

HOUSE BILL 523

R5

6lr0388

By: **Delegate Stein**

Introduced and read first time: February 1, 2016

Assigned to: Environment and Transportation

Committee Report: Favorable with amendments

House action: Adopted

Read second time: March 12, 2016

CHAPTER _____

1 AN ACT concerning

2 **E-ZPass Accounts – Transponder Theft – ~~Notice~~ Reporting and Unauthorized**
3 **Charges**

4 FOR the purpose of ~~requiring~~ authorizing the holder of an E-ZPass account to report the
5 theft of a certain transponder to the Maryland Transportation Authority and a local
6 law enforcement agency and to report certain charges assessed to the Authority;
7 ~~requiring the Authority to review certain records following the reported theft of a~~
8 ~~transponder and provide copies of certain records to the account holder under certain~~
9 ~~circumstances~~; providing that an account holder is not responsible for certain tolls
10 under certain circumstances; ~~requiring the Authority to provide certain notice to an~~
11 ~~account holder under certain circumstances~~; defining certain terms; and generally
12 relating to the theft of transponders associated with E-ZPass accounts.

13 BY adding to

14 Article – Transportation

15 Section 21-1416

16 Annotated Code of Maryland

17 (2012 Replacement Volume and 2015 Supplement)

18 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
19 That the Laws of Maryland read as follows:

20 **Article – Transportation**

21 **21-1416.**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



1 (A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS
2 INDICATED.

3 (2) "AUTHORITY" MEANS THE MARYLAND TRANSPORTATION
4 AUTHORITY.

5 (3) "E-ZPASS ACCOUNT" MEANS A FINANCIAL RELATIONSHIP
6 BETWEEN THE AUTHORITY AND A PERSON WHO AGREES TO ABIDE BY THE TERMS
7 AND CONDITIONS ESTABLISHED FOR THE ELECTRONIC COLLECTION OF TOLLS.

8 (4) "TRANSPONDER" MEANS A DEVICE THAT IS DESIGNED TO
9 TRANSMIT INFORMATION USED TO COLLECT TOLLS AND IS ASSOCIATED WITH A
10 PARTICULAR ACCOUNT.

11 (B) A HOLDER OF AN E-ZPASS ACCOUNT ~~SHALL~~ MAY:

12 (1) REPORT A THEFT OF A TRANSPONDER ASSOCIATED WITH THE
13 E-ZPASS ACCOUNT TO A LOCAL LAW ENFORCEMENT AGENCY AND THE AUTHORITY
14 WITHIN 2 WEEKS OF THE FIRST ACCOUNT STATEMENT AFTER THE THEFT; AND

15 (2) IDENTIFY ANY UNAUTHORIZED CHARGES TO THE HOLDER'S
16 E-ZPASS ACCOUNT AND REPORT THE UNAUTHORIZED CHARGES TO THE
17 AUTHORITY FOR VERIFICATION.

18 (C) ~~ON RECEIPT OF A TIMELY REPORT OF THEFT OF A TRANSPONDER AND
19 UNAUTHORIZED E-ZPASS ACCOUNT CHARGES, THE AUTHORITY SHALL:~~

20 (1) ~~REVIEW RETAINED RECORDS TO VERIFY THE UNAUTHORIZED
21 TOLL CHARGES; AND~~

22 (2) ~~PROVIDE THE E-ZPASS ACCOUNT HOLDER WITH COPIES OF ANY
23 RECORDS VERIFYING UNAUTHORIZED CHARGES.~~

24 (D) A HOLDER OF AN E-ZPASS ACCOUNT WHO REPORTS THE THEFT OF A
25 TRANSPONDER IN ACCORDANCE WITH THIS SECTION IS NOT RESPONSIBLE FOR
26 UNAUTHORIZED TOLL CHARGES:

27 (1) ~~VERIFIED UNAUTHORIZED TOLL CHARGES OVER \$50 INCURRED
28 BEFORE THE DATE THE THEFT WAS REPORTED~~ IF THE AUTHORITY:

29 (I) IDENTIFIES THE INDIVIDUAL WHO UNLAWFULLY USED THE
30 TRANSPONDER; AND

1 (ii) COLLECTS THE PROPER TOLL CHARGES FROM THE
2 INDIVIDUAL; OR

3 (2) ~~UNAUTHORIZED TOLL CHARGES INCURRED~~ INCURRED AFTER
4 THE DATE THE THEFT WAS REPORTED TO THE AUTHORITY.

5 (e) ~~THE AUTHORITY SHALL NOTIFY A PERSON WITH AN E-ZPASS ACCOUNT~~
6 ~~WHEN A TOLL IS CHARGED TO THE ACCOUNT FOR A VEHICLE WITH A DIFFERENT~~
7 ~~NUMBER OF AXLES THAN THE MOTOR VEHICLE GENERALLY ASSOCIATED WITH THE~~
8 ~~E-ZPASS ACCOUNT.~~

9 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
10 October 1, 2016.

Approved:

Governor.

Speaker of the House of Delegates.

President of the Senate.