GENERAL ASSEMBLY OF NORTH CAROLINA SESSION 2005

H D

HOUSE DRH10421-LBx-286* (1/19)

Short Title: NC/VA Interstate Toll Road Compact. (Public)

Sponsors: Representative Owens.

Referred to:

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A BILL TO BE ENTITLED

2 AN ACT TO ESTABLISH THE VIRGINIA-NORTH CAROLINA INTERSTATE TOLL ROAD COMPACT.

The General Assembly of North Carolina enacts:

SECTION 1. Chapter 136 of the General Statutes is amended by adding a new Article to read:

"Article 6I.

"Virginia-North Carolina Interstate Toll Road Compact.

"§ 136-89.200. Legislative findings.

(a) The General Assembly finds that the existing Interstate system is becoming increasingly congested and overburdened with traffic in many areas of the State; that the sharp surge of vehicle miles traveled is overwhelming the State's ability to build and pay for adequate road improvements; and that an adequate answer to this challenge will require the State to be innovative and utilize several new approaches to transportation improvements in North Carolina.

Toll funding of Interstate 95 highway and bridge construction is feasible in North Carolina and can contribute to addressing the critical transportation needs of the State. A toll program on I-95 can speed the implementation of needed transportation improvements by funding some projects with tolls.

(b) The Commonwealth of Virginia has enacted Chapter 917 of its 2006 Laws (Senate Bill 614) establishing the Virginia-North Carolina Interstate Toll Road Compact, contingent on similar action by the State of North Carolina.

"§ 136-89.201. Virginia-North Carolina Interstate Toll Road Compact; form of compact.

The Virginia-North Carolina Interstate Toll Road Compact is enacted into law and entered into with all other jurisdictions legally joining in the form substantially as follows:

I	Article I.
2	Short Title.
3	This shall be known and may be cited as the Virginia-North Carolina Interstate Toll
4	Road Compact.
5	Article II.
6	Compact Established.
7	Pursuant to Public Law 109-59 (Safe, Accountable, Flexible, Efficient
8	Transportation Equity Act: A Legacy for Users), there is hereby established the
9	Virginia-North Carolina Interstate Toll Road Compact (the Compact).
10	Article III.
11	Agreement.
12	The Commonwealth of Virginia and the State of North Carolina agree, upon
13	adoption of this compact:
14	(1) To set, impose, and collect tolls, not to exceed a maximum of five
15	dollars (\$5.00) for a two-axle vehicle, for use of Interstate Route 95
16	within their respective boundaries;
17	(2) To share the net proceeds from tolls collected evenly after deducting
18	their actual and necessary costs of collection and operation, with each
19	state's share of the proceeds to be used as the laws of that state may
20	provide, subject to federal law; and
21	(3) To coordinate efforts to establish welcome centers, rest areas, and
22	facilities where travelers may obtain food, fuel, souvenirs, and vehicle
23	repairs and service.
24	Article IV.
25	Compact Commission Established; Membership; Chairman; Meetings; and Report.
26	The Commonwealth of Virginia and the State of North Carolina shall each establish
27	a compact commission. In Virginia, the Virginia-North Carolina Interstate Toll Road
28	Compact Commission (the Commission) shall be established as a regional
29	instrumentality and common agency of the Commonwealth of Virginia and the State of
30	North Carolina. The compact commission of each state shall be empowered to carry out
31	the purposes of the Compact.
32	The Compact Commission shall have a total membership of 10 legislative members,
33	consisting of five legislative members representing the Commonwealth of Virginia and
34	five legislative members representing the State of North Carolina. The Virginia
35	members of the Commission shall be appointed as follows: two members of the Senate
36	to be appointed by the Senate Committee on Rules, and three members of the House of
37	Delegates to be appointed by the Speaker of the House of Delegates, in accordance with
38	the principles of proportional representation contained in the Rules of the House of
39	Delegates. The Virginia members of the Commission shall serve terms coincident with
40	their terms of office, and may be reappointed. However, no Senate member shall serve
41	more than two consecutive four-year terms, and no House member shall serve more
42	than four consecutive two-year terms.

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 The North Carolina members of the Commission shall be appointed and may be removed in accordance with applicable statutes of the State of North Carolina, as appropriate.

The chairman of the Commission shall be elected by the members of the Commission from among its membership. The chairman shall serve for a term of one year. The chairmanship shall rotate between the Commonwealth of Virginia and the State of North Carolina.

The Commission shall meet not less than twice annually, and at least once in Virginia and once in North Carolina. The Commission shall issue an annual report of its activities to the Governors and the General Assembly of Virginia and the General Assembly of North Carolina.

Article V.

Funding and Compensation.

The Commission may utilize for its operation and expenses funds appropriated to it for such purposes by the Virginia General Assembly and North Carolina General Assembly, or funds received from federal sources.

The Virginia members of the Commission shall receive such compensation as provided in § 30-19.12 and shall be reimbursed for all reasonable and necessary expenses incurred in the performance of their duties to the Commission as provided in §§ 2.2-2813 and 2.2-2825. The North Carolina members of the Commission shall receive per diem, subsistence, and travel allowances in accordance with applicable statutes of the State of North Carolina, as appropriate. However, all such compensation and expenses shall be paid from existing appropriations and funds provided to the Commission.

Article VI. Staff Support.

The Virginia Department of Transportation and the North Carolina Department of Transportation shall provide staff support to the Commission.

"§ 136-89.202. Commission established; appointment and terms of members; chairman; reports; Commission funds; staff.

- (a) The Virginia-North Carolina Interstate Toll Road Compact Commission is hereby established as a regional instrumentality and a common agency of the State of North Carolina and the Commonwealth of Virginia, and may carry out the purposes of the Compact, including establishing tolls as provided by this Article.
- (b) The North Carolina members of the Commission shall be composed of five members as follows: two members appointed by the General Assembly upon recommendation of the President Pro Tempore of the Senate, two members appointed by the General Assembly upon recommendation of the Speaker of the House of Representatives, and one appointed by the Governor. One of the initial appointments upon the recommendation of the President Pro Tempore of the Senate shall be for a four-year term to begin July 1, 2006, and the other shall be for a two-year term to begin July 1, 2006, and the other shall be for a two-year term to begin July 1, 2006, and the other shall be for a two-year term to begin July 1, 2006. The initial appointment by

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- the Governor shall be for a four-year term to begin July 1, 2006. The member appointed by the Governor may be removed in the same manner as provided by G.S. 143B-13.

 Members appointed by the General Assembly may be removed by the General Assembly, or their offices vacated in accordance with G.S. 143B-13(b).

 (c) North Carolina members of the Commission shall receive per diem, subsistence, and travel allowances in accordance with Chapter 138 of the General Statutes."
 - **SECTION 2.** This act shall become effective upon its enactment by the State of North Carolina and the Commonwealth of Virginia, and in accordance with federal law authorizing this compact.
 - **SECTION 3.** This act is effective when it becomes law.

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