

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2011

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HOUSE DRH11275-MEfz-143A (04/10)

Short Title: Repeal Ferry Tolls.

(Public)

Sponsors: Representative Spear.

Referred to:

1 A BILL TO BE ENTITLED
2 AN ACT TO REPEAL THE FERRY TOLLS IMPOSED UNDER S.L. 2011-145, AS
3 RECOMMENDED BY THE JOINT LEGISLATIVE TRANSPORTATION OVERSIGHT
4 COMMITTEE.

5 The General Assembly of North Carolina enacts:

6 **SECTION 1.** G.S. 136-82 reads as rewritten:

7 "**§ 136-82. Department of Transportation to establish and maintain ferries.**

8 The Department of Transportation is vested with authority to provide for the establishment
9 and maintenance of ferries connecting the parts of the State highway system, whenever in its
10 discretion the public good may so require, and to prescribe and collect such tolls therefor as
11 may, in the discretion of the Department of Transportation, be expedient. ~~The Board of
12 Transportation shall establish tolls for all ferry routes, except for the Ocracoke/Hatteras Ferry
13 and the Knotts Island Ferry.~~

14 To accomplish the purpose of this section said Department of Transportation is authorized
15 to acquire, own, lease, charter or otherwise control all necessary vessels, boats, terminals or
16 other facilities required for the proper operation of such ferries or to enter into contracts with
17 persons, firms or corporations for the operation thereof and to pay therefor such reasonable
18 sums as may in the opinion of said Department of Transportation represent the fair value of the
19 public service rendered.

20 The Department of Transportation, notwithstanding any other provision of law, may
21 operate, or contract for the operation of, concessions on the ferries and at ferry facilities to
22 provide to passengers on the ferries food, drink, and other refreshments, personal comfort
23 items, and souvenirs publicizing the ferry system."

24 **SECTION 2.** Notwithstanding the Senate Appropriations Committee Report on
25 House Bill 200, incorporated into S.L. 2011-145 by Section 32.4(a) of that act, the Department
26 of Transportation, Ferry Division, shall not raise ferry tolls as set forth in that Committee
27 Report.

28 **SECTION 3.** The amendments to 19A NCAC 02 .0531 through 19A NCAC 02
29 .0532, submitted by the Department of Transportation to the Office of Administrative Hearings
30 on March 1, 2012, are disapproved.

31 **SECTION 4.** It is the intent of the General Assembly to adjust the 2011-2013
32 operating budget of the Ferry Division to account for any shortfalls created by this act.

33 **SECTION 5.** The Department of Transportation, Ferry Division, may continue to
34 study, during the 2011-2013 fiscal biennium, the issue of increasing ferry tolls.

35 **SECTION 6.** This act is effective when it becomes law.



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