

1 A bill to be entitled
2 An act relating to expressway authority revenue;
3 amending s. 348.0004, F.S.; requiring an authority to
4 reduce tolls paid by SunPass customers; requiring
5 transfer of a certain amount of surplus revenues from
6 an authority to a county for certain projects;
7 requiring approval by the board of county
8 commissioners of the expenditure of transferred funds;
9 authorizing projects to be implemented through
10 partnership or contract; authorizing transferred funds
11 to be considered a local match for federal or state
12 funds; requiring a report to the Legislature;
13 providing an effective date.

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

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17 Section 1. Subsections (6) through (9) of section
18 348.0004, Florida Statutes, are renumbered as subsections (7)
19 through (10), respectively, paragraph (e) of subsection (2) is
20 amended, and new subsections (6) and (11) are added to that
21 section, to read:

22 348.0004 Purposes and powers.—

23 (2) Each authority may exercise all powers necessary,
24 appurtenant, convenient, or incidental to the carrying out of
25 its purposes, including, but not limited to, the following

26 | rights and powers:

27 | (e) To fix, alter, charge, establish, and collect tolls,
28 | rates, fees, rentals, and other charges for the services and
29 | facilities system, which tolls, rates, fees, rentals, and other
30 | charges must always be sufficient to comply with any covenants
31 | made with the holders of any bonds issued pursuant to the
32 | Florida Expressway Authority Act. However, such right and power
33 | may be assigned or delegated by the authority to the department.
34 | Notwithstanding s. 338.165 or any other provision of law to the
35 | contrary, in any county as defined in s. 125.011(1), to the
36 | extent surplus revenues exist, they may be used for purposes
37 | enumerated in subsection (8) ~~(7)~~, provided the expenditures are
38 | consistent with the metropolitan planning organization's adopted
39 | long-range plan. Notwithstanding any other provision of law to
40 | the contrary, but subject to any contractual requirements
41 | contained in documents securing any outstanding indebtedness
42 | payable from tolls, in any county as defined in s. 125.011(1),
43 | the board of county commissioners may, by ordinance adopted on
44 | or before September 30, 1999, alter or abolish existing tolls
45 | and currently approved increases thereto if the board provides a
46 | local source of funding to the county expressway system for
47 | transportation in an amount sufficient to replace revenues
48 | necessary to meet bond obligations secured by such tolls and
49 | increases.

50 | (6) Notwithstanding any other provision of law to the

51 contrary, but subject to any contractual requirements contained
52 in the documents securing any indebtedness outstanding on July
53 1, 2017, an authority in any county as defined in s. 125.011(1)
54 shall provide toll relief by reducing the tolls charged to
55 SunPass customers by 3 percent beginning July 1, 2017.

56 (11) Notwithstanding any other provision of the Florida
57 Expressway Authority Act, no less than 20 percent of the annual
58 surplus revenues as defined in s. 348.0002 of an authority in
59 any county as defined in s. 125.011(1) shall be transferred to
60 the county in which the authority operates on an annual basis
61 within 180 days after the conclusion of the authority's fiscal
62 year. Such transferred funds shall be used solely to finance,
63 design, acquire right-of-way for, pay project delivery costs
64 for, and construct new, or make improvements or extensions to
65 existing, public transportation facilities, transit facilities,
66 intermodal facilities, or multimodal corridors owned, acquired,
67 or operated by the county. The board of county commissioners of
68 the county shall approve any expenditure of transferred funds by
69 a majority vote of the commissioners present at a meeting of the
70 board. Projects may be implemented through a public-private
71 partnership or a design-build contract. Transferred funds may be
72 considered as a local match for any available federal or state
73 funds for such projects. By February 1, 2018, and February 1 of
74 each year thereafter, the county shall submit a report to the
75 President of the Senate and the Speaker of the House of

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76 | Representatives which includes a description of each project
77 | funded or to be funded and the proposed budget, proposed funding
78 | partners, and completion date for each such project.

79 | Section 2. This act shall take effect July 1, 2017.