

GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2013

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HOUSE BILL 267  
PROPOSED COMMITTEE SUBSTITUTE H267-PCS10386-RWx-38

Short Title: Limit Tolling on Existing Interstates.

(Public)

Sponsors:

Referred to:

March 11, 2013

1 A BILL TO BE ENTITLED  
2 AN ACT TO SPECIFY THE CONDITIONS UNDER WHICH THE TURNPIKE  
3 AUTHORITY MAY COLLECT TOLLS ON AN EXISTING INTERSTATE HIGHWAY.

4 The General Assembly of North Carolina enacts:

5 **SECTION 1.** G.S. 136-89.198 reads as rewritten:

6 "**§ 136-89.198. Authority to toll existing interstate ~~highways.~~ highway capacity,**  
7 **requirement to maintain non-toll capacity.**

8 (a) General. – ~~Notwithstanding any other provision of this Article, the~~The Authority  
9 may collect tolls on ~~any existing interstate highway~~highway capacity, if all of the following  
10 conditions are met:

11 (1) ~~for which the~~The United States Department of Transportation has granted  
12 permission by permit, or any other lawful means, to do so.

13 (2) The Authority continuously maintains at all times the same number of  
14 general purpose non-toll lanes on the affected segment that were available  
15 prior to imposition of any tolls. The Authority may authorize brief lane  
16 closures during reasonable periods of repair and maintenance of the non-toll  
17 lanes, but must maintain access to non-toll lanes at all times during the repair  
18 or maintenance.

19 (3) The revenue generated from the tolls will be used by the Authority to  
20 increase capacity on the portion of the interstate highway where the toll is  
21 collected. The revenue generated from the collected tolls shall be used by the  
22 Authority to repair and maintain the interstate on which the tolls were  
23 collected. These revenues shall not be used to repair, maintain, or upgrade  
24 any State primary or secondary road adjacent to or connected with the  
25 interstate highways.

26 (b) Method. – The Authority shall establish toll locations on the permitted interstate  
27 highway in accordance with federal guidelines. Toll locations shall be erected at or near the  
28 borders of the State and at such other locations that are not impracticable, unfeasible, or that  
29 would result in an unsafe or hazardous condition.

30 (c) Severability. – If any provision of this section or its application is held invalid, the  
31 invalidity does not affect other provisions or applications of this section that can be given effect  
32 without the invalid provisions or application, and to this end the provisions of this section are  
33 severable."

34 **SECTION 2.** This act is effective when it becomes law, and applies to any project  
35 on an existing interstate highway let for construction after that date.



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