

# Why Miami-Dade may lose control of Dolphin Expressway in state takeover of toll roads

[By Douglas Hanks](#) Updated August 09, 2023 8:52 PM

A Leon County court decision went in favor of state-controlled GMX as Miami-Dade's MDX board vows to fight on in the battle over who controls five county toll roads. *Miami Herald file*

Control of the Dolphin Expressway and other busy toll roads would shift from Miami to Tallahassee if a court doesn't block an [attempted takeover](#) of a local board.

The fight over the Dolphin and four other toll roads controlled by the Miami-Dade Expressway Authority (MDX) isn't new. Since 2019, the Republican-controlled Legislature in Tallahassee has passed laws attempting to turn over the MDX system and its \$240 million in yearly toll revenue to a new state-controlled board called the Greater Miami Expressway Agency (GMX).

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MDX and Miami-Dade County, which controls a majority of the MDX board seats, have so far fended off the laws with court challenges against GMX, where Florida's governor appoints a majority of the directors.

On Monday, [a judge in Leon County](#) ruled in favor of the takeover after GMX sued Bank of America's Tallahassee branch to get access to an MDX checking account with about \$12 million in it. Judge Angela Dempsey ruled a 2023 amendment to the original law left no doubt that the Legislature had dissolved MDX and put GMX in charge.

"MDX was an agency of the state," Dempsey wrote in her ruling. "The Miami-

Dade Expressway Authority was legislatively dissolved as of July 1, 2023."

Now MDX and its legal team are hoping to get a court order of their own blocking GMX from going farther. At a meeting at the state Transportation Department's Miami office, the GMX board of appointees by Gov. Ron DeSantis voted to suspend MDX's top management and halt payments to its outside lawyer, Gene Stearns.

"We must assure we have adequate control and authority," said Torey Alston, [a DeSantis appointee on the Broward County School Board](#) and former Transportation Department administrator who now serves as GMX's executive director. "I will follow the law."

Later that day, MDX members held an emergency meeting at the agency's headquarters near Miami International Airport to endorse more legal action to block GMX.

"You need to continue on," Jose "Pepe" Diaz, the mayor of Sweetwater and one of three former Miami-Dade commissioners on the MDX board, told Stearns. "And fight the fight."

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MDX paid about \$91 million to Florida when it took over the Dolphin and four other expressways in 1994 as part of the formation of the new toll agency at a time [of political backlash](#) against the state-controlled toll dollars funding projects elsewhere. The other MDX expressways are the Airport, Don Shula, Gratigny and Snapper Creek.

The County Commission appoints a majority of MDX's board seats, while Florida's governor appoints a majority of GMX's seats. The GMX law also gives a legislative committee in Tallahassee veto power over borrowing decisions by the new toll board.

In an interview, Stearns called the Leon County suit an end-run against the legal battle MDX was already winning in Miami-Dade, where a judge ruled the GMX takeover violates the county's Home Rule independence that prevents Tallahassee from dictating local affairs.

"The behavior of the DeSantis administration is little more than what you'd expect from Fidel Castro and dictators in Latin America," Stearns said. "This is socialism."

This story was originally published August 9, 2023, 7:34 PM.

Doug Hanks covers Miami-Dade government for the Herald. He's worked at the paper for nearly 20 years, covering real estate, tourism and the economy before joining the Metro desk in 2014. [Support my work with a digital subscription](#)