

HOUSE OF REPRESENTATIVES STAFF ANALYSIS

BILL #: HB 457 Directional Signs for Veterans' Facilities

SPONSOR(S): Jacobs and others

TIED BILLS: **IDEN./SIM. BILLS:** SB 718

REFERENCE	ACTION	ANALYST	STAFF DIRECTOR or BUDGET/POLICY CHIEF
1) Transportation & Infrastructure Subcommittee	12 Y, 0 N	Johnson	Vickers
2) Transportation & Tourism Appropriations Subcommittee			
3) Government Accountability Committee			

SUMMARY ANALYSIS

The Department of Transportation's (DOT) Florida's Highway Guide Sign Program authorizes guide signs to various facilities, including United States Department of Veterans Affairs (USDVA) hospitals located within 10 miles of a limited-access facility, and authorizes local government agencies to request a permit authorizing it to maintain guide signs to national cemeteries and veterans community treatment centers.

The bill authorizes DOT to install directional signs for USDVA operated and maintained community-based outpatient clinics, centers, benefits offices, and national cemeteries on the rights-of-way of interstate highways and primary and secondary roads in accordance with Florida's Highway Guide Sign Program.

The bill authorizes, but does not require, DOT to install directional signs to certain USDVA facilities. There appears to be approximately 100 eligible facilities; however, it is unknown how many facilities DOT will install directional signs. Therefore, the fiscal impact is indeterminate at this time.

FULL ANALYSIS

I. SUBSTANTIVE ANALYSIS

A. EFFECT OF PROPOSED CHANGES:

Current Situation

Regulation of Signs

Chapter 479, F.S., relates to outdoor advertising and authorizes the Department of Transportation (DOT) to regulate certain signs. The statute provide that the control of signs in areas adjacent to the state's highways is necessary to protect the public investment in the state highways; to attract visitors by conserving the state's natural beauty; to preserve and promote the recreational value of public travel; to assure that information in the specific interest of the traveling public is presented safely and aesthetically; to enhance the economic well-being of the state by promoting tourist-oriented businesses; and to promote points of scenic, historic, cultural, and educational interest.¹

Directional Sign Programs

Florida law currently authorizes directional sign programs for certain tourist oriented facilities, breweries, and craft distilleries.

Tourist-Oriented Directional Sign Program

Section 479.262, F.S., creates the tourist-oriented directional sign program, providing directions to rural tourist-oriented businesses, services, and activities. These signs may be placed at intersections on rural and conventional state, county, or municipal roads only when approved and permitted by county or local governmental entities within their respective jurisdictional areas. A county or local government that issues permits for a tourist-oriented directional sign program is responsible for sign construction, maintenance, and program operation for roads on the state highway system and may establish permit fees sufficient to offset associated costs.²

Florida Brewery/Craft Distillery Directional Signs

Sections 563.13 and 565.03(6) F.S., respectively provide for directional signs for breweries and craft distilleries. Upon the request of a licensed brewery or craft distillery meeting certain statutory criteria, DOT must install directional signs for the brewery or craft distillery on the rights-of-way of interstate highways and primary and secondary roads in accordance with Florida's Highway Guide Sign Program.³ A licensed brewery or craft distillery requesting a directional sign through DOT's permit process pays all costs associated with the sign.

Florida's Highway Guide Sign Program

Chapter 14-51, F.A.C., establishes rules governing the Florida's Highway Guide Sign Program. The rule provides for a system of guide signs that will perform the following functions:

- Inform and guide motorists to the needed signed facilities and motorist services.
- Improve traffic flow at interchanges or intersections that generate a large volume of traffic.
- Establish criteria for the erection of guide signs and general service signs.⁴

Rule 14-51.020(1), F.A.C., authorizes guide signs for Veteran's Administration (VA) hospitals located within 10 miles of an interchange on a limited-access facility.⁵ However, rule 14-51.020(4), F.A.C.,

¹ Section 479.015, F.S.

² Section 479.262(1), F.S.

³ Florida's Highway Guide Sign Program is provided for in Ch. 14-51, F.A.C.

⁴ Rule 14-51.010(1), F.A.C.

⁵ Section 334.03(12), F.S., defines "limited-access facility" as "a street or highway especially designed for through traffic, and over, from, or to which owners or occupants of abutting land or other persons have no right or easement of access, light, air, or view by reason of the fact that their property abuts upon such limited access facility or for any other reason. Such highways or streets may be

provides that USDVA clinics and non-hospital facilities are not eligible for signs. It should be noted that, s. 120.542, F.S., authorizes waivers and variances from administrative rules, and on at least one occasion DOT has granted a petition for a sign variance.⁶

Rule 14-51.030(3)(s), F.A.C., authorizes local government⁷ agencies to request permits for destination guide signs on non-limited access facilities for certain facilities that do not have direct state road access. Included in the list of facilities are National Veterans Cemeteries and Veterans Community Treatment Centers.

Veteran's Facilities

According to the Florida Department of Veterans Affairs (FDVA), Florida is home to approximately 1.5 million veterans.⁸ In Florida, USDVA operates two health care systems, seven medical centers, 11 outpatient clinics, one community service program, 41 community based outpatient clinics, 26 vet centers, 14 benefits intake sites, and nine national cemeteries.⁹

Proposed Changes

The bill creates s. 295.25, F.S., authorizing DOT to install directional signs for USDVA operated and maintained community-based outpatient clinics, centers, benefits offices, and national cemeteries on interstate highways and primary and secondary roads in accordance with Florida's Highway Guide Sign Program.

B. SECTION DIRECTORY:

Section 1 creates s. 295.25, F.S., relating to directional signs.

Section 2 provides an effective date of July 1, 2018.

II. FISCAL ANALYSIS & ECONOMIC IMPACT STATEMENT

A. FISCAL IMPACT ON STATE GOVERNMENT:

1. Revenues:

None.

2. Expenditures:

The bill authorizes, but does not require, DOT to install directional signs to certain USDVA facilities. There appears to be approximately 100 eligible facilities, if DOT opts to install these directional signs, it would be responsible for the costs associated with the signs. DOT's most recent cost estimate indicates that it will cost approximately \$3,100 to fabricate and install each sign.¹⁰ However, it is not known how many signs DOT will install. Therefore, the fiscal impact is indeterminate at this time.

B. FISCAL IMPACT ON LOCAL GOVERNMENTS:

1. Revenues:

facilities from which trucks, buses, and other commercial vehicles are excluded; or they may be facilities open to use by all customary forms of street and highway traffic.”

⁶ On October 9, 2017, DOT granted a variance to erect signs to the William Kling VA Clinic in Broward County.

⁷ Section 14-51.011(9), F.A.C., defines “local government” as the county or city having jurisdiction in the subject area, including the area involved in the state highway system.

⁸ <http://floridavets.org/our-veterans/profilefast-facts/> (Last visited November 1, 2017).

⁹ <https://www.va.gov/directory/guide/state.asp?dnum=ALL&STATE=FL> (Last visited November 1, 2017).

¹⁰ DOT E-mail, January 18, 2018. (Copy on file with Transportation & Infrastructure Subcommittee.

None.

2. Expenditures:

None.

C. DIRECT ECONOMIC IMPACT ON PRIVATE SECTOR:

None.

D. FISCAL COMMENTS:

None.

III. COMMENTS

A. CONSTITUTIONAL ISSUES:

1. Applicability of Municipality/County Mandates Provision:

Not Applicable. This bill does not appear to affect county or municipal governments.

2. Other:

None.

B. RULE-MAKING AUTHORITY:

DOT will have to amend its rules regarding the Florida's Highway Guide Sign Program in Ch. 14-51, F.A.C., to reflect changes made by the bill.

C. DRAFTING ISSUES OR OTHER COMMENTS:

None.

IV. AMENDMENTS/ COMMITTEE SUBSTITUTE CHANGES