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576-03802-17

Proposed Committee Substitute by the Committee on Appropriations
(Appropriations Subcommittee on Finance and Tax)

A bill to be entitled

An act relating to towing and storage fees; creating
ss. 125.01047 and 166.04465, F.S.; prohibiting
counties and municipalities from enacting certain
ordinances or rules to impose a fee or charge on
wrecker operators or vehicle storage companies;
providing exceptions; amending s. 323.002, F.S.;
prohibiting counties and municipalities from imposing
additional charges, costs, expenses, fines, fees, or
penalties on a registered owner or lienholder of a
vehicle; providing an exception; providing an
effective date.

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

Section 1. Section 125.01047, Florida Statutes, is created
to read:

125.01047 Rules and ordinances relating to towing or
storage services.—

(1) A county may not enact an ordinance or rule that would
impose a fee or charge on an authorized wrecker operator, as
defined in s. 323.002(1), or a vehicle storage company for
towing, storing, or impounding a vehicle by the wrecker operator
or vehicle storage company.

(2) The prohibition set forth in subsection (1) does not
affect a county's authority to:

(a) Levy a reasonable business tax under s. 205.0315, s.



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28 205.033, or s. 205.0535.

29 (b) Impose a reasonable fee or charge, not to exceed the
30 maximum rates approved by ordinance or rule under s. 125.0103 or
31 s. 166.043, on the legal owner of a vehicle if a county law
32 enforcement officer has caused the owner's vehicle to be towed
33 to and impounded at a facility owned by the county.

34 Section 2. Section 166.04465, Florida Statutes, is created
35 to read:

36 166.04465 Rules and ordinances relating to towing or
37 storage services.-

38 (1) A municipality may not enact an ordinance or rule that
39 would impose a fee or charge on an authorized wrecker operator,
40 as defined in s. 323.002(1), or a vehicle storage company for
41 towing, storing, or impounding a vehicle by the wrecker operator
42 or vehicle storage company.

43 (2) The prohibition set forth in subsection (1) does not
44 affect a municipality's authority to:

45 (a) Levy a reasonable business tax under s. 205.0315, s.
46 205.043, or s. 205.0535.

47 (b) Impose a reasonable fee or charge, not to exceed the
48 maximum rates approved by ordinance or rule under s. 125.0103 or
49 s. 166.043, on the legal owner of a vehicle if a municipal law
50 enforcement officer has caused the owner's vehicle to be towed
51 to and impounded at a facility owned by the municipality.

52 Section 3. Subsection (5) is added to section 323.002,
53 Florida Statutes, to read:

54 323.002 County and municipal wrecker operator systems;
55 penalties for operation outside of system.-

56 (5) (a) Except as provided in paragraph (b), a county or



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57 municipality may not adopt or maintain in effect an ordinance or
58 rule that imposes a charge, cost, expense, fine, fee, or
59 penalty, other than the reasonable costs of towing and storage
60 incurred by an authorized wrecker operator, on the registered
61 owner or lienholder of a vehicle removed and impounded by an
62 authorized wrecker operator under this chapter.

63 (b) A county or municipality may impose a reasonable fee or
64 charge for towing and storage expenses, not to exceed the
65 maximum rates approved by ordinance or rule under s. 125.0103 or
66 s. 166.043, on the legal owner of a vehicle if a county or
67 municipal law enforcement officer has caused the owner's vehicle
68 to be towed to and impounded at a facility owned by the county
69 or municipality.

70 Section 4. This act shall take effect July 1, 2017.