

CHAPTER 2022-270

Senate Bill No. 6-A

An act relating to toll relief; requiring the Florida Turnpike Enterprise to establish a toll relief program for a specified timeframe; defining terms; specifying the requirements for eligibility for account credits under the program; appropriating funds for the Department of Transportation to reimburse the department, the Florida Turnpike Enterprise, and other Florida toll facilities and Florida toll facility entities for account credits issued under the program; requiring the department to ensure compliance with certain covenants; prohibiting the department from using appropriated funds for specified purposes; authorizing the department to reimburse each Florida toll facility or Florida toll facility entity for the actual account credits issued, based on specified reports; requiring each Florida toll facility or Florida toll facility entity to submit certain documentation for reimbursement; providing for the reversion of unexpended funds; requiring the department to submit quarterly reports documenting specified reimbursements to the Governor and specified legislative entities; specifying the documentation to be submitted with the department's report; requiring the department to reconcile disbursements and transfers, to transfer interest earned to the General Revenue Fund, and to provide a quarterly report regarding reconciliation to the Governor and specified legislative entities; providing for expiration; providing an effective date.

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

Section 1. (1) The Florida Turnpike Enterprise shall establish a toll relief program effective January 1, 2023, through December 31, 2023, for all Florida toll facilities or Florida toll facility entities that use a Florida-issued transponder or are interoperable with the Department of Transportation's prepaid electronic transponder toll system.

(a) As used in this subsection, the term:

1. "Qualifying account" means a private prepaid SunPass account or another Florida-based electronic prepaid toll program account in good standing.

2. "Qualifying transaction" means a paid transponder-based toll transaction incurred by a two-axle vehicle for travel on a Florida toll facility using a Florida issued transponder linked to a qualifying account.

(b) A qualifying account that records 35 or more qualifying transactions per transponder per calendar month is eligible for an account credit equal to 50 percent of the amount paid in that calendar month for the qualifying transactions per transponder. The account credit shall be posted to the qualifying account the month after the credit is earned.

(c) A SunPass or other transponder issued by a Florida toll entity must be linked to a qualifying account.

(2) In order to facilitate this act, for the 2022-2023 fiscal year, the nonrecurring sum of \$500 million from the General Revenue Fund is appropriated to the State Transportation Trust Fund for the Department of Transportation to reimburse the department, the Florida Turnpike Enterprise, and other Florida toll facilities or Florida toll facility entities for account credits issued for promotional purposes as authorized in s. 338.161(1), Florida Statutes, and under the toll relief program created by this act. The department shall provide reimbursements to support compliance with covenants made with the bondholders of the department, the Florida Turnpike Enterprise, or other Florida toll facility entities which are in the trust indentures or resolutions adopted in connection with the issuance of such bonds. The department may not use appropriated funds for administration, contracted services, or expenses of the department, the Florida Turnpike Enterprise, a Florida toll facility or Florida toll facility entity, or any contractor or vendor thereof.

(3) The department may reimburse each Florida toll facility or Florida toll facility entities, as applicable, from appropriated funds for the amount of actual account credits issued, based upon auditable reports prepared by the Florida toll facility or Florida toll facility entities which aggregate the account credits issued. The reports must include any documentation required by the department to provide the department with sufficient information for reimbursement of account credits issued.

(4) The unexpended balance of funds appropriated to the department for toll relief as of June 30, 2023, shall revert and is appropriated to the department for the same purpose for the 2023-2024 fiscal year. Any unexpended balance of funds as of February 29, 2024, shall immediately revert to the General Revenue Fund.

(5) The department shall submit quarterly reports to the Executive Office of the Governor and the chairs of the legislative appropriations committees documenting reimbursements issued under this program to the department, the Florida Turnpike Enterprise, and other Florida toll facilities and Florida toll facility entities. The department's report must include supporting documentation with auditable data to support the account credits issued.

(6) By the end of the month following each quarter, the department shall reconcile all disbursements and transfers for reimbursement, transfer to the General Revenue Fund all interest earnings from the appropriated funds, and provide a report of reconciliation to the Executive Office of the Governor and the chairs of the legislative appropriations committees.

(7) This act expires February 29, 2024.

Section 2. This act shall take effect upon becoming a law.

Approved by the Governor December 15, 2022.

Filed in Office Secretary of State December 15, 2022.