

BILL ANALYSIS

Senate Research Center

H.B. 1116
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Transportation
4/15/2021
Engrossed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

H.B. 1116 will reduce toll user confusion and resulting complaints. In 2020, there was an expansion of SH 288—including tolled managed lanes—that opened in Harris and Brazoria counties. A trip on the managed lanes originating in Brazoria County and ending off the Sam Houston Tollway seems to be a single trip for the user; however, the user has traveled on three separate tollways operated by three different entities. If a user violates a toll and does not pay, the middle portion of the trip is separated from the other two and follows a separate collections process. Once separated, the original invoicing entity cannot resolve the issue, making it harder for users to resolve their fines.

H.B. 1116 stipulates that if an entity other than the Texas Department of Transportation enters into a tolling services agreement with another local toll project entity, then a violation is governed by the fine and fee structure of the entity that issues the initial toll invoice.

H.B. 1116 amends current law relating to toll collection and enforcement on state highway toll lanes by entities other than the Texas Department of Transportation.

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 228.059, Transportation Code, as follows:

Sec. 228.059. TOLL COLLECTION AND ENFORCEMENT BY OTHER ENTITY. (a) Creates this subsection from existing text. Provides that an entity operating a toll lane pursuant to Section 228.007(b) (relating to authorizing the Texas Transportation Commission to enter into an agreement with certain entities regarding a toll) or under an agreement under Subchapter E (Comprehensive Development Agreements), Chapter 223 (Bids and Contracts for Highway Projects), has, with regard to toll collection and enforcement for that toll lane, the same powers and duties as the Texas Department of Transportation (TxDOT) under Chapter 228 (State Highway Toll Projects), except as provided by Subsection (b).

(b) Provides that, notwithstanding Sections 228.0545 (Toll Not Paid at Time of Use; Invoice), 228.0546 (Invoice Requirements; Payment Due Date), and 228.0547 (Payment of Toll Invoice; Offense) or other law, a toll collected pursuant to an agreement for tolling services with a toll project entity, as defined by Section 371.001 (Definitions), other than TxDOT is governed by the fee and fine structure of the entity issuing the initial toll invoice.

SECTION 2. Effective date: upon passage or September 1, 2021.