

By Senator Burgess

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A bill to be entitled
An act relating to the removal, storage, and cleanup
of electric vehicles; amending s. 125.0103, F.S.;
requiring counties to establish a daily administration
fee for the proper storage of certain electric
vehicles; providing a maximum amount for such fees;
providing applicability; defining the terms "daily
administration fee" and "proper storage"; amending s.
166.043, F.S.; authorizing municipalities to establish
a daily administration fee for the proper storage of
certain electric vehicles; providing a maximum amount
for such fees; providing applicability; defining the
terms "daily administration fee" and "proper storage";
creating s. 324.0222, F.S.; providing that motor
vehicle insurers are not required to pay certain
costs; amending s. 713.78, F.S.; providing that a
reasonable fee for service includes any daily
administration fee; providing an effective date.

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

Section 1. Present paragraph (d) of subsection (1) of
section 125.0103, Florida Statutes, is redesignated as paragraph
(e), and a new paragraph (d) is added to that subsection, to
read:

125.0103 Ordinances and rules imposing price controls.—

(1)

(d)1. Counties shall establish a daily administration fee
for the proper storage of electric vehicles, as defined in s.

23-00336A-26

2026260__

320.01(36), which have been involved in an accident. The daily administration fee for proper storage of an electric vehicle may be up to three times the amount established under paragraph (c) and shall apply in the event the electric vehicle owner or operator is incapacitated, is unavailable, leaves the procurement of wrecker service to the law enforcement officer at the scene, or otherwise does not consent to the removal of the electric vehicle. Such fee may not be charged unless the electric vehicle is properly stored as defined in this paragraph.

2. For purposes of this paragraph, the term:

a. "Daily administration fee" means a fee imposed by a wrecker service or towing-storage or wrecker operator for administrative costs for towing and storing a damaged electric vehicle after the cleanup of the accident scene and debris removal in order to provide proper storage of the damaged electric vehicle.

b. "Proper storage" means the damaged electric vehicle is separated from combustibles and structures by at least 50 feet on all sides or is surrounded by a barrier of earth, steel, concrete, or solid masonry.

Section 2. Present paragraph (d) of subsection (1) of section 166.043, Florida Statutes, is redesignated as paragraph (e), and a new paragraph (d) is added to that subsection, to read:

166.043 Ordinances and rules imposing price controls.—

(1)

(d)1. Municipalities may establish a daily administration fee for the proper storage of electric vehicles, as defined in

23-00336A-26

2026260__

s. 320.01(36), which have been involved in an accident. The daily administration fee for proper storage of an electric vehicle may be up to three times the amount established under paragraph (c) and shall apply in the event the electric vehicle owner or operator is incapacitated, is unavailable, leaves the procurement of wrecker service to the law enforcement officer at the scene, or otherwise does not consent to the removal of the electric vehicle. Such fee may not be charged unless the electric vehicle is properly stored as defined in this paragraph. If a municipality enacts an ordinance establishing a daily administration fee as defined in this paragraph, a county's ordinance establishing a daily administration fee under s. 125.0103(1)(d) does not apply within such municipality.

2. For purposes of this paragraph, the term:

a. "Daily administration fee" means a fee imposed by a wrecker service or towing-storage or wrecker operator for administrative costs for towing and storing a damaged electric vehicle after the cleanup of the accident scene and debris removal in order to provide proper storage of the damaged electric vehicle.

b. "Proper storage" means the damaged electric vehicle is separated from combustibles and structures by at least 50 feet on all sides or is surrounded by a barrier of earth, steel, concrete, or solid masonry.

Section 3. Section 324.0222, Florida Statutes, is created to read:

324.0222 Storage of electric vehicles; coverage.—Nothing in s. 125.0103 or s. 166.043 relating to the storage of electric vehicles requires a motor vehicle insurer to pay any costs

23-00336A-26

2026260__

88 beyond costs covered pursuant to a contract with its insured.

89 Section 4. Paragraph (a) of subsection (2) of section
90 713.78, Florida Statutes, is amended to read:

91 713.78 Liens for recovering, towing, or storing vehicles
92 and vessels.—

93 (2) (a) A towing-storage operator may charge the owner or
94 operator of a vehicle or vessel only the following fees for, or
95 incidental to, the recovery, removal, or storage of the vehicle
96 or vessel:

97 1. Any reasonable fee for service, including any daily
98 administration fee, specifically authorized under s. 125.0103 or
99 s. 166.043 by ordinance, resolution, regulation, or rule of the
100 county or municipality in which the service is performed.

101 2. Any reasonable fee for service specifically authorized
102 by the Division of Florida Highway Patrol of the Department of
103 Highway Safety and Motor Vehicles under s. 321.051(2).

104 3. Any reasonable fee for service as agreed upon in writing
105 between a towing-storage operator and the owner of a vehicle or
106 vessel.

107 4. Any lien release administrative fee as set forth in
108 paragraph (15) (a).

109 5. Any reasonable administrative fee or charge imposed by a
110 county or municipality pursuant to s. 125.01047, s. 166.04465,
111 or s. 323.002 upon the registered owner or other legally
112 authorized person in control of a vehicle or vessel.

113 Section 5. This act shall take effect July 1, 2026.