

By Senator DiCeglie

18-00003F-22A

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1 A bill to be entitled
2 An act relating to toll relief; requiring the Florida
3 Turnpike Enterprise to establish a toll relief program
4 for a specified timeframe; defining terms; specifying
5 the requirements for eligibility for account credits
6 under the program; appropriating funds for the
7 Department of Transportation to reimburse the
8 department, the Florida Turnpike Enterprise, and other
9 Florida toll facilities and Florida toll facility
10 entities for account credits issued under the program;
11 requiring the department to ensure compliance with
12 certain covenants; prohibiting the department from
13 using appropriated funds for specified purposes;
14 authorizing the department to reimburse each Florida
15 toll facility or Florida toll facility entity for the
16 actual account credits issued, based on specified
17 reports; requiring each Florida toll facility or
18 Florida toll facility entity to submit certain
19 documentation for reimbursement; providing for the
20 reversion of unexpended funds; requiring the
21 department to submit quarterly reports documenting
22 specified reimbursements to the Governor and specified
23 legislative entities; specifying the documentation to
24 be submitted with the department's report; requiring
25 the department to reconcile disbursements and
26 transfers, to transfer interest earned to the General
27 Revenue Fund, and to provide a quarterly report
28 regarding reconciliation to the Governor and specified
29 legislative entities; providing for expiration;

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30 providing an effective date.

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

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34 Section 1. (1) The Florida Turnpike Enterprise shall
35 establish a toll relief program effective January 1, 2023,
36 through December 31, 2023, for all Florida toll facilities or
37 Florida toll facility entities that use a Florida-issued
38 transponder or are interoperable with the Department of
39 Transportation's prepaid electronic transponder toll system.

40 (a) As used in this subsection, the term:

41 1. "Qualifying account" means a private prepaid SunPass
42 account or another Florida-based electronic prepaid toll program
43 account in good standing.

44 2. "Qualifying transaction" means a paid transponder-based
45 toll transaction incurred by a two-axle vehicle for travel on a
46 Florida toll facility using a Florida issued transponder linked
47 to a qualifying account.

48 (b) A qualifying account that records 35 or more qualifying
49 transactions per transponder per calendar month is eligible for
50 an account credit equal to 50 percent of the amount paid in that
51 calendar month for the qualifying transactions per transponder.
52 The account credit shall be posted to the qualifying account the
53 month after the credit is earned.

54 (c) A SunPass or other transponder issued by a Florida toll
55 entity must be linked to a qualifying account.

56 (2) In order to facilitate this act, for the 2022-2023
57 fiscal year, the nonrecurring sum of \$500 million from the
58 General Revenue Fund is appropriated to the State Transportation

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59 Trust Fund for the Department of Transportation to reimburse the
60 department, the Florida Turnpike Enterprise, and other Florida
61 toll facilities or Florida toll facility entities for account
62 credits issued for promotional purposes as authorized in s.
63 338.161(1), Florida Statutes, and under the toll relief program
64 created by this act. The department shall provide reimbursements
65 to support compliance with covenants made with the bondholders
66 of the department, the Florida Turnpike Enterprise, or other
67 Florida toll facility entities which are in the trust indentures
68 or resolutions adopted in connection with the issuance of such
69 bonds. The department may not use appropriated funds for
70 administration, contracted services, or expenses of the
71 department, the Florida Turnpike Enterprise, a Florida toll
72 facility or Florida toll facility entity, or any contractor or
73 vendor thereof.

74 (3) The department may reimburse each Florida toll facility
75 or Florida toll facility entities, as applicable, from
76 appropriated funds for the amount of actual account credits
77 issued, based upon auditable reports prepared by the Florida
78 toll facility or Florida toll facility entities which aggregate
79 the account credits issued. The reports must include any
80 documentation required by the department to provide the
81 department with sufficient information for reimbursement of
82 account credits issued.

83 (4) The unexpended balance of funds appropriated to the
84 department for toll relief as of June 30, 2023, shall revert and
85 is appropriated to the department for the same purpose for the
86 2023-2024 fiscal year. Any unexpended balance of funds as of
87 February 29, 2024, shall immediately revert to the General

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88 Revenue Fund.

89 (5) The department shall submit quarterly reports to the
90 Executive Office of the Governor and the chairs of the
91 legislative appropriations committees documenting reimbursements
92 issued under this program to the department, the Florida
93 Turnpike Enterprise, and other Florida toll facilities and
94 Florida toll facility entities. The department's report must
95 include supporting documentation with auditable data to support
96 the account credits issued.

97 (6) By the end of the month following each quarter, the
98 department shall reconcile all disbursements and transfers for
99 reimbursement, transfer to the General Revenue Fund all interest
100 earnings from the appropriated funds, and provide a report of
101 reconciliation to the Executive Office of the Governor and the
102 chairs of the legislative appropriations committees.

103 (7) This act expires February 29, 2024.

104 Section 2. This act shall take effect upon becoming a law.