

HOUSE OF REPRESENTATIVES STAFF ANALYSIS

BILL #: CS/HB 295 Transportation Facility Designations
SPONSOR(S): Transportation & Infrastructure Subcommittee, Brannan III, Robert
TIED BILLS: **IDEN./SIM. BILLS:** SB 100

| REFERENCE | ACTION | ANALYST | STAFF DIRECTOR or BUDGET/POLICY CHIEF |
|--|---------------------|---------|--|
| 1) Transportation & Infrastructure Subcommittee | 12 Y, 0 N, As CS | Johnson | Vickers |
| 2) Transportation & Tourism Appropriations Subcommittee | | | |
| 3) State Affairs Committee | | | |

SUMMARY ANALYSIS

State law authorizes legislative designations of transportation facilities for honorary or memorial purposes or to distinguish a particular facility. The legislative designations do not officially change the current names of the facilities, nor does the law require local governments and private entities to change street signs, mailing addresses, or 911 emergency telephone system listings. State law also requires the appropriate city or county commission to pass a resolution supporting the designation prior to the erection of markers indicating the designation.

The bill provides 25 honorary designations for various transportation facilities across the state in honor of Florida Highway Patrol (FHP) troopers killed in the line of duty. One designation includes the name of an officer of Canada's Ontario Provincial Police who was killed during a ride along with a FHP trooper. The Department of Transportation (DOT) is directed to erect suitable markers for each of the designations.

DOT estimates a \$25,000 negative fiscal impact to the State Transportation Trust Fund associated with erecting suitable markers for the above designations. The cost can be absorbed within existing DOT resources.

FULL ANALYSIS

I. SUBSTANTIVE ANALYSIS

A. EFFECT OF PROPOSED CHANGES:

Present Situation

Section 267.062, F.S., provides for the naming of state buildings and other facilities. The statute provides that except as specifically provided by law, state buildings, roads, bridges, parks, recreational complexes and other similar facilities may not be named for a living person.

Section 334.071, F.S., authorizes legislative designations of transportation facilities for honorary or memorial purposes or to distinguish a particular facility. The legislative designations do not officially change the current names of the facilities nor does the statute require local governments and private entities to change street signs, mailing addresses, or 911 emergency telephone-number system listings.

The Department of Transportation (DOT) must place a marker at each termini or intersection of an identified road or bridge and erect other markers it deems appropriate for the transportation facility. The appropriate city or county commission must pass a resolution in support of a particular designation before road markers are erected. Additionally, if the designated road segment extends through multiple cities or counties, a resolution must be passed by each affected local government.

Effect of the Bill

The bill provides 25 honorary designations for 28 fallen member of the Florida Highway Patrol (FHP).

Subsection 1 designates that portion of I-75 between mile markers 399 and 404 in Alachua County as the "Sergeant William T. Bishop Memorial Highway."

Master Sergeant Bishop was struck and killed by a vehicle while investigating a crash on I-75 in Alachua County. Master Sergeant Bishop had served with FHP for more than 30 years. At the time of his death, on June 17, 2017, he was 52 years old.¹

Subsection 2 designates that portion of I-10 between mile markers 327 and 332 in Baker County as the "Trooper Sherman L. Scott, Jr., Memorial Highway."

Trooper Scott was shot by an escaped convict during a routine traffic stop in Jacksonville. Trooper Scott had served with FHP for three years. At the time of his death, on January 3, 1965, he was 25 years old.

Subsection 3 designates that portion of Babcock Street between Malabar Road and Palm Bay Road in Brevard County as the "Trooper Joseph Sawtell, Jr., Memorial Highway."

Trooper Sawtell was on patrol in Melbourne when his cruiser was struck by a car that ran a stop sign. Trooper Sawtell had served with FHP for four months. At the time of his death, on August 5, 1966, he was 23 years old.

Subsection 4 designates that portion of U.S. 1 between E. Main Street and Parrish Road in Brevard County as the "Trooper Halley Strickland Memorial Highway."

¹ Biographical information on the FHP troopers was obtained from the FHP Memorial Website, <https://www.flhsmv.gov/florida-highway-patrol/fhp-memorial/> (Last visited January 17, 2019).

Trooper Strickland was killed while pursuing a fleeing violator in Titusville. Trooper Strickland had served with FHP for seven years. At the time of his death, on January 8, 1954, he was 33 years old.

Subsection 5 designates that portion of I-95 between the N.E. 48th Street overpass and S.W. 10th Street in Broward County as the "Trooper Phillip Black and Corporal Donald Irwin Memorial Highway."

Trooper Black was shot while investigating a suspicious vehicle parked at a rest stop on I-95 near Pompano Beach. Trooper Black had served with FHP for nine years. At the time of his death, on February 20, 1976, he was 39 years old.

Corporal Donald Irwin was a member of Canada's Ontario Provincial Police who, while vacationing in Florida, was riding along with Trooper Black. Corporal Irwin went to assist Trooper Black and was also shot and killed. At the time of his death, on February 20, 1976, he was 40 years old.

Subsection 6 designates that portion of I-75 between mile markers 100 and 102 in Collier County as the "Trooper Lindell J. Gibbons Memorial Highway."

Trooper Gibbons crashed while in pursuit of a fleeing suspect in Collier County. Trooper Gibbons had served with FHP for two years. At the time of his death, on March 23, 1985, he was 38 years old.

Subsection 7 designates that portion of I-75 between mile markers 418 and 423 in Columbia County as the "Sergeant George A. Brown, III, Memorial Highway."

While overtaking a traffic violator on County Road 341 in Columbia County, Sergeant Brown's vehicle left the paved travel portion of the roadway and struck several trees. Sergeant Brown had served with FHP for 33 years. At the time of his death, on April 27, 2004, he was 55 years old.

Subsection 8 designates that portion of U.S. 19 between C.R. 351A and S.W. 307th Avenue in Dixie County as the "Patrolman Royston E. Walker Memorial Highway."

Patrolman Walker was shot and killed after stopping a vehicle with faulty headlights in Cross City. Patrolman Walker had served the citizens of Florida for seven months. At the time of his death, on August 31, 1936, he was 27 years old.

Subsection 9 designates that portion of U.S. 90 between Yellow Water Road and Log Road in Duval County as the "Trooper Robert P. McDermon Memorial Highway."

Trooper McDermon was shot while attempting to apprehend an escaped prisoner off US 90 near Jacksonville. Trooper McDermon had served with FHP for 11 years. At the time of his death, on April 11, 1981, he was 35 years old.

Subsection 10 designates that portion of U.S. 301 between U.S. 90 and Summer Field Lane in Duval County as the "Trooper Edwin J. Gasque Memorial Highway."

Trooper Gasque was shot when he was ambushed while he and a prison dog tracked two fugitives in Jacksonville. Trooper Gasque had served with FHP for two years. At the time of his death, on October 26, 1961, he was 30 years old.

Subsection 11 designates that portion of U.S. 29/S.R. 95 between Neal Road and Nine Mile Road in Escambia County as the "Trooper Milan D. Hendrix Memorial Highway."

Trooper Hendrix was on routine patrol duty in Pensacola when his patrol car was involved in a crash with a log truck. Trooper Hendrix had served with FHP for nine years. At the time of his death, on June 1, 1989, he was 37 years old.

Subsection 12 designates the interchange on I-10 at U.S. 90/S.R. 10/Mahan Drive in Leon County as the "Trooper William 'Bill' H. Dyer Memorial Interchange."

Trooper Bill Dyer was in a single vehicle crash on I-10 in Leon County while on duty. He suffered from a medical emergency that caused the crash on Oct. 18, 2011. At the time of his death, on December 28, 2011, he was 39 years old.

Subsection 13 designates that portion of U.S. 41 between Tallevast Road in Manatee County and the Sarasota County line as the "Sergeant John C. Baxter, Jr., Memorial Highway."

Sergeant Baxter was in an airplane crash in Manatee County while assisting in the search for a suspect in four armed robberies. Sergeant Baxter had served with FHP for 25 years. At the time of his death, on October 2, 1985, he was 57 years old.

Subsection 14 designates that portion of I-75 between mile markers 340 and 344 in Marion County as the "Trooper Chelsea Richard Memorial Highway."

Trooper Richard was struck and killed by a vehicle while investigating a crash on I-75. Trooper Richard had served with FHP, for nine years. At the time of her death, on March 3, 2014, she was 30 years old.

Subsection 15 designates that portion of U.S. 1/S.R. 5 between S.R. 821/Homestead Extension of Florida's Turnpike and S.W. 216th Street in Miami-Dade County as the "Trooper Luther P. Daniel Memorial Highway."

Patrolman Daniel was shot during a traffic stop, by an escapee, in a stolen vehicle. Patrolman Daniel had served with FHP for six months. At the time of his death, on December 5, 1941, he was 32 years old.

Subsection 16 designates that portion of S.R. 821/Homestead Extension of Florida's Turnpike between mile markers 13 and 16 in Miami-Dade County as the "Trooper Alvin V. Kohler Memorial Highway."

Trooper Kohler was shot by a runaway teenager while he was assisting a disabled motorist. Trooper Kohler had served with FHP for one year. At the time of his death, on September 19, 1978, he was 23 years old.

Subsection 17 designates that portion of S.R. 836 between N.W. 12th Avenue and N.W. 27th Avenue in Miami-Dade County as the "Trooper Bradley S. Glascock Memorial Highway."

Trooper Glascock was shot during a traffic stop at a toll booth on S.R. 836 in Miami. Trooper Glascock had served with FHP for one year. At the time of his death, on August 4, 1977 he was 24 years old.

Subsection 18 designates that portion of S.R. 836 between N.W. 42nd Avenue and N.W. 72nd Avenue in Miami-Dade County as the "Trooper Elmer C. Barnett Memorial Highway."

Trooper Barnett, during a traffic stop in Miami, was standing away from the roadway with the original violator when another vehicle ran off the road and struck him. Trooper Barnett had served with FHP for five years. At the time of his death, on February 14, 1978, he was 30 years old.

Subsection 19 designates the interchange at I-95 and S.R. 907/Alton Road in Miami-Dade County as the "Trooper Owen K. Bender Memorial Interchange."

Captain Bender was struck by a vehicle as he manned a roadblock, on the 36th Street Causeway, to restrict traffic because of dangerous driving conditions due to Hurricane Betsy. Captain Bender had

served with the FHP Auxiliary, for six years. At the time of his death, on September 8, 1965, he was 34 years old.

Subsection 20 designates that portion of U.S. 441 between Landstreet Road and Taft Vineland Road in Orange County as the "Trooper Richard Howell Memorial Highway."

Trooper Howell was killed in a crash while in pursuit of a suspect on U.S. 441 in Orlando. Trooper Howell had served with FHP for one year. At the time of his death, on August 2, 1976, he was 30 years old.

Subsection 21 designates that portion of S.R. 91/Florida's Turnpike between mile markers 100 and 105 in Palm Beach County as the "Troopers Herman T. Morris and Frederick J. Groves, Jr., Memorial Highway."

Trooper Morris was on routine patrol in West Palm Beach, when another vehicle forced his cruiser into a bridge railing. Trooper Morris had served with FHP for three years. At the time of his death, on March 16, 1972, he was 27 years old.

Trooper Groves was shot on September 15, 1984, during a routine traffic stop on the Turnpike in Palm Beach County. Trooper Groves had served with FHP for 14 years. At the time of his death, on September 18, 1984, he was 41 years old.

Subsection 22 designates that portion of I-4 between mile markers 36 and 44 in Polk County as the "Trooper John C. Hagerty Memorial Highway."

Trooper Hagerty was piloting a traffic plane over Lakeland when he was struck by a low-flying U.S. Navy jet. Trooper Hagerty had served with the FHP for 13 years. At the time of his death, on March 18, 1970, he was 44 years old.

Subsection 23 designates that portion of W. 1st Street between French Avenue and S. Mellonville Avenue in Seminole County as the "Patrolman Leroy Bender Memorial Highway."

Patrolman Bender was investigating a traffic accident, in Sanford, when a passing car struck him and left the scene. Patrolman Bender had served with FHP for two years. At the time of his death, on October 25, 1947, he was 44 years old.

Subsection 24 designates that portion of I-95 between mile markers 332 and 327 in St. Johns County as the "Trooper Wilburn A. Kelly Memorial Highway."

Trooper Kelly was on routine patrol in St. Augustine, when another vehicle struck his cruiser from behind. Trooper Kelly had served with FHP for 22 years. At the time of his death, on March 23, 1974, he was 43 years old.

Subsection 25 designates that portion of U.S. 1 between S.R. 207 and the Matanzas River in St. Johns County as the "Troopers Merle J. Cook, Robert L. Pruitt, and Cleo L. Tomlinson, Jr., Memorial Highway."

Troopers Cook, Pruitt, and Tomlinson were in an airplane crash in St. John's County while assisting in the search for two suspects wanted for breaking and entering.

Trooper Cook had served with FHP for 10 years. At the time of his death, on July 13, 1981, he was 44 years old.

Trooper Pruitt had served with FHP for five years. At the time of his death, on July 13, 1981, he was 37 years old.

Corporal Tomlinson had served with FHP for 19 years. At the time of his death, on July 13, 1981, he was 42 years old.

The bill directs DOT to erect suitable markers for each of the above designations.

B. SECTION DIRECTORY:

Section 1 provides honorary designations of various transportation facilities and directs DOT to erect suitable markers.

Section 2 provides an effective date of July 1, 2019.

II. FISCAL ANALYSIS & ECONOMIC IMPACT STATEMENT

A. FISCAL IMPACT ON STATE GOVERNMENT:

1. Revenues:

None.

2. Expenditures:

DOT estimates a cost of \$1,000 per designation for the appropriate markers, which provides for two signs per designation at \$500 per sign.² Therefore, the bill has an estimated negative fiscal impact of \$25,000 to the State Transportation Trust Fund. This cost can be absorbed within existing DOT resources.

B. FISCAL IMPACT ON LOCAL GOVERNMENTS:

1. Revenues:

None.

2. Expenditures:

None.

C. DIRECT ECONOMIC IMPACT ON PRIVATE SECTOR:

None.

D. FISCAL COMMENTS:

None.

III. COMMENTS

A. CONSTITUTIONAL ISSUES:

1. Applicability of Municipality/County Mandates Provision:

Not applicable. This bill does not appear to affect county or municipal government.

² Email from Cody Farrell, Deputy Director of Legislative Affairs, Florida Department of Transportation, RE: Road Designation Costs (Jan. 7, 2019).

2. Other:

None.

B. RULE-MAKING AUTHORITY:

None.

C. DRAFTING ISSUES OR OTHER COMMENTS:

None.

IV. AMENDMENTS/ COMMITTEE SUBSTITUTE CHANGES

On February 7, 2019, the Transportation & Infrastructure Subcommittee adopted two amendments and reported the bill favorably as a committee substitute. The first amendment added Corporal Donald Irwin to the Trooper Phillip Black Memorial Highway designation. The second amendment made technical changes to the bill, clarifying some of the facilities being designated.

This analysis is drafted to the committee substitute as reported favorably by the Transportation & Infrastructure Subcommittee.