

1 A bill to be entitled
 2 An act relating to towing and storage fees; creating
 3 ss. 125.01047 and 166.04465, F.S.; prohibiting
 4 counties and municipalities from enacting certain
 5 ordinances or rules to impose a fee or charge on
 6 wrecker operators or vehicle storage companies;
 7 providing exceptions; providing an effective date.

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

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 11 Section 1. Section 125.01047, Florida Statutes, is created
 12 to read:

13 125.01047 Rules and ordinances relating to towing or
 14 storage services.-

15 (1) A county may not enact an ordinance or rule that would
 16 impose a fee or charge on an authorized wrecker operator, as
 17 defined in s. 323.002(1), or a vehicle storage company for
 18 towing, storing, or impounding a vehicle by the wrecker operator
 19 or vehicle storage company. This prohibition applies to and
 20 includes, but is not limited to, situations where:

21 (a) The county contacts the wrecker operator or the
 22 vehicle storage company to provide such services.

23 (b) A county law enforcement officer causes a vehicle to
 24 be towed, stored, or impounded after an accident or after the
 25 vehicle has become disabled.

26 (c) A vehicle is towed, stored, or impounded as a result
27 of the commission or attempted commission of a crime or
28 misdemeanor.

29 (d) A county law enforcement officer causes a vehicle to
30 be towed, stored, or impounded when the owner or operator is
31 incapacitated.

32 (e) A vehicle is towed at the request of a person who is
33 not a law enforcement officer or at the request of a person as
34 set forth in s. 715.07(2).

35 (2) The prohibition set forth in subsection (1) does not
36 affect a county's authority to:

37 (a) Levy a reasonable business tax under s. 205.0315, s.
38 205.033, or s. 205.0535.

39 (b) Impose a reasonable fee or charge, not to exceed the
40 maximum rates approved by ordinance or rule under s. 125.0103 or
41 s. 166.043, on the legal owner of a vehicle if a county law
42 enforcement officer has caused the owner's vehicle to be towed
43 to and impounded at a facility owned by the county.

44 Section 2. Section 166.04465, Florida Statutes, is created
45 to read:

46 166.04465 Rules and ordinances relating to towing or
47 storage services.—

48 (1) A municipality may not enact an ordinance or rule that
49 would impose a fee or charge on an authorized wrecker operator,
50 as defined in s. 323.002(1), or a vehicle storage company for

51 towing, storing, or impounding a vehicle by the wrecker operator
52 or vehicle storage company. This prohibition applies to and
53 includes, but is not limited to, situations where:

54 (a) The municipality contacts the wrecker operator or the
55 vehicle storage company to provide such services.

56 (b) A municipal law enforcement officer causes a vehicle
57 to be towed, stored, or impounded after an accident or after a
58 vehicle has become disabled.

59 (c) A vehicle is towed, stored, or impounded as a result
60 of the commission or attempted commission of a crime or
61 misdemeanor.

62 (d) A municipal law enforcement officer causes a vehicle to
63 be towed, stored, or impounded when the owner or operator is
64 incapacitated.

65 (e) A vehicle is towed at the request of a person who is
66 not a law enforcement officer or at the request of a person as
67 set forth in s. 715.07(2).

68 (2) The prohibition set forth in subsection (1) does not
69 affect a municipality's authority to:

70 (a) Levy a reasonable business tax under s. 205.0315, s.
71 205.043, or s. 205.0535.

72 (b) Impose a reasonable fee or charge, not to exceed the
73 maximum rates approved by ordinance or rule under s. 125.0103 or
74 s. 166.043, on the legal owner of a vehicle if a municipal law
75 enforcement officer has caused the owner's vehicle to be towed

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76 | to and impounded at a facility owned by the municipality.

77 | Section 3. This act shall take effect July 1, 2017.