

BILL ANALYSIS

H.B. 2983
By: Phillips
Transportation
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Texas law provides that the liability for a toll violation is appropriately passed to the renter of a motor vehicle who committed the offense. Notices of toll violations are sent by tolling authorities to the registered owners of the rented vehicles. The owners then provide rental information to the tolling authorities. Current law requires the rental information to include the license plate number of the rented vehicle, the name and address of the renter, and the driver's license number of the renter. Such records are subject to inspection by any police officer or the state.

The increase in the number of toll roads has led to an increase in the number of violations and amount of rental information that must be transmitted to tolling authorities. Tolling authorities and rental car companies have adapted their information technology practices to share rental information electronically, drastically reducing the amount of employee processing time, wasted paper, storage, handling, and shipping costs required to transmit rental information in writing. Electronic information exchange is faster, more accurate, and greatly reduces the time and expense of producing records and extracting or manually processing them in paper form.

H.B. 2983 allows a motor vehicle lessor to provide the various tolling authorities with required vehicle rental information electronically as an alternative to written information in connection with the payment of tolls by the vehicle lessee.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

H.B. 2983 amends the Transportation Code to add provisions relating to the electronic transmission of motor vehicle rental information in connection with the nonpayment of tolls to provisions governing toll project entities, including the Texas Department of Transportation, a county, a regional tollway authority, and a regional mobility authority. The bill adds, as an exception to liability for the payment of both the proper toll and an administrative fee, as applicable, electronic data, other than a photocopy or scan of a rental or lease contract, that contains the rental information required by law covering the vehicle on the date of the event as an alternative to the copy of the contract document that the lessor of a vehicle may provide in the event of nonpayment of the proper toll. The bill adds such data as an alternative to the copy of the contract document that is considered prima facie evidence or proof, as applicable, in the prosecution of an offense relating to nonpayment of the proper toll that a defendant was the lessee of the vehicle when the underlying event of nonpayment occurred.

EFFECTIVE DATE

September 1, 2009.