

By: Bolton

H.B. No. 1437

A BILL TO BE ENTITLED

AN ACT

relating to toll collection by the Texas Department of Transportation.

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

SECTION 1. Sections 228.054(a) and (b), Transportation Code, are amended to read as follows:

(a) Except as provided by Subsection (e) and Section 228.060, the operator of a vehicle, other than an authorized emergency vehicle, as defined by Section 541.201, that is driven or towed through a toll collection facility shall pay the proper toll. The exemption from payment of a toll for an authorized emergency vehicle applies regardless of whether the vehicle is:

- (1) responding to an emergency;
- (2) displaying a flashing light; or
- (3) marked as an emergency vehicle.

(b) The operator of a vehicle who drives or tows a vehicle through a toll collection facility and does not pay the proper toll before the eighth day after driving or towing the vehicle through the facility commits an offense.

SECTION 2. Section 228.057, Transportation Code, is amended by adding Subsection (g) to read as follows:

(g) The department shall post at least one sign before the last exit on a department toll road before a toll collection facility for which a transponder is the only means of paying the

1 toll and before the penultimate exit before such a toll collection
2 facility. The signs must inform motor vehicle operators that the
3 operators are approaching a toll collection facility for which a
4 transponder is the only means of paying the toll.

5 SECTION 3. Subchapter B, Chapter 228, Transportation Code,
6 is amended by adding Section 228.060 to read as follows:

7 Sec. 228.060. ALTERNATIVE TOLLING METHOD. (a) As an
8 alternative to requiring payment of a toll at the time a vehicle is
9 driven or towed through a toll collection facility, the department
10 shall allow the registered owner of the vehicle to pay the toll
11 using the department's Internet website before the eighth day after
12 the date the vehicle is driven or towed through the facility.

13 (b) The registered owner of a vehicle may not use the
14 department's Internet website to pay a toll more than twice in any
15 three-month period.

16 (c) The department may impose an administrative fee not to
17 exceed \$1 for processing a payment under this section.

18 SECTION 4. (a) The change in law made by this Act applies
19 only to an offense committed on or after the effective date of this
20 Act. For the purposes of this section, an offense is committed
21 before the effective date of this Act if any element of the offense
22 occurs before that date.

23 (b) An offense committed before the effective date of this
24 Act is covered by the law in effect when the offense was committed,
25 and the former law is continued in effect for that purpose.

26 SECTION 5. This Act takes effect September 1, 2009.