

By Senator Powell

30-00964-18

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1                                   A bill to be entitled  
 2           An act relating to an emergency exemption from tolls;  
 3           amending s. 338.155, F.S.; providing an exemption from  
 4           toll payment for persons operating motor vehicles on  
 5           toll facilities within a county subject to a mandatory  
 6           evacuation order; providing an effective date.

8   Be It Enacted by the Legislature of the State of Florida:

9  
 10           Section 1. Subsections (1) and (3) of section 338.155,  
 11   Florida Statutes, are amended to read:

12           338.155 Payment of toll on toll facilities required;  
 13   exemptions.—

14           (1) (a) A person may not use a ~~any~~ toll facility without  
 15   payment of tolls, except:

16           1. An employee ~~employees~~ of the agency operating the toll  
 17   project when using the toll facility on official state  
 18   business.7

19           2. State military personnel while on official military  
 20   business.

21           3. A person with a disability, ~~handicapped persons~~ as  
 22   provided in subsection (3).

23           4. A person ~~this section, persons~~ exempt from toll payment  
 24   by the authorizing resolution for bonds issued to finance the  
 25   facility.

26           5. A person, ~~and persons~~ exempt on a temporary basis where  
 27   use of such toll facility is required as a detour route.

28           6. A ~~Any~~ law enforcement officer operating a marked  
 29   official vehicle while ~~is exempt from toll payment when~~ on

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30 official law enforcement business.

31 7. A ~~Any~~ person operating a fire vehicle while ~~when~~ on  
32 official business or a rescue vehicle while ~~when~~ on official  
33 business ~~is exempt from toll payment.~~

34 8. A ~~Any~~ person participating in the funeral procession of  
35 a law enforcement officer or firefighter killed in the line of  
36 duty ~~is exempt from toll payment.~~

37 9. A person operating a motor vehicle on a toll facility  
38 located in a county subject to a mandatory evacuation order  
39 issued during a state of emergency declared by the Governor  
40 pursuant to s. 252.36. Such exemption shall remain in effect  
41 until the evacuation order is lifted. The secretary or the  
42 secretary's designee may suspend the payment of tolls on any  
43 other a toll facility when necessary to assist in emergency  
44 evacuation.

45 (b) The failure to pay a prescribed toll constitutes a  
46 noncriminal traffic infraction, punishable as a moving violation  
47 as provided in s. 318.18.

48 (c) The department may adopt rules relating to the payment,  
49 collection, and enforcement of tolls, as authorized in this  
50 chapter and chapters 316, 318, 320, and 322, including, but not  
51 limited to, rules for the implementation of video or other image  
52 billing and variable pricing.

53 (d) With respect to toll facilities managed by the  
54 department, ~~the~~ revenues of which are not pledged to repayment  
55 of bonds, the department may by rule allow the use of such  
56 facilities by public transit vehicles or by vehicles  
57 participating in a funeral procession for an active-duty  
58 military service member without the payment of tolls.

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59           (3) A ~~Any handicapped~~ person with a disability who has a  
60 valid driver license, who operates a vehicle specially equipped  
61 for use by persons with disabilities ~~the handicapped~~, and who is  
62 certified by a physician licensed under chapter 458 or chapter  
63 459 or by comparable licensing in another state or by the  
64 Adjudication Office of the United States Department of Veterans  
65 Affairs or its predecessor as being severely physically disabled  
66 and having permanent upper limb mobility or dexterity  
67 impairments which substantially impair the person's ability to  
68 deposit coins in toll baskets, shall be allowed to pass free  
69 through all tollgates and over all toll bridges and ferries in  
70 this state. Such ~~A person who meets the requirements of this~~  
71 ~~subsection~~ shall, upon application, be issued a vehicle window  
72 sticker by the Department of Transportation.

73           Section 2. This act shall take effect July 1, 2018.