

BILL: AB 334 (Petrie-Norris, D-Irvine)
Introduced January 28, 2025

SUBJECT: AB 334 would facilitate interoperability with out-of-state electronic toll collection systems while ensuring compliance with state and federal privacy protection laws.

STATUS: Pending in Assembly Committee on Privacy and Consumer Protection
Passed Assembly Committee on Transportation 16-0

SUMMARY AS OF APRIL 3, 2025:

AB 334 will facilitate the ability for electronic toll collection systems in California to share the necessary information with out-of-state toll systems to allow for interstate interoperability. It clarifies that toll facility operators participating in interstate interoperability programs may only share vehicle usage data that is intended to implement interstate operability and must otherwise remain fully compliant with federal and state privacy protection laws.

EFFECTS ON ORANGE COUNTY:

The Orange County Transportation Authority (OCTA) operates the 91 Express Lanes and the 405 Express Lanes, utilizing automatic vehicle identification systems to manage toll collection efficiently. AB 334 strengthens the framework for interstate interoperability, which could improve customer convenience by ensuring that users can travel across different toll facilities outside of California without needing multiple transponders or accounts. This is particularly beneficial for Orange County commuters who use toll roads and express lanes in those states that have tolling systems.

In the early 1990s, the State required the California Department of Transportation (Caltrans), in cooperation with existing and proposed toll facility operators, to develop and adopt functional specifications and standards for an automatic vehicle identification system. These systems were to ensure seamless toll collection, allow a single device to be used across all toll facilities, and promote competition among vendors – or in other words, achieve interoperability between toll systems. This led to the adoption of FasTrak within the State, and more recently the use of the 6c protocol. Much of this work has been done through the establishment of the California Toll Operators Committee, a group that includes all toll operators in the State and Caltrans to coordinate on technical and operating issues related to tolling.

OCTA, along with other California toll agencies, has actively worked toward greater interstate interoperability in tolling operations over the years. Most other regions in the country are working towards interstate interoperability through the establishment of hubs in their respective regions. While California toll agencies have collaborated with states like Washington and Utah to enhance interoperability, the process remains complex due to differing regulations, privacy concerns, and technological barriers between states. The concept of a western toll hub has been discussed as a potential solution for improving toll enforcement and collections across state lines, but there is currently no agreement in

place. Additionally, for OCTA, the feasibility of such a hub remains uncertain, as the transaction volume from out-of-state violators is not yet sufficient to justify the cost of implementation.

Because there is no existing western toll hub, any future decision regarding its creation will require collective agreement among all California toll agencies. Even if such a hub were established, its ability to address out-of-state violations would be limited. The highest number of out-of-state violations on California toll roads come from Nevada and Arizona, states that lack tolling infrastructure. AB 334 would not provide a solution for collecting tolls from these drivers.

If nationwide interoperability were achieved, its impact on OCTA's toll revenue would likely be modest, as relatively few out-of-state drivers use the toll systems in California. However, interoperability could encourage more out-of-state drivers to utilize OCTA's express lanes, increasing accessibility for visitors traveling through the region. It is also important to emphasize that interoperability efforts do not pose a risk to personally identifiable information, as existing safeguards and state law ensure that privacy protections remain intact. OCTA and other California toll agencies have successfully maintained secure tolling operations for years, demonstrating commitment to both efficiency and data security.

While AB 334 alone is unlikely to result in a major shift in tolling operations or enforcement, it represents a step in the right direction towards improving interoperability and laying the groundwork for future cooperation between states. By enhancing interoperability and maintaining stringent privacy safeguards, AB 334 supports a more integrated and efficient tolling network across California and beyond. This legislation is sponsored by the Transportation Corridor Agencies. A SUPPORT position is consistent with OCTA's 2025-26 State Legislative Platform principles to "support efforts to improve the interoperability of the different toll systems across the State in order to ensure fair and efficient toll operations while affirming user privacy protections."

OCTA POSITION:

Staff recommends: SUPPORT

ASSEMBLY BILL

No. 334

Introduced by Assembly Member Petrie-Norris

January 28, 2025

An act to amend Section 27565 of the Streets and Highways Code, relating to transportation.

LEGISLATIVE COUNSEL'S DIGEST

AB 334, as introduced, Petrie-Norris. Operators of toll facilities: interoperability programs: vehicle information.

Existing law requires the Department of Transportation, in cooperation with the Golden Gate Bridge, Highway and Transportation District and all known entities planning to implement a toll facility, to develop and adopt functional specifications and standards for an automatic vehicle identification system in compliance with specified objectives, and generally requires any automatic vehicle identification system purchased or installed after January 1, 1991, to comply with those specifications and standards. Existing law authorizes operators of toll facilities on federal-aid highways engaged in an interoperability program to provide only specified information regarding a vehicle's use of the toll facility.

This bill would instead authorize operators of toll facilities on federal-aid highways engaged in an interstate interoperability program to provide only the information regarding a vehicle's use of the toll facility that is intended to implement interstate interoperability.

Vote: majority. Appropriation: no. Fiscal committee: no.
State-mandated local program: no.

The people of the State of California do enact as follows:

SECTION 1. Section 27565 of the Streets and Highways Code is amended to read:

27565. (a) The department, in cooperation with the district and all known entities planning to implement a toll facility in this state, shall develop and adopt functional specifications and standards for an automatic vehicle identification system, in compliance with all of the following objectives:

(1) In order to be detected, ~~the a~~ driver shall not be required to reduce speed below the applicable speed for the type of facility being used.

(2) ~~The A~~ vehicle owner shall not be required to purchase or install more than one device to use on all toll facilities, but may be required to have a separate account or financial arrangement for the use of these facilities.

(3) ~~The A~~ facility ~~operators~~ operator shall have the ability to select from different manufacturers and vendors. The specifications and standards shall encourage multiple bidders, and shall not have the effect of limiting ~~the a~~ facility ~~operators~~ operator to choosing a system that is able to be supplied by only one manufacturer or vendor.

(b) Except as provided in subdivision (c), ~~any an~~ automatic vehicle identification system purchased or installed after January 1, 1991, shall comply with the specifications and standards adopted pursuant to subdivision (a).

(c) Subdivision (b) does not apply to an interim automatic vehicle identification system for which a contract is entered into between an entity planning to implement a toll facility and the supplier of the interim system ~~prior to~~ before January 1, 1994, if both of the following requirements are met:

(1) The department has made a written determination that the installation and operation of the interim system will expedite the completion of the toll facility and its opening to public use.

(2) The entity planning to implement the toll facility has entered into an agreement with the department to install, within five years after any portion of the toll facility is opened for public use, an automatic vehicle identification system meeting the specifications and standards adopted pursuant to subdivision (a).

1 (d) The automated vehicle identification system developed by
2 the department pursuant to subdivision (a) shall be capable of
3 identifying various types of vehicles, including, but not limited to,
4 commercial vehicles.

5 (e) On and after the date specified in the federal Moving Ahead
6 for Progress in the 21st Century Act (*Public Law 112-141*) for
7 implementation of interoperability of electronic toll collection on
8 federal-aid highways, operators of toll facilities on federal-aid
9 highways may fully implement technologies or business practices
10 that provide for the interoperability of electronic toll collection
11 programs consistent with federal law. Operators of toll facilities
12 on federal-aid highways engaged in an *interstate* interoperability
13 program may provide only the following information regarding a
14 vehicle's use of the toll facility; *facility that is intended to*
15 *implement interstate interoperability*, and shall otherwise comply
16 with all federal and state privacy protection laws, including, but
17 not limited to, Section ~~31490~~; 31490.

18 ~~(1) License plate number.~~

19 ~~(2) Transponder identification number.~~

20 ~~(3) Date and time of transaction.~~

21 ~~(4) Identity of the agency operating the toll facility.~~

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