

## **BILL ANALYSIS**

H.B. 2170  
By: Guerra  
Transportation  
Committee Report (Unamended)

### **BACKGROUND AND PURPOSE**

Many customers are confused by the toll system and do not understand that there are separate entities involved in toll collections. There is a lack of transparency and adequate communication between some toll entities and customers. When a payment to a toll transponder like TxTag, TollTag, or EZPass fails, triggering a pay-by-mail bill from the tolling authority, the customer is not always adequately notified that there is a problem processing payment. The customer may think tolls are being deducted from their account, unaware they have a bill to pay. 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 a notice or an invoice of unpaid tolls sent by mail must 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.

### **CRIMINAL JUSTICE IMPACT**

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

### **RULEMAKING AUTHORITY**

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

### **ANALYSIS**

H.B. 2170 amends the Transportation Code to do the following with respect to toll collection by a toll project entity:

- require such an 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;
- require a notice or an invoice of unpaid tolls sent by first class mail to 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; and
- give such an entity the option to provide an invoice or notice to a person by text message as an alternative to mailing or emailing the notice, contingent on the person providing a phone number to the entity and electing to receive notice by text message.

These provisions apply only to the collection of a toll incurred on or after the bill's effective date.

### **EFFECTIVE DATE**

September 1, 2023.