

BAIFA Resolution No. 36 – Revised. Revision to Exception to Assessment of Penalties



Bay Area Infrastructure Financing Authority
Network and Operations Committee
June 14, 2024

Penalty Waiver Policy

Background

- AB 2594 (Ting) required a payment plan and waiver of COVID-era **bridge** penalties for low-income. This requirement does not apply to **express lanes**.
- **All** Bay Area toll operators agreed to start payment plan 7/1/23 with same policies, meeting or exceeding AB 2594 requirements

Waiver Policies adopted by operators:

- Other express lanes operators offered low-income customers a one-time waiver of all penalties
- BATA offered One-Time Waiver Program for bridge violators due to DMV Hold backlog/CSC burden
- BAIFA adopted BATA One-Time Waiver Program due to DMV Hold backlog/CSC burden.

May 2023 Payment Plan Action

- Adopt low-income payment plan along same timeline as all Bay Area toll operators and with same policies
- Adopt One-Time Waiver Program for all outstanding violation penalties to all drivers who:
 - Contact the FasTrak CSC between 7/1/23 and 9/30/24
 - Pay all tolls and DMV fees owed, or, if eligible, enter into a payment plan and make the first payment
 - Same as BATA

Recommended June 2024 Action: Waiver Policy to Align with other Express Lane Operators

Available once existing One-Time Waiver Program expires September 30, 2024:

- One-time only waiver of all violation penalties for low-income, consistent with Bay Area express lanes operators
 - To obtain waiver:
 - Must contact the FasTrak® customer service center, and
 - Enter into payment plan and make first payment
 - DMV registration holds (if any) will be withdrawn
- For others: 1st-time offense, upon request a non-customer can open a FasTrak® account prior to DMV registration hold or collections and the penalty will be waived after payment of the toll