

Senate Bill 1792

Toll Enforcement Legislation and 90-Day Grace Period for NTTA Habitual Toll Violators

The 83rd Texas Legislature recently passed Senate Bill (SB) 1792, important legislation authorizing new toll enforcement tools for habitual violators throughout Texas.

- Statewide application (North Texas Tollway Authority, Regional Mobility Authorities and the Texas Turnpike Authority)
- Creation of enforcement remedies targeted at “habitual violators,” those who have accumulated 100 or more unpaid tolls in a year or less and have been issued two notices of nonpayment
 - A vehicle registration block
 - An order prohibiting operation of a vehicle owned by a habitual toll violator on toll highways, violation of which is a Class C misdemeanor
 - Vehicle impoundment upon proof of repeated violation of the prohibition order
- Ample due process before these habitual violator remedies go into effect
 - Registered owner gets notice of toll authority determination they are a habitual violator
 - Owner may challenge the determination that they are a habitual violator through a Justice of the Peace (JP) administrative hearing process
 - No use of habitual violator remedies allowed until opportunity for hearing has passed
 - Additional notice to owner after final determination they are a habitual violator required before NTTA invokes vehicle ban or impoundment remedies
- A 90-day grace period from the bill’s effective date for current NTTA habitual violators to pay off their unpaid tolls and administrative fees at a steep discount
 - The NTTA must give notice of the grace period by first class mail to habitual violators within 30 days of effective date
 - Under the grace period, **all NTTA violators** have three options:
 1. Pay lump sum of unpaid tolls only (no administrative fees) at the ZipCash rate and open up a TollTag account or;
 2. Enter into a payment agreement plan to pay unpaid tolls (no administrative fees) at the ZipCash rate plus a maximum fee of 10% of unpaid tolls and open up a TollTag account or;
 3. Request a JP administrative hearing to challenge their habitual violator determination
- Habitual violators who don’t take advantage of grace period will face habitual violator remedies (vehicle registration block and vehicle ban from the NTTA System with possible impoundment) and be liable for the full amount of their administrative fees plus unpaid tolls after 90-day grace period ends
- Immediate effective date upon signature of the Governor