

**LEGISLATIVE BUDGET BOARD**  
**Austin, Texas**

**FISCAL NOTE, 78TH LEGISLATIVE REGULAR SESSION**

**May 20, 2003**

**TO:** Honorable Steve Ogden, Chair, Senate Committee on Infrastructure Development and Security

**FROM:** John Keel, Director, Legislative Budget Board

**IN RE: HB1826** by Hamric (Relating to enforcement of the collection of certain tolls; providing a penalty.), **As Engrossed**

<p><b>No fiscal implication to the State is anticipated.</b></p>
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The bill would authorize a county to impose and collect an administrative fee so as to recover the cost of collecting an unpaid toll, not to exceed \$100. Procedures for collecting the administrative fee and the unpaid toll are included in the bill. The bill would create as a misdemeanor offense the failure to pay a toll or administrative fee for nonpayment of the toll. A fine for this offense may not exceed \$200.

Provisions of the bill would allow a county to charge a court cost fee of \$1 to a defendant convicted of an offense of nonpayment of toll, nonpayment of administrative fee, or of operating a vehicle on a tollway when having been prohibited from doing so. The \$1 fee would be deposited into the county treasury in a special fund to be administered by the county attorney or district attorney.

The bill would also authorize any peace officer of this state to seize a stolen or insufficiently funded transponder and return it to the county.

The bill would take effect September 1, 2003 and apply only to an offense committed on or after that date.

**Local Government Impact**

Counties that operate a tollway would experience a revenue gain from collection of previously uncollected tolls and a savings in the costs for collection efforts by being allowed to charge an administrative fee. The amount of positive fiscal impact would vary, depending on the level of problem of unpaid tolls currently experienced and the success of collections administratively without having to take the offender to court. Harris County, for example, experiences more than 11,000 nonpayment of tolls per month for which requests for payment are ignored. In addition to the lost revenue from the nonpayment of tolls, the county expends in excess of \$58,000 a month in collection efforts, including an administrative hearing. The county estimates that implementation of the provisions of the bill would result in recouping at least \$700,000 annually. While the amount is an insignificant portion of the county's overall budget, the county estimates the provisions of the bill would eventually reduce the number of violators.

The North Texas Transportation Agency (NTTA) currently charges a \$25 administrative fee on all toll violations, which brings in \$1.48 million a year; however, this is not always enough to offset their collection costs. The impact to units of local government is anticipated to be positive, although insignificant.

**Source Agencies:** 304 Comptroller of Public Accounts, 601 Department of Transportation

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