

Convenience Business Security Act, window signage

Number: INFORMAL

Date: April 01, 1998

The Honorable Evelyn J. Lynn
Representative, District 27
140 South Atlantic Avenue, Suite 202
Ormond Beach, Florida 32176

RE: CONVENIENCE BUSINESS SECURITY ACT--rules for window signage under provisions of Convenience Business Security Act. ss. 812.1701-812.175, Fla. Stat.

Dear Representative Lynn:

Thank you for contacting this office for clarification of provisions of the "Convenience Business Security Act," sections 812.1701-812.175, Florida Statutes. You have specifically asked about provisions for window signage in section 812.173, Florida Statutes.

Section 812.173, Florida Statutes, describes the security equipment required to be installed in convenience businesses in this state.[1] Among the security measures that must be implemented is the requirement that any window signage allow a clear and unobstructed view from outside the building and in a normal line of sight of the cash register and sales transaction area.[2]

In addition to signage requirements the statute also requires that any window tinting in such an establishment may not reduce the exterior or interior view in a normal line of sight.[3] These provisions are intended to make both the customer and those working in a convenience business as safe as possible by providing a clear visual range inside and outside without impediment from either signs or window tinting.

Section 812.176, Florida Statutes, provides that the Department of Legal Affairs is responsible for adopting rules to implement the provisions of the Convenience Business Security Act. I am enclosing a copy of these rules and a brochure on the act prepared and distributed by this office for your consideration.

Rule 2A-5.005(5), Florida Administrative Code, addresses the issue of window signage. The rule provides:

"Window signage and window tinting must allow for a clear unobstructed view of the cash register and sales transaction area from inside or outside of the building and in a normal line of sight. The degree of window tinting shall allow for physical identification of all individuals in the sales transaction area from outside the building and in a normal line of sight at all times."

I am also enclosing a copy of Attorney General Opinion 91-7 (1991), which concluded that any tinting that diminishes the visibility through the windows of a convenience store is prohibited. If

you have additional questions about the "Convenience Business Security Act" please feel free to contact Mr. Rodney Doss, Division Director for Victim's Services, Department of Legal Affairs, at (850) 414-3300.

I trust that these comments and the material I have enclosed are helpful.

Sincerely,

Robert A. Butterworth
Attorney General

RAB/tgk

Enclosures

[1] As defined in section 812.171, Fla. Stat., a "convenience business" is a place of business "that is primarily engaged in the retail sale of groceries, or both groceries and gasoline, and that is open for business at any time between the hours of 11 p.m. and 5 a.m."

[2] Section 812.173(1)(e), Fla. Stat.

[3] Section 812.173(2), Fla. Stat.