

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

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1 A bill to be entitled
2 An act relating to the removal, storage, and cleanup
3 of electric vehicles; amending s. 125.0103, F.S.;
4 requiring counties to establish a daily administration
5 storage fee for the proper storage of certain electric
6 vehicles; providing a maximum amount for such fees;
7 providing applicability; defining the terms "daily
8 administration storage fee" and "proper storage";
9 requiring any wrecker service or towing-storage
10 wrecker or operator to collect and submit specific
11 data to the Division of State Fire Marshal relating to
12 stored damaged or submerged electric vehicles by a
13 specified date; requiring the State Fire Marshal to
14 create a form to submit such data; requiring the State
15 Fire Marshal to submit a report with specified
16 information to the Legislature by a specified date;
17 providing for an expiration; amending s. 166.043,
18 F.S.; authorizing municipalities to establish a daily
19 administration storage fee for the proper storage of
20 certain electric vehicles; providing a maximum amount
21 for such fees; providing applicability; defining the
22 terms "daily administration storage fee" and "proper
23 storage"; requiring any wrecker service or towing-
24 storage wrecker or operator to submit specific data to
25 the Division of State Fire Marshal relating to stored
26 damaged or submerged electric vehicles by a specified
27 date; requiring the State Fire Marshal to create a
28 form to submit such data; requiring the State Fire
29 Marshal to submit a report with specified information

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30 to the Legislature by a specified date; providing for
31 an expiration; creating s. 324.0222, F.S.; providing
32 that motor vehicle insurers are not required to pay
33 certain costs; amending s. 713.78, F.S.; providing
34 that a reasonable fee for service includes any daily
35 administration storage fee; providing an effective
36 date.

37
38 Be It Enacted by the Legislature of the State of Florida:

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

44 125.0103 Ordinances and rules imposing price controls.-

45 (1)

46 (d)1. Counties shall establish a daily administration
47 storage fee for the proper storage of electric vehicles, as
48 defined in s. 320.01(36), which have been involved in a crash
49 that results in visible damage to the batteries or battery
50 compartment, or when the batteries or battery compartment have
51 been submerged, for any length of time, in salt water, and until
52 the appropriate local agency has inspected and verified that the
53 damaged battery is safe and not in danger of starting a fire.
54 The daily administration storage fee for proper storage of an
55 electric vehicle may be up to three times the amount established
56 under paragraph (c) and applies in the event that the electric
57 vehicle owner or operator is incapacitated, is unavailable,
58 leaves the procurement of wrecker service to the law enforcement

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59 officer at the scene, or otherwise does not consent to the
60 removal of the electric vehicle. Such fee may not be charged
61 unless the electric vehicle is properly stored as defined in
62 this paragraph.

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

64 a. "Daily administration storage fee" means a fee imposed
65 by a wrecker service or towing-storage or wrecker operator for
66 administrative costs for storing a damaged or submerged electric
67 vehicle in order to provide proper storage of the damaged or
68 submerged electric vehicle.

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

73 (e)1. Beginning January 1, 2027, and ending December 31,
74 2028, a wrecker service or towing-storage wrecker or operator
75 shall collect and submit to the Division of State Fire Marshal
76 data relating to the storage of damaged or submerged electric
77 vehicles as described in subparagraph (d)1. The State Fire
78 Marshal shall create a form for such data, which must include,
79 but is not limited to, all of the following information:

80 a. The vehicle identification number.

81 b. A description of the damage to the electric vehicle.

82 c. The remaining percentage of battery charge, if known or
83 reasonably ascertainable.

84 d. The dates during which the electric vehicle was stored
85 by the wrecker service or towing-storage or wrecker operator.

86 e. Any fire-related incidents during the time the electric
87 vehicle was stored.

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88 f. Any other information deemed relevant by the State Fire
89 Marshal.

90 2. By March 1, 2029, the State Fire Marshal shall submit a
91 report to the President of the Senate and the Speaker of the
92 House of Representatives with a summary of the data received
93 pursuant to subparagraph 1. The report must assess the potential
94 threat of fire posed when storing an electric vehicle with
95 battery damage and make recommendations on the best practices to
96 reduce the threat of fire during such storage.

97 3. This paragraph expires on July 1, 2029.

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

102 166.043 Ordinances and rules imposing price controls.—

103 (1)

104 (d)1. Municipalities may establish a daily administration
105 storage fee for the proper storage of electric vehicles, as
106 defined in s. 320.01(36), which have been involved in a crash
107 that results in visible damage to the batteries or battery
108 compartment, or when the batteries or battery compartment have
109 been submerged, for any length of time, in salt water, and until
110 the appropriate local agency has inspected and verified that the
111 damaged battery is safe and not in danger of starting a fire.
112 The daily administration storage fee for proper storage of an
113 electric vehicle may be up to three times the amount established
114 under paragraph (c) and applies in the event that the electric
115 vehicle owner or operator is incapacitated, is unavailable,
116 leaves the procurement of wrecker service to the law enforcement

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117 officer at the scene, or otherwise does not consent to the
118 removal of the electric vehicle. Such fee may not be charged
119 unless the electric vehicle is properly stored as defined in
120 this paragraph. If a municipality enacts an ordinance
121 establishing a daily administration storage fee as defined in
122 this paragraph, a county's ordinance establishing a daily
123 administration storage fee under s. 125.0103(1)(d) does not
124 apply within such municipality.

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

126 a. "Daily administration storage fee" means a fee imposed
127 by a wrecker service or towing-storage or wrecker operator for
128 administrative costs for storing a damaged or submerged electric
129 vehicle in order to provide proper storage of the damaged or
130 submerged electric vehicle.

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

135 (e)1. Beginning January 1, 2027, and ending December 31,
136 2028, a wrecker service or towing-storage wrecker or operator
137 shall collect and submit to the Division of State Fire Marshal
138 data relating to the storage of damaged or submerged electric
139 vehicles as described in subparagraph (d)1. The State Fire
140 Marshal shall create a form for such data, which must include,
141 but is not limited to, all of the following information:

142 a. The vehicle identification number.

143 b. A description of the damage to the electric vehicle.

144 c. The remaining percentage of battery charge, if known or
145 reasonably ascertainable.

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146 d. The dates during which the electric vehicle was stored
147 by the wrecker service or towing-storage or wrecker operator.

148 e. Any fire-related incidents during the time the electric
149 vehicle was stored.

150 f. Any other information deemed relevant by the State Fire
151 Marshal.

152 2. By March 1, 2029, the State Fire Marshal shall submit a
153 report to the President of the Senate and the Speaker of the
154 House of Representatives with a summary of the data received
155 pursuant to subparagraph 1. The report must assess the potential
156 threat of fire posed when storing an electric vehicle with
157 battery damage and make recommendations on the best practices to
158 reduce the threat of fire during such storage.

159 3. This paragraph expires on July 1, 2029.

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

162 324.0222 Storage of electric vehicles; coverage.—Nothing in
163 s. 125.0103 or s. 166.043 relating to the storage of electric
164 vehicles requires a motor vehicle insurer to pay any costs
165 beyond costs covered pursuant to a contract with its insured.

166 Section 4. Paragraph (a) of subsection (2) of section
167 713.78, Florida Statutes, is amended to read:

168 713.78 Liens for recovering, towing, or storing vehicles
169 and vessels.—

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

174 1. Any reasonable fee for service, including any daily

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175 administration storage fee, specifically authorized under s.
176 125.0103 or s. 166.043 by ordinance, resolution, regulation, or
177 rule of the county or municipality in which the service is
178 performed.

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

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

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

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

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