



Florida Department of Transportation  
Office of Right of Way  
Outdoor Advertising Control Program  
605 Suwannee Street, MS 22  
Tallahassee, FL 32399-0450

## Chapter 479, Florida Statutes Changes

On June 20, 2014, Governor Rick Scott signed HB 1161 into law. The bill provides comprehensive revisions to Chapter 479, Florida Statutes. The new law becomes effective July 1, 2014.

This bulletin is intended to provide you a brief summary of some of the significant changes. For the full text of the statute and changes, please visit:

<http://www.myfloridahouse.gov/Sections/Bills/billsdetail.aspx?BillId=52417>

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***Note for Future Outdoor Advertising Permit Applications: The current local government approval page of the permit application becomes obsolete with the changes to the statutes. Please begin using the attached document for local government approval pending rule development.***

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### 479.024, Florida Statutes – Land Use Determinations

- Establishes local government responsibility for determining commercial or industrial zones in conformance with Chapter 163, Florida Statutes.
- Sets factors to be used to ensure signs are only permitted in areas appropriate for commerce, industry, or trade.

***Section 479.024, Florida Statutes requires local governments to determine if an area is commercial or industrial for permitting.***

- Florida Department of Transportation (FDOT) retains oversight authority.
- Requires the Department to reduce state apportioned transportation funding within the jurisdiction of a local government entity by the same amount the Federal Highway Administration reduces FDOT funding if the reduction is due to a local government's failure to comply with this section.

### 479.05, Florida Statutes – Delinquent Accounts

- Provides for the suspension of an outdoor advertising license when the licensee has provided misleading information of material consequence, failed to pay fees or costs owed to the Department or has violated any of the provisions of this chapter until the licensee has resolved the matter that resulted in the suspension.
- A suspended license will not be granted transfers of existing permits or granted additional permits.

### 479.07, Florida Statutes – Permit Requirements

- Removes statutory requirement for permit on notarization. (Requirement is still in effect by Rule.)
- Tags must be posted on the upper 50% of the sign structure.
- Signs visible to multiple controlled highways must meet the permitting requirements of all highways within the controlled area of those highways.
- Height restriction is based on the main-traveled way to which the sign is permitted.
- Allows any local government to take advantage of reduced spacing along interstate.

***479.07, Florida Statutes allows the department to pursue a future online permitting process.***

### 479.106, Florida Statutes – Vegetation Management

- Signs originally permitted after July 1, 1996, requesting their first vegetation permit application or an application for a change of view zone are required to remove two nonconforming signs.
- Vegetation management is only for the removal, cutting, or trimming of vegetation along the highway to which the sign is permitted.
- The administrative penalty for illegal removal, cutting, or trimming of trees or vegetation in violation of 479.106 is up to \$1,000 per sign facing.

### 479.15, Florida Statutes – Harmony of Regulations

- Allows all permitted signs to be relocated as a result of a transportation project.
- Clarifies that relocated signs must at least conform to federal requirements.
- Safeguards the status of conforming signs in the event state spacing requirements are threatened by a sign relocation.

***479.15, Florida Statutes removes difference between conforming and nonconforming signs when signs need to be relocated as a result of a department project.***

### 479.16, Florida Statutes – Exempted Signage

- Modular news racks, street light poles, public pay telephones and waste receptacles, within the right of way.
- Rural business directional signs outside an incorporated area.
- Allows rural business exemption in Charter Counties.
- Certain local tourist oriented business signs located within a Rural Area of Critical Economic Concern.
- Temporary farm signs during harvest season that are less than 32 square feet.
- Acknowledgement signs on public school property relating to a specific public school club, team or event.
- Displays on a sports facility that directly relate to the facility's activities.

### 479.24, Florida Statutes – Compensation

- Clarifies that compensation for signs acquired by the department includes both conforming and nonconforming signs.

### 479.25, Florida Statutes – Sound Wall Barriers

- Clarifies the duties of state and local government to notify property owners when proposed sound barrier wall will screen a conforming sign.

### 479.261, Florida Statutes – Logo Sign Program

- Enables the Department to expand the Logo sign program to limited access highways.

### 479.262, Florida Statutes – Tourist-Oriented Directional Sign Program

- Clarifies the use of the tourist-oriented directional sign program for rural tourist-oriented businesses, services, and activities.

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### Contact Us

In an effort to serve our customers more efficiently, we ask that when contacting our staff to please use direct phone lines and email. Please disregard the number ending in 4545 for issues regarding Outdoor Advertising.

#### Outdoor Advertising Control:

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#### Vegetation Management Permits:

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