

GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2005

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SENATE BILL 1578\*

Short Title: NC/VA Interstate Toll Road Compact.

(Public)

Sponsors: Senator Jenkins.

Referred to: Transportation.

May 18, 2006

1 A BILL TO BE ENTITLED  
2 AN ACT TO ESTABLISH THE VIRGINIA-NORTH CAROLINA INTERSTATE  
3 TOLL ROAD COMPACT.

4 The General Assembly of North Carolina enacts:

5 SECTION 1. Chapter 136 of the General Statutes is amended by adding a  
6 new Article to read:

7 "Article 6I.

8 "Virginia-North Carolina Interstate Toll Road Compact.

9 "**§ 136-89.200. Legislative findings.**

10 (a) The General Assembly finds that the existing Interstate system is becoming  
11 increasingly congested and overburdened with traffic in many areas of the State; that the  
12 sharp surge of vehicle miles traveled is overwhelming the State's ability to build and  
13 pay for adequate road improvements; and that an adequate answer to this challenge will  
14 require the State to be innovative and utilize several new approaches to transportation  
15 improvements in North Carolina.

16 Toll funding of Interstate 95 highway and bridge construction is feasible in North  
17 Carolina and can contribute to addressing the critical transportation needs of the State.  
18 A toll program on I-95 can speed the implementation of needed transportation  
19 improvements by funding some projects with tolls.

20 (b) The Commonwealth of Virginia has enacted Chapter 917 of its 2006 Laws  
21 (Senate Bill 614) establishing the Virginia-North Carolina Interstate Toll Road  
22 Compact, contingent on similar action by the State of North Carolina.

23 "**§ 136-89.201. Virginia-North Carolina Interstate Toll Road Compact; form of**  
24 **compact.**

25 The Virginia-North Carolina Interstate Toll Road Compact is enacted into law and  
26 entered into with all other jurisdictions legally joining in the form substantially as  
27 follows:

28 Article I.

29 Short Title.

1 This shall be known and may be cited as the Virginia-North Carolina Interstate Toll  
2 Road Compact.

3 Article II.

4 Compact Established.

5 Pursuant to Public Law 109-59 (Safe, Accountable, Flexible, Efficient  
6 Transportation Equity Act: A Legacy for Users), there is hereby established the  
7 Virginia-North Carolina Interstate Toll Road Compact (the Compact).

8 Article III.

9 Agreement.

10 The Commonwealth of Virginia and the State of North Carolina agree, upon  
11 adoption of this compact:

- 12 (1) To set, impose, and collect tolls, not to exceed a maximum of five  
13 dollars (\$5.00) for a two-axle vehicle, for use of Interstate Route 95  
14 within their respective boundaries;  
15 (2) To share the net proceeds from tolls collected evenly after deducting  
16 their actual and necessary costs of collection and operation, with each  
17 state's share of the proceeds to be used as the laws of that state may  
18 provide, subject to federal law; and  
19 (3) To coordinate efforts to establish welcome centers, rest areas, and  
20 facilities where travelers may obtain food, fuel, souvenirs, and vehicle  
21 repairs and service.

22 Article IV.

23 Compact Commission Established; Membership; Chairman; Meetings; and Report.

24 The Commonwealth of Virginia and the State of North Carolina shall each establish  
25 a compact commission. In Virginia, the Virginia-North Carolina Interstate Toll Road  
26 Compact Commission (the Commission) shall be established as a regional  
27 instrumentality and common agency of the Commonwealth of Virginia and the State of  
28 North Carolina. The compact commission of each state shall be empowered to carry out  
29 the purposes of the Compact.

30 The Compact Commission shall have a total membership of 10 legislative members,  
31 consisting of five legislative members representing the Commonwealth of Virginia and  
32 five legislative members representing the State of North Carolina. The Virginia  
33 members of the Commission shall be appointed as follows: two members of the Senate  
34 to be appointed by the Senate Committee on Rules, and three members of the House of  
35 Delegates to be appointed by the Speaker of the House of Delegates, in accordance with  
36 the principles of proportional representation contained in the Rules of the House of  
37 Delegates. The Virginia members of the Commission shall serve terms coincident with  
38 their terms of office, and may be reappointed. However, no Senate member shall serve  
39 more than two consecutive four-year terms, and no House member shall serve more  
40 than four consecutive two-year terms.

41 The North Carolina members of the Commission shall be appointed and may be  
42 removed in accordance with applicable statutes of the State of North Carolina, as  
43 appropriate.

1 The chairman of the Commission shall be elected by the members of the  
 2 Commission from among its membership. The chairman shall serve for a term of one  
 3 year. The chairmanship shall rotate between the Commonwealth of Virginia and the  
 4 State of North Carolina.

5 The Commission shall meet not less than twice annually, and at least once in  
 6 Virginia and once in North Carolina. The Commission shall issue an annual report of its  
 7 activities to the Governors and the General Assembly of Virginia and the General  
 8 Assembly of North Carolina.

9 Article V.

10 Funding and Compensation.

11 The Commission may utilize for its operation and expenses funds appropriated to it  
 12 for such purposes by the Virginia General Assembly and North Carolina General  
 13 Assembly, or funds received from federal sources.

14 The Virginia members of the Commission shall receive such compensation as  
 15 provided in § 30-19.12 and shall be reimbursed for all reasonable and necessary  
 16 expenses incurred in the performance of their duties to the Commission as provided in  
 17 §§ 2.2-2813 and 2.2-2825. The North Carolina members of the Commission shall  
 18 receive per diem, subsistence, and travel allowances in accordance with applicable  
 19 statutes of the State of North Carolina, as appropriate. However, all such compensation  
 20 and expenses shall be paid from existing appropriations and funds provided to the  
 21 Commission.

22 Article VI.

23 Staff Support.

24 The Virginia Department of Transportation and the North Carolina Department of  
 25 Transportation shall provide staff support to the Commission.

26 **§ 136-89.202. Commission established; appointment and terms of members;**  
 27 **chairman; reports; Commission funds; staff.**

28 (a) The Virginia-North Carolina Interstate Toll Road Compact Commission is  
 29 hereby established as a regional instrumentality and a common agency of the State of  
 30 North Carolina and the Commonwealth of Virginia, and may carry out the purposes of  
 31 the Compact, including establishing tolls as provided by this Article.

32 (b) The North Carolina members of the Commission shall be composed of five  
 33 members as follows: two members appointed by the General Assembly upon  
 34 recommendation of the President Pro Tempore of the Senate, two members appointed  
 35 by the General Assembly upon recommendation of the Speaker of the House of  
 36 Representatives, and one appointed by the Governor. One of the initial appointments  
 37 upon the recommendation of the President Pro Tempore of the Senate shall be for a  
 38 four-year term to begin July 1, 2006, and the other shall be for a two-year term to begin  
 39 July 1, 2006. One of the initial appointments upon the recommendation of the Speaker  
 40 of the House of Representatives shall be for a four-year term to begin July 1, 2006, and  
 41 the other shall be for a two-year term to begin July 1, 2006. The initial appointment by  
 42 the Governor shall be for a four-year term to begin July 1, 2006. The member appointed  
 43 by the Governor may be removed in the same manner as provided by G.S. 143B-13.

1 Members appointed by the General Assembly may be removed by the General  
2 Assembly, or their offices vacated in accordance with G.S. 143B-13(b).  
3 (c) North Carolina members of the Commission shall receive per diem,  
4 subsistence, and travel allowances in accordance with Chapter 138 of the General  
5 Statutes."

6 **SECTION 2.** This act shall become effective upon its enactment by the State  
7 of North Carolina and the Commonwealth of Virginia, and in accordance with federal  
8 law authorizing this compact.

9 **SECTION 3.** This act is effective when it becomes law.