

Rule Summary and Fiscal Analysis (Part A)**Ohio Turnpike Commission**

Agency Name

Division

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Contact

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5537-8-01

Rule Number

NEW

TYPE of rule filing

Rule Title/Tag Line

Electronic Tolling Rules.**RULE SUMMARY**

1. Is the rule being filed consistent with the requirements of the RC 119.032 review? **No**

2. Are you proposing this rule as a result of recent legislation? **Yes**

Bill Number: **HB119**General Assembly: **127**Sponsor: **Matt Dolan**

3. Statute prescribing the procedure in accordance with the agency is required to adopt the rule: **111.15**

4. Statute(s) authorizing agency to adopt the rule: **5537.04(A)(14)**

5. Statute(s) the rule, as filed, amplifies or implements: **5537.04(A)(10) and (A)(14)**

6. State the reason(s) for proposing (i.e., why are you filing,) this rule:

This rule will provide the traveling public with the ability to pay tolls electronically which provides an added convenience to our customers.

7. If the rule is an AMENDMENT, then summarize the changes and the content of the proposed rule; If the rule type is RESCISSION, NEW or NO CHANGE, then summarize the content of the rule:

The rule governs the procedure customers must follow to establish an account for

the payment of tolls electronically either on a prepaid or postpaid basis, and the fees and charges associated with such accounts.

8. If the rule incorporates a text or other material by reference and the agency claims the incorporation by reference is exempt from compliance with sections 121.71 to 121.74 of the Revised Code because the text or other material is **generally available** to persons who reasonably can be expected to be affected by the rule, provide an explanation of how the text or other material is generally available to those persons:

This response left blank because filer specified online that the rule does not incorporate a text or other material by reference.

9. If the rule incorporates a text or other material by reference, and it was **infeasible** for the agency to file the text or other material electronically, provide an explanation of why filing the text or other material electronically was infeasible:

This response left blank because filer specified online that the rule does not incorporate a text or other material by reference.

10. If the rule is being **rescinded** and incorporates a text or other material by reference, and it was **infeasible** for the agency to file the text or other material, provide an explanation of why filing the text or other material was infeasible:

Not Applicable.

11. If **revising** or **refiling** this rule, identify changes made from the previously filed version of this rule; if none, please state so:

Not Applicable.

12. 119.032 Rule Review Date:

(If the rule is not exempt and you answered NO to question No. 1, provide the scheduled review date. If you answered YES to No. 1, the review date for this rule is the filing date.)

NOTE: If the rule is not exempt at the time of final filing, two dates are required: the current review date plus a date not to exceed 5 years from the effective date for Amended rules or a date not to exceed 5 years from the review date for No Change rules.

FISCAL ANALYSIS

13. Estimate the total amount by which *this proposed rule* would **increase / decrease** either **revenues / expenditures** for the agency during the current biennium (in dollars): Explain the net impact of the proposed changes to the budget of your agency/department.

This will have no impact on revenues or expenditures.

\$0.00

The Ohio Turnpike Commission is not funded from appropriations approved by the Ohio General Assembly.

Upon implementation, the E-ZPass toll rates for passenger cars will be the same as the current toll rates. Concurrent with the implementation of E-ZPass, the Commission will convert from a weight-based vehicle classification system to an axle-based classification system. The current 11 weight-based classifications will be compressed into 7 axle-based classifications. Consequently, some customers driving trucks will pay higher tolls and some will pay lower tolls. However, all E-ZPass toll rates will be lower than non-E-ZPass toll rates for vehicles of the same classification.

While the Commission is spending about \$50 million in capital funds to implement a new toll collection system that includes electronic tolling in the form of E-ZPass, the Commission does not anticipate any significant change in its overall operating expenses in the near term. Eventual reductions in toll collection staffing should provide some savings in the long term.

14. Identify the appropriation (by line item etc.) that authorizes each expenditure necessitated by the proposed rule:

Not Applicable.

15. Provide a summary of the estimated cost of compliance with the rule to all directly affected persons. When appropriate, please include the source for your information/estimated costs, e.g. industry, CFR, internal/agency:

Participation in the E-ZPass program is voluntary and not required. Customers wishing to pay tolls using cash or credit cards can continue to do so. Customers who voluntarily elect to pay tolls electronically will pay lower toll rates, as compared to customers who continue to pay tolls using cash or credit cards. The lower E-ZPass toll rates will likely more than offset any program fees, including: \$.75 per transponder monthly service fee, \$3.00 per transponder shipping and handling fee, fees for printed statements or invoice detail to be mailed to the

customer ranging from \$1.00 up to \$10.00 per statement or invoice detail, and a \$25.00 replacement fee for lost or damaged transponders. Prepaid account statements and postpaid account invoice detail will be available free on-line at www.ezpassoh.com. Prepaid account holders requesting printed statements upon each account replenishment and postpaid account holders requesting printed monthly invoice detail to be mailed to them will be assessed a \$1.00 fee per each five transponders up to a maximum fee of \$10.00 per statement or invoice. Postpaid account holders will be required to furnish a surety bond in an amount equal to 3 months toll charges with a minimum bond amount of \$3,000. The cost to the customer to purchase the surety bond will vary depending on the amount of the bond and the customer's financial condition.

16. Does this rule have a fiscal effect on school districts, counties, townships, or municipal corporations? **No**

17. Does this rule deal with environmental protection or contain a component dealing with environmental protection as defined in R. C. 121.39? **No**