

**HOUSE OF REPRESENTATIVES STAFF ANALYSIS**

**BILL #:** HB 431                                  Tourist-Oriented Directional Sign Program  
**SPONSOR(S):** Pickens  
**TIED BILLS:**    **IDEN./SIM. BILLS:** SB 882

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REFERENCE	ACTION	ANALYST	STAFF DIRECTOR
1) <u>Committee on Tourism &amp; Trade</u>	_____	<u>Vogt</u>	<u>Hoagland</u>
2) <u>Economic Expansion &amp; Infrastructure Council</u>	_____	_____	_____
3) _____	_____	_____	_____
4) _____	_____	_____	_____
5) _____	_____	_____	_____

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**SUMMARY ANALYSIS**

The bill provides for the establishment of a tourist oriented directional sign program in rural counties. The bill seeks to provide local governments with the authority to adopt this type of program and specifies the criteria for the program if they chose to implement it. This program is at the option of the counties, and does not require implementation. Authority is given to FDOT to adopt rules in conjunction with the program.

The bill does not appear to have any fiscal impact on state government; all administrative costs associated will be absorbed within existing resources. The bill appears to have some fiscal impact on local governments in terms of sign production, but permits the local government to charge fees to offset these costs.

This bill provides an effective date of July 1, 2007.

## FULL ANALYSIS

### I. SUBSTANTIVE ANALYSIS

#### A. HOUSE PRINCIPLES ANALYSIS:

**Provide Limited Government-** The bill gives authority to FDOT to adopt rules to implement the program.

**Ensure Lower Taxes-** The bill permits local governments to charge fees to help offset the costs of sign production and administering the program.

#### B. EFFECT OF PROPOSED CHANGES:

##### **Background**

The Florida Department of Transportation regulates signage on the State Highway System and local and county governments regulate the signage on all other roadways. Both follow the federal guidelines laid out in the Manual on Uniform Traffic Control Devices (MUTCD). The MUTCD defines the standards used by road managers nationwide to install and maintain traffic control devices on all streets and highways.

There are programs currently being used on the state highway system to direct motorists to businesses off major roadways and to promote tourist activities throughout the state, these include the Logo Sign Program and the Highway Beautification and Tourism Promotion Pilot Project. Neither of these programs are aimed specifically at rural counties.

The Logo Sign Program currently being used on the state highway system gives information to motorists about available gas, food, lodging, and camping services on blue signs at interstate exits. The Highway Beautification and Tourism Promotion Pilot Project applies to Interstate 75 and was developed to enhance this highway that is traveled by many tourists to reach their destinations in Florida. The program seeks to beautify the corridor from the Florida-Georgia state boundary to its intersection at the Florida Turnpike at Wildwood. The projects goals include vegetation management and standards for signs that are visible from the roadway.

In section 288.0656, F.S., the Rural Economic Development Initiative, known as REDI was created. REDI is responsible for coordinating and focusing the efforts and resources of state and regional agencies on the problems which affect the fiscal, economic, and community viability of Florida's economically distressed rural communities. This statute provides criteria defining a rural community.

##### **Proposed Changes**

HB 431 would create section 479.262, F.S., to establish a tourist-oriented directional sign program. Chapter 479 of Florida Statute gives the specifications for outdoor advertising and gives the authority to the Department of Transportation to oversee these signs and programs associated with them.

Presently there is no statute in existence for a tourist-oriented directional sign program on any of Florida's roadway systems. This bill seeks to establish this type of tourist oriented directional sign program on rural highways in rural counties. The bill gives authority to certain counties or local governments to set up a program that provides directions to rural tourist-oriented business, services and activities.

Counties must meet the criteria stated in s. 288.0656, F.S., which defines a "rural community" as a county with a population of 75,000 or less; or a county with a population of 100,000 or less that is a contiguous to a county with a population of 75,000 or less. Currently there are 17 counties that would be eligible for this program.

The bill requires that signs established on the state highway system comply with the federal standards modeled in the tourist-oriented directional sign program (TODS) that is outlined in the Manual of

Uniform Traffic Control Devices. In 1988, the Federal government incorporated TODS as official signs in the Manual of Uniform Traffic Control Devices. The federal standards give criteria for eligible businesses and specifications on size, message length, symbols and colors that appear on the sign.

The bill gives authority to local and county governments to establish permit fees to offset the associated costs of the program. This type of program has been established in states such as New Mexico, Illinois, Wisconsin, North Carolina, and Iowa. In these state run programs one time fees range from \$50 to \$400 and annual fees run from \$50 to \$300, which are passed on to the participating businesses.

The bill also authorizes DOT to establish rules regarding participant qualification, construction standards, location of sign sites, and other criteria necessary to implement this program.

C. SECTION DIRECTORY:

Section 1. Creates section 479.262, F.S. Authorizes establishment of a tourist-oriented directional sign program in rural counties. Permits counties to charge fees to offset costs. Gives DOT rule making authority.

Section 2. Provides an effective date of July 1, 2007.

## II. FISCAL ANALYSIS & ECONOMIC IMPACT STATEMENT

A. FISCAL IMPACT ON STATE GOVERNMENT:

1. Revenues:

None.

2. Expenditures:

Minimal administrative expenses are expected in the promulgation of the rule by DOT and activities associated with the program. There are expected to be absorbed within existing resources.

B. FISCAL IMPACT ON LOCAL GOVERNMENTS:

1. Revenues:

Undetermined. The permit fees have been estimated at \$50 to \$400 a year.

2. Expenditures:

Implementation of this program is at the option of the local government. Local governments that elect to implement this program are responsible for sign construction, maintenance, and program operation. They are authorized to issue permit fees to offset these costs.

C. DIRECT ECONOMIC IMPACT ON PRIVATE SECTOR:

A positive impact is expected in the counties that chose to institute this program. The signs will be directing and encouraging visitation to business and in turn will support the local tourism economic development initiatives.

D. FISCAL COMMENTS:

**III. COMMENTS**

A. CONSTITUTIONAL ISSUES:

1. Applicability of Municipality/County Mandates Provision:

This bill does not require counties or municipalities to spend funds or take action requiring the expenditure of funds. This bill does not reduce the percentage of state tax shared with counties or municipalities. This bill does not reduce the authority that municipalities have to raise revenue.

2. Other:

None

B. RULE-MAKING AUTHORITY:

The bill authorizes the Department of Transportation to adopt rules and establish guidelines in order to establish the program.

C. DRAFTING ISSUES OR OTHER COMMENTS:

None.

D. STATEMENT OF THE SPONSOR

None

**IV. AMENDMENTS/COUNCIL SUBSTITUTE CHANGES**