

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2011

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BILL DRAFT 2011-ME-149 [v.3] (04/19)

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

5/10/2012 9:40:27 AM

Short Title: Authorize Reciprocity Agreements for Tolls.-AB

(Public)

Sponsors: .

Referred to:

A BILL TO BE ENTITLED
AN ACT TO AUTHORIZE RECIPROCITY AGREEMENTS FOR TOLL PAYMENTS
BETWEEN THE NORTH CAROLINA TURNPIKE AUTHORITY AND OTHER TOLL
AGENCIES.

The General Assembly of North Carolina enacts:

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

"§ 136-89.183. Powers of the Authority.

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

...

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

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

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

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

(b) Repealed by Session Laws 2010-133, s. 6, effective December 1, 2010."

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

"§ 136-89.220. Reciprocal toll enforcement agreements.

The Authority may enter into reciprocal agreement with other tolling jurisdictions to enforce toll violations. Such an agreement shall provide that, when another toll agency certifies that the registered owner of a vehicle registered in this State has failed to pay a toll, processing fee, or civil penalty due to that toll agency, the unpaid toll, processing fee, or civil penalty may



1 be enforced by the Authority placing a renewal block as if it were an unpaid toll, processing
2 fee, or civil penalty owed to this State under G.S. 136-89.217. Such agreement shall only be
3 enforceable, however, if all of the following are true:

- 4 (1) The other toll agency has its own effective reciprocal procedure for toll
5 violation enforcement and does, in fact, reciprocate in enforcing toll
6 violations within this State by withholding the registration renewal of
7 registered owners of motor vehicles from the State of the other toll agency.
- 8 (2) The other toll agency provides due process and appeal protections to avoid
9 the likelihood that a false, mistaken, or unjustified claim will be pursued
10 against the owner of a vehicle registered in this State.
- 11 (3) The owner of a vehicle registered in this State may present evidence to the
12 other toll agency by mail or other means to invoke rights of due process
13 without having to appear personally in the jurisdiction where the violation
14 allegedly occurred.
- 15 (4) The reciprocal violation enforcement arrangement between the Authority
16 and the other toll agency provides that each party shall charge the other for
17 costs associated with registration hold in their respective jurisdiction."

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