

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2011

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BILL DRAFT 2011-MEf-143A [v.3] (04/10)

(THIS IS A DRAFT AND IS NOT READY FOR INTRODUCTION)

4/20/2012 3:50:37 PM

Short Title: Repeal Ferry Tolls.

(Public)

Sponsors: Representative Spear.

Referred to:

A BILL TO BE ENTITLED
AN ACT TO REPEAL THE FERRY TOLLS IMPOSED UNDER S.L. 2011-145.
The General Assembly of North Carolina enacts:

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

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

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

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

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

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

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

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

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

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



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