

Chapter 488

(Senate Bill 606)

AN ACT concerning

Maryland E-ZPass Commuter Fairness and Transparency Act of 2026

FOR the purpose of requiring the Maryland Transportation Authority to submit a certain report on E-ZPass discount plans and unused commuter trips that contains certain data; requiring the Authority to provide recommendations for lowering the amount of unused commuter trips; requiring the Authority, under certain circumstances, to submit a certain corrective action plan or eliminate certain forfeitures; and generally relating to unused commuter trips and the Maryland Transportation Authority.

Preamble

WHEREAS, The Maryland Transportation Authority operates the E-ZPass, an all-electronic tolling system on Maryland toll facilities, which is used daily by hundreds of thousands of Maryland residents, commuters, and visitors; and

WHEREAS, Under the current system, a missed toll payment as low as \$4 can result in the assessment of administrative fees and penalties that represent a disproportionate percentage increase over the original toll amount, creating significant financial burdens for motorists; and

WHEREAS, These fees and penalties often accumulate rapidly, particularly for individuals who may be unaware of an unpaid toll due to address changes, mail delivery issues, or delays in notification; and

WHEREAS, Maryland's transition to all-electronic tolling, with the elimination of cash payment options, has removed a critical access point for individuals who are unbanked or underbanked, including residents of communities that experience banking deserts and limited access to traditional financial services; and

WHEREAS, The all-electronic tolling system effectively requires access to bank accounts, credit cards, or online payment platforms, which may not be readily available to all Marylanders, thereby creating inequitable barriers to compliance; and

WHEREAS, The E-ZPass system charges consumers for unused or expired trips when toll transactions are not utilized within a shortened, State-imposed time frame, resulting in the loss of prepaid funds without corresponding transportation services; and

WHEREAS, Maryland has shortened the allowable time frame in which prepaid toll trips may be used, which has the effect of depriving consumers of funds already paid and disproportionately impacting working families, seniors, and individuals with irregular travel patterns; and

WHEREAS, The cumulative effect of penalty structures, shortened usage windows, and all–electronic payment systems has resulted in consumers being systematically charged fees that exceed the original cost of the toll, rather than being encouraged or supported in timely compliance; and

WHEREAS, These practices raise concerns regarding fairness, transparency, proportionality, and consumer protection, particularly for low–income motorists and residents of communities with limited access to banking and digital infrastructure; and

WHEREAS, The General Assembly has an interest in ensuring that tolling and transportation revenue systems operate in a manner that is equitable, transparent, consumer–focused, and proportionate, while still meeting the operational needs of the State; now, therefore,

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
That:

(a) On or before September 1, 2026, the Maryland Transportation Authority shall submit a report to the Senate Budget and Taxation Committee and the House Appropriations Committee, in accordance with § 2–1257 of the State Government Article.

(b) The report required under subsection (a) of this section shall:

(1) analyze data from calendar years 2023, 2024, and 2025 and provide:

- (i) the number of E–ZPass discount plans issued annually;
- (ii) the number and percentage of discount plans with unused commuter trips;
- (iii) the average number of unused commuter trips per plan;
- (iv) the aggregate dollar value of unused commuter trips by year;
- (v) any available demographic, geographic, and usage trends; and
- (vi) any administrative, operational, and statutory factors that contribute to increased unused commuter trips;

(2) include recommendations for lowering the amount of unused commuter trips, which may include:

- (i) extending the allowable usage window for prepaid trips on discount plans;

- (ii) allowing rollovers or credits for unused trips;
- (iii) refund or partial refund mechanisms;
- (iv) automatic transfer of unused trips to account balances; and
- (v) alternative discount plan structures that reduce forfeiture of prepaid funds; and

(3) if during 2023, 2024, or 2025 more than 25% of all E-ZPass discount plans have unused commuter trips, include a corrective action plan to reduce or eliminate the forfeiture of unused commuter trips and mitigate consumer harm.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 2026. It shall remain effective for a period of 1 year and, at the end of June 30, 2027, this Act, with no further action required by the General Assembly, shall be abrogated and of no further force and effect.

Approved by the Governor, May 12, 2026.