



CS/HB 1049, Engrossed 1

2017

1 A bill to be entitled
2 An act relating to expressway authorities; providing a
3 short title; amending s. 348.0004, F.S.; requiring
4 toll increases by authorities in certain counties to
5 be approved by an independent study and vote of the
6 expressway authority board; limiting the extent of
7 such increases; limiting the amount of toll revenues
8 such authorities may use for administrative expenses;
9 requiring a certain distance between tolling points on
10 transportation facilities constructed after a
11 specified date, subject to certain restrictions;
12 providing applicability; requiring such authorities to
13 reduce tolls paid by SunPass customers; creating s.
14 348.00115, F.S.; requiring such authorities to post
15 certain information on a website; providing an
16 effective date.

17
18 Be It Enacted by the Legislature of the State of Florida:

19
20 Section 1. This act may be cited as the "Toll Reform Act."

21 Section 2. Subsections (6) through (9) of section
22 348.0004, Florida Statutes, are renumbered as subsections (7)
23 through (10), respectively, paragraph (e) of subsection (2) is
24 amended, and a new subsection (6) is added to that section, to
25 read:



26 348.0004 Purposes and powers.—

27 (2) Each authority may exercise all powers necessary,
28 appurtenant, convenient, or incidental to the carrying out of
29 its purposes, including, but not limited to, the following
30 rights and powers:

31 (e) To fix, alter, charge, establish, and collect tolls,
32 rates, fees, rentals, and other charges for the services and
33 facilities system, which tolls, rates, fees, rentals, and other
34 charges must always be sufficient to comply with any covenants
35 made with the holders of any bonds issued pursuant to the
36 Florida Expressway Authority Act. However, such right and power
37 may be assigned or delegated by the authority to the department.

38 1. Notwithstanding any other provision of law to the
39 contrary, but subject to any contractual requirements contained
40 in documents securing any indebtedness outstanding on July 1,
41 2017, in any county as defined in s. 125.011(1):

42 a. The authority may not increase a toll unless the
43 increase is justified to the satisfaction of the authority by a
44 traffic and revenue study conducted by an independent third
45 party.

46 b. The authority may only increase tolls to the extent
47 necessary to adjust for inflation pursuant to the index of toll
48 rate adjustments provided pursuant to s. 338.165.

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



51 d. The authority may not use more than 10 percent of its
52 toll revenues for administrative expenses. For purposes of this
53 sub-subparagraph, administrative expenses include, but are not
54 limited to, employee salaries and benefits, small business
55 outreach, insurance, professional service contracts not directly
56 related to the operation and maintenance of the expressway
57 system, and other overhead costs.

58 e. On transportation facilities constructed after July 1,
59 2017, there must be a distance of at least 5 miles between main
60 through-lane tolling points. This sub-subparagraph does not
61 apply to entry and exit ramps. The authority may not increase a
62 toll on an individual toll facility to implement this sub-
63 subparagraph.

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

70 3. Notwithstanding any other provision of law to the
71 contrary, but subject to any contractual requirements contained
72 in documents securing any outstanding indebtedness payable from
73 tolls, in any county as defined in s. 125.011(1), the board of
74 county commissioners may, by ordinance adopted on or before
75 September 30, 1999, alter or abolish existing tolls and



76 | currently approved increases thereto if the board provides a
77 | local source of funding to the county expressway system for
78 | transportation in an amount sufficient to replace revenues
79 | necessary to meet bond obligations secured by such tolls and
80 | increases.

81 | (6) Notwithstanding any other provision of law to the
82 | contrary, but subject to any contractual requirements contained
83 | in the documents securing any indebtedness outstanding on July
84 | 1, 2017, an authority in any county as defined in s. 125.011(1)
85 | shall provide toll relief by reducing the tolls charged to
86 | SunPass customers by 10 percent beginning July 1, 2017.

87 | Section 3. Section 348.00115, Florida Statutes, is created
88 | to read:

89 | 348.00115 Public accountability.—An expressway authority
90 | in a county as defined in s. 125.011(1) shall post the following
91 | information on its website:

92 | (1) Audited financial statements and any interim financial
93 | reports.

94 | (2) Board and committee meeting agendas, meeting packets,
95 | and minutes.

96 | (3) Bond covenants for any outstanding bond issues.

97 | (4) Authority budgets.

98 | (5) Authority contracts. For purposes of this subsection,
99 | "contract" means a written agreement or purchase order issued
100 | for the purchase of goods or services or a written agreement for



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101 the receipt of state or federal financial assistance.

102 (6) Authority expenditure data, which must include the
103 name of the payee, the date of the expenditure, and the amount
104 of the expenditure. Such data must be searchable by name of the
105 payee, name of the paying agency, and fiscal year and must be
106 downloadable in a format that allows offline analysis.

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

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