



269396

LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
04/18/2017	.	
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Appropriations Subcommittee on Transportation, Tourism, and Economic Development (Brandes) recommended the following:

1       **Senate Amendment to Amendment (841202) (with title**  
2 **amendment)**

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4       Delete lines 5 - 26  
5 and insert:

6       Section 1. Present subsections (5) and (6) of section  
7 338.166, Florida Statutes, are redesignated as subsections (6)  
8 and (7), respectively, subsection (4) is amended, and a new  
9 subsection (5) is added to that section, to read:

10       338.166 High-occupancy toll lanes or express lanes.—



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11           (4) The department may implement variable rate tolls on  
12 high-occupancy toll lanes or express lanes. The department may  
13 require use of an electronic transponder interoperable with the  
14 department's electronic toll collection system for the use of  
15 high-occupancy toll lanes or express lanes.

16           (5) Effective July 1, 2018, if a customer's average travel  
17 speed for a trip in an express lane falls below 40 miles per  
18 hour, the customer must be charged the minimum express lane  
19 toll. A customer's express lane average travel speed is his or  
20 her average travel speed from the customer's entry point to the  
21 customer's exit point.

22           Section 2. Paragraph (d) of subsection (1) of section  
23 338.2216, Florida Statutes, is amended, and paragraph (e) is  
24 added to that subsection, to read:

25           338.2216 Florida Turnpike Enterprise; powers and  
26 authority.—

27           (1)

28           (d) The Florida Turnpike Enterprise shall pursue and  
29 implement new technologies and processes in its operations and  
30 collection of tolls and the collection of other amounts  
31 associated with road and infrastructure usage. Such technologies  
32 and processes must include, without limitation, video billing  
33 and variable pricing. The Florida Turnpike Enterprise may  
34 require use of an electronic transponder interoperable with the  
35 department's electronic toll collection system for the use of  
36 express lanes on the turnpike system. Variable pricing may not  
37 be implemented in express lanes when the level of service in the  
38 express lane, determined in accordance with the criteria  
39 established by the Transportation Research Board Highway



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40 Capacity Manual (5th Edition, HCM 2010), as amended from time to  
41 time, is equal to level of service A. Variable pricing in  
42 express lanes when the level of service in the express lane is  
43 level of service B may only be implemented by charging the  
44 general toll lane toll amount plus 25 cents. Except as otherwise  
45 provided in this subsection, pricing in express lanes when the  
46 level of service is other than level of service A or service B  
47 may vary in the manner established by the Florida Turnpike  
48 Enterprise to manage congestion in the express lanes.

49 (e) Effective July 1, 2018, if a customer's average travel  
50 speed for a trip in an express lane falls below 40 miles per  
51 hour, the customer must be charged the general toll lane toll  
52 amount plus 25 cents. A customer's express lane average travel  
53 speed is his or her average travel speed from the customer's  
54 entry point to the customer's exit point.

55  
56 ===== T I T L E A M E N D M E N T =====

57 And the title is amended as follows:

58 Delete lines 188 - 199

59 and insert:

60 amending s. 338.166, F.S.; authorizing the department  
61 to require use of an electronic transponder  
62 interoperable with the department's electronic toll  
63 collection system for the use of high-occupancy toll  
64 lanes or express lanes; requiring, as of a specified  
65 date, that a customer be charged the minimum express  
66 lane toll if his or her average travel speed for a  
67 trip in an express lane falls below a specified rate;  
68 providing for measurement of a customer's express lane



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69 average travel speed; amending s. 338.2216, F.S.;

70 authorizing the Florida Turnpike Enterprise to require

71 use of an electronic transponder interoperable with

72 the department's electronic toll collection system for

73 the use of express lanes on the turnpike system;

74 prohibiting variable pricing from being implemented in

75 express lanes when the level of service in the express

76 lane, determined in accordance with specified

77 criteria, is equal to level of service A; specifying

78 that variable pricing in express lanes when the level

79 of service in the express lane is level of service B

80 may only be implemented by charging the general toll

81 lane toll amount plus a specified amount; providing

82 that pricing in express lanes when the level of

83 service is other than level of service A or B may vary

84 in the manner established by the Florida Turnpike

85 Enterprise to manage congestion in the express lanes;

86 requiring, as of a specified date, that a customer be

87 charged a general toll lane toll amount plus a

88 specified amount if his or her average travel speed

89 for a trip in an express lane falls below a specified

90 rate; providing for measurement of a customer's

91 express lane average travel speed; amending