

1                                   A bill to be entitled  
 2           An act relating to motor vehicle parking on private  
 3           property; amending s. 715.075, F.S.; providing  
 4           requirements for signage for certain parking  
 5           facilities; authorizing certain entities to regulate  
 6           such signage; providing requirements for invoices for  
 7           certain parking charges; prohibiting the assessment of  
 8           a late fee before a certain period; requiring such  
 9           invoices to include a dispute and appeal method;  
 10          providing requirements for such method; providing  
 11          applicability; requiring a specified grace period  
 12          before parking charges may be incurred; providing an  
 13          exception; prohibiting personal information from being  
 14          sold, offered for sale, or transferred for sale by  
 15          such owners or operators; providing an effective date.

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

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 19           Section 1. Section 715.075, Florida Statutes, is amended  
 20 to read:

21           715.075 Vehicles parked on private property; rules and  
 22 rates authorized.—

23           (1) (a) The owner or operator of a private property used  
 24 for motor vehicle parking may establish rules and rates that  
 25 govern private persons parking motor vehicles on such private

26 | property. Such rules and rates may include parking charges for  
 27 | violating the property owner's or operator's rules. The owner or  
 28 | operator of a private property used for motor vehicle parking  
 29 | and must place signage that is legible ~~be posted~~ and clearly  
 30 | visible to persons entering the area used for motor vehicle  
 31 | parking ~~motor vehicles on such private property.~~ The signage  
 32 | must state that the property is not operated by a governmental  
 33 | entity, list the rates for parking charges for violating the  
 34 | rules of the property owner or operator, provide a working phone  
 35 | number and an e-mail address to receive inquiries and  
 36 | complaints, and provide notice of the grace period and appeal  
 37 | process provided by this section. Such signage may be regulated  
 38 | by the county or municipality in which the property is located.

39 |       (b) An invoice for parking charges issued under this  
 40 | section must include the following statement in uppercase type:  
 41 | THIS INVOICE IS PRIVATELY ISSUED, IS NOT ISSUED BY A  
 42 | GOVERNMENTAL AUTHORITY, AND IS NOT SUBJECT TO CRIMINAL  
 43 | PENALTIES.

44 |       (c) An invoice for parking charges issued for violating  
 45 | the rules of the property owner or operator of a private  
 46 | property used for motor vehicle parking must be placed on the  
 47 | motor vehicle in a prominent location or mailed within 5  
 48 | business days of the violation. The owner or operator of a  
 49 | private property used for motor vehicle parking may not assess a  
 50 | late fee until expiration of the 15-day period following the

51 denial of any appeal filed pursuant to paragraph (d) or for a  
52 period of at least 30 days after the invoice is placed on the  
53 motor vehicle or the postmarked date of the mailing, whichever  
54 is later.

55 (d) An invoice for parking charges issued under this  
56 section must include a method to dispute and appeal the invoice  
57 by a party who believes they have received the invoice in error.  
58 Such dispute must be filed with the parking lot owner or  
59 operator within 15 days after the invoice is placed on the motor  
60 vehicle or after the postmarked date of the mailing of the  
61 invoice. The parking lot owner or operator shall have 5 business  
62 days in which to render a decision on the filed dispute. The  
63 party may then, within 10 days after receipt of the owner's or  
64 operator's decision, appeal such decision. The appeal must be  
65 determined by a neutral third-party adjudicator with the  
66 authority to review and approve or deny the appeal. If the  
67 appeal is approved, the invoice shall be dismissed. If the  
68 appeal is denied, the party shall pay the original invoice  
69 within 15 days after the decision of the adjudicator.

70 (e) Paragraphs (c) and (d) do not apply to an owner or  
71 operator of a theme park or entertainment complex as defined in  
72 s. 509.013(9).

73 (2) A county or municipality may not enact an ordinance or  
74 a regulation restricting or prohibiting a right of a private  
75 property owner or operator established under subsection (1). Any

76 such ordinance or regulation is a violation of this section and  
77 is null and void.

78 (3) The owner or operator of a private property used for  
79 motor vehicle parking must allow a grace period of at least 15  
80 minutes upon entrance to such property before any parking  
81 charges may be incurred, provided that the motor vehicle does  
82 not park during that time.

83 (4) This section does not apply to an owner or operator of  
84 a lodging park, mobile home park, or recreational vehicle park  
85 as those terms are defined in s. 513.01, provided that the terms  
86 of tenancy and parking within such park are established by rules  
87 and regulations of the park pursuant to s. 513.117 or within a  
88 rental agreement between the owner or operator of the park and  
89 the operator of the motor vehicle.

90 (5) An owner or operator of a private property used for  
91 motor vehicle parking may not sell, offer to sell, or transfer  
92 to another person for sale any personal information obtained  
93 from a party using the private property for parking services.

94 Section 2. This act shall take effect July 1, 2024.