

**LEGISLATIVE BUDGET BOARD**  
**Austin, Texas**

**FISCAL NOTE, 84TH LEGISLATIVE REGULAR SESSION**

**April 29, 2015**

**TO:** Honorable Joseph Pickett, Chair, House Committee on Transportation

**FROM:** Ursula Parks, Director, Legislative Budget Board

**IN RE: HB3108** by Dale (Relating to the collection of unpaid tolls.), **As Introduced**

**No significant fiscal implication to the State is anticipated.**

The bill would amend provisions in the Transportation Code to specify that an administrative fee that may be imposed and collected by the Texas Department of Transportation (TxDOT) or a local toll project entity to cover the cost of collecting an unpaid toll may not exceed the lesser of six percent of the amount of the unpaid toll or \$100. The bill would require a toll project entity that charges an administrative fee based on a mistake of fact or law to refund to the person who paid the fee an amount that is double the amount of the fee paid. The bill would authorize a person to contest an allegation of an unpaid toll in writing. If the toll project entity fails to send, by certified mail, return receipt requested, a written decision in response to the contest on or before the 20th day after the date the toll project entity received the contest, the toll project entity could not collect the alleged unpaid toll or any fees associated with the toll.

TxDOT indicates that the bill could prohibit the agency from collecting an administrative fee that is sufficient to cover the cost of collecting an unpaid toll, depending on the type of toll transaction level of enforcement necessary to pursue collection of the unpaid toll, and could result in significant costs. Because TxDOT toll project operations and maintenance are funded primarily with funds held outside the State Treasury, it is assumed implementation of the bill would not result in a significant fiscal impact to the state.

**Local Government Impact**

The fiscal impact to local entities would be significant; however, the impact cannot be determined at this time.

The Cameron County Regional Mobility Authority reported the entity would lose an estimated 30% of total gross toll related revenue due to the provisions of the bill. The authority reported in order to comply with the provisions of the bill, there would be an increase in collection costs which would potentially cost over 50% of the entity's gross toll revenue. The Central Texas Regional Mobility Authority reported an annual estimated revenue loss of \$10.6 million. The Camino Real Mobility Authority reported an annual estimated revenue loss of \$187,893.

Harris County reported estimated costs of \$18.9 million to \$59.4 million in Fiscal Year (FY) 2016-FY 2020.

**Source Agencies:** 601 Department of Transportation

**LBB Staff:** UP, AG, NV, TG, EK