

By Senator Montford

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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
6 to 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8 requiring a school bus to be withdrawn from use under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 exterior
22 of a school bus according to district school board policies that
23 require the following:

24 1. The school district must be reimbursed by the advertiser
25 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

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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 a prohibition against
52 signage that:

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

55 (II) Covers any structural or sheet metal damage or
56 alteration.

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

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59 (IV) Is placed on the back door or a side emergency door.

60 (V) Interferes with school bus identification.

61 (VI) Is digital, including LCD, LED, or plasma screens, or
62 other forms of electronic displays that show running text,
63 animation, or other moving displays.

64 4. A school bus having attached advertising must meet the
65 school bus equipment standards under this section.

66 5. A school bus may not have more than two advertisements
67 at any given time.

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69 withdrawn from use as a school bus until it meets the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

71 (c) The Commissioner of Education shall hold harmless and
72 indemnify a school district from any liability arising from
73 commercial advertising under this subsection. Within 5 days
74 after receipt of a claim pursuant to this subsection, a school
75 district shall tender defense to the commissioner.

76 (d) All revenue from a contract under this subsection must
77 be remitted to the respective school district, with 50 percent
78 allocated for school district transportation and 50 percent
79 allocated for other programs as determined by the school
80 district.

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