



854308

LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
01/25/2016	.	
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The Committee on Criminal Justice (Bradley) recommended the following:

Senate Amendment (with title amendment)

Delete lines 43 - 71

and insert:

Section 2. Subsections (3) and (4) of section 525.07, Florida Statutes, are amended, and subsection (10) is added to that section, to read:

525.07 Powers and duties of department; inspections; unlawful acts.—

(3) Each person who owns or manages ~~All persons who own or~~



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11 ~~operate~~ a petroleum fuel measuring device shall be responsible
12 for ensuring accurate measure by the device within the
13 tolerances defined by the rule. An appropriate security seal
14 shall be placed on all measuring devices found to be giving
15 accurate measure within the tolerances defined by the department
16 in such a way that the metering adjustment cannot be changed
17 without breaking the seal.

18 (4) A ~~Any~~ measuring device that is found to be operating
19 outside the tolerances defined by the department shall be deemed
20 inaccurate and the department, at its discretion, shall either:

21 (a) Give, in writing, the ~~operator or~~ owner or manager of
22 the measuring device a reasonable time to repair the measuring
23 device; or

24 (b) Condemn or prohibit the further use of the measuring
25 device by using an appropriate security seal to obstruct the
26 mechanism so that it cannot be operated without breaking the
27 seal. The measuring device shall not be operated in this state
28 again without the written consent of the department.

29 (10) (a) Each person who owns or manages a retail petroleum
30 fuel measuring device shall have affixed to or installed onto
31 the measuring device a security measure to restrict the
32 unauthorized access of customer payment card information. The
33 security measure must include one or more of the following:

34 1. The placement of pressure-sensitive security tape over
35 the panel opening that leads to the scanning device for the
36 retail petroleum fuel measuring device in a manner that will
37 restrict the unauthorized opening of the panel.

38 2. A device or system that will render the retail petroleum
39 fuel measuring device or the scanning device in the measuring



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40 device inoperable if there is an unauthorized opening of the
41 panel.

42 3. A device or system that encrypts the customer payment
43 card information in the scanning device.

44 4. Another security measure approved by the department.

45 (b) The owner or manager of a retail petroleum fuel
46 measuring device without a security measure or with an altered
47 or damaged security measure, upon written notice from the
48 department of such noncompliance, shall have 5 calendar days to
49 comply with this subsection. After the fifth day of
50 noncompliance, the department may prohibit further use of the
51 retail petroleum fuel measuring device until a security measure
52 is installed, replaced, or repaired. A repeat violation found on
53 the same retail petroleum fuel measuring device will be cause
54 for the department to immediately take the measuring device out
55 of service.

56 (c) For purposes of this subsection, the terms "scanning
57 device" and "payment card" have the same meanings as defined in
58 s. 817.625.

59 (d) This subsection applies only to retail petroleum fuel
60 measuring devices that have a scanning device.

61
62 ===== T I T L E A M E N D M E N T =====

63 And the title is amended as follows:

64 Delete line 5

65 and insert:

66 conveyance of fuel; amending s. 525.07, F.S.;

67 specifying requirements for managers of petroleum fuel

68 measuring devices with respect to accurate



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measurement; requiring