

FLORIDA HOUSE OF REPRESENTATIVES

BILL ANALYSIS

This bill analysis was prepared by nonpartisan committee staff and does not constitute an official statement of legislative intent.

BILL #: [CS/CS/CS/HB 577](#)

TITLE: County Price Controls for Removal and Storage of Electric Vehicles

SPONSOR(S): Nix

COMPANION BILL: [CS/CS/SB 872](#) (Ingoglia)

LINKED BILLS: None

RELATED BILLS: None

Committee References

[Intergovernmental Affairs](#)

18 Y, 0 N, As CS



[Industries & Professional](#)

[Activities](#)

16 Y, 0 N, As CS



[State Affairs](#)

23 Y, 0 N, As CS

SUMMARY

Effect of the Bill:

The bill requires counties, and authorizes municipalities, to establish a daily administration fee, not to exceed three times the daily rate for storage authorized in statute, for the proper storage of electric vehicles that have been involved in an accident. The bill defines “proper storage” of a damaged electric vehicle as separating the vehicle from combustibles and structures by 50 feet on all sides or having a barrier of earth, steel, concrete, or solid masonry. A wrecker service, towing-storage operator, or wrecker operator may only charge the fee if the damaged electric vehicle is properly stored. The bill clarifies that the provisions relating to the storage of electric vehicles do not require a motor vehicle insurer to pay any costs beyond what is covered pursuant to a contract with its insured.

Fiscal or Economic Impact:

Indeterminate. The bill may increase revenues for towing-storage or wrecker operators.

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ANALYSIS

EFFECT OF THE BILL:

The bill requires counties to establish a daily administration fee, not to exceed three times the daily rate for storage authorized in statute, for the proper storage of [electric vehicles that have been involved in an accident](#). The fee may be charged by a wrecker service or [towing-storage](#) or [wrecker operator](#) for administrative costs for providing proper storage after the cleanup of an accident scene and debris removal of a damaged electric vehicle, provided that the service or operator properly stores the vehicle. The bill specifies that proper storage of a damaged electric vehicle is one that has been separated from combustibles and structures by 50 feet on all sides or has a barrier of earth, steel, concrete, or solid masonry surrounding the vehicle. (Section [1](#))

The bill authorizes municipalities to establish a daily administration fee subject to the same requirements. If a municipality adopts a daily administration fee, the county’s daily administration fee does not apply within the municipality. (Section [2](#))

The bill provides that a wrecker service or towing-storage or wrecker operator may charge the daily administration fee authorized by the bill. (Section [4](#))

The bill clarifies that certain provisions, relating to the storage of electric vehicles, do not require a [motor vehicle insurer](#) to pay any costs beyond what is covered pursuant to a contract with their insured. (Section [3](#))

The effective date of the bill is July 1, 2025. (Section [5](#))

STORAGE NAME: h0577d.SAC

DATE: 4/17/2025

FISCAL OR ECONOMIC IMPACT:

LOCAL GOVERNMENT:

An agency analysis of HB 577 was requested from Department of Highway Safety and Motor Vehicles on February 18, 2025, and as of the date of publication has not been received.

PRIVATE SECTOR:

The bill may increase costs to owners of electric vehicles to the extent those vehicles are subject to an involuntary tow.

RELEVANT INFORMATION

SUBJECT OVERVIEW:

Wrecker Operators

A wrecker operator is any person or firm regularly engaged for hire in the business of towing or removing vehicles,¹ while a towing-storage operator refers to a person who engages in the business of transporting vehicles or vessels by wrecker, tow truck, or car carrier or who engages in storing towed vehicles or vessels.²

Current law allows counties and municipalities to establish wrecker operator systems similar to that of the Florida Highway Patrol as authorized in [s. 321.051\(2\), F.S.](#)³ Under this system, a county or municipality may contract with one or more wrecker operators (authorized wrecker operators)⁴ for towing or removal of wrecked, disabled, or abandoned vehicles from accident scenes, streets, or highways. The wrecker operator system must also include a method for distributing towing assignments among the authorized wrecker operators.⁵

In counties and municipalities with established wrecker operator systems, it is unlawful for an unauthorized wrecker operator to monitor police radio communications to determine the location of wrecked or disabled vehicles, drive by the scene of wrecked or disabled vehicles before an authorized wrecker operator arrives, or to initiate contact with the owner or operator of a wrecked or disabled vehicle.⁶ If an owner or operator of a wrecked or disabled vehicle initiates contact with an unauthorized wrecker operator, the unauthorized wrecker operator must disclose in writing:

- His or her full name and driver license number;
- That he or she is not the authorized wrecker operator who has been designated as part of the wrecker operator system;
- The vehicle is not being towed for the owner's or operator's insurance company or lienholder;
- Whether he or she has an insurance policy providing \$300,000 in liability coverage and \$50,000 in on-hook cargo coverage; and
- The maximum charges for towing and storage.⁷

County and Municipal Wrecker Operator Fees

Counties must establish maximum rates charged for towing and storage of vehicles or vessels when the owner or operator is incapacitated, unavailable, leaves the procurement of wrecker services to law enforcement, or otherwise does not consent to removal of the vehicle or vessel.⁸ Municipalities may choose to establish maximum

¹ S. [1.01\(15\), F.S.](#)

² S. [713.78\(1\)\(f\), F.S.](#)

³ S. [323.002\(1\)\(c\), F.S.](#)

⁴ Section [323.002\(1\)\(a\), F.S.](#), defines "authorized wrecker operator" as any wrecker operator designated as part of the local government's wrecker operator system. Section [323.002\(1\)\(b\), F.S.](#), defines "unauthorized wrecker operator" as any wrecker operator that is not part of the local government's wrecker operator system.

⁵ S. [323.002\(1\)\(c\), F.S.](#)

⁶ S. [323.002\(2\), F.S.](#)

⁷ S. [323.002\(2\)\(c\), F.S.](#)

⁸ Ss. [125.0103\(1\)\(c\)](#) and [166.043\(1\)\(c\), F.S.](#)

rates for vehicle or vessel towing. In municipalities with ordinances establishing maximum rates for towing, the maximum towing rates established by the county do not apply.⁹

Towing-storage Operator Fees

Once a vehicle or vessel is towed or stored, the towing-storage operator has a lien on the vehicle or vessel for fees related to recovery, removal, or storage.¹⁰ These fees may include any reasonable towing fees, administrative fees, or storage fees.¹¹ However, a storage fee may not be charged if the vehicle or vessel is stored for less than six hours.¹² In addition to the amount due for the towing and storage of the vehicle, a towing company may charge an administrative fee of up to \$250 for releasing the claim of lien.¹³

Handling Damaged Electric Vehicles

The National Highway Traffic Safety Administration (NHTSA) issued guidance in 2012 for the handling of electric and hybrid-electric vehicles equipped with high-voltage batteries in certain situations.¹⁴ The guidance provides that in the event of damage, fire, or flooding involving an electric vehicle or hybrid-electric vehicle one should always assume the high-voltage (HV) battery and associated components are energized and fully charged.

Individuals should also be aware that:

- Exposed electrical components, wires, and HV batteries present potential HV shock hazards;
- Venting and off-gassing HV battery vapors are potentially toxic and flammable; and
- Physical damage to the vehicle or high-voltage battery may result in immediate or delayed release of toxic or flammable gases and fire.

In a post incident situation, the NHTSA guidance recommends to not store a severely damaged vehicle with a lithium-ion battery inside a structure or within 50 feet of any structure, vehicle, or combustible, and to ensure that the vehicle compartments remain well ventilated.¹⁵ SAE, a professional society that makes technical recommendations for the automotive and other transportation industries, recommends two barrier methods for an electric vehicle during storage: separation of the vehicle from combustibles and structures by 50 feet on all sides or the creation of a barrier of earth, steel, concrete, or solid masonry around the vehicle.¹⁶

A 2020 NHSTA safety report on safety risks to emergency responders from lithium-ion battery fires in electric vehicles included findings and recommendations related to the handling of damaged electric vehicles.¹⁷ Key findings that may impact vehicle towing and storage included:

- Thermal runaway and multiple battery reignitions after initial fire suppression are safety risks in HV lithium-ion battery fires.
- The energy remaining in a damaged HV lithium-ion battery, known as stranded energy, poses a risk of electric shock and creates the potential for thermal runaway that can result in battery reignition and fire.
- HV lithium-ion batteries in electric vehicles, when damaged by crash forces or internal battery failure, present special challenges to first and second responders because of insufficient information from manufacturers on procedures for mitigating the risks of stranded energy.
- Storing an electric vehicle with a damaged HV lithium-ion battery inside the recommended 50-foot-radius clear area may be infeasible at tow or storage yards.¹⁸

The report recommended that certain associations representing emergency responders (including the Towing and Recovery Association of America) inform their members about the circumstances of the fire risks described in the

⁹ *Id.*

¹⁰ S. [713.78\(2\)\(b\), F.S.](#)

¹¹ S. [713.78\(2\), F.S.](#)

¹² S. [713.78\(2\)\(b\), F.S.](#)

¹³ S. [713.78\(15\)\(a\), F.S.](#)

¹⁴ U.S. Dept. of Transportation, National Highway Traffic Safety Administration, [Interim Guidance for Electric and Hybrid-Electric Vehicles](#), p. 2 (last visited Mar. 22, 2025).

¹⁵ *Id.* at 3.

¹⁶ National Transportation Safety Board, [Safety Risks to Emergency Responders from Lithium-Ion Battery Fires in Electric Vehicles](#), pp. 36, 40 (last visited Mar. 22, 2025).

¹⁷ *Id.*

¹⁸ *Id.* at 63.

report and the guidance available to emergency personnel who respond to HV lithium-ion battery fires in electric vehicles.¹⁹

Motor Vehicle Insurance

Chapter 324, F.S., sets forth the financial responsibility laws for owners or operators of motor vehicles in Florida, whether they be used for personal or commercial purposes. Generally, a motor vehicle owner or operator is required to insure against losses from liability for bodily injury, death, and property damage by either:

- Purchasing auto insurance from an insurance carrier authorized by the Office of Insurance Regulation (OIR) to do business in Florida;²⁰ or
- Obtaining a certificate of self-insurance from the Department of Highway Safety and Motor Vehicles (DHSMV) after demonstrating the ability to cover potential losses arising out of the ownership, maintenance, or use of a motor vehicle.²¹

OIR licenses insurance carriers and reviews policy contracts and premium rates of its licensees.²² An insurance carrier may not issue an auto insurance policy in Florida unless the policy includes coverages for both personal injury and property damage.²³

DHSMV administers the Financial Responsibility Law by requiring all licensed insurance companies to provide electronic notification of all policies that are issued or cancelled.²⁴ Vehicle owners must show proof of personal injury protection and property damage liability coverage to register a vehicle,²⁵ and must provide proof of bodily injury liability coverage if they are involved in an accident and charged with a moving violation.²⁶ A vehicle owner who fails to maintain continuous coverage may have his or her driver license and registration suspended.²⁷

Required coverages vary based on the use of a motor vehicle, as follows:

- Individual motorists: the law requires \$10,000 in personal injury protection and \$10,000 for property damage.²⁸ If a driver has been convicted of driving under the influence of alcohol, the motorist must maintain liability coverage of \$100,000 for bodily injury to, or death of, one person in any one crash and in the amount of \$300,000 due to bodily injury to, or death of, two or more persons in any one crash and in the amount of \$50,000 because of property damage in any one crash per accident, for three years after the license is reinstated.²⁹
- Leased motor vehicles: the lessor is not liable for the actions of a lessee so long as the lease requires \$100,000/\$300,000 bodily injury liability and \$50,000 property damage liability or not less than \$500,000 combined property damage and bodily injury liability.³⁰ For-hire passenger vehicles like taxicabs and limousines must have bodily injury liability coverage of \$125,000 per person and \$250,000 per occurrence, and \$50,000 property damage coverage.³¹
- Commercial motor vehicles: are subject to state and federal regulations related to size and weight limits, safety standards, and registration requirements. Commercial vehicles that weigh 10,001 pounds or more, and engage in interstate commerce or haul hazardous materials, are subject to federal law, where required coverages range from \$750,000 to \$5 million.³² Commercial vehicles that weigh 26,001 pounds or more,

¹⁹ *Id.* at 64.

²⁰ S. [324.021\(8\), F.S.](#)

²¹ Ss. [324.161](#) and [324.171, F.S.](#) Also see DHSMV, [Self-Insurance](#) (last visited March 22, 2023).

²² Ss. [624.404](#), [627.062](#), [627.410](#), and [627.4102, F.S.](#)

²³ S. [627.7275, F.S.](#)

²⁴ Ss. [324.0221](#) and [324.252, F.S.](#)

²⁵ Ss. [324.022](#) and [324.023, F.S.](#)

²⁶ S. [324.021, F.S.](#) Also see DHSMV, [Florida Insurance Requirements](#) (last visited March 22, 2023).

²⁷ S. [324.0221, F.S.](#)

²⁸ Ss. [324.021\(7\)](#), [324.022](#), and [627.736, F.S.](#)

²⁹ S. [324.023, F.S.](#)

³⁰ S. [324.021\(9\), F.S.](#)

³¹ S. [324.032, F.S.](#)

³² [49 CFR § 387.9.](#)

operate only within Florida, and do not transport hazardous materials are subject to Florida law, where required coverages range from \$50,000 to \$300,000.³³

When the owner or operator of a motor vehicle purchases liability insurance to satisfy the financial responsibility law, the policy must be issued by an insurance company authorized to do business in Florida.³⁴ When an owner or operator self-insures a vehicle or fleet of vehicles, the owner or operator must obtain a certificate of self-insurance from DHSMV.³⁵

BILL HISTORY

COMMITTEE REFERENCE	ACTION	DATE	STAFF DIRECTOR/ POLICY CHIEF	ANALYSIS PREPARED BY
Intergovernmental Affairs Subcommittee	18 Y, 0 N, As CS	3/19/2025	Darden	Jones
THE CHANGES ADOPTED BY THE COMMITTEE:	<ul style="list-style-type: none">• Authorizes counties to establish a rate for the removal and storage of electric vehicles at up to three times the rate established for gasoline or diesel fueled vehicles instead of a rate at least three times the rate established for gasoline or diesel fueled vehicles.• Increases the maximum surcharge a wrecker operator may charge for the cleanup of an electric vehicle accident from 10 percent to 15 percent.			
Industries & Professional Activities Subcommittee	16 Y, 0 N, As CS	4/1/2025	Anstead	Thompson
THE CHANGES ADOPTED BY THE COMMITTEE:	<ul style="list-style-type: none">• Allows wrecker and towing businesses to charge a reasonable administrative fee, not to exceed three times the daily rate for storage authorized in statute, for the storage of electric vehicles that have been involved in an accident.• Requires the daily administrative fee to be additional to current fees authorized in statute.• Removes the provision allowing wrecker operators to charge actual cost, plus 15 percent, for cleanup and removal of such vehicles.• Clarifies that the provisions relating to the storage of electric vehicles do not require a motor vehicle insurer to pay any costs beyond what is covered pursuant to a contract with their insured.			
State Affairs Committee	23 Y, 0 N, As CS	4/17/2025	Williamson	Jones
THE CHANGES ADOPTED BY THE COMMITTEE:	<ul style="list-style-type: none">• Requires counties, and authorizes municipalities, to adopt a daily administration fee for proper storage of electric vehicles that have been involved in an accident.• Defines proper storage of a damaged electric vehicle.			

THIS BILL ANALYSIS HAS BEEN UPDATED TO INCORPORATE ALL OF THE CHANGES DESCRIBED ABOVE.

³³ Ss. [207.002\(1\)](#), [320.01\(25\)](#), and [627.7415](#), F.S.

³⁴ S. [324.021\(8\)](#), F.S.

³⁵ S. [324.171](#), F.S.