

1-1 By: Schwertner S.B. No. 1437  
 1-2 (In the Senate - Filed March 8, 2017; March 20, 2017, read  
 1-3 first time and referred to Committee on Transportation;  
 1-4 May 1, 2017, reported adversely, with favorable Committee  
 1-5 Substitute by the following vote: Yeas 8, Nays 1; May 1, 2017, sent  
 1-6 to printer.)

1-7 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-8 Nichols	X			
1-9 Hall	X			
1-10 Creighton	X			
1-11 Garcia		X		
1-12 Hancock	X			
1-13 Hinojosa	X			
1-14 Kolthorst	X			
1-15 Perry	X			
1-16 Rodríguez	X			

1-18 COMMITTEE SUBSTITUTE FOR S.B. No. 1437 By: Perry

1-19 A BILL TO BE ENTITLED  
 1-20 AN ACT

1-21 relating to payment for the use of a highway toll project.  
 1-22 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:  
 1-23 SECTION 1. Section 228.057, Transportation Code, is amended  
 1-24 by adding Subsection (i) to read as follows:  
 1-25 (i) The department shall provide electronic toll collection  
 1-26 customers with an option to authorize automatic payment of tolls  
 1-27 through the withdrawal of funds from the customer's bank account.  
 1-28 SECTION 2. Subchapter B, Chapter 372, Transportation Code,  
 1-29 is amended by adding Sections 372.054, 372.055, and 372.056 to read  
 1-30 as follows:  
 1-31 Sec. 372.054. DETERMINATION OF ELECTRONIC TOLL COLLECTION  
 1-32 CUSTOMER ACCOUNT BEFORE PAYMENT SOLICITATION. (a) A toll project  
 1-33 entity may not send an invoice or a notice of unpaid tolls to the  
 1-34 registered owner of a vehicle soliciting payment of a toll or any  
 1-35 related administrative fee unless the entity first determines  
 1-36 whether there is an active electronic toll collection customer  
 1-37 account that corresponds to a transponder issued for the vehicle.  
 1-38 (b) If a toll project entity determines under Subsection (a)  
 1-39 that there is a sufficiently funded electronic toll collection  
 1-40 customer account that corresponds to a transponder issued for the  
 1-41 vehicle, the entity must:  
 1-42 (1) satisfy the outstanding toll from the account at  
 1-43 the standard electronic collection rate and may not collect any  
 1-44 administrative fees or late fees; and  
 1-45 (2) if the entity determines that a transponder issued  
 1-46 to an electronic toll collection customer did not work correctly  
 1-47 more than 10 times in a 30-day period, send to the customer a notice  
 1-48 informing the customer that the transponder issued for the  
 1-49 customer's vehicle may not be working correctly.  
 1-50 Sec. 372.055. INFORMATION REQUIRED ON NOTICE OR INVOICE. A  
 1-51 notice or an invoice of unpaid tolls sent by a toll project entity  
 1-52 under Section 372.054 or any other section must clearly state that  
 1-53 the document is a bill and the recipient is expected to pay the  
 1-54 amount indicated.  
 1-55 Sec. 372.056. METHOD OF SENDING INVOICE OR NOTICE. An  
 1-56 invoice or notice provided to a person by a toll project entity  
 1-57 under this subchapter may be provided by:  
 1-58 (1) first class mail; or  
 1-59 (2) e-mail if the person has provided an e-mail  
 1-60 address to the entity and has elected to receive notice

2-1 electronically.

2-2 SECTION 3. The change in law made by this Act applies only  
2-3 to the collection of a toll incurred on or after the effective date  
2-4 of this Act. The collection of a toll incurred before the effective  
2-5 date of this Act is governed by the law in effect immediately before  
2-6 the effective date of this Act, and that law is continued in effect  
2-7 for that purpose.

2-8 SECTION 4. This Act takes effect September 1, 2017.

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