

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2011

H.B. 1078
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HOUSE PRINCIPAL CLERK

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HOUSE DRH60152-MEZ-122* (03/05)

Short Title: Privacy of Turnpike Authority Toll Data.-AB (Public)

Sponsors: Representatives Frye and Mills (Primary Sponsors).

Referred to:

1 A BILL TO BE ENTITLED
2 AN ACT TO ENSURE THE PRIVACY OF TOLL DATA COLLECTED BY THE
3 DEPARTMENT OF TRANSPORTATION THROUGH THE NORTH CAROLINA
4 TURNPIKE AUTHORITY, AS RECOMMENDED BY THE JOINT LEGISLATIVE
5 TRANSPORTATION OVERSIGHT COMMITTEE.

6 The General Assembly of North Carolina enacts:

7 **SECTION 1.** G.S. 136-89.213 reads as rewritten:

8 "**§ 136-89.213. Administration of tolls and requirements for open road tolls.**

9 (a) Administration. – The Authority is responsible for collecting tolls on Turnpike
10 projects. In exercising its authority under G.S. 136-89.183 to perform or procure services
11 required by the Authority, the Authority may contract with one or more providers to perform
12 part or all of the collection functions and may enter into agreements to exchange information
13 that identifies motor vehicles and their owners with one or more of the following entities: the
14 Division of Motor Vehicles of the Department of Transportation, another state, another toll
15 operator, or a toll collection-related organization.

16 (a1) Identifying information obtained by the Authority through an agreement is not a
17 public record and is subject to the disclosure limitations in 18 U.S.C. § 2721, the federal
18 Driver's Privacy Protection Act. ~~Act.~~ The Authority shall maintain the confidentiality of all
19 information relating to electronic toll collection, including, but not limited to, personal
20 information, financial information, transactions and transaction history, and information related
21 to the collection of a toll or user fee, including, but not limited to, photographs or other
22 recorded images or automatic vehicle identification or driver account information generated by
23 radio-frequency identification or other electronic means. Notwithstanding the provisions of this
24 section:

25 (1) The account holder may examine his own account information, and the
26 Authority may use the account information for purposes of collecting and
27 enforcing tolls.

28 (2) A party, by authority of a proper court order, may inspect and examine
29 confidential account information."

30"

31 **SECTION 2.** This act is effective when it becomes law.



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