

NOTICE OF PROPOSED RULEMAKING
California Code of Regulations
Title 21, Public Works
Department of Transportation

TO ALL INTERESTED PERSONS:

The California Department of Transportation ("Department"), pursuant to authority granted by Streets and Highways Code section 27565, proposes to amend the California Code of Regulations, Title 21, Division 2, Chapter 16, concerning Compatibility Specifications for Automatic Vehicle Identification Equipment used for toll collection after considering all comments, objections, and recommendations regarding the proposed action. Following the public comment period, the proposal may be adopted substantially as set forth without further notice.

PUBLIC HEARING

The Department has not scheduled a public hearing on this proposed action. However, the Department will hold a hearing if it receives a written request for a public hearing from any interested person, or his or her authorized representative, no later than 15 days prior to the close of the written comment period. A hearing may be requested by making such request in writing addressed to the individuals listed under "Contact Persons" in this notice

WRITTEN COMMENT PERIOD

Any interested person, or his or her authorized representative, may submit written comments relevant to the proposed regulation action to the Department. The written comment period closes on **July 14, 2025**. To be considered by the Department, comments must be submitted to and received by the Department of Transportation, Traffic Operations. Attention: Rupinder Jawanda, 1120 N Street, MS-36, Sacramento, California 95814; or by e-mail with a subject line of "Title 21 Public Comment" at Title.21.Changes@dot.ca.gov before the close of the comment period.

CONTACT PERSONS

Please direct any inquiries regarding this action to: : Rupinder Jawanda at (916) 639-6101 or by e-mail at Title.21.Changes@dot.ca.gov.

The backup contract person for these inquiries is: Trenton Hoffman at (916) 764-2445 or by e-mail at Trenton.Hoffman@dot.ca.gov.

Questions regarding the substance of the proposed regulatory action should be directed to:

Department of Transportation
Division of Traffic Operations
Attention: Rupinder Jawanda
1120 N Street, MS-36
Sacramento, California 95814

AUTHORITY

Streets and Highways Code section 27565 authorizes the Department to adopt the proposed regulatory action concerning Compatibility Specifications for Automatic Vehicle Identification.

REFERENCE

Streets and Highways Code section 27565 provides that toll facilities shall adopt and promulgate compatible automatic vehicle identification systems.

INFORMATIVE DIGEST/POLICY STATEMENT OVERVIEW

There are currently more than 900 lane mile of toll roads, high occupancy/toll lanes, and bridges operating in California. All these facilities collect tolls electronically. The electronic toll collection (ETC) systems used on these facilities are managed by six different local government entities, hereafter referred to as the “toll facility operators”. (It should be noted that the ETC operations for the state-owned bridges in the San Francisco Bay Area are handled by one of these toll facility operators and not by Caltrans). There are currently approximately 12 million active transponders in use in California. Senate Bill 1523 (Chapter 1080, Statutes of 1990), mandated that the California Department of Transportation (Caltrans) work with the State's toll facility operators to develop an AVI protocol for ETC systems. The bill required that the protocol would allow for one transponder to be used on any toll facility in California, a concept known as interoperability. The bill also required that the protocol had to be an open standard, meaning that it be made publicly available so that multiple manufacturers and vendors can have an opportunity to develop and supply ETC equipment.

The proposed regulatory change will modify the existing regulation to replace the Document Incorporated by Reference: California 6C Electronic Toll Collection Standard Version 1.0 dated May 5, 2017 with the 6C Coalition AVI Standard Version 4.0 dated October 10, 2023 and to include the ISO/IEC 18000-63 Second edition 2021-11-21 Information technology—Radio frequency identification for item management—Part 63: Parameters for air interface communications at 860 MHz to 960 MHz Type C Standard as an option.

Documents Incorporated by Reference:

- 1) 6C Coalition AVI Standard version 4.0 dated October 10, 2023
- 2) ISO/IEC 18000-63 Second edition 2021-11-21 Information technology—Radio frequency identification for item management—Part 63: Parameters for air interface communications at 860 MHz to 960 MHz Type C

The adoption of the 6C Coalition AVI Standard as a document of reference will ensure interoperability among tolling industry equipment when transponder programming updates occur. This eliminates potential problems for toll operators integrating new equipment into their existing facilities.

The implementation of 6C Coalition AVI Standard provides consistency with the latest industry standards and ensures that all states will be using the same 6C tolling standard. This benefits toll operators and vendors simplifying procurement and manufacturing of transponders.

Including the 2021 version of the ISO 18000-63 Standard as option in addition to the previous versions provides the vendors the ability to use the chips compliant with the latest standard version.

The enactment of these changes is expected to yield benefits to both toll agencies and transponder vendors while having no negative impact on customers.

After conducting an evaluation on any other regulations on this area, Caltrans has determined that these are the only regulations concerning the state's automated vehicle identification equipment and protocol used for electronic toll collection. Therefore, the proposed regulations are neither inconsistent nor incompatible with existing state regulations.

DISCLOSURES REGARDING THE PROPOSED ACTION***The Department has made the following initial determinations:***

Mandate on local agencies and school districts: None

Cost or savings to any state agency: None

Cost to any local agency or school district which must be reimbursed in accordance with Government Code sections 17500 through 17630: None

Other non-discretionary cost or savings imposed on local agencies: None

Cost or savings in federal funding to state: None

Significant, statewide adverse economic impact directly affecting business including the ability of California businesses to compete with businesses in other states: None

Significant effect on housing costs: None

Cost impacts on a representative private person or business: The Department is not aware of any cost impacts that a representative private person or business would necessarily incur in reasonable compliance with the proposed action.

Small Business Determination:

This regulation will not directly affect small businesses. The toll facility operators bear the full costs of purchasing and distributing transponders for use by motorists. These costs are not borne by users; when establishing an ETC account they are only required to prepay tolls, replenish the account, as needed, and pay any account maintenance fees. Those conditions would not change.

RESULTS OF ECONOMIC IMPACT ASSESSMENT

The Department concludes (1) the proposal will not create or eliminate any jobs in the state, (2) the proposal will not create new businesses or eliminate existing businesses in the state, (3) the proposal will not result in the expansion of businesses or elimination of existing businesses currently doing business within the state.

Benefits of the Proposed Action. The proposed regulation will benefit California by providing transponder interoperability among California tolling agencies and other states using this tolling technology. The enactment of these regulations is expected to yield benefits to both toll agencies and transponder vendors while having no negative impact on customers.

CONSIDERATION OF ALTERNATIVES

In accordance with Government Code, Section 11346.5 subdivision (a)(13), Caltrans must determine that no reasonable alternative it considered or that has otherwise been identified and brought to the attention of the Department would be more effective in carrying out the purpose for which the action is proposed or would be as effective and less burdensome to affected private persons than the proposed action or would be more cost-effective to affected private persons and equally effective in implementing the statutory policy or other provision of law..

Caltrans invites interested persons to present statements or arguments with respect to alternatives to the proposed regulatory action during the written comment period.

AVAILABILITY OF STATEMENT OF REASONS AND TEXT OF PROPOSED REGULATIONS

Caltrans will have the entire rulemaking file available for inspection and copying throughout the rulemaking process at its office at the above address during regular business hours. As of the date this notice is published in the Notice Register, the rulemaking file consists of this notice, the proposed text of the regulations, and the initial statement of reasons. Other related documents are also available. Copies may be obtained by contacting the Department of Transportation, Traffic Operations. Attention: Rupinder Jawanda, 1120 N Street, MS-36, Sacramento, California 95814.

AVAILABILITY OF CHANGED OR MODIFIED TEXT

After considering all timely and relevant comments received, Caltrans may adopt the proposed regulations substantially as described in this notice. If Caltrans makes modifications that are sufficiently related to the originally proposed text, it will make the modified text (with the changes clearly indicated) available to the public for at least 15 days before Caltrans adopts the regulations as revised. Please send requests for copies of any modified regulations to the Department of Transportation, Traffic Operations. Attention: Rupinder Jawanda, 1120 N Street, MS-36, Sacramento, California 95814. The Department will accept written comments on the modified regulations for 15 days after the date on which they are made available.

AVAILABILITY OF THE FINAL STATEMENT OF REASONS

Upon its completion, copies of the Final Statement of Reasons may be obtained by contacting the Department of Transportation, Traffic Operations. Attention: Rupinder Jawanda, 1120 N Street, MS-36, Sacramento, California 95814.

AVAILABILITY OF DOCUMENTS ON THE INTERNET

Copies of the Notice of Proposed Action, the Initial Statement of Reasons, and the text of the proposed regulations can be accessed through <https://dot.ca.gov/programs/traffic-operations/electronic-toll>. Other related documents are also available at that website.