

Amendment No.

CHAMBER ACTION

Senate

House

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1 Representative Gibbons offered the following:

2
3 **Amendment (with title amendment)**

4 Between lines 803 and 804, insert:

5 Section 20. Section 338.165, Florida Statutes, is amended
6 to read:

7 338.165 Continuation of tolls.--

8 (1) The department, any transportation or expressway
9 authority or, in the absence of an authority, a county or
10 counties may continue to collect the toll on a revenue-producing
11 project after the discharge of any bond indebtedness related to
12 such project and may increase such toll. All tolls so collected
13 shall first be used to pay the annual cost of the operation,
14 maintenance, and improvement of the toll project.

15 (2) If the revenue-producing project is on the State
16 Highway System, any remaining toll revenue shall be used within
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17 the county or counties in which the revenue-producing project is
18 located for the construction, maintenance, or improvement of any
19 road on the State Highway System or public transit ~~within the~~
20 ~~county or counties in which the revenue-producing project is~~
21 ~~located~~, except as provided in s. 348.0004.

22 (3) Notwithstanding any other provision of law, the
23 department, including the turnpike enterprise, shall index toll
24 rates on existing toll facilities to the annual Consumer Price
25 Index or similar inflation indicators. Toll rate adjustments for
26 inflation under this subsection may be made no more frequently
27 than once a year and must be made no less frequently than once
28 every 5 years as necessary to accommodate cash toll rate
29 schedules. Toll rates may be increased beyond these limits as
30 directed by bond documents, covenants, or governing body
31 authorization or pursuant to department administrative rule.
32 This subsection does not apply to toll rates on high-occupancy
33 toll lanes or express lanes.

34 (4) Notwithstanding any other law to the contrary,
35 pursuant to s. 11, Art. VII of the State Constitution, and
36 subject to the requirements of subsection (2), the Department of
37 Transportation may request the Division of Bond Finance to issue
38 bonds secured by toll revenues to be ~~collected on the Alligator~~
39 ~~Alley, the Sunshine Skyway Bridge, the Beeline-East Expressway,~~
40 ~~the Navarre Bridge, and the Pinellas Bayway~~ to fund
41 transportation projects located within the county or counties in
42 which the project is located and contained in the adopted work
43 program of the department.

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44 (5) If the revenue-producing project is on the county road
45 system, any remaining toll revenue shall be used for the
46 construction, maintenance, or improvement of any other state or
47 county road within the county or counties in which the revenue-
48 producing project is located, except as provided in s. 348.0004.

49 (6) Selection of projects on the State Highway System for
50 construction, maintenance, or improvement with toll revenues
51 shall be, with the concurrence of the department, consistent
52 with the Florida Transportation Plan.

53 (7) Notwithstanding the provisions of subsection (1), and
54 not including high occupancy toll lanes or express lanes, no
55 tolls may be charged for use of an interstate highway where
56 tolls were not charged as of July 1, 1997.

57 (8) With the exception of subsection (3), this section
58 does not apply to the turnpike system as defined under the
59 Florida Turnpike Enterprise Law.

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63 **T I T L E A M E N D M E N T**

64 Remove line 87 and insert:
65 facilities; amending s. 338.165, F.S., relating to continuing to
66 collect the toll on a revenue-producing project after the
67 discharge of bond indebtedness; authorizing toll revenue
68 remaining after payment of certain costs to be used for public
69 transit; exempting toll rates on high-occupancy toll lanes or
70 express lanes from consumer price indexing provisions; removing
71 specific identification of certain state-owned toll facilities
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72 in the department's authority to request issuance of bonds to
73 fund transportation projects located within the county or
74 counties in which the project is located; providing an effective
75 date.