

By the Committee on Transportation; and Senator Burgess

596-02455-26

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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.

596-02455-26

2026260c1

30 320.01(36), which have been involved in a crash that results in
31 visible damage to the batteries or battery compartment, or when
32 the batteries or battery compartment have been submerged, for
33 any length of time, in salt water. The daily administration fee
34 for proper storage of an electric vehicle may be up to three
35 times the amount established under paragraph (c) and shall apply
36 in the event the electric vehicle owner or operator is
37 incapacitated, is unavailable, leaves the procurement of wrecker
38 service to the law enforcement officer at the scene, or
39 otherwise does not consent to the removal of the electric
40 vehicle. Such fee may not be charged unless the electric vehicle
41 is properly stored as defined in this paragraph.

42 2. For purposes of this paragraph, the term:

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

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

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

57 166.043 Ordinances and rules imposing price controls.—

58 (1)

596-02455-26

2026260c1

59 (d)1. Municipalities may establish a daily administration
60 fee for the proper storage of electric vehicles, as defined in
61 s. 320.01(36), which have been involved in a crash that results
62 in visible damage to the batteries or battery compartment, or
63 when the batteries or battery compartment have been submerged,
64 for any length of time, in salt water. The daily administration
65 fee for proper storage of an electric vehicle may be up to three
66 times the amount established under paragraph (c) and shall apply
67 in the event the electric vehicle owner or operator is
68 incapacitated, is unavailable, leaves the procurement of wrecker
69 service to the law enforcement officer at the scene, or
70 otherwise does not consent to the removal of the electric
71 vehicle. Such fee may not be charged unless the electric vehicle
72 is properly stored as defined in this paragraph. If a
73 municipality enacts an ordinance establishing a daily
74 administration fee as defined in this paragraph, a county's
75 ordinance establishing a daily administration fee under s.
76 125.0103(1) (d) does not apply within such municipality.

77 2. For purposes of this paragraph, the term:

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

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

596-02455-26

2026260c1

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

90 324.0222 Storage of electric vehicles; coverage.—Nothing in
91 s. 125.0103 or s. 166.043 relating to the storage of electric
92 vehicles requires a motor vehicle insurer to pay any costs
93 beyond costs covered pursuant to a contract with its insured.

94 Section 4. Paragraph (a) of subsection (2) of section
95 713.78, Florida Statutes, is amended to read:

96 713.78 Liens for recovering, towing, or storing vehicles
97 and vessels.—

98 (2) (a) A towing-storage operator may charge the owner or
99 operator of a vehicle or vessel only the following fees for, or
100 incidental to, the recovery, removal, or storage of the vehicle
101 or vessel:

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

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

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

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

114 5. Any reasonable administrative fee or charge imposed by a
115 county or municipality pursuant to s. 125.01047, s. 166.04465,
116 or s. 323.002 upon the registered owner or other legally

596-02455-26

2026260c1

117 authorized person in control of a vehicle or vessel.

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