

Chapter 107

(House Bill 523)

AN ACT concerning

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

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

BY adding to

Article – Transportation

Section 21-1416

Annotated Code of Maryland

(2012 Replacement Volume and 2015 Supplement)

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

Article – Transportation

21-1416.

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

(2) “AUTHORITY” MEANS THE MARYLAND TRANSPORTATION AUTHORITY.

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

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

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

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

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

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

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

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

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

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

~~**(I) IDENTIFIES THE INDIVIDUAL WHO UNLAWFULLY USED THE TRANSPONDER; AND**~~

~~**(II) COLLECTS THE PROPER TOLL CHARGES FROM THE INDIVIDUAL; OR**~~

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

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

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

Approved by the Governor, April 12, 2016.