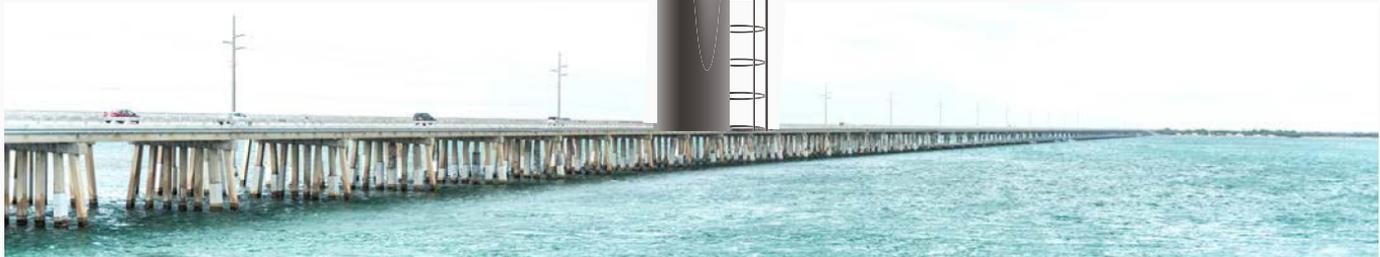


# 2022 ANNUAL HIGHLIGHTS



## IMPRESSIONS FROM THE PRESIDENT/CEO

Though it is hard to believe, 2022 is nearly over! It has certainly been a productive and exciting year in the outdoor advertising industry. As we continue our gradual emergence from the COVID-19 pandemic, we as an industry have, as always, been resilient in our collaborative work efforts.

Although the 2022 legislative session was relatively uneventful in regard to bills affecting the outdoor advertising industry, the FOAA legislative team closely monitored all legislative activity and stood ready to act should anything of concern arise.

FOAA will continue to ensure our unified industry voice is heard and will always seek to strike a fair balance between public and private interests. This newsletter reflects some of the highlights of our achievements since the last time we were all together at the FOAA convention in 2021. As always, thank you all for your continued support and membership!

## IN THIS ISSUE:

- **Florida Department of Transportation Updates**
- **2022 Legislative Recap**
- **Public Service Campaigns**
- **Legal Cases**
- **Member Highlights**
- **Local and Statewide Updates**

*U.S. advertisers allocated \$2.62 billion for out-of-home media during the second quarter, which marks a 29% year-over-year jump and just misses the \$2.69 billion record set during the same quarter in 2019, according to the Out of Home Advertising Association of America.*

# FLORIDA DEPARTMENT OF TRANSPORTATION UPDATES

## FDOT STAFF CHANGES



**Leda Williams Kelly** became the Chief of Staff for the Florida Department of Transportation in August. Kelly's previous experience includes serving as the staff director of the State House Redistricting Committee, working as the state director for U.S. Sen. Rick Scott, and the deputy director of external affairs in the Executive Office of the Governor.



**Jared W. Perdue** was named secretary of the Florida Department of Transportation (FDOT) by Governor Ron DeSantis on April 7. Secretary Perdue has devoted his career to FDOT since entering public service. He participated in the Professional Engineer Training Program with FDOT District Three and has served in various leadership roles within the Department, including Geotechnical Engineer, Interim District Maintenance Engineer, District Traffic Operations Engineer, District Design Engineer, and Director of Transportation Development. He most recently served as District Five Secretary for two years prior to being appointed as FDOT secretary.



**Steven Marshall** now serves as Outdoor Advertising and Logo Manager at FDOT. He replaces Ken Pye, who was promoted to Deputy Director of Right-of-Way Operations in November 2021. Steven previously served as the Central Office Facilities Manager.



## OUTDOOR ADVERTISING DATABASE

FDOT continues to work on the development of a publicly accessible electronic database that will include permit details for each sign permit issued by the FDOT. Once the database is operational, sign owners will no longer be required to post metal tags on sign facings. FDOT has pushed the anticipated timeline for the database to be fully operational from July to October 2022.

FOAA will continue to keep members updated on the progress of the FDOT database development.



## 2022 LEGISLATIVE RECAP

The Florida Legislative Regular Session began on January 11 and legislators adjourned sine die on Monday, March 14, after passing a \$112.1 billion budget, the largest in state history.

Every week during the legislative session, FOAA keeps members apprised of the work of our legislators and legislation impacting the outdoor advertising industry through our Capitol Updates. All previous Capitol Updates can be view on our website at [www.foaa.org/membersonly](http://www.foaa.org/membersonly).

In addition, FOAA participated in the 2022 Candidate Interview process hosted by the Florida Chamber Political Institute (FCPI). Team members traveled throughout the state to interview legislative candidates, learn more about their campaigns, and discuss pertinent issues. These interviews help FOAA identify candidates who support outdoor advertising.

Although the 2022 Fly-In was cancelled due to a spike of COVID-19 cases, FOAA board members met in Tallahassee and visited with legislators.



### SB 434: FLORIDA TOURISM MARKETING

SB 434 extends the scheduled repeal date for the Florida Tourism Industry Marketing Corporation, doing business as VISIT FLORIDA, and the Division of Tourism Marketing within Enterprise Florida, Inc., until October 1, 2028. **SB 434 was approved by Governor DeSantis on May 6, 2022. Chapter No. 2022-92.**



### CS/SB 620: LOCAL BUSINESS PROTECTION ACT

CS/SB 620 created a cause of action for an established business to recover loss of business damages from a county or municipality whose regulatory action caused a significant impact on the business. **CS/SB 620 was vetoed by Governor DeSantis on June 24, 2022.**



### CS/CS/HB 741: NET METERING

Current law requires the PSC to allow investor-owned electric utilities (IOUs) to recover honestly and prudently invested costs of providing service, including investments in infrastructure and operating expenses used to provide electric service. Net energy metering, commonly referred to as net metering, is a billing arrangement designed to compensate customers who own or lease on-site renewable energy generation systems and export electricity generated onsite to an electric utility's system. CS/CS/HB 741 established a revised net metering program that credited excess energy delivered to an IOU's system by customer-owned renewable generation in accordance with a graduated schedule as described in the bill. **CS/CS/HB 741 was vetoed by Governor DeSantis on April 27, 2022.**

## 2022 PUBLIC SERVICE CAMPAIGNS

FOAA's public service program continues to set a high standard for the outdoor advertising industry and sets our organization apart as a shining example of cooperative public service. FOAA members donate hundreds of thousands of dollars worth of advertising space to organizations throughout the state to support civic, charitable, and government public service campaigns. Thanks to the generosity and remarkable support of these members, our public service program continues to make an impact in communities across the state. A few public service partnerships from 2021 and 2022 include:

**A Safe Haven For Newborns**

Hiding your pregnancy or know someone who is?  
We're here to help... Every Life is Precious.

**1.877.767-2229 (BABY)**

Ocultu su embarazo o sabe de alguien que lo haga?  
Estamos aquí para ayudar... Cada Vida es Preciosa.

All calls are confidential.  
Todas las llamadas son confidenciales.

The Gloria M. Silverio Foundation, 501(c)3  
www.asafehavenfornewborns.com

FOAA

**Safe Haven for Newborns 2021/2022 – The Gloria Silverio Foundation**  
An awareness campaign promoting a toll-free helpline and message providing alternative safe havens to leave newborns rather than abandonment.

**FLORIDA ARRIVE ALIVE THIS SUMMER**

[flhsmv.gov/summer](http://flhsmv.gov/summer)

FLHSMV

Public Service provided by the Florida Outdoor Advertising Association

**Safe Summer Travel 2022 – Florida Department of Highway Safety and Motor Vehicles**  
An education and awareness campaign reminding Florida motorists to stay safe on and around Florida's roads while they travel during the summer months.

**Talk to your provider about**

**COUNT the KICKS**

[CountTheKicks.org](http://CountTheKicks.org)

Florida HEALTH

FOAA

**Count the Kicks – Florida Department of Health**  
An evidence-based stillbirth prevention and awareness program that teaches expectant parents the method for, and importance of, tracking fetal movement daily during the third trimester of pregnancy.



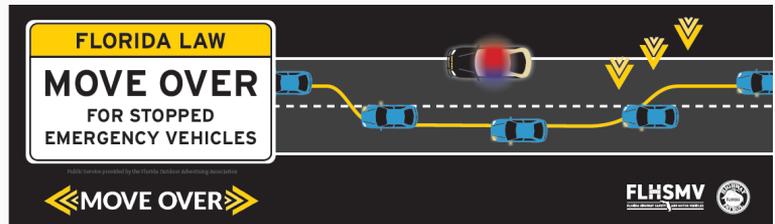
**Work Zone Awareness 2022 - Florida Department of Highway Safety and Motor Vehicles**

Work zones, such as narrow lanes, sudden stops, traffic pattern shifts, and uneven road surfaces, present unique challenges for large trucks and buses. In addition to the conditions presented by these areas, large trucks and buses must also deal with large blind spots, long stopping distances, and size constraints,, which makes maneuvering these vehicles in work zones particularly challenging.

The goal of this campaign is to educate Florida motorists and CMV drivers of the importance of driving safely around Commercial Motor Vehicles when in a work zone; specifically, when merging into and out of one lane traffic in work zone areas.

**Move Over 2022 - Florida Department of Highway Safety and Motor Vehicles**

The goal of this campaign is to educate the public regarding the Move Over Law, including overall awareness for the vulnerability of law enforcement and service providers to collision, what the Move Over Law states, and best practices on how to comply with the law.



**Share The Road 2022 - Florida Department of Highway Safety and Motor Vehicles**

The goal of this campaign is to educate and engage the public on the importance of using extra caution and driving safely around commercial motor vehicles. This includes staying out of the "No Zone" area and keeping a safe distance.

Motorists, bicyclists, and motorcyclists all have a responsibility to travel safely and share the road properly.



**Drowsy Driving 2022 - Florida Department of Highway Safety and Motor Vehicles**

The goal of this campaign is to educate Florida's Commercial Motor Vehicle (CMV) drivers on the importance of drowsy driving prevention, getting adequate sleep to prevent drowsiness while driving, hours-of-service regulations, and stopping to rest when needed while driving.



It is vital that we keep track of your public service posting data. FOAA shares this information with government officials to showcase our value to the public and the ways in which our industry has helped our communities. In an effort to ensure that we keep up with this data, please expect emails from FOAA Public Service Director Emmy Kyllonen frequently following up.

## CITY OF AUSTIN VS. REAGAN NATIONAL ADVERTISING

FOAA continues to work closely with the Out of Home Advertising Association (OAAA) to stay up to date on national trends and issues, and prepare for any potential impact on the outdoor industry in Florida.

This year, FOAA closely monitored a federal case, **City of Austin v. Reagan**, involving the constitutionality of a city ordinance restricting digital billboards that was before the U.S. Supreme Court.



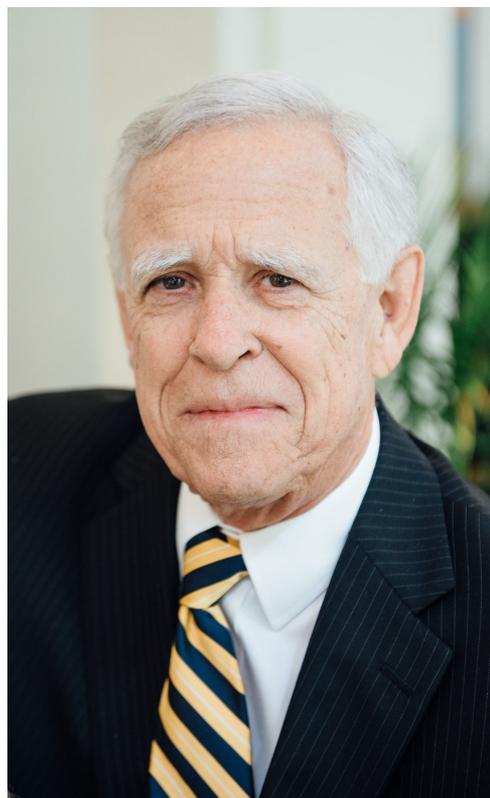
In 2017, Reagan National Advertising sued the City of Austin, arguing that the sign code's distinction between the digitization of on-premises and off-premises signs violated the First Amendment in that it was an unconstitutional content-based speech restriction, that the sign code was invalid and unenforceable, and that the company should be permitted to digitize their signs without permits.

The federal district court ruled in favor of the city of Austin and upheld the sign ordinance. The Supreme Court then ruled that the city of Austin's regulations that prohibited new digital billboards or conversion of existing billboards to digital are not a violation of the free speech clause of the First Amendment just because the regulations allow digitization of signs that are on the premise of a business.

While the case was active, a FOAA workgroup was formed and draft legislation prepared should the Court's ruling have necessitated a change in Florida. The Court ruled in favor of the city of Austin and reversed and remanded the case back to the 5th Circuit. No legislative action was required, but FOAA was prepared to act to protect the industry in Florida.



## MEMBER SPOTLIGHT: JERRY LIVINGSTON



Let us all join in saying farewell to longtime **FOAA General Counsel Jerry Livingston.**

Jerry began his career in the private practice of law in January 1969 and has been the industry's go-to counsel for more than 50 years. In that time, he was actively involved in the representation of a wide variety of industries, including the outdoor advertising industry, the self-insurance fund industry, and the hotel and lodging industry, as well as a number of associations and governmental agencies.

He has served FOAA members with his astute legal analysis and thoughtful, patient, and often humorous insights. Jerry has been instrumental in the achievement of every major milestone in the outdoor industry in Florida and is a beloved member of the FOAA family. He will be sorely missed.



FOAA also said farewell to several staff members this year: Former Public Service and Communications Director Angie Herron and Administrative Assistant Eliza Schnieder-Green.

Angie accepted a deputy marketing director position at ExcelinEd, and Eliza is now focusing on her career in art and museum curation.

We are sad to see them go but wish them both the best in their new endeavors.

## LOCAL AND STATEWIDE

For more than 13 years, the FDLE Missing and Endangered Persons Information Clearinghouse has partnered with FOAA in producing and distributing billboards statewide featuring Florida's missing children.

Each year, parents, children, law enforcement officers, and citizens gather to remember Florida's missing children who are still missing and those who will never come home again. The objective of this day is to raise awareness of Florida's currently missing children, to educate the public on child safety and abduction prevention, and to recognize the individuals and law enforcement officers who have made outstanding contributions in the missing children issue.

Once again, Lamar Advertising donated the large vinyl banner of the 2022 winning artwork for Florida Missing Children's Day on September 12. This yearly event is open to the public and is held in the Tallahassee Capitol Courtyard.



FOAA Public Service and Communications Director Emmy Kyllonen and MEPIC/ FDLE Representative Ashley Bullard at the 2022 Florida Missing Children's Day Ceremony



Many thanks to our operator members who ran the 2022 FLMCD poster and regional missing children boards. Pictured: Lamar Tallahassee Digital Board



Florida Outdoor Advertising Association  
314 N Gadsden Street Suite #1  
Tallahassee, FL 32301  
850-224-5838  
www.foaa.org