

By: Eissler

H.B. No. 1340

Substitute the following for H.B. No. 1340:

By: Hamric

C.S.H.B. No. 1340

A BILL TO BE ENTITLED

AN ACT

1
2 relating to requiring certain governmental entities that operate
3 toll highways or toll roads to permit the use of a transponder
4 issued by another governmental entity to pay a toll.

5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

6 SECTION 1. Chapter 362, Transportation Code, is amended by
7 adding Subchapter D to read as follows:

8 SUBCHAPTER D. TRANSPONDER SYSTEMS ON TURNPIKE PROJECTS, TOLL
9 HIGHWAYS, AND TOLL ROADS

10 Sec. 362.151. DEFINITIONS. In this subchapter:

11 (1) "Governmental entity" means a public entity,
12 including a municipality, a county, a district, a regional mobility
13 authority, a turnpike authority, a tollway authority, and the
14 department, that is authorized to operate a toll highway or toll
15 road in this state.

16 (2) "Transponder" has the meaning assigned by Section
17 361.255.

18 Sec. 362.152. PURPOSE. The purpose of this subchapter is to
19 provide interoperability with respect to transponder technology
20 used in this state, ensuring the seamless operation of toll
21 collection facilities and facilitating mobility on toll highways,
22 toll roads, and turnpike projects without adversely affecting
23 governmental entities that are currently operating toll road
24 projects or urban areas of this state that are likely to have a

1 substantial number of transponder customers.

2 Sec. 362.153. STATEWIDE INTEROPERABILITY STANDARDS
3 ADVISORY COMMITTEE. (a) The commission shall establish a
4 statewide interoperability standards advisory committee to develop
5 a strategy and make recommendations to the commission and the
6 legislature on the establishment of an interoperability plan and
7 statewide interoperability standards.

8 (b) The commission shall appoint the members of the
9 committee as follows:

10 (1) one member to represent an existing regional
11 tollway authority;

12 (2) one member to represent a county with an existing
13 toll road project that is operated under Chapter 284;

14 (3) one member to represent a regional mobility
15 authority; and

16 (4) two members to represent the department.

17 (c) Not later than January 1, 2005, the advisory committee
18 shall submit a written report to the commission, the department,
19 the governor, the lieutenant governor, and the speaker of the house
20 of representatives that details recommended interoperability goals
21 and strategies and includes recommendations for establishing
22 interoperability standards. This subsection expires January 2,
23 2005.

24 (d) The commission may adopt rules governing the committee.

25 Sec. 362.154. INTEROPERABILITY STANDARDS. (a) The
26 department by rule shall establish standards that are interoperable
27 with the transponder technology used by a governmental entity that:

1 (1) is:

2 (A) a regional tollway authority operating under
3 Chapter 366; or

4 (B) a county having a population of 1.5 million
5 or more; and

6 (2) has issued at least 500,000 transponders that
7 remain operational.

8 (b) The department shall consider the recommendations of
9 the statewide interoperability standards advisory committee in
10 developing the interoperability standards.

11 (c) Each governmental entity that issues or provides for the
12 issuance of transponders for the payment of the proper toll at a
13 toll collection facility of the governmental entity shall comply
14 with the rules adopted by the department relating to
15 interoperability standards when selecting a transponder
16 technology.

17 (d) A governmental entity may develop a toll collection
18 system that was under development before the effective date of the
19 department's rules relating to interoperability standards without
20 regard to any requirements of those rules.

21 Sec. 362.155. RULES. The commission may adopt rules to
22 implement and administer this subchapter.

23 SECTION 2. This Act takes effect September 1, 2003.