HOUSE OF REPRESENTATIVES STAFF ANALYSIS

BILL #: PCS for HB 1329 Transportation Facility Designations Honoring Fallen Law Enforcement Officers
SPONSOR(S): Tourism, Infrastructure & Energy Subcommittee
TIED BILLS: **IDEN./SIM. BILLS:**

REFERENCE	ACTION	ANALYST	STAFF DIRECTOR or BUDGET/POLICY CHIEF
Orig. Comm.: Tourism, Infrastructure & Energy Subcommittee		Johnson	Keating

SUMMARY ANALYSIS

State law authorizes legislative designations of transportation facilities for honorary or memorial purposes or to distinguish a particular facility. The legislative designations do not officially change the current names of the facilities, nor does the law require local governments and private entities to change street signs, mailing addresses, or 911 emergency telephone system listings. State law also requires the appropriate city or county commission to pass a resolution supporting the designation prior to the erection of markers indicating the designation.

The bill creates 3 honorary designations for various transportation facilities across the state honoring fallen law enforcement officers and directs the Department of Transportation (DOT) to erect suitable markers for each designation.

The bill will have an insignificant negative fiscal impact to the State Transportation Trust Fund associated with erecting suitable markers for the above designations. These costs can be absorbed within DOT's existing resources.

The bill has an effective date of July 1, 2021.

FULL ANALYSIS

I. SUBSTANTIVE ANALYSIS

A. EFFECT OF PROPOSED CHANGES:

Present Situation

Designations
Section 267.062, F.S., provides for the naming of state buildings and other facilities. The statute provides that except as specifically provided by law, state buildings, roads, bridges, parks, recreational complexes, and other similar facilities may not be named for a living person.

Section 334.071, F.S., authorizes legislative designations of transportation facilities for honorary or memorial purposes or to distinguish a particular facility. The legislative designations do not officially change the current names of the facilities nor does the statute require local governments and private entities to change street signs, mailing addresses, or 911 emergency telephone-number system listings.

Road Markers
The Department of Transportation (DOT) must place a marker at each termini or intersection of an identified road or bridge and erect other markers it deems appropriate for a designated transportation facility. The appropriate city or county commission must pass a resolution in support of a particular designation before road markers are erected. Additionally, if the designated road segment extends through multiple cities or counties, a resolution must be passed by each affected local government.

Effect of the Bill

The bill requires DOT to erect suitable markers for each of the following designations.

Subsection 1 designates that portion of C.R. 611/E. Lake Road between Forelock Road and Keystone Road in Pinellas County as “Deputy Michael J. Magli Memorial Road.”

Deputy Michael J. Magli was a Pinellas County sheriff’s deputy who was killed in the line of duty on February 17, 2021. He had served the Pinellas County Sheriff’s Office for eight years.[1]

Subsection 2 designates that portion of State Road 60 between Interstate 75 and Phillip Lee Boulevard in Hillsborough County is designated as "Sergeant Brian LaVigne Road."

Sergeant Brian LaVigne was killed on January 11, 2021,when his patrol car was intentionally rammed by another vehicle on West Lumsden Road, near South King's Avenue, in Brandon. He was killed the day before his last scheduled shift before retirement.[2]

Subsection 3 designates that portion of Interstate 275 between E. Sligh Avenue and E. Dr. Martin Luther King, Jr., Boulevard in Hillsborough County as “Officer Jesse Madsen Memorial Highway.”

Officer Jesse Madsen was killed on March 9, 2021, when he was responding to reports of a vehicle driving in the wrong direction. He was struck head-on by the wrong-way driver on I-275, near Hillsborough Avenue.[3]

B. SECTION DIRECTORY:

Section 1 Creates honorary transportation facility designations; directs DOT to erect suitable markers.

[1] Florida House of Representatives and Senate File Legislation to Honor Pinellas County Deputy Michael J. Magli, Press Release, February 25, 2021.
[2] Officer Down Memorial Page, https://www.odmp.org/officer/25051-master-corporal-brian-roy-lavigne (last visited March 9, 2021).
[3] Officer Down Memorial Page, https://www.odmp.org/officer/25185-officer-jesse-madsen (last visited March 18, 2021).

Section 2 Provides an effective date of July 1, 2021.

II. FISCAL ANALYSIS & ECONOMIC IMPACT STATEMENT

A. FISCAL IMPACT ON STATE GOVERNMENT:

1. Revenues:

   None.

2. Expenditures:

   DOT estimates a cost of $1,000 per designation for the appropriate markers, which provides for two signs per designation at $500 per sign.[4] Therefore, the bill has an estimated negative fiscal impact of $3,000 to the State Transportation Trust Fund. This cost can be absorbed within existing DOT resources.

B. FISCAL IMPACT ON LOCAL GOVERNMENTS:

1. Revenues:

   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:

None.

C. DRAFTING ISSUES OR OTHER COMMENTS:

None.

[4] E-mail from Amanda Marsh, Legislative Programs Office, Department of Transportation, RE: Road Designation Fiscal. January 5, 2020.

IV. AMENDMENTS/ COMMITTEE SUBSTITUTE CHANGES