

By: Schwertner, et al.
(Burkett)

S.B. No. 1437

A BILL TO BE ENTITLED

AN ACT

relating to payment for the use of a highway toll project.

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

SECTION 1. Section 228.057, Transportation Code, is amended by adding Subsection (i) to read as follows:

(i) The department shall provide electronic toll collection customers with an option to authorize automatic payment of tolls through the withdrawal of funds from the customer's bank account.

SECTION 2. Subchapter B, Chapter 372, Transportation Code, is amended by adding Sections 372.054, 372.055, and 372.056 to read as follows:

Sec. 372.054. DETERMINATION OF ELECTRONIC TOLL COLLECTION CUSTOMER ACCOUNT BEFORE PAYMENT SOLICITATION. (a) A toll project entity may not send an invoice or a notice of unpaid tolls to the registered owner of a vehicle soliciting payment of a toll or any related administrative fee unless the entity first determines whether there is an active electronic toll collection customer account that corresponds to a transponder issued for the vehicle.

(b) If a toll project entity determines under Subsection (a) that there is a sufficiently funded electronic toll collection customer account that corresponds to a transponder issued for the vehicle, the entity must:

(1) satisfy the outstanding toll from the account at the standard electronic collection rate and may not collect any

1 administrative fees or late fees; and

2 (2) if the entity determines that a transponder issued
3 to an electronic toll collection customer did not work correctly
4 more than 10 times in a 30-day period, send to the customer a notice
5 informing the customer that the transponder issued for the
6 customer's vehicle may not be working correctly.

7 Sec. 372.055. INFORMATION REQUIRED ON NOTICE OR INVOICE. A
8 notice or an invoice of unpaid tolls sent by a toll project entity
9 under Section 372.054 or any other section must clearly state that
10 the document is a bill and the recipient is expected to pay the
11 amount indicated.

12 Sec. 372.056. METHOD OF SENDING INVOICE OR NOTICE. An
13 invoice or notice provided to a person by a toll project entity
14 under this subchapter may be provided by:

15 (1) first class mail; or

16 (2) e-mail if the person has provided an e-mail
17 address to the entity and has elected to receive notice
18 electronically.

19 SECTION 3. The change in law made by this Act applies only
20 to the collection of a toll incurred on or after the effective date
21 of this Act. The collection of a toll incurred before the effective
22 date of this Act is governed by the law in effect immediately before
23 the effective date of this Act, and that law is continued in effect
24 for that purpose.

25 SECTION 4. This Act takes effect September 1, 2017.