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LEGISLATIVE ACTION

Senate

.

House

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Floor: WD/2R

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04/30/2014 09:53 AM

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Senator Diaz de la Portilla moved the following:

Senate Amendment (with title amendment)

Before line 136

insert:

Section 1. Paragraphs (b) and (c) of subsection (1) of section 125.0103, Florida Statutes, are amended to read:

125.0103 Ordinances and rules imposing price controls; findings required; procedures.—

(1)

(b) The provisions of this section shall not prevent the enactment by local governments of public service rates otherwise



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12 authorized by law, including water, sewer, solid waste, public
13 transportation, taxicab, or port rates, rates for towing of
14 vehicles from ~~or immobilization of vehicles on~~ private property,
15 rates for immobilization of vehicles on public and private
16 property, or rates for removal and storage of wrecked or
17 disabled vehicles from an accident scene or the removal and
18 storage of vehicles in the event the owner or operator is
19 incapacitated, unavailable, leaves the procurement of wrecker
20 service to the law enforcement officer at the scene, or
21 otherwise does not consent to the removal of the vehicle.

22 (c) Counties shall ~~must~~ establish maximum rates that ~~which~~
23 may be charged for ~~on~~ the towing of vehicles from ~~or~~
24 ~~immobilization of vehicles on~~ private property, the
25 immobilization of vehicles on public and private property, the
26 removal and storage of wrecked or disabled vehicles from an
27 accident scene, or for the removal and storage of vehicles, ~~in~~
28 the event the owner or operator is incapacitated, unavailable,
29 leaves the procurement of wrecker service to the law enforcement
30 officer at the scene, or otherwise does not consent to the
31 removal of the vehicle. However, if a municipality chooses to
32 enact an ordinance establishing the maximum rates ~~fees~~ for the
33 towing ~~or immobilization~~ of vehicles as described in paragraph
34 (b), the county's ordinance does ~~shall~~ not apply within such
35 municipality. Notwithstanding any other provision of law, the
36 maximum rate or fee that may be charged for the immobilization
37 of vehicles on public and private property is \$25. However, the
38 provisions of this paragraph do not apply to the immobilization
39 of vehicles under s. 316.193.

40 Section 2. Paragraphs (b) and (c) of subsection (1) of



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41 section 166.043, Florida Statutes, are amended to read:
42 166.043 Ordinances and rules imposing price controls;
43 findings required; procedures.—
44 (1)
45 (b) The provisions of this section shall not prevent the
46 enactment by local governments of public service rates otherwise
47 authorized by law, including water, sewer, solid waste, public
48 transportation, taxicab, or port rates, rates for towing of
49 vehicles from ~~or immobilization of vehicles on~~ private property,
50 rates for immobilization of vehicles on public and private
51 property, or rates for removal and storage of wrecked or
52 disabled vehicles from an accident scene or the removal and
53 storage of vehicles in the event the owner or operator is
54 incapacitated, unavailable, leaves the procurement of wrecker
55 service to the law enforcement officer at the scene, or
56 otherwise does not consent to the removal of the vehicle.
57 (c) Counties shall ~~must~~ establish maximum rates that ~~which~~
58 may be charged on the towing of vehicles from ~~or immobilization~~
59 ~~of vehicles on~~ private property, the immobilization of vehicles
60 on public and private property, the removal and storage of
61 wrecked or disabled vehicles from an accident scene, or for the
62 removal and storage of vehicles, ~~7~~ in the event the owner or
63 operator is incapacitated, unavailable, leaves the procurement
64 of wrecker service to the law enforcement officer at the scene,
65 or otherwise does not consent to the removal of the vehicle.
66 However, if a municipality chooses to enact an ordinance
67 establishing the maximum rates ~~fees~~ for the towing ~~or~~
68 ~~immobilization~~ of vehicles as described in paragraph (b), the
69 county's ordinance established under s. 125.0103 does ~~shall~~ not



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70 apply within such municipality. Notwithstanding any other
71 provision of law, the maximum rate or fee that may be charged
72 for the immobilization of vehicles on public and private
73 property is \$25. However, the provisions of this paragraph do
74 not apply to the immobilization of vehicles under s. 316.193.

75
76 ===== T I T L E A M E N D M E N T =====

77 And the title is amended as follows:

78 Delete line 2

79 and insert:

80 An act relating to transportation; amending ss.
81 125.0103 and 166.043, F.S.; establishing a maximum
82 rate for the immobilization of vehicles on public and
83 private property;