

CHAPTER 2024-64

Committee Substitute for Committee Substitute for House Bill No. 271

An act relating to motor vehicle parking on private property; amending s. 715.075, F.S.; providing requirements for signage for certain parking facilities; authorizing certain entities to regulate such signage; providing requirements for invoices for certain parking charges; prohibiting the assessment of a late fee before a certain period; requiring such invoices to include a dispute and appeal method; providing requirements for such method; providing applicability; requiring a specified grace period before parking charges may be incurred; providing an exception; prohibiting personal information from being sold, offered for sale, or transferred for sale by such owners or operators; providing an effective date.

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

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

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

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

(c) An invoice for parking charges issued for violating the rules of the property owner or operator of a private property used for motor vehicle parking must be placed on the motor vehicle in a prominent location or mailed within 5 business days of the violation. The owner or operator of a private property used for motor vehicle parking may not assess a late fee

until expiration of the 15-day period following the denial of any appeal filed pursuant to paragraph (d) or for a period of at least 30 days after the invoice is placed on the motor vehicle or the postmarked date of the mailing, whichever is later.

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

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

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

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

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

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

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

Approved by the Governor April 8, 2024.

Filed in Office Secretary of State April 8, 2024.