

I Introduction

Highway 407 ETR and the Province of Ontario Highway 407 (the section east of Brock road) (collectively the “**toll highways**”) is the world’s first all electronic open access highway. There are no toll booths or other methods of collecting direct payment from motorists when they enter or exit the toll highways. This helps to alleviate traffic congestion and makes for a safer and more predictable trip on the toll highways.

For those motorists who do not pay for their use of the toll highways, we will use various methods to collect unpaid charges. These methods include, but are not limited to, 407 ETR collectors, collection agencies, courts, and Plate Denial processes.

407 ETR has an established collection process to facilitate payment of overdue accounts. As early as 30 to 60 days after an account has been billed, you can expect communication from us relating to your unpaid account. If your account remains unpaid after the initial communication, various collection steps ranging from a customer service call to remind you of payment, to contact by a collection agency, initiation of court action and/or the initiation of the Plate Denial process may be undertaken. Extra costs to you could include interest, collection fees, enforcement fees, and legal expenses. It is always best to clear up a bill in the early stages as a preventative measure.

II Guiding Principles and Law

We are bound by the laws of Ontario and Canada including the Highway 407 Act, Highway 407 East Act, and regulations made there under. (collectively the “**Act**”) The Act deals with some of the unique aspects of an electronic toll highway.

Some of its key elements are:

- We must provide access to the toll highways to the public;
- Payment for use of the toll highways is due when an invoice is sent;
- We can use any method of enforcement and collections available at law to collect payment of charges for use of the toll highways; and
- We can require the Registrar of Motor Vehicles (the “Registrar”) to refuse to validate (renew) your vehicle permit for charges for the use of The toll highways that remain unpaid and, where the license plate in respect of the unpaid charges becomes unattached from the vehicle or expired, to refuse to validate (renew) another single vehicle permit issued to you and refuse to issue a vehicle permit to you.

407 ETR has a well established communication process in place to ensure that each customer is heard through an avenue of appeal, regardless of the issue or the customer’s channel of communication. These functions are real-time referrals to supervisors when you call; a Customer Advocacy Team; a Privacy Officer; a Dispute Administration group; a collection agency Ombudsman; and a 407 ETR Ombudsman. Please contact us if you have a billing issue and we will work it out together!

III Roles, Responsibilities, Rights, and Obligations

The Customer

You are responsible to pay promptly for your use of the toll highways as well as keeping us up to date on information that may affect you. This includes your street address, online mail delivery service contact information (such as e-post), any electronic mailing address provided to us, vehicle and plate information, and method of payment information. Please notify us immediately whenever you change your vehicle, or obtain a new license plate, or transfer your current plate to another person, and notify us and the Ministry of Transportation (“MTO”) of your change of address within 6 days (407etr.com or 1-888-407-0407).

407 ETR

We will invoice you for your use of the toll highways, issue legal notices as necessary, and respond to your disputes and inquiries.

We will send your monthly bill to your street address or to an online mail delivery service as provided either by you or obtained by us from the MTO or other agencies for vehicle permits issued by out-of-Ontario jurisdictions, as the case may be. We include messages relating to overdue accounts on the front page of your account to bring the situation to your attention. If your account remains unpaid additional collection messages will continue to be included. If your account is overdue a full page "Notice of Failure to Pay" insert may be included with your bill. If your account still remains unpaid a formal notice of Plate Denial is sent to you.

As required by the provisions of the Act, you will be sent the "Notice of Failure to Pay" and other notices regarding Plate Denial at your address that we obtain from the MTO or other agencies for vehicle permits issued by out-of-Ontario jurisdictions, as the case may be, regardless of any other address that you may have provided to us. You are required by law to update the MTO with any address change within 6 days.

Collection Agencies engaged by 407 ETR

Collection agencies engaged by us must adhere to the Collections Agencies Act and the Consumer Protection Act in the Province of Ontario. They must comply with all aspects of the Federal Personal Information Protection and Electronic Documents Act.

- Please refer to the [Collections Agencies Act of Ontario](#)
- Please refer to the [Consumer Protection Act of Ontario](#)
- Please refer to the Federal ([Personal Information Protection and Electronic Documents Act](#))

If you feel that any Collection Agency employed by us is not adhering to the regulatory requirements set out in the above web sites you can address this with us through one of the channels of communication indicated in the Guiding Principles and Law section above or on our website www.407etr.com.

The MTO

The MTO makes available to us information including your name and address.

The Registrar

The Registrar is required by law to deny vehicle permits when requested by us, as noted in the **Guiding Principles and Law** section above.

IV Code of Conduct regarding Collection Activity

If we, or a collection agency on our behalf, call you regarding collection:

We will be clear about who is contacting you and why

Once we have identified the right contact, we openly disclose our name and the name of the agency calling on our behalf and will clearly state the account and balance about which we are contacting you. Before a collection agency calls, a written notice will be sent to you 6 days prior to any telephone contact.

We limit the number of phone contacts

We have instructed our collection agencies to limit the number of dialler phone contacts to 3 in a 7 - day period. A contact is only counted if the call is answered by a person or an answering service where a message can be left. The agency may keep trying if they cannot contact you. We have

instructed our agencies not to make phone calls on a Sunday, statutory holidays or before 7 a.m. and after 9 p.m. daily.

We avoid unprofessional conduct

We endorse and facilitate fair and respectful treatment of our customers and individuals with overdue 407 ETR accounts. We do not endorse the use of coercive language, or to threaten loss of employment or loss of community ranking. We will not discriminate on grounds of race, colour, creed, sex, religion, or national origin. We will not make harassing phone calls.

We advise you of legal action

We have instructed our collection agencies and legal counsel to advise you in writing at your last known address, if legal action is being taken.

Please refer to the: [Government of Ontario Collection Agency Guidelines](#)

Collection agencies are not, generally, allowed to contact your friends, employer, relatives, or neighbours for information, other than your home telephone number or address. The only exceptions are where you have consented to or authorized such contact, or the agency is contacting a person about a debt they have guaranteed to pay for you or contacting an employer about payment connected with a wage assignment or a court order, or to confirm your employment, business title and business address.

V The Process for Collections and Plate Denial

Amounts owed are due and payable when the invoice is sent. If amounts are not paid within 37 days after the invoice is sent, interest charges will be applied to your overdue balance. Before any action by a collection agency is taken, we may contact you with a reminder that your account is overdue.

If your account balance remains overdue, your account may be referred to a collection agency and a collection fee may be added to the total amount due.

Should you continue not to pay, we may issue a "Notice of Failure to Pay" ("Notice"). This Notice provides amounts owed, shows valid grounds for dispute, and has instructions on how to dispute amounts owed to us, including suggestions on proof that you may wish to provide to us to support your dispute. Please note that you must send your notice of dispute to us within 30 days of receiving the Notice. Please also refer to "Contact us within 30 days if you have a billing issue" below.

If you dispute amounts owed to us, we will respond to you within 30 days of receiving your notice of dispute. If you do not agree with our response, you may appeal to an independent Arbitrator. Details on how to appeal to the Arbitrator will be provided to you with our decision.

While your dispute is being reviewed by us, we will instruct our collection agency to stop all activity on your account. Their activity may resume, upon a final disposition of your dispute.

Amounts that were the subject of the Notice may be sent to Plate Denial no sooner than 90 days after the first Notice is sent. You are deemed to have received the Notice in accordance with the Act.

When we notify the Registrar to deny your vehicle permit, we will also copy you by registered letter at the address that we will have obtained from the MTO.

The Registrar will refuse to validate your vehicle permit, or issue a vehicle permit to you, while these amounts are owed to us as described in the **Guiding Principles and Law** section above.

Please note that collection activity and Plate Denial can operate independently of each other, or in tandem. Also, please note that interest will continue to apply to amounts owed to us before, during and after the dispute, appeal or Plate Denial process, until such time as any amounts owed to us are paid in full.

VI Steps Customers Can Take to Avoid Collections

It is in your best interests to pay your bill promptly

Our bills are due on the day they are sent to you. Accounts that are overdue and referred to collection activity are more costly to you. It is important to recognize that you will pay extra for interest and collections and/or enforcement fees owing to the cost of collection activity and aging of receivables.

Your address must be current with both 407 ETR and the MTO

When you travel the toll highways, you can expect to receive a bill each month. If you do not receive a bill, please call us and, if necessary, update your address. For billing purposes, we use the address provided to us by the MTO or other agencies for vehicle permits issued by out-of-Ontario jurisdictions, as the case may be, when you first travel the toll highways. After that, it is your responsibility to let us know when your address information changes, this includes your street address, online mail delivery service contact information (such as e-post), or any electronic mailing address provided to us. Contrary to what many customers believe, we do not receive automatic address updates from the MTO or other agencies for vehicle permits issued by out-of-Ontario jurisdictions. You must notify the MTO as well as us within 6 days of changing your address. We cannot do this for you.

Collection activity may result when your bill goes to your old address and remains unpaid. By law, all Notices and Plate Denial notices are sent to the address provided to us by the MTO or other agencies for vehicle permits issued by out-of-Ontario jurisdictions, as the case may be.

If your bill has gone astray you can call us and we will send you a bill reprint. Please note that you are responsible for paying your bill regardless if your bill has been lost or misplaced.

Contact us within 30 days if you have a billing issue

If you have any concerns about your bill, please call us right away and we will work with you to resolve any issues. Leaving it for several months makes reconciliation more difficult and could result in unnecessary collection activity.

If you wish to dispute the tolls on the Notice referred to above, you must do so in writing and within the time period mentioned in the Notice. Your Notice of Dispute should be sent to one of the addresses listed on the Notice. You cannot dispute a Notice by calling the Call Centre.

Avoid multiple bill confusion

Merge multiple bills into One Simple Bill to avoid missing payments on one of them. All too often customers inadvertently face collection activity simply by missing payment of one bill.

When you have multiple bills, it is easy to pay the wrong one, while the other one slips into collection activity. Remember to check and use your new or current 407 ETR account number when using telephone banking, paying by credit card or any other payment method.

Keep your bills current

Debts should not be treated lightly. They can result in court action, which can lead to money being taken from your paycheque, the seizure of your assets, and harm to your credit rating. If your financial problems are worsening, you may wish to consider contacting a credit counselling service for help.