

14-100.004 95 Express Phases 1 and 2 Toll Exemption Registration in Miami-Dade, Broward and Palm Beach Counties.

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

(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 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 vehicle types as specified in this section. Both the tolls and toll exemptions are intended to provide incentives for increased 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 of 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~~ in Miami-Dade, Broward and Palm Beach counties.

~~(3) Definitions.~~

~~"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)(3) Exemptions. The following qualify for an exemption from payment of tolls on 95 Express Phases 1 and 2 in Miami-Dade, Broward and Palm Beach Counties:~~

~~(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) Vanpools meeting the definition in paragraph 14-100.006(2)(d), F.A.C., and registered pursuant to subsection 14-100.006(4), F.A.C. 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), 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 paragraph 14-100.006(2)(c), F.A.C., and registered pursuant to subsection 14-100.006(4), F.A.C.~~

(e) Public transit buses meeting the definition in paragraph 14-100.006(2)(b), F.A.C., and registered pursuant to subsection 14-100.006(4), F.A.C.

(f) Over-the-Road Buses (OTRB) meeting the definition in paragraph 14-100.006(2)(a), F.A.C., and registered pursuant to subsection 14-100.006(4), F.A.C.

(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)~~(4) Registered carpools shall only be granted free passage if the motor vehicle has the minimum number of occupants specified in paragraph (4)(3)(a), above; otherwise such user shall be required to pay the applicable tolls.

~~(6)~~(5) With registration, decals 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~~ in Miami-Dade, Broward, and Palm Beach Counties: 3+ occupant carpools, ILEV, and hybrid vehicles.

(a) 3+ 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 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+ Occupant carpool eligibility will be based on matching all of the following criteria:

Criteria	Configuration	Comments
Home Distance	2 mile radius	Participants must live within a two-mile radius.
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.

Notwithstanding the above criteria, SFCS will allow a carpool whose participants meet at a specified location, parking lot, park-n-ride or transit/multi-modal 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 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 occupants, the carpool decal will be revoked. Further, the driver, and the owner of the carpool decal

(if different), will not be eligible to apply for a 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,~~ and Palm Beach counties with valid Florida DHSMV decals are eligible to register for toll exemption on 95 Express ~~Phases 1 and 2~~ in these three counties. Eligible ILEV and hybrid vehicle owners who complete registration with SFCS will receive a decal for toll-free use of 95 Express ~~Phases 1 and 2~~ in Miami-Dade, Broward and Palm Beach Counties.

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

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 4-10-17.