

**POLICIES AND PROCEDURES**  
**FOR TOLL COLLECTION OPERATIONS**  
**ON THE ALAMO RMA TURNPIKE SYSTEM**

**SECTION 1. PURPOSE**

These Policies and Procedures for Toll Collection Operations (“Policies and Procedures”) are established pursuant to ALAMO RMA Resolution No. 07-20, adopted on October 10, 2007. Under provisions of Chapter 370 of the Texas Transportation Code, ALAMO RMA possesses the authority to designate a turnpike project or a portion of a turnpike project as a controlled-access toll road (Sec. 370.179). These Policies and Procedures establish ALAMO RMA practices and operations for toll collection systems on designated controlled-access toll roads operating within the ALAMO RMA turnpike system, and incorporate provisions of Texas Transportation Code Sec. 370.177 regarding failure or refusal to pay turnpike project tolls and related penalties and offenses.

**SECTION 2. DEFINITIONS**

ACH	Automated Clearing House Network.
CSC	The Customer Service Center or its successor(s).
Electronic Toll Tag or 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. (Electronic Toll Tags are a type of “transponder” pursuant to Texas Transportation Code Sec. 370.178.)
ETC	Electronic Toll Collection.
IVR	Interactive Voice Response.
Non-payment Transaction	A transaction where the customer does not pay the toll in the lane at the time of travel through the toll lane.
Non-Tagged Non-payment	Vehicles not equipped with toll tags and that do not pay the toll at the time of travel through the toll lane.
Tag Class	The ALAMO RMA class that is determined using the vehicle information that is programmed in the toll tag.
Tagged Non-payment	A vehicle equipped with a toll tag that is not valid and does not stop to pay toll.
U/O	Unusual Occurrence.
VES	Violation Enforcement System.
VPC	Violation Processing Center.

### SECTION 3. EXEMPTION FROM TOLL PAYMENT

Users of ALAMO RMA Toll Facilities shall be required to pay a toll unless they are determined to be exempt under Texas State Statutes or as authorized by the ALAMO RMA Board under the provisions of the Texas State Statutes.

- (a) Emergency and Military Vehicles: In accordance with the provisions of Sec. 370.177, 362.901 and 541.201 of the Texas Transportation Code, ALAMO RMA 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 ALAMO RMA toll road system.
- (b) Public Transportation Vehicles: In accordance with 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 the San Antonio Metropolitan Statistical Area, VIA Metropolitan Transit vehicles shall be exempt from paying tolls on ALAMO RMA toll roads up to an annual maximum amount. Thereafter, VIA Metropolitan Transit shall pay the applicable standard toll fee.

This maximum amount shall be determined on a corridor-by-corridor basis as the ALAMO RMA system is developed, and will be established as per this policy, and adjusted from time to time.

*(1) 281 North Toll Corridor Public Transportation Exemption-* For the 281 North Toll corridor, the initial maximum exemption for the calendar year commencing on January 1, 2012 shall be \$42,000.

Additional adjustments to the maximum annual exemption may be made upon written approval by the Alamo RMA and VIA Metropolitan Transit.

### SECTION 4. TOLL INCENTIVES AND DISCOUNTS

To promote the use of ALAMO RMA toll roads and to maximize the use of toll tags on ALAMO RMA facilities, the ALAMO RMA will offer customers incentives and discounts.

- (a) Incentive Offers: From time to time the ALAMO RMA may conduct promotions or marketing activities that encourage drivers to use ALAMO RMA toll roads and/or TxTag and/or reward customers for such use.
- (b) 281 North Toll Introductory Period: ALAMO RMA shall offer a three month introductory period after the 281 North Toll project is constructed and open to traffic. The initial two months of such introductory period will allow free usage for all customers. Toll tag customers shall additionally be provided a fifty percent (50%) discount in the amount of the applicable toll charged during the third month of the introductory period.

## SECTION 5. CUSTOMER SERVICE AND VIOLATION POLICIES

Upon implementation of the ALAMO RMA toll collection system, ALAMO RMA expects that there may be a high percentage of customers using a toll road who will not have a toll tag. The objective of the toll operations procedures and policies created by the ALAMO RMA is to increase the percentage of toll road customers who establish toll tag accounts with the CSC. Additionally, because tolling is a new concept for customers in the South Texas region, it will take some time for customers to adjust to the toll road operations, rules and regulations. During the few months after the start of ALAMO RMA toll collection operations, a tolerant and customer-friendly approach will be employed towards customers who use the road without paying toll charges. While it is understood that the objective of the ALAMO RMA is to collect revenue and minimize toll violation abuse, ALAMO RMA believes that a moderate approach towards customers who do not pay the toll ultimately will allow for a period of adjustment as customers begin using the new toll roads, and will create new toll customers for the ALAMO RMA.

The CSC provides customer service to ALAMO RMA customers and supports all operations related to customer toll tag account setup, account maintenance and customer service. The efficient operation of the CSC is critical to the success of the ALAMO RMA toll collections. The CSC will adhere to the following provisions with respect to customer service, toll violations, and toll tag use:

(a) Customers That Use Toll Tag Lanes Without Corresponding Toll Tags:

If a customer who believes they caused a Non-payment Transaction contacts the CSC and establishes (or re-establishes, if the customer has an invalid toll tag account) a valid, funded toll tag account within seven (7) days, or such period of time that is dictated by the terms of any agreement with the CSC concerning the VPC, after the Non-payment Transaction was committed, the administrative fee that CSC is allowed to charge will be waived, and the unpaid toll amount will be deducted from the customer's account balance. In the event that the violating customer does not either open and adequately fund a new toll tag account, or adequately fund their existing toll tag account, within the specified time frame, that customer will then receive a "Notice of Nonpayment" via regular mail for the unpaid toll amount plus an administrative fee, set in accordance with state law. If the violating customer contacts the CSC within thirty (30) days after such notice is mailed, and either opens and adequately funds a new toll tag account, or adequately funds their existing toll tag account, all of the administrative fee will be waived, and any remainder of the fee not waived, plus the unpaid toll amount, will be deducted from the customer's account balance.

(b) Violation Enforcement Strategies:

If a customer who receives a "Notice of Nonpayment" does not take any of the actions described in subsection (a) above within thirty (30) days after such notice is mailed, the Non-payment Transaction becomes an offense under Sec. 370.177 of the Texas Transportation Code, and a collection process will be implemented to attempt collection

of the unpaid toll amount plus the additional administrative fee (which may include the collection agency's fees). If the collection process does not succeed in obtaining the toll amount and corresponding fees owed, the violating customer 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 will be liable for the unpaid toll amount, plus a \$100 administrative fee, plus court costs and 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 or the customer 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 ALAMO RMA 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 toll regarding rental cars and vehicles sold but for which title has not been officially transferred by TxDOT. 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.

(c) Procedures for Disputing Toll Violations:

Customers may dispute an alleged failure to pay toll violation by contacting the CSC by walk-in, telephone, regular mail, e-mail, or facsimile.

(d) Appealing a Toll Violation to ALAMO RMA

A customer who has contacted the CSC and has been unable to satisfactorily resolve a dispute regarding a toll violation may submit a written appeal to the ALAMO RMA. Such appeal shall be for the purposes of the customer providing the ALAMO RMA with the information upon which they base their appeal. The ALAMO RMA may or may not determine that there is any merit to such appeal and is not required to undertake any formal proceedings to make such determination.

SECTION 6. TOLLING POLICY FOR PHASES OF ALAMO RMA TURNPIKE PROJECT  
"UNDER CONSTRUCTION"

- (a) For any toll project to be developed in phases, the authority may defer the commencement of toll collection operations on that phase until additional phases of the project are constructed so as to provide continuous uninterrupted travel for a distance, or to a destination, to be designated by the Board of Directors on a project specific basis. The deferral of toll collection operations shall end once the component phases of the project or the designated travel corridor as identified by the Board of Directors are "substantially complete."

- (b) The phrase “substantially complete” shall mean that the toll project is open to traffic for its entire length as designated by the Board of Directors on a project specific basis. Temporary closures due to emergencies or short-term construction or maintenance operations shall not preclude a toll project from being deemed substantially complete.
- (c) The authority may install signage and toll collection equipment on or along a project (or any phase thereof) indicating that toll collection operations are being deferred and that tolls will be collected on the entirety (or any portion) of the project in the future.
- (d) The designation of a project as a toll project or candidate toll project in SABCMPO’s then governing transportation plan or transportation improvement program prior to the time it is open to traffic shall preclude the project from being deemed a “conversion” under provisions of the Texas Transportation Code when toll collection operations begin.
- (e) Notwithstanding the foregoing, the Board of Directors may, upon receipt of a written request from SABCMPO or from the Commissioners Court, waive this policy and toll a phase of project that is under construction prior to completion of the entirety of the project.