

# STATE OF NEW YORK

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957

2023-2024 Regular Sessions

## IN ASSEMBLY

January 11, 2023

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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:

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

4 § 2855. Electronic method of payment[~~, periodic charges~~]. 1. Notwith-  
5 standing the provisions of any law to the contrary, if any authority  
6 shall offer any electronic method of payment for tolls, fares, fees,  
7 rentals, or other charges, including but not limited to a system called  
8 E-ZPass, such authority shall not impose any periodic administrative or  
9 other charge for the privilege of using such electronic method of  
10 payment for such charges. Nothing in this section shall be construed to  
11 prohibit any authority from making any charge for extra services  
12 requested by a holder of such electronic method of payment, any charge  
13 for lost or damaged equipment, or for defaults, such as charges for  
14 dishonored checks. The authority shall not enter any agreement with  
15 bondholders that would require the imposition of administrative or other  
16 periodic charges relating to electronic methods of payment prohibited by  
17 this section.

18 2. Notwithstanding the provisions of any law to the contrary, if any  
19 authority shall offer such electronic method of payment for tolls,  
20 fares, fees, rentals, or other charges, including but not limited to a  
21 system called E-ZPass, such authority shall transmit electronic notifi-  
22 cation pursuant to the provisions of this section to a customer that  
23 passes through a toll plaza operated by the authority, provided that the  
24 customer has an account for the electronic toll collection system that

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

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1 is registered with the New York E-ZPass customer service center or  
2 successor entity and voluntarily opts in for such notification. Such  
3 notification shall alert the customer that the electronic toll  
4 collection system has registered the customer's account and may be  
5 provided by electronic mail, a text message sent directly to a custom-  
6 er's mobile device, or through a mobile application. Notification shall  
7 be made within twenty-four hours of the transaction posting to the  
8 customer's account, or as soon as practicable if no valid account is  
9 recognized at the time of the transaction. A customer may opt out of  
10 receiving the notification that is provided pursuant to the provisions  
11 of this section at any time and may be required to confirm participation  
12 in the notification program.

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