

1 A bill to be entitled
2 An act relating to towing and storage; amending ss.
3 125.0103 and 166.043, F.S.; requiring counties to
4 establish maximum rates for cleanup and disposal of
5 hazardous materials under certain circumstances;
6 authorizing municipalities to do the same; providing
7 applicability of county maximum rates when
8 municipality rates have been established; requiring
9 certain counties or municipalities to publish
10 specified rates on their websites and to establish a
11 specified process; applying specified rates
12 established by the Division of Florida Highway Patrol
13 to certain areas of the state; amending s. 321.051,
14 F.S.; requiring the Division of Florida Highway Patrol
15 to establish specified maximum rates; requiring the
16 Department of Highway Safety and Motor Vehicles to
17 publish such rates on its website; requiring the
18 department to establish a specified process; amending
19 s. 713.78, F.S.; defining terms; providing fees that a
20 towing-storage operator may charge to the owner or
21 operator of a vehicle or vessel; authorizing a lien on
22 a vehicle or vessel when it is towed under
23 instructions from a county or municipality; providing
24 that a lien can only be placed as a result of
25 specified fees; revising requirements for law

26 enforcement agencies and the Department of Highway
 27 Safety and Motor Vehicles relating to the removal of
 28 vehicles or vessels; revising requirements for notices
 29 of lien; revising requirements for towing-storage
 30 operators providing notice to public agencies of
 31 jurisdiction; revising the timeframe in which certain
 32 unclaimed vehicles or vessels may be sold; revising
 33 requirements for notices of sale; requiring an
 34 approved third-party service to publish public notices
 35 of sale and report certain information by specified
 36 means to the Department of Highway Safety and Motor
 37 Vehicles; providing the maximum fee that an approved
 38 third-party service may collect and retain for
 39 performing such functions; revising the number of days
 40 that a lienor may charge for vehicle or vessel storage
 41 under certain circumstances; revising provisions for
 42 permission to inspect and release a vehicle or vessel
 43 or release certain personal property; revising
 44 requirements for evidence of certain persons' interest
 45 in a vehicle or vessel; providing exceptions;
 46 providing when a vehicle, vessel, or certain personal
 47 property must be made available for inspection and
 48 release; revising criminal penalties; requiring a
 49 towing-storage operator to maintain certain records
 50 for at least a specified period of time; requiring

51 towing-storage operators to accept certain types of
 52 payment; prohibiting certain persons from being
 53 required to furnish more than one form of current
 54 government-issued photo identification for purposes of
 55 verifying their identity; requiring a towing-storage
 56 operator to maintain a rate sheet; providing
 57 requirements for such rate sheets; deeming certain
 58 charges unreasonable; requiring an itemized invoice
 59 for specified fees; providing requirements for such
 60 itemized invoice; requiring disclosure of such
 61 itemized invoice to specified persons with a certain
 62 time; making technical changes; amending s. 715.07,
 63 F.S.; conforming a cross-reference; providing an
 64 effective date.

65

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

67

68 Section 1. Paragraphs (b) and (c) of subsection (1) of
 69 section 125.0103, Florida Statutes, are amended, and paragraphs
 70 (d) and (e) are added to that section, to read:

71 125.0103 Ordinances and rules imposing price controls.—

72 (1)

73 (b) This section does not prevent the enactment by local
 74 governments of public service rates otherwise authorized by law,
 75 including water, sewer, solid waste, public transportation,

76 | taxicab, or port rates~~;~~ rates for towing of vehicles or vessels
 77 | from or immobilization of vehicles or vessels on private
 78 | property~~;~~ or rates for removal and storage of wrecked or
 79 | disabled vehicles or vessels from an accident scene or the
 80 | removal and storage of vehicles or vessels, in the event the
 81 | owner or operator is incapacitated, unavailable, leaves the
 82 | procurement of wrecker service to the law enforcement officer at
 83 | the scene, or otherwise does not consent to the removal of the
 84 | vehicle or vessel.

85 | (c) Counties must establish maximum rates which may be
 86 | charged on the towing of vehicles or vessels from or
 87 | immobilization of vehicles or vessels on private property~~;~~ or
 88 | which may be charged for removal and storage of wrecked or
 89 | disabled vehicles or vessels from an accident scene or for the
 90 | removal and storage of vehicles or vessels, in the event the
 91 | owner or operator is incapacitated, unavailable, leaves the
 92 | procurement of wrecker service to the law enforcement officer at
 93 | the scene, or otherwise does not consent to the removal of the
 94 | vehicle or vessel. However, if a municipality chooses to enact
 95 | an ordinance establishing the maximum rates for the towing or
 96 | immobilization of vehicles or vessels as described in paragraph
 97 | (b), the county's ordinance does not apply within such
 98 | municipality.

99 | (d) Counties must, and municipalities may, establish
 100 | maximum rates which may be charged for cleanup and disposal of

101 hazardous materials incidental to removal and storage of wrecked
 102 or disabled vehicles or vessels from an accident scene or the
 103 removal and storage of vehicles or vessels, in the event the
 104 owner or operator is incapacitated, unavailable, leaves the
 105 procurement of wrecker service to the law enforcement officer at
 106 the scene, or otherwise does not consent to the removal of the
 107 vehicle or vessel. If a municipality enacts an ordinance
 108 establishing maximum rates under this paragraph, the county's
 109 ordinance does not apply within such municipality.

110 (e) A county or municipality which has established maximum
 111 rates as described in paragraphs (c) or (d) must publish such
 112 rates on its website and must establish a process for
 113 investigating and resolving complaints regarding fees charged in
 114 excess of such maximum rates. In areas where no maximum rates as
 115 described in paragraphs (c) or (d) have been established, the
 116 maximum rates established by the Division of Florida Highway
 117 Patrol under s. 321.051(2) apply in such areas.

118 Section 2. Paragraphs (b) and (c) of subsection (1) of
 119 section 166.043, Florida Statutes, are amended, and paragraphs
 120 (d) and (e) are added to that section, to read:

121 166.043 Ordinances and rules imposing price controls.—

122 (1)

123 (c) Counties must establish maximum rates which may be
 124 charged on the towing of vehicles or vessels from or
 125 immobilization of vehicles or vessels on private property,

126 removal and storage of wrecked or disabled vehicles or vessels
 127 from an accident scene or for the removal and storage of
 128 vehicles or vessels, in the event the owner or operator is
 129 incapacitated, unavailable, leaves the procurement of wrecker
 130 service to the law enforcement officer at the scene, or
 131 otherwise does not consent to the removal of the vehicle or
 132 vessel. However, if a municipality chooses to enact an ordinance
 133 establishing the maximum rates for the towing or immobilization
 134 of vehicles or vessels as described in paragraph (b), the
 135 county's ordinance established under s. 125.0103 does not apply
 136 within such municipality. A county or municipality which has
 137 established maximum rates pursuant to this paragraph must
 138 publish such rates on its website. In areas where no maximum
 139 rates have been established pursuant to this section, the
 140 maximum rates established by the Division of Florida Highway
 141 Patrol pursuant to s. 321.051(2) apply in such areas.

142 Section 3. Subsection (2) of section 321.051, Florida
 143 Statutes, is amended to read:

144 321.051 Florida Highway Patrol wrecker operator system;
 145 penalties for operation outside of system.—

146 (2) The Division of Florida Highway Patrol of the
 147 Department of Highway Safety and Motor Vehicles is authorized to
 148 establish within areas designated by the patrol a wrecker
 149 operator system using qualified, reputable wrecker operators for
 150 removal and storage of wrecked or disabled vehicles from a crash

151 scene or for removal and storage of abandoned vehicles, in the
 152 event the owner or operator is incapacitated or unavailable or
 153 leaves the procurement of wrecker service to the officer at the
 154 scene. All reputable wrecker operators shall be eligible for use
 155 in the system provided their equipment and drivers meet
 156 recognized safety qualifications and mechanical standards set by
 157 rules of the Division of Florida Highway Patrol for the size of
 158 vehicle it is designed to handle. The division is authorized to
 159 limit the number of wrecker operators participating in the
 160 wrecker operator system, which authority shall not affect
 161 wrecker operators currently participating in the system
 162 established by this section. The division must ~~is authorized to~~
 163 establish maximum rates for the towing and storage of vehicles
 164 removed at the division's request, and for cleanup and disposal
 165 of hazardous materials incidental to towing of such vehicles,
 166 where such rates have not been set by a county or municipality
 167 pursuant to s. 125.0103 or s. 166.043. Such rates shall not be
 168 considered rules for the purpose of chapter 120; however, the
 169 department shall establish by rule a procedure for setting such
 170 rates. The department must publish on its website the maximum
 171 rates established under this subsection and must establish a
 172 process for investigating and resolving complaints regarding
 173 fees charged in excess of such maximum rates. Any provision in
 174 chapter 120 to the contrary notwithstanding, a final order of
 175 the department denying, suspending, or revoking a wrecker

176 operator's participation in the system shall be reviewable in
 177 the manner and within the time provided by the Florida Rules of
 178 Appellate Procedure only by a writ of certiorari issued by the
 179 circuit court in the county wherein such wrecker operator
 180 resides.

181 Section 4. Subsections (1), (2), and (4), paragraph (a) of
 182 subsection (5), subsections (6), (8), (9), and (10), paragraph
 183 (a) of subsection (11), paragraphs (a) and (d) of subsection
 184 (12), paragraphs (a), (b), and (d) of subsection (13), and
 185 subsection (17) of section 713.78, Florida Statutes, are
 186 amended, and subsections (18), (19), and (20) are added to that
 187 section, to read:

188 713.78 Liens for recovering, towing, or storing vehicles
 189 and vessels.—

190 (1) For the purposes of this section, the term:

191 (a)~~(e)~~ "Equivalent commercially available system" means a
 192 service that charges a fee to provide vehicle information and
 193 that at a minimum maintains records from those states
 194 participating in data sharing with the National Motor Vehicle
 195 Title Information System.

196 (b) "Good faith effort" means that all of the following
 197 checks have been performed by a towing-storage operator to
 198 establish the prior state of registration and title of a vehicle
 199 or vessel that has been towed or stored by the towing-storage
 200 operator:

201 1. A check of the department's database for the owner and
 202 any lienholder.

203 2. A check of the electronic National Motor Vehicle Title
 204 Information System or an equivalent commercially available
 205 system to determine the state of registration when there is not
 206 a current registration record for the vehicle or vessel on file
 207 with the department.

208 3. A check of the vehicle or vessel for any type of tag,
 209 tag record, temporary tag, or regular tag.

210 4. A check of the law enforcement report for a tag number
 211 or other information identifying the vehicle or vessel, if the
 212 vehicle or vessel was towed at the request of a law enforcement
 213 officer.

214 5. A check of the trip sheet or tow ticket of the tow
 215 truck operator to determine whether a tag was on the vehicle or
 216 vessel at the beginning of the tow, if a private tow.

217 6. If there is no address of the owner on the impound
 218 report, a check of the law enforcement report to determine
 219 whether an out-of-state address is indicated from driver license
 220 information.

221 7. A check of the vehicle or vessel for an inspection
 222 sticker or other stickers and decals that may indicate a state
 223 of possible registration.

224 8. A check of the interior of the vehicle or vessel for
 225 any papers that may be in the glove box, trunk, or other areas

226 for a state of registration.

227 9. A check of the vehicle for a vehicle identification
 228 number.

229 10. A check of the vessel for a vessel registration
 230 number.

231 11. A check of the vessel hull for a hull identification
 232 number which should be carved, burned, stamped, embossed, or
 233 otherwise permanently affixed to the outboard side of the
 234 transom or, if there is no transom, to the outmost seaboard side
 235 at the end of the hull that bears the rudder or other steering
 236 mechanism.

237 (c)-(d) "National Motor Vehicle Title Information System"
 238 means the federally authorized electronic National Motor Vehicle
 239 Title Information System.

240 (d) "Newer model" means a vehicle or vessel which is 3
 241 model years old, beginning with the model year of the vehicle or
 242 vessel as year one, or less.

243 (e) "Older model" means a vehicle or vessel which is more
 244 than 3 model years old, beginning with the model year of the
 245 vehicle or vessel as year one.

246 (f) "Towing-storage operator" means a person who regularly
 247 engages in the business of transporting vehicles or vessels by
 248 wrecker, tow truck, or car carrier, or storing such vehicles or
 249 vessels.

250 (g)-(a) "Vehicle" means any mobile item, whether motorized

251 or not, which is mounted on wheels.

252 (h)~~(b)~~ "Vessel" means every description of watercraft,
 253 barge, and airboat used or capable of being used as a means of
 254 transportation on water, other than a seaplane or a "documented
 255 vessel" as defined in s. 327.02.

256 (i)~~(e)~~ "Wrecker" means any truck or other vehicle that
 257 ~~which~~ is used to tow, carry, or otherwise transport ~~motor~~
 258 vehicles or vessels upon the streets and highways of this state
 259 and ~~which~~ is equipped for that purpose with a boom, winch, car
 260 carrier, or other similar equipment.

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

265 1. Any reasonable fee for service specifically authorized
 266 pursuant to s. 125.0103 or s. 166.043 by ordinance, resolution,
 267 regulation, or rule of the county or municipality in which the
 268 service is performed.

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

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

275 4. Any lien release administrative fee as set forth in

276 paragraph (15) (a) .

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

281 (b) If a towing-storage operator ~~person regularly engaged~~
 282 ~~in the business of transporting vehicles or vessels by wrecker,~~
 283 ~~tow truck, or car carrier~~ recovers, removes, or stores a vehicle
 284 or vessel upon instructions from:

285 1.(a) The owner thereof;

286 2.(b) The owner or lessor, or a person authorized by the
 287 owner or lessor, of property on which such vehicle or vessel is
 288 wrongfully parked, and the removal is done in compliance with s.
 289 715.07;

290 3.(c) The landlord or a person authorized by the landlord,
 291 when such ~~motor~~ vehicle or vessel remained on the premises after
 292 the tenancy terminated and the removal is done in compliance
 293 with s. 83.806 or s. 715.104; or

294 4.(d) Any law enforcement agency, county, or municipality,

295
 296 she or he has ~~shall have~~ a lien on the vehicle or vessel for
 297 fees specified in paragraph (a) ~~a reasonable towing fee, for a~~
 298 ~~reasonable administrative fee or charge imposed by a county or~~
 299 ~~municipality, and for a reasonable storage fee;~~ except that a
 300 storage fee may not be charged if the vehicle or vessel is

301 stored for less ~~fewer~~ than 6 hours, and a storage fee may not be
 302 charged for any storage prior to the towing-storage operator
 303 submitting the vehicle or vessel information to an approved
 304 third-party service in order for the third-party service to
 305 transmit notices as required by subsection (16).

306 (4) (a) A towing-storage operator ~~person regularly engaged~~
 307 ~~in the business of recovering, towing, or storing vehicles or~~
 308 ~~vessels~~ who comes into possession of a vehicle or vessel
 309 pursuant to paragraph (2) (b) ~~subsection (2)~~, and who claims a
 310 lien for recovery, towing, or storage services, must ~~shall~~ give
 311 notice, by certified mail, pursuant to subsection (16), to the
 312 registered owner, the insurance company insuring the vehicle
 313 notwithstanding s. 627.736, and all persons claiming a lien
 314 thereon, as disclosed by the records in the Department of
 315 Highway Safety and Motor Vehicles or as disclosed by the records
 316 of any corresponding agency in any other state in which the
 317 vehicle is identified through a records check of the National
 318 Motor Vehicle Title Information System or an equivalent
 319 commercially available system as being titled or registered.

320 (b) When ~~Whenever~~ a law enforcement agency authorizes the
 321 removal of a vehicle or vessel or ~~whenever~~ a towing service,
 322 garage, repair shop, or automotive service, storage, or parking
 323 place notifies the law enforcement agency of possession of a
 324 vehicle or vessel pursuant to s. 715.07(2) (a)2., if an approved
 325 third-party service cannot obtain the vehicle's or vessel's

326 owner, lienholder, and insurer information or last state of
327 record pursuant to subsection (16), then the person in charge of
328 the towing service, garage, repair shop, or automotive service,
329 storage, or parking place must request such information from the
330 law enforcement agency of the jurisdiction where the vehicle or
331 vessel is stored. The law enforcement agency to which the
332 request was made must ~~shall~~ contact the Department of Highway
333 Safety and Motor Vehicles, or the appropriate agency of the
334 state of registration, if known, within 24 hours through the
335 medium of electronic communications, giving the full description
336 of the vehicle or vessel. Upon receipt of the full description
337 of the vehicle or vessel, the department ~~must~~ ~~shall~~ search its
338 files to determine the owner's name, the insurance company
339 insuring the vehicle or vessel, and whether any person has filed
340 a lien upon the vehicle or vessel as provided in s. 319.27(2)
341 and (3) and notify the applicable law enforcement agency within
342 72 hours. The person in charge of the towing service, garage,
343 repair shop, or automotive service, storage, or parking place
344 must request ~~shall obtain~~ such information from the applicable
345 law enforcement agency within 5 days after the date of storage
346 and must provide the information to the approved third-party
347 service in order to transmit notices as required by subsection
348 (16) ~~shall give notice pursuant to paragraph (a).~~ The department
349 may release the insurance company information to the requestor
350 notwithstanding s. 627.736.

351 (c) The notice of lien must be sent by an approved third-
 352 party service by certified mail to the registered owner, the
 353 insurance company insuring the vehicle notwithstanding s.
 354 627.736, and all other persons claiming a lien thereon within 5
 355 7 business days, excluding a Saturday, and Sunday, or federal
 356 legal holiday, after the date of storage of the vehicle or
 357 vessel. ~~However, in no event shall the notice of lien be sent~~
 358 ~~less than 30 days before the sale of the vehicle or vessel.~~ The
 359 notice must state all of the following:

360 1. If the claim of lien is for a vehicle, the last 8
 361 digits of the vehicle identification number of the vehicle
 362 subject to the lien, or, if the claim of lien is for a vessel,
 363 the hull identification number of the vessel subject to the
 364 lien, clearly printed in the delivery address box and on the
 365 outside of the envelope sent to the registered owner and all
 366 other persons claiming an interest in ~~therein~~ or lien on the
 367 vehicle or vessel ~~thereon~~.

368 2. The name, physical address, and telephone number of the
 369 lienor, and the entity name, as registered with the Division of
 370 Corporations, of the business where the towing and storage
 371 occurred, which must also appear on the outside of the envelope
 372 sent to the registered owner and all other persons claiming an
 373 interest in or lien on the vehicle or vessel.

374 3. The fact of possession of the vehicle or vessel.

375 4. The name of the person or entity that authorized the

376 | lienor to take possession of the vehicle or vessel.

377 | 5. That a lien as provided in paragraph (2)(b) ~~subsection~~
 378 | ~~(2)~~ is claimed.

379 | 6. That charges have accrued and include an itemized
 380 | statement of the amount thereof.

381 | 7. That the lien is subject to enforcement under law and
 382 | that the owner or lienholder, if any, has the right to a hearing
 383 | as set forth in subsection (5).

384 | 8. That any vehicle or vessel that remains unclaimed, or
 385 | for which the charges for recovery, towing, or storage services
 386 | remain unpaid, may be sold free of all prior liens 35 days after
 387 | the vehicle or vessel is stored by the lienor if the vehicle or
 388 | vessel is an older model ~~more than 3 years of age~~ or 60 ~~50~~ days
 389 | after the vehicle or vessel is stored by the lienor if the
 390 | vehicle or vessel is a newer model ~~3 years of age or less~~.

391 | 9. The address at which the vehicle or vessel is
 392 | physically located.

393 | (d) The notice of lien may not be sent to the registered
 394 | owner, the insurance company insuring the vehicle or vessel, and
 395 | all other persons claiming a lien thereon less than 30 days
 396 | before the sale of a the vehicle or vessel that is an older
 397 | model or less than 60 days before the sale of a vehicle or
 398 | vessel that is a newer model.

399 | (e) If attempts to locate the name and address of the
 400 | owner or lienholder are ~~prove~~ unsuccessful, 5 ~~the towing-storage~~

401 ~~operator shall, after 7~~ business days, excluding a Saturday, and
402 Sunday, or federal legal holiday, after the initial tow or
403 storage, the towing-storage operator must notify the public
404 agency of jurisdiction where the vehicle or vessel is stored in
405 writing by certified mail or receipt-acknowledged electronic
406 delivery ~~acknowledged hand delivery~~ that the towing-storage
407 company has been unable to locate the name and address of the
408 owner or lienholder and a physical search of the vehicle or
409 vessel has disclosed no ownership information and a good faith
410 effort has been made, including records checks of the Department
411 of Highway Safety and Motor Vehicles database and the National
412 Motor Vehicle Title Information System or an equivalent
413 commercially available system. ~~For purposes of this paragraph~~
414 ~~and subsection (9), the term "good faith effort" means that the~~
415 ~~following checks have been performed by the company to establish~~
416 ~~the prior state of registration and for title:~~

- 417 ~~1. A check of the department's database for the owner and~~
418 ~~any lienholder.~~
- 419 ~~2. A check of the electronic National Motor Vehicle Title~~
420 ~~Information System or an equivalent commercially available~~
421 ~~system to determine the state of registration when there is not~~
422 ~~a current registration record for the vehicle or vessel on file~~
423 ~~with the department.~~
- 424 ~~3. A check of the vehicle or vessel for any type of tag,~~
425 ~~tag record, temporary tag, or regular tag.~~

426 ~~4. A check of the law enforcement report for a tag number~~
 427 ~~or other information identifying the vehicle or vessel, if the~~
 428 ~~vehicle or vessel was towed at the request of a law enforcement~~
 429 ~~officer.~~

430 ~~5. A check of the trip sheet or tow ticket of the tow~~
 431 ~~truck operator to determine whether a tag was on the vehicle or~~
 432 ~~vessel at the beginning of the tow, if a private tow.~~

433 ~~6. If there is no address of the owner on the impound~~
 434 ~~report, a check of the law enforcement report to determine~~
 435 ~~whether an out-of-state address is indicated from driver license~~
 436 ~~information.~~

437 ~~7. A check of the vehicle or vessel for an inspection~~
 438 ~~sticker or other stickers and decals that may indicate a state~~
 439 ~~of possible registration.~~

440 ~~8. A check of the interior of the vehicle or vessel for~~
 441 ~~any papers that may be in the glove box, trunk, or other areas~~
 442 ~~for a state of registration.~~

443 ~~9. A check of the vehicle for a vehicle identification~~
 444 ~~number.~~

445 ~~10. A check of the vessel for a vessel registration~~
 446 ~~number.~~

447 ~~11. A check of the vessel hull for a hull identification~~
 448 ~~number which should be carved, burned, stamped, embossed, or~~
 449 ~~otherwise permanently affixed to the outboard side of the~~
 450 ~~transom or, if there is no transom, to the outmost seaboard side~~

451 ~~at the end of the hull that bears the rudder or other steering~~
 452 ~~mechanism.~~

453 (5) (a) The owner of a vehicle or vessel removed pursuant
 454 to paragraph (2) (b) ~~subsection (2)~~, or any person claiming a
 455 lien, other than the towing-storage operator, within 10 days
 456 after the time she or he has knowledge of the location of the
 457 vehicle or vessel, may file a complaint in the county court of
 458 the county in which the vehicle or vessel is stored to determine
 459 whether her or his property was wrongfully taken or withheld.

460 (6) A vehicle or vessel that is stored pursuant to
 461 paragraph (2) (b) ~~subsection (2)~~ and remains unclaimed, or for
 462 which reasonable charges for recovery, towing, or storing remain
 463 unpaid, and any contents not released pursuant to subsection
 464 (10), may be sold by the owner or operator of the storage space
 465 for such towing or storage charge 35 days after the vehicle or
 466 vessel is stored by the lienor if the vehicle or vessel is an
 467 older model ~~more than 3 years of age~~ or 55 ~~50~~ days after the
 468 vehicle or vessel is stored by the lienor if the vehicle or
 469 vessel is a newer model ~~3 years of age or less~~. The sale must
 470 ~~shall~~ be at public sale for cash. If the date of the sale was
 471 not included in the notice required in subsection (4), notice of
 472 the sale must ~~shall~~ be given to the person in whose name the
 473 vehicle or vessel is registered and to all persons claiming a
 474 lien on the vehicle or vessel as shown on the records of the
 475 Department of Highway Safety and Motor Vehicles or of any

476 | corresponding agency in any other state in which the vehicle is
 477 | identified through a records check of the National Motor Vehicle
 478 | Title Information System or an equivalent commercially available
 479 | system as being titled. Notice of the sale must be sent by
 480 | certified mail to the registered owner of the vehicle or vessel,
 481 | the insurance company insuring the vehicle or vessel, and the
 482 | person having the recorded lien on the vehicle or vessel at the
 483 | address shown on the records of the registering agency at least
 484 | 30 days before the sale of the vehicle or vessel. ~~The notice~~
 485 | ~~must have clearly identified and printed, if the claim of lien~~
 486 | ~~is for a motor vehicle,~~ The last 8 digits of the vehicle
 487 | identification number of the ~~motor~~ vehicle subject to the lien,
 488 | or, if the claim of lien is for a vessel, the hull
 489 | identification number of the vessel subject to the lien, must be
 490 | clearly identified and printed in the delivery address box and
 491 | on the outside of the envelope sent to the registered owner and
 492 | all other persons claiming an interest in ~~therein~~ or lien on the
 493 | vehicle or vessel ~~thereon.~~ ~~The notice must be sent to the owner~~
 494 | ~~of the vehicle or vessel and the person having the recorded lien~~
 495 | ~~on the vehicle or vessel at the address shown on the records of~~
 496 | ~~the registering agency at least 30 days before the sale of the~~
 497 | ~~vehicle or vessel.~~ The notice must state the name, physical
 498 | address, and telephone number of the lienor, and the vehicle
 499 | identification number if the claim of lien is for a vehicle or
 500 | the hull identification number if the claim of lien is for a

501 vessel, all of which must also appear in the return address
 502 section on the outside of the envelope containing the notice of
 503 sale. After diligent search and inquiry, if the name and address
 504 of the registered owner or the owner of the recorded lien cannot
 505 be ascertained, the requirements of notice by mail may be
 506 dispensed with. In addition to the notice by mail, public notice
 507 of the time and place of sale must ~~shall~~ be made by publishing a
 508 notice thereof one time, at least 20 ~~10~~ days before the date of
 509 the sale, on the publicly available website maintained by an
 510 approved third-party service. The third-party service must
 511 electronically report to the Department of Highway Safety and
 512 Motor Vehicles, via an electronic data exchange process using a
 513 web interface, the name, physical address, and telephone number
 514 of the lienor; the time and place of sale; the vehicle's plate
 515 number, if known; the vehicle identification number, if the
 516 claim of lien is for a vehicle, or the hull identification
 517 number, if the claim of lien is for a vessel; and the amount due
 518 for towing, recovery, storage, and administrative fees. The
 519 third-party service that publishes the public notice of sale and
 520 electronically reports the required information to the
 521 department may collect and retain a service charge of no more
 522 than \$1.00 in a newspaper of general circulation in the county
 523 ~~in which the sale is to be held.~~ The proceeds of the sale, after
 524 payment of reasonable towing and storage charges, and costs of
 525 the sale, in that order of priority, must ~~shall~~ be deposited

526 with the clerk of the circuit court for the county if the owner
527 or lienholder is absent, and the clerk must ~~shall~~ hold such
528 proceeds subject to the claim of the owner or lienholder legally
529 entitled thereto. The clerk is ~~shall be~~ entitled to receive 5
530 percent of such proceeds for the care and disbursement thereof.
531 The certificate of title issued under this section must ~~this law~~
532 ~~shall~~ be discharged of all liens unless otherwise provided by
533 court order. The owner or lienholder may file a complaint after
534 the vehicle or vessel has been sold in the county court of the
535 county in which it is stored. Upon determining the respective
536 rights of the parties, the court may award damages, attorney
537 fees, and costs in favor of the prevailing party.

538 (8) A towing-storage operator ~~person regularly engaged in~~
539 ~~the business of recovering, towing, or storing vehicles or~~
540 ~~vessels~~, except a person licensed under chapter 493 while
541 engaged in "repossession" activities as defined in s. 493.6101,
542 may not operate a wrecker, tow truck, or car carrier unless the
543 name, address, and telephone number of the company performing
544 the service is clearly printed in contrasting colors on the
545 driver and passenger sides of its vehicle. The name must be in
546 at least 3-inch permanently affixed letters, and the address and
547 telephone number must be in at least 1-inch permanently affixed
548 letters.

549 (9) Failure to make good faith efforts to comply with the
550 notice requirements of this section precludes the imposition of

551 any storage charges against the vehicle or vessel. If a lienor
 552 fails to provide notice to a person claiming a lien on a vehicle
 553 or vessel in accordance with subsection (4), the lienor may not
 554 charge the person for more than 4 7 days of storage, but such
 555 failure does not affect charges made for towing the vehicle or
 556 vessel or the priority of liens on the vehicle or vessel.

557 (10) A towing-storage operator must ~~Persons who provide~~
 558 ~~services pursuant to this section shall~~ permit vehicle or vessel
 559 owners, lienholders, insurance company representatives, or their
 560 agents, whose interest in the vehicle or vessel is evidenced by
 561 documents pursuant to subsection (17) ~~which agency is evidenced~~
 562 ~~by an original writing acknowledged by the owner before a notary~~
 563 ~~public or other person empowered by law to administer oaths,~~ to
 564 inspect the towed vehicle or vessel and must ~~shall~~ release to
 565 the owner, lienholder, or agent the vehicle, vessel, or all
 566 personal property not affixed to the vehicle or vessel which was
 567 in the vehicle or vessel at the time the vehicle or vessel came
 568 into the custody of the towing-storage operator. The inspection
 569 and release of the vehicle, vessel, or personal property must be
 570 permitted within one hour after arrival of the owner,
 571 lienholder, insurance company representative, or their agent,
 572 during normal business hours at the site where the vehicle or
 573 vessel is stored. Notwithstanding sub-paragraph (17)(a)5., a
 574 rental vehicle or vessel agreement is not evidence that the
 575 person who rented a vehicle or vessel is an agent of the rental

576 vehicle or vessel owner for the purpose of releasing the vehicle
 577 or vessel. However, a towing-storage operator must release to
 578 the renter of a rental vehicle or vessel all personal property
 579 of the renter not affixed to the vehicle or vessel within one
 580 hour after arrival ~~person providing such services.~~

581 (11) (a) A towing-storage operator ~~Any person regularly~~
 582 ~~engaged in the business of recovering, towing, or storing~~
 583 ~~vehicles or vessels~~ who comes into possession of a vehicle or
 584 vessel pursuant to paragraph (2) (b) ~~subsection (2)~~ and who has
 585 complied with ~~the provisions of~~ subsections (4) ~~(3)~~ and (6),
 586 when such vehicle or vessel is to be sold for purposes of being
 587 dismantled, destroyed, or changed in such manner that it is not
 588 the ~~motor~~ vehicle or vessel described in the certificate of
 589 title, must ~~shall~~ report the vehicle to the National Motor
 590 Vehicle Title Information System and apply to the Department of
 591 Highway Safety and Motor Vehicles for a certificate of
 592 destruction. A certificate of destruction, which authorizes the
 593 dismantling or destruction of the vehicle or vessel described
 594 therein, is ~~shall be~~ reassignable a maximum of two times before
 595 dismantling or destruction of the vehicle is ~~shall be~~ required,
 596 and must ~~shall~~ accompany the vehicle or vessel for which it is
 597 issued, when such vehicle or vessel is sold for such purposes,
 598 in lieu of a certificate of title. The application for a
 599 certificate of destruction must include proof of reporting to
 600 the National Motor Vehicle Title Information System and an

601 affidavit from the applicant that she or he ~~it~~ has complied with
 602 all applicable requirements of this section and, if the vehicle
 603 or vessel is not registered in this state or any other state, by
 604 a statement from a law enforcement officer that the vehicle or
 605 vessel is not reported stolen, and must ~~shall~~ be accompanied by
 606 such documentation as may be required by the department.

607 (12) (a) Any person who violates ~~any provision of~~
 608 ~~subsection (1),~~ subsection (2), subsection (4), subsection (5),
 609 subsection (6), or subsection (7) is guilty of a misdemeanor of
 610 the first degree, punishable as provided in s. 775.082 or s.
 611 775.083.

612 (d) Employees of the Department of Highway Safety and
 613 Motor Vehicles and law enforcement officers are authorized to
 614 inspect the records of a towing-storage operator ~~any person~~
 615 ~~regularly engaged in the business of recovering, towing, or~~
 616 ~~storing vehicles or vessels or transporting vehicles or vessels~~
 617 ~~by wrecker, tow truck, or car carrier,~~ to ensure compliance with
 618 the requirements of this section. A towing-storage operator ~~Any~~
 619 ~~person~~ who fails to maintain records, or fails to produce
 620 records when required in a reasonable manner and at a reasonable
 621 time, commits a misdemeanor of the first degree, punishable as
 622 provided in s. 775.082 or s. 775.083.

623 (13) (a) Upon receipt by the Department of Highway Safety
 624 and Motor Vehicles of written notice from a wrecker operator who
 625 claims a wrecker operator's lien under subparagraph (2) (b) 4.

626 ~~paragraph (2)(d)~~ for recovery, towing, or storage of an
627 abandoned vehicle or vessel upon instructions from any law
628 enforcement agency, for which a certificate of destruction has
629 been issued under subsection (11) and the vehicle has been
630 reported to the National Motor Vehicle Title Information System,
631 the department shall place the name of the registered owner of
632 that vehicle or vessel on the list of those persons who may not
633 be issued a license plate or revalidation sticker for any motor
634 vehicle under s. 320.03(8). If the vehicle or vessel is owned
635 jointly by more than one person, the name of each registered
636 owner must ~~shall~~ be placed on the list. The notice of wrecker
637 operator's lien must ~~shall~~ be submitted on forms provided by the
638 department and, ~~which must~~ include all of the following:

639 1. The name, address, and telephone number of the wrecker
640 operator.

641 2. The name of the registered owner of the vehicle or
642 vessel and the address to which the wrecker operator provided
643 notice of the lien to the registered owner under subsection (4).

644 3. A general description of the vehicle or vessel,
645 including its color, make, model, body style, and year.

646 4. The vehicle identification number (VIN); registration
647 license plate number, state, and year; validation decal number,
648 state, and year; vessel registration number; hull identification
649 number; or other identification number, as applicable.

650 5. The name of the person or the corresponding law

651 enforcement agency that requested that the vehicle or vessel be
652 recovered, towed, or stored.

653 6. The amount of the wrecker operator's lien, not to
654 exceed the amount allowed by paragraph (b).

655 (b) For purposes of this subsection only, the amount of
656 the wrecker operator's lien for which the department will
657 prevent issuance of a license plate or revalidation sticker may
658 not exceed the amount of the charges for recovery, towing, and
659 storage of the vehicle or vessel for 7 days. These charges may
660 not exceed the maximum rates imposed by the ordinances of the
661 respective county or municipality under ss. 125.0103(1)(c) and
662 166.043(1)(c). This paragraph does not limit the amount of a
663 wrecker operator's lien claimed under paragraph (2)(b)
664 ~~subsection (2)~~ or prevent a wrecker operator from seeking civil
665 remedies for enforcement of the entire amount of the lien, but
666 limits only that portion of the lien for which the department
667 will prevent issuance of a license plate or revalidation
668 sticker.

669 (d) Upon discharge of the amount of the wrecker operator's
670 lien allowed by paragraph (b), the wrecker operator must issue a
671 certificate of discharged wrecker operator's lien on forms
672 provided by the department to each registered owner of the
673 vehicle or vessel attesting that the amount of the wrecker
674 operator's lien allowed by paragraph (b) has been discharged.
675 Upon presentation of the certificate of discharged wrecker

676 operator's lien by the registered owner, the department must
 677 ~~shall~~ immediately remove the registered owner's name from the
 678 list of those persons who may not be issued a license plate or
 679 revalidation sticker for any motor vehicle under s. 320.03(8),
 680 thereby allowing issuance of a license plate or revalidation
 681 sticker. Issuance of a certificate of discharged wrecker
 682 operator's lien under this paragraph does not discharge the
 683 entire amount of the wrecker operator's lien claimed under
 684 paragraph (2)(b) ~~subsection (2)~~, but only certifies to the
 685 department that the amount of the wrecker operator's lien
 686 allowed by paragraph (b), for which the department will prevent
 687 issuance of a license plate or revalidation sticker, has been
 688 discharged.

689 (17) (a) A towing-storage operator must accept an original
 690 or a copy of any of the following documents as evidence of a
 691 person's interest in a vehicle or vessel:

692 1. An electronic title;

693 2. A paper title;

694 3. A contract between a lender and the owner of the
 695 vehicle or vessel;

696 4. A contract between a lessor and the lessee of the
 697 vehicle or vessel;

698 5. A written agreement evidencing that the person is an
 699 agent of the vehicle or vessel owner, lienholder, or insurance
 700 company.

701 (b) A towing-storage operator may not require any
 702 documents listed in paragraph (a) to be notarized.

703 (c) Presenting one form of current government-issued photo
 704 identification constitutes sufficient identity verification for
 705 the purposes of this section. A lienor must accept either a copy
 706 of an electronic title or a paper title as evidence of a
 707 person's interest in a vehicle or vessel.

708 (18) A towing-storage operator must retain for 3 years
 709 records produced for all vehicles or vessels recovered, towed,
 710 stored, or released. Such records must include at least all of
 711 the following:

712 (a) All notice publications and certified mailings.

713 (b) The purchase price of any unclaimed vehicle or vessel
 714 sold.

715 (c) The names and addresses of persons to which vehicles
 716 or vessels were released.

717 (d) The names and addresses of vehicle or vessel
 718 purchasers.

719 (e) All fees imposed under this section, including the
 720 itemized invoice required by paragraph (20) (c).

721 (19) (a) A towing-storage operator must accept payment for
 722 accrued charges from an authorized person listed in subsection
 723 (10) in any form from at least two of the following
 724 subparagraphs:

725 1. Cash, cashier's check, money order, or traveler's

726 check.

727 2. Bank, debit, or credit card.

728 3. Mobile payment service, digital wallet, or other

729 electronic payment system.

730 (b) Any of the authorized persons listed in subsection

731 (10) are not required to furnish more than one form of current

732 government-issued photo identification when payment is made in

733 any of the forms listed in paragraph (a).

734 (20) (a) A towing-storage operator must maintain a rate

735 sheet listing all fees for, or incidental to, the recovery,

736 removal, or storage of a vehicle or vessel and must:

737 1. Post the rate sheet at its place of business;

738 2. Make the rate sheet available upon request of a vehicle

739 or vessel owner, lienholder, insurance company, or their agent;

740 3. Prior to attaching a vehicle or vessel to a wrecker,

741 furnish the rate sheet to the vehicle or vessel owner or

742 operator, if the owner or operator is present at the scene of

743 the disabled vehicle or vessel; and

744 4. File and keep on record with the local law enforcement

745 agency a complete copy of the current rates to be charged for

746 such services.

747 (b) Any fee charged in excess of those listed on the rate

748 sheet required under this subsection is deemed unreasonable.

749 (c) An itemized invoice of actual fees charged by a

750 towing-storage operator for a completed tow must be produced and

751 be available to the vehicle or vessel owner, lienholder,
 752 insurance company, or their agent no later than one business day
 753 after:

- 754 1. The tow is completed; or
- 755 2. The towing-storage operator has obtained all necessary
 756 information to be included on the invoice, including any charges
 757 submitted by subcontractors used by the towing-storage operator
 758 to complete the tow and recovery.

759 (d) The itemized invoice required under subsection (c)
 760 must contain all of the following information:

- 761 1. The date and time the vehicle or vessel was towed;
- 762 2. The location to which the vehicle or vessel was towed;
- 763 3. The name, address, and telephone number of the towing-
 764 storage operator;
- 765 4. A description of the towed vehicle or vessel, including
 766 the color, make, model, model year, and vehicle identification
 767 number of the vehicle or hull identification number of the
 768 vessel;
- 769 5. The license plate number and state of registration for
 770 the towed vehicle or vessel;
- 771 6. The cost of the initial towing service;
- 772 7. The cost of any storage fees, expressed as a daily
 773 rate;
- 774 8. Other fees, including administrative fees, vehicle or
 775 vessel search fees, fees for hazardous material and non-

776 hazardous material cleanup, and fees for labor; and

777 9. A list of the services that were performed under a
 778 warranty or that were otherwise performed at no cost to the
 779 owner of the vehicle or vessel.

780 (e) Any service performed or fee charged in addition to
 781 those described in sub-paragraphs (20) (d)6. or 7. must be set
 782 forth on the itemized invoice required by paragraph (c)
 783 individually as a single line item that includes an explanation
 784 and the exact amount charged for the service or the exact amount
 785 of the fee.

786 (f) A towing-storage operator must make the itemized
 787 invoice required by paragraph (c) available for inspection and
 788 copying no later than 48 hours after receiving a written request
 789 for inspection from:

- 790 1. A law enforcement agency;
- 791 2. The Attorney General;
- 792 3. A city attorney, county attorney, or the prosecuting
 793 attorney having jurisdiction in the location of any of the
 794 towing-storage operator's business locations;
- 795 4. The vehicle or vessel owner, lienholder, insurance
 796 company, or their agent; or
- 797 5. If the vehicle or vessel was involved in a collision,
 798 any individual involved in the underlying collision or the
 799 individual's insurance company.

800 Section 5. Paragraph (a) of subsection (2) of section

801 715.07, Florida Statutes, is amended to read:

802 715.07 Vehicles or vessels parked on private property;
 803 towing.—

804 (2) The owner or lessee of real property, or any person
 805 authorized by the owner or lessee, which person may be the
 806 designated representative of the condominium association if the
 807 real property is a condominium, may cause any vehicle or vessel
 808 parked on such property without her or his permission to be
 809 removed by a person regularly engaged in the business of towing
 810 vehicles or vessels, without liability for the costs of removal,
 811 transportation, or storage or damages caused by such removal,
 812 transportation, or storage, under any of the following
 813 circumstances:

814 (a) The towing or removal of any vehicle or vessel from
 815 private property without the consent of the registered owner or
 816 other legally authorized person in control of that vehicle or
 817 vessel is subject to substantial compliance with the following
 818 conditions and restrictions:

819 1.a. Any towed or removed vehicle or vessel must be stored
 820 at a site within a 10-mile radius of the point of removal in any
 821 county of 500,000 population or more, and within a 15-mile
 822 radius of the point of removal in any county of fewer than
 823 500,000 population. That site must be open for the purpose of
 824 redemption of vehicles on any day that the person or firm towing
 825 such vehicle or vessel is open for towing purposes, from 8:00

826 a.m. to 6:00 p.m., and, when closed, shall have prominently
 827 posted a sign indicating a telephone number where the operator
 828 of the site can be reached at all times. Upon receipt of a
 829 telephoned request to open the site to redeem a vehicle or
 830 vessel, the operator shall return to the site within 1 hour or
 831 she or he will be in violation of this section.

832 b. If no towing business providing such service is located
 833 within the area of towing limitations set forth in sub-
 834 subparagraph a., the following limitations apply: any towed or
 835 removed vehicle or vessel must be stored at a site within a 20-
 836 mile radius of the point of removal in any county of 500,000
 837 population or more, and within a 30-mile radius of the point of
 838 removal in any county of fewer than 500,000 population.

839 2. The person or firm towing or removing the vehicle or
 840 vessel shall, within 30 minutes after completion of such towing
 841 or removal, notify the municipal police department or, in an
 842 unincorporated area, the sheriff, of such towing or removal, the
 843 storage site, the time the vehicle or vessel was towed or
 844 removed, and the make, model, color, and license plate number of
 845 the vehicle or description and registration number of the vessel
 846 and shall obtain the name of the person at that department to
 847 whom such information was reported and note that name on the
 848 trip record.

849 3. A person in the process of towing or removing a vehicle
 850 or vessel from the premises or parking lot in which the vehicle

851 or vessel is not lawfully parked must stop when a person seeks
852 the return of the vehicle or vessel. The vehicle or vessel must
853 be returned upon the payment of a reasonable service fee of not
854 more than one-half of the posted rate for the towing or removal
855 service as provided in subparagraph 6. The vehicle or vessel may
856 be towed or removed if, after a reasonable opportunity, the
857 owner or legally authorized person in control of the vehicle or
858 vessel is unable to pay the service fee. If the vehicle or
859 vessel is redeemed, a detailed signed receipt must be given to
860 the person redeeming the vehicle or vessel.

861 4. A person may not pay or accept money or other valuable
862 consideration for the privilege of towing or removing vehicles
863 or vessels from a particular location.

864 5. Except for property appurtenant to and obviously a part
865 of a single-family residence, and except for instances when
866 notice is personally given to the owner or other legally
867 authorized person in control of the vehicle or vessel that the
868 area in which that vehicle or vessel is parked is reserved or
869 otherwise unavailable for unauthorized vehicles or vessels and
870 that the vehicle or vessel is subject to being removed at the
871 owner's or operator's expense, any property owner or lessee, or
872 person authorized by the property owner or lessee, before towing
873 or removing any vehicle or vessel from private property without
874 the consent of the owner or other legally authorized person in
875 control of that vehicle or vessel, must post a notice meeting

876 the following requirements:

877 a. The notice must be prominently placed at each driveway
878 access or curb cut allowing vehicular access to the property
879 within 10 feet from the road, as defined in s. 334.03(22). If
880 there are no curbs or access barriers, the signs must be posted
881 not fewer than one sign for each 25 feet of lot frontage.

882 b. The notice must clearly indicate, in not fewer than 2-
883 inch high, light-reflective letters on a contrasting background,
884 that unauthorized vehicles will be towed away at the owner's
885 expense. The words "tow-away zone" must be included on the sign
886 in not fewer than 4-inch high letters.

887 c. The notice must also provide the name and current
888 telephone number of the person or firm towing or removing the
889 vehicles or vessels.

890 d. The sign structure containing the required notices must
891 be permanently installed with the words "tow-away zone" not
892 fewer than 3 feet and not more than 6 feet above ground level
893 and must be continuously maintained on the property for not
894 fewer than 24 hours before the towing or removal of any vehicles
895 or vessels.

896 e. The local government may require permitting and
897 inspection of these signs before any towing or removal of
898 vehicles or vessels being authorized.

899 f. A business with 20 or fewer parking spaces satisfies
900 the notice requirements of this subparagraph by prominently

901 displaying a sign stating "Reserved Parking for Customers Only
 902 Unauthorized Vehicles or Vessels Will be Towed Away At the
 903 Owner's Expense" in not fewer than 4-inch high, light-reflective
 904 letters on a contrasting background.

905 g. A property owner towing or removing vessels from real
 906 property must post notice, consistent with the requirements in
 907 sub-subparagraphs a.-f., which apply to vehicles, that
 908 unauthorized vehicles or vessels will be towed away at the
 909 owner's expense.

910
 911 A business owner or lessee may authorize the removal of a
 912 vehicle or vessel by a towing company when the vehicle or vessel
 913 is parked in such a manner that restricts the normal operation
 914 of business; and if a vehicle or vessel parked on a public
 915 right-of-way obstructs access to a private driveway the owner,
 916 lessee, or agent may have the vehicle or vessel removed by a
 917 towing company upon signing an order that the vehicle or vessel
 918 be removed without a posted tow-away zone sign.

919 6. Any person or firm that tows or removes vehicles or
 920 vessels and proposes to require an owner, operator, or person in
 921 control or custody of a vehicle or vessel to pay the costs of
 922 towing and storage before redemption of the vehicle or vessel
 923 must file and keep on record with the local law enforcement
 924 agency a complete copy of the current rates to be charged for
 925 such services and post at the storage site an identical rate

926 | schedule and any written contracts with property owners,
927 | lessees, or persons in control of property which authorize such
928 | person or firm to remove vehicles or vessels as provided in this
929 | section.

930 | 7. Any person or firm towing or removing any vehicles or
931 | vessels from private property without the consent of the owner
932 | or other legally authorized person in control or custody of the
933 | vehicles or vessels shall, on any trucks, wreckers as defined in
934 | s. 713.78(1) ~~s. 713.78(1)(c)~~, or other vehicles used in the
935 | towing or removal, have the name, address, and telephone number
936 | of the company performing such service clearly printed in
937 | contrasting colors on the driver and passenger sides of the
938 | vehicle. The name shall be in at least 3-inch permanently
939 | affixed letters, and the address and telephone number shall be
940 | in at least 1-inch permanently affixed letters.

941 | 8. Vehicle entry for the purpose of removing the vehicle
942 | or vessel shall be allowed with reasonable care on the part of
943 | the person or firm towing the vehicle or vessel. Such person or
944 | firm shall be liable for any damage occasioned to the vehicle or
945 | vessel if such entry is not in accordance with the standard of
946 | reasonable care.

947 | 9. When a vehicle or vessel has been towed or removed
948 | pursuant to this section, it must be released to its owner or
949 | person in control or custody within 1 hour after requested. Any
950 | vehicle or vessel owner or person in control or custody has the

951 right to inspect the vehicle or vessel before accepting its
952 return, and no release or waiver of any kind which would release
953 the person or firm towing the vehicle or vessel from liability
954 for damages noted by the owner or person in control or custody
955 at the time of the redemption may be required from any vehicle
956 or vessel owner or person in control or custody as a condition
957 of release of the vehicle or vessel to its owner or person in
958 control or custody. A detailed receipt showing the legal name of
959 the company or person towing or removing the vehicle or vessel
960 must be given to the person paying towing or storage charges at
961 the time of payment, whether requested or not.

962 Section 6. This act shall take effect July 1, 2024.