



**CENTRAL TEXAS
Regional Mobility Authority**

AGENDA ITEM #10 SUMMARY

Amend the Policy Code relating to toll rates and toll collection policies.

Strategic Plan Relevance: Innovation
Department: Law
Associated Costs: None
Funding Source: Not applicable
Board Action Required: Yes

Description of Matter:

This Policy Code amendment revises Article 1, Chapter 3 of the Policy Code, to delete or revise obsolete or inapplicable language relating to toll charges and toll collections, based on current policies and practices.

Reference documentation:

Redlined revisions to Article 1, Toll Policies
Draft Resolution
Attachment A to Draft Resolution (changes without redlining)

Contact for further information: Andrew Martin, General Counsel

Attachment A to Resolution 12-

Policy Code Amendments

1 **Chapter 3: OPERATIONS**

2 **Article 1. TOLL POLICIES**

3 Subchapter A. TOLL RATES

4 ~~**301.1 — Tolling Policy for Phases of Turnpike Project “Under Construction”**~~

5 ~~(a) — For any phase of a toll project “under construction” as of the date the project is included in~~
6 ~~CAMPO’s then governing transportation plan or transportation improvement program as a toll~~
7 ~~project or candidate toll project, the authority shall defer the commencement of toll collection~~
8 ~~operations on that phase until additional phases of the project are constructed so as to provide~~
9 ~~continuous uninterrupted travel for a distance, or to a destination, to be designated by the board on~~
10 ~~a project specific basis. Toll projects subject to this provision are designated on Attachment “A” to~~
11 ~~Resolution No. 04-62 and to Resolution No. 07-02 which shall be updated periodically by action of~~
12 ~~the board. The deferral of toll collection operations shall end once the component phases of the~~
13 ~~project or the designated travel corridor (as identified on Attachment “A” to Resolution No. 04-62~~
14 ~~and to Resolution No. 07-02) are “substantially complete”.~~

15 ~~(b) — For purposes of this section the phrase “under construction” shall mean that a contract has~~
16 ~~been executed by the authority or TxDOT which provides for roadway construction of a phase of~~
17 ~~the toll project. The phrase “substantially complete” shall mean that the toll project is open to traffic~~
18 ~~for its entire length as designated on Attachment “A” to Resolution No. 04-62 and to Resolution~~
19 ~~No. 07-02. Temporary closures due to emergencies or short-term construction or maintenance~~
20 ~~operations shall not preclude a toll project from being deemed substantially complete.~~

21 ~~(c) — The authority may install signage and toll collection equipment on or along a project (or any~~
22 ~~phase thereof) indicating that toll collection operations are being deferred and that tolls will be~~
23 ~~collected on the entirety (or any portion) of the project in the future.~~

24 ~~(d) — The designation of a project as a toll project or candidate toll project in CAMPO’s then~~
25 ~~governing transportation plan or transportation improvement program prior to the time it is open to~~
26 ~~traffic shall preclude the project from being deemed a “conversion” under provisions of the~~
27 ~~Transportation Code when toll collection operations begin.~~

28 ~~(e) — Notwithstanding the foregoing, the board may, upon receipt of a written request from~~
29 ~~CAMPO or from the Commissioners Court(s) of the county(s) in which a project is located, waive~~
30 ~~this section and toll a phase of project that is under construction prior to completion of the entirety~~
31 ~~of the project.~~

32 ~~**301.2 — Toll Rates Revised November 7, 2007**~~

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1 ~~(a) Revisions to the Toll Policies are reflected either in the Policies and Procedures for Toll~~
2 ~~Collection Operations on the CFRMA Turnpike System (“Policies and Procedures Document”)~~
3 ~~originally adopted December 8, 2004, or as included in the Toll Rates Structure (the “Official~~
4 ~~Statement Toll Rate Structure”) included in the Official Statement dated February 16, 2005 in~~
5 ~~connection with the authority’s issuance of various debt obligations (the “Official Statement”);~~

6 ~~(b) To the extent authorized revisions have been made to the Policies and Procedures Document,~~
7 ~~such revisions are reflected therein, and the authorized revisions to the Official Statement Toll Rate~~
8 ~~Structure are as stated below:~~

9 ~~(c) The following revisions to the Official Statement Toll Rate Structure are authorized and~~
10 ~~adopted as follows:~~

11 ~~(1) Flat Rate at Brushy Creek Ramps, 183-A Toll Project. The Official Statement Toll Rate~~
12 ~~Structure, as previously amended, provided that the toll rates at the Brushy Creek Ramps on~~
13 ~~the 183-A Toll Project between the hours of 6 am and 10 pm would vary based upon the~~
14 ~~number of axles of each vehicle. Further, the toll booths at the Brushy Creek Ramps were to~~
15 ~~be manned between the hours of 6 am and 10 pm to allow for collection of cash toll payments~~
16 ~~as well as determination of the number of axles on a vehicle paying a cash toll. However, it has~~
17 ~~been determined that significant efficiencies will be realized if this provision is revised. This~~
18 ~~revision provides that all vehicles traveling through any of the Brushy Creek Ramps’ lanes will~~
19 ~~be charged the toll rate established for passenger cars, regardless of the number of axles on a~~
20 ~~vehicle. In addition, it will no longer be necessary for the Brushy Creek Ramps toll collections~~
21 ~~booths to be manned at any time, if desired by the authority.~~

22 ~~(2) Four Axle Rate to be the Same as Three Axle Rate. The Official Statement Toll Rate Structure~~
23 ~~provides that toll rates increase based upon the number of axles a vehicle has over two axles.~~
24 ~~Therefore, a vehicle with four axles pays a higher toll rate than a vehicle with three axles.~~
25 ~~However, it has been determined that a majority of four axle vehicles utilizing authority~~
26 ~~facilities consist of a motorized vehicle towing a small trailer with two additional axles. These~~
27 ~~type vehicles generally do not cause wear or damage to authority facilities in significant excess~~
28 ~~over the wear and damage caused by a vehicle with three axles. Therefore, the toll rates for all~~
29 ~~four axle vehicles shall be the same toll rate as those charged for three axle vehicles. This is~~
30 ~~consistent with the authority’s efforts to provide equitable toll rates for its customers. This~~
31 ~~revision only applies to four axle vehicles. All other rates based on axle count shall remain as~~
32 ~~established from time to time by the authority.~~

~~301.3 Toll Rates Revised June 25, 2008~~

34 ~~(a) The board has, by passage of its Resolution 08-33 dated June 25, 2008, adopted certain~~
35 ~~revisions to the Toll Policies of the authority.~~

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Policy Code Amendments

1 ~~(b) Revisions to the Toll Policies are reflected either in the Policies and Procedures for Toll~~
2 ~~Collection Operations on the Turnpike System (“Policies and Procedures Document”) originally~~
3 ~~adopted December 8, 2004, or as included in the Toll Rates Structure (the “Official Statement Toll~~
4 ~~Rate Structure”) included in the Official Statement dated February 16, 2005 in connection with the~~
5 ~~issuance of various debt obligations (the “Official Statement”).~~

6 ~~(c) To the extent authorized revisions have been made to the Policies and Procedures Document,~~
7 ~~such revisions are reflected therein, and any authorized revisions to the Official Statement Toll Rate~~
8 ~~Structure are as stated below.~~

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

11 ~~(1) Automated Electronic Toll Collection. The authority may implement and utilize a toll~~
12 ~~collection system on any or all of its toll projects whereby all tolls are collected through~~
13 ~~automated electronic toll collection (“AETC”) methods. Under this “cashless” toll collection~~
14 ~~system, accommodations for cash toll transactions will not be provided. Customers will either~~
15 ~~obtain and utilize a transponder (currently the TxTag transponder system, or other~~
16 ~~interoperable transponder system) or utilize the video toll collection system.~~

17 ~~(2) The AETC will be instituted by the authority on its 183-A Toll Project in a manner and on a~~
18 ~~schedule to be determined by authority staff and consultants that is deemed to be the most~~
19 ~~efficient and effective for the Project. This will result in cash toll collections at the Park Street~~
20 ~~Plaza and Brushy Creek Ramp Plazas to no longer be available once the AETC is fully~~
21 ~~implemented. Future toll collection facilities for the 183-A Toll Project will be designed and~~
22 ~~constructed in a manner consistent with AETC.~~

23 ~~(e) The above revisions shall be deemed part of the Policies and Procedures Document and the~~
24 ~~Official Statement Toll Rate Structure as provided in Resolution No. 08-33, unless and until further~~
25 ~~revised by the board by appropriate resolution, in accordance with the provisions of the Official~~
26 ~~Statement, or as otherwise provided herein.~~

27 **~~301.4 2010 Toll Rate for 183A~~**

28 ~~(a) As reflected in Table 6-2 of the Traffic and Revenue Study Final Report set forth as Appendix~~
29 ~~D in the 183A Project Official Statement dated February 16, 2005, the base toll rates for passenger~~
30 ~~car tolls (2-axes) to be collected on the north and south main lanes at the Park Street Plaza shall be~~
31 ~~revised as follows, effective January 1, 2010:~~

32 ~~(1) Electronic Toll Collection Rate (TxTag or interoperable tag) \$1.55~~

33 ~~(2) Pay by Mail Toll Collection Rate \$2.07~~

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(b) ~~Vehicles with more than two axles will pay the applicable base toll rate times (n - 1), with “n” being the number of axles on the vehicle.~~

(c) ~~Base toll rates at all toll gantries and ramps other than at the Park Street Plaza toll gantries shall remain as set forth in the Policies and Procedure Document until the effective date of the 2012 Toll Modification set forth below.~~

301.5301.1 Priority of Bond Documents

~~Notwithstanding any conflicting provisions of in this subchapter these or in a prior resolution adopting revisions to the Toll Policies, the toll rates and schedules set forth in this subchapter e Policies and Procedures Document shall always be sufficient to meet or exceed all covenants and requirements set forth in all applicable bond documents and obligations of the authority. , and in the event of If any conflict arises between the effects of these or the bond documents and this subchapter or a prior resolution adopting the revisions to Toll Policies and the bond documents, the covenants and requirements of the bond documents shall control to the extent of such conflict.~~

301.6301.2 2012 Toll Rates for 183A

(a) ~~Effective April 6, 2012 upon the date Phase II of the 183A Project is completed and open to the travelling public, the the following base toll rates for a passenger car tolls (2 axles) shall be charged collected at each the respective toll gantry is as followsies set forth below:~~

(a)

<u>Toll Gantry</u>	<u>Transponder Customer Toll (e.g., TxTAG)</u>	<u>Pay By Mail (Video Tolling) Customer Toll</u>
<u>Crystal Falls Ramps</u>	<u>\$0.36</u>	<u>\$0.48</u>
<u>Crystal Falls Mainline</u>	<u>\$0.95</u>	<u>\$1.27</u>
<u>Scottsdale Drive Ramps</u>	<u>\$0.54</u>	<u>\$0.72</u>
<u>Park Street Mainline Plaza</u>	<u>\$1.35</u>	<u>\$1.80</u>
<u>Brushy Creek Ramps</u>	<u>\$0.54</u>	<u>\$0.72</u>
<u>Lakeline Mainline Plaza</u>	<u>\$0.50</u>	<u>\$0.67</u>

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1

Paypoint Location (Toll Gantry)	Toll Direction	Payment Type (ECT=Electronic Toll Collection)	Base Toll Rate
New Hope ML	NB/SB	ETC	\$0.95
New Hope ML	NB/SB	Pay by Mail	\$1.27
New Hope Ramp	From South	ETC	\$0.54
New Hope Ramp	From South	Pay by Mail	\$0.72
Park Street ML	NB/SB	ETC	\$1.35
Park Street ML	NB/SB	Pay by Mail	\$1.80
Brushy Creek Ramp	To/from South	ETC	\$0.54
Brushy Creek Ramp	To/from South	Pay by Mail	\$0.72
Lakeline ML	NB/SB	ETC	\$0.50
Lakeline ML	NB/SB	Pay by Mail	\$0.67
Full Length Trip		ETC	\$2.80
On Main Lanes		Pay by Mail	\$3.74

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(b) ~~A v~~ Vehicles with more than two axles will pay the applicable ~~base~~-toll rate for a passenger car (2 axles) times (n-1), with “n” being the number of axles on the vehicle.

~~301.7301.3~~ Annual Toll Rate Escalation

(a) The following provisions are fully adopted and made a part of this ~~subchapter e-Policies and Procedure Document~~ and may be incorporated in any Trust Indenture or Supplemental Trust Indenture issued in conjunction with bond financing to be utilized for the financing of the construction and development of projects by the authority (defined terms in these provisions shall be in accordance with the terms and definitions set forth in the Master Trust Indenture and any applicable Supplemental Trust Indenture):

Subject in all instances to the provisions, requirements and restrictions of the Master Indenture, as amended and supplemented from time to time, beginning on October 1, 2012 and on each October 1 thereafter (the “Toll Escalation Determination Date”), a percentage increase in the Toll rates charged on all toll facilities in the Turnpike System will be determined in an amount equal to the Toll Rate Escalation Percentage. The Toll Rate Escalation Percentage, as calculated on each Toll Escalation Determination Date, shall be reported to the board each year at its October board meeting. The percentage increase in the Toll rates shall be effective on the January 1 of the next calendar year, unless at such board meeting the board affirmatively votes to modify the Toll Rate Escalation Percentage. If the board votes to modify the Toll Rate Escalation Percentage, the Toll rate increase to be effective on January 1 of the next calendar year shall be based on the modified Toll Rate Escalation Percentage.

(b) For purposes of determining the Toll Rate Escalation Percentage, the following capitalized terms shall have the meanings given below:

(1) “Toll Rate Escalation Percentage” = shall mean a percentage amount equal to $[(CPI^t - CPI^{t-12})/CPI^{t-12}]$. In the event the Toll Rate Escalation Percentage is calculated to equal less than 0%, then the Toll Rate Escalation Percentage shall be deemed to equal 0%.

(2) “CPI^b” = the most recently published non-revised index of Consumer Prices for All Urban Consumers (CPI-U) before seasonal adjustment (“CPI”), as published by the Bureau of Labor Statistics of the U.S. Department of Labor (“BLS”) prior to the Toll Escalation Determination Date for which such calculation is being made. The CPI is published monthly and the CPI for a particular month is generally released and published during the following month. The CPI is a measure of the average change in consumer prices over time for a fixed market basket of goods and services, including food, clothing, shelter, fuels, transportation, charges for doctors’ and dentists’ services, and drugs. In calculating the index, price changes for the various items are averaged together with weights that represent their importance in the spending of urban households in the United States. The contents of the market basket of goods and services and

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1 the weights assigned to the various items are updated periodically by the BLS to take into
2 account changes in consumer expenditure patterns. The CPI is expressed in relative terms in
3 relation to a time base reference period for which the level is set at 100.0. The base reference
4 period for the CPI is the 1982-1984 average.

5 (3) “CPI^{t-12}” = the CPI published by the BLS in the month that is 12 months prior to the month
6 used to established CPI^t.

7 ~~(4)~~—If the CPI is discontinued or substantially altered, as determined in the sole discretion of the
8 authority, the authority will determine an appropriate substitute index or, if no such substitute
9 index is able to be determined, the authority reserves the right to modify its obligations under
10 this section.

11 ~~(e)~~—~~The above revisions shall be deemed part of the Policies and Procedures Document as~~
12 ~~provided in Resolution No. 11-041, unless and until further revised by the board by appropriate~~
13 ~~resolution and in accordance with the provisions of the Bond Documents.~~

~~301.8~~ ~~Priority of Bond Documents~~

15 ~~(4)~~ ~~Notwithstanding any conflicting provisions of these or prior revisions to the Toll Policies, the~~
16 ~~toll schedules set forth in the Policies and Procedures Document shall always be sufficient to~~
17 ~~meet or exceed all covenants and requirements set forth in all applicable bond documents, and~~
18 ~~in the event of any conflict between the effects of these or prior revisions to Toll Policies and~~
19 ~~the bond documents, the covenants and requirements of the bond documents shall control.~~

301.4 Exemption from Toll

21 (a) Users of toll facilities are required to pay the toll established by this subsection unless
22 exempted by state law, or as authorized by the board under state law and the bond documents.

23 (b) Pursuant to Sections 370.177, 362.901, and 541.201, Transportation Code, the authority will
24 create technical procedures to ensure that authorized emergency vehicles, as well as state and federal
25 military vehicles, are exempt from paying tolls on the authority’s toll facilities.

26 (c) Pursuant to Section 370.177, Transportation Code, and to facilitate a multi-modal
27 transportation system that ensures safe and efficient travel for all individuals in Central Texas, public
28 transportation vehicles with a carrying capacity of 16 or more individuals that are owned or operated
29 on behalf of the Capital Metropolitan Transportation Authority or the Capital Area Rural
30 Transportation System are exempt from paying tolls on the authority’s toll facilities.

~~301.9~~301.5 Discounts and Incentives

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1 (a) A primary objective of the authority's ~~m~~Marketing and ~~p~~Public ~~i~~nformation ~~P~~rogram is to
2 ~~encourage enrollment of~~ as many customers as possible in ~~interoperable the the automatic vehicle~~
3 ~~identification (AVI) transponder programs. AVI-T~~ransponder programs that are interoperable with
4 ~~the authority's CTRMA facilities~~ currently include the Texas Department of Transportation's TxTag;
5 ~~t~~The North Texas Tollway Authority's TollTag; and the Harris County Toll Road Authority's EZ
6 ~~TAG. ETC program.~~The ~~authority board~~ will determine appropriate introductory and marketing
7 activities on a project-by-project basis ~~by separate resolution~~, which may include, but not be limited
8 to, those described in subsection (b).

9 (b) ~~Incentives and Discounts:~~During the initial start-up phase of tolling on a particular project,
10 ~~some~~incentives to customers may be offered depending on the level of toll tag enrollment, such as
11 the following discounts and incentives:

12 (1) ~~Incentive Offers:~~The authority may offer incentives with each new toll project that is opened
13 to encourage ridership.

14 (2) ~~The authority may offer d~~Discounts for ~~t~~Toll Tag~~T~~ransponder ~~u~~Users ~~from~~ :~~Ten percent toll~~
15 ~~tag user discount; equals a discount of 10 percent off of~~the toll amount paid by ~~cash only~~Pay
16 ~~B~~y ~~-~~Mail toll customers.

301.10 — US183-A Turnpike Introductory Programs

18 (a) ~~Discount For New Customers: Free \$10.00 credit for toll charges given to a new customer per~~
19 ~~each toll tag account.~~

20 (b) ~~Step-Up or No Charge for Introductory Period: The authority shall offer a six-month~~
21 ~~Introductory Period after US 183-A is constructed and opened to traffic. The initial four weeks of~~
22 ~~the Introductory Period will be free usage for all customers. The period of free usage will be~~
23 ~~extended up to eight weeks free usage for toll tag customers, and for the remaining four months of~~
24 ~~the Introductory Period, there will be a 50 percent reduction in amount of tolls charged for those~~
25 ~~toll tag customers.~~

26 (c) ~~Customer Friendly Toll Violation Enforcement Process: If a customer who realizes they~~
27 ~~caused a Non-payment Transaction contacts the CSC and establishes (or re-establishes, if the~~
28 ~~customer has an invalid toll tag account) a valid, funded toll tag account within ten days, or such~~
29 ~~period of time that is dictated by the terms of any agreement with TxDOT concerning the VPC;~~
30 ~~after the Non-payment Transaction was committed, the administrative fee that the authority is~~
31 ~~allowed to charge under Section 370.177(c), Transportation Code will be waived, and the unpaid toll~~
32 ~~amount will be deducted from the customer's account balance. In the event that the violating~~
33 ~~customer does not either open and adequately fund a new toll tag account, or adequately fund their~~
34 ~~existing toll tag account, within the specified time frame, that customer will then receive a "Notice~~
35 ~~of Nonpayment" via regular mail for the unpaid toll amount plus a \$25.00 administrative fee. If the~~

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1 ~~violating customer contacts the CSC within 30 days after such notice is mailed, and either opens and~~
2 ~~adequately funds a new toll tag account, or adequately funds their existing toll tag account, either~~
3 ~~part of or all of the \$25.00 administrative fee will be waived, and any remainder of the fee not~~
4 ~~waived, plus the unpaid toll amount, will be deducted from the customer's account balance.~~

5 ~~(d) The waiver of administrative fees will be graduated over an 18 month period of time, where:~~
6 ~~during the first six months of the toll road operations, all administrative fees will be waived; during~~
7 ~~next six months of operations, \$15.00 of the fee will be waived; during the third 6 to 12 months of~~
8 ~~operations, \$10.00 of the administrative fee will be waived; and after a total period of 18 months~~
9 ~~after opening of operations, no portion of the administrative fee will be waived.~~

~~301.11 Exemption from Toll Payment~~

11 ~~(a) Users of Toll Facilities shall be required to pay a toll unless they are determined to be exempt~~
12 ~~under Texas State Statutes or as authorized by the board under the provisions of the Texas State~~
13 ~~Statutes.~~

14 ~~(b) Emergency and Military Vehicles: In accordance with the provisions of Sections 370.177,~~
15 ~~362.901, and 541.201, Transportation Code, the authority will create technical procedures to ensure~~
16 ~~that authorized emergency vehicles, as well as state and federal military vehicles, are exempt from~~
17 ~~paying tolls on the toll road system.~~

18 ~~(c) Public Transportation Vehicles: As authorized under the provisions of Section 370.177,~~
19 ~~Transportation Code, and to facilitate a multi-modal transportation system that ensures safe and~~
20 ~~efficient travel for all individuals in Central Texas, public transportation vehicles with a carrying~~
21 ~~capacity of 16 or more individuals that are owned and/or operated on behalf of the Capital~~
22 ~~Metropolitan Transportation Authority or the Capital Area Rural Transportation System shall be~~
23 ~~exempt from paying tolls on toll facilities.~~

~~301.12 Special Toll Tag Accounts~~

25 ~~(a) The authority recognizes the importance of encouraging mass transit users to travel on toll~~
26 ~~roads to further relieve congestion and increase regional mobility. Special toll tags accounts and~~
27 ~~discounts will be provided to these users.~~

28 ~~(b) School Buses: School buses from school districts in the Central Texas region that elect to~~
29 ~~establish a toll tag account with the authority shall receive a toll tag rate equal to the rate for cars,~~
30 ~~and shall also receive a 10 percent discount off that rate.~~

31 ~~(c) Express Buses: Express buses operated by transportation providers other than Capital~~
32 ~~Metro/CARTS shall receive a toll tag rate equal to the rate for cars, and shall also receive a 10~~
33 ~~percent discount off that rate.~~

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1 ~~(d) — Other Mass Transit Provider Vehicles: Vehicles belonging to additional mass transit providers~~
2 ~~other than Capital Metro/CARTS that choose to establish a toll tag account with the authority shall~~
3 ~~receive a toll tag rate equal to the rate for cars, and shall also receive a 10 percent discount off that~~
4 ~~rate.~~

5 Subchapter B. TOLL COLLECTIONS

6 ~~301.13~~301.6 Purpose

7 ~~This subchapter is established pursuant to Resolution No. 04-62, adopted by the board on~~
8 ~~December 8, 2004. Under provisions of Chapter 370, Transportation Code, the authority possesses~~
9 ~~the authority to designate a turnpike project or a portion of a turnpike project as a controlled-access~~
10 ~~toll road (Sec. 370.179).~~ This subchapter establishes practices and operations for toll collection
11 systems on designated controlled-access toll roads operating within the turnpike system, and
12 incorporates provisions of Section 370.177, Transportation Code, regarding failure or refusal to pay
13 turnpike project tolls and related penalties and offenses.

14 **301.14 — Definitions**

15 ~~(1) — ACH: Automated Clearing House Network.~~

16 ~~(2) — CSC: A Customer Service Center that offers transponders and accounts that are interoperable~~
17 ~~with CTRMA roadways.~~

18 ~~(3) — Electronic Toll Tag or Toll Tag Transponder — A device that records the usage of a vehicle~~
19 ~~using a toll road; usually adhered to the windshield of the vehicle, allowing motorists to drive~~
20 ~~non-stop through designated electronic toll collection lanes. Electronic Toll~~
21 ~~Tags Transponders are a type of “transponder” pursuant to Section 370.178, Transportation~~
22 ~~Code.~~

23 ~~(4) — ETC: Electronic Toll Collection.~~

24 ~~(5) — IVR: Interactive Voice Response.~~

25 ~~(6) — Non-payment Transaction: A transaction where the customer does not pay the toll in the lane~~
26 ~~at the time of travel through the toll lane. through the use of a valid transponder account or~~
27 ~~remit toll payment within 30 days of receiving a toll bill.~~

28 ~~(7) — Non-Tagged Non-payment: Vehicles not equipped with toll tags and that do not pay the toll~~
29 ~~within 30 days of receiving a toll bill. at the time of travel through the toll lane.~~

30 ~~(8) — Tag Class: The class that is determined using the vehicle information that is programmed in~~
31 ~~the toll tag.~~

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1 ~~(9) Tagged Non-payment: A vehicle equipped with a toll tag that is not valid and does not pay the~~
2 ~~toll within 30 days of receiving a toll bill, stop to pay toll.~~

3 ~~(10) U/O: Unusual Occurrence.~~

4 ~~(11) VES: Violation Enforcement System.~~

5 ~~(12) VPC: Violation Processing Center.~~

6 ~~301.15301.7~~ **Transponder Toll Tag Accounts Generally**

7 ~~A c~~Customers may establish ~~a~~ either individual or business toll tag transponder accounts by
8 contacting ~~the~~ any interoperable Customer Service Center ("CSC"). ~~A transponder is an electronic~~
9 ~~device that records the presence of a vehicle on a toll road and is usually attached to the windshield~~
10 ~~of the vehicle. Each CSC that is interoperable with the authority's CTRMA-toll facilities has its their~~
11 ~~own user agreement concerning relative to the requirements to open and maintain a transponder~~
12 ~~accounts.~~

13 ~~(a) Qualification for an "individual" account versus a "business" account will depend upon the~~
14 ~~number of toll tags a customer seeks to obtain as set forth below. Any customer personal or~~
15 ~~business information provided to the authority, including but not limited to name, address,~~
16 ~~telephone number, facsimile number, or e-mail address, and information regarding the type of~~
17 ~~account or number of toll tags issued, shall not be disclosed by the authority to any third parties,~~
18 ~~except for where such disclosure is required as a matter of law. Toll tags will be provided free of~~
19 ~~charge to customers who establish toll tag accounts; provided, however, that customers with an~~
20 ~~"initial deposit" individual account described below must pay an additional account set up fee if they~~
21 ~~request an additional toll tag. Upon issuance, the toll tag will remain the property of the authority~~
22 ~~and the Texas Department of Transportation (TxDOT), and is subject to the provisions of Section~~
23 ~~370.178, Transportation Code. If and when a customer returns a toll tag to the authority, any~~
24 ~~remaining account balance in the customer's account will be refunded.~~

25 ~~(b) The following is a description of the three types of toll tag accounts that customers may~~
26 ~~establish:~~

27 ~~(1) Individual Account (Registered): A customer opens a toll tag account with a minimum of~~
28 ~~\$20.00. A minimum account balance of \$0.50 is required per toll tag. The first toll tag for the~~
29 ~~toll tag account is free, however, customers must pay an additional \$20.00 for each additional~~
30 ~~toll tag requested in conjunction with a toll tag account. Customer will be notified via regular~~
31 ~~mail, or e-mail if the customer so elects, when their account balance falls to \$10.00. Such~~
32 ~~notification is provided as a courtesy by the authority, and failure to notify shall not relieve the~~
33 ~~customer of their obligation to remain apprised of their toll tag account balance at all times.~~

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1 ~~(2) Individual Account (Unregistered): A customer opens a toll tag account with a minimum of~~
2 ~~\$20.00. A minimum account balance of \$0.50 is required per toll tag. Customers choosing to~~
3 ~~remain anonymous by selecting the unregistered account option will be responsible for~~
4 ~~remaining apprised of their toll tag account balance because the authority will not be able to~~
5 ~~issue any balance notifications due to the account's unregistered status. In addition,~~
6 ~~unregistered customers will not be eligible for a refund or replacement for any toll tag that is~~
7 ~~lost or stolen. Customers should consider the toll tags affiliated with their unregistered~~
8 ~~account the same as cash, and should take extreme caution to prevent the loss or theft of such~~
9 ~~toll tag(s).~~

10 ~~(3) Business Account (Registered): To qualify for a Business Account, customer must order a~~
11 ~~minimum of six toll tags. Customers must open a Business Account with a minimum of~~
12 ~~\$30.00 per toll tag, with \$30.00 for the account per toll tag, and including the \$.50 required~~
13 ~~minimum account balance per toll tag. Customer will be notified via regular mail, or e-mail~~
14 ~~should the customer so elect, when their account balance falls below 50 percent of the starting~~
15 ~~account balance. Such notification is provided as a courtesy by the authority, and failure to~~
16 ~~notify shall not relieve the customer of their obligation to remain apprised of their toll tag~~
17 ~~account balance at all times. Business Account customers are allowed to obtain an unlimited~~
18 ~~number of toll tags for their account.~~

301.16 — Toll Tag Distribution

20 ~~(a) Distribution by Mail: Toll tags will be mailed via regular mail to customers who choose to~~
21 ~~open their toll tag accounts via the following methods, or for customers who request additional toll~~
22 ~~tags:~~

23 ~~(1) Request via Telephone~~

24 ~~(2) Request via Facsimile~~

25 ~~(3) Request via E-mail~~

26 ~~(4) The authority's Web Site Application~~

27 ~~(5) Request by Regular Mail~~

28 ~~(6) Certain Authorized Retail Outlets~~

29 ~~(b) Distribution via In Person Pickup: A customer may obtain their toll tag(s) in person when~~
30 ~~establishing a toll tag account via the following methods:~~

31 ~~(1) In person visit to the authority's CSC or any CSC Remote Counter Location~~

32 ~~(2) Vending Kiosk or Machine~~

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1 ~~(3) Authorized Retail Outlets~~

2 ~~(4) Toll Lane Attendant Booth~~

3 ~~(c) Authority Use of Distribution Information: The authority will track the number and frequency~~
4 ~~of toll tags distributed according to the particular type of distribution method to identify the most~~
5 ~~frequently used distribution channels.~~

6 ~~(d) Technical Operation and Technical Problems With Toll Tag Function: The authority will~~
7 ~~make reasonable efforts to test each toll tag that is issued to a customer. However, customers should~~
8 ~~test the functioning of their toll tag by passing through a tollbooth lane upon their first use of the~~
9 ~~toll tag to verify whether the toll tag is capable of being read by the toll collection equipment. If a~~
10 ~~customer becomes aware of a technical problem, either through self-testing, or because the~~
11 ~~customer is contacted by the authority for a Non-payment Transaction even though the customer~~
12 ~~has an adequate balance in their account, the customer should immediately contact the CSC to make~~
13 ~~arrangements to correct the problem or to receive a new toll tag.~~

14 **301.17301.8 Unauthorized Transfer of Transponder Toll Tag**

15 ~~A toll tag/transponder is issued by the authority that is interoperable with the authority's toll~~
16 ~~facilities is for use with one corresponding vehicle per toll tag/transponder, and . Customers should~~
17 ~~not be to attempt to remove and transfer a transponder toll tag to another vehicle once the~~
18 ~~transponder tag is attached/thered to the original vehicle's windshield. To engage in such~~
19 ~~unauthorized transfer of a transponder toll tag to a vehicle other than the original vehicle is against~~
20 ~~authority policy, policy. If a transponder is transferred to another vehicle in violation of this section, t~~
21 ~~and the authority may reserves the right to refuse to recognize as valid an electronic any toll/toll~~
22 ~~transaction incurred with respect to an unauthorized made pursuant/vehicle to such unauthorized~~
23 ~~transfer of a toll tag from/transponder from its original/the vehicle for which it is assigned.~~

24 **Payment Methods**

25 **301.18** ~~Each CSC that is interoperable with CTRMA facilities has their own user agreement relative~~
26 ~~to payment methods required to open and maintain transponder accounts.~~

27 ~~(a) Accounts (Registered or Unregistered) are pre-paid, and can be established and maintained~~
28 ~~by credit card, debit card, automatic clearing house (ACH) transaction, money order, check, and/or~~
29 ~~cash. To establish a registered account, the customer is required to complete the Account Setup~~
30 ~~Application and establish a means of account replenishment. Customers with unregistered accounts~~
31 ~~are not required to provide any information.~~

32 ~~(b) The following payment methods are available for the corresponding methods of opening a~~
33 ~~customer account:~~

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1 ~~(1) — Customers may pay with cash to open an account via: walk-in visits to the CSC or CSC~~
2 ~~Remote Location Counter; vending machines or kiosks; authorized retail outlets; or request to open~~
3 ~~an account made to a toll lane attendant.~~

4 ~~(2) — Customers may pay with checks or money orders to open an account via: walk-in visits to~~
5 ~~the CSC or CSC Remote Location Counter; regular mail; authorized retail outlets; or request to open~~
6 ~~account made to a toll lane attendant.~~

7 ~~(3) — Customers may pay with credit cards, or debit cards that do not require personal~~
8 ~~identification numbers (PINs), to open an account via: walk-in visits to the CSC or CSC Remote~~
9 ~~Location Counter; telephone; IVR; the authority’s Web Site Application; facsimile; e-mail; vending~~
10 ~~machines or kiosks; authorized retail outlets.~~

11 **301.19301.9 Video Billing**

12 (a) ~~While all CTRMA lanes accept payment through the use of a valid transponder, t~~¹~~The~~
13 authority ~~shall~~ offers video billing as ~~another~~ payment option for customers that use ~~the authority’s~~
14 ~~CTRMA toll facilities without a transponder account lanes, that require a toll tag. This is a~~
15 ~~supplement to the existing toll policy.~~ The authority, through its Violations Process and ~~Debt Toll~~
16 Collection Provider (the “Collections Contractor”), will use the license plate information of a vehicle
17 that does not have a valid toll ~~tag-transponder~~ but ~~travels on the authority’s toll facilities is utilizing~~
18 ~~CTRMA toll lanes that require a toll tag~~ to determine the registered owner of such a vehicle via an
19 interface with Vehicle Title Registration ~~or similar institution.~~

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

27

_____ Toll	_____ Surcharge	_____ Handling Charge	_____ Invoice Total
_____ \$.50	_____ \$.10	_____	_____
_____ \$.50	_____ \$.10	_____	_____
_____ \$1.50	_____ \$.30	_____	_____
_____ \$2.50	_____ \$.50	_____ \$1.00	_____ \$4.00 + any convenience fee

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~~(e)(b) Video billing is an enhanced customer service offered by the authority, which customers should be considered as a privilege. All toll bills/invoices will require payment within 30 days of the date thereof. Customers who have at least two 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 authority 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 lines, fees and tolls.~~

301.20301.10 Establishment of Administrative Fee for Unpaid Tolls

(a) Section 370.177, Transportation Code, ~~authorizes provides for~~ the assessment and collection of an aAdministrative fFee to recover the authority's cost of collecting unpaid tolls ~~by a regional mobility authority such as the authority. An The A~~Administrative fFee may cannot exceed \$100.00 per unpaid toll. The authority has determined that such fees may vary depending on how far in the collection process a delinquent account proceeds.

(b) The current aAdministrative fFee 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 aAdministrative Ffee shall be collected in addition to the unpaid toll and any other fees that are ~~otherwise~~ due.

(c) ~~Ifn 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 aAdministrative fFee shall become due. Therefore, full payment of a second notice of non-payment will require ~~the~~ payment of \$30.00 in aAdministrative fFees, in addition to all other amounts due.

(d) ~~Ifn the event~~ payment is not received in connection with either the first or second notice of non-payment, ~~the unpaid such~~ account shall be considered for ~~collection, collection, and~~ an additional \$30.00 aAdministrative fFee shall become due, and the cumulative aAdministrative fFee due shall be \$60.00.

(e) The board recognizes that the amount of the aAdministrative fFee should be subject to periodic change when collection costs and associated matters are considered. Therefore, the board delegates the authority to revise the aAdministrative fFee, or any aspect thereof, ~~is granted~~ to the executive director, in consultation with the director of operations, and the executive director may be revised an administrative fee by written amendment ~~hereto~~. The executive director shall give notice to the board ~~shall be notified~~ of any such revisions ~~by the executive director~~ at the next regularly scheduled board meeting after ~~the such~~ revision is put into effect.

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~~(f) 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 board by appropriate resolution, in accordance with the provisions of the Official Statement, or as otherwise provided herein.~~

~~301.21~~301.11 **Customer Service and Violation Policies**

(a) ~~Upon implementation of the toll collection system, the authority expects that there may be a high percentage of customers using a toll road who will not have a toll tag. The objective of the toll operations procedures and policies created by the authority is to increase the percentage of toll road customers who establish toll tag accounts with the CSC. Additionally, because tolling is a new concept for customers in the Central Texas region, it will take some time for customers to adjust to the toll road operations, rules and regulations. During the few months after the start of the authority's toll collection operations, a~~ tolerant and customer-friendly approach will be employed towards customers who use the road without paying the required ~~toll charges~~. While it is understood that the objective of the authority is to collect revenue and minimize toll violation abuse, the authority believes that a moderate approach towards customers who did not pay the toll ultimately will allow for a period of adjustment as customers begin using the ~~new~~ toll roads, and will create new toll customers for ~~the authority~~the authority.

(b) The authority will establish a "Violation Processing Center (VPC)" where vehicle images captured at the toll collection point and for which no toll was paid will be reviewed and processed according to authority policies in accordance with the toll enforcement process established by state law set forth in Section 370.177, Transportation Code. Repeat offenders will be issued notices of nonpayment and will be given the opportunity to make outstanding toll and administrative payments. Failure to respond to the established ~~c~~Customer ~~c~~Contact ~~p~~Process, and to satisfy outstanding, unpaid toll amounts, will result in the issuance of citation and prosecution in accordance with state law under the provisions of Section 370.177.

~~301.22~~ **Violation Enforcement Strategies**

~~(a) The (CSC) provides customer service to authority customers and supports all operations related to customer toll tag account setup, account maintenance and customer service. The efficient operation of the CSC is critical to the success of the toll collections. The CSC will adhere to the following provisions with respect to customer service, toll violations, and toll tag use:~~

~~(1) Customers That Use Toll Tag Lanes Without Corresponding Toll Tags: If a customer who realizes they caused a Non-payment Transaction contacts the CSC and establishes (or re-establishes, if the customer has an invalid toll tag account) a valid, funded toll tag account within ten days, or such period of time that is dictated by the terms of any agreement with TxDOT concerning the VPC, after the Non-payment Transaction was committed, the administrative fee that the authority is allowed to charge under Section 370.177(c),~~

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1 Transportation Code, will be waived, and the unpaid toll amount will be deducted from the
2 customer's account balance. In the event that the violating customer does not either open and
3 adequately fund a new toll tag account, or adequately fund their existing toll tag account,
4 within the specified time frame, that customer will then receive a "Notice of Nonpayment" via
5 regular mail for the unpaid toll amount plus a \$25.00 administrative fee.

6 ~~(2) If the violating customer contacts the CSC within 30 days after such notice is mailed, and
7 either opens and adequately funds a new toll tag account, or adequately funds their existing
8 toll tag account, either part of or all of the \$25.00 administrative fee will be waived, and any
9 remainder of the fee not waived, plus the unpaid toll amount, will be deducted from the
10 customer's account balance.~~

11 ~~(b) If a customer who receives a "Notice of Nonpayment" does not take any of the actions
12 described in subsection (a) above within 30 days after such notice is mailed, the Non-payment
13 Transaction becomes an offense under Section 370.177, Transportation Code, and a collection
14 process will be implemented to attempt collection of the unpaid toll amount plus the additional
15 administrative fee (which may include the collection agency's fees).~~

16 ~~(c) If the collection process does not succeed in obtaining the toll amount and corresponding fees
17 owed, the violating customer will be referred for prosecution. An offense for failure or refusal to pay
18 a toll under Section 370.177, Transportation Code, is a misdemeanor subject to a fine of up to
19 \$250.00 for each offense.~~

20 ~~(d) If convicted of the offense, a violating customer will be liable for the unpaid toll amount, plus
21 a \$100 administrative fee, plus court costs and a fine of up to \$250.00.~~

22 ~~(e) In the prosecution of an offense under Sec. 370.177, proof that the vehicle passed through a
23 toll collection facility without payment of the proper toll, together with proof that the defendant was
24 the registered owner or the customer of the vehicle when the failure to pay occurred, establishes the
25 nonpayment of the registered owner. The proof may be by testimony of a peace officer or authority
26 employee, video surveillance, or any other reasonable evidence.~~

27 ~~(f) Under provisions of Sec. 370.177, there are certain exceptions to violation for failure to pay
28 toll regarding rental cars and vehicles sold but for which title has not been officially transferred by
29 TxDOT. In addition, it is a defense to prosecution if the vehicle is stolen prior to the failure to pay a
30 toll, but only if the theft is reported to the appropriate law enforcement agency within the required
31 time period.~~

301.23301.12 Procedures for Disputing Toll Violations

33 (a) ~~A c~~Customers may dispute an alleged failure to pay a toll ~~violation on the authority's via the~~
34 ~~CFMRA~~ web site or by contacting the CSC ~~by walk-in, telephone, regular mail, e-mail, or~~
35 ~~facsimile~~ where a valid transponder account has been established.

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1 (b) A customer who has contacted ~~the~~ a CSC or the authority's collection contractor and has been
2 unable to satisfactorily resolve a dispute regarding a toll violation may submit a written appeal to the
3 authority. Such appeal shall be for the purposes of the customer providing the authority with the
4 information upon which they base their appeal. The authority may or may not determine that there
5 is any merit to such appeal and is not required to undertake any formal proceedings to make such
6 determination.

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

RESOLUTION NO. 12-___

**AMENDING THE POLICY CODE RELATING TO TOLL RATES AND TOLL
COLLECTION POLICIES**

WHEREAS, by Resolution No. 12-016 adopted February 29, 2012, the Board of Directors adopted the Mobility Authority Policy Code (“Policy Code”); and

WHEREAS, the Policy Code adopted February 29, 2012, was a non-substantive codification of all policy resolutions adopted by the Board of Directors since 2003, and includes certain provisions relating to toll rates and toll collection policies that are obsolete or inapplicable to current practices and policies; and

WHEREAS, the Executive Director recommends that the Board of Directors amend the Policy Code relating to toll rates and toll collection policies to remove obsolete or inapplicable provisions, as shown in the proposed revision to Article 1 (Toll Policies), Chapter 3 of the Policy Code attached and incorporated into this resolution as Attachment A; and

NOW THEREFORE, BE IT RESOLVED, that the Board of Directors hereby adopts the amendments to Article 1 (Toll Policies), Chapter 3 of the Policy Code set forth in Attachment A to this resolution.

Adopted by the Board of Directors of the Central Texas Regional Mobility Authority on the 25th day of April, 2012.

Submitted and reviewed by:

Approved:

Andrew Martin
General Counsel for the Central
Texas Regional Mobility Authority

Ray A. Wilkerson
Chairman, Board of Directors
Resolution Number: 12-___
Date Passed: 4/25/201

Attachment A to Resolution 12-____

Policy Code Amendments

1 **Chapter 3: OPERATIONS**

2 **Article 1. TOLL POLICIES**

3 Subchapter A. TOLL RATES

4 **301.1 Priority of Bond Documents**

5 Notwithstanding any conflicting provision in this subchapter or in a prior resolution adopting the
6 Toll Policies, the toll rates and schedules set forth in this subchapter shall always be sufficient to
7 meet or exceed all covenants and requirements set forth in all applicable bond documents and
8 obligations of the authority. If any conflict arises between the bond documents and this subchapter
9 or a prior resolution adopting the Toll Policies, the covenants and requirements of the bond
10 documents shall control to the extent of such conflict.

11 **301.2 Toll Rates for 183A**

12 (a) Effective April 6, 2012, the toll for a passenger car (2 axles) charged at each toll gantry is as
13 follows:

14

Toll Gantry	Transponder Customer Toll (e.g., TxTAG)	Pay By Mail (Video Tolling) Customer Toll
Crystal Falls Ramps	\$0.36	\$0.48
Crystal Falls Mainline	\$0.95	\$1.27
Scottsdale Drive Ramps	\$0.54	\$0.72
Park Street Mainline Plaza	\$1.35	\$1.80
Brushy Creek Ramps	\$0.54	\$0.72
Lakeline Mainline Plaza	\$0.50	\$0.67

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1 (b) A vehicle with more than two axles will pay the applicable toll rate for a passenger car (2 axles)
2 times (n-1), with “n” being the number of axles on the vehicle.

3 **301.3 Annual Toll Rate Escalation**

4 (a) The following provisions are fully adopted and made a part of this subchapter and may be
5 incorporated in any Trust Indenture or Supplemental Trust Indenture issued in conjunction with
6 bond financing to be utilized for the financing of the construction and development of projects by
7 the authority (defined terms in these provisions shall be in accordance with the terms and definitions
8 set forth in the Master Trust Indenture and any applicable Supplemental Trust Indenture):

9 Subject in all instances to the provisions, requirements and restrictions of the Master
10 Indenture, as amended and supplemented from time to time, beginning on October 1, 2012
11 and on each October 1 thereafter (the “Toll Escalation Determination Date”), a percentage
12 increase in the Toll rates charged on all toll facilities in the Turnpike System will be
13 determined in an amount equal to the Toll Rate Escalation Percentage. The Toll Rate
14 Escalation Percentage, as calculated on each Toll Escalation Determination Date, shall be
15 reported to the board each year at its October board meeting. The percentage increase in the
16 Toll rates shall be effective on the January 1 of the next calendar year, unless at such board
17 meeting the board affirmatively votes to modify the Toll Rate Escalation Percentage. If the
18 board votes to modify the Toll Rate Escalation Percentage, the Toll rate increase to be
19 effective on January 1 of the next calendar year shall be based on the modified Toll Rate
20 Escalation Percentage.

21 (b) For purposes of determining the Toll Rate Escalation Percentage, the following capitalized
22 terms shall have the meanings given below:

23 (1) “Toll Rate Escalation Percentage” = shall mean a percentage amount equal to $[(CPI^t - CPI^{t-12})/CPI^{t-12}]$. In the event the Toll Rate Escalation Percentage is calculated to equal less than
24 0%, then the Toll Rate Escalation Percentage shall be deemed to equal 0%.
25

26 (2) “CPI^b” = the most recently published non-revised index of Consumer Prices for All Urban
27 Consumers (CPI-U) before seasonal adjustment (“CPI”), as published by the Bureau of Labor
28 Statistics of the U.S. Department of Labor (“BLS”) prior to the Toll Escalation Determination
29 Date for which such calculation is being made. The CPI is published monthly and the CPI for
30 a particular month is generally released and published during the following month. The CPI is
31 a measure of the average change in consumer prices over time for a fixed market basket of
32 goods and services, including food, clothing, shelter, fuels, transportation, charges for doctors’
33 and dentists’ services, and drugs. In calculating the index, price changes for the various items
34 are averaged together with weights that represent their importance in the spending of urban
35 households in the United States. The contents of the market basket of goods and services and
36 the weights assigned to the various items are updated periodically by the BLS to take into

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1 account changes in consumer expenditure patterns. The CPI is expressed in relative terms in
2 relation to a time base reference period for which the level is set at 100.0. The base reference
3 period for the CPI is the 1982-1984 average.

- 4 (3) “CPI^{t-12}” = the CPI published by the BLS in the month that is 12 months prior to the month
5 used to established CPI^t.

6 **301.4 If the CPI is discontinued or substantially altered, as determined in**
7 **the sole discretion of the authority, the authority will determine an**
8 **appropriate substitute index or, if no such substitute index is able to**
9 **be determined, the authority reserves the right to modify its**
10 **obligations under this section.Exemption from Toll**

11 (a) Users of toll facilities are required to pay the toll established by this subsection unless
12 exempted by state law, or as authorized by the board under state law and the bond documents.

13 (b) Pursuant to Sections 370.177, 362.901, and 541.201, Transportation Code, the authority will
14 create technical procedures to ensure that authorized emergency vehicles, as well as state and federal
15 military vehicles, are exempt from paying tolls on the authority’s toll facilities.

16 (c) Pursuant to Section 370.177, Transportation Code, and to facilitate a multi-modal
17 transportation system that ensures safe and efficient travel for all individuals in Central Texas, public
18 transportation vehicles with a carrying capacity of 16 or more individuals that are owned or operated
19 on behalf of the Capital Metropolitan Transportation Authority or the Capital Area Rural
20 Transportation System are exempt from paying tolls on the authority’s toll facilities.

21 **301.5 Discounts and Incentives**

22 (a) A primary objective of the authority’s marketing and public information program is to
23 encourage enrollment of as many customers as possible in interoperable transponder programs.
24 Transponder programs that are interoperable with the authority’s facilities currently include the
25 Texas Department of Transportation’s TxTag; the North Texas Tollway Authority’s TollTag; and
26 the Harris County Toll Road Authority’s EZ TAG. The board will determine appropriate
27 introductory and marketing activities on a project-by-project basis by separate resolution, which may
28 include, but not be limited to, those described in subsection (b).

29 (b) During the initial start-up phase of tolling on a particular project, incentives to customers may
30 be offered depending on the level of toll tag enrollment, such as the following discounts and
31 incentives:

- 32 (1) The authority may offer incentives with each new toll project that is opened to encourage
33 ridership.

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- 1 (2) The authority may offer discounts for transponder users from the toll amount paid by Pay By
2 Mail toll customers.

3 Subchapter B. TOLL COLLECTIONS

4 **301.6 Purpose**

5 This subchapter establishes practices and operations for toll collection systems on designated
6 controlled-access toll roads operating within the turnpike system, and incorporates provisions of
7 Section 370.177, Transportation Code, regarding failure or refusal to pay turnpike project tolls and
8 related penalties and offenses.

9 **301.7 Transponder Account**

10 A customer may establish a transponder account by contacting any interoperable Customer Service
11 Center (“CSC”). A transponder is an electronic device that records the presence of a vehicle on a toll
12 road and is usually attached to the windshield of the vehicle. Each CSC that is interoperable with the
13 authority’s toll facilities has its own user agreement concerning requirements to open and maintain a
14 transponder account.

15 **301.8 Unauthorized Transfer of Transponder**

16 A transponder that is interoperable with the authority’s toll facilities is for use with one vehicle per
17 transponder, and should not be transferred to another vehicle once the transponder is attached to
18 the original vehicle’s windshield. Transfer of a transponder to a vehicle other than the original
19 vehicle is against authority policy. If a transponder is transferred to another vehicle in violation of
20 this section, the authority may refuse to recognize an electronic toll transaction incurred with respect
21 to an unauthorized vehicle.

22 **301.9 Video Billing**

23 (a) The authority offers video billing as payment option for customers that use the authority’s toll
24 facilities without a transponder account. The authority, through its Violations Process and Toll
25 Collection Provider (the “Collections Contractor”), will use the license plate information of a vehicle
26 that does not have a valid toll transponder but travels on the authority’s toll facilities to determine
27 the registered owner of such a vehicle via an interface with Vehicle Title Registration or similar
28 institution.

29 (b) The Collections Contractor will send an invoice to the registered owner of the vehicle and
30 accept payment on behalf of the authority. The Collections Contractor will add a \$1.00 handling fee
31 for each invoice. The Collections Contractor will retain the additional toll surcharge and handling
32 fee to cover their cost and forward the toll payments to the authority. All toll bills/invoices require
33 payment within 30 days of the date thereof.

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1 **301.10 Establishment of Administrative Fee for Unpaid Tolls**

2 (a) Section 370.177, Transportation Code, authorizes the assessment and collection of an
3 administrative fee to recover the authority's cost of collecting unpaid tolls. An administrative fee
4 may not exceed \$100.00 per unpaid toll. The authority has determined that such fees may vary
5 depending on how far in the collection process a delinquent account proceeds.

6 (b) The current administrative fee shall be applied at each phase of the collection process. This
7 means that upon issuance of a notice of non-payment, a \$15.00 administrative fee shall be collected
8 in addition to the unpaid toll and any other fees that are due.

9 (c) If payment is not received in connection with the first notice of non-payment, and a second
10 notice of non-payment is sent, an additional \$15.00 administrative fee shall become due. Therefore,
11 full payment of a second notice of non-payment will require payment of \$30.00 in administrative
12 fees, in addition to all other amounts due.

13 (d) If payment is not received in connection with either the first or second notice of non-
14 payment, the unpaid account shall be considered for collection, an additional \$30.00 administrative
15 fee shall become due, and the cumulative administrative fee due shall be \$60.00.

16 (e) The board recognizes that the amount of the administrative fee should be subject to periodic
17 change when collection costs and associated matters are considered. Therefore, the board delegates
18 the authority to revise the administrative fee, or any aspect thereof, to the executive director, in
19 consultation with the director of operations, and the executive director may revise an administrative
20 fee by written amendment. The executive director shall give notice to the board of any such revision
21 at the next regularly scheduled board meeting after the revision is put into effect.

22 **301.11 Customer Service and Violation Policies**

23 (a) A tolerant and customer-friendly approach will be employed towards customers who use the
24 road without paying the required toll. While it is understood that the objective of the authority is to
25 collect revenue and minimize toll violation abuse, the authority believes that a moderate approach
26 towards customers who did not pay the toll ultimately will allow for a period of adjustment as
27 customers begin using the toll roads, and will create new toll customers for the authority.

28 (b) The authority will establish a "Violation Processing Center (VPC)" where vehicle images
29 captured at the toll collection point and for which no toll was paid will be reviewed and processed
30 according to authority policies in accordance with the toll enforcement process established by state
31 law. Repeat offenders will be issued notices of nonpayment and will be given the opportunity to
32 make outstanding toll and administrative payments. Failure to respond to the established customer
33 contact process and to satisfy outstanding, unpaid toll amounts will result in the issuance of citation
34 and prosecution in accordance with state law.

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Policy Code Amendments

1 **301.12 Procedures for Disputing Toll Violations**

2 (a) A customer may dispute an alleged failure to pay a toll on the authority's web site or by
3 contacting the CSC where a valid transponder account has been established.

4 (b) A customer who has contacted a CSC or the authority's collection contractor and has been
5 unable to satisfactorily resolve a dispute regarding a toll violation may submit a written appeal to the
6 authority. Such appeal shall be for the purposes of the customer providing the authority with the
7 information upon which they base their appeal. The authority may or may not determine that there
8 is any merit to such appeal and is not required to undertake any formal proceedings to make such
9 determination.