

Amendment No.

CHAMBER ACTION

Senate

House

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1 Representative Cortes, B. offered the following:

2
3 **Amendment (with title amendment)**

4 Remove lines 50-123 and insert:

5 vessel. However, if a municipality chooses to enact an
6 ordinance establishing the maximum rates ~~fees~~ for the towing or
7 immobilization of vehicles or vessels as described in paragraph
8 (b), the county's ordinance shall not apply within such
9 municipality.

10 Section 2. Section 125.01047, Florida Statutes, is created
11 to read:

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12 125.01047 Rules and ordinances relating to towing
13 services.-

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

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

22 (a) Levy a reasonable business tax under s. 205.0315, s.
23 205.033, or s. 205.0535.

24 (b) Impose and collect a reasonable administrative fee or
25 charge on the registered owner or other legally authorized
26 person in control of a vehicle or vessel, or the lienholder of a
27 vehicle or vessel, not to exceed 25 percent of the maximum
28 towing rate, to cover the cost of enforcement, including parking
29 enforcement, by the county when the vehicle or vessel is towed
30 from public property. However, an authorized wrecker operator or
31 towing business may impose and collect the administrative fee or
32 charge on behalf of the county and shall remit such fee or
33 charge to the county only after it is collected.

34 (3) Subsection (1) does not apply to a county with an
35 existing towing licensing program as of January 1, 2018.

36 However, such county may not levy a business tax as set forth in

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37 paragraph (2) (a) or impose and collect an administrative fee or
38 charge as set forth in paragraph (2) (b).

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

41 166.043 Ordinances and rules imposing price controls;
42 findings required; procedures.—

43 (1)

44 (b) The provisions of this section shall not prevent the
45 enactment by local governments of public service rates otherwise
46 authorized by law, including water, sewer, solid waste, public
47 transportation, taxicab, or port rates, rates for towing of
48 vehicles or vessels from or immobilization of vehicles or
49 vessels on private property, or rates for removal and storage of
50 wrecked or disabled vehicles or vessels from an accident scene
51 or the removal and storage of vehicles or vessels in the event
52 the owner or operator is incapacitated, unavailable, leaves the
53 procurement of wrecker service to the law enforcement officer at
54 the scene, or otherwise does not consent to the removal of the
55 vehicle or vessel.

56 (c) Counties must establish maximum rates which may be
57 charged on the towing of vehicles or vessels from or
58 immobilization of vehicles or vessels on private property,
59 removal and storage of wrecked or disabled vehicles or vessels
60 from an accident scene or for the removal and storage of
61 vehicles or vessels, in the event the owner or operator is

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62 incapacitated, unavailable, leaves the procurement of wrecker
63 service to the law enforcement officer at the scene, or
64 otherwise does not consent to the removal of the vehicle or
65 vessel. However, if a municipality chooses to enact an ordinance
66 establishing the maximum rates ~~fees~~ for the towing or
67 immobilization of vehicles or vessels as described in paragraph
68 (b), the county's ordinance established under s. 125.0103 shall
69 not apply within such municipality.

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72 **T I T L E A M E N D M E N T**

73 Remove lines 4-7 and insert:

74 specifying that local governments may enact rates to
75 tow or immobilize vessels on private property and to
76 remove and store vessels under specified
77 circumstances; creating ss. 125.01047 and 166.04465,

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