



April 20, 2021

The Honorable Thomas J. Umberg
Chair, Senate Judiciary Committee
California State Senate
State Capitol, Room 2187
Sacramento, CA 95814

Subject: SB 623 – SUPPORT

Dear Senator Umberg:

The San Bernardino County Transportation Authority (SBCTA) is pleased to support Senate Bill (SB) 623 by Senator Josh Newman, which would clarify existing law to ensure toll operators statewide can enforce toll policies and issue toll violations without weakening existing privacy protections.

SB 623 preserves the prohibition against the sale or other disclosure of personal information not connected with the operation of toll facilities and transit fare payment systems. It also reaffirms that personal information can be used for many day-to-day activities in the operation of toll facilities, such as collecting toll payments, notifying drivers about road closures and enforcing toll requirements. Additionally, this bill is consistent with SB 1268 (Simitian, 2010) which protects the privacy of motorists in California by controlling the use of personal information that is collected and stored by electronic toll collection systems.

Toll Lanes and High Occupancy Toll Lanes are material components of regional transportation plans and sustainable community strategies throughout California, as they provide a long-term funding source for infrastructure projects and help reduce pollution. While existing law authorizes toll agencies to share personally identifiable customer information with their contractors for enforcement and interoperability purposes, various statutes must be clarified to reflect advances in technology and business practices with respect to how tolls are collected and administered.

This bill also accommodates for the ever-increasing reliance by individuals on the internet to apply for and manage toll accounts, as well as the use of secure electronic file transfers by transportation agencies to process toll payments and enforce toll obligations against those who use toll facilities without paying the required tolls.

Without the passage of this bill, the operation of toll facilities within the State will be severely hindered by class action lawsuits that have already cost public toll agencies millions of dollars in legal expenses. Further litigation would cost taxpayers billions and would also threaten the ability of agencies to use toll revenues to meet debt repayment obligations or investment in future improvements. This would also threaten hundreds of jobs allocated for these projects.

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SB 623 maintains and strengthens the protection of personal information gathered in the operation of toll facilities across California, while ensuring all state toll agencies can continue to provide faster and more reliable commutes across the State's 200 miles of Toll Roads.

For those reasons SBCTA supports SB 623. If you have any questions regarding SBCTA's position on this issue, please contact Otis Greer, Director of Legislative and Public Affairs, at (909) 884-8276.

Thank you for your consideration.

Sincerely,

A handwritten signature in black ink, appearing to read "Frank J. Navarro". The signature is written in a cursive style with a large, looping initial "F".

Frank J. Navarro
President, San Bernardino County Transportation Authority

cc: San Bernardino County Delegation