

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2011

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SENATE BILL 893*

Short Title: Privacy of Turnpike Authority Toll Data.-AB (Public)

Sponsors: Senators Rabon; Bingham, Carney, Davis, Goolsby, Harrington, Meredith, Rouzer, and Westmoreland.

Referred to: Transportation.

May 24, 2012

A BILL TO BE ENTITLED

AN ACT TO ENSURE THE PRIVACY OF TOLL DATA COLLECTED BY THE DEPARTMENT OF TRANSPORTATION THROUGH THE NORTH CAROLINA TURNPIKE AUTHORITY, AS RECOMMENDED BY THE JOINT LEGISLATIVE TRANSPORTATION OVERSIGHT COMMITTEE.

The General Assembly of North Carolina enacts:

SECTION 1. G.S. 136-89.213 reads as rewritten:

"§ 136-89.213. Administration of tolls and requirements for open road tolls.

(a) Administration. – The Authority is responsible for collecting tolls on Turnpike projects. In exercising its authority under G.S. 136-89.183 to perform or procure services required by the Authority, the Authority may contract with one or more providers to perform part or all of the collection functions and may enter into agreements to exchange information that identifies motor vehicles and their owners with one or more of the following entities: the Division of Motor Vehicles of the Department of Transportation, another state, another toll operator, or a toll collection-related organization.

(a1) Identifying information obtained by the Authority through an agreement is not a public record and is subject to the disclosure limitations in 18 U.S.C. § 2721, the federal Driver's Privacy Protection Act. The Authority shall maintain the confidentiality of all information relating to electronic toll collection, including, but not limited to, personal information, financial information, transactions and transaction history, and information related to the collection of a toll or user fee, including, but not limited to, photographs or other recorded images or automatic vehicle identification or driver account information generated by radio-frequency identification or other electronic means. Notwithstanding the provisions of this section:

(1) The account holder may examine his own account information, and the Authority may use the account information for purposes of collecting and enforcing tolls.

(2) A party, by authority of a proper court order, may inspect and examine confidential account information."

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SECTION 2. This act is effective when it becomes law.

