

By the Committees on Rules; and Judiciary; and Senator Garcia

595-03594-24

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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.; 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 that  
9 such invoices 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.

16  
17 Be It Enacted by the Legislature of the State of Florida:

18  
19 Section 1. Section 715.075, Florida Statutes, is amended to  
20 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 for  
24 motor vehicle parking may establish rules and rates that govern  
25 private persons parking motor vehicles on such private property.  
26 Such rules and rates may include parking charges for violating  
27 the property owner's or operator's rules. The owner or operator  
28 of a private property used for motor vehicle parking ~~and~~ must  
29 place signage that is legible ~~be posted~~ and clearly visible to

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30 persons entering the area used for motor vehicle parking ~~motor~~  
31 ~~vehicles on such private property.~~ The signage must state that  
32 the property is not operated by a governmental entity; list the  
33 rates for parking charges for violating the rules of the  
34 property owner or operator; provide a working phone number and  
35 an e-mail address to receive inquiries and complaints; and  
36 provide notice of the grace period and appeal process provided  
37 by this section. Such signage may be regulated by the county or  
38 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  
42 THIS INVOICE IS PRIVATELY ISSUED, IS NOT ISSUED BY A  
43 GOVERNMENTAL AUTHORITY, AND IS NOT SUBJECT TO CRIMINAL  
44 PENALTIES.

45  
46 (c) An invoice for parking charges issued for violating the  
47 rules of the property owner or operator of a private property  
48 used for motor vehicle parking must be placed on the motor  
49 vehicle in a prominent location or mailed within 5 business days  
50 of the violation. The owner or operator of a private property  
51 used for motor vehicle parking may not assess a late fee until  
52 expiration of the 15-day period following the denial of any  
53 appeal filed pursuant to paragraph (d) or for a period of at  
54 least 30 days after the invoice is placed on the motor vehicle  
55 or the postmarked date of the mailing, whichever is later.

56 (d) An invoice for parking charges issued under this  
57 section must include a method to dispute and appeal the invoice  
58 by a party who believes they have received the invoice in error.

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59 Such dispute must be filed with the parking lot owner or  
60 operator within 15 days after the invoice is placed on the motor  
61 vehicle or after the postmarked date of the mailing of the  
62 invoice. The parking lot owner or operator shall have 5 business  
63 days in which to render a decision on the filed dispute. The  
64 party may then, within 10 days after receipt of the owner's or  
65 operator's decision, appeal such decision. The appeal must be  
66 determined by a neutral third-party adjudicator with the  
67 authority to review and approve or deny the appeal. If the  
68 appeal is approved, the invoice must be dismissed. If the appeal  
69 is denied, the party must pay the original invoice within 15  
70 days after the decision of the adjudicator.

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

74 (2) A county or municipality may not enact an ordinance or  
75 a regulation restricting or prohibiting a right of a private  
76 property owner or operator established under subsection (1). Any  
77 such ordinance or regulation is a violation of this section and  
78 is null and void.

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

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

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88 and regulations of the park pursuant to s. 513.117 or within a  
89 rental agreement between the owner or operator of the park and  
90 the operator of the motor vehicle.

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

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