

**OFFICIAL FILE COPY
CLERK OF THE BOARD
OF COUNTY COMMISSIONERS
MIAMI-DADE COUNTY, FLORIDA**

Amended
Substitute
Agenda Item No. 11(A)(10)

TO: Honorable Chairman Joe A. Martinez
and Members, Board of County Commissioners

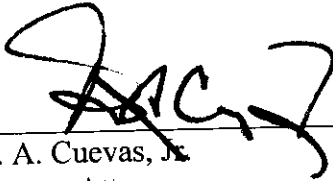
DATE: March 15, 2011

FROM: R. A. Cuevas, Jr.
County Attorney

SUBJECT: Resolution urging the Florida
Legislature to impose reasonable
limits on the fees that can be charged
for electronic tolling of rental cars,
further urging the Florida Department
of transportation to negotiate more
consumer-friendly agreements related
to electronic tolling of rental cars to
ensure that tourists pay reasonable
fees for electronic tolling

Resolution No. R-211-11

The accompanying resolution was prepared and placed on the agenda at the request of Prime Sponsor Commissioner Dennis C. Moss and Co-Sponsors Commissioner Bruno A. Barreiro, Commissioner Lynda Bell, Commissioner Jose "Pepe" Diaz, Vice Chairwoman Audrey M. Edmonson, Commissioner Carlos A. Gimenez, Commissioner Sally A. Heyman, Commissioner Barbara J. Jordan, Chairman Joe A. Martinez, Commissioner Jean Monestime, Commissioner Rebeca Sosa and Senator Javier D. Souto.



R. A. Cuevas, Jr.
County Attorney

RAC/jls

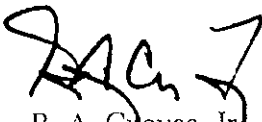


MEMORANDUM

(Revised)

TO: Honorable Chairman Joe A. Martinez
and Members, Board of County Commissioners

DATE: March 15, 2011

FROM: 
R. A. Cuevas, Jr.
County Attorney

SUBJECT: Amended
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Please note any items checked.

- ☐ "3-Day Rule" for committees applicable if raised
- ☐ 6 weeks required between first reading and public hearing
- ☐ 4 weeks notification to municipal officials required prior to public hearing
- ☐ Decreases revenues or increases expenditures without balancing budget
- ☐ Budget required
- ☐ Statement of fiscal impact required
- ☐ Ordinance creating a new board requires detailed County Manager's report for public hearing
- ☒ No committee review
- ☐ Applicable legislation requires more than a majority vote (i.e., 2/3's ____, 3/5's ____, unanimous____) to approve
- ☐ Current information regarding funding source, index code and available balance, and available capacity (if debt is contemplated) required

Approved _____ Mayor
Veto _____
Override _____

Amended
Substitute
Agenda Item No. 11(A)(10)
3-15-11

RESOLUTION NO. R-211-11

RESOLUTION URGING THE FLORIDA LEGISLATURE TO IMPOSE REASONABLE LIMITS ON THE FEES THAT CAN BE CHARGED FOR ELECTRONIC TOLLING OF RENTAL CARS, FURTHER URGING THE FLORIDA DEPARTMENT OF TRANSPORTATION TO NEGOTIATE MORE CONSUMER-FRIENDLY AGREEMENTS RELATED TO ELECTRONIC TOLLING OF RENTAL CARS TO ENSURE THAT TOURISTS PAY REASONABLE FEES FOR ELECTRONIC TOLLING

WHEREAS, in 2007, the Florida Department of Transportation through Florida's Turnpike Enterprise began entering into a series of agreements with major rental car companies to allow rental cars to go through SunPass and other electronic toll lanes by recording the license plate and then billing the renter; and

WHEREAS, some agreements provided that the renter would be directly charged the actual cost of all tolls plus a \$2.50 per day administrative fee up to a maximum of \$10 per month; and

WHEREAS, under these agreements, the toll charges and administrative fees automatically begin being imposed when the renter goes through the first electronic toll, and the renter receives a separate charge on his or her credit card after the fact for the total of all toll charges incurred plus the administrative fees; and

WHEREAS, other agreements provided that the renter has the option, at the time the car is first rented, of paying a flat fee of \$5.95 per rental day or \$27.95 weekly, which includes unlimited tolls and all administrative fees; and

WHEREAS, under this latter option, if the renter chooses not to pay the \$5.95 daily or \$27.95 weekly fee to cover all tolls and then goes through an electronic toll, rental car companies

are charging the renter the cost of tolls plus an excessive administrative fee of as much as \$25 per toll; and

WHEREAS, tourists visiting Miami-Dade County may be from an area that doesn't have electronic tolling and may not be familiar with how electronic tolling works; and

WHEREAS, if a tourist opts not to pay the \$5.95 daily or \$27.95 weekly fee to cover all tolls and then goes through ten (10) electronic tolls, he or she could later receive a bill for as much as \$250 plus the cost of tolls; and

WHEREAS, such administrative charges are excessive in light of the underlying actual tolls and far exceed any actual administrative cost that may be involved; and

WHEREAS, tourism is one of the most fundamental industries underpinning Miami-Dade County's economy, and it is important that tourists who visit Miami-Dade County leave with a positive image of our community; and

WHEREAS, the current electronic tolling arrangement has the possibility of harming the positive image of our community by imposing excessive administrative fees for tolls; and

WHEREAS, the Florida Legislature should impose reasonable limits on the fees that can be charged to individuals renting cars and using electronic tolling, or alternatively, the Florida Department of Transportation should negotiate more consumer-friendly agreements related to electronic tolling and rental cars that are more aligned with the actual administrative costs of processing tolls to ensure that tourists and visitors pay reasonable fees for electronic tolling in rental cars,

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA, that this Board:

Section 1. Urges the Florida Legislature to impose reasonable limits on the fees that can be charged to individuals renting cars and using electronic tolling, and in particular to limit the administrative fees that can be charged for tolls when the renter opts not to pay for daily or weekly plans for tolls that rental car companies offer.

Section 2. Urges the Florida Department of Transportation to negotiate more consumer-friendly agreements related to electronic tolling and rental cars, and in particular to limit the administrative fees that can be charged for tolls when the renter opts not to pay for daily or weekly plans for tolls that rental car companies offer.

Section 3. Directs the Clerk of the Board to transmit certified copies of the resolution to the Governor, Senate President, House Speaker, the Chair and Members of the Miami-Dade State Legislative Delegation and the Secretary of the Florida Department of Transportation.

Section 4. Directs the County's state lobbyists to advocate for the legislation and action set forth in Sections 1 and 2 above, and authorizes and directs that the 2011 state legislative package be amended to include this item.

The Prime Sponsor of the foregoing resolution is Commissioner Dennis C. Moss and the Co-Sponsors are Commissioner Bruno A. Barreiro, Commissioner Lynda Bell, Commissioner Jose "Pepe" Diaz, Vice Chairwoman Audrey M. Edmonson, Commissioner Carlos A. Gimenez, Commissioner Sally A. Heyman, Commissioner Barbara J. Jordan, Chairman Joe A. Martinez, Commissioner Jean Monestime, Commissioner Rebeca Sosa and Sen. Javier D. Souto. It was offered by Commissioner **Dennis C. Moss**, who moved its adoption. The motion was seconded by Commissioner **Joe A. Martinez** and upon being put to a vote, the vote was as follows:

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	Joe A. Martinez, Chairman	aye	
	Audrey M. Edmonson, Vice Chairwoman	aye	
Bruno A. Barreiro	aye	Lynda Bell	aye
Jose "Pepe" Diaz	aye	Carlos A. Gimenez	aye
Sally A. Heyman	aye	Barbara J. Jordan	aye
Jean Monestime	aye	Dennis C. Moss	aye
Natacha Seijas	absent	Rebeca Sosa	aye
Sen. Javier D. Souto	aye		

The Chairperson thereupon declared the resolution duly passed and adopted this 15th March, 2011. This resolution shall become effective ten (10) days after the date of its adoption unless vetoed by the Mayor, and if vetoed, shall become effective only upon an override by this Board.



MIAMI-DADE COUNTY, FLORIDA
BY ITS BOARD OF
COUNTY COMMISSIONERS

HARVEY RUVIN, CLERK

By: **DIANE COLLINS**
Deputy Clerk

Approved by County Attorney as
to form and legal sufficiency.

A handwritten signature in black ink, appearing to read "JMM", is written over a horizontal line.

Jess M. McCarty

A handwritten mark, possibly a stylized letter 'C' or a signature, is located at the bottom center of the page.