

By Senator Taddeo

40-00331-20

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1                   A bill to be entitled  
2           An act relating to the SunPass electronic toll system;  
3           creating s. 338.157, F.S.; creating a SunPass Maximum  
4           Annual Use Fee Program within the Department of  
5           Transportation for certain purposes; authorizing  
6           certain drivers to apply to SunPass to participate in  
7           the program; providing requirements for the program;  
8           providing application requirements; requiring a  
9           program participant to notify SunPass of the date of a  
10          change of home address within a specified period;  
11          requiring the participant's eligibility for the  
12          maximum annual use fee to terminate on such date;  
13          authorizing a driver to reapply for the maximum annual  
14          use fee for a new home address; requiring that a  
15          driver's eligibility for the maximum annual use fee be  
16          canceled and that he or she pay a certain amount if  
17          the driver does not notify SunPass of a change of home  
18          address; requiring the department to adopt rules for  
19          the implementation and operation of the program;  
20          requiring an entity that contracts with the state to  
21          operate SunPass to administer the program; providing  
22          an effective date.

23  
24 Be It Enacted by the Legislature of the State of Florida:

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26           Section 1. Section 338.157, Florida Statutes, is created to  
27 read:

28           338.157 SunPass Maximum Annual Use Fee Program.-

29           (1) There is created a SunPass Maximum Annual Use Fee

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30 Program within the department for the purpose of reducing travel  
31 expenses for state residents who frequently incur tolls while  
32 driving in areas near their homes.

33 (2) Any driver who is a resident of this state and who is,  
34 or is applying to be, a SunPass registrant may apply to SunPass  
35 to participate in the program. A participant may not be charged  
36 for tolls at any toll facility within a 25-mile radius of his or  
37 her home address after he or she incurs and is charged \$400  
38 during a calendar year of participation for applicable tolls.  
39 Only those tolls incurred by the participant within the 25-mile  
40 radius apply to the maximum annual use fee. Participants shall  
41 pay the lesser of the maximum annual use fee or the actual  
42 amount of applicable tolls incurred.

43 (3) (a) Applications to participate in the program must be  
44 approved by SunPass within 15 days after submission, upon a  
45 showing of proof by the driver of home address and state  
46 residency. Participation in the program, and the accumulation of  
47 applicable tolls, begins on the date of approval of the  
48 application and ends on the same date the following year.  
49 Participation in the program is subject to automatic renewal,  
50 unless terminated by the participant.

51 (b) A program participant shall notify SunPass of a change  
52 of his or her home address within 15 days of the change, and his  
53 or her eligibility for the maximum annual use fee terminates  
54 immediately upon notification. Such a driver may reapply for the  
55 maximum annual use fee using his or her new home address, and  
56 the calendar year for applicable tolls begins on the date of  
57 approval of that application.

58 (4) If a driver fails to notify SunPass of a change of home

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59 address, his or her eligibility for the maximum annual use fee  
60 is canceled and he or she must pay the full amount of all tolls  
61 incurred which otherwise would have been applicable toward the  
62 maximum annual use fee.

63 (5) The department shall adopt rules for the implementation  
64 and operation of the program under this section. Any entity that  
65 contracts with the state to operate SunPass shall administer the  
66 requirements of this section and department rule.

67 Section 2. This act shall take effect October 1, 2020.