

By the Committee on Civil Justice & Claims and  
Representative Barreiro

1                                   A bill to be entitled  
2           An act relating to vessels; amending ss.  
3           125.0103 and 166.043, F.S.; authorizing  
4           counties and municipalities to enact public  
5           service rates for towing vessels in the same  
6           manner as rates for towing vehicles; amending  
7           s. 327.02, F.S.; creating definition of  
8           "undocumented vessel"; amending s. 327.52,  
9           F.S.; revising language with respect to maximum  
10          loading and horsepower requirements for  
11          specified vessels and prohibiting the operation  
12          of vessels in an overloaded or overpowered  
13          condition; amending s. 327.73, F.S.; creating a  
14          noncriminal infraction for overloaded and  
15          overpowered vessels; amending s. 713.78, F.S.;  
16          creating a procedure for liens for towing and  
17          storage charges on undocumented vessels in the  
18          same manner as currently permitted for  
19          vehicles; amending s. 715.07, F.S.; revising  
20          the definition of "vehicle" to include an  
21          undocumented vessel thereby permitting such a  
22          vessel parked on private property without the  
23          property owner's permission to be towed by a  
24          wrecker; correcting a cross reference;  
25          providing effective dates.

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

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29           Section 1. Paragraph (b) of subsection (1) of section  
30   125.0103, Florida Statutes, is amended to read:

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1           125.0103 Ordinances and rules imposing price controls;  
2 findings required; procedures.--  
3           (1)  
4           (b) The provisions of this section shall not prevent  
5 the enactment by local governments of public service rates  
6 otherwise authorized by law, including water, sewer, solid  
7 waste, public transportation, taxicab, towing of vehicles or  
8 vessels from private property, removal and storage of wrecked  
9 or disabled vehicles or vessels from an accident scene or for  
10 the removal and storage of vehicles or vessels, in the event  
11 the owner or operator is incapacitated, unavailable, leaves  
12 the procurement of wrecker service to the law enforcement  
13 officer at the scene, or otherwise does not consent to the  
14 removal of the vehicle or vessel, or port rates.  
15           Section 2. Paragraph (b) of subsection (1) of section  
16 166.043, Florida Statutes, is amended to read:  
17           166.043 Ordinances and rules imposing price controls;  
18 findings required; procedures.--  
19           (1)  
20           (b) The provisions of this section shall not prevent  
21 the enactment by local governments of public service rates  
22 otherwise authorized by law, including water; sewer; solid  
23 waste; public transportation; taxicab; towing of vehicles or  
24 vessels from private property; removal and storage of wrecked  
25 or disabled vehicles or vessels from an accident scene or for  
26 the removal and storage of vehicles or vessels, in the event  
27 the owner or operator is incapacitated, unavailable, leaves  
28 the procurement of wrecker service to the law enforcement  
29 officer at the scene, or otherwise does not consent to the  
30 removal of the vehicle or vessel; or port rates.  
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1           Section 3. Subsections (36) and (37) of section  
2 327.02, Florida Statutes, are renumbered as subsections (37)  
3 and (38), respectively, and a new subsection (36) is added to  
4 said section to read:

5           327.02 Definitions of terms used in this chapter and  
6 in chapter 328.--As used in this chapter and in chapter 328,  
7 unless the context clearly requires a different meaning, the  
8 term:

9           (36) "Undocumented vessel" means any vessel not  
10 included in the term "documented vessel" as defined in  
11 subsection (8).

12           Section 4. Effective October 1, 1997, section 327.52,  
13 Florida Statutes, is amended to read:

14           (Substantial rewording of section. See  
15 s. 327.52, F.S., for present text.)

16           327.52 Maximum loading and horsepower.--

17           (1) Except for sailboats, canoes, kayaks, and  
18 inflatable boats, this section applies to all monohull  
19 motorboats less than 20 feet in length that are: manufactured  
20 or used primarily for noncommercial use; leased, rented, or  
21 chartered to another for the latter's noncommercial use; or  
22 engaged in the carrying of six or fewer passengers for hire.

23           (2) No person shall sell or offer for sale any vessel  
24 described in subsection (1) unless said vessel displays the  
25 maximum capacity information as prescribed in part 183 of  
26 Title 33 of the Code of Federal Regulations. This does not  
27 apply to resales, but it is the intent of this section to  
28 require dealers and manufacturers to furnish this information  
29 upon the original sale.

30           (3) No person may operate any vessel described in  
31 subsection (1) when such vessel exceeds the maximum weight

1 capacity, maximum persons capacity, or maximum horsepower  
2 capacity. If no maximum capacity information is displayed,  
3 the capacities shall be calculated as provided in subparts C  
4 and D of part 183 of Title 33 of the Code of Federal  
5 Regulations. This subsection does not preclude the finding of  
6 reckless operation under s. 327.33(1) when a vessel is  
7 operated in a grossly overloaded or overpowered condition.

8 Section 5. Effective October 1, 1997, paragraph (t) is  
9 added to subsection (1) of section 327.73, Florida Statutes,  
10 1996 Supplement, to read:

11 327.73 Noncriminal infractions.--

12 (1) Violations of the following provisions of the  
13 vessel laws of this state are noncriminal infractions:

14 (t) Section 327.52(3), relating to operation of  
15 overloaded or overpowered vessels.

16  
17 Any person cited for a violation of any such provision shall  
18 be deemed to be charged with a noncriminal infraction, shall  
19 be cited for such an infraction, and shall be cited to appear  
20 before the county court. The civil penalty for any such  
21 infraction is \$50, except as otherwise provided in this  
22 section. Any person who fails to appear or otherwise properly  
23 respond to a uniform boating citation shall, in addition to  
24 the charge relating to the violation of the boating laws of  
25 this state, be charged with the offense of failing to respond  
26 to such citation and, upon conviction, be guilty of a  
27 misdemeanor of the second degree, punishable as provided in s.  
28 775.082 or s. 775.083. A written warning to this effect shall  
29 be provided at the time such uniform boating citation is  
30 issued.

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1 Section 6. Section 713.78, Florida Statutes, is  
2 amended to read:

3 713.78 Liens for recovering, towing, or storing  
4 vehicles and undocumented vessels.--

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

6 (a) "Vehicle" means any mobile item, whether motorized  
7 or not, which is mounted on wheels.

8 (b) "Vessel" has the same meaning as the term  
9 "undocumented vessel" as defined in s. 372.02(36).

10 (c)~~(b)~~ "Wrecker" means any truck or other vehicle  
11 which is used to tow, carry, or otherwise transport motor  
12 vehicles or vessels upon the streets and highways of this  
13 state and which is equipped for that purpose with a boom,  
14 winch, car carrier, or other similar equipment.

15 (2) Whenever a person regularly engaged in the  
16 business of transporting vehicles or vessels by wrecker, tow  
17 truck, or car carrier recovers, removes, or stores a vehicle,  
18 vessel, or mobile home upon instructions from:

19 (a) The owner thereof; or

20 (b) The owner or lessor, or a person authorized by the  
21 owner or lessor, of property on which such vehicle is  
22 wrongfully parked, and such removal is done in compliance with  
23 s. 715.07; or

24 (c) Any law enforcement agency; or

25 (d) A mobile home park owner as defined in s. 723.003  
26 who has a current writ of possession for a mobile home lot  
27 pursuant to s. 723.061,

28  
29 he shall have a lien on such vehicle or vessel for a  
30 reasonable towing fee and for a reasonable storage fee; except  
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1 that no storage fee shall be charged if such vehicle or vessel  
2 is stored for less than 6 hours.

3 (3)(a) Any person regularly engaged in the business of  
4 recovering, towing, or storing vehicles or vessels who comes  
5 into possession of a vehicle or vessel pursuant to subsection  
6 (2), and who claims a lien for recovery, towing, or storage  
7 services, shall give notice to the registered owner and to all  
8 persons claiming a lien thereon, as disclosed by the records  
9 in the Department of Highway Safety and Motor Vehicles or of a  
10 corresponding agency in any other state.

11 (b) Notice by certified mail, return receipt  
12 requested, shall be sent within 7 business days after the date  
13 of storage of the vehicle or vessel to the registered owner  
14 and to all persons of record claiming a lien against the  
15 vehicle or vessel. It shall state the fact of possession of  
16 the vehicle or vessel, that a lien as provided in subsection  
17 (2) is claimed, that charges have accrued and the amount  
18 thereof, that the lien is subject to enforcement pursuant to  
19 law, and that the owner or lienholder, if any, has the right  
20 to a hearing as set forth in subsection (4), and that any  
21 vehicle or vessel which remains unclaimed, or for which the  
22 charges for recovery, towing, or storage services remain  
23 unpaid, may be sold in 35 days free of all prior liens.

24 (c) If attempts to locate the owner or lienholder  
25 prove unsuccessful, the towing-storage operator shall, after 7  
26 working days, excluding Saturday and Sunday, of the initial  
27 tow or storage, notify the public agency of jurisdiction in  
28 writing by certified mail or acknowledged hand delivery that  
29 the towing-storage company has been unable to locate the owner  
30 or lienholder and a physical search of the vehicle or vessel  
31 has disclosed no ownership information and a good faith effort

1 has been made. For purposes of this paragraph, subsection  
2 (8), and s. 715.05, "good faith effort" means that the  
3 following checks have been performed by the company to  
4 establish prior state of registration and for title:  
5       1. Check of vehicle or vessel for any type of tag, tag  
6 record, temporary tag, or regular tag.  
7       2. Check of law enforcement report for tag number or  
8 other information identifying the vehicle or vessel, if the  
9 vehicle or vessel was towed at the request of a law  
10 enforcement officer.  
11       3. Check of trip sheet or tow ticket of tow truck  
12 operator to see if a tag was on vehicle at beginning of tow,  
13 if private tow.  
14       4. If there is no address of the owner on the impound  
15 report, check of law enforcement report to see if an  
16 out-of-state address is indicated from driver license  
17 information.  
18       5. Check of vehicle or vessel for inspection sticker  
19 or other stickers and decals that may indicate a state of  
20 possible registration.  
21       6. Check of the interior of the vehicle or vessel for  
22 any papers that may be in the glove box, trunk, or other areas  
23 for a state of registration.  
24       7. Check of vehicle for vehicle identification number.  
25       8. Check of vessel for vessel registration number.  
26       9. Check of vessel hull for a hull identification  
27 number which should be carved, burned, stamped, embossed, or  
28 otherwise permanently affixed to the outboard side of the  
29 transom or, if there is no transom, to the outmost seaboard  
30 side at the end of the hull that bears the rudder or other  
31 steering mechanism.

1           (4)(a) The owner of a vehicle or vessel removed  
2 pursuant to the provisions of subsection (2), or any person  
3 claiming a lien, other than the towing-storage operator,  
4 within 10 days after the time he has knowledge of the location  
5 of the vehicle or vessel, may file a complaint in the county  
6 court of the county in which the vehicle or vessel is stored  
7 or in which the owner resides to determine if his property was  
8 wrongfully taken or withheld from him.

9           (b) Upon filing of a complaint, an owner or lienholder  
10 may have his vehicle or vessel released upon posting with the  
11 court a cash or surety bond or other adequate security equal  
12 to the amount of the charges for towing or storage and lot  
13 rental amount to ensure the payment of such charges in the  
14 event he does not prevail. Upon the posting of the bond and  
15 the payment of the applicable fee set forth in s. 28.24, the  
16 clerk of the court shall issue a certificate notifying the  
17 lienor of the posting of the bond and directing the lienor to  
18 release the vehicle or vessel. At the time of such release,  
19 after reasonable inspection, he shall give a receipt to the  
20 towing-storage company reciting any claims he has for loss or  
21 damage to the vehicle or vessel or the contents thereof.

22           (c) Upon determining the respective rights of the  
23 parties, the court may award damages and costs in favor of the  
24 prevailing party. In any event, the final order shall provide  
25 for immediate payment in full of recovery, towing, and storage  
26 fees by the vehicle or vessel owner or lienholder; or the  
27 agency ordering the tow; or the owner, lessee, or agent  
28 thereof of the property from which the vehicle or vessel was  
29 removed.

30           (5) Any vehicle or vessel which is stored pursuant to  
31 subsection (2) and which remains unclaimed, or for which



1 reasonable charges for recovery, towing, or storing remain  
2 unpaid or for which a lot rental amount is due and owing to  
3 the mobile home park owner, as evidenced by a judgment for  
4 unpaid rent, and any contents not released pursuant to  
5 subsection (9), may be sold by the owner or operator of the  
6 storage space for such towing or storage charge or unpaid lot  
7 rental amount after 35 days from the time the vehicle or  
8 vessel is stored therein. The sale shall be at public auction  
9 for cash. If the date of the sale was not included in the  
10 notice required in subsection (3), notice of the sale shall be  
11 given to the person in whose name the vehicle, vessel, or  
12 mobile home is registered, to the mobile home park owner, and  
13 to all persons claiming a lien on the vehicle or vessel as  
14 shown on the records of the Department of Highway Safety and  
15 Motor Vehicles or of the corresponding agency in any other  
16 state. Notice shall be sent by certified mail, return receipt  
17 requested, to the owner of the vehicle or vessel and the  
18 person having the recorded lien on the vehicle or vessel at  
19 the address shown on the records of the registering agency and  
20 shall be mailed not less than 15 days before the date of the  
21 sale. After diligent search and inquiry, if the name and  
22 address of the registered owner or the owner of the recorded  
23 lien cannot be ascertained, the requirements of notice by mail  
24 may be dispensed with. In addition to the notice by mail,  
25 public notice of the time and place of sale shall be made by  
26 publishing a notice thereof one time, at least 10 days prior  
27 to the date of the sale, in a newspaper of general circulation  
28 in the county in which the sale is to be held. The proceeds  
29 of the sale, after payment of reasonable towing and storage  
30 charges, costs of the sale, and the unpaid lot rental amount,  
31 in that order of priority, shall be deposited with the clerk

1 of the circuit court for the county if the owner is absent,  
2 and the clerk shall hold such proceeds subject to the claim of  
3 the person legally entitled thereto. The clerk shall be  
4 entitled to receive 5 percent of such proceeds for the care  
5 and disbursement thereof. The certificate of title issued  
6 under this law shall be discharged of all liens unless  
7 otherwise provided by court order.

8 (6) No person regularly engaged in the business of  
9 recovering, towing, or storing vehicles or vessels shall be  
10 liable for damages connected with such services, provided that  
11 they have been performed with reasonable care and provided,  
12 further, that, in the case of removal of a vehicle or vessel  
13 upon the request of a person purporting, and reasonably  
14 appearing, to be the owner or lessee, or a person authorized  
15 by the owner or lessee, of the property from which such  
16 vehicle or vessel is removed, such removal has been done in  
17 compliance with s. 715.07.

18 (7) A person regularly engaged in the business of  
19 recovering, towing, or storing vehicles or vessels, except a  
20 person licensed under chapter 493 while engaged in  
21 "repossession" activities as defined in s. 493.6101, may not  
22 operate a wrecker, tow truck, or car carrier unless the name,  
23 address, and telephone number of the company performing the  
24 service is clearly printed in contrasting colors on the driver  
25 and passenger sides of its vehicle. The name must be in at  
26 least 3-inch permanently affixed letters, and the address and  
27 telephone number must be in at least 1-inch permanently  
28 affixed letters.

29 (8) Failure to make good faith best efforts to comply  
30 with the notice requirements of this section shall preclude  
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1 the imposition of any storage charges against such vehicle or  
2 vessel.

3 (9) Persons who provide services pursuant to this  
4 section shall permit vehicle and vessel owners or their  
5 agents, which agency is evidenced by a writing acknowledged by  
6 the owner before a notary public or other person empowered by  
7 law to administer oaths, to inspect the towed vehicle or  
8 vessel and shall release to the owner or agent all personal  
9 property not affixed to the vehicle or vessel which was in the  
10 vehicle at the time the vehicle or vessel came into the  
11 custody of the person providing such services.

12 (10)(a) Any person regularly engaged in the business  
13 of recovering, towing, or storing vehicles or vessels who  
14 comes into possession of a vehicle or vessel pursuant to  
15 subsection (2) and who has complied with the provisions of  
16 subsections (3) and (5), when such vehicle or vessel is to be  
17 sold for purposes of being dismantled, destroyed, or changed  
18 in such manner that it is not the motor vehicle, vessel, or  
19 mobile home described in the certificate of title, shall apply  
20 to the county tax collector for a certificate of destruction.  
21 A certificate of destruction, which authorizes the dismantling  
22 or destruction of the vehicle or vessel described therein,  
23 shall be reassignable and shall accompany the vehicle or  
24 vessel for which it is issued, when such vehicle or vessel is  
25 sold for such purposes, in lieu of a certificate of title.  
26 The application for a certificate of destruction must ~~shall~~  
27 include an affidavit from the applicant that it has complied  
28 with all applicable requirements of this section and, if the  
29 vehicle or vessel is not registered in this state, by a  
30 statement from a law enforcement officer that the vehicle or  
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1 vessel is not reported stolen, and must ~~shall~~ be accompanied  
2 by such documentation as may be required by the department.

3 (b) The Department of Highway Safety and Motor  
4 Vehicles shall charge a fee of \$3 for each certificate of  
5 destruction. A service charge of \$4.25 shall be collected and  
6 retained by the tax collector who processes the application.

7 (c) The Department of Highway Safety and Motor  
8 Vehicles may adopt such rules as it deems necessary or proper  
9 for the administration of this subsection.

10 (11)(a) Any person who violates any provision of  
11 subsections (1) through (6) is guilty of a misdemeanor of the  
12 first degree, punishable as provided in s. 775.082 or s.  
13 775.083.

14 (b) Any person who violates the provisions of  
15 subsections (7) through (10) is guilty of a felony of the  
16 third degree, punishable as provided in s. 775.082, s.  
17 775.083, or s. 775.084.

18 (c) Any person who uses a false or fictitious name,  
19 gives a false or fictitious address, or makes any false  
20 statement in any application or affidavit required under the  
21 provisions of this section is guilty of a felony of the third  
22 degree, punishable as provided in s. 775.082, s. 775.083, or  
23 s. 775.084.

24 Section 7. Subsection (1) and paragraph (a) of  
25 subsection (2) of section 715.07, Florida Statutes, are  
26 amended to read:

27 715.07 Vehicles parked on private property; towing.--

28 (1) As used in this section, the term "vehicle" means  
29 any mobile item which normally uses wheels, whether motorized  
30 or not, or any undocumented vessel as defined in s.  
31 327.02(36).

1           (2) The owner or lessee of real property, or any  
2 person authorized by the owner or lessee, which person may be  
3 the designated representative of the condominium association  
4 if the real property is a condominium, may cause any vehicle  
5 parked on such property without his permission to be removed  
6 by a person regularly engaged in the business of towing  
7 vehicles, without liability for the costs of removal,  
8 transportation, or storage or damages caused by such removal,  
9 transportation, or storage, under any of the following  
10 circumstances:

11           (a) The towing or removal of any vehicle from private  
12 property without the consent of the registered owner or other  
13 legally authorized person in control of that vehicle is  
14 subject to strict compliance with the following conditions and  
15 restrictions:

16           1.a. Any towed or removed vehicle must be stored at a  
17 site within 10 miles of the point of removal in any county of  
18 500,000 population or more, and within 15 miles of the point  
19 of removal in any county of less than 500,000 population. That  
20 site must be open for the purpose of redemption of vehicles on  
21 any day that the person or firm towing such vehicle is open  
22 for towing purposes, from 8:00 a.m. to 6:00 p.m., and, when  
23 closed, shall have prominently posted a sign indicating a  
24 telephone number where the operator of the site can be reached  
25 at all times. Upon receipt of a telephoned request to open  
26 the site to redeem a vehicle, the operator shall return to the  
27 site within 1 hour or he will be in violation of this section.

28           b. If no towing business providing such service is  
29 located within the area of towing limitations set forth in  
30 sub-subparagraph a., the following limitations apply: any  
31 towed or removed vehicle must be stored at a site within 20

1 miles of the point of removal in any county of 500,000  
2 population or more, and within 30 miles of the point of  
3 removal in any county of less than 500,000 population.  
4         2. The person or firm towing or removing the vehicle  
5 shall, within 30 minutes of completion of such towing or  
6 removal, notify the municipal police department or, in an  
7 unincorporated area, the sheriff of such towing or removal,  
8 the storage site, the time the vehicle was towed or removed,  
9 and the make, model, color, and license plate number of the  
10 vehicle and shall obtain the name of the person at that  
11 department to whom such information was reported and note that  
12 name on the trip record.  
13         3. If the registered owner or other legally authorized  
14 person in control of the vehicle arrives at the scene prior to  
15 removal or towing of the vehicle, the vehicle shall be  
16 disconnected from the towing or removal apparatus, and that  
17 person shall be allowed to remove the vehicle without  
18 interference upon the payment of a reasonable service fee of  
19 not more than one-half of the posted rate for such towing  
20 service as provided in subparagraph 6., for which a receipt  
21 shall be given, unless that person refuses to remove the  
22 vehicle which is otherwise unlawfully parked.  
23         4. The rebate or payment of money or any other  
24 valuable consideration from the individual or firm towing or  
25 removing vehicles to the owners or operators of the premises  
26 from which the vehicles are towed or removed, for the  
27 privilege of removing or towing those vehicles, is prohibited.  
28         5. Except for property appurtenant to and obviously a  
29 part of a single-family residence, and except for instances  
30 when notice is personally given to the owner or other legally  
31 authorized person in control of the vehicle that the area in

1 which that vehicle is parked is reserved or otherwise  
2 unavailable for unauthorized vehicles and subject to being  
3 removed at the owner's or operator's expense, any property  
4 owner or lessee, or person authorized by the property owner or  
5 lessee, prior to towing or removing any vehicle from private  
6 property without the consent of the owner or other legally  
7 authorized person in control of that vehicle, must post a  
8 notice meeting the following requirements:

9       a. The notice must be prominently placed at each  
10 driveway access or curb cut allowing vehicular access to the  
11 property, within 5 feet from the public right-of-way line. If  
12 there are no curbs or access barriers, the signs must be  
13 posted not less than one sign for each 25 feet of lot  
14 frontage.

15       b. The notice must clearly indicate, in not less than  
16 2-inch high, light-reflective letters on a contrasting  
17 background, that unauthorized vehicles will be towed away at  
18 the owner's expense. The words "tow-away zone" must be  
19 included on the sign in not less than 4-inch high letters.

20       c. The notice must also provide the name and current  
21 telephone number of the person or firm towing or removing the  
22 vehicles, if the property owner, lessee, or person in control  
23 of the property has a written contract with the towing  
24 company.

25       d. The sign structure containing the required notices  
26 must be permanently installed with the words "tow-away zone"  
27 not less than 3 feet and not more than 6 feet above ground  
28 level and must be continuously maintained on the property for  
29 not less than 24 hours prior to the towing or removal of any  
30 vehicles.  
31

1 e. The local government may require permitting and  
2 inspection of these signs prior to any towing or removal of  
3 vehicles being authorized.

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

10  
11 A business owner or lessee may authorize the removal of a  
12 vehicle by a towing company when the vehicle is parked in such  
13 a manner that restricts the normal operation of business; and  
14 if a vehicle parked on a public right-of-way obstructs access  
15 to a private driveway the owner, lessee, or agent may have the  
16 vehicle removed by a towing company upon signing an order that  
17 the vehicle be removed without a posted tow-away zone sign.

18 6. Any person or firm that tows or removes vehicles  
19 and proposes to require an owner, operator, or person in  
20 control of a vehicle to pay the costs of towing and storage  
21 prior to redemption of the vehicle must file and keep on  
22 record with the local law enforcement agency a complete copy  
23 of the current rates to be charged for such services and post  
24 at the storage site an identical rate schedule and any written  
25 contracts with property owners, lessees, or persons in control  
26 of property which authorize such person or firm to remove  
27 vehicles as provided in this section.

28 7. Any person or firm towing or removing any vehicles  
29 from private property without the consent of the owner or  
30 other legally authorized person in control of the vehicles  
31 shall, on any trucks, wreckers as defined in s.



1 713.78(1)(c)~~(b)~~, or other vehicles used in the towing or  
2 removal, have the name, address, and telephone number of the  
3 company performing such service clearly printed in contrasting  
4 colors on the driver and passenger sides of the vehicle. The  
5 name shall be in at least 3-inch permanently affixed letters,  
6 and the address and telephone number shall be in at least  
7 1-inch permanently affixed letters.

8 8. Vehicle entry for the purpose of removing the  
9 vehicle shall be allowed with reasonable care on the part of  
10 the person or firm towing the vehicle. Such person or firm  
11 shall be liable for any damage occasioned to the vehicle if  
12 such entry is not in accordance with the standard of  
13 reasonable care.

14 9. When a vehicle has been towed or removed pursuant  
15 to this section, it must be released to its owner or custodian  
16 within one hour after requested. Any vehicle owner,  
17 custodian, or agent shall have the right to inspect the  
18 vehicle before accepting its return, and no release or waiver  
19 of any kind which would release the person or firm towing the  
20 vehicle from liability for damages noted by the owner or other  
21 legally authorized person at the time of the redemption may be  
22 required from any vehicle owner, custodian, or agent as a  
23 condition of release of the vehicle to its owner. A detailed,  
24 signed receipt showing the legal name of the company or person  
25 towing or removing the vehicle must be given to the person  
26 paying towing or storage charges at the time of payment,  
27 whether requested or not.

28 Section 8. Except as otherwise provided herein, this  
29 act shall take effect upon becoming a law.

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