

Toll Civil Penalties

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Washington State Transportation Commission Meeting
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Civil penalty program began in 2011

A \$40 civil penalty for unpaid tolls (RCW 46.63.160) was established by the Legislature when WSDOT introduced the Pay By Mail program.

The vast majority of tolls (96-97% of all trips) are paid prior to a civil penalty being issued.

General billing overview

- **First Toll Bill:** Mailed within 30 days of travel.
- **Toll Bill Reminder:** If first bill isn't paid within 15 days, a customer will receive second bill with \$5 reprocessing fee.
- **Notice of Civil Penalty (NOCP):** If the toll isn't paid within 80 days, a \$40 penalty is assessed for each unpaid toll transaction.
- **Vehicle Registration Hold:** If a vehicle owner does not respond to the NOCP, a hold may be placed on the vehicle registration.

Disputes

Process for customers to dispute a NOCP for an unpaid toll

- The original 2011 state law only allowed penalties to be waived in limited circumstances:
 - If the car was stolen, or
 - If the customer was not the registered vehicle owner.
- WSDOT contracts with the Office of Administrative Hearings to adjudicate disputed tolls and civil penalties.

Public feedback



8 YEARS AGO

10 months later, still some confusion over 520 toll bills

The 520 Bridge has prompted 30 million transactions in its 10 months of tolling, but many of the billing complaints come from the 20 percent of customers who don't own a pass and

May 15th, 2015 | Danny Westneat

520 toll gouging stories get more preposterous

The 520 toll bridge is taking its toll. About 80,000 drivers have had their car tab registrations put on hold when they didn't pay the state's punishing toll fines.



Danny Westneat / Columnist

520 bridge toll fines seriously out of whack

Originally published August 9, 2014 at 4:05 pm | Updated August 11, 2014 at 1:13 pm

We're back with another installment of "For Whom the Bridge Tolls." Except this ongoing feature should be renamed "For Whom the Bridge Gouges."

It may gouge thee, of course. Recently, it gouged me.

I'm talking about the Highway 520 bridge and its bureaucratically unyielding photo-tolling system.

Years ago I chronicled the Kafkaesque system where people who crossed the bridge, never got a bill sent to the state that she never got satisfied with.

Driver gets \$18,000 Good To Go bill | king5.com

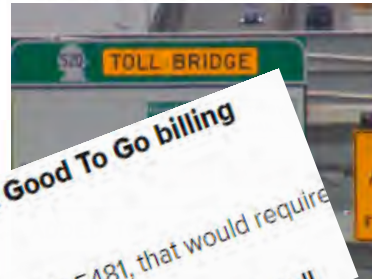
Jan 30, 2015 ... Rose says his son never received a bill. He learned the total of what he owed when he tried to sell his car: more than \$18,000. \$1,360 in tolls ...

Student upset she was charged thousands in 520 toll fines

Becky Porter, a working college student who lives on the Eastside, has a problem with 520 bridge toll bills she received.

KIRO 7 INVESTIGATES: 520 tolls -- not so good to go

October 30, 2014 at 3:16 pm PDT



Confusing toll bills cost drivers, end in fines | king5.com

Oct 31, 2014 ... A KING 5 investigation has uncovered confusing and seemingly contradictory billing terms are leaving toll customers at a loss.

Outdated contact information causes mounting toll bills | king5.com

Nov 1, 2013 ... Kendra Mack is employed by a vet but is also getting worked by Good to Go. Her most recent toll bill was \$7,000. I don't know what I'm going to do ...

Tonight at 5: Jesse takes on 'Good to Go!' billing mess

May 18, 2015 at 3:12 am PDT

Senator hopes bill helps fix Good To Go billing problems | king5.com
Feb 9, 2015 ... Hill is sponsoring SB 5481, that would require WSDOT to contact drivers by email before assessing a penalty for an unpaid toll.

Public feedback

- Over time, it became clear that the NOCP process needed more flexibility to allow customers to resolve their disputes and unpaid tolls.
- Frequent concerns heard from customers:
 - Customers get behind on bill payment for a variety of reasons
 - Many customers who use toll roads, especially infrequently, are unfamiliar with the billing process
 - Many customers forget to update their address with Department of Licensing when moving
 - Customers get confused when they receive a bill, but they have a *Good To Go!* account

Mitigating circumstances

- In 2013, the Legislature broadened the conditions when administrative judges could waive penalties.
- If an individual can present verifiable evidence that a civil penalty was incurred due to a specific circumstance the civil penalty may be waived. These include:
 - Hospitalization
 - Military deployment
 - Eviction
 - Homelessness
 - Death (of individual or individual's immediate family)
 - Failure to receive the toll bill due to an incorrect address that has since been corrected
 - A prepaid *Good To Go!* account error that has since been corrected
 - An error made by WSDOT

Penalty forgiveness program

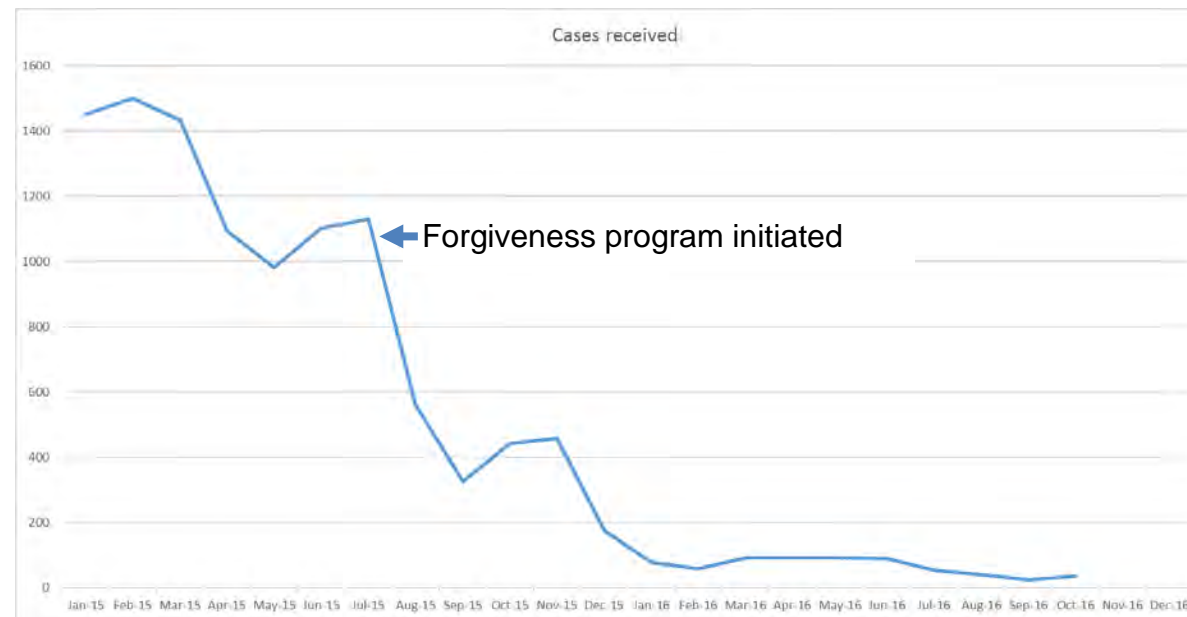
- **WSDOT's objective is to collect outstanding tolls, not penalties.** In 2015, WSDOT created a penalty forgiveness program, with consent of legislative leadership.
- Customers can have penalties waived by contacting *Good To Go!*. A representative will resolve any issues that caused the customer to get behind on their bill. Representatives also teach customers about the billing process to try and help them avoid falling behind again.
 - **First time:** Customers can have all penalties waived if they pay the original tolls
 - **Second time:** Customers can have all penalties waived if they open a *Good To Go!* account and pay the original tolls
 - **Third time:** Customers must dispute to an administrative law judge
- WSDOT also started sending emails/calling customers with *Good To Go!* accounts, alerting them they will soon receive an NOCP if they don't resolve their unpaid bill.

First year of forgiveness program (2016)

This program increased toll collection and significantly reduced civil penalty revenues and adjudication costs

- 90 percent drop in in-person hearings
- 26 percent drop in debt collection workload costs
- 118 percent increase in cash received from civil penalty-related tolls

Hearing
examiner
cases
during
2016



Civil Penalty Statistics

- **How many penalties do we issue?**

Year	Total Transactions	Penalties Issued	Penalties Paid	Penalties Forgiven	Remaining Unpaid
2018	49,974,041	1,531,500 (3.1%)	231,508 (15.1%)	682,256	617,736
2019	51,545,594	1,558,730 (3.0%)	217,046 (13.9%)	735,155	606,529
2020	50,087,675	1,940,009 (3.9%)	175,056 (9%)	922,623	842,330

- **How much civil penalty revenue is collected?**

Year	Penalties Assessed	Penalties Paid	Adjudication Cost	Civil Penalty Net Revenue
2018	\$70,032,157	\$ 9,373,392 (13.4%)	\$2,641,166	\$6,732,226
2019	\$71,975,413	\$ 8,926,722 (12.4%)	\$2,523,176	\$6,403,546
2020	\$93,153,293	\$12,237,608 (13.1%)	\$2,303,201	\$9,934,407

- **How much toll revenue is lost due to unpaid toll bills?**

- Toll write-offs from unpaid bills during 2018 were about \$3.95 million for I-405, SR 520 and TNB (SR 99 not yet open)

Improving compliance with less reliance on penalties

- **The penalty forgiveness program has been very successful reducing toll losses and impacts on customers**
 - WSDOT's goal is to collect the tolls due, not to raise revenue through penalties
 - Providing an option to waive penalties has increased the percentage of Pay By Mail tolls paid by customers
 - It is still important to have mechanisms to enforce toll payment
- **Launched this summer, the new *Good To Go!* system makes it easier to for customers to save money on tolls**
 - A new account option, called Pay As You Go, can be opened at no cost, without requiring customers pre-pay \$30 in tolls
 - Customers who get a bill in the mail, can save \$1.75 on each trip by opening a *Good To Go!* account when paying their bill online

Questions?

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