



718590

LEGISLATIVE ACTION

Senate	.	House
Comm: FAV	.	
01/19/2012	.	
	.	
	.	
	.	

The Committee on Commerce and Tourism (Lynn) recommended the following:

Senate Amendment (with title amendment)

Delete everything after the enacting clause and insert:

Section 1. This act may be cited as the "John Anthony Wilson Bicycle Safety Act."

Section 2. Section 260.0144, Florida Statutes, is created to read:

260.0144 Sponsorship of state greenways and trails.—The department may enter into a concession agreement with a not-for-profit entity or private sector business or entity for naming rights of state greenway and trail facilities or property or for



718590

13 commercial sponsorship to be displayed on state greenway and
14 trail facilities or property. The department is authorized to
15 establish the cost for entering into a concession agreement.
16 (1) A concession agreement under this section shall be
17 administered by the department and must include the requirements
18 found in this section.
19 (2) (a) Naming rights or space for a commercial sponsorship
20 display may be provided through a concession agreement on
21 certain state-owned greenway or trail facilities or property.
22 (b) Signage or displays erected under this section shall
23 comply with the provisions of s. 337.407 and chapter 479, and
24 shall be limited to trailheads, trail intersections, directional
25 or distance markers, interpretive exhibits, and parking areas.
26 (c) The size of any sign or display shall be limited as
27 follows:
28 1. A sign or display located at a trailhead or parking area
29 may not exceed 16 square feet.
30 2. All other signs or displays may not exceed 4 square
31 feet.
32 (d) Before installation, each name or sponsorship display
33 must be approved by the department.
34 (e) The department shall set materials and construction
35 standards for all signage displayed.
36 (f) All costs of a display, including its development,
37 construction, installation, operation, maintenance, and removal,
38 shall be paid by the concessionaire.
39 (3) A concession agreement under this section shall be for
40 a minimum of 1 year but may be for a longer period under a
41 multiyear agreement, and may be terminated for just cause by the



718590

42 department with 60 days' advance notice. Just cause for
43 termination of a concession agreement under this section shall
44 include, but is not limited to, violation of the terms of the
45 concession agreement or any provision found within this section.

46 (4) Naming rights of a facility and commercial sponsorship
47 pursuant to a concession agreement under this section are for
48 public relations or advertising purposes of the not-for-profit
49 entity or private sector business or entity, and shall not be
50 construed by that not-for-profit entity or private sector
51 business or entity as having a relationship to any other actions
52 of the department.

53 (5) This section does not create a proprietary or
54 compensable interest in any sign or display site or location.

55 (6) Proceeds from concession agreements under this section
56 shall be distributed as follows:

57 (a) Eighty-five percent shall be deposited into the
58 appropriate department trust fund that is the source of funding
59 for management and operation of state greenway and trail
60 facilities and properties.

61 (b) Fifteen percent shall be deposited into the State
62 Transportation Trust Fund for use in the Traffic and Bicycle
63 Safety Education Program and the Safe Paths to School Program
64 administered by the Department of Transportation.

65 (7) The department may adopt rules to administer this
66 section.

67 Section 3. This act shall take effect July 1, 2012.

68
69
70 ===== T I T L E A M E N D M E N T =====



718590

71 And the title is amended as follows:

72 Delete everything before the enacting clause
73 and insert:

74 A bill to be entitled

75 An act relating to the sponsorship of state greenways
76 and trails; creating the "John Anthony Wilson Bicycle
77 Safety Act"; creating s. 260.0144, F.S.; providing for
78 the Department of Environmental Protection to enter
79 into concession agreements for naming rights of state
80 greenway and trail facilities or property or for
81 commercial advertising to be displayed on state
82 greenway and trail facilities or property; providing
83 for distribution of proceeds from such concession
84 agreements; providing an effective date.