



741248

LEGISLATIVE ACTION

Senate

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House

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Senator Diaz de la Portilla moved the following:

**Senate Amendment (with title amendment)**

Between lines 546 and 547

insert:

Section 4. 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 5. 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 13

79 and insert:

80 references; amending ss. 125.0103 and 166.043, F.S.;

81 establishing a maximum rate for the immobilization of

82 vehicles on public and private property; creating s.

83 316.0778, F.S.; defining the