

By the Committees on Environmental Preservation and Conservation; Commerce and Tourism; and Transportation; and Senator Wise

592-03360-12

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1 A bill to be entitled  
2 An act relating to the sponsorship of state greenways  
3 and trails; creating the "John Anthony Wilson Bicycle  
4 Safety Act"; creating s. 260.0144, F.S.; providing for  
5 the Department of Environmental Protection to enter  
6 into concession agreements for commercial sponsorship  
7 displays to be displayed on certain state greenway and  
8 trail facilities or property; providing requirements  
9 for concession agreements; specifying which greenways  
10 and trails may be included in the sponsorship program;  
11 providing for distribution of proceeds from the  
12 concession agreements; authorizing the department to  
13 adopt rules; providing an effective date.

14  
15 Be It Enacted by the Legislature of the State of Florida:

16  
17 Section 1. This act may be cited as the "John Anthony  
18 Wilson Bicycle Safety Act."

19 Section 2. Section 260.0144, Florida Statutes, is created  
20 to read:

21 260.0144 Sponsorship of state greenways and trails.—The  
22 department may enter into a concession agreement with a not-for-  
23 profit entity or private sector business or entity for  
24 commercial sponsorship to be displayed on state greenway and  
25 trail facilities or property specified in this section. The  
26 department may establish the cost for entering into a concession  
27 agreement.

28 (1) A concession agreement shall be administered by the  
29 department and must include the requirements found in this

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30 section.

31 (2) (a) Space for a commercial sponsorship display may be  
32 provided through a concession agreement on certain state-owned  
33 greenway or trail facilities or property.

34 (b) Signage or displays erected under this section shall  
35 comply with the provisions of s. 337.407 and chapter 479, and  
36 shall be limited as follows:

37 1. One large sign or display, not to exceed 16 square feet  
38 in area, may be located at each trailhead or parking area.

39 2. One small sign or display, not to exceed 4 square feet  
40 in area, may be located at each designated trail public access  
41 point.

42 (c) Before installation, each name or sponsorship display  
43 must be approved by the department.

44 (d) The department shall ensure that the size, color,  
45 materials, construction, and location of all signs are  
46 consistent with the management plan for the property and the  
47 standards of the department, do not intrude on natural and  
48 historic settings, and contain only a logo selected by the  
49 sponsor and the following sponsorship wording:

50  
51 ...(Name of the sponsor)...proudly sponsors the costs  
52 of maintaining the...(Name of the greenway or  
53 trail)....

54  
55 (e) Sponsored trails and greenways are authorized only at:

56 1. Florida Keys Overseas Heritage Trail.

57 2. Blackwater Heritage Trail.

58 3. Tallahassee-St. Marks Historic Railroad State Trail.

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59 4. Nature Coast State Trail.

60 5. Withlacoochee State Trail.

61 6. General James A. Van Fleet State Trail.

62 7. Palatka-Lake Butler State Trail.

63 (f) All costs of a display, including development,  
64 construction, installation, operation, maintenance, and removal  
65 costs, shall be paid by the concessionaire.

66 (3) A concession agreement shall be for a minimum of 1  
67 year, but may be for a longer period under a multiyear  
68 agreement, and may be terminated for just cause by the  
69 department upon 60 days' advance notice. Just cause for  
70 termination of a concession agreement includes, but is not  
71 limited to, violation of the terms of the concession agreement  
72 or any provision of this section.

73 (4) Commercial sponsorship pursuant to a concession  
74 agreement is for public relations or advertising purposes of the  
75 not-for-profit entity or private sector business or entity, and  
76 may not be construed by that not-for-profit entity or private  
77 sector business or entity as having a relationship to any other  
78 actions of the department.

79 (5) This section does not create a proprietary or  
80 compensable interest in any sign, display site, or location.

81 (6) Proceeds from concession agreements shall be  
82 distributed as follows:

83 (a) Eighty-five percent shall be deposited into the  
84 appropriate department trust fund that is the source of funding  
85 for management and operation of state greenway and trail  
86 facilities and properties.

87 (b) Fifteen percent shall be deposited into the State

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88 Transportation Trust Fund for use in the Traffic and Bicycle  
89 Safety Education Program and the Safe Paths to School Program  
90 administered by the Department of Transportation.

91 (7) The department may adopt rules to administer this  
92 section.

93 Section 3. This act shall take effect July 1, 2012.