

Amendment No.

CHAMBER ACTION

Senate

House

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Representative McClain offered the following:

Amendment

Remove lines 97-101 and insert:

(3) (a) This section does not apply to a towing or immobilization licensing, regulatory, or enforcement program of a charter county in which at least 90 percent of the population resides in incorporated municipalities, or to a charter county with at least 38 incorporated municipalities within its territorial boundaries as of January 1, 2019. This section does not affect a charter county's authorities to:

- 1. Impose and collect towing operating license fees, license renewal fees, extension fees, expedite fees, storage

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14 site inspection or reinspection fees, criminal background check
15 fees, and tow truck decal fees, including decal renewal fees,
16 expedite fees, and decal replacement fees.

17 2. Impose and collect immobilization operating license
18 fees, license extension fees, renewal fees, expedite fees, and
19 criminal background check fees.

20 3. Set maximum rates for the towing or immobilization of
21 vehicles or vessels on private property, including rates based
22 on different classes of towing vehicles, research fees,
23 administrative fees, storage fees, and labor fees; rates for
24 towing services performed or directed by governmental entities;
25 road service rates; winch recovery rates; voluntary expediting
26 fees for vehicle or vessel ownership verification; and to
27 establish conditions in connection with the applicability or
28 payment of maximum rates set for towing or immobilization of
29 vehicles or vessels.

30 4. Impose and collect such other taxes, fees, or charges
31 otherwise authorized by general law, special law, or county
32 ordinance, resolution, or regulation.

33 (b) A charter county may impose and collect an
34 administrative fee or charge as provided in paragraph (2) (b) but
35 may not impose such fee or charge on a towing business or an
36 authorized wrecker operator. If the charter county imposes such
37 administrative fee or charge, the charter county may authorize a
38 towing business or authorized wrecker operator to collect such

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39 fee or charge and to remit the fee or charge only after the
40 towing business or authorized wrecker operator has collected the
41 fee or charge.

42 (4) (a) Subsection (1) does not apply to a charter county
43 that had a towing licensing, regulatory, or enforcement program
44 in effect on January 1, 2019. However, such charter county may
45 not impose any new business tax, fee, or charge that was not in
46 effect as of January 1, 2019, on a towing business or an
47 authorized wrecker operator.

48 (b) A charter county as defined may impose and collect an
49 administrative fee or charge as provided in paragraph (2) (b);
50 however, it may not impose that fee or charge upon a towing
51 business or an authorized wrecker operator. If such charter
52 county imposes such administrative fee or charge, such fee or
53 charge must be imposed on the registered owner or other legally
54 authorized person in control of a vehicle or vessel, or the
55 lienholder of a vehicle or vessel. The fee or charge may not
56 exceed 25 percent of the maximum towing rate to cover the cost
57 of enforcement, including parking enforcement, by the charter
58 county when the vehicle or vessel is towed from public property.
59 The charter county may authorize an authorized wrecker operator
60 or towing business to impose and collect the administrative fee
61 or charge on behalf of the charter county, and the authorized
62 wrecker operator or towing business shall remit such fee or
63 charge to the charter county only after it is collected.

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

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