

1 A bill to be entitled
2 An act relating to towing and immobilizing vehicles
3 and vessels; amending ss. 125.0103 and 166.043, F.S.;
4 authorizing local governments to enact rates to tow or
5 immobilize vessels on private property and to remove
6 and store vessels under specified circumstances;
7 creating ss. 125.01047 and 166.04465, F.S.;
8 prohibiting counties or municipalities from enacting
9 certain ordinances or rules that impose fees or
10 charges on authorized wrecker operators or towing
11 businesses; defining the term "towing business";
12 providing exceptions; amending s. 323.002, F.S.;
13 prohibiting counties or municipalities from adopting
14 or maintaining in effect certain ordinances or rules
15 that impose charges, costs, expenses, fines, fees, or
16 penalties on registered owners, other legally
17 authorized persons in control or the lienholder of a
18 vehicle or vessel under certain conditions; providing
19 an exception; prohibiting counties or municipalities
20 from enacting certain ordinances or rules that require
21 authorized wrecker operators to accept a specified
22 form of payment; providing exceptions; providing
23 applicability; amending s. 713.78, F.S.; authorizing
24 certain persons to place liens on vehicles or vessels
25 to recover specified fees or charges; revising the

26 | timeframe within which the notice of sale must be sent
 27 | to certain entities; amending s.715.07, F.S.; revising
 28 | a requirement regarding notices and signs concerning
 29 | the towing or removal of vehicles or vessels;
 30 | prohibiting counties or municipalities from enacting
 31 | certain ordinances or rules that require towing
 32 | businesses to accept a specified form of payment;
 33 | providing an effective date.

34 |

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

36 |

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

39 | 125.0103 Ordinances and rules imposing price controls;
 40 | findings required; procedures.—

41 | (1)

42 | (b) ~~The provisions of~~ This section does ~~shall~~ not prevent
 43 | the enactment by local governments of public service rates
 44 | otherwise authorized by law, including water, sewer, solid
 45 | waste, public transportation, taxicab, or port rates, rates for
 46 | towing of vehicles or vessels from or immobilization of vehicles
 47 | or vessels on private property, or rates for removal and storage
 48 | of wrecked or disabled vehicles or vessels from an accident
 49 | scene or the removal and storage of vehicles or vessels in the
 50 | event the owner or operator is incapacitated, unavailable,

51 leaves the procurement of wrecker service to the law enforcement
 52 officer at the scene, or otherwise does not consent to the
 53 removal of the vehicle or vessel.

54 (c) Counties must establish maximum rates which may be
 55 charged on the towing of vehicles or vessels from or
 56 immobilization of vehicles or vessels on private property,
 57 removal and storage of wrecked or disabled vehicles or vessels
 58 from an accident scene or for the removal and storage of
 59 vehicles or vessels, in the event the owner or operator is
 60 incapacitated, unavailable, leaves the procurement of wrecker
 61 service to the law enforcement officer at the scene, or
 62 otherwise does not consent to the removal of the vehicle or
 63 vessel. However, if a municipality chooses to enact an ordinance
 64 establishing the maximum rates ~~fees~~ for the towing or
 65 immobilization of vehicles or vessels as described in paragraph
 66 (b), the county's ordinance shall not apply within such
 67 municipality.

68 Section 2. Section 125.01047, Florida Statutes, is created
 69 to read:

70 125.01047 Rules and ordinances relating to towing
 71 services.-

72 (1) A county may not enact an ordinance or rule that would
 73 impose a fee or charge on an authorized wrecker operator, as
 74 defined in s. 323.002(1), or on a towing business for towing,
 75 impounding, or storing a vehicle or vessel. As used in this

76 section, the term "towing business" means a business that
77 provides towing services for monetary gain.

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

80 (a) Levy a reasonable business tax under s. 205.0315, s.
81 205.033, or s. 205.0535.

82 (b) Impose and collect a reasonable administrative fee or
83 charge on the registered owner or other legally authorized
84 person in control of a vehicle or vessel, not to exceed 25
85 percent of the maximum towing rate, to cover the cost of
86 enforcement, including parking enforcement, by the county when
87 the vehicle or vessel is towed from public property. An
88 authorized wrecker operator or towing business may impose and
89 collect the administrative fee or charge on behalf of the county
90 and shall remit such fee or charge to the county only after it
91 is collected.

92 (3) (a) This section does not apply to a towing or
93 immobilization licensing, regulatory, or enforcement program of
94 a charter county in which at least 90 percent of the population
95 resides in incorporated municipalities, or to a charter county
96 with at least 38 incorporated municipalities within its
97 territorial boundaries as of January 1, 2020. This section does
98 not affect a charter county's authority to:

99 1. Impose and collect towing operating license fees,
100 license renewal fees, license extension fees, expedite fees,

101 storage site inspection or reinspection fees, criminal
102 background check fees, and tow truck decal fees, including decal
103 renewal fees, expedite fees, and decal replacement fees.

104 2. Impose and collect immobilization operating license
105 fees, license extension fees, license renewal fees, expedite
106 fees, and criminal background check fees.

107 3. Set maximum rates for the towing or immobilization of
108 vehicles or vessels on private property, including rates based
109 on different classes of towing vehicles, research fees,
110 administrative fees, storage fees, and labor fees; rates for
111 towing services performed or directed by governmental entities;
112 road service rates; winch recovery rates; voluntary expediting
113 fees for vehicle or vessel ownership verification; and to
114 establish conditions in connection with the applicability or
115 payment of maximum rates set for towing or immobilization of
116 vehicles or vessels.

117 4. Impose and collect such other taxes, fees, or charges
118 otherwise authorized by general law, special law, or county
119 ordinance, resolution, or regulation.

120 (b) A charter county may impose and collect an
121 administrative fee or charge as provided in paragraph (2) (b) but
122 may not impose such fee or charge on a towing business or an
123 authorized wrecker operator. If the charter county imposes such
124 administrative fee or charge, the charter county may authorize a
125 towing business or authorized wrecker operator to impose and

126 collect such fee or charge on behalf of the county, and the
127 towing business or authorized wrecker operator shall remit such
128 fee or charge to the charter county only after it is collected.

129 (4) (a) Subsection (1) does not apply to a charter county
130 that had a towing licensing, regulatory, or enforcement program
131 in effect on January 1, 2020. However, such charter county may
132 not impose any new business tax, fee, or charge that was not in
133 effect as of January 1, 2020, on a towing business or an
134 authorized wrecker operator.

135 (b) A charter county may impose and collect an
136 administrative fee or charge as provided in paragraph (2) (b);
137 however, it may not impose that fee or charge upon a towing
138 business or an authorized wrecker operator. If such charter
139 county imposes such administrative fee or charge, such fee or
140 charge must be imposed on the registered owner or other legally
141 authorized person in control of a vehicle or vessel. The fee or
142 charge may not exceed 25 percent of the maximum towing rate to
143 cover the cost of enforcement, including parking enforcement, by
144 the charter county when the vehicle or vessel is towed from
145 public property. The charter county may authorize an authorized
146 wrecker operator or towing business to impose and collect the
147 administrative fee or charge on behalf of the charter county,
148 and the authorized wrecker operator or towing business shall
149 remit such fee or charge to the charter county only after it is
150 collected.

151 (c) For purposes of this subsection, the term "charter
 152 county" means a county as defined in s. 125.011(1).

153 Section 3. Paragraphs (b) and (c) of subsection (1) of
 154 section 166.043, Florida Statutes, are amended to read:

155 166.043 Ordinances and rules imposing price controls;
 156 findings required; procedures.—

157 (1)

158 (b) ~~The provisions of~~ This section does shall not prevent
 159 the enactment by local governments of public service rates
 160 otherwise authorized by law, including water, sewer, solid
 161 waste, public transportation, taxicab, or port rates, rates for
 162 towing of vehicles or vessels from or immobilization of vehicles
 163 or vessels on private property, or rates for removal and storage
 164 of wrecked or disabled vehicles or vessels from an accident
 165 scene or the removal and storage of vehicles or vessels in the
 166 event the owner or operator is incapacitated, unavailable,
 167 leaves the procurement of wrecker service to the law enforcement
 168 officer at the scene, or otherwise does not consent to the
 169 removal of the vehicle or vessel.

170 (c) Counties must establish maximum rates which may be
 171 charged on the towing of vehicles or vessels from or
 172 immobilization of vehicles or vessels on private property,
 173 removal and storage of wrecked or disabled vehicles or vessels
 174 from an accident scene or for the removal and storage of
 175 vehicles or vessels, in the event the owner or operator is

176 incapacitated, unavailable, leaves the procurement of wrecker
177 service to the law enforcement officer at the scene, or
178 otherwise does not consent to the removal of the vehicle or
179 vessel. However, if a municipality chooses to enact an ordinance
180 establishing the maximum rates ~~fees~~ for the towing or
181 immobilization of vehicles or vessels as described in paragraph
182 (b), the county's ordinance established under s. 125.0103 shall
183 not apply within such municipality.

184 Section 4. Section 166.04465, Florida Statutes, is created
185 to read:

186 166.04465 Rules and ordinances relating to towing
187 services.-

188 (1) A municipality may not enact an ordinance or rule that
189 would impose a fee or charge on an authorized wrecker operator,
190 as defined in s. 323.002(1), or on a towing business for towing,
191 impounding, or storing a vehicle or vessel. As used in this
192 section, the term "towing business" means a business that
193 provides towing services for monetary gain.

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

196 (a) Levy a reasonable business tax under s. 205.0315, s.
197 205.043, or s. 205.0535.

198 (b) Impose and collect a reasonable administrative fee or
199 charge on the registered owner or other legally authorized
200 person in control of a vehicle or vessel, not to exceed 25

201 percent of the maximum towing rate, to cover the cost of
202 enforcement, including parking enforcement, by the municipality
203 when the vehicle or vessel is towed from public property. An
204 authorized wrecker operator or towing business may impose and
205 collect the administrative fee or charge on behalf of the
206 municipality and shall remit such fee or charge to the
207 municipality only after it is collected.

208 Section 5. Subsection (4) of section 323.002, Florida
209 Statutes, is renumbered as subsection (6), and new subsections
210 (4) and (5) are added to that section to read:

211 323.002 County and municipal wrecker operator systems;
212 penalties for operation outside of system.—

213 (4) (a) Except as provided in paragraph (b), a county or
214 municipality may not adopt or maintain in effect an ordinance or
215 rule that imposes a charge, cost, expense, fine, fee, or penalty
216 on an authorized wrecker operator, the registered owner or other
217 legally authorized person in control of a vehicle or vessel, or
218 the lienholder of a vehicle or vessel when the vehicle or vessel
219 is towed by an authorized wrecker operator under this chapter.

220 (b) A county or municipality may adopt or maintain an
221 ordinance or rule that imposes a reasonable administrative fee
222 or charge on the registered owner or other legally authorized
223 person in control of a vehicle or vessel that is towed by an
224 authorized wrecker operator, not to exceed 25 percent of the
225 maximum towing rate, to cover the cost of enforcement, including

226 parking enforcement, by the county or municipality when the
227 vehicle or vessel is towed from public property. An authorized
228 wrecker operator or towing business may impose and collect the
229 administrative fee or charge on behalf of the county or
230 municipality and shall remit such fee or charge to the county or
231 municipality only after it is collected.

232 (c) A county or municipality may not enact an ordinance or
233 rule that requires an authorized wrecker operator to accept a
234 credit card as a form of payment. However, if an authorized
235 wrecker operator does not accept a credit card, the wrecker
236 operator must maintain an operable automatic teller machine for
237 use by the public at its place of business. This paragraph does
238 not apply to a county or municipality that adopted an ordinance
239 or rule before January 1, 2020, requiring an authorized wrecker
240 operator to accept a credit card as a form of payment.

241 (5) Subsection (4) does not apply to the towing or
242 immobilization licensing, regulatory, or enforcement program of
243 a charter county described in s. 125.01047(3) or (4). Such
244 charter county may impose a charge, cost, expense, fine, fee, or
245 penalty on an authorized wrecker operator in connection with a
246 violation of the towing or immobilization program requirements
247 as set forth by ordinance, resolution, or regulation.

248 Section 6. Subsections (2) and (6) of section 713.78,
249 Florida Statutes, are amended to read:

250 713.78 Liens for recovering, towing, or storing vehicles

251 and vessels.—

252 (2) Whenever a person regularly engaged in the business of
 253 transporting vehicles or vessels by wrecker, tow truck, or car
 254 carrier recovers, removes, or stores a vehicle or vessel upon
 255 instructions from:

256 (a) The owner thereof;

257 (b) The owner or lessor, or a person authorized by the
 258 owner or lessor, of property on which such vehicle or vessel is
 259 wrongfully parked, and the removal is done in compliance with s.
 260 715.07;

261 (c) The landlord or a person authorized by the landlord,
 262 when such motor vehicle or vessel remained on the premises after
 263 the tenancy terminated and the removal is done in compliance
 264 with s. 83.806 or s. 715.104; or

265 (d) Any law enforcement agency,

266
 267 she or he shall have a lien on the vehicle or vessel for a
 268 reasonable towing fee, for a reasonable administrative fee or
 269 charge imposed by a county or municipality, and for a reasonable
 270 storage fee; except that a ~~no~~ storage fee may not ~~shall~~ be
 271 charged if the vehicle or vessel is stored for fewer ~~less~~ than 6
 272 hours.

273 (6) A vehicle or vessel that is stored pursuant to
 274 subsection (2) and remains unclaimed, or for which reasonable
 275 charges for recovery, towing, or storing remain unpaid, and any

276 contents not released pursuant to subsection (10), may be sold
277 by the owner or operator of the storage space for such towing or
278 storage charge 35 days after the vehicle or vessel is stored by
279 the lienor if the vehicle or vessel is more than 3 years of age
280 or 50 days after the vehicle or vessel is stored by the lienor
281 if the vehicle or vessel is 3 years of age or less. The sale
282 shall be at public sale for cash. If the date of the sale was
283 not included in the notice required in subsection (4), notice of
284 the sale shall be given to the person in whose name the vehicle
285 or vessel is registered and to all persons claiming a lien on
286 the vehicle or vessel as shown on the records of the Department
287 of Highway Safety and Motor Vehicles or of any corresponding
288 agency in any other state in which the vehicle is identified
289 through a records check of the National Motor Vehicle Title
290 Information System or an equivalent commercially available
291 system as being titled. Notice of the sale must be sent by
292 certified mail. The notice must have clearly identified and
293 printed, if the claim of lien is for a motor vehicle, the last 8
294 digits of the vehicle identification number of the motor vehicle
295 subject to the lien, or, if the claim of lien is for a vessel,
296 the hull identification number of the vessel subject to the
297 lien, in the delivery address box and on the outside of the
298 envelope sent to the registered owner and all other persons
299 claiming an interest therein or lien thereon. The notice must be
300 sent to the owner of the vehicle or vessel and the person having

301 the recorded lien on the vehicle or vessel at the address shown
302 on the records of the registering agency at least 30 ~~15~~ days
303 before the sale of the vehicle or vessel. The notice must state
304 the name, physical address, and telephone number of the lienor,
305 and the vehicle identification number if the claim of lien is
306 for a vehicle or the hull identification number if the claim of
307 lien is for a vessel, all of which must also appear in the
308 return address section on the outside of the envelope containing
309 the notice of sale. After diligent search and inquiry, if the
310 name and address of the registered owner or the owner of the
311 recorded lien cannot be ascertained, the requirements of notice
312 by mail may be dispensed with. In addition to the notice by
313 mail, public notice of the time and place of sale shall be made
314 by publishing a notice thereof one time, at least 10 days before
315 the date of the sale, in a newspaper of general circulation in
316 the county in which the sale is to be held. The proceeds of the
317 sale, after payment of reasonable towing and storage charges,
318 and costs of the sale, in that order of priority, shall be
319 deposited with the clerk of the circuit court for the county if
320 the owner or lienholder is absent, and the clerk shall hold such
321 proceeds subject to the claim of the owner or lienholder legally
322 entitled thereto. The clerk shall be entitled to receive 5
323 percent of such proceeds for the care and disbursement thereof.
324 The certificate of title issued under this law shall be
325 discharged of all liens unless otherwise provided by court

326 order. The owner or lienholder may file a complaint after the
 327 vehicle or vessel has been sold in the county court of the
 328 county in which it is stored. Upon determining the respective
 329 rights of the parties, the court may award damages, attorney
 330 fees, and costs in favor of the prevailing party.

331 Section 7. Subsection (2) of section 715.07, Florida
 332 Statutes, is amended to read:

333 715.07 Vehicles or vessels parked on private property;
 334 towing.—

335 (2) The owner or lessee of real property, or any person
 336 authorized by the owner or lessee, which person may be the
 337 designated representative of the condominium association if the
 338 real property is a condominium, may cause any vehicle or vessel
 339 parked on such property without her or his permission to be
 340 removed by a person regularly engaged in the business of towing
 341 vehicles or vessels, without liability for the costs of removal,
 342 transportation, or storage or damages caused by such removal,
 343 transportation, or storage, under any of the following
 344 circumstances:

345 (a) The towing or removal of any vehicle or vessel from
 346 private property without the consent of the registered owner or
 347 other legally authorized person in control of that vehicle or
 348 vessel is subject to substantial ~~strict~~ compliance with the
 349 following conditions and restrictions:

350 1.a. Any towed or removed vehicle or vessel must be stored

351 at a site within a 10-mile radius of the point of removal in any
352 county of 500,000 population or more, and within a 15-mile
353 radius of the point of removal in any county of fewer ~~less~~ than
354 500,000 population. That site must be open for the purpose of
355 redemption of vehicles on any day that the person or firm towing
356 such vehicle or vessel is open for towing purposes, from 8:00
357 a.m. to 6:00 p.m., and, when closed, shall have prominently
358 posted a sign indicating a telephone number where the operator
359 of the site can be reached at all times. Upon receipt of a
360 telephoned request to open the site to redeem a vehicle or
361 vessel, the operator shall return to the site within 1 hour or
362 she or he will be in violation of this section.

363 b. If no towing business providing such service is located
364 within the area of towing limitations set forth in sub-
365 subparagraph a., the following limitations apply: any towed or
366 removed vehicle or vessel must be stored at a site within a 20-
367 mile radius of the point of removal in any county of 500,000
368 population or more, and within a 30-mile radius of the point of
369 removal in any county of fewer ~~less~~ than 500,000 population.

370 2. The person or firm towing or removing the vehicle or
371 vessel shall, within 30 minutes after completion of such towing
372 or removal, notify the municipal police department or, in an
373 unincorporated area, the sheriff, of such towing or removal, the
374 storage site, the time the vehicle or vessel was towed or
375 removed, and the make, model, color, and license plate number of

376 | the vehicle or description and registration number of the vessel
377 | and shall obtain the name of the person at that department to
378 | whom such information was reported and note that name on the
379 | trip record.

380 | 3. A person in the process of towing or removing a vehicle
381 | or vessel from the premises or parking lot in which the vehicle
382 | or vessel is not lawfully parked must stop when a person seeks
383 | the return of the vehicle or vessel. The vehicle or vessel must
384 | be returned upon the payment of a reasonable service fee of not
385 | more than one-half of the posted rate for the towing or removal
386 | service as provided in subparagraph 6. The vehicle or vessel may
387 | be towed or removed if, after a reasonable opportunity, the
388 | owner or legally authorized person in control of the vehicle or
389 | vessel is unable to pay the service fee. If the vehicle or
390 | vessel is redeemed, a detailed signed receipt must be given to
391 | the person redeeming the vehicle or vessel.

392 | 4. A person may not pay or accept money or other valuable
393 | consideration for the privilege of towing or removing vehicles
394 | or vessels from a particular location.

395 | 5. Except for property appurtenant to and obviously a part
396 | of a single-family residence, and except for instances when
397 | notice is personally given to the owner or other legally
398 | authorized person in control of the vehicle or vessel that the
399 | area in which that vehicle or vessel is parked is reserved or
400 | otherwise unavailable for unauthorized vehicles or vessels and

401 that the vehicle or vessel is subject to being removed at the
402 owner's or operator's expense, any property owner or lessee, or
403 person authorized by the property owner or lessee, before ~~prior~~
404 ~~to~~ towing or removing any vehicle or vessel from private
405 property without the consent of the owner or other legally
406 authorized person in control of that vehicle or vessel, must
407 post a notice meeting the following requirements:

408 a. The notice must be prominently placed at each driveway
409 access or curb cut allowing vehicular access to the property
410 within 10 ~~5~~ feet from the road, as defined in s. 334.03(22)
411 ~~public right-of-way line~~. If there are no curbs or access
412 barriers, the signs must be posted not fewer ~~less~~ than one sign
413 for each 25 feet of lot frontage.

414 b. The notice must clearly indicate, in not fewer ~~less~~
415 than 2-inch high, light-reflective letters on a contrasting
416 background, that unauthorized vehicles will be towed away at the
417 owner's expense. The words "tow-away zone" must be included on
418 the sign in not fewer ~~less~~ than 4-inch high letters.

419 c. The notice must also provide the name and current
420 telephone number of the person or firm towing or removing the
421 vehicles or vessels.

422 d. The sign structure containing the required notices must
423 be permanently installed with the words "tow-away zone" not
424 fewer ~~less~~ than 3 feet and not more than 6 feet above ground
425 level and must be continuously maintained on the property for

426 not fewer ~~less~~ than 24 hours before ~~prior to~~ the towing or
427 removal of any vehicles or vessels.

428 e. The local government may require permitting and
429 inspection of these signs before ~~prior to~~ any towing or removal
430 of vehicles or vessels being authorized.

431 f. A business with 20 or fewer parking spaces satisfies
432 the notice requirements of this subparagraph by prominently
433 displaying a sign stating "Reserved Parking for Customers Only
434 Unauthorized Vehicles or Vessels Will be Towed Away At the
435 Owner's Expense" in not fewer ~~less~~ than 4-inch high, light-
436 reflective letters on a contrasting background.

437 g. A property owner towing or removing vessels from real
438 property must post notice, consistent with the requirements in
439 sub-subparagraphs a.-f., which apply to vehicles, that
440 unauthorized vehicles or vessels will be towed away at the
441 owner's expense.

442
443 A business owner or lessee may authorize the removal of a
444 vehicle or vessel by a towing company when the vehicle or vessel
445 is parked in such a manner that restricts the normal operation
446 of business; and if a vehicle or vessel parked on a public
447 right-of-way obstructs access to a private driveway the owner,
448 lessee, or agent may have the vehicle or vessel removed by a
449 towing company upon signing an order that the vehicle or vessel
450 be removed without a posted tow-away zone sign.

451 6. Any person or firm that tows or removes vehicles or
452 vessels and proposes to require an owner, operator, or person in
453 control or custody of a vehicle or vessel to pay the costs of
454 towing and storage before ~~prior to~~ redemption of the vehicle or
455 vessel must file and keep on record with the local law
456 enforcement agency a complete copy of the current rates to be
457 charged for such services and post at the storage site an
458 identical rate schedule and any written contracts with property
459 owners, lessees, or persons in control of property which
460 authorize such person or firm to remove vehicles or vessels as
461 provided in this section.

462 7. Any person or firm towing or removing any vehicles or
463 vessels from private property without the consent of the owner
464 or other legally authorized person in control or custody of the
465 vehicles or vessels shall, on any trucks, wreckers as defined in
466 s. 713.78(1)(c), or other vehicles used in the towing or
467 removal, have the name, address, and telephone number of the
468 company performing such service clearly printed in contrasting
469 colors on the driver and passenger sides of the vehicle. The
470 name shall be in at least 3-inch permanently affixed letters,
471 and the address and telephone number shall be in at least 1-inch
472 permanently affixed letters.

473 8. Vehicle entry for the purpose of removing the vehicle
474 or vessel shall be allowed with reasonable care on the part of
475 the person or firm towing the vehicle or vessel. Such person or

476 firm shall be liable for any damage occasioned to the vehicle or
477 vessel if such entry is not in accordance with the standard of
478 reasonable care.

479 9. When a vehicle or vessel has been towed or removed
480 pursuant to this section, it must be released to its owner or
481 person in control or custody ~~custodian~~ within 1 ~~one~~ hour after
482 requested. Any vehicle or vessel owner or person in control or
483 custody ~~has agent shall have~~ the right to inspect the vehicle or
484 vessel before accepting its return, and no release or waiver of
485 any kind which would release the person or firm towing the
486 vehicle or vessel from liability for damages noted by the owner
487 or person in control or custody ~~other legally authorized person~~
488 at the time of the redemption may be required from any vehicle
489 or vessel owner or person in control or custody ~~, custodian, or~~
490 ~~agent~~ as a condition of release of the vehicle or vessel to its
491 owner or person in control or custody. A detailed, ~~signed~~
492 receipt showing the legal name of the company or person towing
493 or removing the vehicle or vessel must be given to the person
494 paying towing or storage charges at the time of payment, whether
495 requested or not.

496 (b) These requirements are minimum standards and do not
497 preclude enactment of additional regulations by any municipality
498 or county including the right to regulate rates when vehicles or
499 vessels are towed from private property, except that a county or
500 municipality may not enact an ordinance or rule that requires a

501 towing business to accept a credit card as a form of payment.
502 However, if a towing business does not accept a credit card, the
503 towing business must maintain an operable automatic teller
504 machine for use by the public at its place of business. This
505 paragraph does not apply to a county or municipality that
506 adopted an ordinance or rule before January 1, 2020, requiring a
507 towing business to accept a credit card as a form of payment.

508 Section 8. This act shall take effect October 1, 2020.