

By the Committee on Transportation; and Senator Garcia

596-02748-17

20171562c1

1 A bill to be entitled
2 An act relating to expressway authorities; providing a
3 short title; amending s. 348.0004, F.S.; providing
4 applicability; requiring toll increases by authorities
5 in certain counties to be justified by an independent
6 study by a third party; providing that such
7 authorities may only increase tolls to the extent
8 necessary to adjust for inflation pursuant to a
9 certain procedure for toll rate adjustments; requiring
10 toll increases to be approved by a vote of the
11 expressway authority boards; limiting the amount of
12 toll revenues such authorities may use for
13 administrative expenses; requiring a certain minimum
14 distance between main through-lane tolling points on
15 transportation facilities constructed after a
16 specified date, subject to a certain restriction;
17 providing applicability; conforming a cross-reference;
18 requiring authorities in certain counties to reduce
19 toll charges by a specified amount at the time that
20 any toll is incurred for certain SunPass registrants;
21 prohibiting authorities in certain counties from
22 imposing additional requirements for receipt of the
23 reduced toll amount; creating s. 348.00115, F.S.;
24 requiring authorities in certain counties to post
25 certain information on a website; defining the term
26 "contract"; providing an effective date.

27
28 Be It Enacted by the Legislature of the State of Florida:
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596-02748-17

20171562c1

30 Section 1. This act may be cited as the "Toll Reform Act."

31 Section 2. Present subsections (6) through (9) of section
32 348.0004, Florida Statutes, are redesignated as subsections (7)
33 through (10), respectively, paragraph (e) of subsection (2) of
34 that section is amended, and a new subsection (6) is added to
35 that section, to read:

36 348.0004 Purposes and powers.—

37 (2) Each authority may exercise all powers necessary,
38 appurtenant, convenient, or incidental to the carrying out of
39 its purposes, including, but not limited to, the following
40 rights and powers:

41 (e) To fix, alter, charge, establish, and collect tolls,
42 rates, fees, rentals, and other charges for the services and
43 facilities system, which tolls, rates, fees, rentals, and other
44 charges must always be sufficient to comply with any covenants
45 made with the holders of any bonds issued pursuant to the
46 Florida Expressway Authority Act. However, such right and power
47 may be assigned or delegated by the authority to the department.

48 1. Notwithstanding any other provision of law to the
49 contrary, but subject to any contractual requirements contained
50 in documents securing any indebtedness outstanding on July 1,
51 2017, in any county as defined in s. 125.011(1):

52 a. The authority may not increase a toll unless the
53 increase is justified to the satisfaction of the authority by a
54 traffic and revenue study conducted by an independent third
55 party.

56 b. The authority may only increase tolls to the extent
57 necessary to adjust for inflation pursuant to the procedure for
58 toll rate adjustments provided in s. 338.165.

596-02748-17

20171562c1

59 c. A toll increase must be approved by a two-thirds vote of
60 the expressway authority board.

61 d. The authority may not use more than 10 percent of its
62 toll revenues for administrative expenses. For purposes of this
63 sub-subparagraph, administrative expenses include, but are not
64 limited to, employee salaries and benefits, small business
65 outreach, insurance, professional service contracts not directly
66 related to the operation and maintenance of the expressway
67 system, and other overhead costs.

68 e. On transportation facilities constructed after July 1,
69 2017, there must be a distance of at least 5 miles between main
70 through-lane tolling points. The distance requirement of this
71 sub-subparagraph does not apply to entry and exit ramps. The
72 authority may not increase a toll on an individual toll facility
73 to implement this sub-subparagraph.

74 2. Notwithstanding s. 338.165 or any other provision of law
75 to the contrary, in any county as defined in s. 125.011(1), to
76 the extent surplus revenues exist, they may be used for purposes
77 enumerated in subsection (8) ~~(7)~~, provided the expenditures are
78 consistent with the metropolitan planning organization's adopted
79 long-range plan.

80 3. Notwithstanding any other provision of law to the
81 contrary, but subject to any contractual requirements contained
82 in documents securing any outstanding indebtedness payable from
83 tolls, in any county as defined in s. 125.011(1), the board of
84 county commissioners may, by ordinance adopted on or before
85 September 30, 1999, alter or abolish existing tolls and
86 currently approved increases thereto if the board provides a
87 local source of funding to the county expressway system for

596-02748-17

20171562c1

88 transportation in an amount sufficient to replace revenues
89 necessary to meet bond obligations secured by such tolls and
90 increases.

91 (6) An authority in any county as defined in s. 125.011(1)
92 shall, at the time that any toll is incurred, reduce the toll
93 charged on any of the authority's toll facilities by 25 percent
94 for each SunPass registrant having an account in good standing
95 and having the license plate of the vehicle or vehicles
96 incurring the toll registered to the SunPass account at the time
97 the toll is incurred. The authority may not impose additional
98 requirements for receipt of the reduced toll amount.

99 Section 3. Section 348.00115, Florida Statutes, is created
100 to read:

101 348.00115 Public accountability.—An expressway authority in
102 a county as defined in s. 125.011(1) shall post the following
103 information on its website:

104 (1) Audited financial statements and any interim financial
105 reports.

106 (2) Board and committee meeting agendas, meeting packets,
107 and minutes.

108 (3) Bond covenants for any outstanding bond issues.

109 (4) Authority budgets.

110 (5) Authority contracts. For purposes of this subsection,
111 "contract" means a written agreement or purchase order issued
112 for the purchase of goods or services or a written agreement for
113 the receipt of state or federal financial assistance.

114 (6) Authority expenditure data, which must include the name
115 of the payee, the date of the expenditure, and the amount of the
116 expenditure. Such data must be searchable by name of the payee,

596-02748-17

20171562c1

117 name of the paying agency, and fiscal year and must be
118 downloadable in a format that allows offline analysis.

119 (7) Information relating to current, recently completed,
120 and future projects on authority facilities.

121 Section 4. This act shall take effect July 1, 2017.