

1 **SENATE FLOOR VERSION**

2 March 23, 2021

3 ENGROSSED HOUSE  
4 BILL NO. 1788

By: Pae and Caldwell (Chad) of  
the House

5 and

6 Montgomery of the Senate

7  
8  
9 An Act relating to the Oklahoma Turnpike Authority;  
10 amending 47 O.S. 2011, Section 11-1401, which relates  
to unlawful acts; expanding list of unlawful acts;  
11 amending 47 O.S. 2011, Section 11-1401.2, as last  
amended by Section 1, Chapter 79, O.S.L. 2016 (47  
12 O.S. Supp. 2020, Section 11-1401.2), which relates to  
the Oklahoma Electronic Toll Collection Act; defining  
13 terms; modifying definition; requiring certain  
registration; specifying certain violation; allowing  
14 certain charges submitted through video toll  
collection system; allowing for alternate method of  
15 notice; specifying use of certain review procedures;  
deleting language subjecting certain operators to  
16 liability; updating statutory references; and  
providing an effective date.

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18  
19 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

20 SECTION 1. AMENDATORY 47 O.S. 2011, Section 11-1401, is  
21 amended to read as follows:

22 Section 11-1401. A. It shall be unlawful for any person to  
23 enter that part of a turnpike enclosed by fence except in a vehicle  
24 at authorized entrances.

1 B. It shall be unlawful for the driver of any vehicle to fail  
2 to pay the toll as prescribed by the Oklahoma Turnpike Authority.

3 C. It shall be unlawful for any person to operate a vehicle on  
4 a turnpike with knowledge that the registered owner of the vehicle  
5 is liable for any outstanding toll evasion violations issued  
6 pursuant to paragraph 7 of subsection B of Section 11-1401.2 of this  
7 title.

8 D. It shall be unlawful for any person to cross a turnpike  
9 except at grade separations provided for cross traffic or through  
10 drainage structures under the turnpike.

11 ~~D.~~ E. It shall be unlawful for any person to travel a turnpike  
12 on foot except to leave or service a disabled vehicle, or for any  
13 person to hitchhike on a turnpike.

14 ~~E.~~ F. It shall be unlawful for any person to tear down, damage  
15 or remove any turnpike fence.

16 ~~F.~~ G. It shall be unlawful to drive, operate or ride any  
17 bicycle or other man-powered vehicle or means of transportation on a  
18 turnpike. The Oklahoma Turnpike Authority may prohibit any light,  
19 mechanically powered vehicle from entering the turnpike, or any  
20 other vehicle it determines would be injurious to the turnpike  
21 surfacing or would be a traffic hazard.

22 ~~G.~~ H. When any section of highway has been closed to traffic by  
23 the Oklahoma Turnpike Authority and traffic-control devices or  
24 barricades have been erected, it shall be unlawful for any person to

1 drive any vehicle through, under, over, or around the traffic-  
2 control devices or barricades, or otherwise to enter the closed  
3 area.

4 ~~H.~~ I. Subsections A through ~~G~~ H of this section shall not apply  
5 to:

6 1. Officers, employees, agents or contractors of the Oklahoma  
7 Turnpike Authority in performance of their duties;

8 2. Commissioned officers of the Department of Public Safety;

9 3. Emergency vehicle operators at the request of the Department  
10 of Public Safety; or

11 4. Agents, employees or contractors of public utilities while  
12 actually engaged in work in furtherance of construction, maintenance  
13 or repair of such public utilities located on, above or below a  
14 turnpike.

15 ~~F.~~ J. It shall be unlawful for any vehicle, except:

16 1. Authorized emergency vehicles;

17 2. Vehicles owned by the Oklahoma Turnpike Authority, its  
18 agents or contractors;

19 3. Vehicles owned by public utilities, their agents, employees  
20 or contractors, while actually engaged in construction, maintenance  
21 or repair of such public utilities; and

22 4. Wrecker vehicles while performing services at the request of  
23 the Department of Public Safety,  
24

1 to cross the center dividing strip of a turnpike, or to travel on  
2 any lane of a turnpike in a direction contrary to the direction of  
3 traffic on such lane.

4 ~~J.~~ K. All vehicles traveling on a turnpike shall comply at all  
5 times with signs placed on the turnpike regulating traffic thereon.

6 ~~K.~~ L. No vehicle shall move from one lane to another unless the  
7 way is clear to do so and upon proper signaling.

8 ~~L.~~ M. Any person who violates any provision of this section  
9 shall, upon conviction, be guilty of a misdemeanor and shall be  
10 punished as provided in Section 17-101 of this title.

11 SECTION 2. AMENDATORY 47 O.S. 2011, Section 11-1401.2,  
12 as last amended by Section 1, Chapter 79, O.S.L. 2016 (47 O.S. Supp.  
13 2020, Section 11-1401.2), is amended to read as follows:

14 Section 11-1401.2 A. For purposes of this section:

15 1. "Authority" means the Oklahoma Turnpike Authority;

16 2. "Commission" means the Oklahoma Tax Commission;

17 3. "Department" means the Department of Public Safety;

18 4. "Electronic toll collection system" means a system of  
19 collecting tolls or charges which is capable of charging an account  
20 holder the appropriate toll or charge by transmission of information  
21 from an electronic device on a motor vehicle to the toll lane, which  
22 information is used to charge the account the appropriate toll or  
23 charge;

24

1       4. 5. "Owner" means any person, corporation, partnership, firm,  
2 agency, association, or organization who, at the time of the  
3 violation and with respect to the vehicle identified in the notice  
4 of toll evasion violation:

5           a. is the beneficial or equitable owner of the vehicle,

6           b. has title to the vehicle,

7           c. is the registrant or coregistrant of the vehicle which  
8 is registered with the Oklahoma Tax Commission or  
9 similar registering agency of any other state,  
10 territory, district, province, nation or other  
11 jurisdiction,

12          d. ~~subject to the liability limitations set forth in~~  
13 ~~paragraph 12 of subsection B of this section,~~ uses the  
14 vehicle in its vehicle renting ~~and/or leasing~~  
15 businesses, or

16          e. is a person entitled to the use and possession of a  
17 vehicle subject to a security interest in another  
18 person;

19       5. 6. "Photo-monitoring system" means a vehicle sensor  
20 installed to work in conjunction with a toll collection facility  
21 which automatically produces one or more photographs, one or more  
22 microphotographs, a videotape or other recorded images of each  
23 vehicle at the time it is used or operated on the turnpikes under  
24 the Authority's jurisdiction;

1       ~~6.~~ 7. "Toll collection regulations" means those rules and  
2 regulations of the Oklahoma Turnpike Authority or statutes providing  
3 for and requiring the payment of tolls and/or charges prescribed by  
4 the Authority for the use of turnpikes under its jurisdiction or  
5 those rules and regulations of the Authority or statutes making it  
6 unlawful to refuse to pay or to evade or to attempt to evade the  
7 payment of all or part of any toll and/or charge for the use of  
8 turnpikes under the jurisdiction of the Authority;

9       ~~7.~~ 8. "Toll evasion violation" means a failure to comply with  
10 the Authority's toll collection regulations, including the failure  
11 to pay an invoice submitted by the Authority via its video toll  
12 collection system;

13       ~~8.~~ 9. "Vehicle" means every device in, upon or by which a  
14 person or property is or may be transported or drawn upon a highway,  
15 except devices used exclusively upon stationary rails or tracks; ~~and~~

16       ~~9.~~ 10. "Video toll collection system" means a photo-monitoring  
17 system used to charge and collect tolls from owners of vehicles  
18 imaged using the turnpike system. The owner of a vehicle imaged by  
19 the photo-monitoring system may or may not be an Authority account  
20 holder; and

21       11. "Video toll collection system account" means the  
22 administrative assignment of all vehicles registered to an owner to  
23 an account for efficient billing of the appropriate toll or charge  
24 to an owner.

1 B. 1. Notwithstanding any other provision of law, there shall  
2 be imposed monetary liability on the owner of a vehicle for failure  
3 of an operator thereof to comply with the toll collection  
4 regulations of the Oklahoma Turnpike Authority in accordance with  
5 the provisions of this section.

6 2. An owner's vehicle shall be registered with the Commission  
7 or similar registering agency of this state or any other state,  
8 territory, district, province, nation or other jurisdiction that  
9 permits access to owner registration information upon request by or  
10 agreement with the Authority for the purpose of carrying out the  
11 Authority's governmental functions. If a registering agency does  
12 not permit access to the Authority, an owner may comply by direct  
13 registration with the Authority.

14 3. a. The owner of a vehicle shall be liable for a civil  
15 penalty imposed pursuant to this section if the  
16 vehicle was used or operated with the permission of  
17 the owner, express or implied, in violation of the  
18 toll collection regulations, and such violation is  
19 evidence evidenced by information obtained from a  
20 photo-monitoring system. ~~However, no~~

21 b. No owner of a vehicle shall be liable for a penalty  
22 imposed pursuant to this section where the operator of  
23 the vehicle has been convicted of failing to pay a  
24

1           cash toll, in violation of toll collection  
2           regulations, for the same incident.

3           c. An owner or operator of a vehicle is subject to a  
4           charge by the Department or other law enforcement  
5           agency for an owner's failure to timely pay an invoice  
6           for tolls and/or charges submitted by the Authority  
7           through its video toll collection system.

8           ~~3.~~ 4. A certificate, sworn to or affirmed by an agent of the  
9 Authority, or facsimile thereof, based upon inspection of  
10 photographs, microphotographs, videotape or other recorded images  
11 produced by a photo-monitoring system shall be prima facie evidence  
12 of the facts contained therein and shall be admissible in any  
13 proceeding charging a violation of toll collection regulations. The  
14 photographs, microphotographs, videotape or other recorded images  
15 evidencing such a violation shall be available for inspection and  
16 admission into evidence in any proceeding to adjudicate the  
17 liability for the violation. Each photo-monitoring system shall be  
18 checked bimonthly for accuracy, and shall be maintained, adjusted or  
19 replaced if necessary to ensure the systems are operating properly.

20           ~~4.~~ 5. An owner found liable for a violation of toll collection  
21 regulations pursuant to this section shall be liable for a monetary  
22 penalty of Twenty-five Dollars (\$25.00) for each violation.  
23 Liability for this monetary penalty does not abrogate an owner's  
24 obligation to pay toll charges associated with the violation, and



1 the Authority may pursue collection of such unpaid toll charges  
2 pursuant to this section.

3 ~~5.~~ 6. An imposition of liability pursuant to this section shall  
4 be based upon a preponderance of evidence as submitted. An  
5 imposition of liability pursuant to this section shall not be deemed  
6 a conviction as an operator and shall not be made part of the motor  
7 vehicle operating record of the person upon whom such liability is  
8 imposed nor shall it be used for insurance purposes in the provision  
9 of motor vehicle insurance coverage.

10 ~~6.~~ 7. a. A notice of toll evasion violation shall be sent by  
11 regular first-class mail to each person alleged to be  
12 liable as an owner for a violation of toll collection  
13 regulations. The notice shall be mailed no later than  
14 forty-five (45) days after the alleged violation. A  
15 manual or automatic record of mailing prepared in the  
16 ordinary course of business shall be prima facie  
17 evidence of the receipt of the notice.

18 b. A notice of toll evasion violation shall contain the  
19 name and address of the person alleged to be liable as  
20 an owner for a violation of toll collection  
21 regulations pursuant to this section, the registration  
22 or the license tag number of the vehicle involved in  
23 the violation, the location where the photo-monitoring  
24 system recorded the vehicle's image, the date and time

1 of the image, the identification number of the photo-  
2 monitoring system which recorded the image or other  
3 document locator number and the nature of the  
4 violation.

5 c. Notice of toll evasion violation shall be prepared and  
6 mailed by the Authority or its agents and shall  
7 contain information advising the person of the  
8 applicable monetary penalty and method of payment  
9 thereof and the manner and the time in which the  
10 person may contest the liability alleged in the  
11 notice. The notice of toll evasion violation shall  
12 contain, or be accompanied with, an affidavit of  
13 nonliability and information of what constitutes  
14 nonliability, information as to the effect of  
15 executing the affidavit and instructions for returning  
16 the affidavit to the Authority and shall also contain  
17 a warning to advise the persons charged that failure  
18 to contest in the manner and time provided shall be  
19 deemed an admission of liability and that the penalty  
20 shall be imposed and may be collected as authorized by  
21 law. In addition to the notice required by  
22 subparagraph a of this paragraph, the Authority may  
23 elect to send a subsequent notice of toll evasion  
24 violation by certified mail or other comparable form

1           of private or public delivery service. Such notice  
2 shall contain a statement to the registered owner  
3 that, unless the registered owner pays the toll  
4 evasion penalty or contests the notice within twenty-  
5 one (21) days after receipt of the certified mail  
6 notice of toll evasion violation or completes and  
7 files the affidavit of nonliability, the renewal of  
8 the vehicle registration shall be contingent upon  
9 compliance with the notice of toll evasion violation.

10       d. If the toll evasion penalty is received by the  
11 Authority and there is no contest as to that toll  
12 evasion violation, the proceedings under this section  
13 shall terminate.

14       e. If the registered owner fails to pay the toll evasion  
15 penalty as required in this section, or fails to  
16 contest the notice of toll evasion violation issued  
17 pursuant to subparagraph c of this paragraph as  
18 provided in subparagraph a of paragraph ~~7~~ 8 of this  
19 subsection, the registered owner shall be deemed  
20 liable for the violation by operation of law. The  
21 toll evasion penalty and any administrative fees or  
22 charges shall be considered a debt due and owing the  
23 Authority by the registered owner and the Authority

1 may proceed to collect such penalty, fees or charges  
2 under paragraph ~~9~~ 10 of this subsection.

3 ~~7.~~ 8. a. Within twenty-one (21) days after receipt of a notice  
4 of toll evasion violation a person may contest a  
5 notice of toll evasion violation. In that case, the  
6 Authority shall do the following:

7 (1) the Authority shall investigate the circumstances  
8 of the notice with respect to the contestant's  
9 written explanation of reasons for contesting the  
10 toll evasion violation. If, based upon the  
11 results of the investigation, the Authority is  
12 satisfied that the violation did not occur or  
13 that the registered owner was not responsible for  
14 the violation, the Authority shall maintain an  
15 adequate record of the findings of the  
16 investigation. Within thirty (30) days of  
17 receipt of a notice of contest the Authority  
18 shall complete such investigation and mail the  
19 results of the investigation to the person who  
20 contested the notice of toll evasion violation,  
21 and

22 (2) if the person contesting a notice of toll evasion  
23 violation is not satisfied with the results of  
24 the investigation provided for in division (1) of

1 this subparagraph, the person may, within fifteen  
2 (15) days of the mailing of the results of the  
3 investigation, deposit the amount of the toll  
4 evasion penalty and request an administrative  
5 review. An administrative review shall be held  
6 within ninety (90) calendar days following the  
7 receipt of a request for an administrative  
8 review, excluding any continuance time. The  
9 person requesting the review may request and  
10 shall be allowed one continuance, not to exceed  
11 twenty-one (21) calendar days.

12 b. The administrative review procedure shall consist of  
13 the following:

14 (1) the person requesting an administrative review  
15 shall indicate to the Authority his or her  
16 election for a review by mail or personal  
17 conference and may provide materials in support  
18 of the contest of the results of the  
19 investigation,

20 (2) upon ten (10) days' written notice mailed to the  
21 contestant, the administrative review shall be  
22 conducted before an examiner designated to  
23 conduct review by the Authority's governing body  
24 or Director of the Oklahoma Turnpike Authority.

1 In addition to any other requirements of  
2 employment, an examiner shall demonstrate those  
3 qualifications, training, and objectivity  
4 prescribed by the Authority's governing body or  
5 Director as are necessary and which are  
6 consistent with the duties and responsibilities  
7 set forth in this section and Section 11-1401.1  
8 et seq. of this title,

- 9 (3) the officer or person authorized to issue a  
10 notice of toll evasion violation shall be  
11 required to participate in an administrative  
12 review. The Authority shall not be required to  
13 produce any evidence other than the notice of  
14 toll evasion violation or copy thereof, a  
15 photograph of the rear of the vehicle,  
16 information received from the Commission  
17 identifying the registered owner of the vehicle,  
18 and a notarized statement from the person  
19 reporting the violations. The documentation in  
20 proper form shall be considered prima facie  
21 evidence of the violation, and
- 22 (4) the review shall be conducted in accordance with  
23 paragraph ~~5~~ 6 of this subsection and in  
24 accordance with the written procedure established

1 by the Authority which shall ensure fair and  
2 impartial review of contested toll evasion  
3 violations. The examiner's final decision shall  
4 be in writing and shall be delivered personally  
5 or by registered mail to the contestant within  
6 ten (10) days of the review. A manual or  
7 automatic record of mailing prepared in the  
8 ordinary course of business shall be prima facie  
9 evidence of the receipt of such decision.

10 ~~8.~~ 9. a. Within twenty (20) days after receipt of the final  
11 decision described in division (4) of subparagraph b  
12 of paragraph ~~7~~ 8 of this subsection, the contestant  
13 may seek review by filing an appeal to the district  
14 court having jurisdiction in the county in which the  
15 contestant lives, where the same shall be heard on the  
16 record. A copy of the notice of appeal shall be  
17 served in person or by first-class mail upon the  
18 Authority by the contestants. For purposes of  
19 computing the twenty-day period, the Code of Civil  
20 Procedure, Section 2006 of Title 12 of the Oklahoma  
21 Statutes, shall be applicable.

22 b. The conduct of the hearing on appeal under this  
23 section is a subordinate judicial duty which may be  
24 performed by referees, masters or other subordinate

1 judicial officials at the direction of the district  
2 court.

3 c. If no notice of appeal of the Authority's decision is  
4 filed within the period set forth in subparagraph a of  
5 this paragraph, the examiner's decision shall be  
6 deemed final.

7 ~~9.~~ 10. Except as otherwise provided in paragraphs ~~10~~ 11 and ~~11~~  
8 12 of this subsection, the Authority shall proceed under one or more  
9 of the following options to collect an unpaid toll evasion penalty:

10 a. the Authority may file an itemization of unpaid toll  
11 evasion penalties and administrative and service fees  
12 with the Commission for collection at the time of  
13 registration of the vehicle pursuant to paragraph ~~18~~  
14 19 of this subsection, or

15 b. the Authority may contract with a collection agency to  
16 collect unpaid toll evasion penalties, fees, and  
17 charges.

18 ~~10.~~ 11. The Authority shall not file a civil judgment with the  
19 district court relating to a toll evasion violation which has been  
20 filed with the Commission unless the Authority has determined that  
21 the registration of the vehicle has not been renewed for sixty (60)  
22 days beyond the renewal date and the notice has not been mailed by  
23 the Commission pursuant to paragraph ~~18~~ 19 of this subsection.



1        ~~11.~~ 12. If an owner receives a notice of toll evasion violation  
2 pursuant to this paragraph for any time period during which the  
3 vehicle was reported to the police department as having been stolen,  
4 it shall be a valid defense to an allegation of liability for a  
5 violation of toll collection regulations that the vehicle had been  
6 reported to the police as stolen prior to the time the violation  
7 occurred and had not been recovered by such time. If an owner  
8 receives a notice of toll evasion violation pursuant to this  
9 paragraph for any time period during which the vehicle was stolen,  
10 but not yet reported to the police as having been stolen, it shall  
11 be a valid defense to an allegation of liability for a violation of  
12 toll collection regulations pursuant to this paragraph that the  
13 vehicle was reported as stolen within two (2) hours after the  
14 discovery of the theft by the owner. For purposes of asserting the  
15 defense provided by this subsection it shall be sufficient that a  
16 certified copy of the police report of the stolen vehicle be sent by  
17 first-class mail to the Authority and the district court having  
18 jurisdiction.

19        ~~12.~~ An

20        13. Subject to the review procedures contained in paragraph 8  
21 of this subsection, an owner of a vehicle to which a notice of toll  
22 evasion violation was issued pursuant to paragraph ~~6~~ 7 of this  
23 subsection shall not be liable for the violation of the toll  
24 collection regulations provided that the owner sends to the

1 Authority the affidavit of nonliability described in paragraph ~~6~~ 7  
2 of this subsection, within twenty-one (21) days after receiving the  
3 original notice of toll evasion violation. Failure to send such  
4 information within the time period shall render the owner liable for  
5 the penalty prescribed by this section. ~~If the owner complies with~~  
6 ~~the provisions of this subsection, the operator of the vehicle on~~  
7 ~~the date of the violation shall be subject to liability for the~~  
8 ~~violation of toll collection regulations, provided that the~~  
9 ~~Authority mails a notice of toll evasion violation to the operator~~  
10 ~~within ten (10) days after receipt of such information.~~

11 ~~13.~~ 14. In connection with the preparation and mailing of a  
12 notice of toll evasion violation, the Authority shall ensure  
13 adequate and timely notice to all video toll collection system and  
14 electronic toll collection system account holders to inform them  
15 when their accounts are delinquent. An owner who is an account  
16 holder under the video toll collection system or electronic toll  
17 collection system shall not be found liable for a violation of this  
18 section unless the Authority has first sent a notice of delinquency  
19 to the account holder and the account holder was in fact delinquent  
20 at the time of the violation.

21 ~~14.~~ 15. Nothing in this section shall be construed to limit the  
22 liability of an operator of a vehicle for any violation of toll  
23 collection laws or regulations.

24

1       ~~15.~~ 16. Notwithstanding any other provision of law, all  
2 photographs, microphotographs, videotape or other recorded images  
3 prepared pursuant to this section shall be for the exclusive use of  
4 the Authority in the discharge of its duties under this section and  
5 shall not be open to the public nor be used in any court in any  
6 action or proceeding pending therein unless the action or proceeding  
7 relates to:

- 8           a.    the imposition of or indemnification for liability
- 9                    pursuant to this section, or
- 10           b.   an investigation or prosecution for a criminal
- 11                   violation of the laws of the State of Oklahoma. Such
- 12                   records shall be available to a law enforcement
- 13                   officer or law enforcement agency for law enforcement
- 14                   purposes related to an investigation or prosecution of
- 15                   a criminal violation of the laws of the State of
- 16                   Oklahoma pursuant to a duly issued search warrant,
- 17                   subpoena, or order of the court requiring such
- 18                   disclosure to a law enforcement officer or agency.

19       ~~16.~~ 17. The Authority shall not sell, distribute or make  
20 available in any way, the names and addresses of video toll  
21 collection system and electronic toll collection system account  
22 holders or Authority patrons, without the consent of the account  
23 holders or patrons, to any entity that will use the information for  
24 any commercial purpose.

1     ~~17.~~

2     18. a.   Except as provided in subparagraph c of this  
3           paragraph, the Commission shall refuse to renew the  
4           registration of any vehicle if the registered owner or  
5           lessee has been mailed by certified mail a notice of  
6           toll evasion violation as provided in subparagraph c  
7           of paragraph ~~6~~ 7 of this subsection, the Authority has  
8           transmitted to the Commission an itemization of unpaid  
9           toll evasion penalties, including administrative fees,  
10          pursuant to paragraph ~~9~~ 10 of this subsection, and the  
11          toll evasion penalty and administrative fee have not  
12          been paid pursuant to paragraph ~~8~~ 9 of this  
13          subsection, unless the full amount of all outstanding  
14          toll evasion penalties and administrative fees, as  
15          shown by records of the Commission are paid to the  
16          Commission at the time of application for renewal.

17          b.   The Authority shall issue a notice of disposition of  
18          toll evasion violation to a lessor, if the lessor  
19          provides the Authority with the name, address, and  
20          driver license number of the lessee at the time of the  
21          occurrence of the toll evasion violation.

22          c.   The Commission shall renew the registration of any  
23          vehicle if the applicant provides the Commission with  
24          the notice of disposition of toll evasion violation

1 issued pursuant to subparagraph b of this paragraph  
2 for clearing all outstanding toll evasion penalties,  
3 fees and assessments, as shown by the records of the  
4 Commission, and the applicant has met all other  
5 requirements for registration.

6 ~~18.~~ 19. The Commission shall include on each vehicle  
7 registration renewal notice issued for use at the time of renewal,  
8 or on an accompanying document, an itemization of unpaid toll  
9 evasion penalties, fees and assessments, showing the amount thereof  
10 and the date of toll evasion relating thereto, which the registered  
11 owner or lessee is required to pay pursuant to paragraph ~~17~~ 18 of  
12 this subsection.

13 ~~19.~~

14 20. a. Except as provided in subparagraph b of this  
15 paragraph, the Commission shall remit all toll evasion  
16 penalties, fees and assessments collected, after  
17 deducting the administrative fee authorized by  
18 paragraph ~~20~~ 21 of this subsection, for each notice of  
19 toll evasion violation for which toll evasion  
20 penalties, fees and assessments have been collected  
21 pursuant to paragraph ~~17~~ 18 of this subsection, to the  
22 Authority. Within forty-five (45) days from the time  
23 penalties, fees and assessments are paid to the  
24 Commission, the Commission shall inform the Authority

1 which of its notices of toll evasion violation have  
2 been collected.

3 b. For each notice of toll evasion violation for which  
4 toll evasion penalties, fees and assessments have been  
5 collected by the Commission pursuant to paragraph ~~16~~  
6 17 of this subsection, the Authority is due an amount  
7 equal to the sum of the unpaid toll, administrative  
8 fees, other costs incurred by the Authority that are  
9 related to toll evasion, process service fees, and  
10 fees and collection costs related to civil debt  
11 collection. After deducting the Commission's  
12 administrative fee authorized by paragraph ~~20~~ 21 of  
13 this subsection, the Commission shall promptly pay to  
14 the Authority the amounts due the Authority for unpaid  
15 tolls, administrative fees, other costs incurred by  
16 the Authority that are related to toll evasion,  
17 process service fees, and fees and collection costs  
18 related to civil debt collection.

19 ~~20.~~ 21. The Commission shall assess a fee for the recording of  
20 the notice of toll evasion violation, which is given to the  
21 Commission pursuant to paragraph ~~9~~ 10 of this subsection, in an  
22 amount, as determined by the Commission, that is sufficient to  
23 provide a total amount equal to at least its actual costs of  
24 administering paragraphs ~~17~~ 18, ~~18~~ 19 and ~~21~~ 22 of this subsection.

1        ~~21.~~ 22. Whenever a vehicle is transferred or not renewed for  
2 two renewal periods and the former registered owner or lessee of the  
3 vehicle owes a toll evasion penalty and administrative fees for a  
4 notice of toll evasion violation filed with the Commission pursuant  
5 to paragraph ~~9~~ 10 of this subsection, the Commission shall notify  
6 the Authority of that fact and is not required thereafter to attempt  
7 collection of the toll evasion penalty and administrative fees.

8        This legislation shall not be construed to affect in any way the  
9 power which the Oklahoma Turnpike Authority possesses to establish  
10 tolls and other charges in connection with their turnpike  
11 facilities, including the authority to establish a one-way toll  
12 collection system for any of its facilities or a toll discount  
13 structure for certain classes of patrons using any of its  
14 facilities.

15        SECTION 3. This act shall become effective November 1, 2021.

16        COMMITTEE REPORT BY: COMMITTEE ON TRANSPORTATION  
17        March 23, 2021 - DO PASS

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