

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2023

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SENATE BILL DRS35214-MW-21

Short Title: I-95 Toll Prohibition.

(Public)

Sponsors: Senators B. Newton, Sawrey, and Britt (Primary Sponsors).

Referred to:

1 A BILL TO BE ENTITLED
2 AN ACT TO PROHIBIT THE IMPOSITION OF TOLLS ON INTERSTATE 95 FOR TEN
3 YEARS AND TO REQUIRE THE PRIOR APPROVAL OF THE GENERAL ASSEMBLY
4 FOR TOLLING INTERSTATE 95 THEREAFTER.

5 The General Assembly of North Carolina enacts:

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

7 "§ 136-89.198. Authority to toll existing interstate highways.

8 (a) General. – Notwithstanding any other provision of this Article, and with the exception
9 set forth in subsection (d) of this section, the Authority may collect tolls on any existing interstate
10 highway for which the United States Department of Transportation has granted permission by
11 permit, or any other lawful means, to do so. The revenue generated from the collected tolls shall
12 be used by the Authority to repair and maintain the interstate on which the tolls were collected.
13 These revenues shall not be used to repair, maintain, or upgrade any State primary or secondary
14 road adjacent to or connected with the interstate highways.

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

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

23 (d) Exception. – This section shall not apply to Interstate 95. The Authority may not
24 collect tolls on Interstate 95."

25 SECTION 2. G.S. 136-89.198, as rewritten by Section 1 of this act, reads as
26 rewritten:

27 "§ 136-89.198. Authority to toll existing interstate highways.

28 (a) General. – Notwithstanding any other provision of this Article, and with the exception
29 set forth in subsection (d) of this section, the Authority may collect tolls on any existing interstate
30 highway for which the United States Department of Transportation has granted permission by
31 permit, or any other lawful means, to do so. The revenue generated from the collected tolls shall
32 be used by the Authority to repair and maintain the interstate on which the tolls were collected.
33 These revenues shall not be used to repair, maintain, or upgrade any State primary or secondary
34 road adjacent to or connected with the interstate highways.

35 (b) Method. – The Authority shall establish toll locations on the permitted interstate
36 highway in accordance with federal guidelines. Toll locations shall be erected at or near the



1 borders of the State and at such other locations that are not impracticable, unfeasible, or that
2 would result in an unsafe or hazardous condition.

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

7 (d) Exception. – ~~This section shall not apply to Interstate 95. The Authority may not~~
8 ~~collect tolls on Interstate 95.~~ Notwithstanding any other provision of law, the Authority may not
9 collect tolls on Interstate 95 without the prior approval of the General Assembly."

10 **SECTION 3.** Section 2 of this act becomes effective July 1, 2033. The remainder of
11 this act is effective when it becomes law.