



Florida Department of Transportation

RON DESANTIS
GOVERNOR

605 Suwannee Street
Tallahassee, FL 32399-0450

KEVIN J. THIBAUT, P.E.
SECRETARY

DME MEMORANDUM NUMBER 21-02

DATE: June 2, 2021

TO: DISTRICT MAINTENANCE ENGINEERS

FROM: Rudy Powell, Jr., P.E., Director, Office of Maintenance

A blue ink signature of Rudy Powell, Jr. is enclosed in a blue rectangular box. The signature is written in a cursive style. Above the box, the letters "DS" are printed.

COPIES: Courtney Drummond, P.E., Assistant Secretary Engineering and Operations
Will Watts, P.E., Chief Engineer

SUBJECT: Restrictions for Solicitation Events conducted by Charitable Organizations at State of Florida Rest Areas and Welcome Centers – Revised

The attached District Maintenance Engineers (DME) Memorandum 20-02, issued March 23, 2020, imposed restrictions on solicitation activities being conducted at State of Florida Rest Areas and Welcome Centers. Restrictions included cancelling existing authorizations, rescinding approval of scheduled activities, and notification that the Department of Transportation (Department) would not be accepting or authorizing Requests for Facility Use.

This DME Memorandum, 21-02, as of June 7, 2021, rescinds DME Memorandum 20-02. In accordance with F.A.C. Rule 14-28.005, organizations may apply for a permit to solicit funds within approved Rest Areas and Welcome Centers. Solicitation events must adhere to all requirements specified in F.A.C. Rule 14-28.005, *Solicitation Within Rest Areas and Welcome Centers* (copy attached).

RP/dh



Florida Department of Transportation

RON DESANTIS
GOVERNOR

605 Suwannee Street
Tallahassee, FL 32399-0450

KEVIN J. THIBAUT, P.E.
SECRETARY

DME MEMORANDUM NUMBER 20-02

DATE: March 23, 2020

TO: DISTRICT MAINTENANCE ENGINEERS

FROM: Rudy Powell, Jr., P.E., Director, Office of Maintenance



COPIES: Courtney Drummond, P.E., Assistant Secretary Engineering and Operations
Will Watts, P.E., Chief Engineer

SUBJECT: Restrictions for Solicitation Events conducted by Charitable Organizations at State of Florida Rest Areas and Welcome Centers

REQUIREMENTS:

The Florida Department of Transportation (Department) hereby directs the following restrictions be imposed until further notice as applicable to solicitation activities being conducted at State of Florida Rest Areas and Welcome Centers:

- Cease or cancel solicitation activities currently being conducted under previously authorized and approved Requests for Facility Use.
- Rescind approval of all scheduled solicitation activities previously authorized and approved under existing Requests for Facility Use.
- Provide notification to all Charitable Organizations holding a valid Permit for Solicitation at Department Rest Areas and Welcome Centers that due to COVID-19, the Department will not be accepting or authorizing Requests for Facility Use.

RP/dh

14-28.005 Solicitation Within Rest Areas and Welcome Centers.

(1) Only organizations registered with the Department of Agriculture and Consumer Services, pursuant to chapter 496, F.S., and holding a valid consumer certificate of exemption issued by the Department of Revenue may apply for a permit to solicit funds within approved rest areas and welcome centers. The organization must obtain a separate solicitation permit from each Department District within the boundaries of the intended solicitation by submitting a completed Permit for Solicitation at All Department Rest Areas or Welcome Centers Within a District, Form 850-040-70, rev. 1/15, incorporated herein at <https://www.flrules.org/Gateway/reference.asp?No=Ref-09885>, and Indemnification Agreement, Form 850-040-72, 06/07, incorporated herein at <https://www.flrules.org/Gateway/reference.asp?No=Ref-09886>, to the appropriate District or Area Maintenance Office(s).

(2) At least three days and no more than sixty days prior to undertaking any solicitation, a permitted organization shall submit a Notification and Request for Facility Use on Form 850-040-71, 6/07, incorporated herein at <https://www.flrules.org/Gateway/reference.asp?No=Ref-09887>. Events shall be limited to once per month and will not exceed one week.

(3) The Maintenance Engineer or designee having jurisdiction over the facility will designate an area within the premises for the permittee's use, and specify any other restrictions, such as the number of persons and the hours permitted, according to the available space, hours of operation, and security of the location.

(4) In the event more than one organization wishes to solicit during the same period at the same site, the first complete Notification and Request for Facility Use received by the Department will be the first considered for approval.

(5) The permittee shall comply with the provisions of section 496.425, F.S., and the restrictions specified in the permit.

(6) All permittees shall also comply with the following:

(a) Solicitation shall not be conducted on any area paved for vehicular travel or within any area of construction.

(b) Solicitation shall not be conducted in or around any area reserved for a particular use, such as a parking area, restroom facility, sidewalk, dining area, vending machine area, stairwells, doors of public circulation, and foyers.

(c) No advertising of the organization will be allowed on the roadway. Only one sign, no larger than 3' x 5', displaying the organization's name and the permit will be allowed in the designated area. The sign shall clearly contain the following language: "Those soliciting are not employed or endorsed by the State of Florida."

(d) No solicitor may be under the age of 18 years.

(e) Solicitors shall comply with all applicable laws and no organization or solicitor may:

1. Knowingly solicit from on-duty state employees, on duty employees of a state contractor, or employees of authorized business on the premises.

2. Harass any person, including demanding, threatening, or intimidating conduct, or persist after solicitation has been declined.

3. Hamper or impede the conduct of any authorized business.

4. Request a minimum contribution or specify an amount of contribution.

5. Offer or sell food or drink.

6. Obstruct, delay, or interfere with or distract from the free movement of either pedestrians or vehicular traffic, or

7. Create a safety or operation problem for the Department, or a danger to the public health, safety, and welfare.

(7) The permittee shall maintain its registration pursuant to chapter 496, F.S., and the exemption by the Department of Revenue during the permit period, and shall immediately inform the Department of any change in status. The permit becomes invalid at the time the permittee is no longer a qualified entity under section 496.425, F.S. The Department has the authority to suspend or revoke a permit for any violation of this rule chapter in accordance with section 496.425, F.S.

Rulemaking Authority 334.044(2), 337.406, 496.425 FS. Law Implemented 334.044(13), (28), 335.02, 337.406, 496.425 FS. History—New 10-25-89, Amended 7-6-93, 11-19-07, 12-5-18.