

**The Florida Senate**  
**BILL ANALYSIS AND FISCAL IMPACT STATEMENT**

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

Prepared By: The Professional Staff of the Transportation Committee

BILL: SB 554

INTRODUCER: Senator Jones

SUBJECT: Pinellas Bayway/Department of Transportation

DATE: March 15, 2008                      REVISED: \_\_\_\_\_

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	Eichin	Meyer	TR	<b>Pre-meeting</b>
2.			FT	
3.			TA	
4.				
5.				
6.				

**I. Summary:**

Senate Bill 554 repeals Ch. 85-364, L.O.F., which establishes the toll structure for the Pinellas Bayway in Pinellas County. Absent the chapter law, the toll structure would be established under the Florida Department of Transportation's (FDOT) toll-setting authority.

The bill repeals Ch. 85-364, L.O.F.

**II. Present Situation:**

*The Pinellas Bayway*

The Pinellas Bayway System is a series of bridges and causeways on State Roads 679 and 682 in Pinellas County. The two State Roads intersect on Isla del Sol midway between St. Petersburg and St. Petersburg Beach. Both highways have drawbridges in addition to low-level causeways in their configurations. The tolled facility is maintained and operated by FDOT. The Bayway provides connections between U.S. Highway 19/Interstate 275 south of St. Petersburg to Gulf Boulevard south of St. Petersburg Beach. A southerly spur provides access to Tierra Verde and Mullet Key. In addition to numerous private properties, the Bayway provides access to several public beaches and parks including Pass-a-Grille Beach, St. Petersburg Municipal Beach, and Ft. Desoto County Park. According to FDOT, the Bayway's two 46-year-old bridges will need about \$49-million in improvements in the coming years.

Chapter 85-364, Laws of Florida, established the current toll rate and provisions for an annual pass. Toll rates and the general public annual pass have not changed since 1986. Current toll rates are \$0.50 for the eastern and western toll plazas, \$0.35 for the south toll plaza, and \$50 for the general public's annual pass on the Pinellas Bayway System. In addition to these toll rates,

Bayway Isle residents may purchase a Bayway Isle resident annual pass for \$15 annually, allowing them unlimited passage through the northeast toll plaza only. This discount was authorized at the time of the original construction of the facility.

The Pinellas Bayway system employs cash and electronic toll collection. Users of the Bayway System may use their SunPass or other Florida-compatible electronic toll collection transponders. Currently, there are 11,274 general annual passholders and 731 Bayway Isle resident passholders. In FY 2007, total revenues amounted to approximately \$3.7 million.

There are no bonds outstanding backed by toll revenues of this facility. Revenues after the cost of operations are being accumulated along with interest earnings for projects in Pinellas County in accordance with Ch. 85-364, L.O.F., as amended by Ch. 95-382, L.O.F. These accumulated funds were used for the construction of Blind Pass Road and State Road 699 improvements. Currently, these funds are being used for the construction of Phase II of the Pinellas Bayway improvements in accordance with the law.

Section 338.165, F.S., provides legislative authority to issue bonds to fund transportation projects located within the county or counties in which the project is located. Ch. 85-364, L.O.F., as amended by Ch. 95-382, L.O.F., requires toll revenues in excess of operation expenses are first to be utilized to pay for construction costs of the Blind Pass Road Project and Phase II prior to repaying long-term debt. The State Transportation Trust Fund pays all maintenance expenses and resurfacing and rehabilitation costs and records them as long-term debt.

#### *FDOT Tolling Authority*

FDOT is required by s. 338.165, F.S., to index toll rates on existing toll facilities to the annual Consumer Price Index or similar inflation indicators. Toll rate adjustments for inflation under current law are to be made no more frequently than once a year and must be made no less frequently than once every 5 years as necessary to accommodate cash toll rate schedules. Toll rates may be increased beyond these limits as directed by bond documents, covenants, or governing body authorization or pursuant to department administrative rule.

### **III. Effect of Proposed Changes:**

The bill repeals Ch. 85-364, L.O.F., as amended by Ch. 95-382, L.O.F. Senate Bill 554 would allow the FDOT to establish appropriate toll rates through the current toll-setting authority as set forth in s. 338.165, F.S.

The additional revenue from the increased tolls proposed by FDOT would be used to finance the reconstruction of the Pinellas Bayway and Tierra Verde bridges. The FDOT has proposed a toll rate schedule to provide the required financing of \$179.6 million to replace both drawbridges and complete minor toll plaza upgrades. Replacing both drawbridges with higher fixed-span bridges will improve hurricane evacuation capability and accessibility in the area. The proposed toll rate increase would go into effect beginning in FY 2009.

**IV. Constitutional Issues:**

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

**V. Fiscal Impact Statement:**

A. Tax/Fee Issues:

Based on the most recent proposal by FDOT, tolls on the Pinellas Bayway would be increased as below:

<b>Toll Structure</b>	<b>Current</b>	<b>Proposed</b>
East - West	.50	\$1.25
Ft Desoto Entry	.35	\$2.50
Ft Desoto Total	.85	\$3.75
General Pass	\$50	\$125
Resident Pass	\$15	\$15

B. Private Sector Impact:

The current general public private sector users of the Pinellas Bayway System would pay higher tolls to use the facility. The increased revenue used to finance the Pinellas Bayway and Tierra Verde bridges would increase capacity on the Pinellas Bayway System and improve accessibility to the area.

C. Government Sector Impact:

The estimated revenue impact of FDOT’s proposed toll structure for fiscal year 2008-09 is \$3.5 million and for fiscal year 2009-10 the estimate is \$3.7 million. The revenues generated from increased tolls will be used as debt service payments on \$122 million in bond sales.

**VI. Technical Deficiencies:**

None.

**VII. Related Issues:**

None.

**VIII. Additional Information:**

**A. Committee Substitute – Statement of Substantial Changes:**

(Summarizing differences between the Committee Substitute and the prior version of the bill.)

None.

**B. Amendments:**

None.

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This Senate Bill Analysis does not reflect the intent or official position of the bill's introducer or the Florida Senate.

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