

By the Committee on Children, Families, and Elder Affairs; and  
Senator Ring

586-02622-13

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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 the gasoline station to have a  
6 telephone number that is operational and answered by  
7 an attendant during the hours the gasoline station is  
8 open; requiring certain signage at each self-service  
9 gasoline pump; providing exceptions; providing for  
10 size and content of the signs; requiring an attendant  
11 to provide refueling assistance to a person with a  
12 permit or license plate issued under specified  
13 provisions; removing criminal penalties; requiring the  
14 Department of Agriculture and Consumer Services to  
15 enforce subsection (5); providing an effective date.

16  
17 Be It Enacted by the Legislature of the State of Florida:

18  
19 Section 1. Section 526.141, Florida Statutes, is amended to  
20 read:

21 526.141 ~~Self-service~~ Gasoline stations; self-service;  
22 attendants; regulations.—

23 (1) This section authorizes the establishment of self-  
24 service gasoline stations.

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

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30 (3) All self-service gasoline stations shall have at least  
31 one attendant on duty while the station is open to the public.  
32 The attendant's primary function shall be the proper  
33 administration, supervision, observation, and control of the  
34 dispensing of flammable and combustible liquids used as motor  
35 fuels while such liquids are actually being dispensed. It shall  
36 be the responsibility of the attendant to prevent the dispensing  
37 of flammable and combustible liquids used as motor fuels into  
38 portable containers unless such container bears a seal of  
39 approval of a nationally recognized testing agency; to control  
40 sources of ignition; and immediately to handle accidental spills  
41 and fire extinguishers if needed. The attendant on duty shall be  
42 mentally and physically capable of performing the functions and  
43 assuming the responsibility prescribed in this subsection.

44 (4) (a) The "attendant control area" is that area reserved  
45 for the placing of the attendant, which shall be not more than  
46 100 feet from the dispensing area and shall contain the fire-  
47 extinguishment equipment and emergency controls.

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

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59 posted in the dispensing area.

60 (5) (a) Every ~~full-service~~ gasoline station offering self-  
61 service ~~at a lesser cost~~ shall require an attendant employed by  
62 the station to dispense gasoline ~~from the self-service portion~~  
63 ~~of the station~~ to any motor vehicle properly displaying an  
64 exemption parking permit as provided in s. 316.1958 or s.  
65 320.0848 or a license plate issued pursuant to s. 320.084, s.  
66 320.0842, s. 320.0843, or s. 320.0845 when the person to whom  
67 such permit has been issued is the operator of the vehicle and  
68 such service is requested. The station must have a telephone  
69 number that is operational and answered by an attendant during  
70 the hours the gasoline station is open to the public which a  
71 person can call to request assistance. If a request is made when  
72 a second attendant is not present, the gasoline station is not  
73 required to provide assistance, however, the attendant on duty  
74 must inform the person why assistance is not currently  
75 available. Such stations shall prominently display a decal no  
76 larger than 8 square inches on the front of all self-service  
77 pumps clearly stating the requirements of this subsection and  
78 the penalties applicable to violations of this subsection. The  
79 Department of Agriculture and Consumer Services shall enforce  
80 this requirement.

81 (b) Every gasoline station shall prominently display on the  
82 front of each self-service gasoline pump a sign, decal, or  
83 sticker of at least 15 square inches printed on a blue  
84 background that clearly states:

- 85 1. The telephone number for the gasoline station.
- 86 2. The international symbol of accessibility (ISA).
- 87 3. Wording such as "Call for Assistance" or "Assistance

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88 Available upon Request."

89 4. The hours that two attendants will be available to  
90 provide assistance at the gasoline station.

91 5. The requirements of this subsection and the penalties  
92 applicable to violations of this subsection.

93 ~~(b) Violation of paragraph (a) is a misdemeanor of the~~  
94 ~~second degree, punishable as provided in s. 775.082 or s.~~  
95 ~~775.083.~~

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

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

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