STATE OF NEW YORK

9511

IN SENATE

March 18, 2026

Introduced by Sen. COMRIE -- read twice and ordered printed, and when printed to be committed to the Committee on Corporations, Authorities and Commissions

AN ACT to amend the public authorities law, in relation to limiting certain fees and fines for tolls charged by a public authority

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. 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. **No fee or administrative charge for the timely or late payment of a toll bill for an obligation to pay a toll or tolls valued at two hundred dollars or less shall exceed the authority's actual cost to impose the charge and process payment of such obligation. Provided, further, any authority offering such electronic payment methods shall publish their updated fee waiver policy in a prominent location on their website.**

§ 2. Subdivision 5 of section 2985 of the public authorities law, as added by chapter 379 of the laws of 1992, is amended to read as follows:

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

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5. An owner found liable for a violation of toll collection regulations pursuant to this section involving an obligation to pay a toll or tolls valued at two hundred dollars or less shall be liable for a monetary penalty not to exceed twenty-five dollars for a first violation thereof; for a second violation thereof both within eighteen months be liable for a monetary penalty not to exceed the greater of fifty dollars or two times the toll evaded; for a third or subsequent violation thereof all within eighteen months be liable for a monetary penalty not to exceed the greater of seventy-five dollars or five times the toll evaded. An owner found liable for [~~a~~] any other violation of toll collection regulations pursuant to this section shall for a first violation thereof be liable for a monetary penalty not to exceed fifty dollars or two times the toll evaded whichever is greater; for a second violation thereof both within eighteen months be liable for a monetary penalty not to exceed one hundred dollars or five times the toll evaded whichever is greater; for a third or subsequent violation thereof all within eighteen months be liable for a monetary penalty not to exceed one hundred fifty dollars or ten times the toll evaded whichever is greater.

§ 3. Subdivision 8 of section 2985 of the public authorities law, as amended by section 6 of subpart A of part WW of chapter 56 of the laws of 2024, is amended to read as follows:

8. (a) (i) Adjudication of the liability imposed upon owners by this section shall be by the entity having jurisdiction over violations of the rules and regulations of the public authority serving the notice of liability or where authorized by an administrative tribunal and all violations shall be heard and determined in the county in which the violation is alleged to have occurred, or in New York city and upon the consent of both parties, in any county within New York city in which the public authority operates or maintains a facility, and in the same manner as charges of other regulatory violations of such public authority or pursuant to the rules and regulations of such administrative tribunal as the case may be.

(ii) The owner of the vehicle or other individual upon whom liability is imposed may designate an agent in writing, including an attorney or elected official, to dispute or resolve a toll incurred pursuant to this section or section twenty-nine hundred eighty-five-a of this article with the relevant tolling authority's customer service center and/or toll payer advocate office identified in section twenty-nine hundred eighty-five-a of this article.

(b) Upon exhaustion of remedies pursuant to this section or section twenty-nine hundred eighty-five-a of this title, as applicable, the New York state bridge authority, thruway authority, triborough bridge and tunnel authority, metropolitan transportation authority, and port authority of New York and New Jersey, a bi-state agency created by compact set forth in chapter one hundred fifty-four of the laws of nineteen hundred twenty-one, shall have the power to enter judgments for unpaid liabilities, provided that such unpaid liabilities include the failure to pay tolls, fees, or other charges or the failure to have such tolls, fees or other charges dismissed or transferred in response to three or more notices of violation issued within a five year period charging the registrant of a motor vehicle with a violation of toll collection regulations, and to enforce such judgments, without court proceedings, in the same manner as the enforcement of money judgments in civil actions in any court of competent jurisdiction or any other place provided for the entry of civil judgment within the state of New York,

after a period of notice pursuant to paragraph (c) of this subdivision. The applicable tolling authority shall not enforce such judgments until thirty days have elapsed from issuing a notice pursuant to paragraph (c) of this subdivision. **The applicable tolling authority shall not have the power to enter or enforce judgments for unpaid liabilities for failure to pay two hundred dollars or less in tolls incurred within a five-year period.**

(c) Prior to entering judgments for unpaid liabilities pursuant to paragraph (b) of this subdivision, the applicable tolling authority shall notify the person subject to such judgment, by first class mail, that such person is at risk of entry of a judgment against them if they fail to pay such unpaid liabilities. The form and content of such notice shall be prescribed by the applicable tolling authority, and shall contain a warning to advise the person that failure to pay the applicable unpaid liabilities within a period of not less than thirty days of such notice will result in the enforcement of a judgment against them, and shall further contain information about the process to dispute such liabilities, consistent with this section or section twenty-nine hundred eighty-five-a of this title, as applicable. **Any person, firm, corporation, or other entity charged with a toll violation may pay such tolls in full and have any toll violation fees related to such paid tolls waived for a period of six months from the effective date of this paragraph.**

(d) With respect to an obligation to pay a toll or tolls valued at one hundred dollars or less, any toll violation fee charged to any person, firm, corporation, or other entity for the use of a toll highway, bridge or tunnel facility operated by a public authority shall not exceed twice the amount of the toll charged for using such highway, bridge or tunnel for a period of ninety days from the effective date of this paragraph and shall not exceed three times the amount of the toll charged for using such highway, bridge or tunnel for an additional ninety-day period following the initial ninety-day period.

§ 4. Subdivisions 3, 4, 11 and 13 of section 2985-a of the public authorities law, as added by section 2 of subpart B of part WW of chapter 56 of the laws of 2024, are amended to read as follows:

3. In the case of an owner who incurs an obligation to pay a toll for the first time in six months under the tolls by mail program at a cashless tolling facility, a toll bill shall be sent within ten business days after the end of the initial billing cycle and of each subsequent billing cycle. In the case of all other owners incurring an obligation to pay a toll at a cashless tolling facility, a toll bill shall be sent at the end of the next billing cycle. Toll bills shall be sent to the owner by first class mail, and may additionally be sent by electronic means of communication upon the affirmative consent of the owner, by or on behalf of the public authority which operates such cashless tolling facility. The owner shall have thirty days from the date of the toll bill to pay the incurred toll. The toll bill shall include: (i) the total amount of the incurred tolls due, (ii) the date by which payment of the incurred tolls is due, (iii) any administrative fees, (iv) the address for receipt of payment and methods of payment for the toll, (v) the procedure for contesting any toll and the contact information for the relevant toll payer advocate office and customer service center **and procedure for designating an agent to contest any toll on the owner's behalf**, (vi) information related to the failure to timely pay or respond to the notice of liability, in addition to the possibility that a judgment can be entered for repeat unpaid liabilities that could lead to a

vehicle being towed or immobilized, (vii) a website address or hyperlink for the owner to access time-stamped photographs or footage of each toll incurred by electronic means, (viii) information related to the availability of the toll payer advocate to discuss payment options, and (ix) other information required by law or by the public authority. Each toll bill shall identify the date, time, location, license plate number, and jurisdiction of the license plate for each toll that has been incurred. Each toll bill shall include an image of the license plate of the vehicle being used or operated on the toll facility. If the owner fails to pay the initial toll bill, a second toll bill shall be sent in the next billing cycle, which shall also indicate the overdue toll or tolls and any administrative or late fees due.

4. In the case of an owner who does not pay a toll incurred under the tolls by mail program on a cashless facility at the place and time and in the manner established for collection of such toll in the second toll bill, a notice of violation shall be sent notifying the owner that the toll is unpaid and administrative violation fees are being imposed. The notice of violation shall be sent to the owner by first class mail, and may additionally be sent by electronic means of communication upon the affirmative consent of the owner, by or on behalf of the public authority which operates such cashless tolling facility. The notice of violation shall include: (i) the total amount of unpaid tolls and administrative violation fees due, (ii) the date by which payment of the tolls and administrative violation fees is due, (iii) the address for receipt of payment and methods of payment for the toll, (iv) the procedure for contesting any toll and the contact information for the relevant toll payer advocate office and customer service center **and procedure for designating an agent to contest any toll on the owner's behalf**, (v) information related to the failure to timely pay or respond to the notice of liability, in addition to the possibility that a judgment can be entered for repeat unpaid liabilities that could lead to a vehicle being towed or immobilized, (vi) a website address or hyperlink for the owner to access time-stamped photographs or footage of each toll incurred by electronic means, (vii) information related to the availability of the toll payer advocate to discuss payment options, and (viii) other information required by law or by the public authority. Each notice of violation shall identify the date, time, location, license plate number, and jurisdiction of the license plate for each unpaid toll that has been incurred.

11. Any public authority that operates a cashless tolling facility shall: (i) maintain a website and toll-free phone number for any person to receive updated information on any tolls or fees which are outstanding; and (ii) establish procedures for owners to dispute any tolls and violation fees incurred in connection with toll bills, including a requirement that written determinations in such disputes shall be issued within forty-five days of receipt of the owner's declaration of dispute. Such information shall be prominently displayed on such public authority's toll bills, notices of violation and website. **The authority shall publish its fee waiver policy in a prominent location on its website, including any updates to such policy.**

13. Every public authority that operates a cashless tolling facility shall establish an office of such authority's toll payer advocate, designed to further assist owners who remain unsatisfied after first attempting resolution in writing of their concern with, and receiving written determination from, such authority's customer service center. The office of the toll payer advocate shall also endeavor to identify

any systemic issues and recommend reasonable improvements regarding the use of and process involved with the payment of tolls under the tolls by mail program at cashless tolling facilities to the public authority. **The owner of the vehicle or other individual upon whom liability is imposed may designate an agent, in writing, including an attorney or elected official, to dispute or resolve a toll incurred pursuant to this section or section twenty-nine hundred eighty-five of this article with the relevant tolling authority's customer service center and toll payer advocate office.**

§ 5. No later than 270 days after the effective date of this act, every public authority that operates a cashless tolling facility pursuant to article 9 of the public authorities law or central business district tolling program pursuant to article 44-C of the vehicle and traffic law shall report to the governor, temporary president of the senate, speaker of the assembly, and chairs of the corporations and public authorities committees in the senate and assembly on the following: (1) the total number of toll bills issued involving license plates which were disputed by the owner as not having used such tolling asset or been present at the time the toll was incurred or having lawfully surrendered the license plates to which the toll bill was issued; (2) the total number of toll bills issued to owners where a tolling system incorrectly billed an owner for tolls incurred by a distinctive license plate or government use motor vehicle; (3) a summary of how such toll bill disputes were resolved; (4) an explanation of steps taken to prevent similar future issues; and (5) any remedial steps or compensation provided to owners.

§ 6. This act shall take effect immediately. Effective immediately, the addition, amendment and/or repeal of any rule or regulation necessary for the implementation of this act on its effective date are authorized to be made on or before such date. With respect to the Port Authority of New York and New Jersey, this act shall take effect upon the enactment into law by the state of New Jersey of legislation having an identical effect with this act upon the Port Authority of New York and New Jersey; but if the state of New Jersey shall have already enacted such legislation, this act shall take effect immediately; provided, that the chair of the port authority shall notify the legislative bill drafting commission upon the occurrence of the enactment of the legislation provided for in section two of this act in order that the commission may maintain an accurate and timely effective data base of the official text of the laws of the state of New York in furtherance of effectuating the provisions of section 44 of the legislative law and section 70-b of the public officers law. Provided, however, that section four of this act shall take effect on the same date and in the same manner as subpart B of part WW of chapter 56 of the laws of 2024.