

The Florida Senate
BILL ANALYSIS AND FISCAL IMPACT STATEMENT

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

Prepared By: The Professional Staff of the Transportation Committee

BILL: SB 1624

INTRODUCER: Senator Lynn

SUBJECT: Outdoor Theaters

DATE: April 8, 2011

REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	Eichin	Spalla	TR	Favorable
2.	_____	_____	_____	_____
3.	_____	_____	_____	_____
4.	_____	_____	_____	_____
5.	_____	_____	_____	_____
6.	_____	_____	_____	_____

I. Summary:

Senate Bill 1624 repeals ch. 555, F.S., removing the statutory requirements relating to access to and from public roads and other requirements that specifically apply to outdoor theaters.

This bill repeals ch. 555 of the Florida Statutes.

II. Present Situation:

Chapter 555, F.S., was created in 1953, to provide for the safe ingress and egress to and from public roads by preventing hazardous conditions and locations in constructing outdoor theaters such as drive-ins.¹ The law applies to outdoor theaters, including any place for outdoor assembly used for the showing of plays, operas, and motion pictures to an audience viewing from parked vehicles, constructed after June 2, 1953. A theater owner must prove compliance with the law before being issued an occupational license.

The law provides that all entrances and exits to the theater must comply with the rules of the Florida Department of Transportation (FDOT) and the following:

- Not more than one entrance may be provided for each access road.
- The portion of the entrance or exit lying within a public road right-of-way must comply with the regulations applicable to that road.
- Not more than two exits may be provided for each access highway.

¹ Chapter 28085, L.O.F.

- No entrance or exit on a state road may be located within 500 feet of its intersection with another state road. Enclosures surrounding the theater may not begin less than 200 feet from the centerline of the nearest state road.
- The law also provides requirements for storage space for vehicles, placement of movie screens, and lighting.

Under the State Highway System Access Management Act, vehicular access and connections to or from the state highway system are regulated by FDOT.² Under the Act, a connection to a state road may not be constructed or substantially altered without first obtaining an access permit from FDOT. Local land and development regulations also apply to outdoor theaters.

During the mid-1950s, there were over 4000 drive-in movie theaters nationwide, with 158 theaters operating in Florida in 1955.³ Currently, approximately six drive-in theaters remain in operation in Florida.⁴ The most recent amendment to ch. 55, F.S., was in 1979.

III. Effect of Proposed Changes:

The bill repeals ch. 555, F.S., relating to outdoor theaters. The repeal removes the statutory requirements concerning access to and from public roads and other requirements that specifically apply to outdoor theaters.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

V. Fiscal Impact Statement:

A. Tax/Fee Issues:

None.

²Sections 335.18-335.188, F.S. Visit <http://www.dot.state.fl.us/planning/systems/sm/accman/> for information about the Department of Transportation's access management program.

³ <http://www.drive-ins.com/stats.htm/state=FL>

⁴ See database at <http://www.drive-ins.com>. Operating outdoor theaters include Joy-Lan Drive-In (Dade City), Swap Shop Drive-In (Fort Lauderdale), Lake Worth Drive-In (Lake Worth), Silver Moon Drive-In (Lakeland), Ruskin Family Drive-In (Ruskin) and FunLan Drive-In (Tampa).

B. Private Sector Impact:

Negligible.

C. Government Sector Impact:

None.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Additional Information:

A. Committee Substitute – Statement of Substantial Changes:

(Summarizing differences between the Committee Substitute and the prior version of the bill.)

None.

B. Amendments:

None.