



651508

LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
02/21/2024	.	
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The Committee on Rules (Garcia) recommended the following:

Senate Amendment (with title amendment)

Delete everything after the enacting clause
and insert:

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

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

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



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12 Such rules and rates may include parking charges for violating
13 the property owner's or operator's rules. The owner or operator
14 of a private property used for motor vehicle parking and must
15 place signage that is legible ~~be posted~~ and clearly visible to
16 persons entering the area used for motor vehicle parking ~~motor~~
17 vehicles on such private property. The signage must state that
18 the property is not operated by a governmental entity; list the
19 rates for parking charges for violating the rules of the
20 property owner or operator; provide a working phone number and
21 an e-mail address to receive inquiries and complaints; and
22 provide notice of the grace period and appeal process provided
23 by this section. Such signage may be regulated by the county or
24 municipality in which the property is located.

25 (b) An invoice for parking charges issued under this
26 section must include the following statement in uppercase type:

27
28 THIS INVOICE IS PRIVATELY ISSUED, IS NOT ISSUED BY A
29 GOVERNMENTAL AUTHORITY, AND IS NOT SUBJECT TO CRIMINAL
30 PENALTIES.
31

32 (c) An invoice for parking charges issued for violating the
33 rules of the property owner or operator of a private property
34 used for motor vehicle parking must be placed on the motor
35 vehicle in a prominent location or mailed within 5 business days
36 of the violation. The owner or operator of a private property
37 used for motor vehicle parking may not assess a late fee until
38 expiration of the 15-day period following the denial of any
39 appeal filed pursuant to paragraph (d) or for a period of at
40 least 30 days after the invoice is placed on the motor vehicle



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41 or the postmarked date of the mailing, whichever is later.

42 (d) An invoice for parking charges issued under this
43 section must include a method to dispute and appeal the invoice
44 by a party who believes they have received the invoice in error.
45 Such dispute must be filed with the parking lot owner or
46 operator within 15 days after the invoice is placed on the motor
47 vehicle or after the postmarked date of the mailing of the
48 invoice. The parking lot owner or operator shall have 5 business
49 days in which to render a decision on the filed dispute. The
50 party may then, within 10 days after receipt of the owner's or
51 operator's decision, appeal such decision. The appeal must be
52 determined by a neutral third-party adjudicator with the
53 authority to review and approve or deny the appeal. If the
54 appeal is approved, the invoice must be dismissed. If the appeal
55 is denied, the party must pay the original invoice within 15
56 days after the decision of the adjudicator.

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

60 (2) A county or municipality may not enact an ordinance or
61 a regulation restricting or prohibiting a right of a private
62 property owner or operator established under subsection (1). Any
63 such ordinance or regulation is a violation of this section and
64 is null and void.

65 (3) The owner or operator of a private property used for
66 motor vehicle parking shall allow a grace period of at least 15
67 minutes upon entrance to such property before any parking
68 charges may be incurred, provided that the motor vehicle does
69 not park during that time.



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70 (4) This section does not apply to an owner or operator of
71 a lodging park, mobile home park, or recreational vehicle park
72 as those terms are defined in s. 513.01, provided that the terms
73 of tenancy and parking within such park are established by rules
74 and regulations of the park pursuant to s. 513.117 or within a
75 rental agreement between the owner or operator of the park and
76 the operator of the motor vehicle.

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

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

82
83 ===== T I T L E A M E N D M E N T =====

84 And the title is amended as follows:

85 Delete everything before the enacting clause
86 and insert:

87 A bill to be entitled
88 An act relating to motor vehicle parking on private
89 property; amending s. 715.075, F.S.; providing
90 requirements for signage for certain parking
91 facilities; authorizing certain entities to regulate
92 such signage; providing requirements for invoices for
93 certain parking charges; prohibiting the assessment of
94 a late fee before a certain period; requiring that
95 such invoices include a dispute and appeal method;
96 providing requirements for such method; providing
97 applicability; requiring a specified grace period
98 before parking charges may be incurred; providing an



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99 exception; prohibiting personal information from being
100 sold, offered for sale, or transferred for sale by
101 such owners or operators; providing an effective date.