

14-100.004 95 Express Phases 1 and 2 Toll Exemption Registration.

The provisions of this section apply to the express lanes on I-95 from just south of SR 112/I-195 in Miami-Dade County to just north of I-595 in Broward County ~~in Miami Dade and Broward Counties.~~

(1) Purpose. To address congestion and to offer travel-choice options to motorists in South Florida, the 95 Express project implements a combination of tolling, technology, travel demand management and transit elements into a single project along the Interstate 95 corridor from just south of SR 112/I-195 in Miami-Dade County to just north of I-595 in Broward County. Tolls will be collected electronically. Toll exemptions are allowed for certain motor vehicle types as specified in this section. Both the tolls and toll exemptions are intended to provide incentives for increased motor vehicle occupancy, shift in travel demand, and overall congestion relief.

(2) South Florida Commuter Services (SFCS) along with SunPass are partnering to administer the fulfillment and registration process pertaining to this portion 95 Express Project. SFCS is the regional commuter assistance program funded by the Florida Department of Transportation. SunPass is the Florida Department of Transportation's Prepaid Toll Program. This rule sets forth the process to register for exemption from payment of tolls on 95 Express Phases 1 and 2.

(3) Definitions.

(a) "95 Express Phases 1 and 2" is defined to mean the express lanes on I-95 from just south of SR 112/I-195 in Miami-Dade County to just north of I-595 in Broward County.

~~(4)(2) Exemptions. Tolls shall be collected from all vehicles using the express lanes, unless a valid exemption applies.~~ The following qualify for an exemption from payment of tolls on 95 Express Phases 1 and 2:

(a) Carpools with three or more occupants, traveling to and from work in one motor vehicle, and registered in the manner described in subsection (6)-(5) below. This exemption from payment of tolls on 95 Express Phases 1 and 2 shall not apply to any other express lanes.

~~(b) South Florida Vanpools, meeting the definition in Rule 14-100.006(2)(d) and registered pursuant to in the manner described in Rule 14-100.006(4) subsection (6) below.~~ This exemption from payment of tolls on 95 Express Phases 1 and 2 shall not apply to any other express lanes.

(c) Inherently Low Emission Vehicles (ILEV) or Hybrid vehicles, as defined in Section 316.0741, F.S., with valid Department of Motor Vehicles decals, and registered in the manner described in subsection (6)-(5) below. This exemption from payment of tolls on 95 Express Phases 1 and 2 shall not apply to any other express lanes.

(d) School buses meeting the definition in Rule 14-100.006(2)(c) and used by the Miami Dade County Public School and the Broward County Public School systems, registered pursuant to in the manner described in Rule 14-100.006(4) subsection (6) below;

(e) Public transit buses Buses—meeting the definition in Rule 14-100.006(2)(b) and used by the Miami Dade Transit Agency and Broward County Transit Agency, registered pursuant to in the manner described in Rule 14-100.006(4) subsection (6) below;

(f) Over-the-Road Buses (OTRB) meeting the definition in Rule 14-100.006(2)(a) and; defined as vehicles operated by a for hire company registered on the US Federal Motor Carrier Safety Administration (USFMCSA) registration system, characterized by an elevated passenger deck located over a baggage compartment and at least 35 feet in length with a capacity of 30 or more passengers, registered pursuant to in the manner described in Rule 14-100.006(4) subsection (6) below; and;

(g) Motorcycles, as defined in Section 316.003, F. S. This exemption from payment of tolls on 95 Express Phases 1 and 2 shall not apply to any other express lanes.

(5)(3) Registered South Florida Vanpools and Registered carpools shall only be granted free passage if the motor vehicle has the minimum number of occupants specified in subsection ~~(5)~~ (4A) below above; otherwise such user shall be required to pay the applicable tolls.

(4) South Florida Commuter Services (SFCS) along with SunPass are partnering to administer the fulfillment and registration process pertaining to the 95 Express Project. SFCS is the regional commuter assistance program funded by the Florida Department of Transportation. SunPass is the Florida Department of Transportation's Prepaid Toll Program. This rule sets forth the process to register for exemption from payment of tolls on the 95 Express project.

(6)(5) With registration, Ddecals will be provided by SFCS for the following motor vehicles eligible for an exemption from payment of tolls on 95 Express Phases 1 and 2 for use of the express lanes: registered 3+ passenger occupant carpools, registered ILEV, and hybrid vehicles, and registered South Florida Vanpools. 3+ passenger carpools means at least three commuters traveling to and from work in one vehicle and properly registered by SFCS as a 3+ passenger carpool. An ILEV or a hybrid vehicle means a vehicle as defined in Section 316.0741, F.S. A South Florida Vanpool means a van meeting the registration requirements of the South Florida Vanpool Program. The South Florida Vanpool program is managed by the Miami Dade County Metropolitan Organization with coordination from

~~Broward County Metropolitan Planning Organization, and the Palm Beach Metropolitan County Planning Organization.~~

(a) ~~3+ Passenger Occupant~~ Carpools:

1. All eligible carpools must register with SFCS pursuant to its requirements.
2. Registration will allow users to receive a “95 Express” decal that ~~will allow them to use the express lanes without incurring tolls~~ must be displayed in the manner required by SFCS.
3. SFCS will provide the “95 Express” registration form. The registration form requests: name, home address, work address, employer, home/work phone numbers, work schedule, driver license number, and state of motor vehicle registration.
4. ~~3+ Passenger Occupant~~ carpool eligibility will be based on matching all of the following criteria:

Criteria	Configuration	Comments
Home Distance	3 2 mile radius	System will seek similar participants that live within a three-mile radius. If participant’s commute distance is less than three miles, search radius will be 1/2 of distance
Work Distance	1 mile radius	Matched participants must work within a one-mile radius to have a positive match
Start Time/End Times	30 minutes	Participants must have a start/end work time within this timeframe to have a positive match

~~The only exception that will be allowed to the above criteria will be for carpools~~ Notwithstanding the above criteria, SFCS will allow a carpool whose participants meet at a specified location, parking lot, park-n-ride or transit/multi-model facility that is located between the origin and work destination of all registered participants in the carpool.

5. If a driver of a motor vehicle with a registered ~~3+ passenger~~ carpool decal receives two or more citations for failure to pay a required 95 Express toll under Section 316.1001, F.S., which results in a withhold of adjudication or an adjudication of guilt, when operating a motor vehicle with less than three ~~passengers occupants~~, the ~~3+ passenger carpool~~ decal will be revoked. Further, the driver, and the owner of the ~~3+ passenger~~ carpool decal (if different), will not be eligible to apply for a ~~3+ passenger~~ carpool decal for a period of one year from the revocation of the decal.

(b) ILEV and Hybrid Vehicles:

1. ILEV and hybrid vehicle owners in Miami-Dade and Broward counties with valid Florida DHSMV decals are eligible to register for toll exemption on 95 Express Phases 1 and 2. Eligible ILEV and hybrid vehicle owners who complete registration with SFCS will receive a decal for toll-free use of ~~the~~ 95 Express Phases 1 and 2 lanes.

2. ILEV and hybrid vehicle owners will be required to renew their 95 Express Phases 1 and 2 registration annually with SFCS based upon the anniversary date of the initial request.

~~(e) Registered South Florida Vanpools:~~

- ~~1. One decal will be sent to the primary driver of the vanpool.~~
- ~~2. One decal will be provided per van.~~
- ~~3. The 95 Express lanes are only to be used by South Florida Vanpools for commuting purposes only.~~
- ~~4. The "95 Express" decal will remain active as long as the South Florida Vanpool continues to be part of the South Florida Vanpool program.~~

~~(6) Miami Dade County Public School, Broward County Public School, Miami Dade Transit Agency, and Broward County Transit Agency buses are eligible to use the 95 Express and are exempt from paying tolls on 95 Express if their license plates have been registered with SFCS. The respective agencies shall provide and maintain current a license plate list of buses and school buses that may utilize the 95 Express and SFCS. Over the Road Buses (OTRB) registered with USFMCSA are eligible to be exempt from paying tolls on 95 Express. OTRB owners or operators shall provide a copy of valid USFMCSA registration to SFCS in order to register to utilize the 95 Express. OTRB owner information, name, address, and license plate information shall be provided to SFCS and shall be updated annually by OTRB vehicle owners or operator.~~

Rulemaking Authority 334.044(2), 316.0741 FS. Law Implemented 316.0741, 316.1001, 316.640(1), 334.044(16), 335.02(3), 338.155(1), 338.165(7), 338.231 FS. History--New 5-8-08, Amended _____.