

By the Committees on Commerce and Tourism; and Transportation;
and Senator Wise

577-02066-12

2012268c2

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; authorizing the department to adopt rules;
12 providing an effective date.

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

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

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

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

27 (1) A concession agreement under this section shall be
28 administered by the department and must include the requirements
29 found in this section.

577-02066-12

2012268c2

30 (2) (a) Naming rights or space for a commercial sponsorship
31 display may be provided through a concession agreement on
32 certain state-owned greenway or trail facilities or property.

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

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

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

41 2. All other signs or displays may not exceed 4 square
42 feet.

43 (d) Before installation, each name or sponsorship display
44 must be approved by the department.

45 (e) The department shall set materials and construction
46 standards for all signage displayed.

47 (f) All costs of a display, including its development,
48 construction, installation, operation, maintenance, and removal,
49 shall be paid by the concessionaire.

50 (3) A concession agreement under this section shall be for
51 a minimum of 1 year but may be for a longer period under a
52 multiyear agreement, and may be terminated for just cause by the
53 department with 60 days' advance notice. Just cause for
54 termination of a concession agreement under this section shall
55 include, but is not limited to, violation of the terms of the
56 concession agreement or any provision found within this section.

57 (4) Naming rights of a facility and commercial sponsorship
58 pursuant to a concession agreement under this section are for

577-02066-12

2012268c2

59 public relations or advertising purposes of the not-for-profit
60 entity or private sector business or entity, and shall not be
61 construed by that not-for-profit entity or private sector
62 business or entity as having a relationship to any other actions
63 of the department.

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

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

68 (a) Eighty-five percent shall be deposited into the
69 appropriate department trust fund that is the source of funding
70 for management and operation of state greenway and trail
71 facilities and properties.

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

76 (7) The department may adopt rules to administer this
77 section.

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