

- SUBJECT:** Specifying the authority and operational details of tollway authorities
- COMMITTEE:** Transportation — favorable, without amendment
- VOTE:** 10 ayes — Pickett, Martinez, Y. Davis, Fletcher, Harless, Israel, Murr, Paddie, Phillips, Simmons
- 1 nay — Burkett
- 1 absent — McClendon
- WITNESSES:** For — Kenneth Barr, North Texas Tollway Authority; (*Registered, but did not testify*: Teresa Beckmeyer; Vincent May; Mary Horn, Denton County Commissioners Court; Barbara Harless, North Texas Citizens Lobby; Peter Havel, North Texas Tollway Authority; Carrie Rogers, North Texas Tollway Authority; Mark Mendez, Tarrant County Commissioners Court; Vic Suhm, Tarrant Regional Transportation Coalition; Terri Hall, Texas TURF & Texans for Toll-free Highways)
- Against — (*Registered, but did not testify*: Peter Carrizales)
- On — (*Registered, but did not testify*: James Bass, Texas Department of Transportation)
- BACKGROUND:** Under Transportation Code, sec. 366.038, a tollway authority may provide tolling services for a toll project with the boundaries of the authority. These services include customer service, customer account maintenance, transponder supply, and toll collection and enforcement.
- In recent years, some tollway authorities have encountered challenges in administering their toll roads, specifically with regard to enforcing unpaid tolls.
- DIGEST:** HB 2549 would make several changes to the Transportation Code to address issues of enforcement, billing, and reporting for tollway authorities.

**Enforcement.** The bill would specify that a tollway authority contracted to provide tolling services for a toll project would be considered the toll project entity for the purposes of enforcing unpaid tolls. The authority would not be allowed to stop, detain, or impound a vehicle unless specifically permitted to do so by a tolling service agreement.

**Billing.** For unpaid tolls collected by mail, the bill would change the payment due date from no later than 30 days to no later than 25 days after the date the authority mailed the invoice to the correct address of the registered owner of the vehicle associated with the unpaid toll. Timeframes associated with subsequent unpaid toll notices would derive from this initial 25-day deadline.

A court assessing and collecting a fine from a vehicle owner who failed to pay a toll after repeated notice, could collect and forward to the authority the properly assessed unpaid toll and other fees as determined by the court after a hearing or by written agreement of the vehicle owner. The bill also would allow tolling authorities to send information such as invoices to tollway users online, instead of by first-class mail, if the recipient agreed to the terms of electronic billing and receipt of information.

**Reporting.** The bill would change the due date for the toll authority's annual report to county commissioners from March 31 to June 30.

The bill would take effect September 1, 2015.