

## **BILL ANALYSIS**

C.S.S.B. 57  
By: Nelson  
Transportation  
Committee Report (Substituted)

### **BACKGROUND AND PURPOSE**

Interested parties contend that drivers' personal information collected by certain regional tollway authorities is not sufficiently protected from disclosure under state public information law. C.S.S.B. 57 seeks to address this issue.

### **CRIMINAL JUSTICE IMPACT**

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

### **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**

C.S.S.B. 57 amends the Transportation Code to include the provision of toll exemptions among the purposes for which a regional tollway authority must use video recordings, photography, electronic data, transponders, or other tolling methods as an alternative to requiring payment of a toll at the time a vehicle is driven or towed through a toll assessment facility operated by the authority. The bill makes information collected by tolling methods by the authority confidential and not subject to disclosure under state public information law. The bill makes personal identifying information collected by a metropolitan rapid transit authority, regional transportation authority, or a coordinated county transportation authority confidential and not subject to disclosure under state public information law.

### **EFFECTIVE DATE**

On passage, or, if the bill does not receive the necessary vote, September 1, 2015.

### **COMPARISON OF SENATE ENGROSSED AND SUBSTITUTE**

While C.S.S.B. 57 may differ from the engrossed in minor or nonsubstantive ways, the following comparison is organized and formatted in a manner that indicates the substantial differences between the engrossed and committee substitute versions of the bill.

#### SENATE ENGROSSED

SECTION 1. Section 366.178(b-1),  
Transportation Code, is amended.

#### HOUSE COMMITTEE SUBSTITUTE

SECTION 1. Same as engrossed version.

SECTION 2. Sections 366.179(a) and (d), Transportation Code, are amended.

SECTION 2. Same as engrossed version.

SECTION 3. Section 372.102(a), Transportation Code, is amended.

SECTION 3. Same as engrossed version.

No equivalent provision.

SECTION 4. Section 451.061, Transportation Code, is amended by adding Subsection (f) to read as follows:

(f) Personal identifying information collected by an authority is confidential and not subject to disclosure under Chapter 552, Government Code, including a person's:

(1) name, address, e-mail address, and phone number;

(2) account number, password, payment transaction activity, toll or charge record, or credit, debit, or other payment card number; and

(3) other personal financial information.

SECTION 4. Section 452.061, Transportation Code, is amended.

SECTION 5. Same as engrossed version.

SECTION 5. Section 460.109, Transportation Code, is amended.

SECTION 6. Same as engrossed version.

SECTION 6. The changes in law made by this Act apply only to a request for information that is received by a coordinated county transportation authority, regional tollway authority, or regional transportation authority on or after the effective date of this Act. A request for information that was received before the effective date of this Act is governed by the law in effect on the date the request was received, and the former law is continued in effect for that purpose.

SECTION 7. The changes in law made by this Act apply only to a request for information that is received by a regional tollway authority, regional transportation authority, metropolitan rapid transit authority, or coordinated county transportation authority on or after the effective date of this Act. A request for information that was received before the effective date of this Act is governed by the law in effect on the date the request was received, and the former law is continued in effect for that purpose.

SECTION 7. This Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this Act takes effect September 1, 2015.

SECTION 8. Same as engrossed version.