



CENTRAL TEXAS REGIONAL
MOBILITY AUTHORITY

July 24, 2019
AGENDA ITEM #7

Authorize the Executive Director to negotiate and execute agreements with Travis County and Williamson County for habitual violator road enforcement services

Strategic Plan Relevance: Regional Mobility
Department: Operations
Contact: Tracie Brown, Director of Operations
Associated Costs: Not to exceed \$275,000 in total (*\$137,500 per County*)
Funding Source: Toll Revenues
Action Requested: Consider and act on draft resolution

Summary:

Background - The vast majority of Mobility Authority customers pay for their toll usage in a timely manner, either by electronic toll tag or through our courtesy Pay By Mail program. Non-payers undermine the ability of the Mobility Authority pay back its bonds and to finance future projects, and is presents an unfair burden to its paying customers.

Chapter 372 of the Texas Transportation Code provides enforcement tools for egregious toll violators throughout Texas. This statute authorizes additional remedies for “habitual violators,” those who have accumulated 100 or more unpaid tolls in aggregate in a 12-month period and have been issued two notices of nonpayment. The remedies include publication of the toll scofflaw’s name, a vehicle registration block and a ban of the vehicle’s use of the entity’s toll facilities. Traffic citations and vehicle impoundment are possible for those who violate the vehicle prohibition.

Current Action - Through agreements with Travis and Williamson County, the Authority will contract for marked law enforcement vehicles, uniformed law enforcement officer, and all vehicular equipment necessary to identify offenders and enforce Texas Transportation Code Section 372 violation of an order prohibiting the

operation of motor vehicles on CTRMA-operated toll facilities within Travis County, Williamson County or adjacent counties when the following criteria are met:

- i) the registered owner of the vehicle has been finally determined to be a habitual violator; and
- ii) the toll project entity has provided notice of the prohibition order to the registered owner.

Specific operations include active law enforcement, identifying and stopping certain vehicles via the use of license plate information provided by CTRMA, issuing a citation for violation of a prohibition order, issuing verbal and written notification to the violator of possible action to be taken if violator continues to use the facility, and directing the impoundment of the prohibited vehicle under the appropriate circumstances. Additional active law enforcement may include citations, warnings, arrests, perpetrator transportation, impounding of vehicles, etc.

In addition, the law enforcement agencies will be required to provide written monthly reports noting their enforcement hours and a summary of the violations issued during the targeted enforcement period.

The Authority will in turn outline the targeted enforcement period and provide a list of the targeted enforcement areas within Travis County or adjacent counties. Each County will be compensated at an agreed upon hourly rate for each officer as well as the use of County vehicles. Additional fees may be added where applicable to cover administrative staff and direct benefits.

The term of the proposed Agreements is one (1) year after execution. The Agreement may also be terminated by mutual written agreement, or 30 days after either party gives notice to the other party, whichever occurs first.

Previous Actions - The Mobility Authority's Board of Directors approved changes to its Policy Code in September 2018 adding the habitual violator remedies to the enforcement toolkit. In June 2019 the Board approved an agreement with GTS Technology Solutions for the purchase and installation of automated license plate readers (ALPRs) to detect vehicles matching the Authority's "hot list" and notify law enforcement who may then detain the prohibited vehicle.

Staff Recommendation - Staff recommends approval of this item.

Backup Provided - Draft Resolution

**GENERAL MEETING OF THE BOARD OF DIRECTORS
OF THE
CENTRAL TEXAS REGIONAL MOBILITY AUTHORITY**

RESOLUTION NO. 19-0XX

**AUTHORIZING THE EXECUTIVE DIRECTOR TO NEGOTIATE AND EXECUTE
INTERLOCAL AGREEMENTS WITH TRAVIS COUNTY AND WILLIAMSON COUNTY
FOR HABITUAL VIOLATOR ROAD ENFORCEMENT SERVICES**

WHEREAS, by Resolution No. 18-059 dated October 31, 2018, the Board of Directors amended the Mobility Authority Toll Policy Code to include the additional level of habitual violator enforcement as prescribed by Chapter 372, Texas Transportation Code; and

WHEREAS, pursuant to the habitual violator policy, the Board of Directors may prohibit the operation of a motor vehicle owned or leased by a person determined to be a habitual violator on all Mobility Authority toll roads. Vehicles that continue to operate on a Mobility Authority toll road after the prohibition are subject to ticketing and impounding; and

WHEREAS, it is necessary to retain the services of law enforcement officers to enforce an order of the Board of Directors prohibiting the use of Mobility Authority toll facilities by a person determined to be a habitual violator; and

WHEREAS, Chapter 791 of the Texas Government Code and Chapter 370 of the Texas Transportation Code authorize a regional mobility authority to enter into an agreement with a governmental entity for the performance of governmental functions and services, including administrative functions; and

WHEREAS, the Executive Director requests authorization to negotiate and execute separate interlocal agreements with Travis County and Williamson County, each for a term of one (1) year and in an amount not to exceed \$137,500., to retain the services of law enforcement officers for habitual violator road enforcement on Mobility Authority facilities.

NOW THEREFORE BE IT RESOLVED, that the Board of Directors hereby authorizes the Executive Director to negotiate and execute interlocal agreements with Travis County and Williamson County on behalf of the Mobility Authority to retain the services of law enforcement officers for habitual violator road enforcement on Mobility Authority facilities; and

BE IT FURTHER RESOLVED, that each agreement shall be for a term of one (1) year and in an amount not to exceed \$137,500.

Adopted by the Board of Directors of the Central Texas Regional Mobility Authority on the 24th day of July 2019.

Submitted and reviewed by:

Approved:

Geoffrey Petrov, General Counsel

Nikelle Meade
Vice Chair, Board of Directors