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March 14, 2016

OTHER STATES' LAWS ON COLLECTING UNPAID TOLLS

2016 HB 2605 would authorize the Kansas Turnpike Authority (KTA) to instruct the Division of Vehicles to refuse to register or renew the registration of a vehicle until amounts owed to the KTA have been paid. In the House Committee on Transportation hearing on the bill, a representative of the KTA stated such laws are in effect in 12 states: California, Colorado, Florida, Illinois, Maryland, Massachusetts, New York, North Carolina, Oklahoma, Texas, Virginia, and Washington. An attachment to this memorandum provides information on several aspects of these states' laws:

- Minimum amounts to trigger sanctions: In several of the states, vehicle registration cannot be renewed or can be suspended only if the violator has been determined responsible for multiple incidents of unpaid tolls;
- Circumstances present to prevent registration or renewal: Formal notice must be provided, and registration may not be completed until the amounts due are paid; some states allow those amounts due to be collected at registration;
- Limits on amounts charged: Statutes and regulations of all the states reviewed specify limits on amounts of certain penalties and fees to the toll violator;
- Notices to be provided to the toll violator: Statutes and regulations of all the states reviewed include procedures for notifying the violator;
- Exceptions to liability: Statutes and regulations of all the states reviewed provide exceptions to liability of the registered vehicle owner, such as when the vehicle is stolen or leased;
- Additional forms of sanctions: In addition to requiring a vehicle's registration to not be renewed, several of these states allow additional sanctions, such as suspending a driver's license or refusing title; two of the states authorize publication of violator's names and addresses; and
- Confidentiality of information: A majority of these states include in the laws on toll collection provisions regarding the confidentiality of information recorded for toll purposes and how information may be used.

Information on current and proposed Kansas law (in 2016 HB 2605, as amended by the House Committee of the Whole) is included in the attachment, in italics.

Laws in all of the other states and 2016 HB 2605 provide for appeal processes. Those provisions are not included in the summary.

This memorandum and the attachment will be updated as more information becomes available.

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Minimum liability to trigger sanctions	California	Vehicle Code 40267	may file for civil judgment if > \$400 in unpaid penalties and fees
	Florida	F.S.A. § 318.18	10 violations within a 36-month period, for driver's license suspension
	Illinois	625 ILCS 5/6-306.7 625 ILCS 5/6-704.2	to suspend driving privileges, suspend driving privileges, or tow/impound: 5 or more toll violations, toll evasions, or both
	Kansas	2016 HB 2605 as amended by House Committee of the Whole	<i>the amount of any tolls, penalties, fees, or costs due and owing by the registered owner must exceed \$100</i>
	Maryland	COMAR 11.07.07.08	\$1,000 in unpaid final toll violations before request to suspend registration
	New York	McKinney's Public Authorities Law § 510 15 NYCRR 127.14	5 or more notices of liability or other process within 18 months, for violation of toll collection regulations
	North Carolina	N.C.G.S.A. § 136-89.216	for a civil penalty for failure to pay an open road toll: 2 or more bills for unpaid open road tolls, not paid within 30 days; only 1 penalty in a 6-month period
	Texas	V.T.C.A., Transportation Code § 372.106, § 372.109, § 372.111, § 372.113	registration suspended if a habitual violator (a violator issued at least 2 written notices of nonpayment that contained 100 or more events of nonpayment within 1 year, not paid within 30 days and no appeal filed, notice must be sent)
	Virginia	VA Code Ann. § 46.2-819.1 G, § 46.2-819.3 G, § 46.2-819.3:1 F	a finding by a court that a person has 2 or more unpaid tolls (or 3 or more, depending on the specific circumstances) and fails to pay the penalties, fees, and unpaid tolls
Deny or suspend vehicle registration	California	Vehicle Code § 40267 Vehicle Code § 4770, § 4771	toll authority may file an itemization of unpaid toll evasion penalties and fees for collection with vehicle registration; department will refuse to renew if owner or lessee has been notified of the violation(s) and the processing agency has sent the department an itemization of unpaid toll evasion penalties (including fees), unless the full amount is paid; customer may pay full amount when registering the vehicle; amount must be itemized on registration renewal notice
	Colorado	C.R.S.A. § 43-3-302, § 43-3-808	court must send certified report to the department of revenue of any outstanding judgment or failure to pay the toll, fee, and civil penalty; department shall not renew the vehicle registration of the vehicle until the toll, fee, and civil penalty are paid in full
	Florida	F.S.A. § 320.03, § 316.1001	a license plate or revalidation sticker may not be issued until the violator's name no longer appears on the list of violators or until the person presents a receipt from the governmental entity or the clerk of court that provided the data showing that the fines outstanding have been paid
	Illinois	625 ILCS 5/3-704.2 92 Ill. Adm. Code 2520.705	suspend registration upon a certified report from Illinois State Toll Highway Authority to Secretary of State (report to include name, last known address, and driver's license number); Secretary to notify person that the person's vehicle registration will be suspended at the end of a specified period unless paid or report was in error; \$20 filing fee to request an administrative hearing to contest an impending suspension Authority must notify the violator that failure to satisfy any fine or penalty shall result in suspension of driving privileges, vehicle registration, or both

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	Kansas	2016 HB 2605 as amended by House Committee of the Whole	<i>if the amount of tolls, penalties, fees or costs due and owing by the registered owner exceeds \$100, the turnpike director would be authorized to instruct the Division of Vehicles to require payment at registration or refuse to register or renew the registration of the vehicle, until the amounts are paid to the satisfaction of the director; 15 percent of the amount would be retained by the county treasurer</i>
	Maryland	MD Code, Transportation, § 21-1414, § 27-110 COMAR 11.07.07.07, 11.07.07.08, 11.15.21.02, 11.15.28.03, 11.15.28.04	the motor vehicle administrator must refuse or suspend (if a chronic violator) the registration of a vehicle that incurs a toll violation (in the state or in another jurisdiction with which Maryland has a reciprocal agreement); Transportation Authority or district court must notify the motor vehicle administration of a violation; administration shall then refuse or suspend the registration; will request the motor vehicle administration refuse vehicle registration if at least 1 unpaid final toll violation; will request suspension of the registration if a vehicle has incurred at least \$1,000 in unpaid final toll violations; the Authority must notify the motor vehicle administrator within 3 business days of amounts being received or the owner enters into a confessed judgment to pay the amount
	Massachusetts	700 Code of Massachusetts Regulations 7.04(5)(g), 7.03(12)(g), 11.07(7)(b)	if the fine is not paid or the violation appealed within 60 days, the violation clerk notifies the vehicle owner and the Registrar of Motor Vehicles; the Registrar shall not renew the registration until notice from the violation clerk the matter has been disposed of in accordance with law
	New York	McKinney's Vehicle and Traffic Law § 510 15 NYCRR 127.14	if the violator has not paid after 5 or more notices of liability within 18 months, the commissioner shall suspend registration until the registrant has appeared to respond or has paid the penalty
	North Carolina	N.C.G.S.A. § 136-89.217	the Commissioner of Motor Vehicles must withhold the registration renewal if a person fails to pay an open road toll billed to the person plus the fee and any civil penalty and the Commissioner receives notification from the Authority
	Oklahoma	47 Okl.St.Ann. § 11-1401.2 B.16, 17, 19, 20	if notice has been sent by certified mail and the Authority has transmitted to the Commission an itemization of unpaid toll evasion penalties, the Commission must refuse to renew the vehicle registration; the Commission shall include on each vehicle registration renewal notice or on an accompanying document an itemization of unpaid toll evasion penalties, fees, and assessments
	Texas	V.T.C.A., Transportation Code § 372.111, § 502.011	if a habitual violator (issued at least 2 written notices of nonpayment that contained 100 or more events of nonpayment with 1 year); must send notice by first class mail to the registration address or an alternate address "provided by the person or derived through other reliable means"; determination considered final if no payment or request for hearing within 30 days (plus 5 for mailing); after a final determination, the toll project entity may report the determination to a county assessor-collector or the Texas DMV in order to cause the denial of registration
	Virginia	VA Code Ann. § 46.2-819.1 G, § 46.2-819.3 G, § 46.2-819.3:1 G, § 46.2-819.5 I	upon a finding by a court that a person has 2 or more (3 or more in 46.2-819.3 and 46.1-819.5) unpaid tolls and fails to pay the penalties, fees, and unpaid tolls, the court shall notify the Commissioner of the DMV, who shall refuse to issue or renew any vehicle registration certificate for the vehicle driven until the court has notified the Commissioner that the penalties, fees, and tolls have been paid; the Commissioner shall collect a \$40 administrative fee to defray the costs of processing

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	Washington	RCWA 46.16A.120	the department or county auditor or agent shall not renew a vehicle registration if there are any outstanding standing, stopping, and parking violations [NOTE: not just unpaid tolls] unless the outstanding violations and civil penalties were received within 120 days before the current vehicle registration expiration (120-day notice to the customer is required), there is a change in registered ownership, or the registered owner provides proof of payment
Limits on amounts to be charged for penalties, fees	California	Vehicle Code § 40258, § 40262.5, § 40267, § 4773	penalties for toll evasion violations limited to \$100 for first violation, \$250 for a second violation within 1 year, \$500 for each additional violation within 1 year; shall be considered a debt due; if more than \$400, may file as a civil judgment DMV may assess a fee for recording the notice of delinquent toll evasion violation sufficient to at least its actual costs for administering collection at registration
	Colorado	C.R.S.A. § 43-3-302, § 43-3-808, § 43-4-506.5.	toll road or highway company may adopt rules providing a civil penalty; the civil penalty is limited to \$10-\$250
	Florida	F.S.A. § 318.18	mandatory \$100 fine for each violation plus amount of unpaid toll(s); if there is a plea agreement and adjudication is withheld, the mandatory fine is \$50-\$100 plus the amount of the unpaid toll; additional civil penalty of \$16 if not paid within 30 days; may pursue as bad debt
	Kansas	KSA 68-2020 (current law)	<i>fine of not more than \$100 for refusing or failing to pay a toll, imprisonment for not more than 30 days, or both</i>
	Illinois	92 Ill. Adm. Code 2520.750 605 ILCS 10/10	upon a finding of liability, the registered owner shall be liable for the toll, \$20 fine per violation, applicable fees; if not paid within 30 days, additional \$50/violation without further notice or order; may be collected as a bad debt
	Maryland	COMAR 11.07.07.09	the civil penalty included in a citation for a toll violation is \$50
	Massachusetts	M.G.L.A. 91 App. § 1-23	the fine for failure or refusal to pay the toll is \$100, imprisonment for not more than 30 days, or both (criminal penalty)
	Massachusetts	M.G.L.A. 91 App. § 1-23 700 Code of Massachusetts Regulations 7.04(5)(g), 7.03(12)(g), 11.07(7)(b), 11.08	for failure to pay toll: fine of not more than \$100 or imprisonment for not more than 30 days or both \$40 penalty if payment is not made or appeal requested within 60 days; fine not to exceed \$250 for toll evasion; \$50 fine for toll violation, plus late payment fees if applicable
	New York	McK.Unconsol.Laws § 6816	violation is a misdemeanor punishable by a fine not exceeding \$500, imprisonment for not more than 60 days, or both
	New York	McK.Unconsol.Laws § 6816-b McKinney's Public Authorities Law § 2985	amounts not to exceed \$50 or twice the toll for a first violation; \$100 or 5 times the toll for a second violation within 18 months; \$150 or 10 times the toll for a third or subsequent violation within 18 months
	New York	21 NYCRR 1021.3	(for the Triborough Bridge and Tunnel Authority) toll violation fee of \$50 for each such toll collection violation

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	North Carolina	N.C.G.S.A. § 136-89.215, § 136-89.216, § 136-89.218	the processing fee may not exceed \$6; a person may not be charged more than \$48 in processing fees in a 12-month period; the Authority must set the processing fee at an amount that does not exceed the costs of collecting the unpaid toll; civil penalty of \$25 once in a 6-month period is assessed if the person has received 2 or more bills of unpaid open road tolls and has not paid within 30 days; the authority may not collect if the person sent a request for review to the authority within 30 days of the bill being sent
	Oklahoma	47 Okl.St. Ann. § 11-1401.2 B.4, 20	\$25 for each violation, plus toll charges Commission to assess a fee sufficient to provide a total amount equal to at least its actual costs to administer the registration provisions; no further attempt at collection if the vehicle is transferred or not renewed for 2 renewal periods
	Texas	V.T.C.A., Transportation Code § 370.177(a), (c), § 372.104, § 372.105(d), § 372.105 Tex. Admin. Code tit. 43, § 27.82	failing to pay the proper toll amount is a misdemeanor punishable by a fine not to exceed \$250; the authority may impose an administrative fee to recover the cost of collecting the unpaid toll, not to exceed \$100; administrative fees may be suspended if a violator agrees to open a funded account and maintains that account in good standing; if sent for collection, the authorized collection attorney may recover attorney's fees, investigative costs, and court costs; filing fee of \$100 for an appeal of habitual violator statutes under a justice court
	Virginia	VA Code Ann. § 46.2-819.1 B, C, F § 46.2-819.3 A, B, D, F § 46.2-819.3:1 B, C, L § 46.2-819.5 A, C, H	the toll facility operator may impose and collect an administrative fee in addition to the unpaid toll, which shall be reasonably related to the actual cost of collecting the unpaid toll and not exceed \$100 per violation (may not be levied in 46.2-819.5 B until a second violation has been documented within 12 months); if paid within 30 days of notification, the administrative fee shall not exceed \$25 if the matter proceeds to court, these civil penalties: \$50 for first offense, \$100 for second offense within 1 year, \$250 for third offense within 2 years from the second offense, \$500 for a fourth and any subsequent offense within 3 years of second offense; the toll facility operator may reduce the civil penalty to \$25 for first or second offense or \$50 for a subsequent offense if the owner pays at least 14 days before the hearing date; action is to be brought in the general district court of the city or county but considered an infraction; court costs apply
	Washington	RCWA 46.63.160 (8), (11); 47.46.105; 47.56.795 (6)	the civil penalty for toll nonpayment detected through the use of a photo toll system is \$40 plus the photo toll and associated fees; the first time there is a failure to timely pay, the department may waive penalties and fees if the owner establishes an electronic toll account; administrative fees must not exceed toll collection costs
Notice(s) to the violator	California	Vehicle Code § 40254, § 40267, § 4771	the toll agency must send a notice of toll evasion violation within 21 days; if the registered owner is a repeat violator (more than 5 violations in any calendar month within the preceding 12 months), the processing agency must forward the notice within 90 days; the notice must include the license plate number and other vehicle information and an explanation of procedures for contesting the violation; notice of a civil judgment if the total of penalties and fees exceeds \$400 must be sent by first-class mail, and judgment will be effective 30 days after mailing; the department shall include with each vehicle registration renewal notice an itemization of unpaid toll evasion penalties, including fees

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	Colorado	C.R.S.A. § 43-3-302(7), § 43-4-808, § 43-4-506.5; 2 Colo. Code Regs. 606-1:4.00	violator must receive a civil penalty assessment notice or a municipal summons and complaint; if not paid within 20 days, the notice constitutes a complaint to appear for adjudication of toll evasion in court or in an administrative toll enforcement proceeding; if toll evasion is evidenced by photography or other technology, the civil penalty assessment notice may be issued and sent by first-class mail or equivalent, to the registered owner; if the penalty is not paid within 20 days, the company shall send a penalty assessment notice by certified mail, return receipt requested, or equivalent; if not paid or answered before a scheduled hearing, the owner is deemed to have admitted liability and a final order of liability may be entered; company may pursue as debt
	Florida	F.S.A. § 316.1001	citation must be mailed to the registered owner within 14 days of the date of issuance of the citation
	Illinois	605 ILCS 10/10 92 Ill. Adm. Code 2520.705	notice of violation to be served by USPS first-class mail or other means as provided by law to the address of the registered owner of the cited vehicle as recorded in vehicle registration records; notice must include the date, approximate time and location of the violations cited, the regulation violated, the state registration number of the cited vehicle, the amount of unpaid tolls, the applicable fines and fees, and notice that failure to pay may result in suspended driving privileges or registration or both and failure to contest shall be deemed an admission of liability
	Kansas	<i>2016 HB 2605 as amended by House Committee of the Whole</i>	<i>authority may provide by US mail or accepted USPS tracking method a notice of toll-evasion violation to the registered owner; the notice may include a toll-evasion civil penalty, administrative fee, and costs for each instance in which the registered owner has failed to pay the toll</i>
	Maryland	Maryland Code, Transportation, § 21-1414(b), (c), (d) COMAR 11.07.07.06, 11.07.07.08, 11.15.21.02, 11.15.28.04	the Authority must send the registered owner a notice of toll due; the person alleged to be liable who receives such a notice has at least 30 days to pay the toll; civil penalty may be assessed 15 days after the toll violation occurs; Authority or its agent shall send a citation via first-class mail no later than 60 days after the toll violation (a record of the mailing is admissible evidence of the notice of toll due and citation); citation must include a copy of the image and warning that failure to pay or contest may result in refusal or suspension of registration and referral for collection; the jurisdiction must notify the vehicle owner of the jurisdiction's intent to request suspension of vehicle registration, and the Administration must notify the owner of the suspension
	Massachusetts	M.G.L.A. 91 App. § 1-23 700 Code of Massachusetts Regulations 7.04(f), 7.03(f), 11.07	for each violation related to electronic toll collection, a violation notice shall be sent to the registered owner; the notice shall include the vehicle registration number and information on the specific violation; delivery of the notice of violation by first class mail is sufficient; the owner has 60 days to pay, send a written dispute by mail, or request a hearing; a violation clerk issues and certifies the violation notice and sends it by first-class mail to the registered owner at the address on record with the Registry of Motor Vehicles or other state's equivalent
	New York	McK.Unconsol.Laws § 6816-b McKinney's Public Authorities Law § 2985 McKinney's Vehicle and Traffic Law § 510	notice shall be sent by first-class mail to each person alleged to be liable as an owner for violation, within 30 days after the alleged violation; an owner who is an account holder under the electronic toll collection system shall not be found liable unless the authority has sent a notice of delinquency to the account holder; suspension of registration shall take effect no less than 30 days after notice of the suspension is sent

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	North Carolina	N.C.G.S.A. § 136-89.214 § 136-89.215	if the toll is not paid, the Authority must send a bill within 90 days, by first-class mail; a billing period for unpaid open road tolls may not be shorter than 15 days; the bill must include certain information, including an image of the registration plate if one was captured and a statement the owner is subject to a civil penalty and may not renew the vehicle's registration until the tolls and civil penalties are paid (note: NCGSA 136-89.213 requires a facility in the immediate vicinity of the turnpike project to accept cash and must place signs notifying drivers on how to pay the toll); the person has 30 days to pay
	Oklahoma	47 Okl.St.Ann. § 11-1401.2 B.6, 7, 10	notice to be sent by first-class mail, within 45 days after the alleged violation, including specified information; if the violation is contested, the Authority must investigate and mail the results of the investigation within 30 days of receipt of a notice of contest; the record of mailing is <i>prima facie</i> evidence of the receipt of the notice; a subsequent notice, sent by certified mail, must include certain information, including a statement that failure to pay or contest the violation within 21 days will mean vehicle registration renewal is contingent upon payment; the Authority may not file a civil judgment with the district court related to a toll evasion violation unless the Authority has determined that registration of the vehicle has not been renewed for 60 days beyond the renewal date
	Texas	V.T.C.A., Transportation Code § 372.103, § 372.104, § 372.105	if the registered owner has failed to comply with a payment plan for outstanding tolls and administrative fees, after 30 days, the toll project entity may refer the bill for collection; each written notice of nonpayment shall include a warning that failure to pay may result in exercise of the habitual violator remedies
	Texas	V.T.C.A., Transportation Code § 370.177(c), § 372.106, § 372.110	the authority shall send a written notice of nonpayment to the registered owner of the vehicle as shown in vehicle registration records by first class mail within 30 days after the date of the alleged failure to pay and may require payment not sooner than the 30th day after the date the notice was mailed (plus 5 days for mailing, for certain facilities); the registered owner shall pay a separate toll and administrative fee for each event of nonpayment; habitual violator must receive notice a toll project entity has prohibited operation of a motor vehicle on its project
	Virginia	VA Code Ann. § 46.2-819.1 A, § 46.2-819.3 J, § 46.2-819.3:1 F, K; § 46.2-819.5 M; § 46.2-819.6, § 46.2-819.7	first, the operator of a toll facility must send an invoice or bill for unpaid tolls to the registered owner of the vehicle; the owner shall be given reasonable notice by way of a summons; an invoice for an unpaid toll may be executed by mailing by first-class mail to the address of the owner of the vehicles as shown on the records of the Department
	Washington	RCWA 46.63.160 (3), (6); 46.16A.120	notice of civil penalty may be issued only after the payment due date, which is 80 days after the toll is incurred; notice must include an image of the violation; if the customer has agreed to them, notices must include email and phone messages at least 10 days before a civil penalty is issued; the envelope containing a toll charge or notice of civil penalty must prominently indicate the contents are time sensitive and related to a toll violation; before suspending registration, notice must be sent approximately 120 days in advance of the current vehicle registration expiration date (subsequent violations would not be applicable until the following year)
Exceptions to owner responsibility	California	Vehicle Code § 40250	the registered owner, driver, rentee, or lessee of a vehicle cited for a toll evasion violation of a toll facility shall be jointly and severally liable for the toll evasion penalty, unless the owner can show that the vehicle was used without the express or implied consent of that person. A person who pays a toll evasion penalty, a civil judgment, costs, or administrative fees pursuant to this article has the right to recover the same from the driver, rentee, or lessee

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	Colorado	C.R.S.A. § 43-3-302 (7), § 43-4-808, § 43-4-506.5	owner may avoid liability if the owner can furnish sufficient evidence that, at the time of the toll evasion, the vehicle was leased or rented to another person
	Florida	F.S.A. § 316.1001(2)	within 14 days after the date of issuance of the citation, the owner must submit an affidavit setting forth information on the person who otherwise had care, custody, or control or a police report showing the vehicle was stolen; submission of a false affidavit is a misdemeanor of the second degree
	Illinois	92 Ill. Adm. Code 2520.755	no commercial entity that is the lessor of a vehicle pursuant to a written lease agreement shall be liable for the violation during the lease if the lessor provides a copy of the leasing agreement within 21 days after the issue date of the notice of violation; the lease agreement must inform the lessee of the lessee's responsibility for tolls
	Maryland	MD Code, Transportation, § 21-1414(g)	the registered owner may submit a notarized admission of responsibility by another person, who will then be sent a notice of toll due; a lessor may identify the lessee, and the lessee is responsible; if the vehicle has a dealer or transporter registration plate and has a contract with another, the dealer or transporter is not responsible; if the vehicle is reported as stolen, the owner is not liable
	Massachusetts	700 Code of Massachusetts Regulations 7.04 700 CMR 11.04	the registered owner is <i>prima facie</i> responsible unless the vehicle has been reported to be stolen; the account holder to whom an electronic toll collection device is assigned is <i>prima facie</i> responsible unless the owner has reported the device stolen; the registered owner is <i>prima facie</i> responsible unless the registered owner of record is in the business of leasing or renting motor vehicles and provides a copy of a contract document and information on the identity of the person responsible
	New York	McK.Unconsol.Laws § 6816-b McKinney's Public Authorities Law § 2985	it is a valid defense to liability that the vehicle was reported to police as stolen; a lessor is not responsible if the lessor sends a copy of the contract for the vehicle within 30 days; the owner may maintain an action for indemnification against the operator
	North Carolina	N.C.G.S.A. § 136-89.212	the registered owner is liable for paying the toll unless the registered owner established the vehicle was in the care, custody, and control of another person when it was driven on the turnpike project; sworn affidavit required; the affidavit must be supported by written evidence such as an insurance or police report if the vehicle was stolen
	Oklahoma	47 Okl.St.Ann. § 11-1401.2 B.11, 12	it is a valid defense to liability that the vehicle was reported to police as stolen; owner may file an affidavit of nonliability
	Texas	V.T.C.A., Transportation Code § 370.177(e), (f), (j); § 372.105(e), (f)	it is a defense to prosecution that the motor vehicle in question was stolen if the theft was reported to appropriate law enforcement authorities; if the vehicle has been leased, the owner must send a copy of the contract document; the lessee will be billed; it is a defense to prosecution that ownership of the vehicle was transferred to another party, if written notice of the transfer was provided to the department before the 30th day after the date of notice of nonpayment is mailed
	Virginia	VA Code Ann. § 46.2-819.1 F, H, I § 46.2-819.5 H, K	the registered owner may file an affidavit that the owner was not the driver or may produce a certified copy of a police report showing the vehicle had been reported stolen; a vehicle renting or leasing company may provide a copy of the contract document or an affidavit identifying the renter or lessee

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	Washington	RCWA 46.63.160 (5), (10)	the civil penalty and fees may be dismissed or reduced upon proof of mitigating circumstances that include hospitalization, military deployment, eviction, homelessness, death of the alleged violator or of an alleged violator's immediate family member, failure to receive the toll bill due to an incorrect address that has since been corrected, a prepaid electronic toll account error that has since been corrected, and an error made by the Department or an agent of the Department; a rental car business may identify the name and known mailing address of the individual driving or renting the vehicle when the toll was assessed or a statement under oath and accompanied by a filed police report that the vehicle was stolen
ADDITIONAL FORMS OF SANCTION			
Suspend driving privileges	Florida	F.S.A. § 318.18	the court may direct the department to suspend for 60 days the driver's license of a person who is convicted of 10 violations within a 36-month period [note: A Miami Herald article says this is rarely used, as freezing vehicle registration is "easier and more effective." (http://www.miamiherald.com/news/local/community/miami-dade/article30665103.html#storylink=cpy)
	Illinois	625 ILCS 5/6-306.7	procedure: certified report from Illinois State Toll Highway Authority to Secretary of State (report to include name, last known address, and driver's license number); Secretary to notify person that driver's license will be suspended at the end of a specified period unless paid or report was in error; \$20 filing fee to request an administrative hearing to contest an impending suspension Authority must notify the violator failure to satisfy any fine or penalty shall result in suspension of driving privileges, vehicle registration, or both
	Massachusetts	700 Code of Massachusetts Regulations 7.04(5)(g), 7.03(12)(g), 11.07(7)(b)	if the fine is not paid or the violation appealed within 60 days, the violation clerk notifies the vehicle owner and the Registrar of Motor Vehicles; the Registrar shall not renew the license to operate the vehicle until notice from the violation clerk the matter has been disposed of in accordance with law; if the registered owner is a resident of another state, the Registrar shall revoke the owner's right to operate in the Commonwealth
<i>Note: A 2013 report from the American Association of Motor Vehicle Administrators (http://www.aamva.org/Suspended-and-Revoked-Drivers-Working-Group/) concludes driver's license suspensions for violations not related to traffic safety are usually violated and ineffective in achieving compliance.]</i>			
Immobilize, tow, or impound vehicle	Illinois	605 ILCS 10/10 92 Ill. Adm. Code 2520.750	statute authorizes a system of civil administrative adjudication to provide a program of vehicle immobilization, tow, or impoundment if tolls for 5 or more toll violations, fines, and fees not paid; vehicle owner may challenge those actions; registered owner to be notified if vehicle was towed or impounded
	Texas	V.T.C.A., Transportation Code § 372.112	a toll project entity, by order of its governing body, must have prohibited operation of a motor vehicle on the toll project after the registered owner has been finally determined to be a habitual violator (issued at least 2 written notices of nonpayment that contained 100 or more events of nonpayment within 1 year, not paid and no appeal filed); law enforcement officer who observes operation by a habitual violator prohibited from using the toll project may direct impoundment; impoundment lasts until tolls are paid or the owner is released from liability

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Lien on the vehicle	Kansas	KSA 68-2020 (current law)	<i>the authority shall have a lien on the vehicle driven by such person for the amount of the toll and may take and retain possession thereof until the amount of the toll and all charges in connection with it shall have been paid</i>
	Massachusetts	M.G.L.A. 91 App. § 1-23	in addition to levying a fine of \$100, the Authority has a lien upon the vehicle driven by the person who failed or refused to pay the fine and may take and retain possession of it until the tolls and charges have been paid
Refuse title	North Carolina	N.C.G.S.A. § 20-54	the Division shall refuse registration or issuance of a certificate of title or any transfer or registration if the Authority has notified the Division that the owner has not paid tolls, fees, and civil penalties the owner owes the Authority for use of a Turnpike project
Publish names of violators	Illinois	605 ILCS 10/10	the Authority may maintain a listing or searchable database on its website of persons or entities that have been issued 1 or more final orders of liability with a total amount due of more than \$1,000 for tolls, fines, unpaid late fees, or administrative costs that remain unpaid after the exhaustion of judicial review procedures; each entry may include the person's or entity's name as listed on the final order of liability.
	Texas	V.T.C.A, Transportation Code, § 372.102	notwithstanding the confidentiality of electronic toll collection customer account information, a toll project entity may publish a list of names of the registered owners or lessees of nonpaying vehicles; the list may include name, city and state of residence, total number of events of nonpayment, and the total amount due for tolls and administrative fees
OTHER COMMON PROVISIONS			
Confidentiality of information	Massachusetts	M.G.L.A. 91 App. § 1-23 700 CMR 7.04, 11.07	the Authority and MassDOT shall maintain the confidentiality of all information, including images and credit and account data; such information shall not be a public record and shall be used for enforcement purposes only with respect to toll collection
	New York	McK.Unconsol.Laws § 6816-b McKinney's Public Authorities Law § 2985	all images shall be for the exclusive use of the authority in the discharge of its duties and shall not be open to the public nor be used in court unless the proceeding relates to toll violation; the authority shall not sell or make available names and addresses or other account-holder information without consent, except to other toll facility operators
	North Carolina	N.C.G.S.A. § 136-89.213	the Authority shall maintain the confidentiality of information including financial information, transaction history, and information related to the collection of a toll including recorded images and driver account information
	Oklahoma	47 Okl.St.Ann. § 11-1401.2 B.15	any recorded image is for the exclusive use of the Authority and not open to the public or may not be used in court except in a related action; the Authority may not make names and addresses of account holders or Authority patrons without their permission
	Texas	V.T.C.A, Transportation Code, § 228.057(e), 366.178(b-1), 366.179(d), 370.177(m), 370.178(d)	account information, including contact and payment information and trip data, is confidential and not subject to disclosure under Chapter 552, Government Code

Other States' Laws on Collecting Unpaid Tolls

	Virginia	VA Code Ann. § 46.2-819.1 B, § 46.2-819.3:1 B, § 46.2-819.5 B	all data collected by a photo-monitoring system or automatic vehicle identification system shall be used exclusively for the collection of unpaid tolls and shall not be open to the public, sold or used for marketing purposes, disclosed to any entity except for collection of unpaid tolls, or used in court except for pursuing toll violations; this information may not be kept longer than 30 days after the collection and reconciliation of any unpaid tolls, fees, or penalties
	Washington	RCWA 46.63.160 (6); 47.46.105 (2); 47.56.795 (2)	any recorded image is for the exclusive use of the Authority and not open to the public or may not be used in court except in a related action; records identifying a specific instance of travel by a specific person or vehicle must be retained only as required to ensure payment and enforcement of tolls and to comply with state records retention policies
Reciprocal enforcement	Maryland	MD Code, Transportation, § 21-1415	the Transportation Authority is authorized to enter into an agreement with another jurisdiction for reciprocal enforcement of toll violations
	North Carolina	N.C.G.S.A. § 136-89.220	the Authority is authorized to enter into a reciprocal agreement with other tolling jurisdictions to enforce toll violations; if the agreement meets certain requirements, an unpaid toll, processing fee, or civil penalty in another state may be enforced with a renewal block
	Texas	V.T.C.A., Transportation Code § 372.114	if the violator has met the criteria to be termed a habitual violator, a toll project entity may seek habitual violator remedies (which would include suspension of registration)
The states reviewed were those identified by a representative of the Kansas Turnpike Authority in testimony to the House Transportation Committee on 2016 HB 2605 as authorizing denial of registration for failure to pay tolls.			
Terms such as "Authority" and "DMV" above reflect each state's statutory language.			
Please notify KLRD of any omissions or errors, for correction.			