

1                   A bill to be entitled  
 2           An act relating to gasoline stations; creating s. 526.143,  
 3           F.S.; requiring each retail gasoline station that is newly  
 4           constructed or substantially renovated on or after a  
 5           specified date to be equipped with a backup power system  
 6           or alternative pumping system so that the station's fuel  
 7           pumps may be operated in the event of a power outage;  
 8           providing that the act applies to a gasoline station that  
 9           is located on the grounds of, or owned by, another retail  
 10          establishment; providing certain exceptions; providing a  
 11          penalty; providing an effective date.

12  
 13 Be It Enacted by the Legislature of the State of Florida:

14  
 15           Section 1. Section 526.143, Florida Statutes, is created  
 16          to read:

17           526.143 Backup power or pumping system required for  
 18          certain gasoline stations.--

19           (1) Each retail gasoline station that offers motor fuel  
 20          for sale to the public must be equipped with a backup power  
 21          system or other alternative pumping system so that the station's  
 22          fuel pumps may be operated in the event of a power outage. The  
 23          backup power system or other alternative pumping system must be  
 24          maintained and kept fully operational at all times. This  
 25          subsection applies to any retail gasoline station that is newly  
 26          constructed, or substantially renovated, and for which a  
 27          certificate of occupancy is issued on or after July 1, 2006. As  
 28          used in this subsection, the term "substantially renovated"

HB 319

2006

29 means a renovation that resulted in an increase in the assessed  
30 value of the retail gasoline station of greater than 50 percent.

31 (2)(a) Subsection (1) applies to any self-service gasoline  
32 station or full-service gasoline station regardless of whether  
33 the gasoline station is located on the grounds of, or is owned  
34 by, another retail business establishment that does not engage  
35 in the business of selling motor fuel.

36 (b) Subsection (1) does not apply to:

37 1. An automobile dealer;

38 2. A person who operates a fleet of motor vehicles; or

39 3. A person who sells motor fuel exclusively to a fleet of  
40 motor vehicles.

41 (3) A violation of subsection (1) is a misdemeanor of the  
42 second degree, punishable as provided in s. 775.082 or s.  
43 775.083.

44 Section 2. This act shall take effect July 1, 2006.