LEGISLATIVE ACTION

Senate		House
Comm: RCS		
03/29/2011	•	
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The Committee on Transportation (Benacquisto) recommended the following:

Senate Amendment (with title amendment)

Delete everything after the enacting clause

and insert:

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Section 1. This act may be cited as the "John Anthony Wilson Bicycle Safety Act of 2011."

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

260.0144 Naming rights or space for advertising.-The 10 department may enter into a concession agreement with a not-forprofit entity or private sector business or entity for naming 11

rights of state greenway and trail facilities or property or for 12

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13	commercial advertising to be displayed on state greenway and
14	trail facilities or property.
15	(1) A concession agreement under this section shall be
16	administered by the department and must include the requirements
17	of subsections (3) and (4).
18	(2)(a) Naming rights or space for a commercial advertising
19	display may be provided through a concession agreement on
20	certain state-owned greenway or trail facility or property.
21	(b) Signage or displays erected under this section shall be
22	limited to trailheads, trail intersections, directional or
23	distance markers, interpretive exhibits, and parking areas.
24	(c) The size of any sign or display shall be limited as
25	follows:
26	1. A sign or display located at a trailhead or parking area
27	may not exceed 16 square feet.
28	2. All other signs or displays may not exceed 4 square
29	feet.
30	(d) Naming rights of a facility or commercial advertising
31	pursuant to a concession agreement under this section are for
32	public relations or advertising purposes of a not-for-profit
33	entity or private sector business or entity, and shall not be
34	construed by that not-for-profit entity or business or entity as
35	having relationship to any other actions of the department.
36	(3) A concession agreement under this section shall be for
37	a minimum of one year but may be for a longer period under a
38	multiyear agreement, and may be terminated at any time by the
39	department, at its discretion.
40	(4)(a) Before installation, each name or advertising
41	display must be approved by the department, as appropriate.

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42	(b) The department shall set materials and construction
43	standards for all signage displayed.
44	(c) All costs of a display, including its development,
45	construction, installation, operation, maintenance, and removal
46	shall be paid by the concessionaire.
47	(5) Proceeds from concession agreements under this section
48	shall be distributed as follows:
49	(a) Ninety percent shall be deposited in the appropriate
50	department trust fund that is the source of funding for
51	management and operation of state greenway or trail facilities
52	and properties.
53	(b) Ten percent shall be distributed, prorated by
54	population, to district school boards and must be used to
55	enhance funds for the school district's bicycle education
56	program or Safe Route to Schools program. The prorated share of
57	such funds for a district that does not provide one of these
58	education programs may not be distributed to that district and
59	shall be deposited into the appropriate department trust fund.
60	(6) The department may adopt appropriate rules to implement
61	or interpret this section.
62	Section 3. This act shall take effect July, 1, 2011.
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64	======================================
65	And the title is amended as follows:
66	Delete everything before the enacting clause
67	and insert:
68	A bill to be entitled
69	An act relating to the sale of advertising; creating
70	the "John Anthony Wilson Bicycle Safety Act of 2011";

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71	creating s. 260.0144, F.S.; providing for the
72	Department of Environmental Protection to enter into
73	concession agreements for naming rights of state
74	greenway, trail facilities, and property or commercial
75	advertising to be displayed on state greenway and
76	trail facilities or property; providing for
77	distribution of proceeds from such concession
78	agreements; providing an effective date.