

BILL ANALYSIS

Senate Research Center
84R16425 JXC-D

C.S.S.B. 57
By: Nelson
Transportation
3/25/2015
Committee Report (Substituted)

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

This bill clarifies that personal information of drivers collected by the North Texas Tollway Authority is not subject to disclosure under the Public Information Act.

C.S.S.B. 57 amends current law relating to information collected by a regional tollway authority, regional transportation authority, or coordinated county transportation authority.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 366.178(b-1), Transportation Code, as follows:

(b-1) Requires the regional tollway authority (authority), as an alternative to requiring payment of a toll at the time a vehicle is driven or towed through a toll assessment facility, to use video recordings, photography, electronic data, transponders, or other tolling methods to permit the registered owner of the nonpaying vehicle to pay the toll at a later date or provide toll exemptions. Provides that information collected under this subsection, including contact, payment and other account information and trip data, is confidential and not subject to disclosure under Chapter 552 (Public Information), Government Code.

SECTION 2. Amends Sections 366.179(a) and (d), Transportation Code, as follows:

(a) Provides that a transponder, for purposes of this section, is a device placed on or within a motor vehicle, rather than an automobile, that is capable of transmitting or receiving information used to assess or collect tolls or provide toll exemptions.

(d) Provides that transponder account information, rather than customer account information, including contact and payment information and trip data, is confidential and not subject to disclosure under Chapter 552, Government Code.

SECTION 3. Amends Section 372.102(a), Transportation Code, to authorize a toll project entity, notwithstanding the confidentiality of electronic toll collection customer account information, including confidentiality under Sections 228.057(e) (relating to providing that electronic toll collection customer account information is confidential and not subject to disclosure), 366.178(b-1), 366.179(d), and 370.178(d) (relating to providing that transponder customer account information is confidential and not subject to disclosure), to publish a list of the names of the registered owners or lessees of nonpaying vehicles who at the time of publication are liable for the payment of past due and unpaid tolls or administrative fees.

SECTION 4. Amends Section 452.061, Transportation Code, by adding Subsection (e), as follows:

(e) Provides that 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 5. Amends Section 460.109, Transportation Code, by adding Subsection (e), as follows:

(e) Provides that 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 person financial information.

SECTION 6. Makes application of this Act prospective.

SECTION 7. Effective date: upon passage or September 1, 2015.