

1 A bill to be entitled
2 An act relating to transportation; amending s.
3 338.166, F.S.; requiring the Department of
4 Transportation to ensure reasonable and practicably
5 feasible entry and exit points on its express lanes
6 and to undertake efforts to expand reasonable and
7 practicably feasible entry and exit points for certain
8 purposes; adjusting the toll to be charged on express
9 lanes under certain circumstances; amending s.
10 338.2216, F.S.; requiring the Florida Turnpike
11 Enterprise to ensure reasonable and practicably
12 feasible entry and exit points on its express lanes
13 and to undertake efforts to expand reasonable and
14 practicably feasible entry and exit points for certain
15 purposes; adjusting the toll to be charged on express
16 lanes under certain circumstances; amending s.
17 338.231, F.S.; extending the period in which the
18 department shall program certain funds in the
19 tentative work program in relation to turnpike toll
20 and bond financed commitments within certain counties;
21 providing an effective date.

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

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25 Section 1. Subsections (5) and (6) of section 338.166,

26 Florida Statutes, are renumbered as subsections (6) and (7),
 27 respectively, and a new subsection (5) is added to that section
 28 to read:

29 338.166 High-occupancy toll lanes or express lanes.—

30 (5) The department shall ensure reasonable and practicably
 31 feasible entry and exit points on its express lanes and shall
 32 undertake efforts to expand reasonable and practicably feasible
 33 entry and exit points to increase accessibility and ease of
 34 entry and exit to and from its express lanes while meeting
 35 operational performance goals. Effective July 1, 2018, if a
 36 person's average travel speed for a trip in an express lane
 37 falls below 40 miles per hour, the person shall be charged the
 38 minimum express lane toll. A person's express lane average
 39 travel speed is the person's average travel speed from the
 40 person's entry point to the person's exit point.

41 Section 2. Paragraph (e) is added to subsection (1) of
 42 section 338.2216, Florida Statutes, to read:

43 338.2216 Florida Turnpike Enterprise; powers and
 44 authority.—

45 (1)

46 (e) The Florida Turnpike Enterprise shall ensure
 47 reasonable and practicably feasible entry and exit points on its
 48 express lanes and shall undertake efforts to expand reasonable
 49 and practicably feasible entry and exit points to increase
 50 accessibility and ease of entry and exit to and from its express

51 lanes while meeting operational performance goals. Effective
52 July 1, 2018, if a person's average travel speed for a trip in
53 an express lane falls below 40 miles per hour, the person shall
54 be charged the general toll lane toll amount plus 25 cents. A
55 person's express lane average travel speed is the person's
56 average travel speed from the person's entry point to the
57 person's exit point.

58 Section 3. Paragraph (a) of subsection (3) of section
59 338.231, Florida Statutes, is amended to read:

60 338.231 Turnpike tolls, fixing; pledge of tolls and other
61 revenues.—The department shall at all times fix, adjust, charge,
62 and collect such tolls and amounts for the use of the turnpike
63 system as are required in order to provide a fund sufficient
64 with other revenues of the turnpike system to pay the cost of
65 maintaining, improving, repairing, and operating such turnpike
66 system; to pay the principal of and interest on all bonds issued
67 to finance or refinance any portion of the turnpike system as
68 the same become due and payable; and to create reserves for all
69 such purposes.

70 (3) (a) For the period July 1, 1998, through June 30, 2037
71 ~~2017~~, the department shall, to the maximum extent feasible,
72 program sufficient funds in the tentative work program such that
73 the percentage of turnpike toll and bond financed commitments in
74 Miami-Dade County, Broward County, and Palm Beach County as
75 compared to total turnpike toll and bond financed commitments

76 | shall be at least 90 percent of the share of net toll
77 | collections attributable to users of the turnpike system in
78 | Miami-Dade County, Broward County, and Palm Beach County as
79 | compared to total net toll collections attributable to users of
80 | the turnpike system. This subsection does not apply when the
81 | application of such requirements would violate any covenant
82 | established in a resolution or trust indenture relating to the
83 | issuance of turnpike bonds. The department may at any time for
84 | economic considerations establish lower temporary toll rates for
85 | a new or existing toll facility for a period not to exceed 1
86 | year, after which the toll rates adopted pursuant to s. 120.54
87 | shall become effective.

88 | Section 4. This act shall take effect July 1, 2017.