

1 HB476
2 117566-1
3 By Representative Mask
4 RFD: Government Operations
5 First Read: 02-FEB-10

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8 SYNOPSIS: Under existing law, a toll bridge may not
9 be established over the same watercourse within two
10 miles of any other toll bridge.

11 This bill would provide a toll bridge over
12 the same watercourse could be established within
13 one mile of any other toll bridge.

14
15 A BILL
16 TO BE ENTITLED
17 AN ACT

18
19 To amend Section 23-1-81, Code of Alabama 1975,
20 relating to toll bridges; which authorizes toll bridges,
21 ferries, or causeways; to decrease the distance allowed
22 between toll bridges over the same watercourse.

23 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

24 Section 1. Section 23-1-81, Code of Alabama 1975, is
25 amended to read as follows:

26 "§23-1-81.

1 "(a) The county commission of each county is
2 invested with authority to purchase or establish toll bridges,
3 free bridges, causeways, and ferries or free ferries within
4 their respective jurisdictions as provided in this article and
5 may levy a special tax to purchase or build the bridges and
6 causeways when, in the opinion of the county commission, the
7 public good requires it.

8 "(b) The county commission of each county may also
9 license any individual, group of individuals, partnership,
10 corporation, association, or any other legal entity to
11 establish or to operate toll roads, toll bridges, ferries, or
12 causeways and authorize the licensee to establish and fix the
13 rates of toll. Toll roads and toll bridges that are licensed
14 by a county and which are on or over the line between any two
15 counties shall be licensed by both counties.

16 "(c) The State Department of Transportation may
17 license any individual, groups of individuals, partnership,
18 corporation, association, or any other legal entity to
19 establish or operate toll roads, toll bridges, ferries, or
20 causeways and authorize the licensee to establish and fix the
21 rates of toll.

22 "(d) After a license is issued pursuant to
23 subsection (b) or (c) by a county commission or the State
24 Department of Transportation, no further license of any type
25 from any governmental body or agency, including, but not
26 limited to, a business license, shall be required to
27 construct, own, or operate the toll road or the toll bridge,

1 ferry, or causeway and no further license, tax, or fee may be
2 imposed by any governmental body or agency.

3 "(e) No toll bridge shall be established over the
4 same watercourse within ~~two miles~~ one mile of any other toll
5 bridge.

6 "(f) Nothing contained in this section shall be
7 deemed to limit the authority of the Department of
8 Conservation and Natural Resources to grant easements and
9 licenses with respect to the placement of bridges on state
10 land."

11 Section 2. This act shall become effective on the
12 first day of the third month following its passage and
13 approval by the Governor, or its otherwise becoming law.