

MEMORANDUM

Agenda Item No. 11(A)(11)

TO: Honorable Chairman Anthony Rodriguez
and Members, Board of County Commissioners

DATE: July 16, 2025

FROM: Geri Bonzon-Keenan
County Attorney

SUBJECT: Resolution urging the Florida
Legislature to reinstate the 95
Express LEV Toll Exemption
Program or create a similar
program allowing hybrid and
electric vehicles to operate toll-
free on 95 Express

Resolution No. R-784-25

The accompanying resolution was prepared and placed on the agenda at the request of Prime Sponsor Commissioner Micky Steinberg.



Geri Bonzon-Keenan
County Attorney

GBK/jp



MEMORANDUM

(Revised)

TO: Honorable Chairman Anthony Rodriguez
and Members, Board of County Commissioners

DATE: July 16, 2025

FROM: 
Glen Bonzon-Keenan
County Attorney

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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
- ☐ Statement of social equity required
- ☒ Ordinance creating a new board requires detailed County Mayor's report for public hearing
- ☐ No committee review
- ☐ Applicable legislation requires more than a majority vote (i.e., 2/3's present ____, 2/3 membership ____, 3/5's ____, unanimous ____, majority plus one ____, CDMP 7 vote requirement per 2-116.1(3)(h) or (4)(c) ____, CDMP 2/3 vote requirement per 2-116.1(3) (h) or (4)(c) ____, CDMP 9 vote requirement per 2-116.1(4)(c) (2) ____) to approve
- ☐ Current information regarding funding source, index code and available balance, and available capacity (if debt is contemplated) required

Approved _____ Mayor
Veto _____
Override _____

Agenda Item No. 11(A)(11)
7-16-25

RESOLUTION NO. R-784-25

RESOLUTION URGING THE FLORIDA LEGISLATURE TO
REINSTATE THE 95 EXPRESS LEV TOLL EXEMPTION
PROGRAM OR CREATE A SIMILAR PROGRAM ALLOWING
HYBRID AND ELECTRIC VEHICLES TO OPERATE TOLL-
FREE ON 95 EXPRESS

WHEREAS, Interstate 95 (“I-95”) is a north-south interstate highway that traverses the eastern coast of the United States, from South Florida through Maine; and

WHEREAS, certain stretches of I-95 in South Florida are designated “95 Express” and have “express lanes,” which allow drivers to pay a fee to access typically less congested routes on the highway; and

WHEREAS, these express lanes may be accessed toll-free by vehicles carrying three or more people if the vehicles are also registered through South Florida Commuter Services, a program under the purview of the Florida Department of Transportation; and

WHEREAS, until recently, South Florida Commuter Services offered a “95 Express LEV Toll Exemption Program,” which allowed drivers of hybrid and electric vehicles to register a qualifying “low emission vehicle” to access 95 Express toll-free, regardless of vehicle occupancy; and

WHEREAS, the Florida Legislature in 2025 passed SB 1667, which, among other things, repealed section 316.0741 of the Florida Statutes; and

WHEREAS, section 316.0741 of the Florida Statutes defined “high-occupancy-vehicle lanes” (“HOV lanes”) and provided, in relevant part, that certain low emission vehicles “may be driven in an HOV lane at any time, regardless of its occupancy”; and

WHEREAS, since section 316.0741 was repealed, the South Florida Commuter Services website reflects that for hybrid and electric vehicles, “[e]ffective July 1, 2025, SFCS is no longer accepting new registrations or processing renewals for the 95 Express LEV Toll Exemption Program” and that “[e]xisting exemptions will remain valid until their current expiration dates but cannot be renewed once they expire”; and

WHEREAS, the 95 Express LEV Program provides an important incentive to reduce emissions; and

WHEREAS, this Board urges the Florida Legislature to reinstate the 95 Express LEV Toll Exemption Program or create a similar program allowing hybrid and electric vehicles to operate toll-free on 95 Express;

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 reinstate the 95 Express LEV Toll Exemption Program or create a similar program allowing hybrid and electric vehicles to operate toll-free on 95 Express.

Section 2. Directs the Clerk of the Board to transmit a certified copy of this resolution to the Governor, the Florida Senate President, the Florida House Speaker, and the Members of the Miami-Dade State Legislative Delegation.

Section 3. Directs the County’s state lobbyists to advocate for the action described in section 1 above, and authorizes and directs the Office of Intergovernmental Affairs to include this item in the 2026 State Legislative Package when it is presented to the Board.

The Prime Sponsor of the foregoing resolution is Commissioner Micky Steinberg. It was offered by Commissioner **Micky Steinberg**, who moved its adoption. The motion was seconded by Commissioner **Oliver G. Gilbert, III** and upon being put to a vote, the vote was as follows:

Anthony Rodríguez, Chairman	aye		
Kionne L. McGhee, Vice Chairman	aye		
Marleine Bastien	aye	Juan Carlos Bermudez	aye
Sen. René García	aye	Oliver G. Gilbert, III	aye
Roberto J. Gonzalez	nay	Keon Hardemon	absent
Danielle Cohen Higgins	aye	Eileen Higgins	aye
Natalie Milian Orbis	aye	Raquel A. Regalado	aye
Micky Steinberg	aye		

The Chairperson thereupon declared this resolution duly passed and adopted this 16th day of July, 2025. This resolution shall become effective upon the earlier of (1) 10 days after the date of its adoption unless vetoed by the County Mayor, and if vetoed, shall become effective only upon an override by this Board, or (2) approval by the County Mayor of this resolution and the filing of this approval with the Clerk of the Board.



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

JUAN FERNANDEZ-BARQUIN, CLERK

By: **Basia Pruna**
Deputy Clerk

Approved by County Attorney as
to form and legal sufficiency.

A handwritten signature in blue ink, appearing to be "LR", is written over a light blue circular stamp.

Luis M. Reyes