

BILL ANALYSIS

Senate Research Center
88R1150 CXP-D

H.B. 2170
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Transportation
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Engrossed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

There is a lack of transparency and adequate communication between some toll entities and customers. Customers are not always adequately notified that there is a problem processing their payment. The customer may think tolls are being deducted from their account, unaware they have a bill to pay. These surprise bills and late fees are burdensome.

H.B. 2170 seeks to address this issue by requiring a toll project to immediately notify the holder of an electronic toll collection customer account that a payment by the credit card or debit card associated with the account was declined or could not otherwise be processed. Additionally, the bill seeks to require that notice or an invoice of unpaid tolls sent by mail must indicate on the outside of the envelope that the document enclosed is a bill and the recipient is expected to pay the amount indicated. The notice must be sent by first-class mail and must also be sent by email or text if the account holder has provided that information.

H.B. 2170 amends current law relating to toll collections by a toll project entity.

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 Subchapter B, Chapter 372, Transportation Code, by adding Section 372.0555, as follows:

Sec. 372.0555. NOTICE OF RETURNED PAYMENT. Requires a toll project entity to immediately notify the holder of an electronic toll collection customer account that a payment by the credit card or debit card associated with the account was declined or could not otherwise be processed.

SECTION 2. Amends Section 372.056, Transportation Code, as follows:

Sec. 372.056. INFORMATION REQUIRED ON NOTICE OR INVOICE. (a) Requires that a notice or an invoice of unpaid tolls sent by a toll project entity clearly state that the document is a bill and the recipient is expected to pay the amount indicated.

(b) Requires that a notice or an invoice of unpaid tolls sent by first class mail clearly indicate on the outside of the envelope that the document enclosed is a bill and the recipient is expected to pay the amount indicated.

SECTION 3. Amends Section 372.057(a), Transportation Code, as follows:

(a) Authorizes an invoice or notice provided to a person by a toll project entity to be provided by:

(1)-(2) makes nonsubstantive changes to these subdivisions; or

(3) text message if the person has provided a phone number to the entity and has elected to receive notice by text message.

SECTION 4. Makes application of this Act prospective.

SECTION 5. Effective date: September 1, 2023.