

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.

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320.01(36), which have been involved in a crash that results in visible damage to the batteries or battery compartment, or when the batteries or battery compartment have been submerged, for any length of time, in salt water. 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 storing a damaged or submerged electric vehicle after the cleanup of the crash scene and debris removal in order to provide proper storage of the damaged or submerged 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)

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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.

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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 beyond costs covered pursuant to a contract with its insured.

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

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

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

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

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

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

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

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

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117 authorized person in control of a vehicle or vessel.

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