

Metropolitan Transportation Commission

June 22, 2022

Agenda Item 11a - HANDOUT

Update on AB 2594 (Ting): Toll Penalties and Payment Options

Subject:

Update to staff recommendation on AB 2594 (Ting) related to toll road penalties and payment plans.

Background:

On June 10, 2022 the Joint MTC/ABAG Legislation Committee referred a “support if amended” recommendation to the Commission on AB 2594, based on anticipated amendments as outlined in the committee memo attached to this agenda item. Since then, staff have been in regular communication with Assemblymember Ting’s office about additional amendments he sought related to accelerating the implementation of payment plans for toll bridges and forgiving outstanding penalties owed for lower-income motorists. On June 20, 2022, AB 2594 (Ting) was amended to incorporate the original amendments that were negotiated between Assemblymember Ting and California toll agencies, including MTC, in our capacity as the Bay Area Toll Authority (BATA) and the Bay Area Infrastructure Financing Authority, along with the newly proposed changes. This memo summarizes the new changes and recommends two technical amendments related to timing.

Issues:

Last week Assemblymember Ting’s office proposed two additional changes that had not been contemplated when the Legislation Committee met on June 10, as follows:

1. Accelerate the implementation due date of the payment plan applicable to toll bridges for individuals with a household income at or below 200 percent of the federal poverty level to July 1, 2023. (Note that the amendments in print on June 20 showed an effective date of January 1, 2023, but subsequent amendments were submitted on June 21 to correct this).
2. Require a toll agency to provide the opportunity for individuals with a household income at or below 200 percent of the federal poverty level to apply for a one-time waiver of toll penalties incurred between March 20, 2020 to January 1, 2023 on the condition that the applicant pay the total amount of all outstanding tolls, not using a payment plan. This

provision in the bill does not specify a timeframe, which means it would take effect on January 1, 2023.

Recommend MTC Request Further Technical Amendments

Based on our internal review, staff believes that both of these amendments are acceptable from a policy standpoint, but we believe two additional revisions are needed for successful implementation, as follows:

1. Set an effective date for the toll penalty waiver option of July 1, 2023, to match the payment plan date to assist with smooth implementation on income verification and integrated outreach and rollout of these new options through our customer service center.
2. Set an end date of September 30, 2024 for waiver requests to be submitted, providing a 15-month window for qualifying individuals to pursue this one-time waiver option. This will sharpen communications about the policy as well as limit the increased workload and financial uncertainty associated with it to a discrete period.

Recommended Action: Adopt a “support if amended” position as described above

The Commission is requested to take a “support if amended” position on AB 2594 based on the technical amendments described above.

Attachments:

- None



Therese W. McMillan