

By Senator Garcia

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1 A bill to be entitled
2 An act relating to motor vehicle parking on private
3 property; amending s. 715.075, F.S.; revising the
4 requirements for displaying a private parking owner's
5 or operator's rules and rates to customers; requiring
6 that invoices for parking charges be sent within a
7 certain timeframe; requiring that invoices for parking
8 include notification of a method of appeal;
9 prohibiting the assessment of a late fee during a
10 specified timeframe; prohibiting a county or
11 municipality from adopting certain ordinances or
12 regulations; prohibiting a private parking owner or
13 operator from charging a customer until certain
14 criteria have been met; requiring private parking
15 owners or operators to incorporate a specified mobile
16 payment application; requiring that the mobile
17 application send customers specified electronic
18 notifications; requiring private parking owners or
19 operators that issue invoices for certain payments to
20 use a third-party independent adjudicator to review
21 all appeals made by customers; authorizing the
22 adjudicator to uphold or deny an appeal; providing an
23 effective date.

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

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

29 715.075 Vehicles parked on private property; rules and

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30 rates authorized.—

31 (1) (a) The owner or operator of a private property used for
32 motor vehicle parking may establish rules and rates that govern
33 private persons parking motor vehicles on such private property.
34 Such rules and rates may include parking charges for violating
35 the property owner's or operator's rules and must be posted in
36 legible type and be clearly visible to persons parking motor
37 vehicles on such private property.

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

40
41 THIS INVOICE IS PRIVATELY ISSUED, IS NOT ISSUED BY A
42 GOVERNMENTAL AUTHORITY, AND IS NOT SUBJECT TO CRIMINAL
43 PENALTIES.
44

45 (c) An invoice for parking charges must be mailed within 48
46 hours after the violation. All issued invoices must include a
47 method of appeal. The owner or operator of a private property
48 used for motor vehicle parking may not assess a late fee for a
49 period of at least 30 days after the postmarked date of the
50 mailing.

51 (2) A county or municipality may not enact an ordinance or
52 a regulation restricting in any manner the parking rates charged
53 by ~~or prohibiting a right of~~ a private property owner or
54 operator established under subsection (1), including parking
55 charges for violating the rules of the property owner or
56 operator. Any such ordinance or regulation is a violation of
57 this section and is null and void.

58 (3) The owner or operator of a private property used for

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59 motor vehicle parking may only begin to charge a customer 10
60 minutes after the customer enters the property or after the
61 customer parks his or her motor vehicle on the property,
62 whichever occurs first.

63 (4) Owners or operators of a private property used for
64 motor vehicle parking shall incorporate a mobile payment
65 application that allows a customer to pay for parking services
66 on his or her mobile device. Such mobile payment application
67 must send the customer an electronic notification informing the
68 customer that he or she is leaving the property without making
69 payment or that his or her parking is about to expire.

70 (5) Private property parking owners or operators that issue
71 invoices for payment or rule violations must use a third-party
72 independent adjudicator to review all appeals made by customers.
73 The adjudicator shall review and may uphold or deny an appeal.

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