

1 HB469  
2 117566-1  
3 By Representative Mask  
4 RFD: Transportation, Utilities and Infrastructure  
5 First Read: 06-APR-11

SYNOPSIS: Under existing law, a toll bridge may not be established over the same watercourse within two miles of any other toll bridge.

This bill would provide a toll bridge over the same watercourse could be established within one mile of any other toll bridge.

A BILL  
TO BE ENTITLED  
AN ACT

To amend Section 23-1-81, Code of Alabama 1975, relating to toll bridges; which authorizes toll bridges, ferries, or causeways; to decrease the distance allowed between toll bridges over the same watercourse.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. Section 23-1-81, Code of Alabama 1975, is amended to read as follows:

"§23-1-81.

1           "(a) The county commission of each county is  
2     invested with authority to purchase or establish toll bridges,  
3     free bridges, causeways, and ferries or free ferries within  
4     their respective jurisdictions as provided in this article and  
5     may levy a special tax to purchase or build the bridges and  
6     causeways when, in the opinion of the county commission, the  
7     public good requires it.

8           "(b) The county commission of each county may also  
9     license any individual, group of individuals, partnership,  
10    corporation, association, or any other legal entity to  
11    establish or to operate toll roads, toll bridges, ferries, or  
12    causeways and authorize the licensee to establish and fix the  
13    rates of toll. Toll roads and toll bridges that are licensed  
14    by a county and which are on or over the line between any two  
15    counties shall be licensed by both counties.

16          "(c) The State Department of Transportation may  
17    license any individual, groups of individuals, partnership,  
18    corporation, association, or any other legal entity to  
19    establish or operate toll roads, toll bridges, ferries, or  
20    causeways and authorize the licensee to establish and fix the  
21    rates of toll.

22          "(d) After a license is issued pursuant to  
23    subsection (b) or (c) by a county commission or the State  
24    Department of Transportation, no further license of any type  
25    from any governmental body or agency, including, but not  
26    limited to, a business license, shall be required to  
27    construct, own, or operate the toll road or the toll bridge,

1       ferry, or causeway and no further license, tax, or fee may be  
2       imposed by any governmental body or agency.

3               "(e) No toll bridge shall be established over the  
4       same watercourse within ~~two miles~~ one mile of any other toll  
5       bridge.

6               "(f) Nothing contained in this section shall be  
7       deemed to limit the authority of the Department of  
8       Conservation and Natural Resources to grant easements and  
9       licenses with respect to the placement of bridges on state  
10      land."

11              Section 2. This act shall become effective on the  
12      first day of the third month following its passage and  
13      approval by the Governor, or its otherwise becoming law.