

By: Hall

S.B. No. 382

A BILL TO BE ENTITLED

AN ACT

1  
2 relating to toll collections and enforcement by a toll project  
3 entity.

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

5 SECTION 1. Section 284.209, Transportation Code, is amended  
6 to read as follows:

7 Sec. 284.209. ENFORCEMENT OF DECISION. A decision issued  
8 under Section 284.208(a) may be enforced by:

9 (1) placing a device that prohibits movement of a  
10 motor vehicle on the vehicle that is the subject of the decision; or

11 (2) imposing an additional fine if the fine for the  
12 offense is not paid within a specified time [~~, or~~

13 [~~(3) refusing to allow the registration of the~~  
14 ~~vehicle]~~.

15 SECTION 2. Section 366.038(h), Transportation Code, is  
16 amended to read as follows:

17 (h) For purposes of Subchapter C, Chapter 372, a toll  
18 project for which an authority provides tolling services under a  
19 tolling services agreement is considered a toll project of the  
20 authority and the authority is considered the toll project entity  
21 with respect to all rights and remedies arising under that  
22 subchapter regarding the toll project. The authority may not stop

23 [~~, detain, or impound]~~ a motor vehicle as authorized under that  
24 subchapter on a toll project's active traffic lanes unless a

1 tolling service agreement addresses that action.

2 SECTION 3. Subchapter B, Chapter 372, Transportation Code,  
3 is amended by adding Sections 372.054 and 372.055 to read as  
4 follows:

5 Sec. 372.054. INITIAL TOLL INVOICE SENT BY MAIL OR  
6 ELECTRONIC MEANS. (a) This section applies only to a toll project  
7 entity that, as an alternative to requiring payment of a toll at the  
8 time a vehicle is driven or towed through a toll assessment  
9 facility, uses video recordings, photography, electronic data,  
10 transponders, or other tolling methods to permit the registered  
11 owner of a nonpaying vehicle to pay the toll at a later date.

12 (b) A toll project entity that sends by first class mail or  
13 electronic means to the registered owner of a vehicle an initial  
14 invoice containing an assessment for use of a toll project by the  
15 vehicle may not assess an additional fee other than a postage fee to  
16 the amount owed by the owner of the vehicle.

17 Sec. 372.055. NOTICE OF RETURNED PAYMENT. A toll project  
18 entity must immediately notify the holder of an electronic toll  
19 collection customer account that a payment by the credit card or  
20 debit card associated with the account was declined or could not  
21 otherwise be processed.

22 SECTION 4. Section 372.109(b), Transportation Code, is  
23 amended to read as follows:

24 (b) When a determination terminates, the toll project  
25 entity shall, not later than the seventh day after the date of the  
26 termination, send notice of the termination[+]

27 [~~1~~] to the person who is the subject of the

1 determination at an address under Section 372.106(b) [~~and~~  
2 ~~[(2) if the toll project entity provided notice to a~~  
3 ~~county assessor-collector or the Texas Department of Motor Vehicles~~  
4 ~~under Section 502.011, to that county assessor-collector or that~~  
5 ~~department, as appropriate].~~

6 SECTION 5. Sections 284.070(c), 372.111, 372.112, and  
7 502.011, Transportation Code, are repealed.

8 SECTION 6. This Act takes effect September 1, 2019.