

By Senator Gainer

2-01189-21

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1 A bill to be entitled
2 An act relating to outdoor advertising; amending s.
3 252.35, F.S.; expanding the duties of the Division of
4 Emergency Management to include the identification and
5 maintenance of an inventory of available digital
6 outdoor advertising structures capable of providing
7 messaging to the public during declared states of
8 emergency; amending s. 479.07, F.S.; requiring the
9 Department of Transportation to include details for
10 each sign permit issued by the department in a
11 publicly accessible database; deleting a requirement
12 for the department to furnish a metal permit tag to an
13 applicant for a sign permit; conforming provisions to
14 changes made by the act; providing an effective date.
15

16 Be It Enacted by the Legislature of the State of Florida:
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18 Section 1. Paragraph (z) is added to subsection (2) of
19 section 252.35, Florida Statutes, to read:

20 252.35 Emergency management powers; Division of Emergency
21 Management.—

22 (2) The division is responsible for carrying out the
23 provisions of ss. 252.31-252.90. In performing its duties, the
24 division shall:

25 (z) Identify and maintain an inventory of available digital
26 outdoor advertising structures capable of providing messaging to
27 the public during a declared state of emergency.

28 Section 2. Subsection (5) and paragraph (a) of subsection
29 (8) of section 479.07, Florida Statutes, are amended to read:

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30 479.07 Sign permits.—

31 (5)~~(a)~~ For each permit issued, the department shall include
32 the permit details in a publicly accessible electronic database.
33 Those details must include, but are not limited to, the name and
34 contact information of the permit operator, the structure
35 identification number or numbers, the panel or face
36 identification number or numbers, the latitude and longitude of
37 the permitted sign, the compass bearing, images of the permitted
38 sign once constructed, and the most recent date the department
39 visually inspected the permitted sign ~~furnish to the applicant a~~
40 ~~serially numbered permanent metal permit tag. The permittee is~~
41 ~~responsible for maintaining a valid permit tag on each permitted~~
42 ~~sign facing at all times. The tag shall be securely attached to~~
43 ~~the upper 50 percent of the sign structure, and attached in such~~
44 ~~a manner as to be plainly visible from the main traveled way.~~
45 ~~The permit tag must be properly and permanently displayed at the~~
46 ~~permitted site within 30 days after the date of permit issuance.~~
47 ~~If the permittee fails to erect a completed sign on the~~
48 ~~permitted site within 270 days after the date on which the~~
49 ~~permit was issued, the permit will be void, and the department~~
50 ~~may not issue a new permit to that permittee for the same~~
51 ~~location for 270 days after the date on which the permit becomes~~
52 ~~void.~~

53 (b) ~~If a permit tag is lost, stolen, or destroyed, the~~
54 ~~permittee to whom the tag was issued must apply to the~~
55 ~~department for a replacement tag. The department shall establish~~
56 ~~a service fee for replacement tags in an amount that will~~
57 ~~recover the actual cost of providing the replacement tag. Upon~~
58 ~~receipt of the application accompanied by the service fee, the~~

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~~department shall issue a replacement permit tag.~~

(8) (a) In order to reduce peak workloads, the department may provide for staggered expiration dates for licenses and permits. Unless otherwise provided for by rule, all licenses and permits expire annually on January 15. All license and permit renewal fees are required to be submitted to the department by no later than the expiration date. At least 105 days before the expiration date of licenses and permits, the department shall send to each permittee a notice of fees due for all licenses and permits that were issued to him or her before the date of the notice. Such notice must list the permits and the permit fees due for each sign facing. The permittee shall, no later than 45 days before the expiration date, advise the department of any additions, deletions, or errors contained in the notice. ~~Permit tags that are not renewed shall be returned to the department for cancellation by the expiration date.~~ Permits that are not renewed or are canceled shall be certified in writing at that time as canceled or not renewed by the permittee, ~~and permit tags for such permits shall be returned to the department or shall be accounted for by the permittee in writing,~~ which writing shall be submitted with the renewal fee payment or the cancellation certification. However, failure of a permittee to submit a permit cancellation does not affect the nonrenewal of a permit. Before cancellation of a permit, the permittee shall provide written notice to all persons or entities having a right to advertise on the sign that the permittee intends to cancel the permit.

Section 3. This act shall take effect July 1, 2021.