

HOUSE BILL 523

R5

6lr0388

By: **Delegate Stein**

Introduced and read first time: February 1, 2016

Assigned to: Environment and Transportation

A BILL ENTITLED

1 AN ACT concerning

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

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

12 BY adding to

13 Article – Transportation

14 Section 21-1416

15 Annotated Code of Maryland

16 (2012 Replacement Volume and 2015 Supplement)

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

19 **Article – Transportation**

20 **21-1416.**

21 **(A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS**
22 **INDICATED.**

23 **(2) “AUTHORITY” MEANS THE MARYLAND TRANSPORTATION**
24 **AUTHORITY.**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 **(3) “E-ZPASS ACCOUNT” MEANS A FINANCIAL RELATIONSHIP**
2 **BETWEEN THE AUTHORITY AND A PERSON WHO AGREES TO ABIDE BY THE TERMS**
3 **AND CONDITIONS ESTABLISHED FOR THE ELECTRONIC COLLECTION OF TOLLS.**

4 **(4) “TRANSPONDER” MEANS A DEVICE THAT IS DESIGNED TO**
5 **TRANSMIT INFORMATION USED TO COLLECT TOLLS AND IS ASSOCIATED WITH A**
6 **PARTICULAR ACCOUNT.**

7 **(B) A HOLDER OF AN E-ZPASS ACCOUNT SHALL:**

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

11 **(2) IDENTIFY ANY UNAUTHORIZED CHARGES TO THE HOLDER’S**
12 **E-ZPASS ACCOUNT AND REPORT THE UNAUTHORIZED CHARGES TO THE**
13 **AUTHORITY FOR VERIFICATION.**

14 **(C) ON RECEIPT OF A TIMELY REPORT OF THEFT OF A TRANSPONDER AND**
15 **UNAUTHORIZED E-ZPASS ACCOUNT CHARGES, THE AUTHORITY SHALL:**

16 **(1) REVIEW RETAINED RECORDS TO VERIFY THE UNAUTHORIZED**
17 **TOLL CHARGES; AND**

18 **(2) PROVIDE THE E-ZPASS ACCOUNT HOLDER WITH COPIES OF ANY**
19 **RECORDS VERIFYING UNAUTHORIZED CHARGES.**

20 **(D) A HOLDER OF AN E-ZPASS ACCOUNT WHO REPORTS THE THEFT OF A**
21 **TRANSPONDER IN ACCORDANCE WITH THIS SECTION IS NOT RESPONSIBLE FOR:**

22 **(1) VERIFIED UNAUTHORIZED TOLL CHARGES OVER \$50 INCURRED**
23 **BEFORE THE DATE THE THEFT WAS REPORTED; OR**

24 **(2) UNAUTHORIZED TOLL CHARGES INCURRED AFTER THE DATE THE**
25 **THEFT WAS REPORTED.**

26 **(E) THE AUTHORITY SHALL NOTIFY A PERSON WITH AN E-ZPASS ACCOUNT**
27 **WHEN A TOLL IS CHARGED TO THE ACCOUNT FOR A VEHICLE WITH A DIFFERENT**
28 **NUMBER OF AXLES THAN THE MOTOR VEHICLE GENERALLY ASSOCIATED WITH THE**
29 **E-ZPASS ACCOUNT.**

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