

By the Committees on Community Affairs; and Transportation; and Senator Burgess

578-02726A-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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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, and until the appropriate
34 local agency has inspected and verified that the damaged battery
35 is safe and not in danger of starting a fire. The daily
36 administration fee for proper storage of an electric vehicle may
37 be up to three times the amount established under paragraph (c)
38 and applies in the event that the electric vehicle owner or
39 operator is incapacitated, is unavailable, leaves the
40 procurement of wrecker service to the law enforcement officer at
41 the scene, or otherwise does not consent to the removal of the
42 electric vehicle. Such fee may not be charged unless the
43 electric vehicle is properly stored as defined in this
44 paragraph.

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

46 a. "Daily administration fee" means a fee imposed by a
47 wrecker service or towing-storage or wrecker operator for
48 administrative costs for storing a damaged or submerged electric
49 vehicle in order to provide proper storage of the damaged or
50 submerged electric vehicle.

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

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

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59 166.043 Ordinances and rules imposing price controls.—

60 (1)

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

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

82 a. "Daily administration fee" means a fee imposed by a
83 wrecker service or towing-storage or wrecker operator for
84 administrative costs for storing a damaged or submerged electric
85 vehicle in order to provide proper storage of the damaged or
86 submerged electric vehicle.

87 b. "Proper storage" means the damaged electric vehicle is

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88 separated from combustibles and structures by at least 50 feet
89 on all sides or is surrounded by a barrier of earth, steel,
90 concrete, or solid masonry.

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

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

97 Section 4. Paragraph (a) of subsection (2) of section
98 713.78, Florida Statutes, is amended to read:

99 713.78 Liens for recovering, towing, or storing vehicles
100 and vessels.—

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

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

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

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

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

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

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