

By: Phillips

H.B. No. 4520

A BILL TO BE ENTITLED

AN ACT

relating to administrative fees for nonpayment of a toll.

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

SECTION 1. Chapter 371, Transportation Code, as added by Chapters 103 (H.B. 570) and 258 (S.B. 11), Acts of the 80th Legislature, Regular Session, 2007, is reenacted, redesignated as Chapter 372, Transportation Code, and amended to read as follows:

CHAPTER 372 [~~371~~]. PROVISIONS APPLICABLE TO MORE THAN ONE TYPE OF

TOLL PROJECT

SUBCHAPTER A. GENERAL PROVISIONS

Sec. 372.001 [~~371.001~~]. DEFINITIONS. In this chapter:

(1) "Toll project" means a toll project described by Section 201.001(b), regardless of whether the toll project:

(A) is a part of the state highway system; or

(B) is subject to the jurisdiction of the department.

(2) "Toll project entity" means an entity authorized by law to acquire, design, construct, finance, operate, and maintain a toll project, including:

(A) the department under Chapter 227 or 228;

(B) a regional tollway authority under Chapter 366;

(C) a regional mobility authority under Chapter 370; or

(D) a county under Chapter 284.

SUBCHAPTER B. TOLL PROJECT OPERATION

Sec. 372.051 [~~371.051~~]. USE OF MOTOR VEHICLE REGISTRATION OR LICENSE PLATE INFORMATION. (a) A toll project entity may not use motor vehicle registration or other information derived from a license plate on a vehicle using a toll project, including information obtained by the use of automated enforcement technology described by Section 228.058, for purposes other than those related to:

(1) toll collection and toll collection enforcement; and

(2) law enforcement purposes on request by a law enforcement agency[~~, subject to Section 228.058(d)~~].

(b) If a toll project entity enters into an agreement with an entity in another state that involves the exchange of motor vehicle registration or license plate information for toll collection or toll collection enforcement purposes, the agreement must provide that the information may not be used for purposes other than those described in Subsection (a).

Sec. 372.052 [~~371.001~~]. VEHICLES USED BY NONPROFIT DISASTER RELIEF ORGANIZATIONS. [~~(a) In this section:~~

~~[(1) "Toll project" means a toll project described by Section 201.001(b), regardless of whether the toll project is:~~

~~[(A) a part of the state highway system; or~~

~~[(B) subject to the jurisdiction of the department.~~

~~[(2) "Toll project entity" means an entity authorized~~

1 ~~by law to acquire, design, construct, finance, operate, and~~  
2 ~~maintain a toll project, including:~~

3 ~~[(A) the department under Chapter 227 or 228,~~

4 ~~[(B) a regional tollway authority under Chapter~~

5 ~~366,~~

6 ~~[(C) a regional mobility authority under Chapter~~

7 ~~370, or~~

8 ~~[(D) a county under Chapter 284.~~

9 ~~[(b)]~~ A toll project entity may not require a vehicle  
10 registered under Section 502.203 to pay a toll for the use of a toll  
11 project.

12 Sec. 372.053. PROHIBITION AGAINST CHARGING VEHICLE LESSOR  
13 ADMINISTRATIVE FEE. A toll project entity may not charge a  
14 registered owner an administrative fee or cost for the nonpayment  
15 of a toll, including an administrative fee or cost under Section  
16 228.055, 284.0701, 366.178, or 370.177, if the registered owner is  
17 a lessor of the vehicle.

18 SECTION 2. Section 372.053, Transportation Code, as added  
19 by this Act, applies only to the nonpayment of a toll that occurs on  
20 or after September 1, 2009.

21 SECTION 3. This Act takes effect September 1, 2009.