

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2011

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HOUSE BILL 1076*

Short Title: Authorize Reciprocity Agreements for Tolls.-AB (Public)

Sponsors: Representatives Frye and Mills (Primary Sponsors).
For a complete list of Sponsors, see Bill Information on the NCGA Web Site.

Referred to: Transportation.

May 24, 2012

1 A BILL TO BE ENTITLED
2 AN ACT TO AUTHORIZE RECIPROCITY AGREEMENTS FOR TOLL PAYMENTS
3 BETWEEN THE NORTH CAROLINA TURNPIKE AUTHORITY AND OTHER TOLL
4 AGENCIES, AS RECOMMENDED BY THE JOINT LEGISLATIVE
5 TRANSPORTATION OVERSIGHT COMMITTEE.

6 The General Assembly of North Carolina enacts:

7 SECTION 1. G.S. 136-89.183(a) is amended by adding a new subdivision to read
8 as follows:

9 "§ 136-89.183. Powers of the Authority.

10 (a) The Authority shall have all of the powers necessary to execute the provisions of
11 this Article, including the following:

12 ...

13 (19) To enter into reciprocal toll enforcement agreements with other toll
14 agencies, as provided in G.S. 136-89.220."

15 SECTION 2. G.S. 136-89.217 reads as rewritten:

16 "§ 136-89.217. Vehicle registration renewal blocked for unpaid open road toll.

17 (a) Registration Block. – Failure of a person to pay an open road toll billed to the
18 person under G.S. 136-89.214, any processing fee added under G.S. 136-89.215, and any civil
19 penalty imposed under ~~G.S. 136-89.216~~G.S. 136-89.216, as well as any toll, processing fee, or
20 civil penalty owed to another tolling jurisdiction with which the Authority has a valid
21 reciprocal toll enforcement agreement under G.S. 136-89.220, is grounds under G.S. 20-54 to
22 withhold the registration renewal of a motor vehicle registered in that person's name. The
23 Authority must notify the Commissioner of Motor Vehicles of a person who owes a toll, a
24 processing fee, or a civil penalty. When notified, the Commissioner of Motor Vehicles must
25 withhold the registration renewal of any motor vehicle registered in that person's name.

26 (b) Repealed by Session Laws 2010-133, s. 6, effective December 1, 2010."

27 SECTION 3. Part 2 of Article 6H of Chapter 136 of the General Statutes is
28 amended by adding a new section to read as follows:

29 "§ 136-89.220. Reciprocal toll enforcement agreements.

30 The Authority may enter into reciprocal agreement with other tolling jurisdictions to
31 enforce toll violations. Such an agreement shall provide that, when another toll agency certifies
32 that the registered owner of a vehicle registered in this State has failed to pay a toll, processing
33 fee, or civil penalty due to that toll agency, the unpaid toll, processing fee, or civil penalty may
34 be enforced by the Authority placing a renewal block as if it were an unpaid toll, processing



1 fee, or civil penalty owed to this State under G.S. 136-89.217. Such agreement shall only be
2 enforceable, however, if all of the following are true:

3 (1) The other toll agency has its own effective reciprocal procedure for toll
4 violation enforcement and does, in fact, reciprocate in enforcing toll
5 violations within this State by withholding the registration renewal of
6 registered owners of motor vehicles from the state of the other toll agency.

7 (2) The other toll agency provides due process and appeal protections to avoid
8 the likelihood that a false, mistaken, or unjustified claim will be pursued
9 against the owner of a vehicle registered in this State.

10 (3) The owner of a vehicle registered in this State may present evidence to the
11 other toll agency by mail or other means to invoke rights of due process
12 without having to appear personally in the jurisdiction where the violation
13 allegedly occurred.

14 (4) The reciprocal violation enforcement arrangement between the Authority
15 and the other toll agency provides that each party shall charge the other for
16 costs associated with registration holds in their respective jurisdictions."

17 **SECTION 4.** This act is effective when it becomes law.