

**GENERAL MEETING OF THE BOARD OF DIRECTORS
OF THE
CENTRAL TEXAS REGIONAL MOBILITY AUTHORITY**

RESOLUTION NO. 08-04

WHEREAS, the Central Texas Regional Mobility Authority ("CTRMA") was created pursuant to the request of Travis and Williamson Counties and in accordance with provisions of the Transportation Code and the petition and approval process established in 43 Tex. Admin. Code § 26.01, *et. seq.* (the "RMA Rules"); and

WHEREAS, the CTRMA is charged with funding and developing transportation improvements throughout the region to help solve the current mobility crisis and to improve the quality of life for residents of Central Texas; and

WHEREAS, CTRMA staff, working in partnership with the Austin District of the Texas Department of Transportation, developed a proposed "CTRMA/TxDOT Regional Implementation Program" (the "Program") which provides for the funding and development of various transportation system improvements through tolling of new roadway capacity; and

WHEREAS, in Resolution 04-62, dated December 8, 2004, the CTRMA Board of Directors adopted formal toll policies for the CTRMA (the "Toll Policies") that were consistent with the Program and reflected input received through public comment and a public hearing held by the CTRMA for such purpose; and

WHEREAS, the Board of Directors anticipated in Resolution 04-62 that the Toll Policies would be subject to revision and amendment from time to time to insure that the Toll Policies best implement the mission and goals of the CTRMA in its efforts to serve the public regarding mobility matters; and

WHEREAS, certain provisions of the Toll Policies are no longer consistent with the desired operation of various transportation improvements developed under the Program; and

WHEREAS, CTRMA staff has undertaken development of various proposed amendments and revisions to the Toll Policies for the CTRMA regarding a system for video toll payments and establishment of administrative fees associated with violations enforcement and such proposed revisions to the Toll Policies are attached hereto as Attachment "A" ("Revisions to Toll Policies"); and

WHEREAS, CTRMA staff has undertaken with Stantec Consulting Services, Inc., the CTRMA's Traffic Consultant, the necessary review and analysis of the fiscal results of such revisions as required under the bond covenants the CTRMA is subject to in order to fully consider the impact of the proposed Revisions to Toll Policies; and

WHEREAS, subject to the results of the fiscal review and analysis, the Board of Directors has determined that the Revisions to Toll Policies are acceptable and in the best interest of furthering CTRMA's efforts to serve the public regarding mobility matters.

NOW THEREFORE, BE IT RESOLVED, that the Board of Directors of the CTRMA hereby adopts the Revisions to the Toll Policies attached hereto as Attachment "A" and hereby amends the CTRMA Toll Policies accordingly, effective as of the date all necessary fiscal review and analysis has been delivered to the CTRMA in final form acceptable to the CTRMA and other relevant parties under applicable bond covenants; and

Adopted by the Board of Directors of the Central Texas Regional Mobility Authority on the 30th day of January, 2008.

Submitted and reviewed by:



Tom Nielson
Legal Counsel for the Central
Texas Regional Mobility Authority

Approved:



Robert E. Tesch
Chairman, Board of Directors
Resolution Number 08-04
Date Passed 1/30/08

ATTACHMENT "A"
TO
RESOLUTION 08-04
REVISIONS TO TOLL POLICIES

Video Tolling
and
Establishment of Administrative Fees

The CTRMA Board of Directors has, by passage of its Resolution 08-04 dated January 30, 2008, adopted certain revisions to the Toll Policies of the Authority.

Revisions to the Toll Policies are reflected either in the Policies and Procedures for Toll Collection Operations on the CTRMA Turnpike System ("Policies and Procedures Document") originally adopted December 8, 2004, or as included in the Toll Rates Structure (the "Official Statement Toll Rate Structure") included in the Official Statement dated February 16, 2005 in connection with the CTRMA issuance of various debt obligations (the "Official Statement");

To the extent authorized revisions have been made to the Policies and Procedures Document, such revisions are reflected therein, and the authorized revisions to the Official Statement Toll Rate Structure are as stated below:

The following revisions to the Policies and Procedures Document and the Official Statement Toll Rate Structure (as applicable) are authorized and adopted as follows:

1. Video Billing Payment Option. The CTRMA shall offer video billing as another payment option for customers that use toll lanes that require a toll tag. This is a supplement to the existing toll policy. CTRMA, through its Violations Process and Debt Collection Provider (the "Collections Contractor"), will use the license plate information of a vehicle that does not have a valid toll tag but is utilizing toll lanes that require a toll tag to determine the registered owner of such a vehicle via an interface with Vehicle Title Registration.

The Collections Contractor will send an invoice to the registered owner of the vehicle and receive payment on behalf of CTRMA. The Collections Contractor will add a 20% additional toll surcharge per toll transaction and a \$1.00 handling fee for each invoice. If the transaction is paid by a charge or debit card, an additional \$2.50 convenience fee will be added, while payment by check by telephone will require a \$2.00 convenience fee. The Collections Contractor will retain the additional toll surcharge, handling fee and any convenience fee to cover their cost and forward the toll payments to the CTRMA. An example could be as follows:

Toll	Surcharge	Handling charge	Invoice Total
\$.50	\$.10		
\$.50	\$.10		
<u>\$1.50</u>	<u>\$.30</u>		
\$2.50	\$.50	\$1.00	\$4.00 + any convenience fee

Video billing is an enhanced customer service offered by CTRMA which customers should be considered as a privilege. "All invoices will require payment within thirty (30) days of the date thereof. Customers who have at least two (2) delinquent video bills no longer qualify for invoices but have all subsequent non-payment of tolls during the pendency of any such delinquency treated as violations and will receive violation notices. The Collections Contractor, based on filtered information provided by the CTRMA host computer system will send either an invoice or violation notice to these customers, as appropriate. Customers may have their video billing privilege reinstated by paying all delinquent fines, fees and tolls.

2. Establishment of Administrative Fees for Violations Enforcement Through Notices of Non-Payment. Section 370.177 of the Texas Transportation Code provides for the collection of an Administrative Fee to recover the cost of collecting unpaid tolls by a Mobility Authority such as the CTRMA. The Administrative Fee cannot exceed \$100.00. The CTRMA has determined that such fees may vary depending on how far in the collection process a delinquent account proceeds.

The current Administrative Fee shall be \$15.00 applied at each phase of the collection process. This means that upon issuance of a notice of non-payment, a \$15.00 Administrative Fee shall be collected in addition to the toll and any other fees that are otherwise due.

In the event payment is not received in connection with the first notice of non-payment, and a second notice of non-payment is sent, an additional \$15.00 Administrative Fee shall become due. Therefore, full payment of a second notice of non-payment will require the payment of \$30.00 in Administrative Fees, in addition to all other amounts due.

In the event payment is not received in connection with either the first or second notice of non-payment, such account shall be considered for collection, and an additional \$30.00 Administrative Fee shall become due and the cumulative Administrative Fee shall be \$60.00.

The CTRMA Board recognizes that the amount of the Administrative Fee should be subject to periodic change when collection costs and associated matters are considered. Therefore, the authority to revise the Administrative Fee, or any aspect thereof, is granted to the Executive Director, in consultation with the Director of Operations, and may be revised by written amendment hereto. The Board of Directors shall be notified of any such revisions by the Executive Director at the next regularly scheduled Board Meeting after such revision is put into effect.

The above revisions shall be deemed part of the Policies and Procedures Document and the Official Statement Toll Rate Structure as provided in Resolution No. 08-04, unless and until further revised by the CTRMA Board of Directors by appropriate resolution, in accordance with the provisions of the Official Statement, or as otherwise provided herein.