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LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
04/13/2017	.	
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Appropriations Subcommittee on Finance and Tax (Articles)
recommended the following:

Senate Amendment (with title amendment)

Delete everything after the enacting clause
and insert:

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



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11 defined in s. 323.002(1), or a vehicle storage company for
12 towing, storing, or impounding a vehicle by the wrecker operator
13 or vehicle storage company.

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

16 (a) Levy a reasonable business tax under s. 205.0315, s.
17 205.033, or s. 205.0535.

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

23 Section 2. Section 166.04465, Florida Statutes, is created
24 to read:

25 166.04465 Rules and ordinances relating to towing or
26 storage services.-

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

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

34 (a) Levy a reasonable business tax under s. 205.0315, s.
35 205.043, or s. 205.0535.

36 (b) Impose a reasonable fee or charge, not to exceed the
37 maximum rates approved by ordinance or rule under s. 125.0103 or
38 s. 166.043, on the legal owner of a vehicle if a municipal law
39 enforcement officer has caused the owner's vehicle to be towed



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40 to and impounded at a facility owned by the municipality.

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

43 323.002 County and municipal wrecker operator systems;
44 penalties for operation outside of system.-

45 (5) (a) Except as provided in paragraph (b), a county or
46 municipality may not adopt or maintain in effect an ordinance or
47 rule that imposes a charge, cost, expense, fine, fee, or
48 penalty, other than the reasonable costs of towing and storage
49 incurred by an authorized wrecker operator, on the registered
50 owner or lienholder of a vehicle removed and impounded by an
51 authorized wrecker operator under this chapter.

52 (b) A county or municipality may impose a reasonable fee or
53 charge for towing and storage expenses, not to exceed the
54 maximum rates approved by ordinance or rule under s. 125.0103 or
55 s. 166.043, on the legal owner of a vehicle if a county or
56 municipal law enforcement officer has caused the owner's vehicle
57 to be towed to and impounded at a facility owned by the county
58 or municipality.

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

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61 ===== T I T L E A M E N D M E N T =====

62 And the title is amended as follows:

63 Delete everything before the enacting clause
64 and insert:

65 A bill to be entitled
66 An act relating to towing and storage fees; creating
67 ss. 125.01047 and 166.04465, F.S.; prohibiting
68 counties and municipalities from enacting certain



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69 ordinances or rules to impose a fee or charge on
70 wrecker operators or vehicle storage companies;
71 providing exceptions; amending s. 323.002, F.S.;
72 prohibiting counties and municipalities from imposing
73 additional charges, costs, expenses, fines, fees, or
74 penalties on a registered owner or lienholder of a
75 vehicle; providing an exception; providing an
76 effective date.