

1 A bill to be entitled
 2 An act relating to public school buses; amending s.
 3 1006.25, F.S.; providing for district school board
 4 policies that authorize commercial advertisements on
 5 school buses; providing policy requirements relating to
 6 reimbursement to the school district, prohibited
 7 advertisements, and signage and equipment standards;
 8 requiring a school bus to be withdrawn from use under
 9 certain circumstances; providing school district
 10 indemnification from liability; providing for the
 11 remittance and allocation of revenue; providing an
 12 effective date.

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 14 Be It Enacted by the Legislature of the State of Florida:

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 16 Section 1. Subsection (5) is added to section 1006.25,
 17 Florida Statutes, to read:

18 1006.25 School buses.—School buses shall be defined and
 19 meet specifications as follows:

20 (5) ADVERTISEMENTS.—

21 (a) Commercial advertisements may be placed on the
 22 exterior of a school bus according to district school board
 23 policies that require the following:

24 1. The school district must be reimbursed by the
 25 advertiser for all costs incurred by the school district and its
 26 contractors for supporting the advertising, including, but not
 27 limited to, retrofitting buses, storing advertising, attaching
 28 advertising to the bus, and related maintenance.

29 2. At a minimum, a contract must prohibit advertising and
 30 advertising images that:

31 a. Solicit the sale, or promote the use, of alcoholic
 32 beverages or tobacco products.

33 b. Are discriminatory in nature or content.

34 c. Imply or declare endorsement of the product or service
 35 by the school district.

36 d. Contain material that is sexual in nature.

37 e. Contain material that is not child and community
 38 sensitive.

39 f. Are false, misleading, or deceptive.

40 g. Relate to an illegal activity or antisocial behavior.

41 h. Distract from the effectiveness of required safety
 42 warning equipment.

43 3. The design, placement, and size of signage on the
 44 exterior of a school bus acknowledging the advertiser must be
 45 prescribed by the district school board and address the
 46 following minimum standards:

47 a. Cost of the advertising.

48 b. Designation of individuals authorized to sell and
 49 approve the advertising.

50 c. Specification of how the advertising will be attached,
 51 if not painted on the bus, including that signage must not:

52 (I) Extend from the body of the bus so as to allow a
 53 handhold or pose a danger to pedestrians.

54 (II) Cover any structural or sheet metal damage or
 55 alteration.

56 (III) Interfere with the operation of any door, window,
 57 required letting, lamp, reflector, or other device.

58 (IV) Be placed on a side emergency door.

59 (V) Interfere with school bus identification.

60 4. A school bus with attached advertising must meet the
 61 school bus equipment standards under this section.

62 5. A school bus may have no more than two advertisements.

63 (b) A school bus that violates this subsection must be
 64 withdrawn from use as a school bus until it meets the
 65 requirements of this subsection.

66 (c) The Commissioner of Education shall hold harmless and
 67 indemnify a school district from any liability arising from
 68 commercial advertising under this subsection. Within 5 days
 69 after receipt of a claim pursuant to this subsection, a school
 70 district shall tender defense to the commissioner.

71 (d) All revenue from a contract under this subsection must
 72 be remitted to the respective school district for 50 percent
 73 allocation for school district transportation and 50 percent
 74 allocation for other programs as determined by the school
 75 district.

76 Section 2. This act shall take effect July 1, 2011.