

1 A bill to be entitled
 2 An act relating to transportation; amending s. 212.0606,
 3 F.S.; increasing a rental car surcharge; revising
 4 distribution of proceeds from the surcharge; amending s.
 5 479.261, F.S.; revising requirements for the logo sign
 6 program of the interstate highway system; revising the
 7 definition of the term "attraction"; removing provisions
 8 for permits to be awarded to the highest bidders;
 9 authorizing the department to implement a rotation-based
 10 logo program; revising contract provisions for related
 11 services; requiring the department to adopt rules that set
 12 reasonable rates based on certain factors for annual
 13 permit fees; requiring that such fees not exceed a certain
 14 amount for certain sign locations; providing for
 15 distribution of proceeds from such fees; providing
 16 effective dates.

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 18 Be It Enacted by the Legislature of the State of Florida:
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20 Section 1. Effective September 1, 2009, subsection (1) and
 21 paragraph (a) of subsection (2) of section 212.0606, Florida
 22 Statutes, are amended to read:

23 212.0606 Rental car surcharge.--

24 (1) A surcharge of \$4.00 ~~\$2.00~~ per day or any part of a
 25 day is imposed upon the lease or rental of a motor vehicle
 26 licensed for hire and designed to carry less than nine
 27 passengers regardless of whether such motor vehicle is licensed
 28 in Florida. The surcharge applies to only the first 30 days of

29 | the term of any lease or rental. The surcharge is subject to all
 30 | applicable taxes imposed by this chapter.

31 | (2) (a) Notwithstanding the provisions of section 212.20,
 32 | and less costs of administration, 50.28 percent of the proceeds
 33 | of this surcharge shall be deposited in the General Revenue
 34 | Fund, 39.76 ~~80~~ percent of the proceeds of this surcharge shall
 35 | be deposited in the State Transportation Trust Fund, 7.84 ~~15.75~~
 36 | percent of the proceeds of this surcharge shall be deposited in
 37 | the Tourism Promotional Trust Fund created in s. 288.122, and
 38 | 2.12 ~~4.25~~ percent of the proceeds of this surcharge shall be
 39 | deposited in the Florida International Trade and Promotion Trust
 40 | Fund. For the purposes of this subsection, "proceeds" of the
 41 | surcharge means all funds collected and received by the
 42 | department under this section, including interest and penalties
 43 | on delinquent surcharges. The department shall provide the
 44 | Department of Transportation rental car surcharge revenue
 45 | information for the previous state fiscal year by September 1 of
 46 | each year.

47 | Section 2. Subsections (1), (3), (4), and (5) of section
 48 | 479.261, Florida Statutes, are amended to read:

49 | 479.261 Logo sign program.--

50 | (1) The department shall establish a logo sign program for
 51 | the rights-of-way of the interstate highway system to provide
 52 | information to motorists about available gas, food, lodging, ~~and~~
 53 | camping, attractions, and other services, as approved by the
 54 | Federal Highway Administration, at interchanges, through the use
 55 | of business logos, and may include additional interchanges under
 56 | the program. ~~A logo sign for nearby attractions may be added to~~

57 ~~this program if allowed by federal rules.~~

58 (a) As used in this chapter, the term ~~An~~ "attraction"
 59 means as used in this chapter is defined as an establishment,
 60 site, facility, or landmark that ~~which~~ is open a minimum of 5
 61 days a week for 52 weeks a year; that ~~which~~ charges an admission
 62 ~~for entry; which~~ has as its principal focus family-oriented
 63 entertainment, cultural, educational, recreational, scientific,
 64 or historical activities; and that ~~which~~ is publicly recognized
 65 as a bona fide tourist attraction. ~~However, the permits for~~
 66 ~~businesses seeking to participate in the attractions logo sign~~
 67 ~~program shall be awarded by the department annually to the~~
 68 ~~highest bidders, notwithstanding the limitation on fees in~~
 69 ~~subsection (5), which are qualified for available space at each~~
 70 ~~qualified location, but the fees therefor may not be less than~~
 71 ~~the fees established for logo participants in other logo~~
 72 ~~categories.~~

73 (b) The department shall incorporate the use of RV-
 74 friendly markers on specific information logo signs for
 75 establishments that cater to the needs of persons driving
 76 recreational vehicles. Establishments that qualify for
 77 participation in the specific information logo program and that
 78 also qualify as "RV-friendly" may request the RV-friendly marker
 79 on their specific information logo sign. An RV-friendly marker
 80 must consist of a design approved by the Federal Highway
 81 Administration. The department shall adopt rules in accordance
 82 with chapter 120 to administer this paragraph, including rules
 83 setting forth the minimum requirements that establishments must
 84 meet in order to qualify as RV-friendly. These requirements

85 shall include large parking spaces, entrances, and exits that
 86 can easily accommodate recreational vehicles and facilities
 87 having appropriate overhead clearances, if applicable.

88 (c) The department may implement a 3-year, rotation-based
 89 logo program providing for the removal and addition of
 90 participating businesses in the program.

91 (3) Logo signs may be installed upon the issuance of an
 92 annual permit by the department or its agent and payment of a ~~an~~
 93 ~~application and~~ permit fee to the department or its agent.

94 (4) The department may contract pursuant to s. 287.057 for
 95 the provision of services related to the logo sign program,
 96 including recruitment and qualification of businesses, review of
 97 applications, permit issuance, and fabrication, installation,
 98 and maintenance of logo signs. The department may reject all
 99 proposals and seek another request for proposals or otherwise
 100 perform the work. ~~If the department contracts for the provision~~
 101 ~~of services for the logo sign program, the contract must~~
 102 ~~require, unless the business owner declines, that businesses~~
 103 ~~that previously entered into agreements with the department to~~
 104 ~~privately fund logo sign construction and installation be~~
 105 ~~reimbursed by the contractor for the cost of the signs which has~~
 106 ~~not been recovered through a previously agreed upon waiver of~~
 107 ~~fees.~~ The contract also may allow the contractor to retain a
 108 portion of the annual fees as compensation for its services.

109 (5) At a minimum, permit fees for businesses that
 110 participate in the program must be established in an amount
 111 sufficient to offset the total cost to the department for the
 112 program, including contract costs. The department shall provide

113 | the services in the most efficient and cost-effective manner
 114 | through department staff or by contracting for some or all of
 115 | the services. The department shall adopt rules that set
 116 | reasonable rates based upon factors such as population, traffic
 117 | volume, market demand, and costs for annual permit fees.
 118 | However, annual permit fees for sign locations inside an urban
 119 | area, as defined in s. 334.03(32), may not exceed \$5,000 and
 120 | annual permit fees for sign locations outside an urban area, as
 121 | defined in s. 334.03(32), may not exceed \$2,500. After
 122 | recovering program costs, the proceeds from the annual permit
 123 | fees shall be deposited into the State Transportation Trust Fund
 124 | and used for transportation purposes. ~~Such annual permit fee~~
 125 | ~~shall not exceed \$1,250.~~

126 | Section 3. Except as otherwise expressly provided in this
 127 | act, this act shall take effect upon becoming a law.