

## **BILL ANALYSIS**

Senate Research Center  
85R24402 JAM-F

C.S.S.B. 1643  
By: Watson  
Transportation  
4/19/2017  
Committee Report (Substituted)

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

Current law provides that electronic toll collection customer account information, including contact and payment information and trip data, is confidential and not subject to disclosure under the Public Information Act. This provision is overly broad in that it precludes toll project entities in the state from sharing information that would help streamline customer service and toll collection efforts, even if the toll project entities agree to maintain the information's confidentiality.

S.B. 1643 allows the Texas Department of Transportation to provide electronic toll collection customer account information to a local toll project entity through a contract for customer service, toll collection, or enforcement purposes. However, S.B. 1643 also requires that such a contract ensure the confidentiality of the electronic toll collection customer account information. Taken together, these provisions protect customer's privacy while increasing the efficiency of the state's toll systems. (Original Author's / Sponsor's Statement of Intent)

C.S.S.B. 1643 amends current law relating to certain disclosures of electronic toll collection customer account information by a toll project entity.

### **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 Subchapter B, Chapter 372, Transportation Code, by adding Section 372.054, as follows:

Sec. 372.054. DISCLOSURE OF ELECTRONIC TOLL COLLECTION CUSTOMER ACCOUNT INFORMATION TO OTHER TOLL PROJECT ENTITIES. (a) Authorizes a toll project entity with an electronic toll collection customer, notwithstanding the confidentiality of electronic toll collection customer account information, including confidentiality under Sections 228.057(e) (relating to confidentiality of electronic toll collection customer account information), 366.179(d) (relating to confidentiality of transponder account information), 370.177(m) (relating to confidentiality of information collected for the purposes of Section 370.177 (Failure or Refusal to Pay Turnpike Project Toll; Offense; Administrative Penalty)), 370.178(d) (relating to confidentiality of transponder account information), and 372.051(a) (relating to restricted use of motor vehicle registration or other information derived from a license plate on a vehicle using a toll project), to provide by contract to another toll project entity electronic toll collection customer account information, including contact and facility use information and trip data, for customer service, toll collection, or enforcement purposes.

(b) Provides that a contract for the provision of electronic toll collection customer account information under Subsection (a):

(1) is required to ensure the confidentiality of all account information;

(2) does not constitute public disclosure for the purposes of Chapter 552 (Public Information), Government Code;

(3) is prohibited from including certain information related to account payment arrangements; and

(4) is prohibited from allowing for the use of the information for commercial purposes.

SECTION 2. Effective date: September 1, 2017.