

## AGENDA ITEM SUMMARY

Department: Department of Public Safety  
Submitted By: Department of Public Safety  
Submitted For: Division of Consumer Affairs

**Motion and Title: Staff recommends motion to adopt:** a Resolution of the Board of County Commissioners (BCC) of Palm Beach County, Florida establishing a new schedule of maximum rates for non-consent towing and immobilization services, fees and fines; establishing minimum insurance limits; and repealing and replacing Resolution No. R2022-0886, relating to Chapter 19, article VIII, Sections 19-181-19-209 of the Palm Beach County Code (the Towing and Immobilization Services Ordinance).

**Summary:** The Towing and Immobilization Services Ordinance provides that the BCC shall establish certain licensing fees, fines, and maximum rates by resolution. This Resolution adjusts the 2026 maximum towing and storage rates using the Consumer Price Index for all Urban Consumers (CPI) as published by the U.S Bureau of Labor Statistics each calendar year and establishes a new research fee allowing towing companies to recover actual documented costs incurred in processing and administering individual tows within the first 24 hours. The most recent Resolution-based fee adjustment was in 2022 for private property impound tows, storage, and after-hours gate fee. Police-directed tows also received an adjustment for increasing operational costs. Annual rate adjustment language for non-consent towing, storage, and immobilization services using the CPI was incorporated into the Ordinance with a requirement to be reviewed by the BCC every five (5) years. Revenue is decreasing while expenditures are increasing in the tow fund. Currently, three (3) full-time employees (FTEs) administer the towing program. It is necessary to increase fees the industry is charged. The fee changes are identified in the proposed fee schedule, including the following: Immobilization Business Permit; Non-consent Towing Business Permit; Towing Vehicle Decal Fee; Towing Business Late Fees for 1 – 30 days, 31 – 60 days, 61 – 365 days; Tow Truck Driver Identification Badge; and Tow Vehicle Decal Replacement Fee. **Countywide (RS)**

**Background and Policy Issues:** The Towing and Immobilization Ordinance has been in place in Palm Beach County since 1992. In 1999, the United States Court of Appeals for the Eleventh (11<sup>th</sup> ) Circuit severely limited the regulation of the towing industry by state/local governments. A subsequent class-action lawsuit by towing companies resulted in Palm Beach County not regulating the towing industry at all and agreeing to a maximum rates only Ordinance. In 2002, the Supreme Court of the United States overruled the 11<sup>th</sup> Circuit's decision, making it possible for local jurisdictions to again regulate towing companies. The Towing and Immobilization Ordinance was rewritten and approved by the BCC in 2005. In 2010, 2014, and 2022 the BCC approved numerous adjustments to the Ordinance.

- 1) Proposed Resolution
- 2) Current Resolution R2022-0886
- 3) Current Maximum Non-Consent Towing Rates Comparison Table

Recommended By:  8/18/26  
Department Director Date

Approved By:  8/18/26  
Deputy County Administrator Date

## II. FISCAL IMPACT ANALYSIS

### A. Five Year Summary of Fiscal Impact

| Fiscal Years            | <u>2026</u> | <u>2027</u> | <u>2028</u> | <u>2029</u> | <u>2030</u> |
|-------------------------|-------------|-------------|-------------|-------------|-------------|
| Personal Services       |             |             |             |             |             |
| Operating Expenses      |             |             |             |             |             |
| Capital Outlay          |             |             |             |             |             |
| External Revenues       |             | (86,000)    | (86,000)    | (86,000)    | (86,000)    |
| Program Income (County) |             |             |             |             |             |
| In-Kind Match (County)  |             |             |             |             |             |
| Net Fiscal Impact       |             | *(86,000)   | (86,000)    | (86,000)    | (86,000)    |

# ADDITIONAL FTE

|                               |          |          |          |          |          |
|-------------------------------|----------|----------|----------|----------|----------|
| <b>POSITIONS (Cumulative)</b> | <u>0</u> | <u>0</u> | <u>0</u> | <u>0</u> | <u>0</u> |
|-------------------------------|----------|----------|----------|----------|----------|

Is Item Included In Proposed Budget? Yes X No       

Is this item using Federal Funds? Yes        No X

Is this item using State Funds? Yes        No X

**Budget Account Exp No: Fund \_ Dept. Unit \_ Obj. \_ Prog.**  
**Rev No: Fund 1429 Dept.660 Unit 6240 Rev. 2900 Prog.**

**B. Recommended Sources of Funds/Summary of Fiscal Impact:**

**Fund: Regulation of Towing Business**

Unit: Regulation of Towing Business

\*The estimated increase in revenue is based on the proposed fee adjustments, as well as the number of vehicles towed. There revenue for reinspection fees, cancellation fees, Administrative Appeal Filing Fee, and reactivation fees are indeterminable as these have not been previously charged and will depend on when the incidents occur.

C. Departmental Fiscal Review: NAH 8/18/06

### III. REVIEW COMMENTS

**A. OFMB Fiscal and/or Contract Dev. and Control Comments:**

3/4/2008  
 OFMB
 
 J. ...  
 3/11/08

Brenda Znachko  
Contract Dev. And Control  
26 8.26.26

### B. Legal Sufficiency:

 8/4/2026  
Assistant County Attorney

**C. Other Department Review:**

**Department Director**

**This summary is not to be used as a basis for payment.**

**RESOLUTION NO. R-2026-\_\_\_\_\_**

**A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA; ESTABLISHING A NEW SCHEDULE OF MAXIMUM RATES FOR NON-CONSENT TOWING SERVICES, FEES AND FINES; ESTABLISHING MINIMUM COMMERCIAL INSURANCE LIMITS FOR EACH INSURANCE TYPE; AND REPEALING AND REPLACING RESOLUTION NO. R-2022-0886, RELATING TO THE TOW TRUCK ORDINANCE OF PALM BEACH COUNTY, FLORIDA, AS CODIFIED IN THE PALM BEACH COUNTY CODE OF ORDINANCES.**

**WHEREAS**, numerous persons and firms in Palm Beach County engage in the business of performing immobilizing, towing and recovery of motorized vehicles; and

**WHEREAS**, chapter 19, article VIII, sections 19-181—19-208 of the Palm Beach County Code (the “Towing and Immobilization Services Ordinance”), regulates the business of immobilizing, towing and storage services in Palm Beach County for the protection of the public; and

**WHEREAS**, the Towing and Immobilization Services Ordinance regulates the maximum rates towing and immobilization companies shall charge consumers for non-consent tows and immobilization services and provides that such rates shall be established by resolution of the Board of County Commissioners (BCC); and

**WHEREAS**, pursuant to section 125.0103(1)(c), Florida Statutes the county shall establish maximum rates for the immobilization of vehicles, towing of vehicles or vessels from private property, removal and storage of wrecked or disabled vehicles or vessels from an accident scene or for the removal and storage of vehicles in the event the owner is incapacitated, unavailable, or otherwise does not consent to the removal of the vehicle or vessel; and

**WHEREAS**, it is and in the best interest of Palm Beach County, its citizens and its visitors to regulate the maximum rates charged for immobilization and non-consent towing services including associated fees such as mileage, storage, drop charges, extra time at scene, under water recovery, hazardous material clean up, after-hours gate access, administrative, research, credit card convenience fees, and other such fees; and

**WHEREAS**, the Towing and Immobilization Services Ordinance provides for the payment of operating permit application fees, vehicle decal fees, and other fees; and

**WHEREAS**, the Towing and Immobilization Services Ordinance requires a schedule

of fines for violations; and

**WHEREAS**, the BCC desires to revise the current schedule of fees and fines relating to the Towing and Immobilization Services Ordinance; and

**WHEREAS**, the Towing and Immobilization Services Ordinance provides that it shall be unlawful for any immobilization or tow truck company to operate without maintaining specific types of commercial insurance and that the BCC shall established the minimum insurance limits for each insurance type by resolution.

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, that:**

- A) The Palm Beach County Towing and Immobilization Services Ordinance schedule for fees, fines, and insurance applicable to the business of towing and storage is hereby adopted as referenced in the chart entitled “Exhibit “A” – Palm Beach County Towing and Immobilization Services Ordinance - Schedule of Maximum Rates for Immobilization and Non-Consent Tows, Fees and Fines, and Minimum Commercial Insurance Limit Requirements” attached hereto and incorporated herein by reference.
- B) Resolution No. R-2022-0886, previously adopted regarding the fees, fines, and maximum rates for services related to non-consent towing and recovery charged by towing and storage companies and establishing minimum insurance levels, is hereby repealed and replaced.

The foregoing Resolution was offered by Commissioner \_\_\_\_\_ who moved its adoption. The motion was seconded by Commissioner \_\_\_\_\_, and upon being put to a vote, the vote was as follows:

|                               |       |
|-------------------------------|-------|
| SARA BAXTER, MAYOR            | _____ |
| MARCI WOODWARD, VICE MAYOR    | _____ |
| COMMISSIONER MARIA G. MARINO  | _____ |
| COMMISSIONER GREGG K. WEISS   | _____ |
| COMMISSIONER JOEL G. FLORES   | _____ |
| COMMISSIONER MARIA SACHS      | _____ |
| COMMISSIONER BOBBY POWELL JR. | _____ |

The Mayor thereupon declared the Resolution duly passed and adopted this 15<sup>th</sup> day of September 2026.

PALM BEACH COUNTY, FLORIDA,  
BY ITS BOARD OF COUNTY COMMISSIONERS

Shannon Ramsey-Chessman,  
Clerk Ad Interim of the Circuit Court & Comptroller,  
Palm Beach County

By: \_\_\_\_\_  
Deputy Clerk

APPROVED AS TO FORM AND  
LEGAL SUFFICIENCY

By:  \_\_\_\_\_  
Assistant County Attorney

**Exhibit “A” – Palm Beach County Towing Ordinance - Schedule of Maximum Rates (Non-Consent Tows), Fees and Fines, and Minimum Commercial Insurance Limit Requirements**

**Section I. Schedule of Maximum Rates (Non-Consent Tows)**

| Rate Type                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | Proposed                                            |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------|
| <b>Private Property Impound Tow</b><br>Class A<br>Class B<br>Class C<br>Class D<br>No other fees may be imposed for the first 24 hours the vehicle is in the care, custody and control of the towing operator, except: a) applicable storage fees may be charged after the proper police authority has been notified and the vehicle has been in the possession of the towing operator for at least 6 hours and b) “extra time at scene” when a law enforcement agency is called/involved and when the officers name and badge number and detailed explanation is provided. | FLAT<br>RATES:<br>\$151<br>\$266<br>\$377<br>\$377  |
| <b>Police Directed Tow</b><br>Class A<br>Class B<br>Class C – applies to non-commercial vehicles only<br>Class D – applies to non-commercial vehicles only                                                                                                                                                                                                                                                                                                                                                                                                                  | \$188<br>\$279<br>\$416<br>\$597                    |
| <b>Per mile fee for Police Directed Tow</b><br>Class A<br>Class B<br>Class C<br>Class D                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | \$7.50<br>\$8.50<br>\$10.00<br>\$12.50              |
| <b>Daily outdoor storage – vehicles 25’ or less after first 6 hours</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | \$31                                                |
| <b>Daily outdoor storage – vehicles longer than 25’ after first 6 hours</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | \$43                                                |
| <b>Daily outdoor storage – motorcycles, ATVs, scooters, other small personal vehicles after first 6 hours.</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                              | \$19                                                |
| <b>*Daily indoor storage – vehicles 25’ or less after first 6 hours.</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    | \$43                                                |
| <b>*Daily indoor storage – vehicles longer than 25’ after first 6 hours.</b> Applies to non-commercial vehicles only.                                                                                                                                                                                                                                                                                                                                                                                                                                                       | \$61                                                |
| <b>*Daily indoor storage - motorcycles, ATVs, scooters, other small personal vehicles after first 6 hours.</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                              | \$24                                                |
| <b>Drop Charge</b> - When the vehicle/vessel owner or authorized driver / agent arrives at the scene prior to the vehicle/vessel being removed or towed from the property, the vehicle/vessel shall be disconnected from the tow truck and the vehicle/vessel owner or authorized driver/agent shall be allowed to remove the                                                                                                                                                                                                                                               | one-half of the posted rate for such towing service |

| Rate Type                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | Proposed                                            |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------|
| vehicle/vessel without interference upon payment of a reasonable service fee of not more than one-half of the posted rate for such towing service.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |                                                     |
| <b>Administrative Fee</b> – After six (6) hours and upon of completion of initial ownership and lienholder research of the statutory lien process pursuant to Florida Statute 713.78(1).                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | \$50                                                |
| <b>Research Fee</b> – May be charged when the tow company providing the service must actually perform research to determine ownership of a vehicle to notify the vehicle owner, lienholders, and insurance companies. Written documentation of the efforts undertaken to ascertain ownership of the vehicle must be made available for inspection by the County upon request. Costs shall mean actual fees charged for obtaining ownership information and shall include the cost of actual postage fees, advertising fees (if more than a single vehicle is advertised in the same advertisement, then the cost of the advertisement shall be prorated per vehicle), and title search for out-of-state vehicles. Proof of all costs incurred by the tow company must be made available for inspection by the County upon request. | Actual costs incurred not to exceed \$200.          |
| <b>After Hour Gate Fee</b> – may not be applied between the hours of 7 a.m. and 6 p.m. Monday through Friday (excluding federal holidays) and not for 6 hour after a vehicle has been impounded all other times when:<br><b>a.</b> Impounded vehicles/vessel are recovered by the owner or authorized driver/agent; or<br><b>b.</b> The owner or authorized driver/agent wishes to recover property from an impounded vehicle/vessel.                                                                                                                                                                                                                                                                                                                                                                                              | \$39                                                |
| <b>Extra Time at Scene</b> - First one-half hour to be included in the initial cost per call. Charges are 15 minute intervals. All extra time/labor shall be documented by the tow truck operator and shall include the name of the law enforcement agency and law enforcement agency case number or the officer's name and badge number. The documentation shall also include a detailed explanation of the services rendered which necessitated the charges and if possible photographs of the scene.                                                                                                                                                                                                                                                                                                                            | 25% of applicable towing fee in 15 minute intervals |
| <b>Underwater Recovery</b> - Performed by a certified/ professional diver with the written documentation and approval by investigating law enforcement / agency officer.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | \$100 plus cost per hour (port-to-port)             |

| Rate Type                                                                                                                                                                                                                          | Proposed                        |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------|
| <b>Hazardous material clean-up</b> and disposal as required, mandated and/or licensed through state or local laws and approved by the investigating law enforcement agency/officer.                                                | Towing company prevailing rates |
| <b>Credit Card Convenience Fee</b> – fee that may be assessed and added to an invoice, if a credit card is used for the transaction. <i>The fee is intended to offset the cost associated with accepting credit card payments.</i> | Not more than 3% of the invoice |

| <b>Rate Type</b>                                                                                                                        | <b>2026</b> | <b>Proposed</b> |
|-----------------------------------------------------------------------------------------------------------------------------------------|-------------|-----------------|
| <b>Release of Immobilization Device</b>                                                                                                 | \$82        | No change       |
| <b>Credit Card Convenience Fee –</b><br>fee that may be assessed and added to an invoice, if a credit card is used for the transaction. | No change   | No change       |

**The above maximum rates are not mandated by Palm Beach County, but they cannot be exceeded.**

**II. Operating Permit Fees, Vehicle Decal Fees, and Other Fees as follows:**

| <b>Type of Fee</b>                                                           | <b>Rate</b>  |
|------------------------------------------------------------------------------|--------------|
| Annual Application Fee for companies performing non-consent towing services  | \$660        |
| Annual Application Fee for companies performing consent-only towing services | \$300        |
| Annual Application Fee for companies performing immobilization services      | \$500        |
| Towing Vehicle Decal Fee                                                     | \$250        |
| Storage Yard Inspection Fee (for each company with a storage yard)           | \$200        |
| Operating Permit Application Late Fee                                        |              |
| 1. Late up to 30 days                                                        | <b>\$100</b> |
| 2. Late up to 31 to 60 days                                                  | <b>\$200</b> |
| 3. Late 61 days and up to 1 year from date of expiration                     | <b>\$300</b> |
| Operating Permit Application Re-filing Fee                                   | \$200        |
| Towing Vehicle Decal Replacement Fee                                         | \$50         |
| Inspection Late Fee                                                          | \$75         |
| Inspection Cancellation Fee                                                  | \$100        |
| Storage Facility Re-inspection Fee                                           | \$100        |
| Administrative Appeal Filing Fee                                             | \$250        |

|                                                                                                                                   |         |
|-----------------------------------------------------------------------------------------------------------------------------------|---------|
| Administrative Reactivation Fee<br>(including Administrative Insurance Reactivation Fee)                                          |         |
| 1. First occurrence                                                                                                               | \$350   |
| 2. Second and subsequent occurrences                                                                                              | \$600   |
| Tow truck Driver I.D. Badge Fee                                                                                                   | \$100   |
| Tow truck Driver I.D. Badge Replacement Fee                                                                                       | \$50    |
|                                                                                                                                   |         |
| Criminal Background Fee (Currently using Florida Department of Law Enforcement Criminal History Record) – Cost to County          | \$24    |
| Driver History Record Request – Florida Department of Highway Safety Motor Vehicles (*optional service, if applicant needs record | \$16.25 |
|                                                                                                                                   |         |

**III. Fine Schedule as follows:**

- A. Civil fines for violation of the Tow Truck Ordinance shall be set at \$500 for the first and all subsequent offenses for the following sections (a possible mandatory court appearance may be required for the third offense):
1. Section 19-184. Operating permit required.
  2. Section 19-187. Insurance requirements.
  3. Section 19-189 (f). Operating a Tow Truck that has failed to pass any critical item.
  4. Section 19-195 (c). Failure to disconnect vehicle from tow truck if the vehicle/vessel owner or authorized driver/agent arrives at the scene prior to the vehicle/vessel being removed or towed from the property and offers to pay a reasonable service fee of not more than ½ of the posted rate for such towing service (drop charge).
  5. Section 19-200. Fraudulent transfer of tow truck company.
  6. Section 19-204 (b). (Using physical force against ordinance enforcement officer)
- B. Civil fines for violation of the Tow Truck Ordinance shall be set at \$100 – first offense, \$250 – second offense and \$500 – third offense (with a possible mandatory court appearance) for the following sections:
1. Section 19-188 (a) (Display vehicle decal)
  2. Section 19-188 (b)(1) (Vehicle signage)
  3. Section 19-199 (Driver requirements)
- C. Civil fines for violation of the Tow Truck Ordinance shall be set at \$250 – first

mandatory court appearance) for all other sections of the Ordinance not identified in A and B above.

**IV. Minimum Insurance Requirements as follows:**

Each tow truck company shall provide the following minimum insurance levels as required in Section 19-187 – Insurance Requirements:

- A. Auto liability for each tow truck used by a consent-only company:
  - 1. For each Class A or Light Duty Tow Truck used exclusively for consent-only towing:  
Combined single limit .....\$100,000  
or  
Split limits ..... \$100,000/\$300,000/\$50,000
  - 2. For all other consent-only tow trucks;  
Combined single limit .....\$500,000  
or  
Split limits ..... \$500,000/\$500,000/\$100,000
- B. Auto liability for each tow truck used by a non-consent company:
  - 1. For each Class A – Light Duty Non-Police tow truck  
Combined single limit ..... \$300,000  
or  
Split limits ..... \$250,000/\$500,000/\$100,000
  - 2. For all other non-consent tow trucks  
Combined single limit .....\$500,000  
or  
Split limits ..... \$500,000/\$500,000/\$100,000
- C. General/Garage Liability:
  - 1. For tow truck operators performing only consent tows:  
Combined single limit .....\$100,000  
or  
Split limits ..... \$100,000/\$300,000/\$50,000
  - 2. For tow truck operators performing only private property impound tows:

Combined single limit .....\$300,000

or

Split limits ..... \$250,000/\$500,000/\$100,000

3. For all other tow truck operators:

Combined single limit .....\$500,000

or

Split limits ..... \$500,000/\$500,000/\$100,000

D. Garage Keeper's Legal Liability:

1. For any one vehicle .....\$50,000

2. Per occurrence .....\$100,000

(Companies which do not have a storage facility or are not responsible for the care, custody and control of vehicles not on-hook are exempt from this requirement)

E. On-Hook Cargo Liability Coverage for Each Vehicle.....\$50,000

**A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA; ESTABLISHING A NEW SCHEDULE OF MAXIMUM RATES FOR IMMOBILIZATION AND NON-CONSENT TOWING SERVICES, FEES AND FINES; ESTABLISHING MINIMUM COMMERCIAL INSURANCE LIMITS FOR EACH INSURANCE TYPE; AND REPEALING AND REPLACING RESOLUTION NO. R-2014-1622, RELATING TO THE TOWING AND IMMOBILIZATION SERVICES ORDINANCE OF PALM BEACH COUNTY, FLORIDA, AS CODIFIED IN THE PALM BEACH COUNTY CODE OF ORDINANCES.**

**WHEREAS**, numerous persons and firms in Palm Beach County engage in the business of performing immobilizing, towing and recovery of motorized vehicles; and

**WHEREAS**, Palm Beach County Code Chapter 19, Article VIII (the "Towing and Immobilization Services Ordinance"), regulates the business of immobilizing, towing and storage services in Palm Beach County for the protection of the public; and

**WHEREAS**, Palm Beach County Code Chapter 19, Article VIII, regulates the maximum rates towing and immobilization companies shall charge consumers for non-consent tows and immobilization services and provides that such rates shall be established by Resolution of the Board of County Commissioners; and

**WHEREAS**, pursuant to section 125.0103 (1) (c), Florida Statute, the County shall establish maximum rates for the immobilization of vehicles or vessels, towing of vehicles or vessels from private property, 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 is incapacitated, unavailable, or otherwise does not consent to the removal of the vehicle or vessel; and

**WHEREAS**, it is and in the best interest of the County, its citizens and its visitors to regulate the maximum rates charged for immobilization and non-consent towing services including associated fees such as mileage, storage, drop charges, extra time at scene, under water recovery, hazardous material clean up, after-hours gate access, administrative/lien, and credit card convenience fees; and

**WHEREAS**, Palm Beach County Code Chapter 19, Article VIII, provides for the payment of operating permit application fees, vehicle decal fees, and other fees; and

**WHEREAS**, Palm Beach County Code Chapter 19, Article VIII, requires a schedule of fines for violations of the Towing and Immobilization Services Ordinance; and

WHEREAS, the Board of County Commissioners desires to revise the current schedule of fees and fines relating to the Towing and Immobilization Services Ordinance; and

WHEREAS, Palm Beach County Code Chapter 19, Article VIII, provides that it shall be unlawful for any immobilization or tow truck company to operate without maintaining specific types of commercial insurance and that the Board shall established the minimum insurance limits for each insurance type by Resolution.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, that:

- A) The Palm Beach County Towing and Immobilization Services Ordinance schedule for fees, fines, and insurance applicable to the business of towing and storage is hereby adopted as referenced in the chart entitled "Exhibit "A" – Palm Beach County Towing and Immobilization Services Ordinance - Schedule of Maximum Rates for Immobilization and Non-Consent Tows, Fees and Fines, and Minimum Commercial Insurance Limit Requirements" attached hereto and incorporated herein by reference.
- B) Resolution No. R-2014-1622, previously adopted regarding the fees, fines, and maximum rates for services related to non-consent towing and recovery charged by towing and storage companies and establishing minimum insurance levels, is hereby repealed and replaced.

The foregoing Resolution was offered by Commissioner Weiss who moved its adoption. The motion was seconded by Commissioner Sachs, and upon being put to a vote, the vote was as follows:

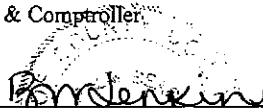
|                               |            |
|-------------------------------|------------|
| ROBERT WEINROTH, MAYOR        | <u>Aye</u> |
| GREGG WEISS, VICE MAYOR       | <u>Aye</u> |
| COMMISSIONER MARIA MARINO     | <u>Aye</u> |
| COMMISSIONER DAVE KERNER      | <u>Aye</u> |
| COMMISSIONER MARIA SACHS      | <u>Aye</u> |
| COMMISSIONER MELISSA MCKINLAY | <u>Aye</u> |
| COMMISSIONER MACK BERNARD     | <u>Nay</u> |

The Mayor thereupon declared the Resolution duly passed and adopted this 23rd day of August 2022

PALM BEACH COUNTY, FLORIDA,  
BY ITS BOARD OF COUNTY COMMISSIONERS

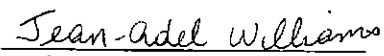
Joseph Abruzzo  
Clerk & Comptroller

By:

  
Deputy Clerk

APPROVED AS TO FORM AND  
LEGAL SUFFICIENCY

By:

  
Assistant County Attorney

**Exhibit "A" – Palm Beach County Towing Ordinance - Schedule of Maximum Rates for Immobilization and Non-Consent Tows, Fees and Fines, and Minimum Commercial Insurance Limit Requirements**

**Section I. Schedule of Maximum Rates for Immobilization and Non-Consent Tows**

| Rate Type                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | Rate                                                                     |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------|
| <b>Private Property Impound Tow</b><br>Class A<br>Class B<br>Class C<br>Class D<br>No other fees may be imposed for the first 24 hours the vehicle is in the care, custody and control of the towing operator, <b>except:</b> a) applicable storage fees may be charged after the proper police authority has been notified and the vehicle has been in the possession of the towing operator for at least 6 hours and b) "extra time at scene" when a law enforcement agency is called/involved and when the officer's name and badge number and detailed explanation is provided. | Flat Rate \$138<br>Flat Rate \$243<br>Flat Rate \$345<br>Flat Rate \$345 |
| <b>Police Directed Tow</b><br>Class A<br>Class B<br>Class C – applies to non-commercial vehicles only<br>Class D – applies to non-commercial vehicles only                                                                                                                                                                                                                                                                                                                                                                                                                          | \$172<br>\$255<br>\$381<br>\$546                                         |
| <b>Per mile fee for Police Directed Tow</b><br>Class A<br>Class B<br>Class C<br>Class D                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             | \$7.50<br>\$8.50<br>\$10.00<br>\$12.50                                   |
| <b>Daily outdoor storage - vehicles 25' or less <u>after first 6 hours</u></b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | \$28                                                                     |
| <b>Daily outdoor storage – vehicles longer than 25' <u>after first 6 hours</u></b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  | \$39                                                                     |
| <b>Daily outdoor storage - motorcycles, ATVs, scooters, other small personal vehicles <u>after first 6 hours.</u></b>                                                                                                                                                                                                                                                                                                                                                                                                                                                               | \$17                                                                     |
| <b>*Daily indoor storage - vehicles 25' or less <u>after first 6 hours.</u></b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | \$39                                                                     |
| <b>*Daily indoor storage - vehicles longer than 25' <u>after first 6 hours.</u></b><br>Applies to non-commercial vehicles only.                                                                                                                                                                                                                                                                                                                                                                                                                                                     | \$56                                                                     |
| <b>*Daily indoor storage - motorcycles, ATVs, scooters, other small personal vehicles <u>after first 6 hours.</u></b>                                                                                                                                                                                                                                                                                                                                                                                                                                                               | \$22                                                                     |
| <b>Drop Charge</b> – When the vehicle/vessel owner or authorized driver/agent arrives at the scene prior to the vehicle/vessel being removed or towed from the property, the vehicle/vessel shall be disconnected from the tow truck and the vehicle/vessel owner or authorized driver/agent shall be allowed to remove the vehicle/vessel without interference upon payment of a reasonable service fee of not more than one-half of the posted rate for such towing service.                                                                                                      | One-half of the posted rate for such towing service                      |
| <b>Administrative/Lien Fee</b> – Applicable only after 24-hours from time of police report. Must show proof that ownership search is conducted, and police agency authorized the vehicle/vessel to be impounded or police agency has been notified by the tow truck company that the tow truck company is in possession of a vehicle/vessel as a result of a private property impound.<br>Fees in excess of this administrative/lien flat fee may be charged by the tow company for actual expenses incurred to meet requirements such as lien                                      | \$50 maximum flat fee plus actual 3rd party fees                         |

| Rate Type                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | Rate                                                |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------|
| notification letters, certified mail receipts, advertisements or any other requirement as imposed by Section 713.78, Florida Statute so long as the tow company has detailed supporting proof of actual expenditures (i.e. invoices, bills, payments) and are kept on file with the tow company.                                                                                                                                                                                                               |                                                     |
| <b>After Hour Gate Fee</b> – may not be applied between the hours of 7 a.m. and 6 p.m. Monday through Friday (excluding federal holidays) and not for 1 hour after a vehicle has been impounded all other times when: <ul style="list-style-type: none"> <li>a. Impounded vehicles/vessel are recovered by the owner or authorized driver/agent; or</li> <li>b. The owner or authorized driver/agent wishes to recover property from an impounded vehicle/vessel.</li> </ul>                                   | \$39                                                |
| <b>Extra Time at Scene</b> - First one-half hour to be included in the initial cost per call. Charges are in 15 minute intervals. All extra time/labor shall be documented by the tow truck operator and shall include the name of the law enforcement agency and the law enforcement agency case number or the officer's name and badge number. The documentation shall also include a detailed explanation of the services rendered which necessitated the charges and if possible photographs of the scene. | 25% of applicable towing fee in 15 minute intervals |
| <b>Underwater Recovery</b> - Performed by a certified/ professional diver with the written documentation and approval by the investigating law enforcement agency/ officer.                                                                                                                                                                                                                                                                                                                                    | \$100 plus cost per hour (port-to-port)             |
| <b>Hazardous material clean-up and disposal</b> as required, mandated and/or licensed through state or local laws and approved by the investigating law enforcement agency/officer.                                                                                                                                                                                                                                                                                                                            | Towing Company prevailing rates                     |
| <b>Credit Card Convenience Fee</b> – fee that may be assessed and added to an invoice, if a credit card is used for the transaction. <i>The fee is intended to offset the cost associated with accepting credit card payments.</i>                                                                                                                                                                                                                                                                             | Not more than 3% of the invoice                     |
| <b>IMMOBOLIZATION SERVICES</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |                                                     |
| <b>Release of immobilization device(s) per vehicle</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                         | \$75                                                |
| <b>Credit Card Convenience Fee</b> – fee that may be assessed and added to an invoice if a credit card is used for the transaction. <i>The fee is intended to offset the cost associated with accepting credit card payments.</i>                                                                                                                                                                                                                                                                              | Not more than 3% of the invoice                     |

**II. Operating Permit Fees, Vehicle Decal Fees, and Other Fees as follows:**

| Type of Fee                                                                  | Rate  |
|------------------------------------------------------------------------------|-------|
| Annual Application Fee for companies performing non-consent towing services  | \$600 |
| Annual Application Fee for companies performing consent-only towing services | \$300 |
| Annual Application Fee for companies performing immobilization services      | \$400 |
| Towing Vehicle Decal Fee                                                     | \$150 |
| Storage Yard Inspection Fee (for each company with a storage yard)           | \$100 |
| Operating Permit Application Late Fee                                        |       |
| 1. Late up to 30 days                                                        | \$75  |
| 2. Late up to 31 to 60 days                                                  | \$100 |
| 3. Late 61 days and up to 1 year from date of expiration                     | \$150 |
| Operating Permit Application Re-filing Fee                                   | \$200 |
| Towing Vehicle Decal Replacement Fee                                         | \$25  |
| Inspection Late Fee                                                          | \$50  |
| Inspection Cancellation Fee                                                  | \$75  |

|                                                                                                                                    |         |
|------------------------------------------------------------------------------------------------------------------------------------|---------|
| Storage Facility Re-inspection Fee                                                                                                 | \$75    |
| Administrative Appeal Filing Fee                                                                                                   | \$100   |
| Administrative Reactivation Fee<br>(including Administrative Insurance Reactivation Fee)                                           |         |
| 1. First occurrence                                                                                                                | \$250   |
| 2. Second and subsequent occurrences                                                                                               | \$500   |
| Tow truck Driver I.D. Badge Fee                                                                                                    | \$60    |
| Tow truck Driver I.D. Badge Replacement Fee                                                                                        | \$30    |
| Tow truck Driver I.D. Badge Rush Fee                                                                                               | \$30    |
| Criminal Background Fee (Currently using Florida Department of Law Enforcement Criminal History Record) – Cost to County           | \$24    |
| Driver History Record Request - Florida Department of Highway Safety Motor Vehicles (*optional service, if applicant needs record) | \$16.25 |

**III. Fine Schedule as follows:**

- A. Civil fines for violation of the Towing and Immobilization Services Ordinance shall be set at \$500 for the first and all subsequent offenses for the following sections (a possible mandatory court appearance may be required for the third offense):
- Section 4. (Operating permit required)
  - Section 7. (Insurance requirements)
  - Section 9 (f). (Operating a Tow Truck that has failed to pass any critical item)
  - Section 15 (d). (Failure to disconnect vehicle from tow truck if the vehicle/vessel owner or authorized driver/agent arrives at the scene prior to the vehicle/vessel being removed or towed from the property and offers to pay a reasonable service fee of not more than ½ of the posted rate for such towing service—drop charge)
  - Section 20. (Fraudulent transfer of tow truck company)
  - Section 21 (dd). (Using physical force against ordinance enforcement officer)
- B. Civil fines for violation of the Towing and Immobilization Services Ordinance shall be set at \$100 – first offense, \$250 – second offense and \$500 – third offense (with a possible mandatory court appearance) for the following sections:
- Section 8 (a) (Display vehicle decal)
  - Section 8 (b) (1) (Vehicle signage)
  - Section 19 (Driver requirements)
  - Section 21 (b). (No identification displayed of operator)
  - Section 21 (d) 2, (e) and (f) (Improper signage/failure to meet signage requirements)
  - Section 21 (k) (Failure to meet warning notice requirements)
  - Section 21 (cc) and (bb). (Failure to maintain records or logs)
- C. Civil fines for violation of the Towing and Immobilization Services Ordinance shall be set at \$250 – first offense, \$500 – second offense and \$500 – third offense (with a possible mandatory court appearance) for all other sections of the Ordinance not identified in A and B above.

**IV. Minimum Tow Truck Insurance Requirements as follows:**

Each tow truck company shall provide the following minimum insurance levels as required in Section 7 – Insurance Requirements

- A. Auto liability for each tow truck used by a consent-only company:
- For each Class A or Light Duty Tow Truck used exclusively for consent-only towing:  
Combined single limit.....\$100,000  
or  
Split limits..... \$100,000/\$300,000/\$50,000
  - For all other consent-only tow trucks;  
Combined single limit.....\$500,000  
or  
Split limits..... \$500,000/\$500,000/\$100,000

- B. Auto liability for each tow truck used by a non-consent company:
1. For each Class A – Light Duty Non-Police tow truck  
Combined single limit.....\$300,000  
or  
Split limits..... \$250,000/\$500,000/\$100,000
  2. For all other non-consent tow trucks  
Combined single limit.....\$500,000  
or  
Split limits..... \$500,000/\$500,000/\$100,000
- C. General/Garage Liability:
1. For tow truck operators performing only consent tows:  
Combined single limit.....\$100,000  
or  
Split limits..... \$100,000/\$300,000/\$50,000
  2. For tow truck operators performing only private property impound tows:  
Combined single limit.....\$300,000  
or  
Split limits..... \$250,000/\$500,000/\$100,000
  3. For all other tow truck operators:  
Combined single limit.....\$500,000  
or  
Split limits..... \$500,000/\$500,000/\$100,000
- D. Garage Keeper's Legal Liability:
1. For any one vehicle.....\$50,000
  2. Per occurrence.....\$100,000  
*(Companies which do not have a storage facility or are not responsible for the care, custody and control of vehicles not on-hook are exempt from this requirement)*
- E. On-Hook Cargo Liability Coverage for Each Vehicle .....\$50,000
- F. Worker's Compensation (according to state law)
- V. Minimum Immobilization Company Insurance Requirements**
- A. Property Damage Liability Converge (per occurrence).....\$50,000
- B. Worker's Compensation (according to state law)

Current Maximum Non-Consent Towing Rates  
Comparison Table

| Rate Type                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | 2026                                            | Proposed                                                        | % Change             | Notes |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------|-----------------------------------------------------------------|----------------------|-------|
| <b>Towing and Storage Rates</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |                                                 |                                                                 |                      |       |
| <b>Private Property Impound Tow</b><br>Class A<br>Class B<br>Class C<br>Class D<br>No other fees may be imposed for the first 24 hours the vehicle is in the care, custody and control of the towing operator, except: a) applicable storage fees may be charged after the proper police authority has been notified and the vehicle has been in the possession of the towing operator for at least 6 hours and b) “extra time at scene” when a law enforcement agency is called/involved and when the officers name and badge number and detailed explanation is provided. | FLAT RATES:<br>\$151<br>\$266<br>\$377<br>\$377 | FLAT RATES:<br>No change<br>No change<br>No change<br>No change | 0%<br>0%<br>0%<br>0% |       |
| <b>Police Directed Tow</b><br>Class A<br>Class B<br>Class C – applies to non-commercial vehicles only<br>Class D – applies to non-commercial vehicles only                                                                                                                                                                                                                                                                                                                                                                                                                  | \$188<br>\$279<br>\$416<br>\$597                | No change<br>No change<br>No change<br>No change                | 0%<br>0%<br>0%<br>0% |       |
| <b>Per mile fee for Police Directed Tow</b><br>Class A<br>Class B<br>Class C<br>Class D                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | \$7.50<br>\$8.50<br>\$10.00<br>\$12.50          | No change<br>No change<br>No change<br>No change                | 0%<br>0%<br>0%<br>0% |       |
| <b>Daily outdoor storage – vehicles 25’ or less <u>after first 6 hours</u></b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | \$31                                            | No change                                                       | 0%                   |       |
| <b>Daily outdoor storage – vehicles longer than 25’ <u>after first 6 hours</u></b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | \$43                                            | No change                                                       | 0%                   |       |
| <b>Daily outdoor storage – motorcycles, ATVs, scooters, other small personal vehicles <u>after first 6 hours.</u></b>                                                                                                                                                                                                                                                                                                                                                                                                                                                       | \$19                                            | No change                                                       | 0%                   |       |
| <b>*Daily indoor storage – vehicles 25’ or less <u>after first 6 hours.</u></b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             | \$43                                            | No change                                                       | 0%                   |       |

| Rate Type                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | 2026                                                | Proposed  | % Change                                   | Notes                                                                                                                                                                                                                                       |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------|-----------|--------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>*Daily indoor storage</b> – vehicles longer than 25' _ <u>after first 6 hours.</u> Applies to non-commercial vehicles only.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | \$61                                                | No change | 0%                                         |                                                                                                                                                                                                                                             |
| <b>*Daily indoor storage</b> - motorcycles, ATVs, scooters, other small personal vehicles <u>after first 6 hours.</u>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    | \$24                                                | No change | 0%                                         |                                                                                                                                                                                                                                             |
| <b>Drop Charge</b> - When the vehicle/vessel owner or authorized driver / agent arrives at the scene prior to the vehicle/vessel being removed or towed from the property, the vehicle/vessel shall be disconnected from the tow truck and the vehicle/vessel owner or authorized driver/agent shall be allowed to remove the vehicle/vessel without interference upon payment of a reasonable service fee of not more than one-half of the posted rate for such towing service.                                                                                                                                                                                                                                                                                                                                                         | One-half of the posted rate for such towing service | No change | 0%                                         |                                                                                                                                                                                                                                             |
| <b>Administrative Fee</b> - After six (6) hours and upon of completion of initial ownership and lienholder research of the statutory lien process pursuant to Florida Statute 713.78(1).                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | \$50                                                | No change | No change                                  |                                                                                                                                                                                                                                             |
| <b>Research Fee</b> - May be charged only when the tow company providing the service must actually perform research to determine ownership of a vehicle to notify the vehicle owner, lien-holders, and insurance companies. Written documentation of the efforts undertaken to ascertain ownership of the vehicle must be made available for inspection by the County upon request. Costs shall mean actual fees charged for obtaining ownership information and shall include the cost of actual postage fees, advertising fees (if more than a single vehicle is advertised in the same advertisement, then the cost of the advertisement shall be prorated per vehicle), and title search for out-of-state vehicles. Proof of all costs incurred by the tow company must be made available for inspection by the County upon request. | N/A                                                 |           | Actual costs incurred not to exceed \$200. | Supporting proof of actual 3 <sup>rd</sup> party expenditures (i.e. invoices, bills, payments) as imposed by FL §713.78 (U.S. Mail certification numbers, correspondence copies, advertisements) and are kept on file with the tow invoice. |
| <b>After Hour Gate Fee</b> – may not be applied between the hours of 8 a.m. and 6 p.m. Monday through Friday (excluding federal holidays) and not for 6 hours after a vehicle has been impounded all other times when:                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | \$39                                                | No change | 0%                                         | May not be applied between the hours of 7 a.m. and 6 p.m.                                                                                                                                                                                   |

| Rate Type                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | 2026                                                  | Proposed                        | % Change | Notes                                                                                                            |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------|---------------------------------|----------|------------------------------------------------------------------------------------------------------------------|
| <p>a. Impounded vehicles/vessel are recovered by the owner or authorized driver/agent; or</p> <p>b. The owner or authorized driver/agent wishes to recover property from an impounded vehicle/vessel.</p>                                                                                                                                                                                                                                                                                                      |                                                       |                                 |          | Monday through Friday (excluding federal holidays) and not for <u>1 hour</u> after a vehicle has been impounded. |
| <p><b>Extra Time at Scene</b> - First one-half hour to be included in the initial cost per call. Charges are 15 minute intervals. All extra time/labor shall be documented by the tow truck operator and shall include the name of the law enforcement agency and law enforcement agency case number or the officer's name and badge number. The documentation shall also include a detailed explanation of the services rendered which necessitated the charges and if possible photographs of the scene.</p> | 25 % of applicable towing fee in 15 minute intervals. | No change                       | 0%       |                                                                                                                  |
| <p><b>Underwater Recovery</b> - Performed by a certified/professional diver with the written documentation and approval by investigating law enforcement / agency officer.</p>                                                                                                                                                                                                                                                                                                                                 | \$100 plus cost per hour (port-to-port)               | No change                       | 0%       |                                                                                                                  |
| <p><b>Hazardous material clean-up</b> and disposal as required, mandated and/or licensed through state or local laws and approved by the investigating law enforcement agency/officer.</p>                                                                                                                                                                                                                                                                                                                     | Towing Company prevailing rates                       | No change                       | 0%       |                                                                                                                  |
| <p><b>Credit Card Convenience Fee</b> – fee that may be assessed and added to an invoice, if a credit card is used for the transaction. <i>The fee is intended to offset the cost associated with accepting credit card payments.</i></p>                                                                                                                                                                                                                                                                      | N/A                                                   | Not more than 3% of the invoice | 3%       | <i>The fee is intended to offset the cost associated with accepting credit card payments. Only</i>               |

| Rate Type | 2026 | Proposed | %<br>Change | Notes                                                       |
|-----------|------|----------|-------------|-------------------------------------------------------------|
|           |      |          |             | <i>applicable if<br/>customer<br/>uses credit<br/>card.</i> |

| Rate Type                                                                                                                     | 2026                            | Proposed  | % Change | Notes                                                                                                                                       |
|-------------------------------------------------------------------------------------------------------------------------------|---------------------------------|-----------|----------|---------------------------------------------------------------------------------------------------------------------------------------------|
| IMMOBOLIZATION SERVICES                                                                                                       |                                 |           |          |                                                                                                                                             |
| Release of Immobilization Device                                                                                              | \$82                            | No change | 0%       |                                                                                                                                             |
| Credit Card Convenience Fee – fee that may be assessed and added to an invoice, if a credit card is used for the transaction. | Not more than 3% of the invoice | No change | 3%       | <i>The fee is intended to offset the cost associated with accepting credit card payments. Only applicable if customer uses credit card.</i> |

The above maximum rates are not mandated by Palm Beach County, but they cannot be exceeded.