

Value Pricing Outreach and Education: Key Steps in Reaching High Occupancy Toll Lane Consensus in Minnesota

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ABSTRACT

Since 1994 Minnesota transportation policy leaders have made several attempts to implement a value pricing project in the Twin Cities area. A joint effort involving the Minnesota Department of Transportation, the Metropolitan Council, and the University of Minnesota's Hubert H. Humphrey Institute of Public Affairs has led to an increased awareness by transportation, political, business, environmental and other community leaders that variable road pricing is integral to a long-term congestion management strategy. In 2003 the Minnesota State Legislature with the support of the Governor and Lieutenant Governor passed legislation allowing user fees for single-occupant vehicles in high-occupancy vehicle (HOV) lanes. Minnesota is currently considering the implementation of express lanes, also known as high-occupancy toll (HOT) lanes, on I-394 as the first test-bed for value pricing in Minnesota.

Minnesota's education and outreach efforts offer lessons for other states and regions considering value pricing projects: Local political champions are critical for the success of any value pricing effort; a communications strategy is necessary to make sure that a range of public interests are addressed; an initial demonstration project must be both technically and politically feasible; and a long-term approach undeterred by short-term setbacks is essential.

INTRODUCTION

Since 1994, the Minnesota Department of Transportation (Mn/DOT) and the Twin Cities Metropolitan Council have worked in collaboration with the State and Local Policy Program of the University of Minnesota's Hubert H. Humphrey Institute of Public Affairs to explore value pricing as a transportation solution in the Twin Cities. These efforts have been possible through a series of grants from the Federal Highway Administration's Congestion Pricing Pilot Program under ISTEA and Value Pricing Pilot Program under TEA-21. While there have been many obstacles in implementing value pricing in the Twin Cities, particularly since there are currently no toll roads in the area, the joint effort has led to an increased awareness by transportation, political, business, environmental and other community leaders that variable road pricing is an integral component for any long-term congestion management strategy.

History Of Value Pricing In Minnesota

Pricing initiatives have had a long history in Minnesota. In 1994 and 1995 the legislature directed Mn/DOT and the Metropolitan Council to jointly explore value pricing in Minnesota. At the same time Mn/DOT conducted a parallel public-private toll road partnership in accordance with a legislative act passed in May 1994. This program complemented value pricing efforts, as a proposed toll road would have the potential of becoming a value pricing demonstration. In 1995, after reviewing five toll road partnership proposals, Mn/DOT recommended the new Trunk Highway 212 be developed as a public-private toll road partnership. However, in accordance with the law, any of the communities within or adjacent to the corridor could reject the tolling proposition, and one community exercised this veto power, ending this project proposal.

Despite this rejection, the early success of the SR 91 HOT lane in California encouraged Mn/DOT and the Metropolitan Council to examine the concept of a toll lane system in the Twin Cities. The *Toll Lane System: Preliminary Feasibility Study* examined the feasibility of adding high occupancy toll lanes (HOT lanes) to the system. Subsequently, in accordance with authorizing 1997 legislation, Mn/DOT initiated a HOT lane demonstration on I-394.¹ The project intended to test whether single-occupancy vehicles would be willing to pay to travel in the HOV lanes and if so, how much. However, the proposed demonstration failed to gain much public support and was withdrawn by the Commissioner of Transportation reflecting his desire to preserve the concept for another day.

Mn/DOT, the Met Council, and FHWA remained committed to the concept of value pricing and proceed to re-evaluate the approach needed to implement a demonstration. Working through an FHWA value pricing grant, the Humphrey Institute coordinated local and regional workshops, and formed the Value Pricing Advisory Task Force to create the public dialogue necessary for the Twin Cities region to understand possible benefits of value pricing applications. After a year of discussion, in 2002 the Task Force advanced a recommendation to conduct road pricing during the re-construction of the I-35W and TH 62 commons area (known as the Crosstown Commons). The proposed re-construction of this road was highly charged with opponents and

advocates. Not wanting to add to the complexity of the Crosstown Commons project, the commissioner decided to reject the Value Pricing Advisory Task Force recommendation.

Value Pricing Advisory Task Force

In 2001 a 30-member Value Pricing Advisory Task Force composed of state legislators, mayors, and business, environmental and transportation association leaders, examined value pricing options in Minnesota and concluded that the state should proceed with a demonstration project. Aably led by a former state senator, the members of this task force expressed an interest to continue to champion the cause of value pricing and to communicate their reasons for supporting value pricing. A project team led by the Humphrey Institute developed and carried out a communications strategy for value pricing during 2002 and 2003 to help generate interest and support for value pricing as the state explored various transportation funding and congestion mitigation options.

Broad political support for value pricing finally began to emerge in Minnesota after nearly a decade of effort. A number of significant social, economic and political factors may have contributed to this changing climate including:

- State budget deficits exceeding \$4 billion
- An administration promise of no new taxes
- Growing population and congestion
- Widespread agreement that transportation issues had to be addressed
- Growing understanding of the benefits of value pricing

Largely as a result of the emergence of political champions from the Value Pricing Task Force, bipartisan support and leadership resulted in 2003 legislation supporting conversion of high-occupancy vehicle (HOV) lanes into express lanes allowing solo drivers to access the lanes for a fee. A newly elected Governor, Tim Pawlenty and Lt. Governor and Transportation Commissioner, Carol Molnau, endorsed moving forward with the conversion of HOV lanes to high occupancy vehicle (HOT) lanes. Nearly all associated with the project agreed that the HOV lanes on I-394 from Minneapolis through western suburbs would provide the best early test of the HOT lane concept. Almost at the same time Congressman Mark Kennedy of Minnesota became a national champion of FAST Lanes, which would permit states to use tolls to add new capacity in existing Interstate corridors.

2003 Legislative Provisions

During the 2003 legislative session, Minnesota legislators were looking for a way to respond to public concerns about increasing congestion on the I-394 general-purpose lanes while a dedicated HOV lane appeared to be underutilized. An earlier proposal by a state senator to open the I-394 “sane lane” to all users was opposed by FHWA and Mn/DOT and would have resulted in significant financial penalties if the state were to eliminate the HOV lane. A consultant study confirmed that the HOV lane was underutilized and opening it would yield a better benefit-cost ratio than the existing HOV lane. The consultant study recommended that Mn/DOT explore

other options to better utilize the HOV lane while continuing to provide an incentive for users to carpool or use transit. The consultant also recommended considering a HOT lane as an alternative. In 2002 and 2003 Mn/DOT studied a range of options for the I-394 HOV lane and worked with the Humphrey Institute's engineering consultant to develop HOT lane options for I-394. These options generated interest and support among legislators of both political parties and resulted in the passage of legislation to authorize HOT lanes in Minnesota. This legislation passed with broad support and without any significant political opposition.

The goal of the 2003 Minnesota value pricing legislation is to improve efficiency and provide more options to individuals traveling in a trunk highway corridor. Under this authority the Commissioner of Transportation may charge user fees to owners or operators of single-occupant vehicles using designated high-occupancy vehicle lanes. The fees may be collected using electronic or other toll-collection methods and may vary in amount with the time of day and level of traffic congestion within the corridor. The commissioner is directed to consult with the Metropolitan Council and to obtain necessary federal authorization before implementing user fees on a high-occupancy vehicle lane.

Money collected from express lane user fees must be deposited in a high-occupancy vehicle lane user fee account in the special revenue fund, and a separate account must be established for each corridor. Money in the account is appropriated to the Commissioner and from this appropriation the Commissioner is directed to repay the trunk highway fund and any other fund source for money spent to install equipment or modify the corridor for the purposes of an express lanes system and then to pay all the costs of implementing and administering the fee collection system for that corridor. The Commissioner is to spend the remaining money in the account as follows:

- One-half for transportation capital improvements within the corridor; and
- One-half to be transferred to the Metropolitan Council for expansion and improvement of bus transit services within the corridor beyond the level of service provided on the date of implementation of an express lane system.

Due to the need to integrate express lanes with the existing Regional Traffic Management Center (RTMC) freeway operations and the Minnesota State Patrol enforcement activities, Mn/DOT envisions a partner working with Mn/DOT and the Minnesota State Patrol to establish appropriate operational procedures.

Conditions for Success

Although a facility-based value pricing project has yet to be successfully implemented, Minnesota's efforts to generate support for value pricing provide new insights and confirm what others have learned in planning and implementing value pricing projects:

Champions

Local political champions are critical for the success of any value pricing effort. Minnesota has been successful in generating political leadership support and greater consideration for the concept of value pricing and translating this interest into support for a specific project. The

Value Pricing Advisory Task Force provided a forum to encourage a constructive dialogue necessary to advance the concept.

Communications

A communications strategy is necessary to make sure that a range of public interests are addressed, to correct misperceptions and to provide factual information on a timely basis about the benefits of value pricing. With the assistance of a communications consultant, the Minnesota project team enhanced its capacity to address the concerns of the public and various interest groups and to communicate the benefits of pricing to the general public.

Feasibility

It is important to select an initial demonstration project that is both technically and politically feasible. This requires a multidisciplinary project team with planning, engineering, economics, public policy and communications skills who are able to master the intricacies of value pricing and communicate effectively to a range of audiences.

Diligence

A long-term approach is critical. The pricing of any commodity previously perceived to be “free,” such as roads, requires a long-term education and marketing effort. Users and non-users must be convinced that the benefits exceed the costs. Even then, the economic rationale is not necessarily a convincing reason for most road users, and it is a significant departure from a highway model where there are no toll roads. Education and public awareness are necessary, but take time. The experience, knowledge and persistence of the Minnesota project team eventually led to the current interest, understanding and support for value pricing in Minnesota.

I-394 HIGH OCCUPANCY TOLL (HOT) LANE PROJECT

Description

In 2001, Minnesota obtained the status of a Value Pricing Demonstration Project state through the Value Pricing Program at FHWA, and as such, is prepared to implement its first facility-based road pricing project. Although the legislation is not corridor specific, there is consensus on converting the HOV lanes on I-394 as the region’s first test-bed for express lanes (Figure 1). The goal of the I-394 HOT lane project is to improve efficiency by increasing the person and vehicle carrying capabilities of HOV lanes, which are perceived at present to be underutilized. Presenting the pricing option on HOV lanes as a “choice” is a compelling argument. Not only do drivers who may need or value a faster trip benefit, but drivers in the general-purpose lanes also benefit by moving a portion of traffic out of those lanes. The concept of varying the price to manage demand is an easily understandable market principle that everyone has encountered.

At a minimum, the design and operational elements of this proposal were assumed to include:

- Free access and priority for carpools and bus users
- Premium speeds to be maintained by employing market based pricing that varies with demand;

- Drivers of single occupant vehicles may elect to gain access to the express lanes on an as-needed basis by paying a toll;
- Toll collection to be automated with in vehicle transponders and electronic readers placed on overhead gantries. There will be no toll booths in the corridor; and,
- Intelligent transportation system (ITS) technologies such as changeable message signs and in-vehicle enforcement will be employed where appropriate.

Use of the general-purpose lanes will continue to be free. To ensure free flow for all vehicles in the express lanes, fees charged will be adjusted to limit demand. The highest fee charged will likely be during the morning and afternoon rush hours, with shoulder and off-peak period fees adjusted according to demand. Revenue collected from paying users will be used to finance, operate and maintain the project, enhance transit in the corridor, and conduct enforcement.

In a second phase several significant physical improvements be considered to optimize corridor performance. These include:

- Incorporation of a movable barrier on the reversible lanes section which would convert two peak directional lanes to three lanes (two peak, one non-peak)
- Improvements to Trunk Highway 100 interchange at I-394 junction to allow all movements in peak and non-peak directions
- Re-striping of eastbound lanes in the Lowry Hill Tunnel to allow HOT and general purpose lane merge to occur under less conflict outside of the tunnel

This proposal calls for maintaining the existing diamond lanes west of TH 100 with minor changes. Those lanes will become 24-hour express lanes separated by a double yellow stripe line broken at a limited number of designated access and egress points. It will be illegal to cross those lines except at designated entry and exit points, or in case of emergency.

Additionally, features of an I-394 HOT lane improvement package were considered to increase the synergy with transit, carpool, and downtown parkers. Under an optimum design scenario the technology selected will be interoperable with transit and parking garages to increase flexibility for customers.

Public Acceptance Issues to be Addressed

Throughout the country (and world) where value pricing projects have been attempted similar issues regarding public acceptance typically arise including equity, use of toll revenues, enforcement, and user satisfaction.

Equity

Frequently, as projects are being developed, the public will view HOT lanes as a privilege reserved for the rich. Those who do not see themselves as users of the HOT lanes sometimes perceive that they will receive no benefit. To the contrary, however, benefits of HOT lanes accrue widely. Carpools and busses will continue to use the facility for free as they do now. The corridor will be managed and priced in such a manner to ensure the continued free flow of HOVs. If there is excess revenue generated by paying users, half of that revenue will go toward

enhancing transit service in the corridor. The issue of equity on express lanes has been researched extensively in other projects and it has shown that virtually all users benefit and most support the concept. There will be no exclusivity, except perhaps for certain classes of vehicles to ensure safe operations. Solo drivers will be allowed on the lanes if their vehicle is equipped with the appropriate electronic toll collection technology, and they will only be charged for the times they use it. If drivers are concerned about privacy they will likely have the option of opening a prepaid anonymous account.

Use of Toll Revenues

An important element to successful value pricing project implementation around the country is careful consideration regarding use of revenues collected. Attempts to remove revenue outside of the corridors in which the revenue is collected have been loudly opposed. Minnesota 2003 law authorizing conversion of HOV lanes to HOT lane did not equivocate on use of toll revenue. The law clearly states that revenues will first be used to pay back the state trunk highway fund for the costs of implementation and administration of the project. Excess revenue will then be evenly split to enhance transit service in the corridor and to improve the corridor.

Enforcement

Like HOV lanes, HOT lane enforcement is an important issue. Because the project is not yet operational, it is impossible to know the extent to which violations will occur. On the one hand there is no reason to believe that violators would increase, especially when there is a reasonable option to make them “legal.” On the other hand it will be more difficult for law enforcement to determine if the solo driver is a qualified vehicle.

The I-394 corridor has unique design and operational issues that may require the testing and deployment of enforcement technologies being developed for similar applications. Currently available wireless network technology allows police officers to use tools that can provide instant information regarding the status of vehicles in the HOV lanes. A common Personal Digital Assistant (PDA) can be equipped with an RF device allowing it to be linked to a local area network utilizing national communication standards. Using PDAs and wireless technology, two enforcement alternatives present themselves.

Officers can also place themselves in a predetermined enforcement zone that includes electronic toll collection (ETC) equipment and monitor traffic passing through the zone. When a vehicle with a transponder (SOV) passes through the zone, the network can signal the PDA in the officer’s possession and display the status of the transponder on the PDA (or provide an audio signal). If no signal is received, the officer can take the appropriate action. Once a vehicle has been stopped for a violation, the office can enter the license number or transponder number into the PDA and receive the account status as well as recent activity (including violations).

In addition to fixed enforcement, mobile enforcement is possible. By including voice recognition capability in the PDA, an officer can enter a vehicle license number into the PDA and retrieve the account status associated with it while following a vehicle in the HOV lanes. This could include recent tag read activity (has a transponder been displayed?). The information could come back to the officer as a display on the PDA or as a computer-generated voice message. Response time would be very fast if the PDA was in range of a toll zone. If not, the

same information could be transmitted over a longer-range wireless network or through a cell. Application of these ITS enforcement technologies will help develop a model for future express lane enforcement systems.

Regardless of how enforcement is handled from a policy or technical standpoint, it is imperative to have the right incentives in place or to have the political will to implement those incentives. Clearly, a violation must carry with it a strong enough “price signal” to deter such activity.

User Satisfaction

Bolstering support for express lanes in Minnesota was the widespread acceptance of HOT lanes in operation in various states throughout the country. Overall, user and non-user satisfaction has been high with operating express lane projects around the U.S. In all of the active projects the responsible transportation authorities are expanding, or studying the expansion of, the express lane options in those and other corridors in their respective metropolitan regions.

In San Diego, extensive survey work has been done with users and non-users to understand attitudes and perceptions with the I-15 express lanes.² Results of this work indicate that 88 percent of users and 66 percent of non-users agree that the express lanes work and save time. Both groups also support overwhelmingly that the lanes should be expanded. An unexpected outcome of the I-15 SOV buy-in project is that HOV formation increased and violations decreased.

Surveys conducted in Minnesota also suggest that the public may be willing to accept the concept of express lanes and accompanying user fees. In a January 2002 survey of 800 Twin Cities citizens by Decision Resources, Ltd., 57 percent supported “having the option of paying a fee to use an uncongested freeway when in a hurry.”³ This is even higher than the 51 percent in the same survey who supported a gas tax increase. In addition, a January 2003 survey of 1,000 adults by the Star Tribune revealed that 59 percent suggested increasing user fees as a means to manage the budget shortfall.⁴ While this project will have no direct bearing on the state budget, this finding seems to indicate a willingness to pay user fees and recognition that this option may be preferred to raising transportation taxes.

Communications/Marketing

The Humphrey Institute hired a professional communications expert with experience in public policy to assist with targeting and focusing its value pricing education and outreach efforts. This was a critical decision in assuring that the message was not too academic or technical and focused on the benefits the public would understand. The communications consultant helped to define and implement a communications strategy with the following elements.

- 1) A grass-tops vs. grass-roots communications strategy was adopted in the early phases. It is important to convince key public leaders – political, business, environmental, community leaders – first of the benefits of pricing and then let them sell the concept to their constituents.
- 2) Getting the Governor’s support has been critical step to move forward with a value pricing project. Value pricing supporters wanted to avoid the situation in Maryland where the governor stopped all work on HOT lanes and prohibited the state transportation department from even

considering the option. Governor Arne Carlson in 1997 withdrew the I-394 pricing proposal at that time but indicated he wanted to preserve the option for the future. Governor Jesse Ventura allowed Mn/DOT to explore value pricing options but never took a position in favor of moving forward on a specific project, leaving the policy choices to his commissioner. The current Governor Tim Pawlenty and his Lt. Governor Carol Molnau, who is also the Mn/DOT commissioner, are now encouraging Mn/DOT to move forward with the I-394 project.

3) Building a bi-partisan coalition is essential. Minnesota has been torn on solutions to transportation problems along party lines. Suburban Republicans prefer building more road capacity while center city Democrats prefer investments in transit. A debate over the first light rail transit line in Minneapolis has been a political flashpoint making it difficult to move forward on other transportation solutions. Value pricing can draw a bi-partisan coalition that can overcome the traditional roads vs. transit debate.

4) Getting the right message in communicating the benefits of value pricing is important. If the public views value pricing as toll roads, you aren't going to get very far. If they view value pricing as a way of giving them a choice to avoid congestion for a fee, they are much more likely to support a project.

5) Working with the media on an ongoing basis has helped get the message out to a wider audience. While not every story or TV news report has been favorable to value pricing in Minnesota, overall the local news media have communicated the benefits of pricing and helped get the message across to a broader audience. It is important to have answers to problems raised, e.g. equity issues, enforcement, and to correct misperceptions before they become the accepted reality.

6) Answering the critical questions is an ongoing task and will continue during the project development and implementation phase for I-394. The issues that will continue to be raised are what's in it for me, will it work, double taxation, transit vs. roads, technology. There is now a broader base of spokespersons in Minnesota who can address these questions. For this reason an I-394 Express Lanes Community Task Force has been created to provide Mn/DOT with ongoing policy guidance on implementation and operations issues. The Task Force is composed of Legislators, mayors, council members and citizens from communities along the corridor. The Task Force will provide guidance throughout the project development and implementation phase.

LESSONS LEARNED

The outreach and education efforts in Minnesota offer lessons for others considering value pricing projects.

1) People respond negatively to tolls unless they see some benefit for themselves. The public view tolls as they do taxes and will only support them if they can see benefits they would not otherwise receive. Value pricing solutions, such as a HOT lane if presented as a choice, offering a quicker trip and better transit, can generate public support.

2) People are willing to pay a fee to avoid congestion. The key is that they have a choice of paying a fee for a quicker trip when driving alone or avoiding a fee by carpooling, using transit,

or using the general purpose lanes. The fact that people of all income levels use and strongly support these lanes in places such as San Diego indicate that concerns about equity are of less concern than originally anticipated.

3) People respond positively to new technologies if they work. Many people still associate tolls with toll booths and are likely to be more supportive when they see the simplicity and effectiveness of electronic toll collection. While Minnesota does not currently have tolls, the public is becoming more familiar with electronic toll technologies as they travel in the east or west and through news accounts of success with HOT lanes in other U.S. cities, such as San Diego.

4) People are more open to value pricing as congestion gets worse. A 1995 Twin Cities Citizens Jury™ conducted on the topic of congestion pricing showed that the public did not support congestion pricing for the Twin Cities at that time.⁵ However, the group indicated that they might reconsider if congestion got worse in the future. Congestion has in fact gotten much worse in the Twin Cities making the HOT lane option much more attractive.

5) People will strongly support value pricing if they see it work. A major reason the 1995 Citizens Jury™ opposed congestion pricing was that they didn't believe it would work. Since then the successful value pricing projects in San Diego and other U.S. cities as well as the recent success with London's Congestion Pricing Scheme will help in convincing the public that pricing does in fact work. The survey results in San Diego indicate that the public can become strong supporters when a project has proven successful.

6) A package of benefits will assure a broader base of support. The public is frustrated with congestion and justifiably cynical about oversimplified solutions. They are most likely to support a value pricing project if they see benefits to themselves and clear improvements in the transportation system. It is important to show a package of benefits --consumer choice, faster trip, better transit, more road capacity, reliable technology, carpooling encouraged – that appeals to a wide range of users.

CONCLUSIONS

The HOT lanes model is a proven concept that is a win-win situation for users and non-users alike and has been proven in similar projects. The key to success is winning public support through education and outreach. This involves enlisting key leaders as champions, effective communications focused on benefits and addressing public concerns, a strong technical solution involving a package of benefits, and a long-term, sustained community effort.

The primary benefits of the HOT Lane approach being implemented in Minnesota include:

- Transit and carpoolers are ensured of continued priority in the corridor and enhanced service. In addition to improved peak direction traffic flow, traffic flow in the off-peak direction will also be improved.
- Motorists in the corridor benefit because they will have a fast and reliable option that

is congestion free. The empty-lane concern will be eliminated.

- General-purpose lane users will benefit because their lanes will become less congested as some users switch to the Express Lane.
- Testing and deployment of the latest ITS technologies for enforcement that communicate with in-vehicle transponders, will significantly enhance the ability to effectively manage express lanes.
- Ongoing community involvement in developing policy and guidance on implementation and operations is critical for success

The FHWA Congestion Pricing and Value Pricing pilot programs have been critical sources of funding for Minnesota's planning, education and outreach efforts on value pricing. FHWA's financial support as well as lessons learned from other pilot projects have allowed continued work on value pricing in the Twin Cities, setting the stage for the HOT lane project which is currently be considered for implementation. A long term perspective, education, marketing, patience, and support at the top administrative levels have been key to positioning Minnesota for its first value pricing project.

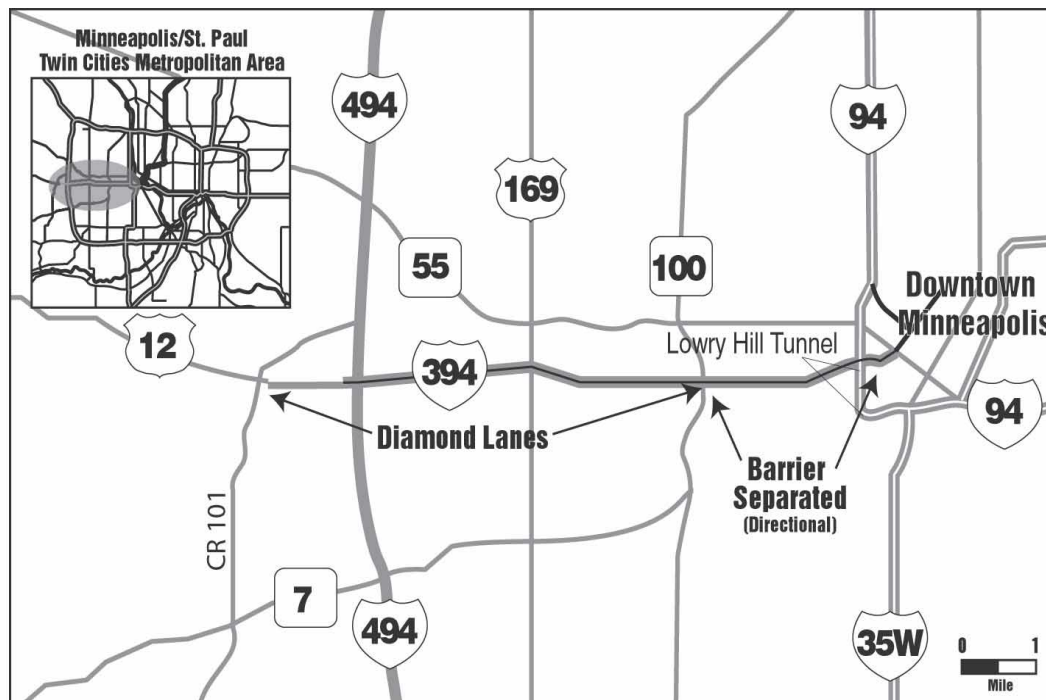


Figure 1. I-394 Express Lane Corridor

I-394 interchange at Minnesota Highway 100 looking east toward downtown Minneapolis



The reversible HOV lane on I-394 has excess capacity making a HOT lane feasible.



Endnotes

- 1 Minnesota Department of Transportation and Metropolitan Council, *Toll Lane System: Preliminary Feasibility Study*, prepared by Wilbur Smith Associates in association with SRF Consulting Group, Inc. and Cook Research, Inc., January 1998
- 2 San Diego Association of Governments, *I-15 Managed Lanes Value Pricing Project Planning Study: Concept Plan, Volume 2 Public Outreach*, prepared by Wilbur Smith Associates with FPL and Associates, Judith Norman Transportation Consultant, Fairfax Research, Frank Wilson Associates, ESTC, and ALESC, February 2002.
- 3 Decision Resources, Ltd., Highway Funding Study Metropolitan Area, public opinion survey results (unpublished), January 2002
- 4 Star Tribune Minnesota Poll, conducted December 17-22, 2003, 1,003 Minnesota adults selected from a random telephone sample; *Star Tribune*, January 5, 2003.
- 5 Congestion Pricing Citizens Jury™, conducted by Jefferson Center in conjunction with Minnesota Department of Transportation, Metropolitan Council, and the Humphrey Institute of Public Affairs, May 1995.

