

Miami-Dade Expressway Authority scores legal victory over state

July 19, 2022

Community *News*

The Miami-Dade Expressway Authority (MDX) achieved another important legal victory on June 28th in a ruling by Eleventh Circuit Court Judge Alan Fine, who determined that a motion for summary judgement be granted to MDX.

For several years, MDX has been legally challenging the State of

Florida's attempt and take over the county's five major toll roads, which would result in the loss of hundreds of millions of dollars in toll revenue to the county. In 2019, the State Legislature voted dissolve MDX and replace it with a new entity known as the Greater Miami Expressway Authority (GMX), five of whose board members are appointed by the governor.

In response, the county passed an ordinance in May to abolish GMX under the provisions of Miami-Dade County's Home Rule Charter, which was adopted in 1957. Home Rule Authority allows the county "to abolish...authorities, boards or other governmental units whose jurisdiction lies wholly within (Miami) Dade County."

Commissioner Joe Martinez explained at the time that the intent of the ordinance was not only about MDX but was about defending the county's right to self-governance under the Florida Constitution. In his recent ruling, Judge Fine noted that, based upon the intent of Home Rule Authority, "the legislature would therefore relinquish its power to enact special laws that apply only to Miami-Dade County."

In 1994, a transfer agreement between MDX and the Florida Department of

Transportation was created which gave property interests in the five local expressways to MDX for a price of \$91 million. Those expressways include the 836/Dolphin Expressway, 112/Airport Expressway, 874/Don Shula Expressway, 878/Snapper Creek Expressway and 924/Gratigny Parkway.

Eugene Stearns, the attorney for MDX, expects GMX to file an appeal before July 29."

