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LEGISLATIVE ACTION

Senate

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House

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Floor: WD

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05/02/2023 11:34 AM

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Senator Perry moved the following:

**Senate Amendment (with title amendment)**

Delete lines 996 - 997

and insert:

Section 31. Subsection (5) is added to section 321.051,  
Florida Statutes, to read:

321.051 Florida Highway Patrol wrecker operator system;  
penalties for operation outside of system.-

(5) The Division of the Florida Highway Patrol may not  
exclude a wrecker operator from the wrecker operator system or  
fail to designate him or her as an authorized wrecker operator



414080

12 based solely on a prior felony conviction unless such conviction  
13 is for a forcible felony as defined in s. 776.08 or a felony  
14 specified in s. 812.014(2)(c)6. or s. 812.16(2).

15 Section 32. Subsection (10) of section 713.78, Florida  
16 Statutes, is amended, and subsection (18) is added to that  
17 section, to read:

18 713.78 Liens for recovering, towing, or storing vehicles  
19 and vessels.—

20 (10) Persons who provide services pursuant to this section  
21 must shall permit vehicle or vessel owners, including rental  
22 vehicle or vessel owners, lienholders, insurance company  
23 representatives, or their agents, which agency is evidenced by  
24 an agency agreement or a photocopy thereof ~~an original writing~~  
25 ~~acknowledged by the owner before a notary public or other person~~  
26 ~~empowered by law to administer oaths,~~ to inspect the towed  
27 vehicle or vessel during normal business hours within 30 minutes  
28 after their arrival at the site where the vehicle or vessel is  
29 stored and shall release to the owner, lienholder, or agent the  
30 vehicle, vessel, or all personal property not affixed to the  
31 vehicle or vessel which was in the vehicle or vessel at the time  
32 the vehicle or vessel came into the custody of the person  
33 providing such services. A rental vehicle or vessel agreement is  
34 not evidence that the person who rented the vehicle or vessel is  
35 an agent of the rental vehicle or vessel owner. Persons who  
36 provide services pursuant to this section shall accept a  
37 photocopy of a contract, an electronic certificate of title, or  
38 a paper certificate of title as evidence of a person's interest  
39 in a vehicle or vessel.

40 (18) (a) A person who provides services pursuant to this



41 section shall accept payment for accrued charges from an  
42 authorized person as specified in subsection (10) in any form,  
43 including at least two of the following methods:

- 44 1. Cash, cashier's check, money order, or traveler's check.  
45 2. Bank, debit, or credit card.  
46 3. Mobile payment service, digital wallet, or other  
47 electronic payment system.

48 (b) An authorized person as specified in subsection (10) is  
49 not required to present more than one form of current  
50 government-issued photographic identification when payment is  
51 made in any form listed in paragraph (a). Presenting one form of  
52 current government-issued photographic identification  
53 constitutes sufficient identity verification for the purposes of  
54 this subsection.

55  
56 ===== T I T L E A M E N D M E N T =====

57 And the title is amended as follows:

58 Delete line 80

59 and insert:

60 provisions; amending s. 321.051, F.S.; prohibiting the  
61 Division of the Florida Highway Patrol of the  
62 department from excluding certain wrecker operators  
63 from the wrecker operator system or from failing to  
64 designate certain wrecker operators as authorized  
65 wrecker operators; providing exceptions; amending s.  
66 713.78, F.S.; revising the list of persons authorized  
67 to inspect a towed vehicle or vessel; revising the  
68 documentation that constitutes evidence of agency;  
69 specifying the time period during which inspections



414080

70 must be allowed; requiring a person who recovers,  
71 tows, or stores a vehicle or vessel to accept certain  
72 documentation as evidence of interest and to accept  
73 payment from certain persons in certain forms;  
74 specifying what form of identification constitutes  
75 sufficient verification of a person's identity for  
76 certain purposes; amending s. 322.01, F.S.; revising  
77 and