

By the Committee on Transportation; and Senator Wise

596-01557-12

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1                   A bill to be entitled  
2           An act relating to the sponsorship of state greenways  
3           and trails; creating the "John Anthony Wilson Bicycle  
4           Safety Act"; creating s. 260.0144, F.S.; providing for  
5           the Department of Environmental Protection to enter  
6           into concession agreements for naming rights of state  
7           greenway and trail facilities or property or for  
8           commercial advertising to be displayed on state  
9           greenway and trail facilities or property; providing  
10          for distribution of proceeds from such concession  
11          agreements; providing an effective date.

12  
13 Be It Enacted by the Legislature of the State of Florida:

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

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

19           260.0144 Sponsorship of state greenways and trails.—The  
20 department may enter into a concession agreement with a not-for-  
21 profit entity or private sector business or entity for naming  
22 rights of state greenway and trail facilities or property or for  
23 commercial sponsorship to be displayed on state greenway and  
24 trail facilities or property.

25           (1) A concession agreement under this section shall be  
26 administered by the department and must include the requirements  
27 of subsections (3) and (4).

28           (2) (a) Naming rights or space for a commercial sponsorship  
29 display may be provided through a concession agreement on

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30 certain state-owned greenway or trail facilities or property.

31 (b) Signage or displays erected under this section shall  
32 comply with the provisions of s. 337.407 and chapter 479, and  
33 shall be limited to trailheads, trail intersections, directional  
34 or distance markers, interpretive exhibits, and parking areas.

35 (c) The size of any sign or display shall be limited as  
36 follows:

37 1. A sign or display located at a trailhead or parking area  
38 may not exceed 16 square feet.

39 2. All other signs or displays may not exceed 4 square  
40 feet.

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

48 (3) A concession agreement under this section shall be for  
49 a minimum of 1 year but may be for a longer period under a  
50 multiyear agreement, and may be terminated for just cause by the  
51 department with 60 days' advance notice.

52 (4) (a) Before installation, each name or sponsorship  
53 display must be approved by the department, as appropriate.

54 (b) The department shall set materials and construction  
55 standards for all signage displayed.

56 (c) All costs of a display, including its development,  
57 construction, installation, operation, maintenance, and removal,  
58 shall be paid by the concessionaire.

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

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

63       (a) Eighty-five percent shall be deposited into the  
64 appropriate department trust fund that is the source of funding  
65 for management and operation of state greenway and trail  
66 facilities and properties.

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

71       (7) The department may adopt rules to administer this  
72 section.

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