

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 82ND LEGISLATIVE REGULAR SESSION

April 5, 2011

TO: Honorable Larry Phillips, Chair, House Committee on Transportation

FROM: John S O'Brien, Director, Legislative Budget Board

IN RE: HB1291 by Hochberg (Relating to the operation of toll projects.), **As Introduced**

No significant fiscal implication to the State is anticipated.

The bill would amend the Transportation Code to require a toll project entity to waive any fees and penalties for failure to pay a toll if a vehicle has a properly installed, registered transponder which failed to register the toll due to equipment error. The toll project entity would be authorized to send a notice to the registered owner to replace the transponder, and after a reasonable opportunity to replace the transponder, the toll entity would not be required to waive subsequent fees or penalties.

A toll project entity would be required to adopt a rule or order regarding the exceptions for the failure or refusal to pay a toll. A toll project entity would be prohibited from penalizing a driver for using a transponder in or on a motor vehicle to which the transponder was not previously registered unless the vehicle is of a different toll classification.

The Texas Department of Transportation (TxDOT) reported that in relation to the use of a transponder in another vehicle, the department's TxTag transponder cannot be removed and used in another vehicle since removal disables the device. TxDOT uses a video billing process; technically there are not any lanes that are limited to transponder-only payment. Based on the analysis of TxDOT, no significant fiscal implication is anticipated.

Local Government Impact

There could be a revenue loss to a local tolling entity from the imposition of a limit on an administrative fee that a local tolling entity may charge; however, the amounts would vary and are not anticipated to be significant.

The North Texas Tollway Authority and the Grayson County Regional Mobility Authority reported there would be no fiscal impact.

Source Agencies: 601 Department of Transportation

LBB Staff: JOB, KJG, TP