
Transportation Committee

SSB 5481

Brief Description: Concerning tolling customer service reform.

Sponsors: Senate Committee on Transportation (originally sponsored by Senators Hill, Litzow, Mullet, Chase, Rivers, Becker, Bailey, Warnick, Rolfes and Hasegawa).

Brief Summary of Substitute Bill

- Requires the Washington State Department of Transportation (WSDOT) to contact prepaid electronic toll account holders to inform such holders of unpaid tolls.
- Provides additional discretion to administrative law judges in dismissing civil penalties due to mitigating circumstances, and authorizes the WSDOT to dismiss civil penalties in response to verifiable evidence of a specified mitigating circumstance.
- Requires the WSDOT to administer a one-time toll amnesty program through which civil penalty fees would be dismissed if an outstanding toll bill is paid.
- Directs the WSDOT to develop a mobile application that allows toll customers to manage their tolling accounts.
- Requires that the WSDOT, when acquiring a new photo toll system, enable the system to connect with the Department of Licensing's vehicle record system and to document when any toll is assessed regardless of the method of payment.

Hearing Date: 3/23/15

Staff: Andrew Russell (786-7143).

Background:

The Washington State Department of Transportation (WSDOT) uses a photo toll system that reads a vehicle license plate on several toll facilities within the state, including the State Route 520 Floating Bridge, the Tacoma Narrows Bridge, the State Route 167 High Occupancy Toll

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

Lanes (HOT Lanes) Project, and the Interstate 405 (I-405) HOT Lanes Project, which is scheduled to open later in 2015.

Vehicle owners are automatically assessed a toll for using any of these toll facilities. If the vehicle does not have a Good to Go pass with the WSDOT, the registered owner of the vehicle receives a toll bill in the mail. If the registered owner fails to pay this toll bill within 80 days, it becomes a toll violation. A civil penalty of \$40 may be assessed for a toll violation along with administrative fees.

A registered owner may contest or dispute a civil penalty within 15 days of the date of the notice of civil penalty, and the registered owner may request an in-person administrative hearing. During an administrative hearing, the WSDOT has the burden of establishing that the toll violation occurred; however, it is not a defense to a toll violation and notice of civil penalty that a person other than the registered owner was driving the vehicle at the time or that the person did not know to pay a toll. Additionally, during an administrative hearing, an administrative law judge may reduce or waive any civil penalties in response to certain mitigating circumstances.

Summary of Bill:

By June 30, 2016, the WSDOT must call and use electronic mail to inform a prepaid electronic toll account holder that there is an unpaid toll for a registered vehicle listed on the prepaid electronic toll account 10 days prior to the issuance of a notice of civil penalty. By that date, the WSDOT must also provide the public with a mobile phone application that allows a toll customer to manage all of the customer's tolling accounts from the mobile platform, regardless of method of payment.

Administrative law judges are given greater discretion to waive or reduce the penalties associated with the nonpayment of a toll. A civil penalty and the associated fees may also be reduced or dismissed by the WSDOT if a toll payer provides verifiable evidence of a specified mitigating circumstance. Additionally, the WSDOT must administer a one-time toll amnesty program, allowing customers to pay their outstanding tolls and have the associated civil penalties and administrative waived. This program must be implemented within six months of the I-405 HOT Lanes being opened to the public.

Finally, a new photo toll system acquired by the WSDOT must be able to connect with the Department of Licensing's vehicle record system so that a prepaid electronic toll account is automatically updated when a toll customer's vehicle record is updated. This new system must display, in the monthly statement, when any toll is assessed for a vehicle listed in a prepaid electronic toll account, regardless of whether the method of payment for the toll is pay-by-mail or a prepaid electronic toll account.

Appropriation: None.

Fiscal Note: Available.

Effective Date: The bill takes effect 90 days after adjournment of the session in which the bill is passed.