By Senator Geller

31-605-06

A bill to be entitled 2 An act relating to gasoline stations; creating s. 526.143, F.S.; requiring each retail 3 4 gasoline station that is newly constructed or 5 substantially renovated on or after a specified 6 date to be equipped with a backup power system 7 or alternative pumping system so that the 8 station's fuel pumps may be operated in the 9 event of a power outage; providing that the act 10 applies to a gasoline station that is located on the grounds of, or owned by, another retail 11 12 establishment; providing certain exceptions; 13 providing a penalty; providing an effective date. 14 15 Be It Enacted by the Legislature of the State of Florida: 16 17 Section 1. Section 526.143, Florida Statutes, is 18 created to read: 19 526.143 Backup power or pumping system required for 20 21 certain gasoline stations .--22 (1) Each retail gasoline station that offers motor 23 fuel for sale to the public must be equipped with a backup power system or other alternative pumping system so that the 2.4 station's fuel pumps may be operated in the event of a power 25 outage. The backup power system or other alternative pumping 26 27 system must be maintained and kept fully operational at all 2.8 times. This subsection applies to any retail gasoline station that is newly constructed, or substantially renovated, and for 29 which a certificate of occupancy is issued on or after July 1, 30

2006. As used in this subsection, the term "substantially

| 1 | renovated" means a renovation that resulted in an increase in |
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| 2 | the assessed value of the retail qasoline station of greater |
| 3 | than 50 percent. |
| 4 | (2)(a) Subsection (1) applies to any self-service |
| 5 | qasoline station or full-service qasoline station regardless |
| 6 | of whether the qasoline station is located on the grounds of, |
| 7 | or is owned by, another retail business establishment that |
| 8 | does not engage in the business of selling motor fuel. |
| 9 | (b) Subsection (1) does not apply to: |
| 10 | 1. An automobile dealer; |
| 11 | 2. A person who operates a fleet of motor vehicles; or |
| 12 | 3. A person who sells motor fuel exclusively to a |
| 13 | fleet of motor vehicles. |
| 14 | (3) A violation of subsection (1) is a misdemeanor of |
| 15 | the second degree, punishable as provided in s. 775.082 or s. |
| 16 | <u>775.083.</u> |
| 17 | Section 2. This act shall take effect July 1, 2006. |
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| 20 | SENATE SUMMARY |
| 21 | Requires any retail gasoline station that is newly |
| 22 | constructed or substantially renovated on or after July 1, 2006, to be equipped with a backup power system or other alternative fuel-pumping system. Defines the term "substantially renovated." Provides an exception for automobile dealers, persons operating a fleet of motor vehicles, and persons selling fuel exclusively to a fleet of motor vehicles. Provides a penalty. |
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