STATE OF NEW YORK

9904

IN ASSEMBLY

April 19, 2022

Introduced by M. of A. JACOBSON -- read once and referred to the Committee on Corporations, Authorities and Commissions

AN ACT to amend the public authorities law, in relation to enabling public authorities to transmit electronic notifications to E-ZPass customers

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

Section 1. Section 2855 of the public authorities law, as added by section 1 of part KK of chapter 59 of the laws of 2006, is amended to read as follows:

§ 2855. Electronic method of payment[~~; periodic charges~~]. **1.** Notwithstanding the provisions of any law to the contrary, if any authority shall offer any electronic method of payment for tolls, fares, fees, rentals, or other charges, including but not limited to a system called E-ZPass, such authority shall not impose any periodic administrative or other charge for the privilege of using such electronic method of payment for such charges. Nothing in this section shall be construed to prohibit any authority from making any charge for extra services requested by a holder of such electronic method of payment, any charge for lost or damaged equipment, or for defaults, such as charges for dishonored checks. The authority shall not enter any agreement with bondholders that would require the imposition of administrative or other periodic charges relating to electronic methods of payment prohibited by this section.

2. Notwithstanding the provisions of any law to the contrary, if any authority shall offer such electronic method of payment for tolls, fares, fees, rentals, or other charges, including but not limited to a system called E-ZPass, such authority shall transmit electronic notification pursuant to the provisions of this section to a customer that passes through a toll plaza operated by the authority, provided that the customer has an account for the electronic toll collection system that is registered with the New York E-ZPass customer service center or successor entity and voluntarily opts in for such notification. Such notification shall alert the customer that the electronic toll

EXPLANATION--Matter in *italics* (underscored) is new; matter in brackets [-] is old law to be omitted.

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collection system has registered the customer's account and may be provided by electronic mail, a text message sent directly to a customer's mobile device, or through a mobile application. Notification shall be made within twenty-four hours of the transaction posting to the customer's account, or as soon as practicable if no valid account is recognized at the time of the transaction. A customer may opt out of receiving the notification that is provided pursuant to the provisions of this section at any time and may be required to confirm participation in the notification program.

§ 2. This act shall take effect on the sixtieth day after it shall have become a law.