

By the Committee on Community Affairs; and Senator Hooper

578-02443-20

20201332c1

1                   A bill to be entitled  
2           An act relating to towing and immobilizing vehicles  
3           and vessels; amending ss. 125.0103 and 166.043, F.S.;  
4           authorizing local governments to enact rates to tow or  
5           immobilize vessels on private property and to remove  
6           and store vessels under specified circumstances;  
7           requiring counties to establish maximum rates for such  
8           towing, immobilization, removal, and storage of  
9           vessels; providing applicability; creating s.  
10          125.01047, F.S.; prohibiting counties from enacting  
11          certain ordinances or rules that impose fees or  
12          charges on authorized wrecker operators or towing  
13          businesses; defining the term "towing business";  
14          providing exceptions; authorizing authorized wrecker  
15          operators or towing businesses to impose and collect a  
16          certain administrative fee or charge on behalf of the  
17          county, subject to certain requirements; providing  
18          applicability; providing construction; prohibiting a  
19          certain charter county from imposing any new business  
20          tax, fee, or charge that was not in effect on a  
21          specified date on a towing business or an authorized  
22          wrecker operator; providing restrictions and  
23          requirements on a certain administrative fee or charge  
24          imposed and collected by such charter county; defining  
25          the term "charter county"; creating s. 166.04465,  
26          F.S.; prohibiting municipalities from enacting certain  
27          ordinances or rules that impose fees or charges on  
28          authorized wrecker operators or towing businesses;  
29          defining the term "towing business"; providing

578-02443-20

20201332c1

30 exceptions; authorizing authorized wrecker operators  
31 or towing businesses to impose and collect a certain  
32 administrative fee or charge on behalf of the  
33 municipality, subject to certain requirements;  
34 amending s. 323.002, F.S.; prohibiting counties or  
35 municipalities from adopting or maintaining in effect  
36 certain ordinances or rules that impose charges,  
37 costs, expenses, fines, fees, or penalties on  
38 authorized wrecker operators or registered owners,  
39 other legally authorized persons in control, or  
40 lienholders of vehicles or vessels under certain  
41 conditions; providing an exception; authorizing  
42 authorized wrecker operators or towing businesses to  
43 impose and collect a certain administrative fee or  
44 charge on behalf of counties or municipalities,  
45 subject to certain requirements; prohibiting counties  
46 or municipalities from enacting certain ordinances or  
47 rules that require authorized wrecker operators to  
48 accept a specified form of payment; requiring that a  
49 wrecker operator maintain an operable automatic teller  
50 machine for use by the public under certain  
51 circumstances; providing exceptions; providing  
52 applicability; authorizing certain charter counties to  
53 impose a charge, cost, expense, fine, fee, or penalty  
54 on an authorized wrecker operator in connection with a  
55 certain violation; amending s. 713.78, F.S.;

56 authorizing certain persons to place liens on vehicles  
57 or vessels to recover specified fees or charges;  
58 amending s. 715.07, F.S.; revising requirements

578-02443-20

20201332c1

59 regarding notices and signs concerning the towing or  
60 removal of vehicles or vessels; deleting a requirement  
61 that a certain receipt be signed; prohibiting counties  
62 or municipalities from enacting certain ordinances or  
63 rules that require towing businesses to accept a  
64 specified form of payment; requiring that a towing  
65 business maintain an operable automatic teller machine  
66 for use by the public under certain circumstances;  
67 providing applicability; providing an effective date.  
68

69 Be It Enacted by the Legislature of the State of Florida:  
70

71 Section 1. Paragraphs (b) and (c) of subsection (1) of  
72 section 125.0103, Florida Statutes, are amended to read:

73 125.0103 Ordinances and rules imposing price controls;  
74 findings required; procedures.—

75 (1)

76 (b) ~~The provisions of~~ This section does ~~shall~~ not prevent  
77 the enactment by local governments of public service rates  
78 otherwise authorized by law, including water, sewer, solid  
79 waste, public transportation, taxicab, or port rates, rates for  
80 towing of vehicles or vessels from or immobilization of vehicles  
81 or vessels on private property, or rates for removal and storage  
82 of wrecked or disabled vehicles or vessels from an accident  
83 scene or the removal and storage of vehicles or vessels in the  
84 event the owner or operator is incapacitated, unavailable,  
85 leaves the procurement of wrecker service to the law enforcement  
86 officer at the scene, or otherwise does not consent to the  
87 removal of the vehicle or vessel.

578-02443-20

20201332c1

88 (c) Counties must establish maximum rates that ~~which~~ may be  
89 charged on the towing of vehicles or vessels from or  
90 immobilization of vehicles or vessels on private property,  
91 removal and storage of wrecked or disabled vehicles or vessels  
92 from an accident scene, or for the removal and storage of  
93 vehicles or vessels, in the event the owner or operator is  
94 incapacitated, unavailable, leaves the procurement of wrecker  
95 service to the law enforcement officer at the scene, or  
96 otherwise does not consent to the removal of the vehicle or  
97 vessel. However, if a municipality chooses to enact an ordinance  
98 establishing the maximum rates ~~fees~~ for the towing or  
99 immobilization of vehicles or vessels as described in paragraph  
100 (b), the county's ordinance does ~~shall~~ not apply within such  
101 municipality.

102 Section 2. Section 125.01047, Florida Statutes, is created  
103 to read:

104 125.01047 Rules and ordinances relating to towing  
105 services.-

106 (1) A county may not enact an ordinance or rule that would  
107 impose a fee or charge on an authorized wrecker operator, as  
108 defined in s. 323.002(1), or on a towing business for towing,  
109 impounding, or storing a vehicle or vessel. As used in this  
110 section, the term "towing business" means a business that  
111 provides towing services for monetary gain.

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

114 (a) Levy a reasonable business tax under s. 205.0315, s.  
115 205.033, or s. 205.0535.

116 (b) Impose and collect a reasonable administrative fee or

578-02443-20

20201332c1

117 charge on the registered owner or other legally authorized  
118 person in control of a vehicle or vessel, or the lienholder of a  
119 vehicle or vessel, not to exceed 25 percent of the maximum  
120 towing rate, to cover the cost of enforcement, including parking  
121 enforcement, by the county when the vehicle or vessel is towed  
122 from public property. An authorized wrecker operator or towing  
123 business may impose and collect the administrative fee or charge  
124 on behalf of the county and shall remit such fee or charge to  
125 the county only after it is collected.

126 (3) (a) This section does not apply to a towing or  
127 immobilization licensing, regulatory, or enforcement program of  
128 a charter county in which at least 90 percent of the population  
129 resides in incorporated municipalities, or of a charter county  
130 with at least 38 incorporated municipalities within its  
131 territorial boundaries as of January 1, 2020. This section does  
132 not affect a charter county's authority to:

133 1. Impose and collect towing operating license fees,  
134 license renewal fees, license extension fees, expedite fees,  
135 storage site inspection or reinspection fees, criminal  
136 background check fees, and tow truck decal fees, including decal  
137 renewal fees, expedite fees, and decal replacement fees.

138 2. Impose and collect immobilization operating license  
139 fees, license extension fees, license renewal fees, expedite  
140 fees, and criminal background check fees.

141 3. Set maximum rates for the towing or immobilization of  
142 vehicles or vessels on private property, including rates based  
143 on different classes of towing vehicles, research fees,  
144 administrative fees, storage fees, and labor fees; rates for  
145 towing services performed or directed by governmental entities;

578-02443-20

20201332c1

146 road service rates; winch recovery rates; voluntary expediting  
147 fees for vehicle or vessel ownership verification; and to  
148 establish conditions in connection with the applicability or  
149 payment of maximum rates set for towing or immobilization of  
150 vehicles or vessels.

151 4. Impose and collect such other taxes, fees, or charges  
152 otherwise authorized by general law, special law, or county  
153 ordinance, resolution, or regulation.

154 (b) A charter county may impose and collect an  
155 administrative fee or charge as provided in paragraph (2) (b) but  
156 may not impose such fee or charge on a towing business or an  
157 authorized wrecker operator. If the charter county imposes such  
158 administrative fee or charge, the charter county may authorize a  
159 towing business or authorized wrecker operator to impose and  
160 collect such fee or charge on behalf of the county, and the  
161 towing business or authorized wrecker operator shall remit such  
162 fee or charge to the charter county only after it is collected.

163 (4) (a) Subsection (1) does not apply to a charter county  
164 that had a towing licensing, regulatory, or enforcement program  
165 in effect on January 1, 2020. However, such charter county may  
166 not impose any new business tax, fee, or charge that was not in  
167 effect as of January 1, 2020, on a towing business or an  
168 authorized wrecker operator.

169 (b) A charter county may impose and collect an  
170 administrative fee or charge as provided in paragraph (2) (b);  
171 however, it may not impose that fee or charge upon a towing  
172 business or an authorized wrecker operator. If such charter  
173 county imposes such administrative fee or charge, such fee or  
174 charge must be imposed on the registered owner or other legally

578-02443-20

20201332c1

175 authorized person in control of a vehicle or vessel, or the  
176 lienholder of a vehicle or vessel. The fee or charge may not  
177 exceed 25 percent of the maximum towing rate to cover the cost  
178 of enforcement, including parking enforcement, by the charter  
179 county when the vehicle or vessel is towed from public property.  
180 The charter county may authorize an authorized wrecker operator  
181 or towing business to impose and collect the administrative fee  
182 or charge on behalf of the charter county, and the authorized  
183 wrecker operator or towing business shall remit such fee or  
184 charge to the charter county only after it is collected.

185 (c) For purposes of this subsection, the term "charter  
186 county" means a county as defined in s. 125.011(1).

187 Section 3. Paragraphs (b) and (c) of subsection (1) of  
188 section 166.043, Florida Statutes, are amended to read:

189 166.043 Ordinances and rules imposing price controls;  
190 findings required; procedures.—

191 (1)

192 (b) ~~The provisions of~~ This section does ~~shall~~ not prevent  
193 the enactment by local governments of public service rates  
194 otherwise authorized by law, including water, sewer, solid  
195 waste, public transportation, taxicab, or port rates, rates for  
196 towing of vehicles or vessels from or immobilization of vehicles  
197 or vessels on private property, or rates for removal and storage  
198 of wrecked or disabled vehicles or vessels from an accident  
199 scene or the removal and storage of vehicles or vessels in the  
200 event the owner or operator is incapacitated, unavailable,  
201 leaves the procurement of wrecker service to the law enforcement  
202 officer at the scene, or otherwise does not consent to the  
203 removal of the vehicle or vessel.

578-02443-20

20201332c1

204 (c) Counties must establish maximum rates that ~~which~~ may be  
205 charged on the towing of vehicles or vessels from or  
206 immobilization of vehicles or vessels on private property,  
207 removal and storage of wrecked or disabled vehicles or vessels  
208 from an accident scene, or for the removal and storage of  
209 vehicles or vessels, in the event the owner or operator is  
210 incapacitated, unavailable, leaves the procurement of wrecker  
211 service to the law enforcement officer at the scene, or  
212 otherwise does not consent to the removal of the vehicle or  
213 vessel. However, if a municipality chooses to enact an ordinance  
214 establishing the maximum rates ~~fees~~ for the towing or  
215 immobilization of vehicles or vessels as described in paragraph  
216 (b), the county's ordinance established under s. 125.0103 does  
217 ~~shall~~ not apply within such municipality.

218 Section 4. Section 166.04465, Florida Statutes, is created  
219 to read:

220 166.04465 Rules and ordinances relating to towing  
221 services.-

222 (1) A municipality may not enact an ordinance or rule that  
223 would impose a fee or charge on an authorized wrecker operator,  
224 as defined in s. 323.002(1), or on a towing business for towing,  
225 impounding, or storing a vehicle or vessel. As used in this  
226 section, the term "towing business" means a business that  
227 provides towing services for monetary gain.

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

230 (a) Levy a reasonable business tax under s. 205.0315, s.  
231 205.043, or s. 205.0535.

232 (b) Impose and collect a reasonable administrative fee or

578-02443-20

20201332c1

233 charge on the registered owner or other legally authorized  
234 person in control of a vehicle or vessel, or the lienholder of a  
235 vehicle or vessel, not to exceed 25 percent of the maximum  
236 towing rate, to cover the cost of enforcement, including parking  
237 enforcement, by the municipality when the vehicle or vessel is  
238 towed from public property. An authorized wrecker operator or  
239 towing business may impose and collect the administrative fee or  
240 charge on behalf of the municipality and shall remit such fee or  
241 charge to the municipality only after it is collected.

242 Section 5. Present subsection (4) of section 323.002,  
243 Florida Statutes, is redesignated as subsection (6), and new  
244 subsections (4) and (5) are added to that section, to read:

245 323.002 County and municipal wrecker operator systems;  
246 penalties for operation outside of system.-

247 (4) (a) Except as provided in paragraph (b), a county or  
248 municipality may not adopt or maintain in effect an ordinance or  
249 rule that imposes a charge, cost, expense, fine, fee, or penalty  
250 on an authorized wrecker operator, the registered owner or other  
251 legally authorized person in control of a vehicle or vessel, or  
252 the lienholder of a vehicle or vessel when the vehicle or vessel  
253 is towed by an authorized wrecker operator under this chapter.

254 (b) A county or municipality may adopt or maintain an  
255 ordinance or rule that imposes a reasonable administrative fee  
256 or charge on the registered owner or other legally authorized  
257 person in control of a vehicle or vessel, or the lienholder of a  
258 vehicle or vessel, that is towed by an authorized wrecker  
259 operator, not to exceed 25 percent of the maximum towing rate,  
260 to cover the cost of enforcement, including parking enforcement,  
261 by the county or municipality when the vehicle or vessel is

578-02443-20

20201332c1

262 towed from public property. An authorized wrecker operator or  
263 towing business may impose and collect the administrative fee or  
264 charge on behalf of the county or municipality and shall remit  
265 such fee or charge to the county or municipality only after it  
266 is collected.

267 (c) A county or municipality may not enact an ordinance or  
268 rule that requires an authorized wrecker operator to accept a  
269 credit card as a form of payment. However, if an authorized  
270 wrecker operator does not accept a credit card, the wrecker  
271 operator must maintain an operable automatic teller machine for  
272 use by the public at its place of business. This paragraph does  
273 not apply to a county or municipality that adopted an ordinance  
274 or rule before January 1, 2020, requiring an authorized wrecker  
275 operator to accept a credit card as a form of payment.

276 (5) Subsection (4) does not apply to the towing or  
277 immobilization licensing, regulatory, or enforcement program of  
278 a charter county described in s. 125.01047(3) or (4). Such  
279 charter county may impose a charge, cost, expense, fine, fee, or  
280 penalty on an authorized wrecker operator in connection with a  
281 violation of the towing or immobilization program requirements  
282 as set forth by ordinance, resolution, or regulation.

283 Section 6. Subsection (2) of section 713.78, Florida  
284 Statutes, is amended to read:

285 713.78 Liens for recovering, towing, or storing vehicles  
286 and vessels.—

287 (2) Whenever a person regularly engaged in the business of  
288 transporting vehicles or vessels by wrecker, tow truck, or car  
289 carrier recovers, removes, or stores a vehicle or vessel upon  
290 instructions from:

578-02443-20

20201332c1

291 (a) The owner thereof;

292 (b) The owner or lessor, or a person authorized by the  
293 owner or lessor, of property on which such vehicle or vessel is  
294 wrongfully parked, and the removal is done in compliance with s.  
295 715.07;

296 (c) The landlord or a person authorized by the landlord,  
297 when such motor vehicle or vessel remained on the premises after  
298 the tenancy terminated and the removal is done in compliance  
299 with s. 83.806 or s. 715.104; or

300 (d) Any law enforcement agency,

301  
302 she or he shall have a lien on the vehicle or vessel for a  
303 reasonable towing fee, for a reasonable administrative fee or  
304 charge imposed by a county or municipality, and for a reasonable  
305 storage fee; except that a ~~no~~ storage fee may not ~~shall~~ be  
306 charged if the vehicle or vessel is stored for fewer ~~less~~ than 6  
307 hours.

308 Section 7. Subsection (2) of section 715.07, Florida  
309 Statutes, is amended to read:

310 715.07 Vehicles or vessels parked on private property;  
311 towing.—

312 (2) The owner or lessee of real property, or any person  
313 authorized by the owner or lessee, which person may be the  
314 designated representative of the condominium association if the  
315 real property is a condominium, may cause any vehicle or vessel  
316 parked on such property without her or his permission to be  
317 removed by a person regularly engaged in the business of towing  
318 vehicles or vessels, without liability for the costs of removal,  
319 transportation, or storage or damages caused by such removal,

578-02443-20

20201332c1

320 transportation, or storage, under any of the following  
321 circumstances:

322 (a) The towing or removal of any vehicle or vessel from  
323 private property without the consent of the registered owner or  
324 other legally authorized person in control of that vehicle or  
325 vessel is subject to strict compliance with the following  
326 conditions and restrictions:

327 1.a. Any towed or removed vehicle or vessel must be stored  
328 at a site within a 10-mile radius of the point of removal in any  
329 county of 500,000 population or more, and within a 15-mile  
330 radius of the point of removal in any county of fewer ~~less~~ than  
331 500,000 population. That site must be open for the purpose of  
332 redemption of vehicles on any day that the person or firm towing  
333 such vehicle or vessel is open for towing purposes, from 8:00  
334 a.m. to 6:00 p.m., and, when closed, shall have prominently  
335 posted a sign indicating a telephone number where the operator  
336 of the site can be reached at all times. Upon receipt of a  
337 telephoned request to open the site to redeem a vehicle or  
338 vessel, the operator shall return to the site within 1 hour or  
339 she or he will be in violation of this section.

340 b. If no towing business providing such service is located  
341 within the area of towing limitations set forth in sub-  
342 subparagraph a., the following limitations apply: any towed or  
343 removed vehicle or vessel must be stored at a site within a 20-  
344 mile radius of the point of removal in any county of 500,000  
345 population or more, and within a 30-mile radius of the point of  
346 removal in any county of fewer ~~less~~ than 500,000 population.

347 2. The person or firm towing or removing the vehicle or  
348 vessel shall, within 30 minutes after completion of such towing

578-02443-20

20201332c1

349 or removal, notify the municipal police department or, in an  
350 unincorporated area, the sheriff, of such towing or removal, the  
351 storage site, the time the vehicle or vessel was towed or  
352 removed, and the make, model, color, and license plate number of  
353 the vehicle or description and registration number of the vessel  
354 and shall obtain the name of the person at that department to  
355 whom such information was reported and note that name on the  
356 trip record.

357 3. A person in the process of towing or removing a vehicle  
358 or vessel from the premises or parking lot in which the vehicle  
359 or vessel is not lawfully parked must stop when a person seeks  
360 the return of the vehicle or vessel. The vehicle or vessel must  
361 be returned upon the payment of a reasonable service fee of not  
362 more than one-half of the posted rate for the towing or removal  
363 service as provided in subparagraph 6. The vehicle or vessel may  
364 be towed or removed if, after a reasonable opportunity, the  
365 owner or legally authorized person in control of the vehicle or  
366 vessel is unable to pay the service fee. If the vehicle or  
367 vessel is redeemed, a detailed signed receipt must be given to  
368 the person redeeming the vehicle or vessel.

369 4. A person may not pay or accept money or other valuable  
370 consideration for the privilege of towing or removing vehicles  
371 or vessels from a particular location.

372 5. Except for property appurtenant to and obviously a part  
373 of a single-family residence, and except for instances when  
374 notice is personally given to the owner or other legally  
375 authorized person in control of the vehicle or vessel that the  
376 area in which that vehicle or vessel is parked is reserved or  
377 otherwise unavailable for unauthorized vehicles or vessels and

578-02443-20

20201332c1

378 that the vehicle or vessel is subject to being removed at the  
379 owner's or operator's expense, any property owner or lessee, or  
380 person authorized by the property owner or lessee, before ~~prior~~  
381 ~~to~~ towing or removing any vehicle or vessel from private  
382 property without the consent of the owner or other legally  
383 authorized person in control of that vehicle or vessel, must  
384 post a notice meeting the following requirements:

385 a. The notice must be prominently placed at each driveway  
386 access or curb cut allowing vehicular access to the property,  
387 within 10 ~~5~~ feet from the road as defined in s. 334.03(22)  
388 ~~public right-of-way line~~. If there are no curbs or access  
389 barriers, the signs must be posted not fewer ~~less~~ than one sign  
390 for each 25 feet of lot frontage.

391 b. The notice must clearly indicate, in not fewer ~~less~~ than  
392 2-inch high, light-reflective letters on a contrasting  
393 background, that unauthorized vehicles will be towed away at the  
394 owner's expense. The words "tow-away zone" must be included on  
395 the sign in not fewer ~~less~~ than 4-inch high letters.

396 c. The notice must also provide the name and current  
397 telephone number of the person or firm towing or removing the  
398 vehicles or vessels.

399 d. The sign structure containing the required notices must  
400 be permanently installed with the words "tow-away zone" not less  
401 than 3 feet and not more than 6 feet above ground level and must  
402 be continuously maintained on the property for not fewer ~~less~~  
403 than 24 hours before ~~prior to~~ the towing or removal of any  
404 vehicles or vessels.

405 e. The local government may require permitting and  
406 inspection of these signs before ~~prior to~~ any towing or removal

578-02443-20

20201332c1

407 of vehicles or vessels being authorized.

408 f. A business with 20 or fewer parking spaces satisfies the  
409 notice requirements of this subparagraph by prominently  
410 displaying a sign stating "Reserved Parking for Customers Only  
411 Unauthorized Vehicles or Vessels Will be Towed Away At the  
412 Owner's Expense" in not less than 4-inch high, light-reflective  
413 letters on a contrasting background.

414 g. A property owner towing or removing vessels from real  
415 property must post notice, consistent with the requirements in  
416 sub-subparagraphs a.-f., which apply to vehicles, that  
417 unauthorized vehicles or vessels will be towed away at the  
418 owner's expense.

419

420 A business owner or lessee may authorize the removal of a  
421 vehicle or vessel by a towing company when the vehicle or vessel  
422 is parked in such a manner that restricts the normal operation  
423 of business; and if a vehicle or vessel parked on a public  
424 right-of-way obstructs access to a private driveway the owner,  
425 lessee, or agent may have the vehicle or vessel removed by a  
426 towing company upon signing an order that the vehicle or vessel  
427 be removed without a posted tow-away zone sign.

428 6. Any person or firm that tows or removes vehicles or  
429 vessels and proposes to require an owner, operator, or person in  
430 control or custody of a vehicle or vessel to pay the costs of  
431 towing and storage before ~~prior to~~ redemption of the vehicle or  
432 vessel must file and keep on record with the local law  
433 enforcement agency a complete copy of the current rates to be  
434 charged for such services and post at the storage site an  
435 identical rate schedule and any written contracts with property

578-02443-20

20201332c1

436 owners, lessees, or persons in control of property which  
437 authorize such person or firm to remove vehicles or vessels as  
438 provided in this section.

439 7. Any person or firm towing or removing any vehicles or  
440 vessels from private property without the consent of the owner  
441 or other legally authorized person in control or custody of the  
442 vehicles or vessels shall, on any trucks, wreckers as defined in  
443 s. 713.78(1)(c), or other vehicles used in the towing or  
444 removal, have the name, address, and telephone number of the  
445 company performing such service clearly printed in contrasting  
446 colors on the driver and passenger sides of the vehicle. The  
447 name shall be in at least 3-inch permanently affixed letters,  
448 and the address and telephone number shall be in at least 1-inch  
449 permanently affixed letters.

450 8. Vehicle entry for the purpose of removing the vehicle or  
451 vessel shall be allowed with reasonable care on the part of the  
452 person or firm towing the vehicle or vessel. Such person or firm  
453 shall be liable for any damage occasioned to the vehicle or  
454 vessel if such entry is not in accordance with the standard of  
455 reasonable care.

456 9. When a vehicle or vessel has been towed or removed  
457 pursuant to this section, it must be released to its owner or  
458 person in control or custody ~~custodian~~ within 1 ~~one~~ hour after  
459 requested. Any vehicle or vessel owner or person in control or  
460 custody has ~~agent shall have~~ the right to inspect the vehicle or  
461 vessel before accepting its return, and no release or waiver of  
462 any kind which would release the person or firm towing the  
463 vehicle or vessel from liability for damages noted by the owner  
464 or person in control or custody ~~other legally authorized person~~

578-02443-20

20201332c1

465 at the time of the redemption may be required from any vehicle  
466 or vessel owner or person in control or custody, ~~custodian, or~~  
467 ~~agent~~ as a condition of release of the vehicle or vessel to its  
468 owner or person in control or custody. A detailed, ~~signed~~  
469 receipt showing the legal name of the company or person towing  
470 or removing the vehicle or vessel must be given to the person  
471 paying towing or storage charges at the time of payment, whether  
472 requested or not.

473 (b) These requirements are minimum standards and do not  
474 preclude enactment of additional regulations by any municipality  
475 or county including the right to regulate rates when vehicles or  
476 vessels are towed from private property, except that a county or  
477 municipality may not enact an ordinance or rule that requires a  
478 towing business to accept a credit card as a form of payment.  
479 However, if a towing business does not accept a credit card, the  
480 towing business must maintain an operable automatic teller  
481 machine for use by the public at its place of business. This  
482 paragraph does not apply to a county or municipality that  
483 adopted an ordinance or rule before January 1, 2020, requiring a  
484 towing business to accept a credit card as a form of payment.

485 Section 8. This act shall take effect October 1, 2020.