

## **BILL ANALYSIS**

Senate Research Center  
82R1120 ACP-D

S.B. 469  
By: Nelson  
Transportation & Homeland Security  
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As Filed

### **AUTHOR'S / SPONSOR'S STATEMENT OF INTENT**

Currently, statute authorizes the North Texas Tollway Authority to assess an administrative fee of up to \$100 per toll transaction and a subsequent fine of \$250 per transaction for late payments. With advancements in electronic tolling, using toll roads has become more convenient for residents, and an average invoice contains twelve transactions; however, because bills arrive in the mail days or weeks after a toll road trip, drivers sometimes unknowingly miss a payment. Violators should be held accountable, but the current penalty structure allows fines and fees to accumulate to the point that drivers are unable to afford them; an average invoice could cost a driver thousands of dollars for missing a payment.

S.B. 469 reduces the initial fee from \$100 to \$25 and makes the fee apply to a monthly invoice instead of per transaction. The bill also makes the subsequent fine of \$250 apply to a monthly invoice instead of per transaction.

As proposed, S.B. 469 amends current law relating to the collection of unpaid tolls by a regional tollway authority.

### **RULEMAKING AUTHORITY**

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

### **SECTION BY SECTION ANALYSIS**

SECTION 1. Amends Section 366.178, Transportation Code, by amending Subsections (c), (d), and (e) and adding Subsection (c-1), as follows:

(c) Requires the registered owner of the nonpaying vehicle, if the person fails to pay a proper toll, on issuance of a monthly notice of nonpayment, rather than a notice of nonpayment, to pay both any unpaid tolls and an administrative fee, rather than on issuance of a notice of nonpayment to pay both the proper toll and the administrative fee. Deletes existing text authorizing an authority to charge an administrative fee of not more than \$100 to recover the cost of collecting the unpaid toll. Makes nonsubstantive changes.

(c-1) Authorizes an authority to charge an administrative fee of not more than \$25 to recover the cost of collecting unpaid tolls. Authorizes the authority to charge only one administrative fee for each notice of nonpayment that is sent to the registered owner of the nonpaying vehicle.

(d) Requires that the notice of nonpayment include the tolls the registered owner of the nonpaying vehicle failed to pay during the 30-day period immediately before the date the notice is sent. Prohibits a notice of nonpayment form requiring payment of the unpaid tolls and the administrative fee before the 30th day after the date the notice is mailed. Deletes existing text requiring the registered owner to pay a separate toll and administrative fee for each nonpayment. Makes conforming and nonsubstantive changes.

(e) Requires the registered owner of the vehicle, if the owner fails to pay the unpaid tolls and the administrative fee in the time specified by the notice, to pay a fine of not more than \$250 for nonpayment of the tolls and administrative fee included in the notice, rather than \$250 for each nonpayment. Makes a conforming change.

SECTION 2. Repealer: Section 366.178(b) (relating to a person who fails or refuses to pay a toll being liable for a fine not to exceed \$250 plus an administrative fee), Transportation Code.

SECTION 3. Makes application of this Act prospective.

SECTION 4. Effective date: September 1, 2011.