

By the Committee on Judiciary; and Senator Garcia

590-02611-24

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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.; requiring the
4 owner or operator of a private property used for motor
5 vehicle parking to place certain signage on the
6 property; providing requirements for the placement and
7 contents of such signage; providing requirements for
8 invoices for parking charges issued for violating
9 rules of the property owner or operator of such
10 property; prohibiting the assessment of a late fee for
11 the later of a specified event or a specified period
12 of time; requiring that invoices for parking charges
13 include a method for appealing parking invoices under
14 certain circumstances; providing requirements for such
15 appeal process; requiring the property owner or
16 operator of such property to allow a specified grace
17 period before certain charges may be incurred;
18 providing an exception; providing applicability;
19 prohibiting owners or operators of private property
20 used for motor vehicle parking from using, selling, or
21 offering to sell or transfer to another person
22 personal information obtained from a party using the
23 property for parking; providing an effective date.

24
25 Be It Enacted by the Legislature of the State of Florida:

26
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. The owner or operator
36 of a private property used for motor vehicle parking and must
37 place signage that is legible ~~be posted~~ and clearly visible to
38 persons entering the area used for motor vehicle parking ~~motor~~
39 vehicles on such private property. The signage must state that
40 the property is not operated by a governmental entity; list the
41 rates for parking, including parking charges for violating the
42 rules of the property owner or operator; and provide notice of
43 the grace period and appeal process provided by this section.
44 Such signage may be regulated by the county or municipality in
45 which the property is located.

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

48 THIS INVOICE IS PRIVATELY ISSUED, IS NOT ISSUED BY A
49 GOVERNMENTAL AUTHORITY, AND IS NOT SUBJECT TO CRIMINAL
50 PENALTIES.

51 (c) An invoice for parking charges issued for violating the
52 rules of the property owner or operator of a private property
53 used for motor vehicle parking must be placed on the motor
54 vehicle in a prominent location or mailed within 5 days after
55 the violation. The owner or operator of a private property used
56 for motor vehicle parking may not assess a late fee until the
57 denial of any appeal filed pursuant to paragraph (d) or for a
58 period of at least 30 days after the invoice is placed on the

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59 motor vehicle or the postmarked date of the mailing, as
60 applicable, whichever is later.

61 (d) An invoice for parking charges issued under this
62 section must include a method to appeal the invoice by a party
63 who believes that he or she has received the invoice in error.
64 Such appeal must be filed within 30 days after the invoice is
65 placed on the motor vehicle or after the postmarked date of the
66 mailing of the invoice, as applicable. The appeal process must
67 use a neutral third-party adjudicator with the authority to
68 review and approve or deny the appeal.

69 (2) A county or municipality may not enact an ordinance or
70 a regulation restricting or prohibiting a right of a private
71 property owner or operator established under subsection (1). Any
72 such ordinance or regulation is a violation of this section and
73 is null and void.

74 (3) The owner or operator of a private property used for
75 motor vehicle parking must allow a grace period of at least 10
76 minutes upon entrance to such property before any parking
77 charges may be incurred, provided that the motor vehicle does
78 not park during that time.

79 (4) This section does not apply to owners or operators of
80 mobile home parks, lodging parks, and recreational vehicle parks
81 as those terms are defined by s. 513.01, provided the terms of
82 tenancy and parking within such parks are established by rules
83 and regulations of the park pursuant to s. 513.117 or within a
84 rental agreement between the owner or operator of the park and
85 the operator of the motor vehicle.

86 (5) An owner or operator of a private property used for
87 motor vehicle parking may not use, sell, or offer to sell or

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88 transfer to another person for use or sale any personal
89 information obtained from a party using the private property for
90 parking services.

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