

1                   A bill to be entitled  
 2           An act relating to impounding motor vehicles; amending  
 3           s. 316.1935, F.S.; establishing procedures for  
 4           impounding motor vehicles involved in fleeing or  
 5           eluding a law enforcement officer; providing  
 6           conditions for releasing such an impounded motor  
 7           vehicle; providing for payment of impoundment costs  
 8           and fees; providing an effective date.

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

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 12           **Section 1. Subsection (7) of section 316.1935, Florida**  
 13 **Statutes, is amended, and subsection (8) is added to that**  
 14 **section, to read:**

15           316.1935 Fleeing or attempting to elude a law enforcement  
 16 officer; aggravated fleeing or eluding.—

17           (7) Any motor vehicle involved in a violation of this  
 18 section may be impounded for up to 30 business days. The  
 19 impounding agency shall make a diligent effort to notify the  
 20 registered owner of the impounded motor vehicle. The law  
 21 enforcement officer shall notify the department of any  
 22 impoundment for violation of this subsection in accordance with  
 23 procedures established by the department.

- 24           (a) The impounding agency must release a motor vehicle if:  
 25           1. The owner can establish that:

26 a. The owner was not operating the motor vehicle when the  
27 offense occurred because the motor vehicle was stolen at the  
28 time of the offense, as evidenced by a police report;

29 b. The family or household members, as defined in s.  
30 741.28, of the owner of the motor vehicle have no other means of  
31 transportation; or

32 c. The motor vehicle was, at the time of the violation, in  
33 the care, custody, or control of another person; and

34 2. The owner or the owner's agent presents a valid driver  
35 license at the time of pickup of the motor vehicle.

36 (b) In order to establish such facts, the owner of the  
37 motor vehicle shall provide the impounding agency an affidavit  
38 setting forth detailed information supporting one of the  
39 conditions set forth in subparagraph (a)1.

40 (c) All costs and fees for the impoundment must be paid by  
41 the owner of the motor vehicle or, if the motor vehicle is  
42 leased or rented, by the person leasing or renting the motor  
43 vehicle.

44 (8) Notwithstanding subsection (7), any motor vehicle  
45 involved in a violation of this section is deemed to be  
46 contraband, which may be seized by a law enforcement agency and  
47 is subject to forfeiture pursuant to ss. 932.701-932.704. Any  
48 vehicle not required to be titled under the laws of this state  
49 is presumed to be the property of the person in possession of  
50 the vehicle.

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**Section 2.** This act shall take effect July 1, 2025.