

1 A bill to be entitled
 2 An act relating to requirements for establishing or
 3 increasing tolls; creating s. 338.163, F.S.; requiring
 4 an increase of a current toll or the development of a
 5 new toll collection facility in a county with a
 6 certain population to be approved by the board of
 7 county commissioners; providing applicability;
 8 providing definitions; amending s. 338.165, F.S.;
 9 conforming provisions to changes made by the act;
 10 providing an effective date.

11

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

13

14 Section 1. Section 338.163, Florida Statutes, is created
 15 to read:

16 338.163 Establishment or increase of tolls in certain
 17 counties.—

18 (1) Before a tolling authority may increase the rate of a
 19 current toll or develop a new toll collection facility on a
 20 public highway located in a county with a population of more
 21 than 1 million, the board of county commissioners of such county
 22 must approve such increase or development by a two-thirds vote
 23 at a regularly scheduled meeting of the board.

24 (a) This subsection applies only to a toll increase or
 25 newly collected toll which has not been pledged to a project

26 | that is approved as of July 1, 2022.

27 | (b) This subsection does not apply to a project that is
 28 | approved as of July 1, 2022, and to which funding has been
 29 | allocated.

30 | (2) For purposes of this section, the term:

31 | (a) "Approved" means that a project is part of an executed
 32 | contract or is warranted by official administrative action.

33 | (b) "Pledged" means that funds have officially been
 34 | encumbered by contractual obligation or official administrative
 35 | action.

36 | (c) "Tolling authority" means an entity that has the
 37 | authority to implement a toll increase or develop a new toll
 38 | collection facility, including, but not limited to, the
 39 | department, the Florida Turnpike Enterprise, a transportation or
 40 | expressway authority, a county, or any other entity having
 41 | jurisdiction over a public highway.

42 | Section 2. Subsection (1) of section 338.165, Florida
 43 | Statutes, is amended to read:

44 | 338.165 Continuation of tolls.—

45 | (1) The department, any transportation or expressway
 46 | authority or, in the absence of an authority, a county or
 47 | counties may continue to collect the toll on a revenue-producing
 48 | project after the discharge of any bond indebtedness related to
 49 | such project and may increase such toll except as provided in s.
 50 | 338.163. All tolls so collected shall first be used to pay the

HB 205

2021

51 | annual cost of the operation, maintenance, and improvement of
52 | the toll project.

53 | Section 3. This act shall take effect July 1, 2022.