



26 | certain liens; requiring towing-storage operators to  
27 | accept certain types of payment; prohibiting certain  
28 | persons from being required to furnish more than one  
29 | form of current government photo identification for  
30 | purposes of verifying their identity; making technical  
31 | changes; amending ss. 83.19 and 83.805, F.S.;  
32 | conforming provisions to changes made by the act;  
33 | amending s. 83.806, F.S.; revising requirements for  
34 | the sale or disposition of property at self-service  
35 | storage facilities; providing inspection requirements  
36 | for vehicles or vessels being sold by a facility or  
37 | unit owner; requiring vehicles or vessels to be  
38 | released under certain circumstances; providing a  
39 | criminal penalty; providing requirements for filing  
40 | lawsuits relating to such vehicles or vessels;  
41 | specifying that failure to make good faith efforts to  
42 | comply with certain notice requirements precludes the  
43 | imposition of certain storage charges; specifying that  
44 | copies of specified documents constitute satisfactory  
45 | proof for transfer of title; conforming provisions to  
46 | changes made by the act; amending s. 83.808, F.S.;  
47 | requiring that rental agreements for self-service  
48 | storage facilities authorize tenants to designate an  
49 | optional alternate contact person; specifying that  
50 | such person may be contacted only for certain

51 purposes; specifying that such person does not have an  
 52 interest in the contents stored at the self-service  
 53 storage facility or in the self-contained storage  
 54 unit; amending s. 677.210, F.S.; conforming provisions  
 55 to changes made by the act; amending s. 715.07, F.S.;  
 56 conforming a cross-reference; providing an effective  
 57 date.

58

59 Be It Enacted by the Legislature of the State of Florida:

60

61 Section 1. Subsection (5) is added to section 321.051,  
 62 Florida Statutes, to read:

63 321.051 Florida Highway Patrol wrecker operator system;  
 64 penalties for operation outside of system.—

65 (5) The Division of the Florida Highway Patrol may not  
 66 exclude a wrecker operator from the wrecker operator system or  
 67 fail to designate him or her as an authorized wrecker operator  
 68 based solely on a prior felony conviction unless such conviction  
 69 is for a forcible felony as defined in s. 776.08 or a felony  
 70 listed under s. 812.014(2)(c)6. or s. 812.16(2).

71 Section 2. Subsections (1), (2), and (4), paragraph (a) of  
 72 subsection (5), subsections (6), (8), (9), and (10), paragraph  
 73 (a) of subsection (11), paragraphs (a) and (d) of subsection  
 74 (12), and paragraphs (a), (b), and (d) of subsection (13) of  
 75 section 713.78, Florida Statutes, are amended, and subsections

76 (18), (19), and (20) are added to that section, to read:

77 713.78 Liens for recovering, towing, or storing vehicles  
78 and vessels.—

79 (1) For the purposes of this section, the term:

80 (a)-(e) "Equivalent commercially available system" means a  
81 service that charges a fee to provide vehicle information and  
82 that at a minimum maintains records from those states  
83 participating in data sharing with the National Motor Vehicle  
84 Title Information System.

85 (b) "Good faith effort" means that all of the following  
86 checks have been performed by a towing-storage company to  
87 establish the prior state of registration and title of a vehicle  
88 or vessel that has been towed or stored by the company:

89 1. A check of the department's database for the owner and  
90 any lienholder.

91 2. A check of the electronic National Motor Vehicle Title  
92 Information System or an equivalent commercially available  
93 system to determine the state of registration when there is not  
94 a current registration record for the vehicle or vessel on file  
95 with the department.

96 3. A check of the vehicle or vessel for any type of tag,  
97 tag record, temporary tag, or regular tag.

98 4. A check of the law enforcement report for a tag number  
99 or other information identifying the vehicle or vessel, if the  
100 vehicle or vessel was towed at the request of a law enforcement

101 officer.

102 5. A check of the trip sheet or tow ticket of the tow  
103 truck operator to determine whether a tag was on the vehicle or  
104 vessel at the beginning of the tow, if a private tow.

105 6. If there is no address of the owner on the impound  
106 report, a check of the law enforcement report to determine  
107 whether an out-of-state address is indicated from driver license  
108 information.

109 7. A check of the vehicle or vessel for an inspection  
110 sticker or other stickers and decals that may indicate a state  
111 of possible registration.

112 8. A check of the interior of the vehicle or vessel for  
113 any papers that may be in the glove box, trunk, or other areas  
114 for a state of registration.

115 9. A check of the vehicle for a vehicle identification  
116 number.

117 10. A check of the vessel for a vessel registration  
118 number.

119 11. A check of the vessel hull for a hull identification  
120 number which should be carved, burned, stamped, embossed, or  
121 otherwise permanently affixed to the outboard side of the  
122 transom or, if there is no transom, to the outmost seaboard side  
123 at the end of the hull that bears the rudder or other steering  
124 mechanism.

125 (c)-(d) "National Motor Vehicle Title Information System"

126 means the federally authorized electronic National Motor Vehicle  
 127 Title Information System.

128 (d) "Towing-storage operator" means a person who regularly  
 129 engages in the business of transporting vehicles or vessels by  
 130 wrecker, tow truck, or car carrier.

131 (e)-(a) "Vehicle" means any mobile item, whether motorized  
 132 or not, which is mounted on wheels.

133 (f)-(b) "Vessel" means every description of watercraft,  
 134 barge, and airboat used or capable of being used as a means of  
 135 transportation on water, other than a seaplane or a "documented  
 136 vessel" as defined in s. 327.02.

137 (g)-(e) "Wrecker" means any truck or other vehicle that  
 138 which is used to tow, carry, or otherwise transport motor  
 139 vehicles or vessels upon the streets and highways of this state  
 140 and which is equipped for that purpose with a boom, winch, car  
 141 carrier, or other similar equipment.

142 (2)(a) Whenever A towing-storage operator may charge only  
 143 the following fees for, or incidental to, the recovery, removal,  
 144 or storage of a vehicle or vessel:

145 1. Any reasonable fee for service specifically authorized  
 146 by ordinance, resolution, regulation, or rule of the county or  
 147 municipality in which the service is performed.

148 2. Any reasonable fee for service specifically authorized  
 149 by contract or agreement between a towing-storage operator and a  
 150 county, municipality, or other governmental agency.

151 3. Any reasonable fee for service specifically authorized  
 152 by rule of the Department of Highway Safety and Motor Vehicles.

153 4. Any reasonable fee for service as agreed upon in  
 154 writing between a towing-storage operator and the owner of a  
 155 vehicle or vessel.

156 5. Any lien release administrative fee as set forth in  
 157 paragraph (15) (a).

158 6. Any reasonable administrative fee or charge imposed by  
 159 a county or municipality pursuant to s. 125.01047, s. 166.04465,  
 160 or s. 323.002 upon the registered owner or other legally  
 161 authorized person in control of a vehicle or vessel.

162 (b) If a towing-storage operator ~~person regularly engaged~~  
 163 ~~in the business of transporting vehicles or vessels by wrecker,~~  
 164 ~~tow truck, or car carrier~~ recovers, removes, or stores a vehicle  
 165 or vessel upon instructions from:

166 1.(a) The owner thereof;

167 2.(b) The owner or lessor, or a person authorized by the  
 168 owner or lessor, of property on which such vehicle or vessel is  
 169 wrongfully parked, and the removal is done in compliance with s.  
 170 715.07;

171 3.(e) The landlord or a person authorized by the landlord,  
 172 when such ~~motor~~ vehicle or vessel remained on the premises after  
 173 the tenancy terminated and the removal is done in compliance  
 174 with s. 83.806 or s. 715.104; or

175 4.(d) Any law enforcement agency, county, or municipality,

176  
 177 she or he has ~~shall~~ have a lien on the vehicle or vessel for a  
 178 reasonable towing fee, for a reasonable administrative fee or  
 179 charge imposed by a county or municipality, and for a reasonable  
 180 storage fee; except that a storage fee may not be charged if the  
 181 vehicle or vessel is stored for less ~~fewer~~ than 6 hours.

182 (4) (a) A towing-storage operator ~~person regularly engaged~~  
 183 ~~in the business of recovering, towing, or storing vehicles or~~  
 184 ~~vessels~~ who comes into possession of a vehicle or vessel  
 185 pursuant to paragraph (2) (b) ~~subsection (2)~~, and who claims a  
 186 lien for recovery, towing, or storage services, must ~~shall~~ give  
 187 notice, by certified mail, pursuant to subsection (16), to the  
 188 registered owner, the insurance company insuring the vehicle  
 189 notwithstanding s. 627.736, and all persons claiming a lien  
 190 thereon, as disclosed by the records in the Department of  
 191 Highway Safety and Motor Vehicles or as disclosed by the records  
 192 of any corresponding agency in any other state in which the  
 193 vehicle is identified through a records check of the National  
 194 Motor Vehicle Title Information System or an equivalent  
 195 commercially available system as being titled or registered.

196 (b) When ~~Whenever~~ a law enforcement agency authorizes the  
 197 removal of a vehicle or vessel or ~~whenever~~ a towing service,  
 198 garage, repair shop, or automotive service, storage, or parking  
 199 place notifies the law enforcement agency of possession of a  
 200 vehicle or vessel pursuant to s. 715.07(2) (a)2., if an approved

201 third-party service cannot obtain the vehicle's or vessel's  
202 owner, lienholder, and insurer information or last state of  
203 record pursuant to subsection (16), the law enforcement agency  
204 of the jurisdiction where the vehicle or vessel is stored must  
205 ~~shall~~ contact the Department of Highway Safety and Motor  
206 Vehicles, or the appropriate agency of the state of  
207 registration, if known, within 24 hours through the medium of  
208 electronic communications, giving the full description of the  
209 vehicle or vessel. Upon receipt of the full description of the  
210 vehicle or vessel, the department shall search its files to  
211 determine the owner's name, the insurance company insuring the  
212 vehicle or vessel, and whether any person has filed a lien upon  
213 the vehicle or vessel as provided in s. 319.27(2) and (3) and  
214 notify the applicable law enforcement agency within 72 hours.  
215 The person in charge of the towing service, garage, repair shop,  
216 or automotive service, storage, or parking place must request  
217 ~~shall obtain~~ such information from the applicable law  
218 enforcement agency within 5 days after the date of storage and  
219 ~~shall~~ give notice pursuant to paragraph (a). The department may  
220 release the insurance company information to the requestor  
221 notwithstanding s. 627.736.

222 (c) The notice of lien must be sent by certified mail to  
223 the registered owner, the insurance company insuring the vehicle  
224 notwithstanding s. 627.736, and all other persons claiming a  
225 lien thereon within 4 ~~7~~ business days, excluding a Saturday, ~~and~~

226 Sunday, or federal legal holiday, after the date of storage of  
227 the vehicle or vessel. ~~However, in no event shall the notice of~~  
228 ~~lien be sent less than 30 days before the sale of the vehicle or~~  
229 ~~vessel.~~ The notice must state all of the following:

230 1. If the claim of lien is for a vehicle, the last 8  
231 digits of the vehicle identification number of the vehicle  
232 subject to the lien, or, if the claim of lien is for a vessel,  
233 the hull identification number of the vessel subject to the  
234 lien, clearly printed in the delivery address box and on the  
235 outside of the envelope sent to the registered owner and all  
236 other persons claiming an interest in ~~therein~~ or lien on the  
237 vehicle or vessel ~~thereon~~.

238 2. The name, physical address, and telephone number of the  
239 lienor, and the entity name, as registered with the Division of  
240 Corporations, of the business where the towing and storage  
241 occurred, which must also appear on the outside of the envelope  
242 sent to the registered owner and all other persons claiming an  
243 interest in or lien on the vehicle or vessel.

244 3. The fact of possession of the vehicle or vessel.

245 4. The name of the person or entity that authorized the  
246 lienor to take possession of the vehicle or vessel.

247 5. That a lien as provided in paragraph (2)(b) ~~subsection~~  
248 ~~(2)~~ is claimed.

249 6. That charges have accrued and include an itemized  
250 statement of the amount thereof.

251 7. That the lien is subject to enforcement under law and  
 252 that the owner or lienholder, if any, has the right to a hearing  
 253 as set forth in subsection (5).

254 8. That any vehicle or vessel that remains unclaimed, or  
 255 for which the charges for recovery, towing, or storage services  
 256 remain unpaid, may be sold free of all prior liens 35 days after  
 257 the vehicle or vessel is stored by the lienor if the vehicle or  
 258 vessel is more than 3 years of age or 65 ~~50~~ days after the  
 259 vehicle or vessel is stored by the lienor if the vehicle or  
 260 vessel is 3 years of age or less.

261 9. The address at which the vehicle or vessel is  
 262 physically located.

263 (d) The notice of lien may not be sent to the registered  
 264 owner, the insurance company insuring the vehicle or vessel, and  
 265 all other persons claiming a lien thereon less than 30 days  
 266 before the sale of a the vehicle or vessel that is more than 3  
 267 years of age or less than 60 days before the sale of a vehicle  
 268 or vessel that is 3 years of age or less.

269 (e) If attempts to locate the name and address of the  
 270 owner or lienholder are ~~prove~~ unsuccessful, 4 ~~the towing-storage~~  
 271 ~~operator shall, after 7~~ business days, excluding a Saturday, and  
 272 Sunday, or federal legal holiday, after the initial tow or  
 273 storage, the towing-storage operator must notify the public  
 274 agency of jurisdiction where the vehicle or vessel is stored in  
 275 writing by certified mail or electronic delivery ~~acknowledged~~

276 ~~hand delivery~~ that the towing-storage company has been unable to  
277 locate the name and address of the owner or lienholder and a  
278 physical search of the vehicle or vessel has disclosed no  
279 ownership information and a good faith effort has been made,  
280 including records checks of the Department of Highway Safety and  
281 Motor Vehicles database and the National Motor Vehicle Title  
282 Information System or an equivalent commercially available  
283 system. ~~For purposes of this paragraph and subsection (9), the~~  
284 ~~term "good faith effort" means that the following checks have~~  
285 ~~been performed by the company to establish the prior state of~~  
286 ~~registration and for title:~~

287 ~~1. A check of the department's database for the owner and~~  
288 ~~any lienholder.~~

289 ~~2. A check of the electronic National Motor Vehicle Title~~  
290 ~~Information System or an equivalent commercially available~~  
291 ~~system to determine the state of registration when there is not~~  
292 ~~a current registration record for the vehicle or vessel on file~~  
293 ~~with the department.~~

294 ~~3. A check of the vehicle or vessel for any type of tag,~~  
295 ~~tag record, temporary tag, or regular tag.~~

296 ~~4. A check of the law enforcement report for a tag number~~  
297 ~~or other information identifying the vehicle or vessel, if the~~  
298 ~~vehicle or vessel was towed at the request of a law enforcement~~  
299 ~~officer.~~

300 ~~5. A check of the trip sheet or tow ticket of the tow~~

301 ~~truck operator to determine whether a tag was on the vehicle or~~  
302 ~~vessel at the beginning of the tow, if a private tow.~~

303 ~~6. If there is no address of the owner on the impound~~  
304 ~~report, a check of the law enforcement report to determine~~  
305 ~~whether an out-of-state address is indicated from driver license~~  
306 ~~information.~~

307 ~~7. A check of the vehicle or vessel for an inspection~~  
308 ~~sticker or other stickers and decals that may indicate a state~~  
309 ~~of possible registration.~~

310 ~~8. A check of the interior of the vehicle or vessel for~~  
311 ~~any papers that may be in the glove box, trunk, or other areas~~  
312 ~~for a state of registration.~~

313 ~~9. A check of the vehicle for a vehicle identification~~  
314 ~~number.~~

315 ~~10. A check of the vessel for a vessel registration~~  
316 ~~number.~~

317 ~~11. A check of the vessel hull for a hull identification~~  
318 ~~number which should be carved, burned, stamped, embossed, or~~  
319 ~~otherwise permanently affixed to the outboard side of the~~  
320 ~~transom or, if there is no transom, to the outmost seaboard side~~  
321 ~~at the end of the hull that bears the rudder or other steering~~  
322 ~~mechanism.~~

323 (5) (a) The owner of a vehicle or vessel removed pursuant  
324 to paragraph (2) (b) ~~subsection (2)~~, or any person claiming a  
325 lien, other than the towing-storage operator, within 10 days

326 after the time she or he has knowledge of the location of the  
327 vehicle or vessel, may file a complaint in the county court of  
328 the county in which the vehicle or vessel is stored to determine  
329 whether her or his property was wrongfully taken or withheld.

330 (6) A vehicle or vessel that is stored pursuant to  
331 paragraph (2)(b) ~~subsection (2)~~ and remains unclaimed, or for  
332 which reasonable charges for recovery, towing, or storing remain  
333 unpaid, and any contents not released pursuant to subsection  
334 (10), may be sold by the owner or operator of the storage space  
335 for such towing or storage charge 35 days after the vehicle or  
336 vessel is stored by the lienor if the vehicle or vessel is more  
337 than 3 years of age or 65 ~~50~~ days after the vehicle or vessel is  
338 stored by the lienor if the vehicle or vessel is 3 years of age  
339 or less. The sale must ~~shall~~ be at public sale for cash. If the  
340 date of the sale was not included in the notice required in  
341 subsection (4), notice of the sale must ~~shall~~ be given to the  
342 person in whose name the vehicle or vessel is registered and to  
343 all persons claiming a lien on the vehicle or vessel as shown on  
344 the records of the Department of Highway Safety and Motor  
345 Vehicles or of any corresponding agency in any other state in  
346 which the vehicle is identified through a records check of the  
347 National Motor Vehicle Title Information System or an equivalent  
348 commercially available system as being titled. Notice of the  
349 sale must be sent by certified mail to the registered owner of  
350 the vehicle or vessel, the insurance company insuring the

351 vehicle or vessel, and the person having the recorded lien on  
352 the vehicle or vessel at the address shown on the records of the  
353 registering agency at least 30 days before the sale of the  
354 vehicle or vessel. ~~The notice must have clearly identified and~~  
355 ~~printed, if the claim of lien is for a motor vehicle,~~ The last 8  
356 digits of the vehicle identification number of the ~~motor~~ vehicle  
357 subject to the lien, or, if the claim of lien is for a vessel,  
358 the hull identification number of the vessel subject to the  
359 lien, must be clearly identified and printed in the delivery  
360 address box and on the outside of the envelope sent to the  
361 registered owner and all other persons claiming an interest in  
362 ~~therein~~ or lien on the vehicle or vessel ~~thereon~~. ~~The notice~~  
363 ~~must be sent to the owner of the vehicle or vessel and the~~  
364 ~~person having the recorded lien on the vehicle or vessel at the~~  
365 ~~address shown on the records of the registering agency at least~~  
366 ~~30 days before the sale of the vehicle or vessel~~. The notice  
367 must state the name, physical address, and telephone number of  
368 the lienor, and the vehicle identification number if the claim  
369 of lien is for a vehicle or the hull identification number if  
370 the claim of lien is for a vessel, all of which must also appear  
371 in the return address section on the outside of the envelope  
372 containing the notice of sale. After diligent search and  
373 inquiry, if the name and address of the registered owner or the  
374 owner of the recorded lien cannot be ascertained, the  
375 requirements of notice by mail may be dispensed with. In

376 addition to the notice by mail, public notice of the time and  
377 place of sale must ~~shall~~ be made by publishing a notice thereof  
378 one time, at least 20 ~~10~~ days before the date of the sale, in a  
379 newspaper of general circulation in the county in which the sale  
380 is to be held. The proceeds of the sale, after payment of  
381 reasonable towing and storage charges, and costs of the sale, in  
382 that order of priority, must ~~shall~~ be deposited with the clerk  
383 of the circuit court for the county if the owner or lienholder  
384 is absent, and the clerk shall hold such proceeds subject to the  
385 claim of the owner or lienholder legally entitled thereto. The  
386 clerk is ~~shall be~~ entitled to receive 5 percent of such proceeds  
387 for the care and disbursement thereof. The certificate of title  
388 issued under this section must ~~this law shall~~ be discharged of  
389 all liens unless otherwise provided by court order. The owner or  
390 lienholder may file a complaint after the vehicle or vessel has  
391 been sold in the county court of the county in which it is  
392 stored. Upon determining the respective rights of the parties,  
393 the court may award damages, attorney fees, and costs in favor  
394 of the prevailing party.

395 (8) A towing-storage operator ~~person regularly engaged in~~  
396 ~~the business of recovering, towing, or storing vehicles or~~  
397 ~~vessels~~, except a person licensed under chapter 493 while  
398 engaged in "repossession" activities as defined in s. 493.6101,  
399 may not operate a wrecker, tow truck, or car carrier unless the  
400 name, address, and telephone number of the company performing

401 the service is clearly printed in contrasting colors on the  
 402 driver and passenger sides of its vehicle. The name must be in  
 403 at least 3-inch permanently affixed letters, and the address and  
 404 telephone number must be in at least 1-inch permanently affixed  
 405 letters.

406 (9) Failure to make good faith efforts to substantially  
 407 comply with the notice requirements of this section or ~~precludes~~  
 408 ~~the imposition of any storage charges against the vehicle or~~  
 409 ~~vessel. If a lienor fails to provide notice to a person claiming~~  
 410 a lien on a vehicle or vessel in accordance with subsection (4)  
 411 precludes the imposition of storage charges against the vehicle  
 412 or vessel, ~~the lienor may not charge the person~~ for more than 4  
 413 ~~7~~ days of storage, but such failure does not affect charges made  
 414 for towing the vehicle or vessel or the priority of liens on the  
 415 vehicle or vessel.

416 (10) A towing-storage operator must ~~Persons who provide~~  
 417 ~~services pursuant to this section shall permit vehicle or vessel~~  
 418 owners, including rental vehicle or vessel owners, lienholders,  
 419 insurance company representatives, or their agents, ~~which agency~~  
 420 ~~is evidenced by an original writing acknowledged by the owner~~  
 421 ~~before a notary public or other person empowered by law to~~  
 422 ~~administer oaths,~~ to inspect the towed vehicle or vessel and  
 423 ~~shall~~ release to the owner, lienholder, or agent the vehicle,  
 424 vessel, or all personal property not affixed to the vehicle or  
 425 vessel which was in the vehicle or vessel at the time the

426 | vehicle or vessel came into the custody of the towing-storage  
 427 | operator. A towing-storage operator must allow vehicle or vessel  
 428 | owners, rental vehicle or vessel owners, lienholders, insurance  
 429 | company representatives, or their agents to inspect the towed  
 430 | vehicle or vessel during normal business hours within 30 minutes  
 431 | after their arrival at the storage site where the vehicle or  
 432 | vessel is stored. A photocopy of an agency agreement is  
 433 | sufficient evidence of agency. A rental vehicle or vessel  
 434 | agreement is not evidence that the person who rented a vehicle  
 435 | or vessel is an agent of the rental vehicle or vessel owner.  
 436 | Towing-storage operators must accept a photocopy of a contract,  
 437 | an electronic title, or a paper title as evidence of a person's  
 438 | interest in a vehicle or vessel ~~person providing such services.~~

439 |       (11) (a) A towing-storage operator ~~Any person regularly~~  
 440 | ~~engaged in the business of recovering, towing, or storing~~  
 441 | ~~vehicles or vessels~~ who comes into possession of a vehicle or  
 442 | vessel pursuant to paragraph (2) (b) subsection (2) and who has  
 443 | complied with ~~the provisions of~~ subsections (4) ~~(3)~~ and (6),  
 444 | when such vehicle or vessel is to be sold for purposes of being  
 445 | dismantled, destroyed, or changed in such manner that it is not  
 446 | the ~~motor~~ vehicle or vessel described in the certificate of  
 447 | title, must ~~shall~~ report the vehicle to the National Motor  
 448 | Vehicle Title Information System and apply to the Department of  
 449 | Highway Safety and Motor Vehicles for a certificate of  
 450 | destruction. A certificate of destruction, which authorizes the

451 dismantling or destruction of the vehicle or vessel described  
452 therein, is ~~shall be~~ reassignable a maximum of two times before  
453 dismantling or destruction of the vehicle is ~~shall be~~ required,  
454 and must ~~shall~~ accompany the vehicle or vessel for which it is  
455 issued, when such vehicle or vessel is sold for such purposes,  
456 in lieu of a certificate of title. The application for a  
457 certificate of destruction must include proof of reporting to  
458 the National Motor Vehicle Title Information System and an  
459 affidavit from the applicant that she or he ~~it~~ has complied with  
460 all applicable requirements of this section and, if the vehicle  
461 or vessel is not registered in this state or any other state, by  
462 a statement from a law enforcement officer that the vehicle or  
463 vessel is not reported stolen, and must ~~shall~~ be accompanied by  
464 such documentation as may be required by the department.

465 (12) (a) Any person who violates paragraph (2) (b) ~~any~~  
466 ~~provision of subsection (1), subsection (2),~~ subsection (4),  
467 subsection (5), subsection (6), or subsection (7) is guilty of a  
468 misdemeanor of the first degree, punishable as provided in s.  
469 775.082 or s. 775.083.

470 (d) Employees of the Department of Highway Safety and  
471 Motor Vehicles and law enforcement officers are authorized to  
472 inspect the records of a towing-storage operator ~~any person~~  
473 ~~regularly engaged in the business of recovering, towing, or~~  
474 ~~storing vehicles or vessels or transporting vehicles or vessels~~  
475 ~~by wrecker, tow truck, or car carrier,~~ to ensure compliance with

476 the requirements of this section. A towing-storage operator ~~Any~~  
 477 ~~person~~ who fails to maintain records, or fails to produce  
 478 records when required in a reasonable manner and at a reasonable  
 479 time, commits a misdemeanor of the first degree, punishable as  
 480 provided in s. 775.082 or s. 775.083.

481 (13) (a) Upon receipt by the Department of Highway Safety  
 482 and Motor Vehicles of written notice from a wrecker operator who  
 483 claims a wrecker operator's lien under subparagraph (2) (b) 4.  
 484 ~~paragraph (2) (d)~~ for recovery, towing, or storage of an  
 485 abandoned vehicle or vessel upon instructions from any law  
 486 enforcement agency, for which a certificate of destruction has  
 487 been issued under subsection (11) and the vehicle has been  
 488 reported to the National Motor Vehicle Title Information System,  
 489 the department shall place the name of the registered owner of  
 490 that vehicle or vessel on the list of those persons who may not  
 491 be issued a license plate or revalidation sticker for any motor  
 492 vehicle under s. 320.03(8). If the vehicle or vessel is owned  
 493 jointly by more than one person, the name of each registered  
 494 owner must ~~shall~~ be placed on the list. The notice of wrecker  
 495 operator's lien must ~~shall~~ be submitted on forms provided by the  
 496 department and, which must include all of the following:

- 497 1. The name, address, and telephone number of the wrecker  
 498 operator.
- 499 2. The name of the registered owner of the vehicle or  
 500 vessel and the address to which the wrecker operator provided

501 notice of the lien to the registered owner under subsection (4).

502 3. A general description of the vehicle or vessel,  
503 including its color, make, model, body style, and year.

504 4. The vehicle identification number (VIN); registration  
505 license plate number, state, and year; validation decal number,  
506 state, and year; vessel registration number; hull identification  
507 number; or other identification number, as applicable.

508 5. The name of the person or the corresponding law  
509 enforcement agency that requested that the vehicle or vessel be  
510 recovered, towed, or stored.

511 6. The amount of the wrecker operator's lien, not to  
512 exceed the amount allowed by paragraph (b).

513 (b) For purposes of this subsection only, the amount of  
514 the wrecker operator's lien for which the department will  
515 prevent issuance of a license plate or revalidation sticker may  
516 not exceed the amount of the charges for recovery, towing, and  
517 storage of the vehicle or vessel for 7 days. These charges may  
518 not exceed the maximum rates imposed by the ordinances of the  
519 respective county or municipality under ss. 125.0103(1)(c) and  
520 166.043(1)(c). This paragraph does not limit the amount of a  
521 wrecker operator's lien claimed under paragraph (2)(b)  
522 ~~subsection (2)~~ or prevent a wrecker operator from seeking civil  
523 remedies for enforcement of the entire amount of the lien, but  
524 limits only that portion of the lien for which the department  
525 will prevent issuance of a license plate or revalidation

526 sticker.

527 (d) Upon discharge of the amount of the wrecker operator's  
528 lien allowed by paragraph (b), the wrecker operator must issue a  
529 certificate of discharged wrecker operator's lien on forms  
530 provided by the department to each registered owner of the  
531 vehicle or vessel attesting that the amount of the wrecker  
532 operator's lien allowed by paragraph (b) has been discharged.  
533 Upon presentation of the certificate of discharged wrecker  
534 operator's lien by the registered owner, the department must  
535 ~~shall~~ immediately remove the registered owner's name from the  
536 list of those persons who may not be issued a license plate or  
537 revalidation sticker for any motor vehicle under s. 320.03(8),  
538 thereby allowing issuance of a license plate or revalidation  
539 sticker. Issuance of a certificate of discharged wrecker  
540 operator's lien under this paragraph does not discharge the  
541 entire amount of the wrecker operator's lien claimed under  
542 paragraph (2)(b) ~~subsection (2)~~, but only certifies to the  
543 department that the amount of the wrecker operator's lien  
544 allowed by paragraph (b), for which the department will prevent  
545 issuance of a license plate or revalidation sticker, has been  
546 discharged.

547 (18) A towing-storage operator must retain for 3 years  
548 records produced for all vehicles or vessels recovered, towed,  
549 stored, or released. Such records must include at least all of  
550 the following:

551        (a) All notice publications and certified mailings.  
 552        (b) The purchase price of any unclaimed vehicle or vessel  
 553 sold.  
 554        (c) The names and addresses of persons to which vehicles  
 555 or vessels were released.  
 556        (d) The names and addresses of vehicle or vessel  
 557 purchasers.  
 558        (e) All fees imposed under this section.  
 559        (19) This section is the exclusive remedy for the  
 560 placement or foreclosure of a storage lien placed on a vehicle  
 561 or vessel pursuant to ss. 83.19 and 677.210.  
 562        (20) (a) A towing-storage operator must accept payment for  
 563 accrued charges from an authorized person listed in subsection  
 564 (10) in any form from at least two of the following  
 565 subparagraphs:  
 566            1. Cash, cashier's check, money order, or traveler's  
 567 check.  
 568            2. Bank, debit, or credit card.  
 569            3. Mobile payment service, digital wallet, or other  
 570 electronic payment system.  
 571        (b) Any of the authorized persons listed in subsection  
 572 (10) are not required to furnish more than one form of current  
 573 government photo identification when payment is made in any of  
 574 the forms listed in paragraph (a). Presenting one form of  
 575 current government photo identification constitutes sufficient

576 identity verification for the purposes of this subsection.

577 Section 3. Subsection (5) is added to section 83.19,  
578 Florida Statutes, to read:

579 83.19 Sale of property distrained.—

580 (5) A lien on a vehicle or vessel, as those terms are  
581 defined in s. 713.78(1), of a tenant or lessee must be  
582 foreclosed pursuant to s. 713.78 and may not be foreclosed under  
583 this chapter.

584 Section 4. Section 83.805, Florida Statutes, is amended to  
585 read:

586 83.805 Lien.—

587 (1) The owner of a self-service storage facility or self-  
588 contained storage unit and the owner's heirs, executors,  
589 administrators, successors, and assigns have a lien upon all  
590 personal property, whether or not owned by the tenant, located  
591 at a self-service storage facility or in a self-contained  
592 storage unit for rent, labor charges, or other charges, present  
593 or future, in relation to the personal property and for expenses  
594 necessary for its preservation or expenses reasonably incurred  
595 in its sale or other disposition pursuant to ss. 83.801-83.809.  
596 The lien provided for in this section attaches as of the date  
597 that the personal property is brought to the self-service  
598 storage facility or as of the date the tenant takes possession  
599 of the self-contained storage unit, and the priority of this  
600 lien shall be the same as provided in s. 83.08; however, in the

601 event of default, the owner must give notice to persons who hold  
602 perfected security interests under the Uniform Commercial Code  
603 in which the tenant is named as the debtor.

604 (2) A lien on a vehicle or vessel, as those terms are  
605 defined in s. 713.78(1), of a tenant or lessee must be  
606 foreclosed pursuant to s. 713.78 and may not be foreclosed under  
607 this chapter.

608 Section 5. Subsection (1), paragraphs (a) and (b) of  
609 subsection (4), and subsections (8) and (10) of section 83.806,  
610 Florida Statutes, are amended to read:

611 83.806 Enforcement of lien.—An owner's lien as provided in  
612 s. 83.805 may be satisfied as follows:

613 (1) The tenant shall be notified by written notice  
614 delivered in person, by e-mail, or by first-class mail with a  
615 certificate of mailing to the tenant's last known address and  
616 the last known address of the alternate contact person  
617 designated by the tenant under the rental agreement, if any, and  
618 conspicuously posted at the self-service storage facility or on  
619 the self-contained storage unit. If the owner sends notice of a  
620 pending sale of property to the tenant's and alternate contact  
621 person's last known e-mail address and does not receive a  
622 response, return receipt, or delivery confirmation from the same  
623 e-mail address, the owner must send notice of the sale to the  
624 tenant and alternate contact person by first-class mail with a  
625 certificate of mailing to the tenant's and alternate contact

626 | person's last known address before proceeding with the sale.

627 |         (4) After the expiration of the time given in the notice,  
 628 | an advertisement of the sale or other disposition shall be  
 629 | published once a week for 2 consecutive weeks in a newspaper of  
 630 | general circulation in the area where the self-service storage  
 631 | facility or self-contained storage unit is located.

632 |         (a) A lien sale may be conducted on a public website that  
 633 | customarily conducts personal property auctions. The facility or  
 634 | unit owner is not required to hold a license to post property  
 635 | for online sale. ~~Inasmuch~~ As any sale may involve property of  
 636 | more than one tenant, a single advertisement may be used to  
 637 | dispose of property at any one sale.

638 |         (b) The advertisement shall include:

639 |             1. A brief and general description of what is believed to  
 640 | constitute the personal property contained in the storage unit,  
 641 | as provided in paragraph (2) (b).

642 |             2. The address of the self-service storage facility or the  
 643 | address where the self-contained storage unit is located and the  
 644 | name of the tenant.

645 |             3. The time, place, and manner of the sale or other  
 646 | disposition. The sale or other disposition shall take place at  
 647 | least 10 ~~15~~ days after ~~the first~~ publication.

648 |         (8) In the event of a sale under this section, the owner  
 649 | may satisfy his or her lien from the proceeds of the sale,  
 650 | provided the owner's lien has priority over all other liens in

651 the personal property. The lien rights of secured lienholders  
652 are automatically transferred to the remaining proceeds of the  
653 sale. The balance, if any, must ~~shall~~ be held by the owner for  
654 delivery on demand to the tenant. A notice of any balance must  
655 ~~shall~~ be delivered by the owner to the tenant and the alternate  
656 contact person designated by the tenant under the rental  
657 agreement, if any, in person or by first-class mail with a  
658 certificate of mailing to the last known address of the tenant  
659 and alternate contact person. If the tenant does not claim the  
660 balance of the proceeds within 2 years after the date of sale,  
661 the proceeds are ~~shall be~~ deemed abandoned, and the owner has  
662 ~~shall have~~ no further obligation with regard to the payment of  
663 the balance. In the event that the owner's lien does not have  
664 priority over all other liens, the sale proceeds must ~~shall~~ be  
665 held for the benefit of the holders of those liens having  
666 priority. A notice of the amount of the sale proceeds must ~~shall~~  
667 be delivered by the owner to the tenant; alternate contact  
668 person, if any; and ~~or~~ secured lienholders in person or by  
669 first-class mail with a certificate of mailing to their last  
670 known addresses. If the tenant or ~~the~~ secured lienholders do not  
671 claim the sale proceeds within 2 years after the date of sale,  
672 the proceeds are ~~shall be~~ deemed abandoned, and the owner has  
673 ~~shall have~~ no further obligation with regard to the payment of  
674 the proceeds.

675 (10) (a) If a lien is claimed on property that is a ~~motor~~

676 vehicle or vessel ~~a watercraft~~ and rent and other charges  
677 related to the property remain unpaid or unsatisfied for 60 days  
678 after the maturity of the obligation to pay the rent and other  
679 charges, the facility or unit owner may sell the property  
680 pursuant to this section or have the property towed.

681 (b) If a facility or unit owner intends to sell the  
682 vehicle or vessel, the facility or unit owner must conduct a  
683 check of records with the Department of Highway Safety and Motor  
684 Vehicles. In the event that no current registration is found in  
685 the search, the facility or unit owner must conduct a search  
686 through the National Motor Vehicle Title Information System or  
687 an equivalent commercially available system. If a person  
688 claiming a lien is not identified in either search, the property  
689 may be sold by the facility or unit owner pursuant to this  
690 section. The facility or unit owner must send a notice of lien  
691 by certified mail to all persons claiming a lien at least 30  
692 days before the date of the sale. The notice must state all of  
693 the following:

694 1. The make, model, and last 8 digits of the vehicle  
695 identification number of the vehicle subject to the lien, or, if  
696 the claim of lien is for a vessel, the hull identification  
697 number of the vessel subject to the lien. Such information must  
698 be clearly printed in the delivery address box and on the  
699 outside of the envelope sent to the registered owner and all  
700 other persons claiming an interest in or a lien on the vehicle

701 or vessel.

702 2. The name, physical address, and telephone number of the  
703 facility or unit owner, and the entity name, as registered with  
704 the Division of Corporations, of the business where the vehicle  
705 or vessel is stored, which must also appear on the outside of  
706 the envelope sent to all persons claiming a lien on the vehicle  
707 or vessel.

708 3. The fact of possession of the vehicle or vessel.

709 4. The name of the person or entity listed as tenant in  
710 the rental agreement.

711 5. That a lien is claimed.

712 6. That charges have accrued and include an itemized  
713 statement of the amount thereof.

714 7. That any vehicle or vessel that remains unclaimed may  
715 be sold free of all prior liens 30 days after notification is  
716 sent.

717 8. The address at which the vehicle or vessel is  
718 physically located.

719 (c) At any time before the proposed or scheduled date of  
720 sale of a vehicle or vessel, a person claiming an interest in or  
721 a lien on the vehicle or vessel may request to inspect the  
722 vehicle or vessel. The facility or unit owner must make the  
723 vehicle or vessel available for inspection during regular  
724 business hours within 3 business days after receiving a written  
725 request to inspect the vehicle or vessel.

726        (d) At any time before the sale of the vehicle or vessel,  
727 a person of record claiming a lien against the vehicle or vessel  
728 may have her or his vehicle or vessel released upon posting with  
729 the clerk of the court in the county in which the vehicle or  
730 vessel is held a cash or surety bond or other adequate security  
731 equal to the amount of the storage charges and administrative  
732 fees required to ensure the payment of such charges in the event  
733 she or he does not prevail. A particular form for posting the  
734 bond is not required unless the clerk provides such form to the  
735 customer or person for filing. Upon the posting of the bond and  
736 the payment of the applicable fee set forth in s. 28.24, the  
737 clerk of the court shall automatically issue a certificate  
738 notifying the facility or unit owner of the posting of the bond  
739 and directing the owner to release the vehicle or vessel to the  
740 person of record claiming a lien against the vehicle or vessel.  
741 The certificate must be presented during regular business hours.  
742 The facility or unit owner, or an employee or agent thereof who  
743 is authorized to release the vehicle or vessel and who, upon  
744 receiving a copy of a certificate giving notice of the posting  
745 of the bond in the required amount and directing release of the  
746 vehicle or vessel, fails to release or return the property to  
747 the person of record claiming a lien pursuant to this section,  
748 commits a misdemeanor of the second degree, punishable as  
749 provided in s. 775.082 or s. 775.083.

750        (e) The person of record claiming a lien against a vehicle

751 or vessel has 30 days after the issuance of the certificate by  
752 the clerk to file a lawsuit to determine the validity of the  
753 storage charges. Upon determining the respective rights of the  
754 parties under this section, the court may award damages,  
755 attorney fees, and costs in favor of the prevailing party. Upon  
756 failure of the party posting the bond to timely file suit and a  
757 request by the facility or unit owner, the clerk must release  
758 the cash or surety bond to the facility or unit owner.

759 (f) Failure to make good faith efforts, as defined in s.  
760 713.78(1), to comply with the notice requirements of this  
761 section precludes the imposition of any storage charges against  
762 the vehicle or vessel.

763 (g) A copy of the notice of sale, proof of notice mailed  
764 to any person claiming a lien as required herein, and proof of  
765 the required check of the records of the Department of Highway  
766 Safety and Motor Vehicles and the National Motor Vehicle Title  
767 Information System or an equivalent commercially available  
768 system, if applicable, shall constitute satisfactory proof for  
769 application to the Department of Highway Safety and Motor  
770 Vehicles for transfer of title, together with any other proof  
771 required by any rules and regulations of the department.

772 (h) If a ~~motor~~ vehicle or vessel ~~watercraft~~ is towed, the  
773 facility or unit owner is not liable for the ~~motor~~ vehicle or  
774 vessel ~~watercraft~~ or any damages to the ~~motor~~ vehicle or vessel  
775 ~~watercraft~~ once a wrecker takes possession of the property. The

776 wrecker taking possession of the property must comply with all  
 777 notification and sale requirements provided in s. 713.78.

778 Section 6. Subsection (4) is added to section 83.808,  
 779 Florida Statutes, to read:

780 83.808 Contracts.—

781 (4) A rental agreement must contain a provision that  
 782 authorizes the tenant to designate an optional alternate contact  
 783 person. The alternate contact person may be contacted only for  
 784 purposes of providing notice under s. 83.806 or as otherwise  
 785 authorized by the rental agreement. Designating an alternate  
 786 contact person does not give such person an interest in the  
 787 contents stored at the self-service storage facility or in the  
 788 self-contained storage unit.

789 Section 7. Subsection (10) is added to section 677.210,  
 790 Florida Statutes, to read:

791 677.210 Enforcement of warehouse's lien.—

792 (10) A lien on a vehicle or vessel, as those terms are  
 793 defined in s. 713.78(1), must be foreclosed pursuant to s.  
 794 713.78 and may not be foreclosed under this chapter.

795 Section 8. Paragraph (a) of subsection (2) of section  
 796 715.07, Florida Statutes, is amended to read:

797 715.07 Vehicles or vessels parked on private property;  
 798 towing.—

799 (2) The owner or lessee of real property, or any person  
 800 authorized by the owner or lessee, which person may be the

801 designated representative of the condominium association if the  
802 real property is a condominium, may cause any vehicle or vessel  
803 parked on such property without her or his permission to be  
804 removed by a person regularly engaged in the business of towing  
805 vehicles or vessels, without liability for the costs of removal,  
806 transportation, or storage or damages caused by such removal,  
807 transportation, or storage, under any of the following  
808 circumstances:

809 (a) The towing or removal of any vehicle or vessel from  
810 private property without the consent of the registered owner or  
811 other legally authorized person in control of that vehicle or  
812 vessel is subject to substantial compliance with the following  
813 conditions and restrictions:

814 1.a. Any towed or removed vehicle or vessel must be stored  
815 at a site within a 10-mile radius of the point of removal in any  
816 county of 500,000 population or more, and within a 15-mile  
817 radius of the point of removal in any county of fewer than  
818 500,000 population. That site must be open for the purpose of  
819 redemption of vehicles on any day that the person or firm towing  
820 such vehicle or vessel is open for towing purposes, from 8:00  
821 a.m. to 6:00 p.m., and, when closed, shall have prominently  
822 posted a sign indicating a telephone number where the operator  
823 of the site can be reached at all times. Upon receipt of a  
824 telephoned request to open the site to redeem a vehicle or  
825 vessel, the operator shall return to the site within 1 hour or

826 she or he will be in violation of this section.

827       b. If no towing business providing such service is located  
828 within the area of towing limitations set forth in sub-  
829 subparagraph a., the following limitations apply: any towed or  
830 removed vehicle or vessel must be stored at a site within a 20-  
831 mile radius of the point of removal in any county of 500,000  
832 population or more, and within a 30-mile radius of the point of  
833 removal in any county of fewer than 500,000 population.

834       2. The person or firm towing or removing the vehicle or  
835 vessel shall, within 30 minutes after completion of such towing  
836 or removal, notify the municipal police department or, in an  
837 unincorporated area, the sheriff, of such towing or removal, the  
838 storage site, the time the vehicle or vessel was towed or  
839 removed, and the make, model, color, and license plate number of  
840 the vehicle or description and registration number of the vessel  
841 and shall obtain the name of the person at that department to  
842 whom such information was reported and note that name on the  
843 trip record.

844       3. A person in the process of towing or removing a vehicle  
845 or vessel from the premises or parking lot in which the vehicle  
846 or vessel is not lawfully parked must stop when a person seeks  
847 the return of the vehicle or vessel. The vehicle or vessel must  
848 be returned upon the payment of a reasonable service fee of not  
849 more than one-half of the posted rate for the towing or removal  
850 service as provided in subparagraph 6. The vehicle or vessel may

851 be towed or removed if, after a reasonable opportunity, the  
852 owner or legally authorized person in control of the vehicle or  
853 vessel is unable to pay the service fee. If the vehicle or  
854 vessel is redeemed, a detailed signed receipt must be given to  
855 the person redeeming the vehicle or vessel.

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

859 5. Except for property appurtenant to and obviously a part  
860 of a single-family residence, and except for instances when  
861 notice is personally given to the owner or other legally  
862 authorized person in control of the vehicle or vessel that the  
863 area in which that vehicle or vessel is parked is reserved or  
864 otherwise unavailable for unauthorized vehicles or vessels and  
865 that the vehicle or vessel is subject to being removed at the  
866 owner's or operator's expense, any property owner or lessee, or  
867 person authorized by the property owner or lessee, before towing  
868 or removing any vehicle or vessel from private property without  
869 the consent of the owner or other legally authorized person in  
870 control of that vehicle or vessel, must post a notice meeting  
871 the following requirements:

872 a. The notice must be prominently placed at each driveway  
873 access or curb cut allowing vehicular access to the property  
874 within 10 feet from the road, as defined in s. 334.03(22). If  
875 there are no curbs or access barriers, the signs must be posted

876 not fewer than one sign for each 25 feet of lot frontage.

877       b. The notice must clearly indicate, in not fewer than 2-  
878 inch high, light-reflective letters on a contrasting background,  
879 that unauthorized vehicles will be towed away at the owner's  
880 expense. The words "tow-away zone" must be included on the sign  
881 in not fewer than 4-inch high letters.

882       c. The notice must also provide the name and current  
883 telephone number of the person or firm towing or removing the  
884 vehicles or vessels.

885       d. The sign structure containing the required notices must  
886 be permanently installed with the words "tow-away zone" not  
887 fewer than 3 feet and not more than 6 feet above ground level  
888 and must be continuously maintained on the property for not  
889 fewer than 24 hours before the towing or removal of any vehicles  
890 or vessels.

891       e. The local government may require permitting and  
892 inspection of these signs before any towing or removal of  
893 vehicles or vessels being authorized.

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

900       g. A property owner towing or removing vessels from real

901 property must post notice, consistent with the requirements in  
 902 sub-subparagraphs a.-f., which apply to vehicles, that  
 903 unauthorized vehicles or vessels will be towed away at the  
 904 owner's expense.

905  
 906 A business owner or lessee may authorize the removal of a  
 907 vehicle or vessel by a towing company when the vehicle or vessel  
 908 is parked in such a manner that restricts the normal operation  
 909 of business; and if a vehicle or vessel parked on a public  
 910 right-of-way obstructs access to a private driveway the owner,  
 911 lessee, or agent may have the vehicle or vessel removed by a  
 912 towing company upon signing an order that the vehicle or vessel  
 913 be removed without a posted tow-away zone sign.

914 6. Any person or firm that tows or removes vehicles or  
 915 vessels and proposes to require an owner, operator, or person in  
 916 control or custody of a vehicle or vessel to pay the costs of  
 917 towing and storage before redemption of the vehicle or vessel  
 918 must file and keep on record with the local law enforcement  
 919 agency a complete copy of the current rates to be charged for  
 920 such services and post at the storage site an identical rate  
 921 schedule and any written contracts with property owners,  
 922 lessees, or persons in control of property which authorize such  
 923 person or firm to remove vehicles or vessels as provided in this  
 924 section.

925 7. Any person or firm towing or removing any vehicles or

926 vessels from private property without the consent of the owner  
927 or other legally authorized person in control or custody of the  
928 vehicles or vessels shall, on any trucks, wreckers as defined in  
929 s. 713.78(1) ~~s. 713.78(1)(c)~~, or other vehicles used in the  
930 towing or removal, have the name, address, and telephone number  
931 of the company performing such service clearly printed in  
932 contrasting colors on the driver and passenger sides of the  
933 vehicle. The name shall be in at least 3-inch permanently  
934 affixed letters, and the address and telephone number shall be  
935 in at least 1-inch permanently affixed letters.

936 8. Vehicle entry for the purpose of removing the vehicle  
937 or vessel shall be allowed with reasonable care on the part of  
938 the person or firm towing the vehicle or vessel. Such person or  
939 firm shall be liable for any damage occasioned to the vehicle or  
940 vessel if such entry is not in accordance with the standard of  
941 reasonable care.

942 9. When a vehicle or vessel has been towed or removed  
943 pursuant to this section, it must be released to its owner or  
944 person in control or custody within 1 hour after requested. Any  
945 vehicle or vessel owner or person in control or custody has the  
946 right to inspect the vehicle or vessel before accepting its  
947 return, and no release or waiver of any kind which would release  
948 the person or firm towing the vehicle or vessel from liability  
949 for damages noted by the owner or person in control or custody  
950 at the time of the redemption may be required from any vehicle

951 or vessel owner or person in control or custody as a condition  
952 of release of the vehicle or vessel to its owner or person in  
953 control or custody. A detailed receipt showing the legal name of  
954 the company or person towing or removing the vehicle or vessel  
955 must be given to the person paying towing or storage charges at  
956 the time of payment, whether requested or not.

957 Section 9. This act shall take effect July 1, 2024.