

By Senator Flores

39-00901-19

20191406__

1 A bill to be entitled
2 An act relating to expressway tolls; creating s.
3 338.157, F.S.; prohibiting a person operating a motor
4 vehicle on an expressway from being charged a toll if
5 the average speed of traffic on the expressway falls
6 below 40 miles per hour; defining the term
7 "expressway"; amending ss. 316.1001 and 338.155, F.S.;
8 conforming provisions to changes made by the act;
9 providing an effective date.

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

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13 Section 1. Section 338.157, Florida Statutes, is created to
14 read:

15 338.157 Exemption from toll payment; traffic traveling
16 below certain speed.-

17 (1) Notwithstanding s. 338.166(5), if the average speed of
18 traffic on an expressway falls below 40 miles per hour, a person
19 operating a motor vehicle on such expressway may not be charged
20 a toll for use of that expressway while the average speed of
21 traffic remains below 40 miles per hour.

22 (2) As used in this section, the term "expressway" has the
23 same meaning as provided in s. 343.805 or s. 348.0002.

24 Section 2. Subsection (1) of section 316.1001, Florida
25 Statutes, is amended to read:

26 316.1001 Payment of toll on toll facilities required;
27 penalties.-

28 (1) A person may not use any toll facility without payment
29 of tolls, except as provided in s. 338.155 or s. 338.157.

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30 Failure to pay a prescribed toll is a noncriminal traffic
31 infraction, punishable as a moving violation under chapter 318.

32 Section 3. Paragraph (a) of subsection (1) of section
33 338.155, Florida Statutes, is amended to read:

34 338.155 Payment of toll on toll facilities required;
35 exemptions.—

36 (1)(a) A person may not use a toll facility without payment
37 of tolls, except:

38 1. An employee of the agency operating the toll project
39 when using the toll facility on official state business.

40 2. State military personnel while on official military
41 business.

42 3. A person with a disability as provided in subsection
43 (3).

44 4. A person exempt from toll payment by the authorizing
45 resolution for bonds issued to finance the facility.

46 5. A person exempt on a temporary basis where use of such
47 toll facility is required as a detour route.

48 6. A law enforcement officer operating an official vehicle
49 while on official law enforcement business.

50 7. A person operating a fire vehicle while on official
51 business or a rescue vehicle while on official business.

52 8. A person participating in the funeral procession of a
53 law enforcement officer or firefighter killed in the line of
54 duty.

55 9. As provided in s. 338.157.

56 Section 4. This act shall take effect July 1, 2019.