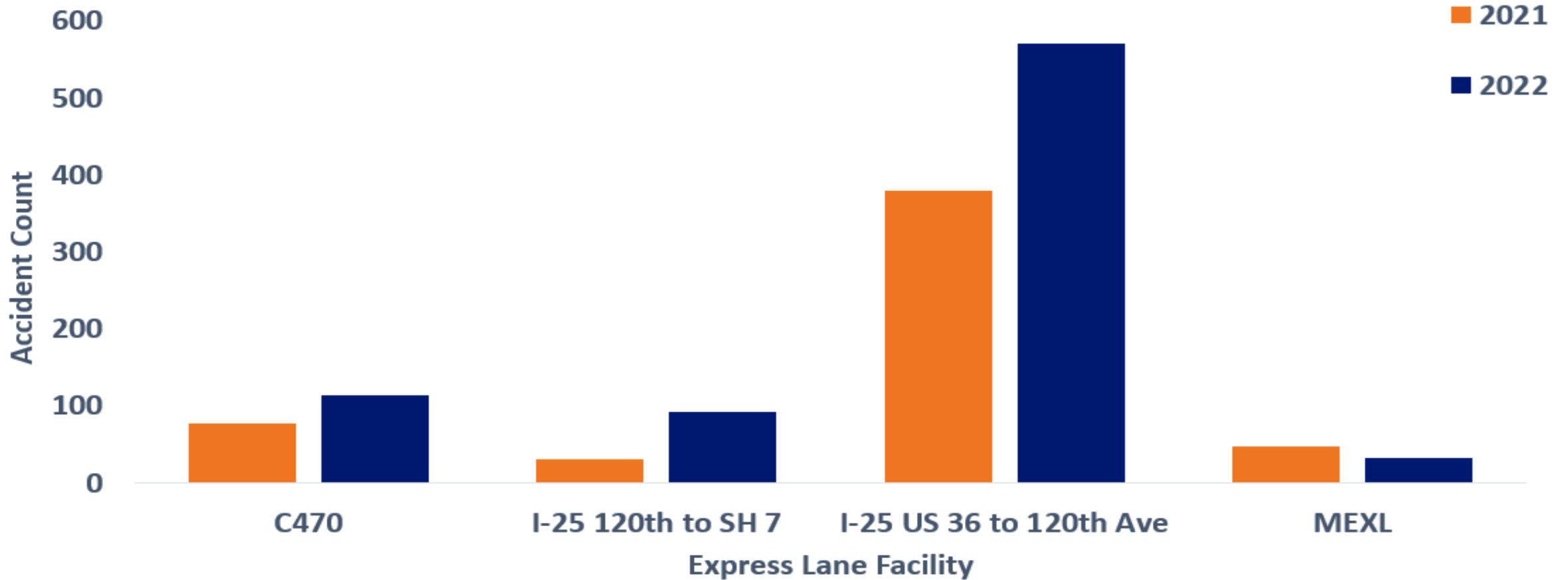
Drivers learned they could weave in and out to:

- Avoid toll points.
- Pass slower drivers (both in and out of the toll lanes).
- Enter and exit wherever they please.



Express Lane Accidents Due to Weaving

Express Lane Accident Counts by Facility and Year



Barriers to Enforcement

Large Volume/Not
Practical

Lack of Corridor
“Enforcement
Zones”

Required a Peace
Officer to be
present and issue
the fine

Peace Officers are
required to leave
the safety of their
vehicle

Two-Pronged Attack

LEGISLATION



SAFETY ENFORCEMENT PROGRAM

TECHNOLOGY

Legislative Solution - HB 22-1074

October 2021
Possible Legislative Sponsors Explored

December 2021
2nd Draft of PPSL Enforcement Bill

March 15, 2022
HB22-1074 Signed by Governor



September 2021
Proposal Submitted to Governor's Office

November 2021
1st Draft of PPSL Enforcement Bill

January 2022
HB22-1074 Introduced

April - June 2022
Rulemaking Process
2 CCR 606-1

Express Lanes Safety Enforcement Program (SEP)

- In 2022, the state legislature passed a new bill requiring CTIO to use advanced roadside technology to enforce safety violations, starting on the I-70 Mountain Express Lanes.
- Violators identified by this technology are issued a civil penalty via mail.
- 30-Day Grace Period when SEP goes live on a new Express Lanes facility
- The purpose of this enforcement is, most importantly, to keep all roadway users safe.
- CTIO is working to incorporate this technology across the Express Lanes network.
- The SEP is active on the Mountain Express Lanes, C-470, and I-25 North.

CTIO will use a mix of roadway sensors, cameras and other sophisticated technology to monitor and enforce these rules.



\$75
Civil
Penalty

The fine for these infractions is a \$75 civil penalty sent via mail to the registered address associated with the vehicle's license plate. If the penalty is not paid within 20 days of issuance, it will automatically increase to \$150.*

Technology Solution

Wireless Autonomous Lane Enforcer (WAL-E)

Jersey Barrier Mount



Freestanding Ground Mount



Public Outreach and Communications

Safety Enforcement Campaign Communication

The **goal** of communications for every Safety Enforcement Program campaign **is to inform the public** of the forthcoming civil penalties and give motorists the information they need to follow the Express Lane rules.



Safety is the primary purpose of this program.



Target audiences include both local residents and regional visitors.



The **grace period** has been leveraged to help inform the public and get the media talking about the program.

Outreach Overview



Earned Media



Stakeholder Outreach



Influencer Partnerships



Paid Advertising



Social Media Posts



VMS Messages



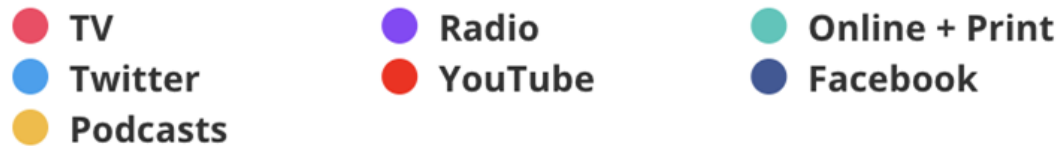
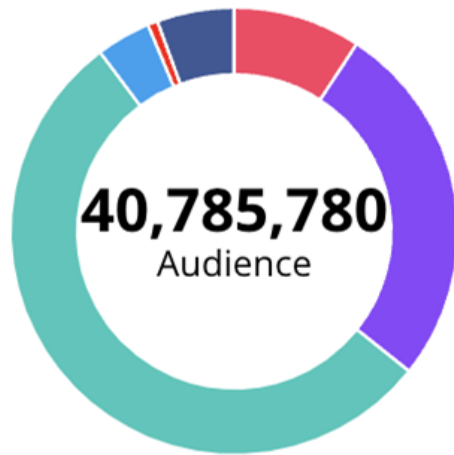
Website Updates



Legislator Notifications

2023 Safety Enforcement Earned Media Results Overview

Audience by Media Type



Mentions: 599

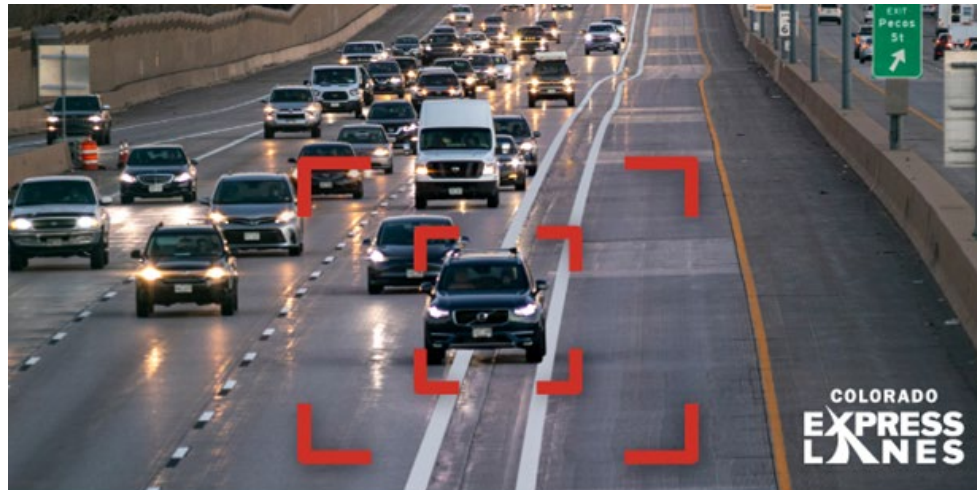
Impressions: 40,785,780

Top three media types:

1. Online/Print: 22,029,638 (54%)
2. Radio: 10,831,032 (26.6%)
3. TV: 3,755,537 (9.2%)

As of Dec 31, 2024

Safety Enforcement Program Advertising Campaign Examples



COLORADO
**EXPRESS
LANES**

**Cross the line,
pay the fine**

[LEARN MORE](#)



**IT'S THE
WILD WEST OUT THERE**

**EXPRESS
ONLY**

COLORADO
**EXPRESS
LANES**

**Not in the
Express Lanes**

**Cross the line,
pay the fine**

[LEARN MORE](#)

Ongoing Education

Grassroots partnerships

1. Ongoing stakeholder outreach with organizations and leaders along each corridor.
2. Building community partnerships with:
 - DMV
 - Rental car companies
 - Insurance companies
 - Driving schools
 - Tourism boards/welcome centers
 - Car dealerships

Research

1. Bi-annual survey to evaluate understanding and perceptions.

Drivers in 2023 agree more strongly with all statements related to enforcement

Percentage of drivers agree that...	2021	2023	Change
People weave in and out of Express Lanes to avoid the toll.	61%	68%	+7%
Express Lane rules should be more strictly enforced.	58%	72%	+14%
Photo enforcement increases safety of all drivers.	73%	79%	+6%
People will receive a fine if they misuse Express Lanes	N/A	75%	N/A

Future Outreach Plans

Quarterly advertising flights that will include:

- Television
- Online
- Print
- Billboards
- Radio
- Geotargeting
- Influencer partnerships
- Ski resorts
- Gas station TVs
- Network partnerships

Video animation campaign:

- Will show dangers of weaving
- Will show how to use Express Lanes
- To be used in video ads and on the Express Lanes Website

Program By The Numbers

Total Warnings and Violations By Corridor

MEXL

June 21, 2023 - July 2, 2024

- 7,418 Warnings
- 33,908 Civil Penalties

I-25

September 1, 2023 - July 2, 2024

- 39,983 Warnings
- 190,571 Civil Penalties

C-470

September 1, 2023 - July 2, 2024

- 34,748 Warnings
- 173,931 Civil Penalties

**Total
Warnings:
82,149**

**Total
Violations:
398,410**

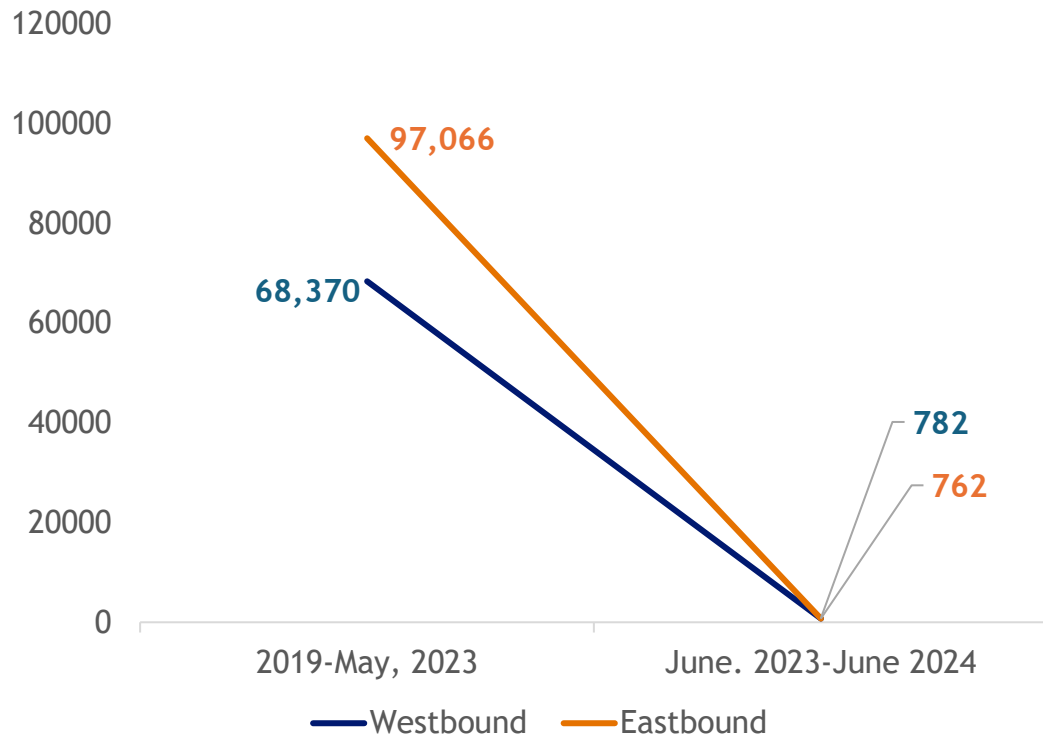
Colorado Vehicles with Violations

324,276 unique plates with one or more violations - 4.5% of total Colorado license plates.

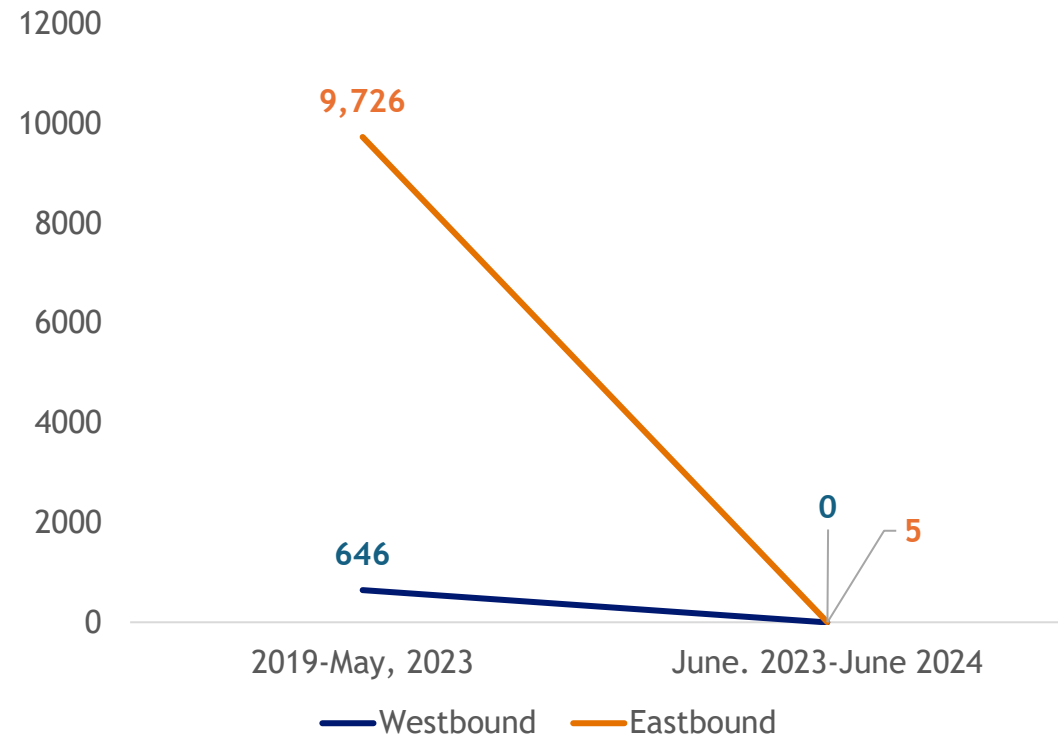
- Of the total Colorado vehicle fleet that has received SEP violations from Go Live (06/21/2023) through 06/21/2024
- Out of 7,246,067 registered vehicles, according to the Colorado Department of Revenue 2023 Annual Report.

Reduction in MEXL Violations

Closed Lane Violations



3 or More Axles Violations



Decreasing Violation Rate



The SEP program has seen a **80% drop** in the violation rate.

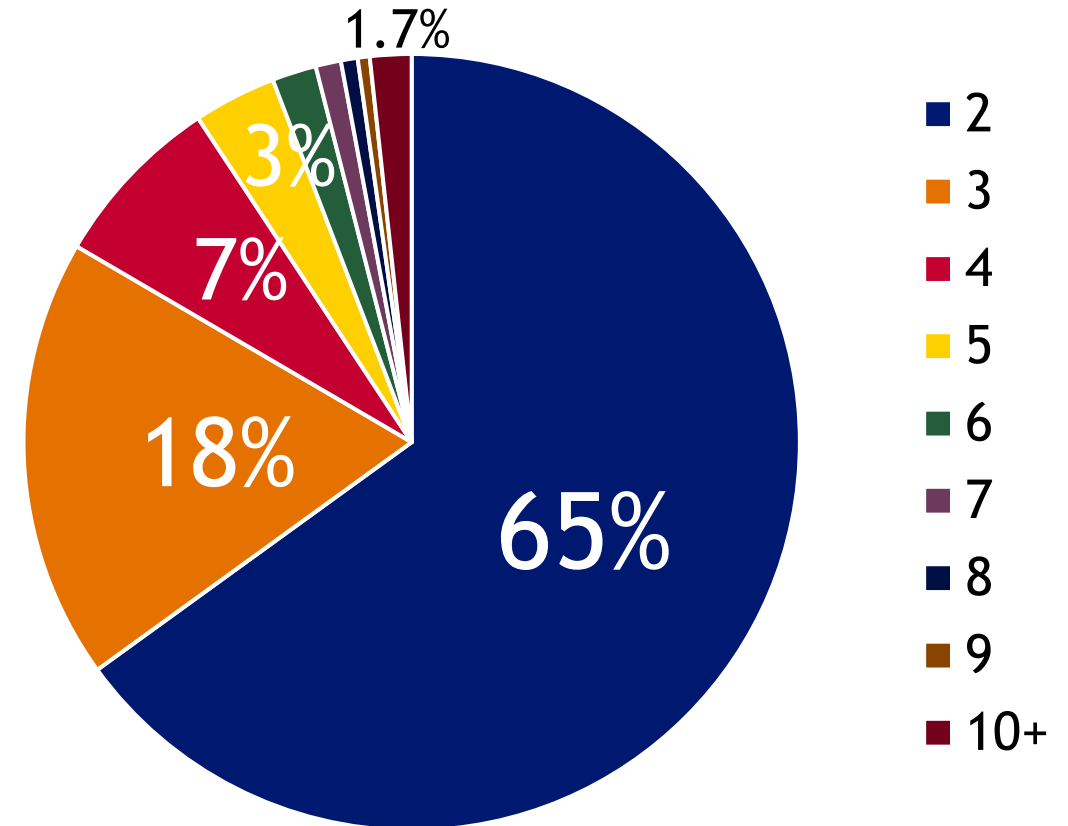
Repeat Offenders

80% of violators only commit one offense and don't do it again.

However, 77,176 vehicles have two or more violations

CTIO is tracking vehicles with multiple violations. The top ten of these range from 68 violations (10) to 137 violations (1)

Habitual violators



TOTAL: 77,176 vehicles with ≥ 2 violations

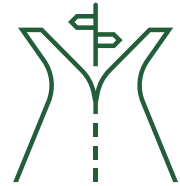
Program Revenue and Expense Summary

Item	Amount
Violations Assessed as of July 2nd	\$44,777,000
Violations collected on as of June 30th	\$21,775,839
Operations	\$9,790,255
Legal Support- Administrative Law Judges	\$898,523
overhead (staff time, consultant time, AG time)	\$35,000
Net Fine Revenue	\$11,052,062

- Costs are 49% of the current revenue collected

Feedback Received

Feedback Received: Common Themes



Ingress and
Egress Zone
Confusion

Dispute process



Fine amount

Program
Flexibility



Express Lane Ingress/Egress Confusion

Ingress/Egress Study

Background/Purpose

- Comments have been received across the network about certain ingress egress lengths being too short or being too close to the desired highway exit.
- Guidance for minimum lengths provided by AASHTO were as low as 500 Feet/Lane and largely based the design engineer's judgment.
- To achieve consistency across the network CTIO Staff sought to better define the minimum design criteria for Colorado Express Lanes.

Study Parameters

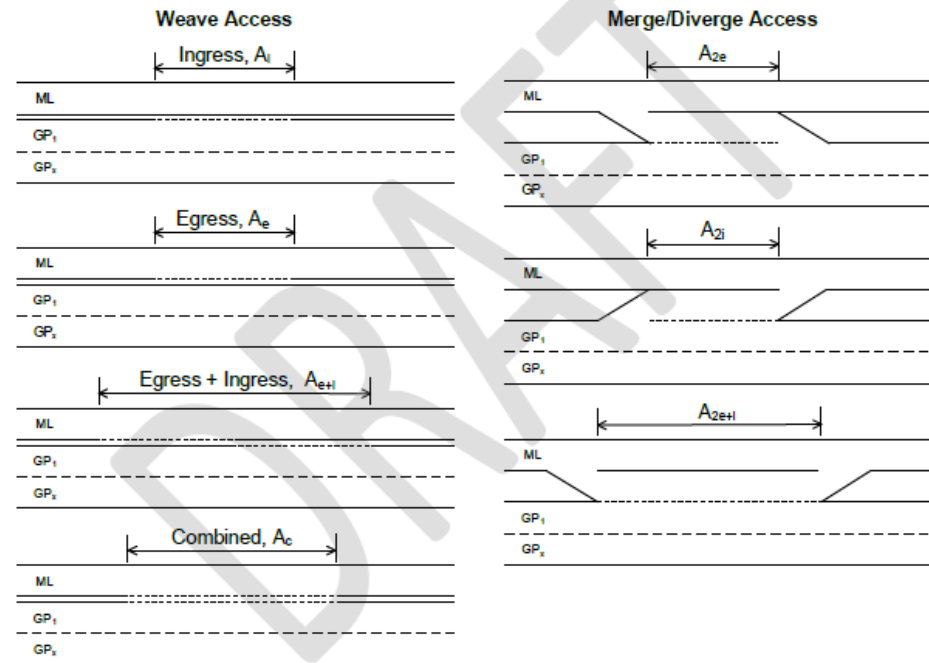
- Evaluate every ingress/egress design by reviewing the lengths and geometry to the adjacent interchange.
- Field observations (321 total drives/data points)
 - Driving each ingress/egress at various times of the day (AM peak, off-peak, PM peak).
 - Driving at various speed limits (55, 65, 75 mph)
 - Observing traffic operating from a distance.

Outcomes

- Design recommendations in the next slides

Ingress/Egress Study Outcomes - Recommended Length Guidance

Figure 2 shows the recommended access zone lengths for the various intermediate access zone designs.



Speed Limit	Condition	Weave Access				Merge/Diverge Access		
		Ingress A_i	Egress A_e	Egress+Ingress A_{e+i}	Combined A_c	Ingress A_{2i}	Egress A_{2e}	Egress+Ingress A_{2e+i}
55 MPH	Minimum	1,100	1,100	2,200	2,000	800	800	1,200
	Desirable	1,500	1,500	2,700	2,500	1,000	1,000	1,800
65 MPH	Minimum	1,300	1,300	2,600	2,250	700	700	1,400
	Desirable	1,750	1,750	3,100	2,750	1,150	1,150	1,850
75 MPH	Minimum	1,500	1,500	3,000	2,500	800	800	1,800
	Desirable	2,500	2,500	3,500	3,000	1,300	1,300	2,100

Figure 2. Recommended Access Zone Lengths for Various Lane Intermediate Access Zone Designs

Ingress/Egress Study Outcomes - Recommended Guidance on Proximity to Highway Ramps

Design Guideline Recommendations for Managed Lane Intermediate Access Locations
April 15, 2024

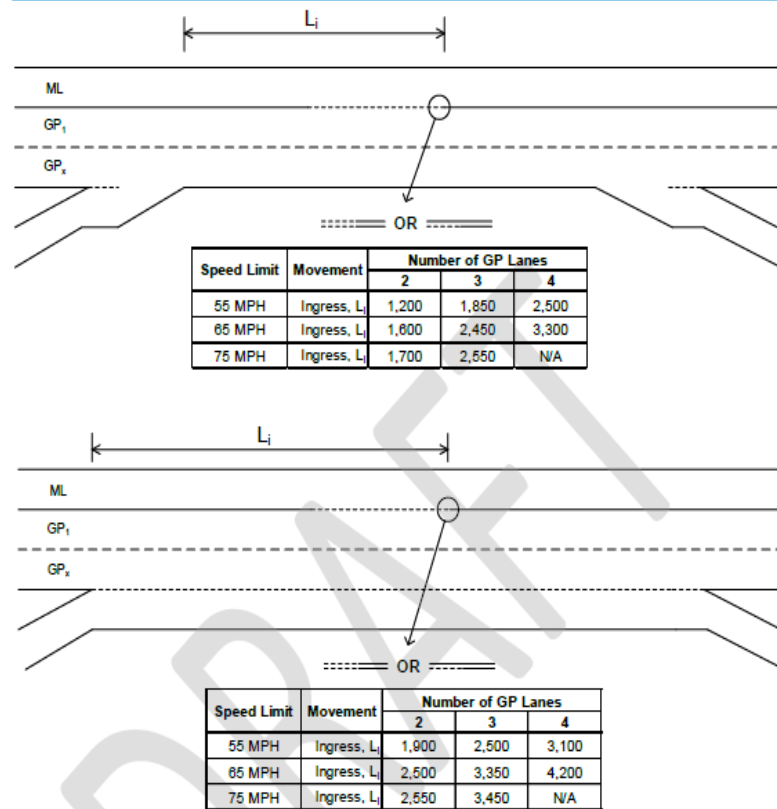


Figure 3. Recommended Minimum Access Zone Spacing from Upstream Ramps

Figure 4 shows the recommended minimum access zone spacing for egress to downstream ramps.

Design Guideline Recommendations for Managed Lane Intermediate Access Locations
April 15, 2024

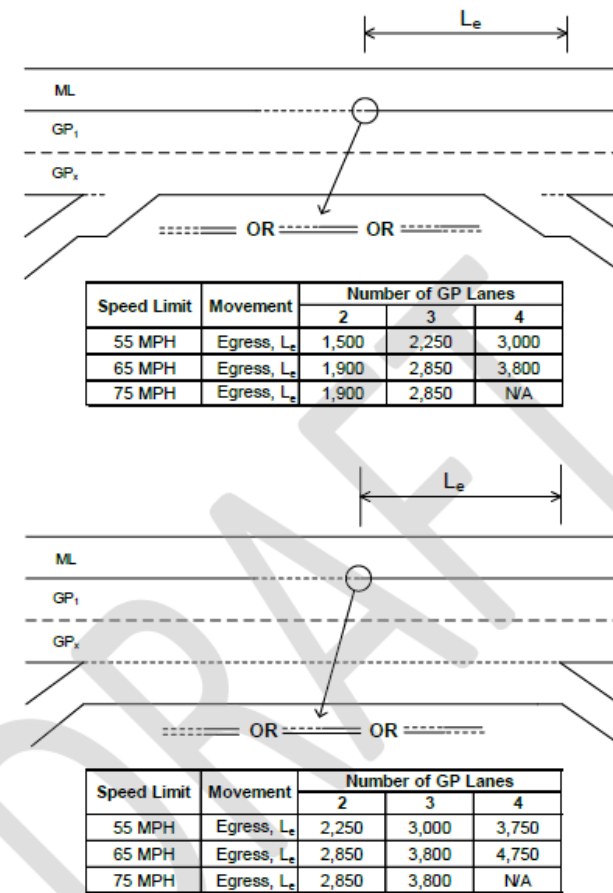


Figure 4. Recommended Minimum Access Zone Spacing to Downstream Ramps

Ingress/Egress Study Outcomes - Recommended Modifications

Design Guideline Recommendations for Managed Lane Intermediate Access Locations
April 15, 2024

Table 6. Recommended Revisions to Existing Intermediate Access Locations

Corridor	Direction	Location	Issue	Actions
I-25 Segment 2	NB	s/o Thornton Parkway (MP 219.04)	Egress distance to Thornton Parkway is 2,170 feet; 3,000 is recommended	<ul style="list-style-type: none"> Extend access zone striping 830 feet south Move barrier-mounted Local Exit sign 830 feet south
	SB	s/o Thornton Parkway (MP 219.15)	Egress distance to Thornton Parkway is 2,415 feet; 3,000 is recommended	<ul style="list-style-type: none"> Extend access zone striping 585 feet north Move barrier-mounted Local Exit sign 585 feet north
I-25 Segment 6, 7, & 8	NB	s/o SH 392 (MP 261.47)	Egress zone is 1,000 feet; 1,500 feet is recommended	<ul style="list-style-type: none"> Extend access zone striping 500 feet south Move post-mounted median Local Exit sign 500 feet south
	NB	s/o Prospect Road (MP 267.53)	Egress zone is 1,000 feet; 1,500 feet is recommended	<ul style="list-style-type: none"> Extend access zone striping 500 feet south Move post-mounted median Local Exit sign 500 feet south
	SB	n/o Harmony Road (MP 266.19)	Egress zone is 1,000 feet; 1,500 feet is recommended	<ul style="list-style-type: none"> Extend access zone striping 500 feet north Move post-mounted median Local Exit sign 500 feet north
	SB	n/o Crossroads Boulevard (MP 260.17)	Egress zone is 1,000 feet; 1,500 feet is recommended	<ul style="list-style-type: none"> Extend access zone striping 500 feet north Move post-mounted median Local Exit sign 500 feet north
US 36	WB	w/o McCaslin Boulevard (MP 44.43)	Access zone is 1,600 feet; 2,250 feet is recommended	<ul style="list-style-type: none"> Extend access zone striping 650 feet west Move barrier-mounted Local Exit sign 650 feet west

C470 Specific Feedback

No westbound entrance from Park Meadows Mall (Yosemite)

Working with CDOT to move forward ingress WB between I-25 and Quebec.

No eastbound entrance from US 85/Santa Fe

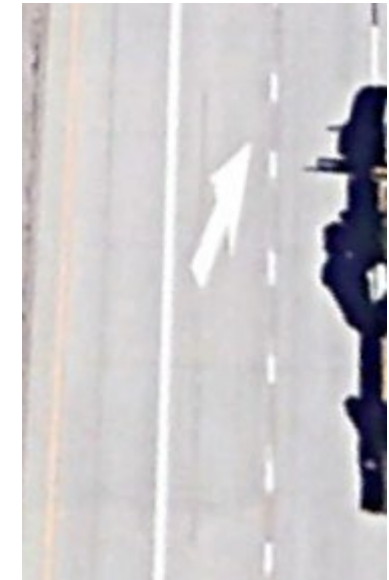
Working with CDOT to modify the egress only at Lucent to be a combined Ingress/Egress.

Drivers state they never crossed a double line, like all the signs warn against, however they still received a violation. They state it is not clear.

The driver didn't cross the double lines, however they went counterflow to the dedicated movement.

SEP C470 Specific Feedback - Exit Only Example

Typical exit signing and striping



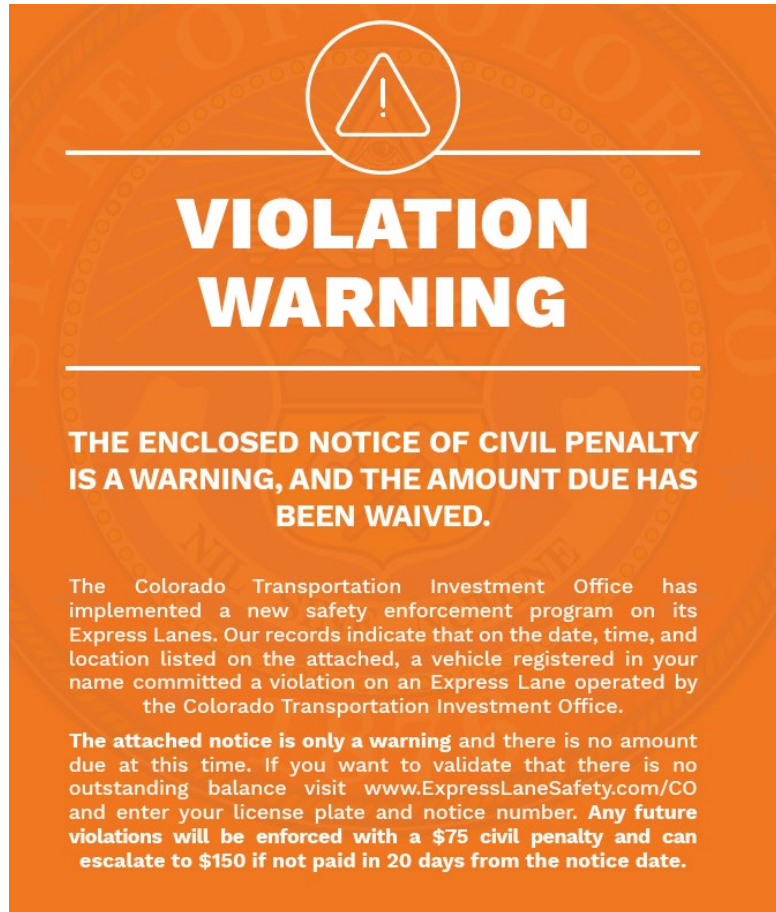
SEP C470 Specific Feedback - Entrance Only Example

Typical entrance signing and striping



Dispute Resolution

Program History



- Went live July 2023
- July through September, sent Violation Warnings
 - “Any future violations will be enforced...”
- Beginning October 1, 2023 - no more warnings

Process Overview

- Notice of Violation
- Dispute Review (if dismissal requested)
- Adjudication Hearing (if requested)
- County Court Appeal (if requested)
- Higher Court Appeals (if requested)
- Payment or Collections

Notice of Violation

NOTICE OF CIVIL PENALTY ASSESSMENT SUMMARY

Our records indicate that on the date, time, and location listed below, the vehicle identified committed a safety violation on an Express Lane operated by the Colorado Transportation Investment Office. This Notice of Civil Penalty Assessment is enforced pursuant to Colorado Statute Section 43-4-808(2)(b) and 2 CCR 606-1 4.00.

Failure to pay the amount due or properly respond within 30 days of the notice date will result in a default judgment, additional fees, collection action and possible vehicle registration hold, as provided by law.

Please note this Notice of Civil Penalty Assessment for an Express Lane safety violation is NOT A TOLL STATEMENT. Any tolls that were assessed in conjunction with the commitment of the violation will be billed separately.

Visit ExpressLaneSafety.com/CO to view toll evasion details and images

DISPUTE

If you do not believe you are responsible for the violation(s) indicated below, or wish to challenge the penalty(s), you may dispute this notice or any identified violation(s) and upload the required documentation online at ExpressLaneSafety.com/CO.

You will need this notice number and license plate to dispute the violation(s).



CIVIL PENALTY NUMBER	DATE/TIME	LOCATION	SAFETY VIOLATION	AMOUNT DUE BY: 06/23/2024	AMOUNT DUE AFTER: 06/23/2024
363 410 344	05/28/2024 5:49 PM	C470-westbound	Entering Express Lane outside authorized access zones	\$75.00	\$150.00

TOTAL DUE: **\$75.00** IF PAID BY 06/23/2024 | **\$150.00** IF PAID AFTER 06/23/2024

- Per CTIO Business Rules violator receives one violation per roadway per day
- One or more violations “batched” into a single notice
- Given 30 days to pay reduced civil penalty or request adjudication hearing
 - \$75 per violation
- Civil Penalty increases if no payment and no dispute filed within 20 days
 - \$150 per violation

Contesting Violations

(1) **Dispute Review**: Requesting a dismissal online or by calling customer service

- Dispute review denial is not final - may request Adjudication Hearing after denial

(2) **Adjudication Hearing**: Request a hearing with an Independent Administrative Hearing Officer (“Hearing Officer”)

Contesting Violation

1) Dispute Review Process

- Person fills out form or on a call identifies reason for request of dismissal
 - Sale of vehicle before violation occurred
 - Vehicle stolen before violation occurred
 - Bankruptcy of Registered Owner
 - Death of Registered Owner
 - “Other”
- System or CSR will request required supporting documentation
 - Sale of vehicle → bill of sale
 - Vehicle stolen → copy of police report or insurance report
 - Bankruptcy → bankruptcy petition
 - Death → death certificate

Contesting Violation

1) Dispute Review Continued

- Vendor reviews requests & supporting documentation
- If documentation is sufficient and/or vendor can verify valid “other” reason → dismissal
- If a request for dismissal is denied, customer is notified
- Customer still able to request an Adjudication Hearing if they call customer service

Contesting Violation

2) Adjudication Hearing

- Customer can request and schedule an Adjudication Hearing online or by phone after a dispute review is denied
- Customer must submit their evidence 72 hours before Adjudication Hearing
- Vendor submits CTIO evidence packet
 - The Notice of Violation;
 - Supporting affidavit(s)

Contesting Violation

2) Adjudication Hearing

- Hearing Officer's role = independent, third-party fact-finder
- Hearing Officer's duties during hearing:
 - Receive evidence from both sides
 - Make final decision whether the person is liable or not liable
 - If the person does not appear → a Final Order adjudicating the person liable by default
- If liable → \$30 adjudication fee in addition to civil penalty
- If not liable → no adjudication fee or civil penalty assessed

Contesting Violation

After an Adjudication Hearing

- If the person desires to contest the violation after being adjudicated liable, they may file a civil action in the county court in which the violation took place
- Customer must properly serve CTIO and the AG's office
- AG represents CTIO
- Unless the case is dismissed, the county court sets a “de novo” trial
 - Person may assert defenses & present evidence
 - The county court will make its own findings of fact
 - The Hearing Officer's findings are not binding

Contesting Violation

After County Court Appeal

- After trial, county court renders judgment
- Either side may appeal that judgment to higher court - district court, then Colorado Court of Appeals, then can petition Supreme Court for writ of certiorari

Defaults

Collections

- Unpaid civil penalties and adjudication fees will be sent to collections agency
 - Civil penalties are \$150 if they fail to pay or request an adjudication hearing
 - Civil penalties are \$150 if they request an adjudication hearing and fail to appear
 - Civil penalties are \$75 if they request a hearing & show up but are adjudicated liable
 - \$30 adjudication fee per Adjudication Hearing
- To date, no civil penalties or fees have been sent to collections yet
- To date, no vehicle registration holds have been requested from DMV
- Requesting an Adjudication Hearing or filing a civil action in county court halts collection efforts

Next Steps

Next Steps

Invest excess revenue in more extensive communications and outreach

Implement recommended changes from the Ingress/Egress study

Implement recommendations from the Attorney Generals Office on the Dispute Resolution Process

Review and update the business rules to reflect:

- DMV hold process. Staff will return with suggested criteria/thresholds for Board consideration
- Possible changes to other fees

Consider constituent and legislator feedback on fines

- If there are multiple violations in one day, should they be aggregated and then only given one violation?
- The goal is to deter this behavior. Is it punitive to fine them multiple times if they are unaware of the rules?
- Should CTIO enacting a daily maximum fine limit?

Bring a draft of a debt and collections policy to the Board for feedback

Explore options for more flexibility around the waiving of fines (outside of current allowable reasons)

Questions?