

2015 -- S 0570

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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2015

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A N A C T

RELATING TO HIGHWAYS -- RHODE ISLAND TURNPIKE AND BRIDGE AUTHORITY

Introduced By: Senator Louis P. DiPalma

Date Introduced: March 03, 2015

Referred To: Senate Judiciary

(by request)

It is enacted by the General Assembly as follows:

1 SECTION 1. Section 24-12-37 of the General Laws in Chapter 24-12 entitled "Rhode  
2 Island Turnpike and Bridge Authority" is hereby amended to read as follows:

3 ~~24-12-37. **Penalty for nonpayment of toll -- Toll violators** Penalty for nonpayment of~~  
4 ~~**toll -- Toll violators and toll evaders. --** (a) ~~Any person who fails or refuses to pay or prepay the~~~~  
5 ~~~~required toll shall be required to pay the toll amount and an administrative fee of six dollars~~~~  
6 ~~~~(\$6.00) within thirty (30) days of issuance of the notice of violation.~~ Legislative findings: The~~  
7 ~~general assembly finds as follows:~~

8 (1) All users of any tolled projects should be required to timely pay for the use of such  
9 projects;

10 (2) Toll violators and toll evaders unfairly shift the financial burden of maintaining the  
11 tolled projects to other project users; and

12 (3) Rhode Island has a strong interest in ensuring that its transportation infrastructure is  
13 adequately funded in a fair and equitable manner.

14 ~~(b) ~~Any person who fails to pay the due toll amount and the administrative fee within~~~~  
15 ~~~~thirty (30) days of the issuance of the notice of the violation shall be punished by a fine of eighty-~~~~  
16 ~~~~five dollars (\$85.00) and may have his or her drivers license suspended pursuant to § 31-41.1-6~~~~  
17 ~~~~for a period not to exceed thirty (30) days for the violation. Toll violators, who fail to pay the due~~~~  
18 ~~~~toll amount and the administrative fee within thirty (30) days of the issuance of the notice of the~~~~  
19 ~~~~violation shall receive a traffic violation summons which shall be subject to the jurisdiction of the~~~~

1 ~~Traffic Tribunal. The toll amount, and administrative fee due under this subsection shall be~~  
2 ~~remitted to the Rhode Island Turnpike and Bridge Authority.~~ In each instance when a person fails  
3 or refuses to pay or prepay the required toll on a tolled project, and is issued a violation for the  
4 same, the toll violator shall pay the toll amount within fourteen (14) days of issuance of the  
5 violation.

6 (c) Any toll violator who fails to pay the toll amount due within the fourteen (14) day  
7 period in subsection (b) of this section shall immediately incur a forty dollar (\$40.00)  
8 administrative fee in addition to the unpaid toll amount.

9 (d) Any toll violator who fails to pay the forty dollar (\$40.00) administrative fee and  
10 unpaid toll as required by subsections (b) and (c) of this section within forty-five (45) days of the  
11 issuance of the original violation shall incur a thirty-five dollar (\$35.00) administrative fee in  
12 addition to the forty dollar (\$40.00) administrative fee and the unpaid toll amount. The toll  
13 amount and administrative fees shall be paid to the authority.

14 (e) Any person who uses a project, fails or refuses to pay the required toll, and  
15 deliberately circumvents or proceeds around or through a gate or other barrier on a project, shall  
16 be considered a toll violator and a toll evader. Such person shall be responsible for any tolls and  
17 administrative fees applicable to toll violators. Further, any toll evader shall also receive a traffic  
18 violation summons which shall be subject to the jurisdiction of the Rhode Island traffic tribunal,  
19 which may suspend the toll evader's driver's license for up to six (6) months for the violation and  
20 assess a fine up to five hundred dollars (\$500), or both. All tolls, administrative fees, and fines  
21 shall be payable to the authority.

22 (f) If the unpaid toll amounts, administrative fees, and fines (if applicable) are not paid  
23 within ninety (90) days of the issuance of the original violation, then the authority may report the  
24 person to the Rhode Island division of motor vehicles, who then shall not permit that person to  
25 renew his or her driver's license or vehicle registration until the unpaid toll amounts,  
26 administrative fees, and fines (if applicable) are paid to the authority. Upon the authority's receipt  
27 of such payment, the authority shall simultaneously issue a written or electronic receipt showing  
28 the amounts paid and a certification that the person does not owe any amounts to the authority. In  
29 such a case, the Rhode Island division of motor vehicles shall forthwith release any hold placed  
30 for this purpose on the person's license renewal or vehicle registration renewal.

31 ~~(e)(g)~~ "Toll Violator" means, for the purposes of this section, any person who uses any  
32 project and fails to prepay or pay the required toll ~~and accepts an Unpaid Toll Invoice from the~~  
33 Authority.

34 ~~(f)(h)~~ The authority shall may promulgate appropriate rules and regulations to ensure the

1 proper administration of the provisions of this section.

2 ~~(2)~~(i) For the purposes of this section only, "person" means the registered owner, EZPass  
3 account holder, driver, rentee or lessee of a motor vehicle.

4 (j) This section shall apply retroactively to all toll violators, toll evaders, and toll  
5 violations occurring prior to the effective date of this section.

6 ~~(3)~~(k) It is unlawful for any person or business, other than an authorized representative  
7 of the authority: ~~(i) or any other duly authorized and existing toll or transportation agency~~ to sell,  
8 lease, rent or offer for sale, lease or ~~attempt to sell~~ rent any tokens, tickets, passes, ~~or other~~  
9 ~~evidences of payment issued for passage on any project of the authority, including but not limited~~  
10 ~~to, the Claiborne Pell Bridge, if originally issued by the authority pursuant to any program of the~~  
11 ~~authority providing for a reduced rate of toll based upon frequency of use of the project, volume~~  
12 ~~of tokens, passes or other evidences of payment purchased, or method of payment for the toll; or~~  
13 ~~(ii) to sell, offer for sale, or attempt to sell tokens, passes~~ transponders or other evidences of  
14 payment issued for passage on any project ~~of the authority, including but not limited to, the~~  
15 ~~Claiborne Pell Bridge for a profit~~. Any person or business who is found in violation of this  
16 subsection shall be punished, for each offense, by a fine of not more than five hundred dollars  
17 (\$500).

18 SECTION 2. This act shall take effect upon passage and the provisions of this act shall be  
19 given retroactive as well as prospective effect and shall apply to all cases pending upon the  
20 effective date of this act.

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EXPLANATION  
BY THE LEGISLATIVE COUNCIL  
OF

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1           This act would impose upon toll violators and evaders an increase in the administrative  
2 fees from six dollars (\$6.00) up to seventy-five dollars (\$75.00) for untimely payment of tolls,  
3 loss of license, fine of five hundred dollars (\$500), and inability to renew driver's license and/or  
4 vehicle registrations.

5           This act would take effect upon passage and the provisions of this act would be given  
6 retroactive as well as prospective effect and would apply to all cases pending upon the effective  
7 date of this act.

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