

BILL ANALYSIS

Senate Research Center
79R7733 JRJ-D

S.B. 1384
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Transportation & Homeland Security
3/23/2005
As Filed

AUTHOR'S/SPONSOR'S STATEMENT OF INTENT

Currently it is unclear which toll collection enforcement provisions should be used when a toll agency is performing collection services for another toll road owner. Also, rules proposed by a regional tollway authority are difficult for residents to find because they are posted in the Texas Register rather than in local papers.

As proposed, S.B. 1384 clarifies that toll agencies performing toll collection services for another toll road owner, under contract, do so under the enforcement provisions of the collecting agency's statutes. It also requires a regional tollway authority to publish rulemaking notification in the local newspaper, rather than follow the procedures of state agencies and publish the information in the Texas Register.

RULEMAKING AUTHORITY

Rulemaking authority previously granted to a regional tollway authority is modified in SECTION 1 (Section 366.033, Transportation Code) of this bill.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 366.033(b), Transportation Code, to require rules adopted by a regional tollway authority (authority) to be published in a certain type of newspaper once a week for two consecutive weeks after adoption of the rule. Sets forth the information the notice must contain. Provides that a rule becomes effective 10 days after the date of the second publication of the notice under this subsection. Deletes the requirement that the rules comply with certain procedures in the Government Code, with certain exceptions.

SECTION 2. Amends Section 366.117(a), Transportation Code, to authorize certain banks or trust companies that have a main or branch office located in this state, rather than banks or trust companies incorporated under the laws of this state, to furnish indemnifying bonds or pledge securities that an authority requires.

SECTION 3. Amends Section 366.178, Transportation Code, by adding Subsection (j) to provide that this section (Failure or Refusal to Pay Toll) applies to the collection of a toll on an authority turnpike regardless of whether the toll is remitted to the authority through an agreement with another entity.

SECTION 4. Effective date: September 1, 2005.