

HOUSE OF REPRESENTATIVES STAFF ANALYSIS

BILL #: HB 553 Highway Signs
SPONSOR(S): Glorioso and others
TIED BILLS: **IDEN./SIM. BILLS:** SB 1648

REFERENCE	ACTION	ANALYST	STAFF DIRECTOR
1) Transportation Committee		Pugh	Miller
2) Education Appropriations Committee			
3) State Infrastructure Council			
4) _____			
5) _____			

SUMMARY ANALYSIS

Among the statutory responsibilities of the Florida Department of Transportation (FDOT) is extensive authority to maintain the safety of roads and other transportation infrastructure used by the public, pursuant to chapter 316, F.S. In particular, s. 316.0745, F.S., specifies FDOT's responsibilities for ensuring the uniform use of traffic signs and other traffic control devices on all streets and highways in the state. FDOT has developed an engineering manual with criteria for allowable highway directional and informational signs, based on federal guidelines.

HB 553 directs FDOT to install highway directional signs at specified highway exits at the request of any college or university that has a campus in this state and which offers, at a minimum, baccalaureate and graduate degree programs, and which has at least 350 students enrolled at the campus that is the subject of the highway signs.

The college or university also must agree to pay all costs associated with the construction, erection, and maintenance of its sign.

There appears to be minimal or no expense to FDOT and the state from HB 553.

HB 553 does not appear to raise any constitutional or other legal concerns.

The bill takes effect upon becoming a law.

FULL ANALYSIS

I. SUBSTANTIVE ANALYSIS

A. HOUSE PRINCIPLES ANALYSIS:

HB 553 does not implicate any House Principles.

B. EFFECT OF PROPOSED CHANGES:

Current Situation

FDOT has broad authority over the use of highway signage, traffic signals, and other traffic-control devices on all public roads in Florida. Specifically:

316.0745 Uniform signals and devices.—

(1) The Department of Transportation shall adopt a uniform system of traffic control devices for use on the streets and highways of the state. The uniform system shall, insofar as is practicable, conform to the system adopted by the American Association of State Highway Officials and shall be revised from time to time to include changes necessary to conform to a uniform national system or to meet local and state needs. The Department of Transportation may call upon representatives of local authorities to assist in the preparation or revision of the uniform system of traffic control devices.

(2) The Department of Transportation shall compile and publish a manual of uniform traffic control devices which defines the uniform system adopted pursuant to subsection (1), and shall compile and publish minimum specifications for traffic control signals and devices certified by it as conforming with the uniform system.

FDOT has developed a "Traffic Engineering Manual" that includes a section on highway signage requirements. Adopted in 1991, these requirements are based on guidelines developed by the American Association of State Highway and Transportation Officials (AASHTO) and incorporated in the U.S. Highway Administration's Manual of Uniform Traffic Control Devices. The types of signs regulated under these provisions are the metal signs either suspended over the highway or located on the state right-of-way.

FDOT's signage requirements differ depending on whether a highway has limited access or unlimited access. "Limited access highways" are defined as roadways designed primarily for through traffic and which abutting landowners have no right or easement for access, the interstate highways are an example of a limited access highway. The manual addresses multiple types of signs for a variety of purposes: from temporary sporting events to cultural attractions to hospitals, specifying size, color, and placement. Certain facilities also must meet criteria on the number of trips generated annually in order to qualify for a sign.

Pursuant to its manual, FDOT generally provides highway directional signs for any state-funded community college, vocational/technical center, university main campus, and university branch or satellite campuses where students can obtain at least an AA degree without having to attend the main campus. In addition, private colleges that had highway signs prior to FDOT developing its signage criteria can retain those signs as long as the institutions remain active.

Private colleges and universities have to meet the trip-generated requirement. For example, a private college located in a major metropolitan area of more than 50,000 persons has to generate 900,000 trips annually if it doesn't have dormitories and 1.2 million trips annually if it does have dormitories.

Effect of HB 553

HB 553 would direct FDOT to install highway directional signs at specified exits at the request of any university or college that offers, at a minimum, baccalaureate degree and graduate educational

programs, and has at least 350 students enrolled at the campus that would be subject of the directional sign.

All costs associated with construction, installation, and maintenance of the sign would be borne by the benefiting college or university.

It is unknown how many post-secondary institutions would seek highway directional signs under HB 553. According to the Florida Department of Education's website, there are 28 independent colleges and universities. The website also has an extensive list of other private, post-secondary institutions that have campuses in Florida.

C. SECTION DIRECTORY:

Section 1: Directs FDOT to install highway directional signs for colleges and universities that meet certain criteria. Specifies that the colleges and universities shall pay all costs of construction, erection, and maintenance.

Section 2: Provides an effective date of July 1, 2005.

II. FISCAL ANALYSIS & ECONOMIC IMPACT STATEMENT

A. FISCAL IMPACT ON STATE GOVERNMENT:

1. Revenues:

None.

2. Expenditures:

None.

B. FISCAL IMPACT ON LOCAL GOVERNMENTS:

1. Revenues:

None.

2. Expenditures:

None.

C. DIRECT ECONOMIC IMPACT ON PRIVATE SECTOR:

Private universities and colleges who request these signs and meet the criteria would have to pay all the costs associated with construction, erection, and maintenance of the signs. These costs are indeterminate at this time.

D. FISCAL COMMENTS:

None.

III. COMMENTS

A. CONSTITUTIONAL ISSUES:

1. Applicability of Municipality/County Mandates Provision:

This mandates provision is not applicable to HB 553 because the legislation does not require counties or municipalities to expend local funds or to raise local funds, nor does it reduce their state revenue-sharing.

2. Other:

None.

B. RULE-MAKING AUTHORITY:

FDOT has sufficient rulemaking authority necessary to implement the provisions in this act.

C. DRAFTING ISSUES OR OTHER COMMENTS:

Committee staff have identified one section of HB 553 that may need a clarifying amendment. Section 2 specifies that universities and colleges meeting the bill's sign requirements and wanting a highway sign must pay for all costs associated with sign construction, installation, and maintenance. This section may need to be clarified so that universities and colleges that already have directional signs along state highways don't have to begin paying for maintenance of those signs, or for replacement signs.

IV. AMENDMENTS/COMMITTEE SUBSTITUTE & COMBINED BILL CHANGES