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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 commercial sponsorship
7 displays to be displayed on certain state greenway and
8 trail facilities or property; providing requirements
9 for concession agreements; specifying which greenways
10 and trails are included in the initial sponsorships;
11 authorizing the department to enter into sponsorship
12 agreements with entities to sponsor other state
13 greenways and trails; providing for distribution of
14 proceeds from the concession agreements; authorizing
15 the department to adopt rules; providing an effective
16 date.

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

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

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

24 260.0144 Sponsorship of state greenways and trails.—The
25 department may enter into a concession agreement with a not-for-
26 profit entity or private sector business or entity for
27 commercial sponsorship to be displayed on state greenway and
28 trail facilities or property specified in this section. The
29 department may establish the cost for entering into a concession

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30 agreement.

31 (1) A concession agreement shall be administered by the
32 department and must include the requirements found in this
33 section.

34 (2) (a) Space for a commercial sponsorship display may be
35 provided through a concession agreement on certain state-owned
36 greenway or trail facilities or property.

37 (b) Signage or displays erected under this section shall
38 comply with the provisions of s. 337.407 and chapter 479, and
39 shall be limited as follows:

40 1. One large sign or display, not to exceed 16 square feet
41 in area, may be located at each trailhead or parking area.

42 2. One small sign or display, not to exceed 4 square feet
43 in area, may be located at each designated trail public access
44 point.

45 (c) Before installation, each name or sponsorship display
46 must be approved by the department.

47 (d) The department shall ensure that the size, color,
48 materials, construction, and location of all signs are
49 consistent with the management plan for the property and the
50 standards of the department, do not intrude on natural and
51 historic settings, and contain only a logo selected by the
52 sponsor and the following sponsorship wording:

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54 ...(Name of the sponsor)...proudly sponsors the costs
55 of maintaining the...(Name of the greenway or
56 trail)....

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58 (e) Sponsored state greenways and trails are authorized at

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59 the following facilities or property:

60 1. Florida Keys Overseas Heritage Trail.

61 2. Blackwater Heritage Trail.

62 3. Tallahassee-St. Marks Historic Railroad State Trail.

63 4. Nature Coast State Trail.

64 5. Withlacoochee State Trail.

65 6. General James A. Van Fleet State Trail.

66 7. Palatka-Lake Butler State Trail.

67 (f) The department may enter into commercial sponsorship
68 agreements for other state greenways or trails as authorized in
69 this section. A qualified entity that desires to enter into a
70 commercial sponsorship agreement shall apply to the department
71 on forms adopted by department rule.

72 (g) All costs of a display, including development,
73 construction, installation, operation, maintenance, and removal
74 costs, shall be paid by the concessionaire.

75 (3) A concession agreement shall be for a minimum of 1
76 year, but may be for a longer period under a multiyear
77 agreement, and may be terminated for just cause by the
78 department upon 60 days' advance notice. Just cause for
79 termination of a concession agreement includes, but is not
80 limited to, violation of the terms of the concession agreement
81 or any provision of this section.

82 (4) Commercial sponsorship pursuant to a concession
83 agreement is for public relations or advertising purposes of the
84 not-for-profit entity or private sector business or entity, and
85 may not be construed by that not-for-profit entity or private
86 sector business or entity as having a relationship to any other
87 actions of the department.

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

90 (6) Proceeds from concession agreements shall be
91 distributed as follows:

92 (a) Eighty-five percent shall be deposited into the
93 appropriate department trust fund that is the source of funding
94 for management and operation of state greenway and trail
95 facilities and properties.

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

100 (7) The department may adopt rules to administer this
101 section.

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