

1 A bill to be entitled
 2 An act relating to petroleum fuel measuring devices;
 3 amending s. 525.07, F.S.; preempting the regulation of
 4 petroleum fuel measuring devices to the state and the
 5 Department of Agriculture and Consumer Services;
 6 prohibiting the department from enforcing certain
 7 provisions for violations of rules relating to
 8 petroleum fuel measuring devices; providing an
 9 exception; amending s. 525.16, F.S.; exempting
 10 department petroleum fuel measuring device rules from
 11 enforcement under specified provisions; providing an
 12 exception; providing an effective date.

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 14 Be It Enacted by the Legislature of the State of Florida:

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 16 Section 1. Paragraph (f) of subsection (10) of section
 17 525.07, Florida Statutes, is amended to read:

18 525.07 Powers and duties of department; inspections;
 19 unlawful acts.—

20 (10)

21 (f) The regulation of petroleum fuel measuring devices is
 22 preempted to the state and to the department, which shall
 23 enforce, and may adopt rules to administer, this subsection;
 24 however, s. 525.16 may not be used to enforce this subsection
 25 unless the owner or operator of a petroleum fuel measuring

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26 | device fails to affix or install a security measure.

27 | Section 2. Subsection (6) is added to section 525.16,
28 | Florida Statutes, to read:

29 | 525.16 Administrative fine; penalties; prosecution of
30 | cases by state attorney.—

31 | (6) This section may not be used to enforce rules adopted
32 | pursuant to s. 525.07(10)(f) unless the owner or operator of a
33 | petroleum fuel measuring device fails to affix or install a
34 | security measure.

35 | Section 3. This act shall take effect July 1, 2021.