❚❚❚❚❚❚❚❚❚❚❚ 499660

LEGISLATIVE ACTION

Senate	.	House
	.	
	.	
	.	
	.	
	.	
	.	

Senator Perry moved the following:

1   **Senate Amendment (with title amendment)**

2

3   Between lines 1721 and 1722

4 insert:

5   Section 31. Subsection (5) is added to section 321.051,

6 Florida Statutes, to read:

7   321.051 Florida Highway Patrol wrecker operator system;

8 penalties for operation outside of system.—

9   (5) The Division of the Florida Highway Patrol may not

10 exclude a wrecker operator from the wrecker operator system or

11 fail to designate him or her as an authorized wrecker operator

┃║┃║┃║║┃║┃║┃║┃║┃║ 499660

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

|│|│|│|│|│|│|│|│|│|│| 499660

41 section shall accept payment for accrued charges from an
42 authorized person as specified in subsection (10) in at least
43 two of the following forms:
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   Between lines 149 and 150
59 insert:
60   amending s. 321.051, F.S.; prohibiting the Division of
61   the Florida Highway Patrol of the department from
62   excluding certain wrecker operators from the wrecker
63   operator system or from failing to designate certain
64   wrecker operators as authorized wrecker operators;
65   providing exceptions; amending s. 713.78, F.S.;
66   revising the list of persons authorized to inspect a
67   towed vehicle or vessel; revising the documentation
68   that constitutes evidence of agency; specifying the
69   time period during which inspections must be allowed;

‖‖‖‖‖‖‖‖‖‖‖‖ 499660

70   requiring a person who recovers, tows, or stores a

71   vehicle or vessel to accept certain documentation as

72   evidence of interest and to accept payment from

73   certain persons in certain forms; specifying what form

74   of identification constitutes sufficient verification

75   of a person's identity for certain purposes;

4/26/2023 1:58:50 PM   9-04324-23