

By Senator Ring

29-00452-13

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1 A bill to be entitled

2 An act relating to gasoline stations; amending s.
3 526.141, F.S.; providing requirements for
4 accessibility for disabled persons at gasoline
5 stations; requiring certain signage at each self-
6 service gasoline pump; providing for size and content
7 of the signs; requiring an attendant to provide
8 refueling assistance to a person with a permit or
9 license plate issued under specified provisions;
10 providing for exceptions; providing an effective date.

11
12 Be It Enacted by the Legislature of the State of Florida:

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14 Section 1. Section 526.141, Florida Statutes, is amended to
15 read:

16 526.141 ~~Self-service~~ Gasoline stations; self-service;
17 attendants; regulations.—

18 (1) This section authorizes the establishment of self-
19 service gasoline stations.

20 (2) A "self-service gasoline station" shall be that portion
21 of property where flammable and combustible liquids used as
22 motor fuels are stored and subsequently dispensed from fixed,
23 approved dispensing equipment into the fuel tanks of motor
24 vehicles by persons other than the service station attendant.

25 (3) All self-service gasoline stations shall have at least
26 one attendant on duty while the station is open to the public.
27 The attendant's primary function shall be the proper
28 administration, supervision, observation, and control of the
29 dispensing of flammable and combustible liquids used as motor

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30 fuels while such liquids are actually being dispensed. It shall
31 be the responsibility of the attendant to prevent the dispensing
32 of flammable and combustible liquids used as motor fuels into
33 portable containers unless such container bears a seal of
34 approval of a nationally recognized testing agency; to control
35 sources of ignition; and immediately to handle accidental spills
36 and fire extinguishers if needed. The attendant on duty shall be
37 mentally and physically capable of performing the functions and
38 assuming the responsibility prescribed in this subsection.

39 (4) (a) The "attendant control area" is that area reserved
40 for the placing of the attendant, which shall be not more than
41 100 feet from the dispensing area and shall contain the fire-
42 extinguishment equipment and emergency controls.

43 (b) The "dispensing area" is that area where the pumps used
44 to dispense flammable and combustible liquids used as motor
45 fuels are located. The dispensing area shall at all times be in
46 clear view of the attendant, and the placing or allowing of any
47 obstruction to vision between the dispensing area and the
48 attendant control area shall be prohibited. The attendant shall
49 at all times be able to communicate with persons in the
50 dispensing area. Emergency controls shall be installed at a
51 location acceptable to the authority having jurisdiction, but
52 controls shall not be more than 100 feet from dispensers.
53 Operating instructions and warning signs shall be conspicuously
54 posted in the dispensing area.

55 (5) (a) Every full-service gasoline station offering self-
56 service at a lesser cost shall require an attendant employed by
57 the station to dispense gasoline from the self-service portion
58 of the station to any motor vehicle properly displaying an

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59 exemption parking permit as provided in s. 316.1958 or s.
60 320.0848 or a license plate issued pursuant to s. 320.084, s.
61 320.0842, s. 320.0843, or s. 320.0845 when the person to whom
62 such permit has been issued is the operator of the vehicle and
63 such service is requested. ~~Such stations shall prominently~~
64 ~~display a decal no larger than 8 square inches on the front of~~
65 ~~all self-service pumps clearly stating the requirements of this~~
66 ~~subsection and the penalties applicable to violations of this~~
67 ~~subsection. The Department of Agriculture and Consumer Services~~
68 ~~shall enforce this requirement.~~

69 (b)1. Every gasoline station shall prominently display on
70 the front of all self-service gasoline pumps a sign, decal, or
71 sticker of at least 15 square inches. The sign, decal, or
72 sticker must be printed on a blue background and must clearly
73 state:

74 a. The telephone number for the gasoline station, which
75 number must be operational and answered by an employee of the
76 gasoline station during the hours the gasoline station is open
77 for business to the public.

78 b. The international symbol of accessibility (ISA).

79 c. Wording such as "Call for Assistance" or "Assistance
80 Available upon Request."

81 d. The hours that two attendants will be available to
82 provide assistance at the gasoline station.

83 e. The requirements of this subsection and the penalties
84 applicable to violations of this subsection.

85 2. The gasoline station shall require an attendant employed
86 by the station to respond to a request for assistance and, if
87 there is more than one attendant on duty, an attendant shall

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88 dispense gasoline from the self-service portion of the station
89 to any motor vehicle properly displaying an exemption parking
90 permit as provided in s. 316.1958 or s. 320.0848 or a license
91 plate issued pursuant to s. 320.084, s. 320.0842, s. 320.0843,
92 or s. 320.0845 when the person to whom such permit has been
93 issued is the operator of the vehicle and requests such service.
94 If a person requests assistance when a second attendant is not
95 present at a self-service gasoline station, the gasoline station
96 is not required to provide the requested assistance and, if the
97 attendant can communicate with the requestor by a remote or
98 electronic means, the attendant on duty shall inform the person
99 that he or she is unable to provide assistance because only one
100 attendant is on duty.

101 (c) ~~(b)~~ A violation of paragraph (a) or paragraph (b) is a
102 misdemeanor of the second degree, punishable as provided in s.
103 775.082 or s. 775.083. The Department of Agriculture and
104 Consumer Services shall enforce this subsection.

105 (6) All self-service equipment used to dispense gasoline
106 shall be approved by a nationally recognized testing agency for
107 its intended use.

108 (7) The Chief Financial Officer, under her or his powers,
109 duties, and functions as State Fire Marshal, shall adopt rules
110 for the administration and enforcement of this section, except
111 for subsection (5) which shall be administered and enforced by
112 the Department of Agriculture and Consumer Services.

113 Section 2. This act shall take effect July 1, 2013.