



POLICIES AND PROCEDURES
FOR TOLL COLLECTION AND ROADWAY OPERATIONS
ON CCRMA FACILITIES

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ARTICLE I TOLL COLLECTION OPERATIONS POLICY

SECTION 1.1 PURPOSE

This Article of the Policies and Procedures for Toll Collection and Roadway Operations on CCRMA Facilities (the “Policies and Procedures”) establishes CCRMA practices and operations for toll collection systems operation on designated controlled-access toll roads owned or operated by the CCRMA.

SECTION 1.2 DEFINITIONS & ACRONYMS

CCRMA or Authority	Cameron County Regional Mobility Authority
CCRMA Customer Service Center	The office of the CCRMA available for assistance with account inquiries, disputes, and other tolling related issues. The contact information for the CCRMA Customer Service Center is as follows: 3461 Carmen Ave. Rancho Viejo, Texas 78575 Phone: (956) 621-5571 Fax: (956) 621-5590
ETC	Electronic Toll Collection
Toll Tag	A device that records the usage of a vehicle using a toll road; usually adhered to the windshield of the vehicle, allowing motorists to drive non-stop through designated electronic toll collection lanes. (Toll Tags are a type of “transponder” pursuant to Sec. 370.178 of the Texas Transportation Code.)
TxDOT	Texas Department of Transportation
VTC	Video toll collection; a component of the ETC system that utilizes video images to generate a toll bill for customers without a Toll Tag.

SECTION 1.3 EXEMPTION FROM TOLL PAYMENT

Users of CCRMA Toll Facilities shall be required to pay a toll unless they are exempt under applicable law or, subject to commitments contained in any CCRMA financing documents, determined to be exempt by the CCRMA Board of Directors. Owners or operators of exempt vehicles must contact the CCRMA Customer Service Center to register a license plate or provide a Toll Tag statement in order to receive an exemption, which shall be provided in the form of an exemption from incurrence of tolls or reimbursement for toll charges incurred.

- (a) **Emergency and Military Vehicles**: In accordance with the provisions of Secs. 370.177, 362.901 and 541.201 of the Texas Transportation Code, CCRMA will create technical procedures to ensure that authorized emergency vehicles, as well as state and federal military vehicles, are exempt from paying tolls on the CCRMA operated facilities.
- (b) **Public Transit Vehicles**: As authorized under the provisions of Sec. 370.177 of the Texas Transportation Code and to facilitate a multi-modal transportation system that ensures safe and efficient travel for all individuals in Cameron County, public transit vehicles with a carrying capacity of sixteen (16) or more individuals that are owned and/or operated by or on behalf of the Brownsville Urban System shall be exempt from paying tolls on CCRMA toll facilities.
- (c) **Disabled Veterans**: Section 372.053 of the Texas Transportation Code allows toll agencies the opportunity to reduce or eliminate the payment of tolls for vehicles displaying certain disabled veteran license plates. The CCRMA Board of Directors has determined that disabled military veterans are eligible for an exemption from the payment of tolls on CCRMA toll facilities for vehicles displaying eligible disabled veteran license plates. The CCRMA will provide complete reimbursement of incurred toll charges for qualified customers with a Toll Tag account.

SECTION 1.4 TOLL RATES

(a) **Toll Rates – SH 550**

The toll rates for SH 550, effective as of _____, 201_, are set forth in the following table. SH 550 toll rates are subject to adjustment pursuant to the Market Valuation and the Toll Rate Escalation Methodology described below.

SH 550	2-Axle (Base Rate x 1)		3-Axle (2 x Base Rate x 2)		4-Axle (3 x Base Rate x 3)		5-Axle (4 x Base Rate x 4)		Each Additional Axle	
	Toll Tag	VTC	Toll Tag	VTC	Toll Tag	VTC	Toll Tag	VTC	Toll Tag	VTC
Paredes Line Road/ FM 1847	\$0.50	\$0.67	\$1.00	\$1.33	\$1.50	\$2.00	\$2.00	\$2.66	\$0.50	\$0.67
Port Spur	\$0.50	\$0.67	\$1.00	\$1.33	\$1.50	\$2.00	\$2.00	\$2.66	\$0.50	\$0.67

(b) **Toll Rate Escalation – SH 550**

Initial toll rates and toll rate escalation methodology were established under the Amended Market Valuation Agreement For the SH 550 Toll Project (“Amended Market Valuation”) between TxDOT and the CCRMA, effective February 4, 2010. The Amended Market Valuation established a base toll rate for the CCRMA system of a range from \$0.15 to \$0.20 per mile in 2008 dollars (the “Base Rate”).

The Toll Rate Escalation Methodology provides for an adjustment to be determined annually and within a range so that no annual increase may exceed the greater of the Texas State Gross Domestic Product per capita for the year immediately preceding the year of adjustment (“SGDP”) or the Consumer Price Index for the year immediately preceding the year of adjustment (“CPI”), but in no case less than 0. Any adjustment must be approved by the CCRMA Board of Directors.

(c) Toll Rate Multipliers

The following table sets forth the multipliers established under the Amended Market Valuation that will be used for various vehicle types:

Toll Rate Multipliers	
Cars and motorcycles	Base Rate x 1
Trucks	Base Rate x (Number of Axles – 1)

(d) Toll Rates – Other Facilities

Initial toll rates for other CCRMA facilities will be determined at the time such facilities are opened to traffic. Toll rate adjustments will be adopted and implemented pursuant to policies adopted by the CCRMA Board of Directors for that facility.

SECTION 1.5 TOLL INCENTIVES AND DISCOUNTS

To encourage the use of CCRMA toll roads and to maximize the use of Toll Tags on CCRMA facilities, the CCRMA will offer customers incentives and discounts.

- (a) **Discounts for Toll Tag Users:** Customers who pay their tolls using a Toll Tag will receive a discount equal to twenty five percent (25%) off of the toll amount charged to VTC customers.
- (b) **Incentive Offers:** From time to time the CCRMA may conduct promotions or marketing activities that encourage drivers to use CCRMA toll roads and/or Toll Tag and/or reward customers for such use. Similarly, the CCRMA may approve clearly defined introductory periods upon the opening of a new toll facility in which the initial toll rate may be less than the actual toll rate in place at the conclusion of such introductory period.

Notwithstanding the preceding, the CCRMA may also adopt additional toll incentives or discounts in the sole discretion of the CCRMA Board of Directors.

SECTION 1.6 CUSTOMER SERVICE AND ACCOUNT POLICIES

- (a) **Toll Tag:** The CCRMA utilizes TxTag as its primary Toll Tag, although it will support the use of other interoperable providers of Toll Tags. TxTag account set up, maintenance, and customer service will be provided through the TxTag customer service center operated by TxDOT.

- (b) **Registration by License Plate:** As an alternative to maintaining a Toll Tag account, customers may set up a registration by license plate account through the CCRMA. Registration by license plate account set up, maintenance, and customer service will be provided through the CCRMA Customer Service Center. Toll rates for registration by license plate accounts will be equivalent to VTC for the facility utilized.

SECTION 1.7 AUTOMATED ELECTRONIC TOLL COLLECTION

- (a) **No Cash Transactions:** To promote a safe, efficient, and effective toll collection system, the CCRMA utilizes all-electronic toll collection methods. Under these electronic toll collection (ETC) methods, accommodations for cash toll transactions are not provided. Rather, customers are encouraged to utilize a Toll Tag from the TxTag customer service center or other Toll Tags that are interoperable with the TxTag system.
- (b) **Video Toll Collection:** The video toll collection (VTC) component of the ETC system utilizes video license plate images for customers without a Toll Tag, with toll bills being generated from video images of the customer's license plate.

SECTION 1.8 VIOLATIONS POLICY

- (a) **Establishment of Administrative Fees for Violations Enforcement Through Notices of Non- Payment.**

Section 370.177 of the Texas Transportation Code authorizes a regional mobility authority such as the CCRMA to impose and collect an Administrative Fee to recover the cost of collecting unpaid tolls (the "Administrative Fee"). The Administrative Fee cannot exceed \$100.00. Subject to that limitation, the CCRMA will determine the amount of the Administrative Fee depending on how far in the collection process a delinquent account proceeds.

For unpaid tolls, an Administrative Fee of \$15.00 for the entire toll bill is assessed upon issuance of the first notice of non-payment, which shall be in addition to the tolls and fees that are otherwise due.

In the event payment is not received in connection with the first notice of non-payment, and a second notice of non-payment is sent, an additional \$15.00 Administrative Fee shall become due. Therefore, full payment of a second notice of non-payment will require the payment of \$30.00 in Administrative Fees, in addition to the actual tolls and fees due.

In the event payment is not received in connection with either the first or second notice of nonpayment, such account shall be considered for collection and an additional \$30.00 Administrative Fee shall become due and the cumulative Administrative Fee shall be \$60.00, in addition to the actual tolls and fees due.

The CCRMA Board recognizes that the amount of the Administrative Fee may require periodic revision when collection costs and associated matters are considered. Therefore, the CCRMA may periodically reevaluate collection costs and may revise the associated Administrative Fees accordingly. Administrative Fees may also be waived by the CCRMA Board in accordance with procedures that enhance collection efforts for tolls due by delinquent customers.

(b) **Publication of Nonpaying Vehicle Information:**

The CCRMA may publish a list of the names of the registered owners or lessees of vehicles who at the time of publication are liable for the payment of past due and unpaid tolls or Administrative Fees.

(c) **Violation Enforcement Strategies:**

If the collection process does not succeed in payment of the toll amount and corresponding fees owed, the registered owner of the vehicle may be referred for prosecution. An offense for failure or refusal to pay a toll under Sec. 370.177 of the Texas Transportation Code is a misdemeanor subject to a fine of up to \$250.00 for each offense.

If convicted of the offense, a violating customer may be liable for: (i) the unpaid toll amount and associated collection fees; (ii) a \$100 Administrative Fee *per offense* in lieu of the Administrative Fees which accrued during the toll bill process; (iii) court costs; and (iv) a fine of up to \$250.00.

In the prosecution of an offense under Sec. 370.177, proof that the vehicle passed through a toll collection facility without payment of the proper toll, together with proof that the defendant was the registered owner of the vehicle when the failure to pay occurred, establishes the nonpayment of the registered owner. The proof may be by testimony of a peace officer or CCRMA employee or representative, video surveillance, or any other reasonable evidence.

Under provisions of Sec. 370.177, there are certain exceptions to violation for failure to pay a toll regarding rental cars and vehicles sold but for which title has not been officially transferred by the applicable state agency. In addition, it is a defense to prosecution if the vehicle is stolen prior to the failure to pay a toll, but only if the theft is reported to the appropriate law enforcement agency within the required time period.

(d) **Procedures for Disputing Toll Violations:**

Customers may dispute an alleged failure to pay toll violation by contacting the CCRMA Customer Service Center by walk-in, telephone, regular mail, e-mail, or facsimile. The CCRMA may or may not determine that there is any merit to such a dispute and is not required to undertake any formal proceedings to make such determination.

(e) **Habitual Violators**

Subchapter C, Chapter 372, Texas Transportation Code, “Nonpayment of Tolls; Remedies” provides additional authority to enforce toll violations of certain customers who repeatedly refuse to pay toll charges.

In addition to any and all other available toll enforcement remedies, the CCRMA may initiate the enforcement actions set forth in this Section 1.8(e) against habitual violators. A “habitual violator” is a registered owner of a vehicle who the CCRMA Board of Directors determines was issued at least 2 written notices of non-payment that contained an aggregate of 100 or more events of nonpayment within a period of 1 year. The determination is subject to the defense that the vehicle was either subject to a lease at the time of the non-payment or it can be established that the vehicle had been stolen at the time of non-payment.

Upon making the determination that a person is a habitual violator, the CCRMA shall notify the person that they have been determined to be a habitual violator, and that they have thirty (30) days in which to request a hearing before the Justice of the Peace for Cameron County to contest that determination. The Justice of the Peace’s decision confirming the CCRMA’s determination of habitual violator status may be appealed to the Cameron County Court at Law not later than the 30th day after the date on which the decision was rendered. Failure to request a hearing, or the failure to appear for a hearing after one is requested, will result in the CCRMA’s determination of habitual violator status being deemed final and not appealable.

Once the CCRMA’s s determination of habitual violator status has been deemed final and not appealable, the CCRMA may report the habitual violator determination to the appropriate County Tax Assessor-Collector and/or to the Texas Department of Motor Vehicles and request that the habitual violator’s vehicle registration or renewal be refused until the habitual violator has satisfied their outstanding obligations. The CCRMA Board of Directors may also adopt an order prohibiting the operation of the habitual violator’s vehicle on a CCRMA toll project and shall mail notice of the order to the habitual violator. If the habitual violator operates a vehicle on a toll project in violation of the order of prohibition, the person commits Class C misdemeanor.

ARTICLE II ROADWAY OPERATIONS POLICY

SECTION 2.1 STATEMENT OF GENERAL POLICY

Pursuant to Section 370.033(a)(12), Transportation Code, this Article of the Policies and Procedures adopts and establishes rules for the use of the CCRMA's toll facilities. These provisions are in addition to and an enhancement of the provisions of Subtitle C, Title 7, Transportation Code (the "Statutory Rules of the Road"). The CCRMA expressly adopts these provisions and those set forth in the Statutory Rules of the Road. To the extent any irreconcilable conflict arises between the provisions hereof and the Statutory Rules of the Road, the Statutory Rules of the Road shall control.

SECTION 2.2 SPEED LIMITS

Subchapter H, Chapter 545, Transportation Code, "Speed Restrictions," governs speeds on highways in the State of Texas. Under Section 370.033, Transportation Code, the CCRMA may alter prima facie speed limits on its toll roads, provided the Texas Department of Transportation Procedures for Establishing Speed Zones, current edition, are followed.

Guidelines established by Texas Department of Transportation Procedures for Establishing Speed Zones, current edition, will be used in conducting Speed Zone Studies and establishing Speed Limits on CCRMA operated toll facilities. Generally, the data collected during the Speed Zone Studies are analyzed to determine the 85th Percentile Speed. The 85th Percentile Speed is the speed at which 85% of the traffic at a specific test site is traveling at or slower. The 85th Percentile Speed may serve as the basis for how the posted speed limit is determined.

To the extent that the maximum speed limit provided by law for a vehicle or class of vehicles is lower than the minimum speed limit established on a CCRMA operated toll facility, then such vehicle or class of vehicles shall observe the maximum speed limit provided by law. In no event shall a vehicle be driven in excess of the legal speed limit.

Maximum speeds within construction, transitional or reduced speed zones or during any period of adverse atmospheric or weather conditions shall be in accordance with signs displayed for such zones. All regulatory and zoning signs displayed on CCRMA operated toll facilities shall be obeyed.

Motor vehicles shall not be driven in excess of the mechanical limits of vehicles or tires. If traffic, weather, pavement or other conditions render the maximum allowable speed hazardous, the speed of motor vehicles shall be reduced consistent with such conditions.

SECTION 2.3 PARKING

Parking or stopping of vehicles on any traffic lane, deceleration lane, acceleration lane or on any bridge is prohibited with exceptions provided for vehicles which become disabled, law enforcement activities and emergency situations. All wheels and projecting parts of a stopped vehicle or load shall be completely clear of the traffic lane.

During the period beginning 30 minutes after sunset and ending 30 minutes before sunrise or at any other time when insufficient light or unfavorable atmospheric or weather conditions require, any parked or disabled vehicle shall display illuminated parking and tail lights or lighted flares to indicate its location.

Unnecessary parking or parking of vehicles for extended periods of time (in excess of 24 hours) is prohibited, and the driver of a disabled vehicle shall arrange for its prompt removal from CCRMA operated toll facilities.

For an offense under this section, it is presumed that the registered owner of the vehicle is the person who parked the vehicle at the time and place an offense under this section occurs.

SECTION 2.4 MEDIAN STRIP

The median strip is the area between the entrance/exit ramps and main traffic lanes for the purpose of separating traffic. Crossing, driving, parking or stopping on the median strip is prohibited on any CCRMA toll facilities except as necessary for official maintenance, operational, law enforcement and emergency uses.

SECTION 2.5 NO U-TURN

Except as specifically provided for as standard turnarounds, u-turns at any location on CCRMA operated toll facilities are prohibited with exceptions provided for official maintenance, operational, law enforcement and emergency responders.

SECTION 2.6 PEDESTRIANS

Pedestrians are not permitted on the main-lane roadways, access ramps or any interchange of CCRMA toll facilities. Solicitation of rides or “hitchhiking”, panhandling, passing of handbills, displaying signs or attempting to sell merchandise is prohibited on CCRMA operated toll facilities. Loitering on any CCRMA property is prohibited.

SECTION 2.7 PROHIBITED MODES OF TRANSPORTATION

No person shall operate any of the following on any main-lane roadway, main-lane shoulder, or access ramp operated by the CCRMA:

- Animal drawn vehicles;
- Animals - led, ridden or driven;
- Vehicles loaded with animals or poultry not properly confined;
- Vehicles with flat pneumatic tires;
- Vehicles in the charge of intoxicated or otherwise incapacitated operators;
- Vehicles with improperly secured loads which may shift or litter the highway;
- Vehicles with metal tires or which have solid tires worn to metal;
- Farm implements;
- Disabled vehicles in tow by tow-rope or chain;

- Rollers, graders, power shovels, tractors or other construction or farm equipment, either self-propelled or in tow of another vehicle, unless such equipment is either (1) truck mounted, and such truck can be operated at a minimum speed of 45 miles per hour while traveling on the main-lane roadways of CCRMA operated toll roads, weather and road conditions permitting, or (2) owned or controlled by the CCRMA or by any contractor in connection with the performance of work authorized by the CCRMA; or
- Vehicles exceeding the maximum weights allowed on State Highways under the motor vehicles laws of the State of Texas in effect from time to time. Additionally, vehicles including any load thereon exceeding the following maximum dimensions are prohibited:

Height	14 feet 6 inches
Width	8 feet 6 inches
Length	The maximum allowable lengths permitted on Interstate highways and other controlled access roadways in Texas pursuant to the motor vehicle laws of the State of Texas, as in effect from time to time,

SECTION 2.8 EVASION OF TOLLS

Entering or leaving CCRMA operated toll facilities or any part of its right of way except through the regular tolled lanes or entrance and exit points or committing any act with intent to defraud or evade incurrence of payment of tolls is prohibited.

SECTION 2.9 STATE LAWS

All laws, rules and regulations in the State of Texas pertaining to the use of public highways and policing thereof, including but not limited to the Statutory Rules of the Road, shall apply to CCRMA operated toll roads, except insofar as they may be supplemented by this policy document.

SECTION 2.10 PENALTIES

Any violation of a provision of this Article II shall be deemed an offense as defined in the Statutory Rules of the Road and shall be subject to prosecution and penalties as set forth in the Statutory Rules of the Road.

SECTION 2.11 BICYCLES, MOPEDS, AND MOTOR-DRIVEN CYCLES

Bicycles or tricycles, with or without motors, motor-driven cycles (but not including motorcycles as defined in Section 541.201 of the Transportation Code), including motor scooters, and mopeds, are not permitted on the main-lane roadways or main-lane shoulders of CCRMA toll facilities at any time.