

14-100.003 Express Lane Tolling.

(1) Purpose. The intent of this rule is to establish criteria for express lane tolling by the Florida Department of Transportation.

(2) Definitions. Unless defined below, words, phrases, or terms contained herein shall have the definitions set forth in Chapters 316, 334 and 338, F.S. As used in this rule the following words, phrases, or terms shall mean:

(a) “Authorized user” means any person operating a two-axle motor vehicle, or a multi-axle vehicle when permitted by regulatory signage, in an express lane with an active SunPass transponder or interoperable transponder-based pre-paid account, having sufficient funds to pay the applicable toll, or operating a motor vehicle which is exempt from payment of the applicable toll pursuant to Rule 14-100.004 or 14-100.006, F.A.C. Two-axle motor vehicles that are leased or rented from a company and registered under a prepaid toll account program with the Department are also authorized for use in the express lanes.

(b) “Department” means Florida Department of Transportation.

(c) “Express lane” means a travel lane or lanes delineated or physically separated from a general use lane or general toll lane within a roadway corridor in which tolls are set based on traffic conditions.

(d) “Free-flow” means conditions under which travel is unimpeded and motor vehicles are able to safely operate at speeds of at least 45 miles per hour in the express lanes.

(e) “General toll lane” means a tolled roadway lane within a toll facility that is not an express lane and for which the applicable toll for its use is not established by variable tolling.

(f) “General use lane” means an untolled roadway lane.

(g) “Level of Service” means a quantitative measure used to classify the quality of traffic conditions on the Turnpike System as provided in s. 338.2216(1)(d), F.S..

(h)(g) “Multi-axle” means a vehicle with three or more axles.

(i)(h) “Over-the-Road bus” means a bus characterized by an elevated passenger deck located over a baggage compartment and operated by, a for hire company, registered on the US Federal Motor Carrier Safety Administration (USFMCSA) registration system.

(j)(i) “Point of entry or continuation” means either the location at which a vehicle enters an express lane, or the location at which a vehicle continues on an express lane and passes an electronic message sign where toll information is displayed.

(k)(j) “Public transit bus” means a bus regularly scheduled for transport of the general public and owned, operated, rented, contracted, or leased by a governmental entity.

(l)(k) “School bus” means a bus regularly used for the transportation of prekindergarten, disability program, or kindergarten through grade 12 students of the public schools to and from school or to and from school activities and owned, operated, rented,

contracted, or leased by any district school board.

(m) “SunPass toll” means the toll amount charged to use Florida Turnpike System general toll lanes with a SunPass transponder or interoperable transponder-based account.

(n)(4) “Toll point” means the physical location at which a SunPass transponder, interoperable transponder, and/or license plate information is read, and a toll is assessed to authorized users or violators operating a vehicle in an express lane or general toll lane.

(o)(m) “Transaction” is when a vehicle passes a toll point and incurs a toll. An electronic record of each transaction contains vehicle and location information necessary for processing of the transaction.

(p)(n) “Vanpool” means a van designed to transport seven or more passengers, including the driver, and registered by a public entity that is authorized by a local government or Metropolitan Planning Organization to register vanpools for transport of employees to and from their place of employment.

(q)(e) “Variable tolling” means the setting of tolls in an express lane for authorized users based on the toll criteria set forth in this rule.

(r)(p) “Violator” means a registered owner of a vehicle operated in an express lane without being an authorized user.

(3) Toll Criteria for Variable Tolling:

(a) The variable toll of an express lane will be determined by analysis of traffic data such as traffic volume, operating speeds, level of service, and trend data in the express lane, general use lanes, general toll lanes, or a combination thereof, to promote free-flow traffic conditions.

(b) The minimum toll for authorized users of an express lane that is not on the Turnpike System will be \$0.50.

(c) The ~~minimum~~ toll for authorized users of an express lane on the Turnpike System will be as follows:

1. All authorized users, except for school buses, public transit buses, Over-the-Road buses, or vanpools that register in the manner described in subparagraph (3)(c)2., will pay: ~~at least \$0.25 more than the SunPass toll for the general toll lanes that are adjacent to the express lanes.~~

a. The SunPass toll for the adjacent general toll lanes when the express lane is operating at Level of Service A.

b. The SunPass toll for the adjacent general toll lanes plus \$0.25 when the express lane is operating at Level of Service B.

c. A variable toll when the express lane is operating at Level or Service other than Level of Service A or Level of Service B.

2. School buses, public transit buses, Over-the-Road buses or vanpools will pay the SunPass toll for the general toll lane after properly registering with SunPass. This registration process will require:

a. Completion of the Express Lane Bus Application Registration, Form No. ELB 17-001, effective 2/1/17, incorporated herein at

<https://www.flrules.org/Gateway/reference.asp?No=Ref-08071>, and available in electronic format at www.SunPass.com/BusReg to include: organization name, contact name, agency phone number, contact phone number, organization address, organization email address, motor vehicle license plate, make of motor vehicle, year of motor vehicle, personal identification number (PIN), transponder mini ID number (if already purchased), and existing SunPass account number, if applicable. Over-the-Road buses also must submit proof of registration with USFMCSA.

b. Submittal of completed application via the SunPass Express Lane Registration webpage at www.SunPass.com/BusReg; via email at ExpressLaneReg@dot.state.fl.us; via fax to (888)265-1725; via telephone at (888)865-5351; or via US mail to FDOT, 7941 Glades Road, Boca Raton, Florida 33434.

c. Upon approval from SunPass and receipt of a SunPass mini transponder from SunPass for each exempt bus or van, the SunPass mini transponder assigned to the account must be properly affixed to the windshield of each corresponding registered bus or van.

d. Renewing registration annually prior to the expiration date. All registration information must be confirmed or updated as a part of the renewal and submitted by one of the means identified in sub-subparagraph (3)(c)2.b.

(d) The maximum toll for authorized users of the express lanes on Interstate 95 between Mile Marker 4 and Mile Marker 12 will not exceed \$1.50 per mile. If those express lanes reach the maximum toll on any 45 days in a six month period, the maximum toll will increase by \$0.50 per mile effective the first day of the following month. The maximum toll for authorized users of those express lanes will increase by \$0.50 in any subsequent six month period meeting the same condition.

(4) Authorized users shall pay all express lane toll transactions.

(5) Multi-axle vehicles are not allowed to operate on an express lane unless otherwise indicated by regulatory signage. If the Department allows multi-axle vehicles on an express lane, the multi-axle toll will be equal to the applicable two-axle toll divided by two, multiplied by the number of axles.

(6) Display of Toll:

To the extent feasible, an electronic message sign in advance of each point of entry to an express lane from a general use lane or general toll lane will display the current toll for two-axle motor vehicles from the point of entry to one or more exit locations. The current toll for two-axle motor vehicles also will be displayed for one or more additional exit locations if travel is continued in the express lanes beyond the exit locations displayed on the signage prior to the point of entry or a continuation.

(7) Violators.

(a) Violators shall pay \$25.00 for each day that the violator has an express lane transaction plus:

1. For express lanes not on the Turnpike System, the express lane toll for each express lane transaction, or

2. For express lanes on the Turnpike System, the applicable axle-based toll for the general toll lanes that are adjacent to the express lanes, plus the applicable variable toll of at least \$0.25 for each express lane transaction.

(b) A violator with a SunPass account or interoperable transponder-based pre-paid account, will have their account charged the express lane toll plus \$25.00 for each day that the violator has an express lane transaction. A violator without a SunPass account must pay the total invoice amount, which will include an administrative charge in the amount established by subsection 14-100.005(6), F.A.C., within 20 days from the invoice date. If an invoice is not paid in full within 20 days from the invoice date, a second invoice will be sent. If the total invoice amount is not paid within 20 days after the invoice date on the second invoice, the Department will pursue the amounts owed to collection to include: issuance of a Uniform Traffic Citation for each individual unpaid toll transaction associated with the original invoice, initiation of a motor vehicle license plate or revalidation sticker registration hold or stop process pursuant to Section 316.1001(4), F.S., or referral of the total unpaid amounts owed to a collection agency or attorney for collection. All subsequent invoices will include all unpaid amounts and will be subject to the same enforcement procedures stated above if not paid within 20 days from the invoice date.

Rulemaking Authority 334.044(2), 338.155(1), 338.166(4) FS. Law Implemented 316.1001, 316.640(1), 318.14(12), 334.044(16), 338.155(1), 338.165, 338.166(4), 338.2216, 338.231 FS. History—New 5-8-08, Amended 2-19-14, 4-10-17, _____.