A bill to be entitled

An act relating to the removal, storage, and cleanup of electric vehicles; amending ss. 125.0103 and 166.043, F.S.; prohibiting counties or municipalities from prohibiting a wrecker service or towing-storage or wrecker operator from charging a reasonable administrative fee for the storage of electric vehicles that have been involved in an accident; providing a maximum amount for such fees; providing a definition; creating s. 324.0222, F.S.; providing that motor vehicle insurers are not required to pay certain costs; amending s. 713.78, F.S.; authorizing a towing-storage or wrecker operator to charge a reasonable administrative fee for the storage of electric vehicles that have been involved in an accident; providing a maximum amount for such fees; providing a definition; providing an effective date.

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

Section 1. Paragraph (c) of subsection (1) of section 125.0103, Florida Statutes, is amended to read:

125.0103 Ordinances and rules imposing price controls.—

(1)

(c) Counties must establish maximum rates which may be

charged on the towing of vehicles or vessels from or immobilization of vehicles or vessels on private property or which may be charged for removal and storage of wrecked or disabled vehicles or vessels from an accident scene or for the removal and storage of vehicles or vessels, in the event the owner or operator is incapacitated, 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 vehicle or vessel. However, if a municipality chooses to enact an ordinance establishing the maximum rates for the towing or immobilization of vehicles or vessels as described in paragraph (b), the county's ordinance does not apply within such municipality.

(d) No county or municipality may prohibit a wrecker service or towing-storage or wrecker operator from charging a reasonable administrative fee for the storage of electric vehicles that have been involved in an accident in addition to fees specifically authorized in paragraph (c). Such administrative fee may not exceed $150. For purposes of this paragraph, the term "administrative fee" means any fee imposed by a wrecker service or towing-storage or wrecker operator for administrative costs added to the amount due for towing and storing the electric vehicle that are associated with and unique to the cleanup of the accident scene, debris removal, and additional costs related to storing that are specific to an

electric vehicle that has been in an accident.

Section 2. Paragraph (c) of subsection (1) of section 166.043, Florida Statutes, is amended to read:

166.043 Ordinances and rules imposing price controls.—

(1)

(c) Counties must establish maximum rates which may be charged on the towing of vehicles or vessels from or immobilization of vehicles or vessels on private property or which may be charged for removal and storage of wrecked or disabled vehicles or vessels from an accident scene or for the removal and storage of vehicles or vessels, in the event the owner or operator is incapacitated, 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 vehicle or vessel. However, if a municipality chooses to enact an ordinance establishing the maximum rates for the towing or immobilization of vehicles or vessels as described in paragraph (b), the county's ordinance established under s. 125.0103 does not apply within such municipality.

(d) No county or municipality may prohibit a wrecker service or towing-storage or wrecker operator from charging a reasonable administrative fee for the storage of electric vehicles that have been involved in an accident in addition to fees specifically authorized in paragraph (c). Such administrative fee may not exceed $150. For purposes of this

paragraph, the term "administrative fee" means any fee imposed by a wrecker service or towing-storage or wrecker operator for administrative costs added to the amount due for towing and storing the electric vehicle that are associated with and unique to the cleanup of the accident scene, debris removal, and additional costs related to storing that are specific to an electric vehicle that has been in an accident.

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

324.0222 Storage of electric vehicles; coverage.—

Nothing in ss. 125.0103, or 166.043, relating to the storage of electric vehicles, requires a motor vehicle insurer to pay any costs beyond what is covered pursuant to a contract with their insured.

Section 4. 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 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 authorized person in control of a vehicle or vessel.

6. Any reasonable administrative fee for the storage of electric vehicles that have been involved in an accident, which may be charged in addition to fees specifically authorized under s.125.0103 or s. 166.043. Such administrative fee may not exceed $150. For purposes of this paragraph, the term "administrative fee" means any fee imposed by a towing-storage or wrecker operator for administrative costs added to the amount due for towing and storing the electric vehicle that are associated with and unique to the cleanup of the accident scene, debris removal, and additional costs related to storing that are specific to an electric vehicle that has been in an accident.

Section 5. This act shall take effect July 1, 2025.