


IBTTA  
74<sup>th</sup> ANNUAL MEETING & EXHIBITION  
September 16-20, 2006 • Hyatt Regency Dallas • Dallas Texas USA

IBTTA  
International Bridge, Tunnel and Turnpike Association

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## ETC's Unexpected Side-effect

A stockpile of uncollected tolls --  
What to do?



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## History

- ❖ Toll Booths: manned.  
Violators - Bonnie & Clyde 
- ❖ Introduction of Electronic Toll Collections:  
Issuing criminal citations
- ❖ Movement to ORT:  
Necessity of movement to civil process

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## Common Practice Currently

- ❖ Violation billed by Tollway 
- ❖ Violation referred to and billed by a traditional Collection Agency for short period 
- ❖ Violation referred back to Tollway and misdemeanor criminal citation issued 

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## Customer Service


Is arresting your clients  
good customer service?

- a. Implications of non-resolved citation:  
arrest warrant
- b. Implications of an arrest of a good customer: bad press / bad customer service 

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## Customer Service - Part II

Dealing w/bad or incomplete data

- a. Can't assume that DMV records are correct
- b. Can't assume that Toll Tag Customer records are correct
- c. When is a slow-to-respond customer a criminal? 

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## Alternative to Criminal Citations

Enhanced civil enforcement process: 

- a. Administrative Hearings (block registration, add fees, provide legitimacy)
- b. Civil Lawsuits (most possible errors already handled by admin process; can establish liens, execute on judgments)
- c. Legitimate ability to use Credit Bureau reporting

## Civil Process Benefits – Part I

### Court Responsiveness



- ❖ Administrative Hearing personnel understand collection issues.
- ❖ Legal action is by Agency-hired attorneys, not DA's office.

## Civil Process Benefits – Part III

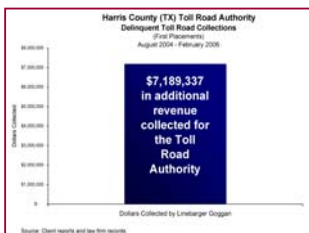
- ❖ Costs of the hearing, including representation, are passed along to violators through delinquency fees and court-ordered fees.



- ❖ Minimal / no state or county costs.

## Results of Public / Private Partnership

- ❖ 25% Decrease in violations.
- ❖ 85% Increase in violations cleared.
- ❖ 100% Increase in revenue.



## Civil Process Benefits – Part II

- ❖ Enforcing Tolls – Increased justification to use enforcement tools for those that default at hearing.
- ❖ Eliminates the “heavy hand” argument while also eliminating the “lack of enforcement” argument.



## Impact

Harris County Toll Road Authority  
– an example of a pure civil process.



- ❖ Collection costs borne by violator – including administrative hearing representation and lawsuit representation.
  - a. Increased resolution rate
  - b. Decrease in violations
  - c. Decrease in Toll Tag customers with suspended accounts

## Creating Legislation Needed

- ❖ Give yourselves the option!
- ❖ Add to your tool chest.
- ❖ No need to re-invent the wheel – it's already been done



## Conclusion

Addition of a comprehensive civil  
process will increase collection<sup>\$</sup>  
while decreasing violations.

## Contact Information



Thanks for  
your kind  
attention –  
lunch is  
served!

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