

Department of Planning and Budget
2017 Fiscal Impact Statement

1. Bill Number: HB1905

House of Origin Introduced Substitute Engrossed
Second House In Committee Substitute Enrolled

2. Patron: Heretick

3. Committee: Transportation

4. Title: All-electronic toll facilities; penalty.

5. Summary: Provides that within 30 days of receiving notice that a person is contesting an invoice for an unpaid toll incurred at an all-electronic toll facility, the toll facility operator must provide such person with any evidence of such unpaid toll. If such evidence is not so provided, the toll facility operator's claim becomes invalid. The bill provides that if the matter proceeds to a court of competent jurisdiction and the person contesting the invoice for the unpaid toll prevails, he may seek and obtain his attorney fees and costs associated with defending the action. The bill also requires any privately owned toll facility operator to maintain its principal place of business for all collection activities at a physical location within the Commonwealth and requires such location to provide for in-person as well as telephonic and electronic payments and dispute resolution from 8:00 a.m. through 9:00 p.m., Monday through Saturday, except for legal holidays.

6. Budget Amendment Necessary: No.

7. Fiscal Impact Estimates: Preliminary. See Item 8.

8. Fiscal Implications: This legislation could result in additional expenditures by localities where operating all-electronic toll facilities exist. It is possible that existing toll facilities would have to open offices within the Commonwealth to accept payments; resulting in additional cost to the facility. Legal costs could also be claimed by toll violators who prevail in court, resulting in further expenditures to affected localities. If incurred, these costs could be passed onto toll patrons through higher tolls.

9. Specific Agency or Political Subdivisions Affected: All localities with existing all-electronic toll facilities (Norfolk, Portsmouth, Chesapeake) and cities and counties adjacent to them.

10. Technical Amendment Necessary: No.

11. Other Comments: None.