

Bill No. SB 966
Amendment No. ____

	<u>Senate</u>	CHAMBER ACTION	<u>House</u>
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11	Senator Casas moved the following amendment to amendment		
12	(643858):		
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14	Senate Amendment (with title amendment)		
15	On page 1, between lines 16 and 17,		
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17	insert:		
18	Section 2. Paragraphs (b) and (c) of subsection (1) of		
19	section 125.0103, Florida Statutes, 1998 Supplement, are		
20	amended to read:		
21	125.0103 Ordinances and rules imposing price controls;		
22	findings required; procedures.--		
23	(1)		
24	(b) The provisions of this section shall not prevent		
25	the enactment by local governments of public service rates		
26	otherwise authorized by law, including water, sewer, solid		
27	waste, public transportation, taxicab, or port rates, <u>rates</u>		
28	<u>for towing of vehicles from or immobilization of vehicles on</u>		
29	<u>private property, or rates for removal and storage of wrecked</u>		
30	<u>or disabled vehicles from an accident scene or the removal and</u>		
31	<u>storage of vehicles in the event the owner or operator is</u>		

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1 incapacitated, unavailable, leaves the procurement of wrecker
 2 service to the law enforcement officer at the scene, or
 3 otherwise does not consent to the removal of the vehicle.

4 (c) Counties must establish maximum rates ~~fees~~ which
 5 may be charged on the towing of vehicles from or
 6 immobilization of vehicles on private property, removal and
 7 storage of wrecked or disabled vehicles from an accident scene
 8 or for the removal and storage of vehicles, in the event the
 9 owner or operator is incapacitated, unavailable, leaves the
 10 procurement of wrecker service to the law enforcement officer
 11 at the scene, or otherwise does not consent to the removal of
 12 the vehicle. However, if a municipality chooses to enact an
 13 ordinance establishing the maximum fees for the towing or
 14 immobilization of vehicles as described in paragraph (b), the
 15 county's ordinance shall not apply within such municipality.

16 Section 3. Paragraphs (b) and (c) of subsection (1) of
 17 section 166.043, Florida Statutes, 1998 Supplement, are
 18 amended to read:

19 166.043 Ordinances and rules imposing price controls;
 20 findings required; procedures.--

21 (1)

22 (b) The provisions of this section shall not prevent
 23 the enactment by local governments of public service rates
 24 otherwise authorized by law, including water, sewer, solid
 25 waste, public transportation, taxicab, or port rates, rates
 26 for towing of vehicles from or immobilization of vehicles on
 27 private property, or rates for removal and storage of wrecked
 28 or disabled vehicles from an accident scene or the removal and
 29 storage of vehicles in the event the owner or operator is
 30 incapacitated, unavailable, leaves the procurement of wrecker
 31 service to the law enforcement officer at the scene, or

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1 otherwise does not consent to the removal of the vehicle.

2 (c) Counties must establish maximum rates ~~fees~~ which
3 may be charged on the towing of vehicles from or
4 immobilization of vehicles on private property, removal and
5 storage of wrecked or disabled vehicles from an accident scene
6 or for the removal and storage of vehicles, in the event the
7 owner or operator is incapacitated, unavailable, leaves the
8 procurement of wrecker service to the law enforcement officer
9 at the scene, or otherwise does not consent to the removal of
10 the vehicle. However, if a municipality chooses to enact an
11 ordinance establishing the maximum fees for the towing or
12 immobilization of vehicles as described in paragraph (b), the
13 county's ordinance established under s. 125.0103 shall not
14 apply within such municipality.

15 Section 4. If any provision of section 2 or section 3
16 of this act or the application thereof to any person or
17 circumstance is held invalid, the invalidity does not affect
18 other provisions or applications of the act which can be given
19 effect without the invalid provision or application, and to
20 this end the provisions of this act are declared severable.

21
22 (Redesignate subsequent sections.)

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24
25 ===== T I T L E A M E N D M E N T =====

26 And the title is amended as follows:

27 On page 10, line 26,

28
29 insert:

30 amending ss. 125.0103 and 166.043, F.S.;

31 authorizing local governments to enact public

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1 service rates for the towing or immobilization
2 of vehicles; providing for inapplicability of
3 county rates for such activities in certain
4 municipalities; providing for severability;
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