

ASSEMBLY, No. 2147

STATE OF NEW JERSEY

219th LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2020 SESSION

Sponsored by:

Assemblyman P. CHRISTOPHER TULLY

District 38 (Bergen and Passaic)

SYNOPSIS

“New Jersey Toll Payer Protection Act”; establishes requirements concerning certain toll payment.

CURRENT VERSION OF TEXT

Introduced Pending Technical Review by Legislative Counsel.



1 **AN ACT** concerning the payment of tolls and protections for toll
2 payers and supplementing Title 27 of the Revised Statutes.

3

4 **BE IT ENACTED** *by the Senate and General Assembly of the State*
5 *of New Jersey:*

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7 1. This act shall be known and may be cited as the “New Jersey
8 Toll Payer Protection Act.”

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10 2. A person, firm, corporation, or other entity who has a New
11 Jersey E-ZPass account and who is not exempt from and is charged
12 with the payment of a toll fee in the State of New Jersey shall be
13 notified by mail of that toll fee, deliverable to the address to which
14 the account is registered, within 14 days of the date on which the
15 fee is incurred. Each person, firm, corporation, or other entity shall
16 have the option, in lieu of notification by mail, to be notified by text
17 message or electronic mail that the fee has been charged, the entity
18 to which the fee shall be paid, and the date that the fee shall be paid.
19 The text message or electronic mail notification shall be provided
20 no later than 72 hours following the time that the fee is incurred.

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22 3. A person, firm, corporation, or other entity who has a New
23 Jersey E-ZPass account and who is not exempt from and is charged
24 with the payment of a toll fee in the State of New Jersey shall be
25 entitled to dispute the fee and any related penalties incurred. The
26 process for any dispute shall be prominently posted on the website
27 of the New Jersey Turnpike Authority, the South Jersey
28 Transportation Authority, and any other entity authorized to charge
29 tolls in this State. These websites shall include an option to initiate
30 a toll dispute online within 120 days after the effective date of
31 P.L. , c. (C.) (pending before the Legislature as this bill).

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33 4. A person, firm, corporation, or other entity who has a New
34 Jersey E-ZPass account and who is not exempt from and is charged
35 with the payment of a toll fee in the State of New Jersey shall be
36 entitled to establish a payment plan for the payment of outstanding
37 fees and any related penalties. The Executive Director of the New
38 Jersey Turnpike Authority and the Executive Director of the South
39 Jersey Transportation Authority shall, in consultation with one
40 another, promulgate rules and regulations for the establishment of a
41 payment plan program. The rules and regulations for each tolling
42 authority shall be substantially similar.

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44 5. A person, firm, corporation, or other entity who has a New
45 Jersey E-ZPass account and who is not exempt from and is charged
46 with the payment of a toll fee in the State of New Jersey shall be
47 entitled to review any records which directly prompted the issuance

1 of the fee or which prompted the issuance of any late fees or
2 charges.

3
4 6. The lead agency of the New Jersey E-ZPass Group, in
5 consultation with the New Jersey Turnpike Authority, South Jersey
6 Transportation Authority, and Department of Treasury, shall
7 establish an online portal and mobile application that are accessible
8 by New Jersey E-ZPass accountholders, where the accountholders
9 are able to: view itemized bills; dispute bills, specific toll charges,
10 and any related penalties, fees, and fines; set up payment plans for
11 outstanding balances; replenish the funds of an E-ZPass account;
12 and order new or replacement E-ZPass transponders.

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14 7. The New Jersey Turnpike Authority and the South Jersey
15 Transportation Authority shall not charge an excessive fee for non-
16 payment or late payment of a toll fee to person, firm, corporation,
17 or other entity who has a New Jersey E-ZPass account and who is
18 not exempt from and is charged with the payment of a toll fee in the
19 State of New Jersey. Any fees associated with a toll violation shall
20 not exceed twice the value of the toll fee incurred. If the aggregate
21 amount of any fees for non-payment or late payment of a toll fee
22 charged to one vehicle registration reached \$1,000, the authority
23 shall notify the registered owner of that information by certified
24 mail.

25
26 8. A fee for late payment of a toll fee shall not be assessed
27 against a person, firm, corporation, or other entity who has a New
28 Jersey E-ZPass account and who is not exempt from and is charged
29 with the payment of a toll fee in the State of New Jersey if the
30 tolling entity does not have proof that the bill for that toll fee was
31 delivered to the registered owner within 31 days of the toll fee
32 being incurred.

33
34 9. An individual with a New Jersey E-ZPass Account shall be
35 charged the E-ZPass rate for any toll fee incurred in this State,
36 regardless of the individual's E-ZPass Account containing sufficient
37 funds at the time of incurrence of the toll fee. An overdraft fee
38 shall not be charged to any individual who incurs a toll fee despite
39 having insufficient funds in the individual's E-ZPass Account.

40
41 10. A bill issued for any toll fee incurred by a person, firm,
42 corporation, or other entity who has a New Jersey E-ZPass account
43 and who is not exempt from and is charged with the payment of a
44 toll fee in the State of New Jersey shall itemize the date, time,
45 location, and license plate number for each specific toll fee
46 incurred.

1 11. The New Jersey Turnpike Authority shall require that
2 registration for a New Jersey E-ZPass Account and receipt of a New
3 Jersey E-ZPass transponder is available at each rest area on the New
4 Jersey Turnpike and the Garden State Parkway or any other toll
5 road that may fall under the jurisdiction of the authority. The South
6 Jersey Transportation Authority shall require that registration for a
7 New Jersey E-ZPass Account and receipt of a New Jersey E-ZPass
8 transponder is available at each rest area on the Atlantic City
9 Expressway or any other toll road that may fall under the
10 jurisdiction of the authority.

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12 12. This act shall take effect on the 120th day following
13 enactment.

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STATEMENT

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18 This bill establishes protections for New Jersey E-ZPass
19 accountholders (“accountholders”). The bill requires that
20 accountholders receive notification of any toll fee by mail within 14
21 days of incurring the toll fee. Accountholders are authorized to opt
22 in to electronic notification in lieu of notification by mail.
23 Electronic notification is required to be provided within 72 hours of
24 incurrence of the toll fee.

25 The bill entitles accountholders to dispute toll fees and related
26 penalties, to set up payment plans for outstanding balances, and to
27 review records related to toll fees and related penalties. The bill
28 requires the lead agency of the New Jersey E-ZPass Group to
29 establish an online web portal and mobile application for
30 accountholders to utilize these services as well as other services
31 related to their E-ZPass account.

32 The bill prohibits fees associated with a toll violation from
33 exceeding twice the value of the relevant toll fee and prohibits late
34 fees from being assessed if the tolling entity does not have proof
35 that it provided notice to the accountholder within 31 days of the
36 toll fee being incurred. The bill also requires that accountholders
37 always receive the E-ZPass toll rate, even if the accountholder’s
38 account has insufficient funds. The bill also prohibits the
39 imposition of overdraft fees.

40 Under the bill, bills for toll fees are required to be itemized by
41 date, time, location, and license plate number. The bill requires the
42 New Jersey Turnpike Authority and the South Jersey Transportation
43 Authority to allow for registration for a New Jersey E-ZPass
44 account and receipt of transponders at every rest area on the toll
45 roads operated by those authorities.