



1                                   A bill to be entitled  
 2           An act relating to toll operations; amending s.  
 3           338.155, F.S.; exempting a law enforcement officer  
 4           from paying a toll on a toll facility when operating a  
 5           marked or unmarked official vehicle while on official  
 6           law enforcement business; defining the term "official  
 7           law enforcement business"; amending s. 338.26, F.S.;  
 8           requiring fees generated from tolls to be used to  
 9           reimburse, by interlocal agreement, a county or  
 10          another local governmental entity for the direct  
 11          actual costs of operating a specified fire station  
 12          providing services to the public on Alligator Alley;  
 13          deleting obsolete language; amending s. 348.0003,  
 14          F.S.; requiring the governing body of an authority to  
 15          report certain compliance information to the Governor;  
 16          providing for the formation of a new board under  
 17          certain circumstances; providing for appointment of  
 18          new members; providing an effective date.

19  
 20 Be It Enacted by the Legislature of the State of Florida:

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 22           Section 1. Subsections (1) and (3) of section 338.155,  
 23 Florida Statutes, are amended to read:

24           338.155 Payment of toll on toll facilities required;  
 25 exemptions.—



- 26           (1) (a) A person may not use a ~~any~~ toll facility without  
27 payment of tolls, except:
- 28           1. An ~~employee~~ employees of the agency operating the toll  
29 project when using the toll facility on official state  
30 business.~~7~~
- 31           2. State military personnel while on official military  
32 business.
- 33           3. A person with a disability, ~~handicapped persons~~ as  
34 provided in subsection (3).
- 35           4. A ~~person~~ this section, ~~persons~~ exempt from toll payment  
36 by the authorizing resolution for bonds issued to finance the  
37 facility.
- 38           5. A ~~person~~, ~~and persons~~ exempt on a temporary basis where  
39 use of such toll facility is required as a detour route.
- 40           6. A ~~Any~~ law enforcement officer operating a marked or  
41 unmarked official vehicle while ~~is exempt from toll payment when~~  
42 on official law enforcement business. For purposes of this  
43 subparagraph, the term "official law enforcement business"  
44 includes, but is not limited to, patrol operations,  
45 investigative activities, crime prevention operations, and  
46 traffic operations.
- 47           7. A ~~Any~~ person operating a fire vehicle while ~~when~~ on  
48 official business or a rescue vehicle while ~~when~~ on official  
49 business ~~is exempt from toll payment.~~
- 50           8. A ~~Any~~ person participating in the funeral procession of



51 a law enforcement officer or firefighter killed in the line of  
52 duty ~~is exempt from toll payment.~~

53 (b) The secretary or the secretary's designee may suspend  
54 the payment of tolls on a toll facility when necessary to assist  
55 in emergency evacuation.

56 (c) The failure to pay a prescribed toll constitutes a  
57 noncriminal traffic infraction, punishable as a moving violation  
58 as provided in s. 318.18. The department may adopt rules  
59 relating to the payment, collection, and enforcement of tolls,  
60 as authorized in this chapter and chapters 316, 318, 320, and  
61 322, including, but not limited to, rules for the implementation  
62 of video or other image billing and variable pricing.

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

69 (3) A ~~Any handicapped~~ person with a disability who has a  
70 valid driver license, who operates a vehicle specially equipped  
71 for use by persons with disabilities ~~the handicapped~~, and who is  
72 certified by a physician licensed under chapter 458 or chapter  
73 459 or by comparable licensing in another state or by the  
74 Adjudication Office of the United States Department of Veterans  
75 Affairs or its predecessor as being severely physically disabled



76 and having permanent upper limb mobility or dexterity  
77 impairments that ~~which~~ substantially impair the person's ability  
78 to deposit coins in toll baskets, shall be allowed to pass free  
79 through all tollgates and over all toll bridges and ferries in  
80 this state. Such ~~A person who meets the requirements of this~~  
81 ~~subsection~~ shall, upon application, be issued a vehicle window  
82 sticker by the Department of Transportation.

83 Section 2. Paragraph (a) of subsection (3) of section  
84 338.26, Florida Statutes, is amended to read:

85 338.26 Alligator Alley toll road.—

86 (3) (a) Fees generated from tolls shall be deposited in the  
87 State Transportation Trust Fund and shall be used:

88 1. To reimburse outstanding contractual obligations;

89 2. To operate and maintain the highway and toll  
90 facilities, including reconstruction and restoration;

91 3. To pay for those projects that are funded with  
92 Alligator Alley toll revenues and that are contained in the  
93 1993-1994 adopted work program or the 1994-1995 tentative work  
94 program submitted to the Legislature on February 22, 1994; and

95 4. By interlocal agreement effective July 1, 2014, through  
96 no later than June 30, 2019, to reimburse a county or another  
97 local governmental entity for the direct actual costs of  
98 operating the ~~To design and construct~~ a fire station at mile  
99 marker 63 on Alligator Alley, which may be used by a county or  
100 another local governmental entity to provide fire, rescue, and



101 emergency management services to the public on Alligator Alley~~+~~  
102 and

103 ~~5. By interlocal agreement effective July 1, 2014, through~~  
104 ~~no later than June 30, 2018, to reimburse a county or another~~  
105 ~~local governmental entity for the direct actual costs of~~  
106 ~~operating such fire station.~~

107 Section 3. Paragraph (d) of subsection (2) of section  
108 348.0003, Florida Statutes, is amended to read:

109 348.0003 Expressway authority; formation; membership.—

110 (2) The governing body of an authority shall consist of  
111 not fewer than five nor more than nine voting members. The  
112 district secretary of the affected department district shall  
113 serve as a nonvoting member of the governing body of each  
114 authority located within the district. Each member of the  
115 governing body must at all times during his or her term of  
116 office be a permanent resident of the county which he or she is  
117 appointed to represent.

118 (d)1. Notwithstanding any provision to the contrary in  
119 this subsection, in any county as defined in s. 125.011(1), the  
120 governing body of an authority shall consist of up to nine  
121 members, and the following provisions of this paragraph shall  
122 apply specifically to such authority. Except for the district  
123 secretary of the department, the members must be residents of  
124 the county. Five voting members shall be appointed by the  
125 governing body of the county. At the discretion of the governing



126 | body of the county, up to two of the members appointed by the  
127 | governing body of the county may be elected officials residing  
128 | in the county. Three voting members of the authority shall be  
129 | appointed by the Governor. One member shall be the district  
130 | secretary of the department serving in the district that  
131 | contains such county. This member shall be an ex officio voting  
132 | member of the authority. If the governing body of an authority  
133 | includes any member originally appointed by the governing body  
134 | of the county as a nonvoting member, when the term of such  
135 | member expires, that member shall be replaced by a member  
136 | appointed by the Governor until the governing body of the  
137 | authority is composed of five members appointed by the governing  
138 | body of the county and three members appointed by the Governor.  
139 | Except as provided in subparagraph 2., a member of the authority  
140 | serving as of July 1, 2016, may serve the remainder of his or  
141 | her term. However, upon the conclusion of the term or upon  
142 | vacancy, such expired term or vacancy may not be filled except  
143 | if such appointment meets the requirements of this section. When  
144 | the term of a member expires or a vacancy occurs, the member  
145 | shall not be replaced by the appointing entity until the  
146 | governing body of the authority is composed of five voting  
147 | members appointed by the governing body of the county and three  
148 | voting members appointed by the Governor, which three members  
149 | shall not include the district secretary serving as an ex  
150 | officio member. Except as provided in subsection (5), the



151 qualifications, terms of office, and obligations and rights of  
152 members of the authority shall be determined by resolution or  
153 ordinance of the governing body of the county in a manner that  
154 is consistent with subsections (3) and (4).

155 2. Notwithstanding subparagraph 1., in any county as  
156 defined in s. 125.011, the governing body of the authority shall  
157 by October 1, 2018, submit to the Governor information regarding  
158 its compliance with the minimum 5 percent toll reduction  
159 prescribed in s. 348.0004(6). If the required toll reduction has  
160 not taken place, effective October 31, 2018, the existing board  
161 shall be dissolved and, except for the district secretary of the  
162 department, a new board shall be appointed by that date. No  
163 member of the board on October 1, 2018, may be appointed to the  
164 new board. Except for the district secretary of the department,  
165 the members must be residents of the county. Five voting members  
166 shall be appointed by the governing body of the county. At the  
167 discretion of the governing body of the county, up to two of the  
168 members appointed by the governing body of the county may be  
169 elected officials residing in the county. Three voting members  
170 of the authority shall be appointed by the Governor. One member  
171 shall be the district secretary of the department serving in the  
172 district that contains such county. This member shall be an ex  
173 officio voting member of the authority.

174 Section 4. This act shall take effect July 1, 2018.