
Transportation Committee

HB 2897

Brief Description: Concerning the administration, collection, use, and enforcement of tolls.

Sponsors: Representatives Rolfes, Eddy, Finn, Seaquist, Clibborn, Appleton and Maxwell; by request of Department of Transportation.

Brief Summary of Bill

- Allows for the detection and issuance of photo tolls, which may be paid through a customer account or upon receipt of a toll bill.
- Provides for an 80-day period between the assessment of a toll and the issuance of a toll infraction for failure to pay a toll.
- Removes the Washington State Patrol from the toll infraction issuance process, and places the issuance in the hands of limited law enforcement officers designated by the Washington State Department of Transportation.
- Expands toll collection account uses to allow for operations that benefit multiple toll facilities to be cleared through the account.

Hearing Date: 1/25/10

Staff: David Munnecke (786-7315).

Background:

The Washington State Department of Transportation (WSDOT) operates one toll bridge, the Tacoma Narrows Bridge, and has been granted the authority to toll the State Route (SR) 520 bridge, which is anticipated to occur in 2011. The tolls for the Tacoma Narrows Bridge are paid electronically by customers with a pre-paid account and a transponder in their vehicle, or manually at a toll booth with cash or credit.

Failure to pay a toll is a traffic infraction with a penalty of \$40 that goes to the local jurisdiction's court, plus a penalty amount of three times the cash toll that goes to the account of the facility on

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which the violation occurred. The detection of toll violations is through the use of a photo enforcement system, which may record images of vehicles and vehicle license plates only. The infractions issued through such a system are issued by a law enforcement officer, are not part of the registered owners' driving records, and a hold on a person's vehicle registration may occur if the traffic infraction penalty is not paid.

A toll collection account allows for the deposit of customer pre-paid account funds prior to transactions occurring on a specific facility. Funds are then moved to the appropriate facility once a toll charge has been incurred.

Summary of Bill:

Tolls may continue to be paid using transponders, on all toll facilities, and also cash collection, on toll facilities with manual cash collection systems. Tolls may also be paid after using a toll facility via a photo toll that identifies a vehicle by its license plate. Photo tolls may be paid either by using a customer account, or in response to a toll bill.

Failure to pay a toll detected through a photo toll system is a traffic infraction to be issued by a limited authority peace officer, to be determined by the WSDOT, with a fine of \$40 plus a toll penalty amount of \$12. Photo toll customers have 80 days from the date of use of the toll facility to pay the toll before the toll charge becomes a traffic infraction against the registered owner of the vehicle. For infractions detected through photo toll systems, the registered owner may no longer overcome the presumption that the registered owner was in control of the vehicle at the time of the infraction by declaring so under oath. A hold on a person's vehicle registration may occur if the traffic infraction is not paid.

Infractions involving the use of spurious or counterfeit means of toll payment and changes to license plates to render them illegible may also be detected through the use of photo toll systems. If such an infraction is detected through the use of a photo toll system, the infraction is treated in the same fashion as the failure to pay a toll.

The toll collection account uses are expanded to allow for operations that benefit multiple toll facilities to be cleared through this account. At least monthly, operating activities and interest earnings must be distributed to the appropriate toll facility, using an equitable distribution methodology determined by the WSDOT in consultation with the Office of Financial Management.

Appropriation: None.

Fiscal Note: Available.

Effective Date: The bill takes effect on January 15, 2011.