
Road Charge Pilot Enforcement

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Agenda Item #13

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What is Enforcement, and How will it be Tested in the California Road Charge Pilot?

- ◆ The act of compelling observance of or compliance with a law, rule, or obligation; any action to make noncompliance undesirable
- ◆ Distinct from compliance
- ◆ Not necessarily carried out by law enforcement officers

Options for simulating enforcement activities:

- ✧ Caltrans
- ✧ Account managers
- ✧ The Account Management Oversight (AMO) entity



Testing Enforcement in the Pilot

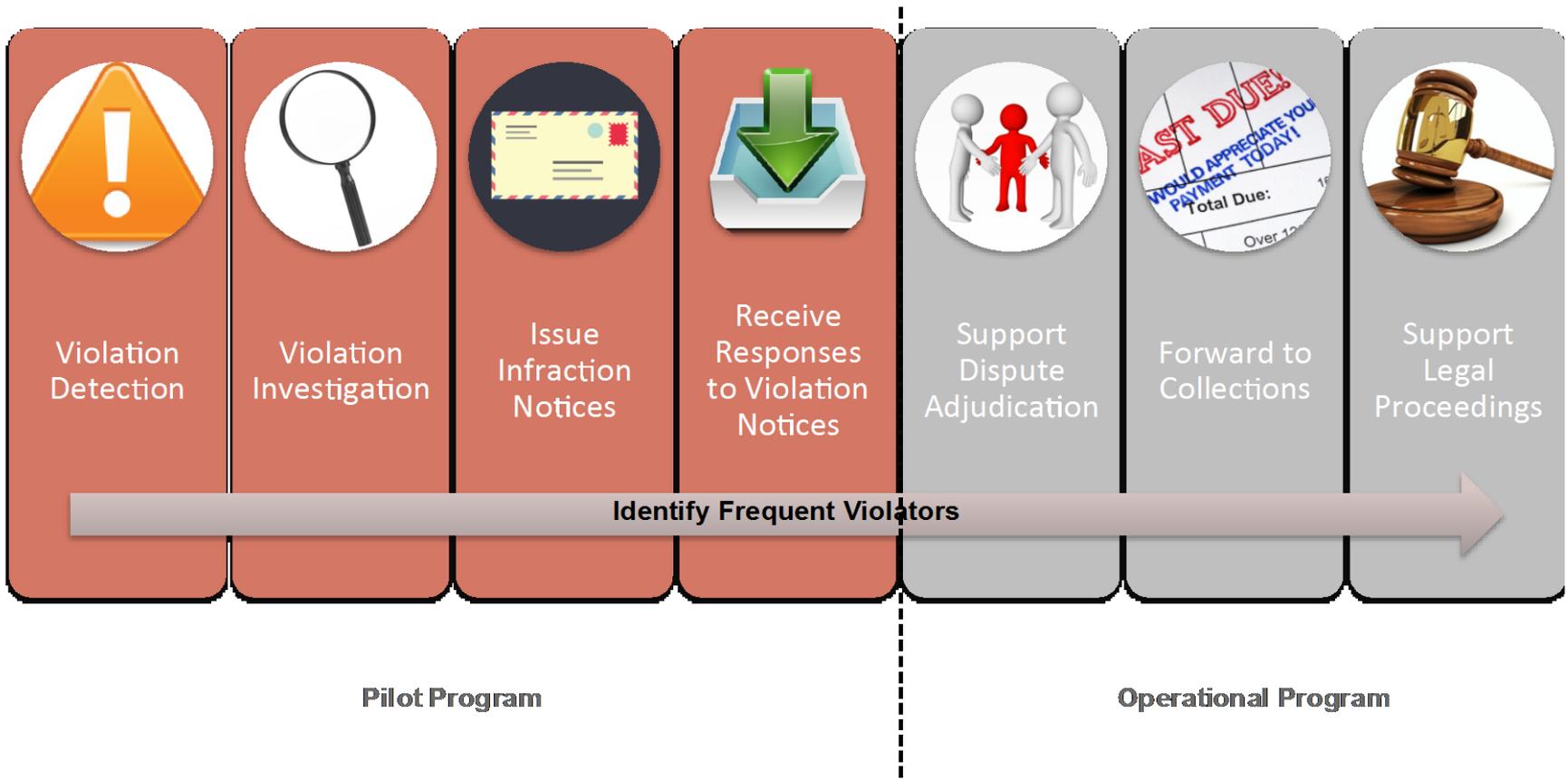
- ◆ Pilot is unlikely to include participants who intentionally evade the system

Options for testing enforcement:

- ✧ Do not test enforcement mechanisms in the pilot
- ✧ Test enforcement mechanisms only on actual, intentional evasion, even if this is unlikely to occur
- ✧ Test enforcement mechanisms on select volunteers assigned the role of “violator”



Enforcement Process



Violation Detection Procedures

Three groups:

- ◆ Time permit
- ◆ Mileage permit and odometer charges
- ◆ Automated mileage recording and reporting



Violation Detection Procedures – Time Permit

- ◆ Time permit enforcement varies depending on whether a sticker or electronic registration only is required
- ◆ Enforcement of electronic time permits involves a daily automated scan of the road charging database to detect.
 - ✧ Time permits close to expiring
 - ✧ Expired time permits within grace period
 - ✧ Expired time permits in violation of the road charge



Options for administering time permits:

- ✧ Issuance of window or license plate stickers
- ✧ Electronic registration only
- ✧ Both electronic registration and issuance of stickers



Violation Detection Procedures – Time Permit (continued)

- ◆ With electronic time permits, additional time may be added to a current time permit:
 - ✧ Before it expires
 - ✧ After the permit expires, but during a grace period



Options for the pilot:

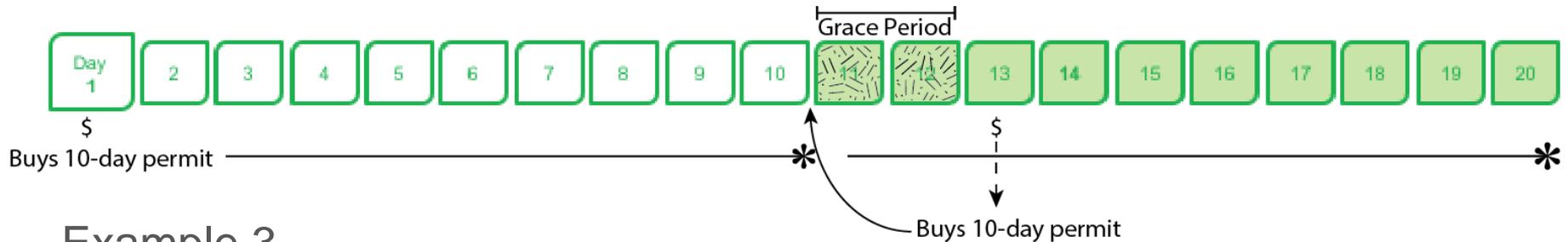
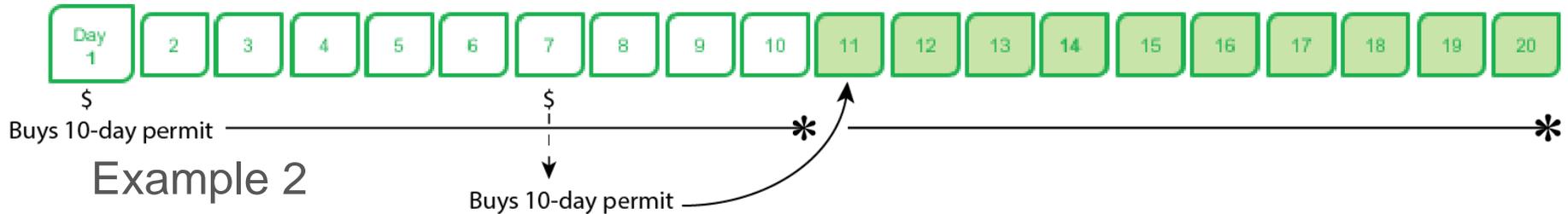
- ✧ Do not offer reminders for motorists to renew
- ✧ Offer reminders only before Time Permit expires
- ✧ Offer reminders both before and during a “grace period” to simulate the permit lapsing and extension process



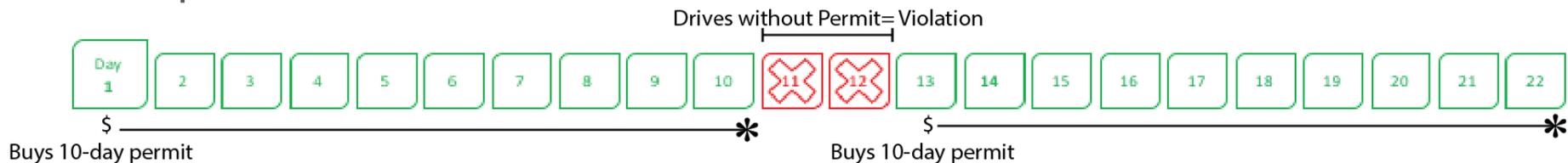
Violation Detection Procedures – Time Permit (continued)



Example 1



Example 3



Violation Detection Procedures – Mileage Permit and Odometer Charges

- ◆ Motorists submit odometer readings periodically
 - ❖ Self-reported (unverified): submit by mail/web/app
 - ❖ Official (verified): read/submitted in person



Mileage Permit options for the pilot:

- ❖ Odometer readings only at start and finish
- ❖ Odometer readings at start, middle (4.5 months), and finish.

Odometer Charge options for the pilot:

- ❖ Odometer readings only at start and finish
- ❖ Odometer readings at start, middle (4.5 months) and finish
- ❖ Odometer readings at start, 3-month, 6-month, and finish



Violation Detection Procedures – Mileage Permit and Odometer Charges (continued)

Reminder options for Mileage Permit and Odometer Charge:

- ❖ No reminder notices
- ❖ Send participants reminder message 1-2 weeks before readings required



Grace period options for Mileage Permit and Odometer Charge:

- ❖ Allow a mileage “grace period”
- ❖ No “grace periods” for mileage-based methods

Mileage Permit and Odometer Charge options for out-of-state drivers:

- ❖ Mileage Permit only for visitors
- ❖ No Mileage Permit or Odometer Charge methods for out-of-state visitors



Violation Detection Procedures – Detecting Odometer Rollback

- ◆ Vital part of a road charge enforcement system but:
 - ❖ Odometer fraud is illegal and significant enforcement effort in place
 - ❖ Pilot participants unlikely to roll back odometers
 - ❖ Simulating odometer rollback is illegal
- ◆ In a potential future road charge system:
 - ❖ Detection by vehicle history reports (e.g., from CarFax)
 - ❖ Financial motivation small
 - ❖ Especially small while fuel tax is in place



Options for detecting odometer fraud in pilot:

- ❖ Assign the roll of “odometer fraudster” to a few volunteers in the pilot
- ❖ Do not check for odometer rollback in pilot



Violation Detection Procedures – Automated Distance Reporting

- ◆ OBDII mileage meters: logs include insertion and removal times, device errors
- ◆ Vehicle telematics: logs include device errors; not clear if fraud is possible
- ◆ Smartphone application: logs identify suspected driving without phone in the vehicle; odometer images may also be used
- ◆ Commercial vehicle mileage meter: resembles either OBDII mileage meter or vehicle telematics



Options for detecting violations in Automated Distance Reporting methods during pilot:

- ✦ No attempt to detect violations for this method
- ✦ Detect violations by reviewing device error/event logs



Violation Investigation

- ◆ Time Permit: if permit is expired and grace period exceeded, no investigation needed—issue infraction notice
- ◆ Mileage Permit & Odometer charge: if odometer reading lower than previous reading, one must be incorrect
 - ✦ Typos more likely than fraud
 - ✦ Participants should be given opportunity to correct typos
- ◆ Automated distance reporting: Account Manager should ask participant the reason for unusual log entries



Options for investigating violations in the pilot:

- ✦ Do not simulate violation investigations
- ✦ Only investigate violations for Mileage Permit and Odometer Charge methods
- ✦ Require account managers to resolve minor issues and report to Account Management Oversight



Issue Infraction Notices

- ◆ No penalties in pilot because no cash exchanged
- ◆ In a potential future operational system:
 - ✧ Penalty notice via postal mail; maybe also e-mail
 - ✧ Motorist pays fine or appeals for adjudication
 - ✧ Penalty is typically a fine:
 - Small fines for minor infractions
 - Repeat offenders noted. Fines will grow
 - Penalty-setting body needs to be established in law



Options for issuing infraction notices in pilot:

- ✧ Do not issue infraction notices
- ✧ Issue infraction notices with directions to resolve with account managers



Receive Responses to Infraction Notices

- ◆ Customer service representatives will investigate, resolve, and document the issue
- ◆ Customer service representatives will treat “Violators” with kindness and respect
- ◆ In a potential future system, either the fine paid is paid and the violation closed out, or it is forwarded for adjudication



Options for receiving responses to infraction notices:

- ✧ No further action (do not simulate this aspect of enforcement)
- ✧ Direct account managers to field phone calls from those who receive infraction notices



Summary and Next Steps

- ◆ Primary suggested enforcement mechanism is analysis of the road charge database
- ◆ Motivation to defraud system will be low when the gas tax exists
- ◆ Enforcement data gathered during pilot from will inform the final road charge pilot report to the legislature



Policy Question and Staff Recommendations

What type of enforcement activities should be demonstrated in the pilot?

Staff recommends that the following approaches to enforcement be demonstrated during the pilot:

- 1. Conducting Enforcement Activities:** the Account Management Oversight (AMO) entity should be primarily responsible for conducting the enforcement activities.
- 2. Testing Enforcement:** selected volunteers should be assigned the role of “violator” to better test enforcement mechanisms.
- 3. Administering Time Permits:** use only electronic registration, with renewal reminders by email or text; and provide a 7-day grace period for renewals.



Policy Question and Staff Recommendations (continued)

4. Administering Mileage Permits and Odometer Charges:

Mileage Permit readings should be taken three times in the pilot, and four times for Odometer charges; each method should receive reminder notices 1-2 weeks prior to a reading due date; and each method should be entitled to a mileage “grace” of 300-miles. Neither of these methods should be provided for out-of-state vehicles.

5. Detecting Odometer Fraud: Odometer rollback will not be tested in the pilot.

6. Detecting Violations in Automated Distance Reporting: review electronic logs to detect possible violations.

7. Violations Investigation: Account managers assigned duty to resolve minor issues and report to Account Management Oversight entity.



Policy Question and Staff Recommendations (continued)

8. Issuance of Infraction Notices: Motorists should receive a notice of infraction that explains the issue and directs them to call their account manager.

9. Receiving Responses to Infraction Notices: Direct account managers to field phone calls from those who receive infraction notices.



