

**By** the Committees on Agriculture; and Commerce and Tourism; and  
Senator Brandes

575-03483-14

20141184c2

1                   A bill to be entitled  
2           An act relating to gasoline stations; amending s.  
3           526.141, F.S.; requiring self-service gasoline pumps  
4           to display an additional decal containing specified  
5           information; requiring the Department of Agriculture  
6           and Consumer Services to confirm compliance by a  
7           specified date; providing for preemption of local laws  
8           and regulations pertaining to fueling assistance for  
9           certain motor vehicle operators; creating s. 526.142,  
10          F.S.; providing that no motor fuel outlet shall be  
11          required to provide air or vacuum supply without  
12          charge; preempts to the state the power to regulate  
13          and set pricing for air and vacuum commodities;  
14          providing an effective date.

15  
16 Be It Enacted by the Legislature of the State of Florida:

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18           Section 1. Subsection (5) of section 526.141, Florida  
19 Statutes, is amended to read:

20           526.141 Self-service gasoline stations; attendants;  
21 regulations.—

22           (5) (a) Every full-service gasoline station offering self-  
23 service at a lesser cost shall require an attendant employed by  
24 the station to dispense gasoline from the self-service portion  
25 of the station to any motor vehicle properly displaying an  
26 exemption parking permit as provided in s. 316.1958 or s.  
27 320.0848 or a license plate issued pursuant to s. 320.084, s.  
28 320.0842, s. 320.0843, or s. 320.0845 when the person to whom  
29 such permit has been issued is the operator of the vehicle and

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30 such service is requested. Such stations shall prominently  
31 display a decal no larger than 8 square inches on the front of  
32 all self-service pumps clearly stating the requirements of this  
33 subsection and the penalties applicable to violations of this  
34 subsection. The Department of Agriculture and Consumer Services  
35 shall enforce this requirement.

36 (b)1. The Department of Agriculture and Consumer Services,  
37 when inspecting a self-service gasoline station, shall confirm  
38 that a second and separate decal is affixed to each pump. The  
39 decal must be blue, at least 15 square inches, and clearly  
40 display the international symbol of accessibility shown in s.  
41 320.0842, the telephone number of the station, and the words  
42 "Call for Assistance." The Department of Agriculture and  
43 Consumer Services shall adopt rules to implement and enforce  
44 this paragraph and shall confirm that the decals conform with  
45 this paragraph and are in place by July 1, 2016.

46 2. This paragraph preempts and supersedes all local  
47 government laws and regulations pertaining to the provision of  
48 fueling assistance to the motor vehicle operators described in  
49 paragraph (a) by self-service gasoline stations.

50 (c)~~(b)~~ Violation of paragraph (a) is a misdemeanor of the  
51 second degree, punishable as provided in s. 775.082 or s.  
52 775.083.

53 Section 2. Section 526.142, Florida Statutes, is created to  
54 read:

55 526.142 Air and vacuum devices.—No motor fuel retail outlet  
56 as defined in s. 526.303(14), shall be required to provide air  
57 or vacuum supply without charge. A political subdivision of this  
58 state may not adopt any ordinance regarding the pricing of such

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59 commodities and all such ordinances, whether existing or  
60 proposed, are hereby preempted and superseded by general law.

61 Section 3. This act shall take effect July 1, 2014.