

State of North Carolina



BEVERLY EAVES PERDUE
GOVERNOR

EXECUTIVE ORDER NO. 116

ESTABLISH A MORATORIUM ON THE COLLECTION OF NEW TOLLS FOR THE NORTH CAROLINA FERRY SYSTEM

WHEREAS, the North Carolina Department of Transportation (“DOT”) operates ferries connecting components of the State highway system; and

WHEREAS, the ferry system is essential to our State’s citizens who use the ferries each day as a means of transportation to pursue their livelihoods; and

WHEREAS, the ferry system is also important to the State’s travel and tourism industry as a mode of transportation for thousands of tourists who explore North Carolina’s coastal areas each year; and

WHEREAS, a number of the ferries currently operating are offered at no expense to the public; and

WHEREAS, pursuant to Session Law 2011-145, section 31.30, the North Carolina General Assembly directed the Board of Transportation, no later than April 1, 2012, to establish tolls for all ferry routes, except for the Ocracoke/Hatteras Ferry and the Knotts Island Ferry; and

WHEREAS, while our State and nation are beginning to rise out of the recent economic recession, many of our citizens are still struggling to regain their economic footing; and

WHEREAS, the citizens and counties of coastal North Carolina continue to recover from the devastation caused by Hurricane Irene, which made landfall in coastal North Carolina on August 27, 2011; and

WHEREAS, North Carolina’s coastal counties continue to experience a slower economic recovery than other areas of the State due to the impact of Hurricane Irene; and

WHEREAS, it is crucial that our citizens who use the ferry system are not burdened with extra costs that threaten to negatively impact their economic progress and well-being; and

WHEREAS, it is also important that our State not impose additional costs that could reduce the attractiveness of our coastal areas as a tourist destination, thus harming our travel and tourism industry; and

WHEREAS, N.C. Gen. Stat. § 136-82 directs DOT to use its discretion to only collect such tolls as it deems expedient in the exercise of its discretion.

NOW, THEREFORE, by the power vested in me as Governor by the Constitution and the laws of the State of North Carolina, **IT IS ORDERED:**

1. Due to the harm that the collection of newly established or increased tolls threatens to cause to the economic well-being of the State's citizens, immediately upon the establishment of any new tolls as set out in Session Law 2011-145, section 31.30, the DOT shall place a moratorium on the collection of all such newly established tolls and all increases in existing tolls. The moratorium shall remain in place for a minimum period of twelve (12) months unless said moratorium is ended by act of the General Assembly within that period of time.
2. At the conclusion of the moratorium, the DOT shall review the economic conditions of the State and its citizens and make a recommendation as to whether the moratorium should be extended.
3. The Secretary of DOT is also directed to immediately conduct a comprehensive review of all existing costs and expenses within the DOT to identify sufficient savings to offset budgeted revenue that was anticipated to be collected from any new or increased tolls established pursuant to Session Law 2011-145, section 31.30. Savings identified by the Secretary of DOT shall be used to offset said anticipated budgeted revenues.
4. In addition, the DOT shall immediately cease ongoing construction of all new tolling infrastructure commenced in response to Session Law 2011-145, section 31.30, and shall refrain from renewing said construction while the above-referenced moratorium is in effect.

IN WITNESS WHEREOF, I have hereunto signed my name and affixed the Great Seal of the State of North Carolina at the Capitol in the City of Raleigh, this twenty-ninth day of February in the year of our Lord two thousand and twelve, and of the Independence of the United States of America the two hundred and thirty-sixth.

Beverly Eaves Perdue
Governor

ATTEST:

Elaine F. Marshall
Secretary of State