



6981 Kona Drive, Placerville, CA 95667
T: (530) 626-4250 F: (530) 626-4707

AmericanMotorcyclist.com

April 2, 2015

The Honorable Lynn Peterson
Secretary of Transportation
Washington State Department of Transportation
310 Maple Park Avenue SE
P.O. Box 47300
Olympia, WA 98504-7300

Dear Sec. Peterson:

The American Motorcyclist Association is writing to you regarding the state of Washington's practice of requiring motorcycles to have an identifying marker on a motorcycle in order to access the high-occupancy vehicle express toll lanes on I-405.

Founded in 1924, the AMA is the premier advocate of the motorcycling community. We represent the interests of millions of American on- and off-highway motorcyclists. Our mission is to promote the motorcycle lifestyle and protect the future of motorcycling.

The current policy requires motorcycles to have a "Good to Go! Flex Pass" in order to access the HOV lanes. As a result, out-of-state motorcyclists – many of whom are tourists purchasing food, fuel and lodging -- may be denied the HOV benefit due to their inability to get a transponder.

In a similar situation, the state of Virginia recently changed its policy on the newly opened lanes on I-95, south of Washington, D.C., and allowed motorcycles to pass through as an HOV without a transponder or sticker.

As you are aware, 23 U.S.C. § 129 (a) (4), which sets forth limitations on the conversion of HOV lanes, states, "a public authority with jurisdiction over a high occupancy vehicle facility on the Interstate System may undertake reconstruction, restoration, or rehabilitation under paragraph (1)(G) on the facility, and may levy tolls on vehicles, excluding high occupancy vehicles, using the reconstructed, restored, or rehabilitated facility."

According to Washington State's website, one carpool lane was converted to an express lane. We respectfully ask: Does the Washington State Department of Transportation possess the authority to toll any HOVs – whether equipped with a transponder or not – since it was a converted HOV lane?

We are also concerned with the requirement to put an opaque strip on the headlight if a location cannot be found to mount a transponder. This is in direct conflict with the Federal Motor Vehicle Safety Standard #108, which makes it illegal to decrease the light output and modify the beam pattern of a headlight, something that the use of this sticker will clearly do.

Thank you for consideration of our comments. If you have any questions please do not hesitate to contact me directly.

Sincerely,

A handwritten signature in black ink, appearing to read "Nick Haris". The signature is written in a cursive, somewhat stylized font.

Nicholas Haris
Western States Representative