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LEGISLATIVE ACTION

Senate	.	House
Comm: WD	.	
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), a towing business, or a vehicle  
12 storage company for towing, storing, or impounding a vehicle by  
13 the wrecker operator, towing business, or vehicle storage  
14 company.

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

17 (a) Levy a reasonable business tax under s. 205.0315, s.  
18 205.033, or s. 205.0535.

19 (b) Impose a reasonable administrative fee or charge, not  
20 to exceed 30 percent of the maximum rates approved by ordinance  
21 or rule under s. 125.0103 or s. 166.043, on the legal owner of a  
22 vehicle which may be collected by an authorized wrecker  
23 operator, as defined in s. 323.002(1), a towing business, or  
24 vehicle storage company on behalf of the county if a county law  
25 enforcement officer or parking enforcement specialist has caused  
26 the owner's vehicle to be towed.

27 Section 2. Section 166.04465, Florida Statutes, is created  
28 to read:

29 166.04465 Rules and ordinances relating to towing or  
30 storage services.—

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

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

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



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40 205.043, or s. 205.0535.

41 (b) Impose a reasonable administrative fee or charge, not  
42 to exceed 30 percent of the maximum rates approved by ordinance  
43 or rule under s. 125.0103 or s. 166.043, on the legal owner of a  
44 vehicle which may be collected by an authorized wrecker  
45 operator, as defined in s. 323.002(1), a towing business, or  
46 vehicle storage company on behalf of the municipality if a  
47 municipal law enforcement officer or parking enforcement  
48 specialist has caused the owner's vehicle to be towed.

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

51 323.002 County and municipal wrecker operator systems;  
52 penalties for operation outside of system.-

53 (5) (a) Except as provided in paragraph (b), a county or  
54 municipality may not adopt or maintain in effect an ordinance or  
55 rule that imposes a charge, cost, expense, fine, fee, or  
56 penalty, other than the reasonable costs of towing and storage  
57 incurred by an authorized wrecker operator, on the registered  
58 owner or lienholder of a vehicle removed and impounded by an  
59 authorized wrecker operator under this chapter.

60 (b) A county or municipality may impose a reasonable  
61 administrative fee or charge, not to exceed 30 percent of the  
62 maximum rates approved by ordinance or rule under s. 125.0103 or  
63 s. 166.043, on the legal owner of a vehicle which may be  
64 collected by an authorized wrecker operator on behalf of a  
65 county or municipality if a county or municipal law enforcement  
66 officer or parking enforcement specialist has caused the owner's  
67 vehicle to be towed.

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



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

And the title is amended as follows:

Delete everything before the enacting clause  
and insert:

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 that impose a fee or charge on  
wrecker operators, towing businesses, 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.