

HB 1119

2016

1 A bill to be entitled

2 An act relating to tolls; amending s. 338.155, F.S.;

3 requiring a toll facility to ensure the presence of

4 signage notifying drivers if cash payment is not an

5 option; creating s. 338.163, F.S.; authorizing a

6 rental car company to charge a renter an amount in

7 addition to the toll charge incurred by the renter

8 under certain circumstances; providing limitations to

9 the additional charge; providing an effective date.

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

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13 Section 1. Section 338.155, Florida Statutes, is amended

14 to read:

15 338.155 Payment of toll on toll facilities required;

16 exemptions; signage required.—

17 (1) A person may not use any toll facility without payment

18 of tolls, except employees of the agency operating the toll

19 project when using the toll facility on official state business,

20 state military personnel while on official military business,

21 handicapped persons as provided in this section, persons exempt

22 from toll payment by the authorizing resolution for bonds issued

23 to finance the facility, and persons exempt on a temporary basis

24 where use of such toll facility is required as a detour route.

25 Any law enforcement officer operating a marked official vehicle

26 is exempt from toll payment when on official law enforcement

27 business. Any person operating a fire vehicle when on official
28 business or a rescue vehicle when on official business is exempt
29 from toll payment. Any person participating in the funeral
30 procession of a law enforcement officer or firefighter killed in
31 the line of duty is exempt from toll payment. The secretary or
32 the secretary's designee may suspend the payment of tolls on a
33 toll facility when necessary to assist in emergency evacuation.
34 The failure to pay a prescribed toll constitutes a noncriminal
35 traffic infraction, punishable as a moving violation as provided
36 in s. 318.18. The department may adopt rules relating to the
37 payment, collection, and enforcement of tolls, as authorized in
38 this chapter and chapters 316, 318, 320, and 322, including, but
39 not limited to, rules for the implementation of video or other
40 image billing and variable pricing. With respect to toll
41 facilities managed by the department, the revenues of which are
42 not pledged to repayment of bonds, the department may by rule
43 allow the use of such facilities by public transit vehicles or
44 by vehicles participating in a funeral procession for an active-
45 duty military service member without the payment of tolls.

46 (2) Any person driving an automobile or other vehicle
47 belonging to the Department of Military Affairs used for
48 transporting military personnel, stores, and property, when
49 properly identified, shall, together with any such conveyance
50 and military personnel and property of the state in his or her
51 charge, be allowed to pass free through all tollgates and over
52 all toll bridges and ferries in this state.

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

67 (4) A copy of this section shall be posted at each toll
68 bridge and on each ferry.

69 (5) The Department of Transportation shall provide
70 envelopes for voluntary payments of tolls by those persons
71 exempted from the payment of tolls pursuant to this section. The
72 department shall accept any voluntary payments made by exempt
73 persons.

74 (6) Personal identifying information held by the
75 Department of Transportation, a county, a municipality, or an
76 expressway authority for the purpose of paying, prepaying, or
77 collecting tolls and associated administrative charges due for
78 the use of toll facilities is exempt from s. 119.07(1) and s.

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79 24(a), Art. I of the State Constitution. This exemption applies
80 to such information held by the Department of Transportation, a
81 county, a municipality, or an expressway authority before, on,
82 or after the effective date of the exemption. This subsection is
83 subject to the Open Government Sunset Review Act in accordance
84 with s. 119.15 and shall stand repealed on October 2, 2019,
85 unless reviewed and saved from repeal through reenactment by the
86 Legislature.

87 (7) A toll facility must ensure the presence of signage
88 notifying drivers if cash payment of the applicable toll at such
89 facility is not an available option.

90 Section 2. Section 338.163, Florida Statutes, is created
91 to read:

92 338.163 Rental car companies; charges for tolls.—A rental
93 car company may charge a renter up to \$10 in addition to the
94 toll charge incurred by the renter while using an electronic
95 toll collection system and driving a rental car equipped with a
96 transponder or similar electronic tolling device that is
97 provided by the rental car company. The rental car company may
98 not assess the additional charge more than once per day and may
99 only assess the charge on a day that a toll is incurred.

100 Section 3. This act shall take effect July 1, 2016.