

GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2015

H.B. 685  
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HOUSE PRINCIPAL CLERK

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HOUSE DRH10273-MLf-230 (4/7)

Short Title: Cap Amount Owed for Unpaid Open Road Toll. (Public)

Sponsors: Representative Luebke.

Referred to:

1 A BILL TO BE ENTITLED  
2 AN ACT TO REDUCE FROM NINETY DAYS TO THIRTY DAYS THE TIME IN WHICH  
3 THE TURNPIKE AUTHORITY HAS TO SEND A TOLL BILL AND TO CAP THE  
4 TOTAL AMOUNT CHARGED TO A PERSON FOR CERTAIN UNPAID OPEN ROAD  
5 TOLLS.

6 The General Assembly of North Carolina enacts:

7 **SECTION 1.** G.S. 136-89.214(a) reads as rewritten:

8 "(a) Bill. – If a motor vehicle travels on a Turnpike project that uses an open road tolling  
9 system and a toll for traveling on the project is not paid prior to travel or at the time of travel,  
10 the Authority must send a bill by first-class mail to the registered owner of the motor vehicle or  
11 the person who had care, custody, and control of the vehicle as established under  
12 G.S. 136-89.212(b) for the amount of the unpaid toll. The Authority must send the bill within  
13 ~~90~~30 days after the travel occurs, or within ~~90~~30 days of receipt of a sworn affidavit submitted  
14 under G.S. 136-89.212(b) identifying the person who had care, custody, and control of the  
15 motor vehicle. If a bill is not sent within the required time, the Authority waives collection of  
16 the toll. The Authority must establish a billing period for unpaid open road tolls that is no  
17 shorter than 15 days. A bill for a billing period must include all unpaid tolls incurred by the  
18 same person during the billing period."

19 **SECTION 2.** Article 6H of Chapter 136 of the General Statutes is amended by  
20 adding a new section to read:

21 "**§ 136-89.216A. Maximum amount charged for unpaid open road toll.**

22 Notwithstanding any other provision of law, if the sum total of unpaid open road tolls listed  
23 on an initial bill sent in accordance with G.S. 136-89.214 does not exceed five dollars (\$5.00),  
24 the amount charged for nonpayment of the bill shall not exceed fifty dollars (\$50.00). For  
25 purposes of this section, "amount charged" includes any processing fee imposed under  
26 G.S. 136-89.215 and any civil penalty assessed under G.S. 136-89.216, but does not include  
27 any toll, processing fee, or civil penalty owed to another tolling jurisdiction with which the  
28 Authority has a valid reciprocal toll enforcement agreement under G.S. 136-89.220."

29 **SECTION 3.** This act becomes effective October 1, 2015, and applies to tolls  
30 imposed on or after that date.

