

HOUSE OF REPRESENTATIVES STAFF ANALYSIS

BILL #: CS/CS/CS/HB 391 Transportation Facility Designations

SPONSOR(S): State Affairs Committee, Transportation & Tourism Appropriations Subcommittee, Transportation & Infrastructure Subcommittee, Brannan, Fetterhoff and others

TIED BILLS: **IDEN./SIM. BILLS:**

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	11 Y, 0 N, As CS	Davis	Davis
3) State Affairs Committee	20 Y, 0 N, As CS	Johnson	Williamson

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 17 honorary designations for various transportation facilities across the state. The bill also amends a 2019 designation to revise the length of the facility being designated and a 2014 designation to reflect a posthumous military promotion. The Department of Transportation (DOT) is directed to erect suitable markers for each of these designations.

The bill will have an insignificant 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

Designations

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.

Road Markers

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

Road Designations

The bill requires DOT to erect suitable markers designating each of the below designations.

Subsection 1 designates that portion of U.S. 441 between Deep Creek Bridge and C.R. 6 in Columbia County as the “Austin D. Gay Memorial Highway.”

On April 14 1979, Inspector Gay was shot and killed after being abducted from his inspection station on U.S. 441.¹

Subsection 2 designates that portion of I-10 between the Madison County line and mile marker 275 in Suwannee County as the “Wesley L. Silas Memorial Highway.”

On March 1, 1994, Officer Silas was killed after being struck by a tractor trailer at the Agricultural Inspection Station on I-10 near Live Oak.²

Subsection 3 designates that portion of U.S. 19 between Luther Wilson Road and the Econfina River Bridge in Taylor County as the “Joshua S. Montaad Memorial Highway.”

On June 6, 2017, Officer Montaad was killed in a single vehicle crash on U.S. 19 in Taylor County, when his patrol car left the roadway and struck a tree and caught fire.³

Subsection 4 designates that portion of S.R. 408/Spessard L. Holland East-West Expressway between S. Crystal Lake Dr. and S. Semoran Boulevard in Orange County as the “Sergeant Tracy Vickers Memorial Expressway.”

¹ <https://www.odmp.org/officer/20615-inspector-austin-dewey-gay> (Last visited Oct. 18, 2019).

² <https://www.odmp.org/officer/986-officer-wesley-l-silas> (Last visited Oct. 18, 2019).

³ <https://www.odmp.org/officer/23268-officer-joshua-sanchez-montaad> (Last visited Oct. 18, 2019).

On September 27, 2019, Sergeant Vickers was killed as a result of a crash when his patrol car struck a construction truck in Orange County.⁴

Subsection 5 designates that portion of I-95 between mile markers 105 and 110 in Martin County as the “Trooper Joseph Bullock Memorial Highway.”

On February 5, 2020, Trooper Bullock was shot and killed in the line of duty during a traffic stop in Martin County. He was also a veteran of the United States Air Force.⁵

Subsection 6 designates that portion of I-95 between the Florida state line in Nassau County and S.W. 32nd Road in Miami-Dade County as the “Purple Heart Memorial Highway.”

The Purple Heart is awarded to members of the U.S. Armed Forces who are wounded by an instrument of war in the hands of the enemy and posthumously to the next of kin in the name of those who are killed in action or die of wounds received in action.⁶

Subsection 7 designates that portion of U.S. 98 between C.R. 386 and Pine Street in Gulf County as the “Willis V. Rowan Memorial Highway.”

Willis V. Rowan served in World War II as a 2nd Lieutenant in the Army Air Force and was killed in action.⁷

Subsection 8 designates that portion of U.S. 98 between Pine Street and C.R. 382/Industrial Road in Gulf County as the “John C. Gainous Memorial Highway.”

John C. Gainous was killed in action in Vietnam. The Veterans of Foreign Wars Post 10069 in Highland View is named in his memory.⁸

Subsection 9 designates that portion of S.R. 438 between Winters Landing Drive and Clarke Road in Orange County as the “Julius ‘July’ Perry Memorial Highway.”

Julius “July” Perry, is the lone victim identified by name from among the victims of a white mob attack on African-American residents in Ocoee on November 2, 1920.

Subsection 10 designates bridge numbers 880052, 880051, 880050, and 880053 on S.R. 510 between Wabasso and Wabasso Beach in Indian River County as the “A.B. Michael Bridges.”

A.B. Michael is often known as the “Dean of the Florida Citrus Industry” due to his over 60-year involvement with many different facets of the industry. He served on the Florida Citrus Commission and, in 1964, was inducted into the Florida Citrus Hall of Fame. He passed away in 1964.⁹

Subsection 11 designates that portion of U.S. 90/Beaver Street between Chaffee Road and U.S. 301 in Duval County as the “John B. Coxwell Memorial Highway.”

In 1983, John B. Coxwell established River City Paving, which eventually became J.B. Coxwell Contracting, Inc. He passed away in 2017.

Subsection 12 designates Bridge number 930361 on S.R. A1A/Jack Nicklaus Drive in Palm Beach County as the “Gold Star Family Memorial Bridge, dedicated to Army Capt. Joseph M. Berkson.”

⁴ <https://www.flhsmv.gov/florida-highway-patrol/fhp-memorial/tracy-vickers/> (Last Visited Jan. 30, 2020).

⁵ <https://www.flhsmv.gov/florida-highway-patrol/fhp-memorial/joseph-bullock/> (Last visited Feb. 11, 2020).

⁶ The Military Order of the Purple Heart website, <https://www.purpleheart.org/about-the-purple-heart/> (Last visited Oct.23, 2019).

⁷ <https://www.findagrave.com/memorial/99877556/willis-v-rowan> (Last visited Nov. 12, 2019).

⁸ <https://www.findagrave.com/memorial/100183488/john-c-gainous> (Last visited Nov. 12, 2019).

⁹ <https://floridacitrusshalloffame.com/inductees/a-b-michael/> (Last visited Feb. 4, 2020).

The term “Gold Star” describes a family member who has lost a loved one in military service. The Gold Star signifies the family's pride in the loved one's sacrifice rather than the mourning of their personal loss.¹⁰

Captain Joseph M. Berkson served as a senior combat adviser with South Vietnamese Rangers during the North Vietnamese army offensive of 1972. On May 2, 1972, Captain Berkson was being airlifted from hostile activity when the helicopter he was in was shot down by a surface-to-air missile, where he was killed in the crash.

Subsection 13 designates that portion of U.S. 41/S.W. 8th Street between S.W. 82nd Avenue and S.R. 973/S.W. 87th Avenue in Miami-Dade County as the “Manuel H. ‘Manny’ Piedra Memorial Highway.”

Manuel H. “Manny” Piedra came to the United States from Cuba in 1961, and served with distinction in the Army’s Cuban Volunteer Training Program. In 1976, he opened Manny’s Formal Wear and was active in the community. He was 76 years old at the time of his death.

Subsection 14 designates that portion of S.R. 285 between S.R. 20 and College Boulevard in Okaloosa County as the “Mayor Randall Wise Memorial Highway.”

Mayor Randall Wise was first appointed as mayor of Niceville in 1971 and served continuously until his death on January 20, 2020. At that time, he was the fourth-longest current serving mayor in the United States.

Subsection 15 designates, upon completion of construction, the roundabout at that portion of S.R. 64 and Pope Road/Greyhawk Boulevard in Manatee County as the “Chase Coyner and Matthew Powers Memorial Roundabout.”

In September 2018, Chase Coyner, age 17, and Matthew Powers, age 15, were killed in a traffic crash on S.R. 64 and Pope Road in Manatee County while on their way to homecoming at Lakewood Ranch High School.¹¹

Subsection 16 designates bridge numbers 280070 and 280071 on S.R. 223 in Bradford County as the “Archibald Johns Thomas Memorial Bridges.”

Archibald Johns Thomas served in World War I, as a member of the Florida House of Representatives from 1927-1928, and as Clerk of the Circuit Court in and for Bradford County for 20 years. He passed away on September 16, 1975.¹²

Subsection 17 designates the Pensacola Bay Bridge (bridge numbers 480289 and 480290) on U.S. 98/S.R. 30 between 17th Avenue in Escambia County and Baybridge Drive in Santa Rosa County as the “General Daniel ‘Chappie’ James, Jr., Bridge.”

Born in Pensacola in 1920, General Daniel “Chappie” James, Jr., was one of the Tuskegee Airmen. He served with the U.S. Air Corps and later the U.S. Air Force in World War II, Korea, and Vietnam. In 1975, he became the first African American Four-Star General in the U.S. Armed Forces. General James passed away on February 25, 1978.¹³

Revisions of Previous Designations

The bill revises the designation for the “Robert L. ‘Bob’ Billingslea Highway” in Orange County from S.R. 535 between S.R. 526 and the Osceola County Line to S.R. 535 between S.R. 91/Florida’s Turnpike and the Osceola County Line to revise the length of the facility designated.

¹⁰ <http://goldstarfamilies.com/> (Last visited Feb. 6, 2020).

¹¹ <https://www.baynews9.com/fl/tampa/news/2018/09/16/two-teens-killed-in-collision-on-sr-64-in-manatee-county> (last visited Feb. 11, 2020).

¹² Bradford County Resolution 2019-10. (Copy on file with Transportation & Infrastructure Subcommittee).

¹³ <https://www.af.mil/About-Us/Biographies/Display/Article/106647/general-daniel-james-jr/> (Last visited Feb. 4, 2020).

The bill also renames the Colonel Bud Day Overpass in Okaloosa County as the Brigadier General Bud Day Overpass to reflect his posthumous promotion to Brigadier General.

B. SECTION DIRECTORY:

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

Section 2 amends Ch. 2019-169, L.O.F, revising a previous designation.

Section 3 amends Ch. 2014-228, L.O.F., revising a previous designation.

Section 2 provides an effective date of July 1, 2020.

II. FISCAL ANALYSIS & ECONOMIC IMPACT STATEMENT

A. FISCAL IMPACT ON STATE GOVERNMENT:

1. Revenues:

The bill does not impact state government revenues.

2. Expenditures:

DOT estimates a cost of \$ 1,000 for most of the above designations for the appropriate markers, which provides for two signs per designation at \$500 per sign.¹⁴ Additionally, \$12,000 will provide two signs (one sign in each direction) for each of the 12 counties traversed by I-95¹⁵ for the Purple Heart Memorial Highway designation. Therefore, the bill has an estimated negative fiscal impact of \$31,000 to the State Transportation Trust Fund. This cost can be absorbed within existing DOT resources.

B. FISCAL IMPACT ON LOCAL GOVERNMENTS:

1. Revenues:

The bill does not impact local government revenues.

2. Expenditures:

The bill does not impact local government expenditures.

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 governments.

¹⁴ Email from Amanda Marsh, Office of Legislative Programs, Florida Department of Transportation, RE: Road Designation Fiscal (Aug. 14, 2019). Copy on file with the Transportation & Infrastructure Subcommittee.

¹⁵ The 12 counties include Nassau, Duval, St. Johns, Flagler, Volusia, Brevard, Indian River, St. Lucie, Martin, Palm Beach, Broward, and Miami-Dade.

2. Other:

None.

B. RULE-MAKING AUTHORITY:

The bill does not provide a grant of rulemaking authority, nor does it require rulemaking.

C. DRAFTING ISSUES OR OTHER COMMENTS:

None.

IV. AMENDMENTS/ COMMITTEE SUBSTITUTE CHANGES

On November 13, 2019, the Transportation & Infrastructure Subcommittee adopted an amendment and reported the bill favorably as a committee substitute. The amendment clarified that the Wesley L. Silas Memorial Highway designation begins at the Madison County line in Suwannee County.

On January 22, 2020, the Transportation & Tourism Appropriations Subcommittee adopted an amendment and reported the bill favorably as a committee substitute. The amendment created an additional honorary designation for Sergeant Tracy Vickers.

On February 13, 2020, the State Affairs Committee adopted one amendment, as amended, and reported the bill favorably as a committee substitute. The amendment created 13 additional honorary transportation facility designations. The amendment also revised a 2019 designation to revise the length of the facility being designated and a 2014 designation to reflect a posthumous military promotion.

This analysis is drafted to the committee substitute as approved by the State Affairs Committee.