

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2011

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SENATE BILL 893*
Transportation Committee Substitute Adopted 5/30/12

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

(Public)

Sponsors:

Referred to:

May 24, 2012

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, the following shall apply:

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

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

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

