Business Impact Estimate

In accordance with Section 125.66(3)(a), F.S., a Business Impact Estimate (BIE) is required to be: 1) prepared before enacting certain ordinances and 2) posted on Hillsborough County's website no later than the date the notice proposed enactment/notice of intent to consider the proposed ordinance, is advertised in the newspaper (which, per Section 125.66(2)(a), F.S., is ten (10) days before the Public Hearing).

Proposed Ordinance Title/Reference: AN ORDINANCE AMENDING HILLSBOROUGH COUNTY CODE OF ORDINANCES AND LAWS CHAPTER 50, ARTICLE VII (ORDINANCE 17-34, AS AMENDED); AMENDING SECTION 50-173 PROVIDING FOR DEFINITIONS; AMENDING SECTION 50-174 PROVIDING FOR EXEMPTIONS; AMENDING SECTION 50-175 PROVIDING FOR POWERS AND DUTIES OF THE AGENCY UNDER THIS ARTICLE; AMENDING SECTION 50-176 PROVIDING FOR POWERS AND DUTIES OF THE DEPARTMENT UNDER THIS ARTICLE; AMENDING SECTION 50-177 PROVIDING FOR CERTIFICATE REQUIREMENTS; AMENDING SECTION 50-178 PROVIDING FOR VEHICLE PERMIT REQUIREMENTS; AMENDING SECTION 50-179 PROVIDING FOR PUBLIC VEHICLE DRIVER'S LICENSE ("PVDL") REQUIREMENTS; AMENDING SECTION 50-181 PROVIDING FOR PREREQUISITES TO AND REQUIREMENT FOR TRESPASS TOWING FROM OR IMMOBILIZATION OF VEHICLES OR VESSELS ON PRIVATE PROPERTY; AMENDING SECTION 50-184 PROVIDING FOR CERTIFICATE, PERMIT AND PUBLIC VEHICLE DRIVER'S LICENSE RENEWAL REQUIREMENTS; AMENDING SECTION 50-185 PROVIDING FOR ADDITIONAL CERTIFICATE, PERMIT AND PUBLIC VEHICLE DRIVER'S LICENSE RELATED REQUIREMENTS; AMENDING SECTION 50-188 PROVIDING FOR GROUNDS FOR DENIAL, SUSPENSION OR REVOCATION OF PUBLIC VEHICLE DRIVER'S LICENSE; AMENDING SECTION 50-189 PROVIDING DUE PROCESS IN THE EVENT OF THE DENIAL, SUSPENSION OR REVOCATION OF CERTIFICATES, PERMITS, AND PUBLIC VEHICLE DRIVER'S LICENSED; AMENDING SECTION 50-190 PROVIDING FOR PROHIBITED CONDUCT; AMENDING SECTION 50-192 PROVIDING FOR Enforcement and penalties for violations; AMENDING SECTION 50-193 PROVIDING FOR APPOINTMENT OF HEARING OFFICERS; PROVIDING FOR SEVERABILITY; PROVIDING FOR RESOLUTION OF CONFLICT OF LAWS; PROVIDING FOR INCLUSION IN THE HILLSBOROUGH COUNTY CODE; PROVIDING FOR FILING OF ORDINANCE; PROVIDING FOR AN EFFECTIVE DATE.

The following types of ordinances are exempt from the BIE requirement under Section 125.66(3)(c), F.S. As such, if one or more boxes are checked below, Hillsborough County believes that a BIE is not required by state law for some provisions of the proposed ordinance referenced above.

Notwithstanding, Hillsborough County is preparing this BIE to prevent an inadvertent procedural issue from impacting the enactment of this proposed Ordinance. Hillsborough County reserves the right to revise this BIE following its initial posting and to discontinue providing this information for proposed ordinances believed to be exempt under state law.

☐ X Portions of the proposed ordinance are required for compliance with Federal or State law or regulation.

☐ The proposed ordinance relates to the issuance or refinancing of debt.

☐ The proposed ordinance relates to the adoption of budgets or budget amendments, including revenue sources necessary to fund the budget.

☐ The proposed ordinance is required to implement a contract or an agreement, including, but not limited to, any Federal, State, local, or private grant, or other financial assistance accepted by the local government.

☐ The proposed ordinance is an emergency ordinance.

☐ The ordinance relates to procurement.

☐ The proposed ordinance is enacted to implement the following:

a. Development orders and development permits, as those terms are defined in s. 163.3164, and development agreements, as authorized by the Florida Local Government Development Agreement Act under ss. 163.3220-163.3243.

b. Comprehensive plan amendments and land development regulation amendments initiated by an application by a private party other than the County;

c. Sections 190.005 and 190.046, Florida Statutes, regarding community development districts;

d. Section 553.73, Florida Statutes, relating to the Florida Building Code; or

e. Section 633.202, Florida Statutes, relating to the Florida Fire Prevention Code.

Consistent with the posting requirement set forth in Section 125.66(3)(a), F.S., the County hereby publishes the following BIE information for this proposed ordinance on its website for public viewing and consideration on this 16th day of July, 2025:

1. Summary of the proposed ordinance (must include statement of the public purpose, such as serving the public health, safety, morals, and welfare):

The Hillsborough County Trespass Towing, Immobilization and Rates Ordinance ("the Ordinance") regulates trespass towing and immobilization services within the County. The proposed amendment revises the Ordinance to comply with state law governing occupational licensing and the methods of payment that towing/immobilization services must accept. The amendment imposes additional procedural requirements when towing or immobilizing a vehicle, updates insurance requirements, institutes parameters for suspensions for frequent violators, and authorizes customer refunds.

The public purpose of this ordinance is to provide for the health, safety, and welfare of the County's citizens by regulating towing and immobilization services, which are frequently provided without the prior consent of the vehicle owner or under exigent circumstances, in a manner that protects consumers and is consistent with state law.

2. Estimate of direct economic impact of the proposed ordinance on private, for-profit businesses in the County, including the following, if any:

(a) An estimate of direct compliance costs that businesses may reasonably incur; There may be minimal, indeterminate compliance costs to towing/immobilization services associated with employee time needed to comply with amended regulations.

(b) Any new charge or fee imposed by the proposed ordinance or for which businesses will be financially responsible; and

The Ordinance does not impose new charges or fees payable to the County. Certificates holders that violate the Ordinance when towing/immobilizing a vehicle may be required to refund the consumer as a condition of resolving a citation. A corresponding revision to the County's resolution on towing rates and fees will clarify the applicable fine schedule for citations, which is already in use for general Code violations.

(c) An estimate of the County's regulatory costs, including estimated revenues from any new charges or fees to cover such costs.
The Ordinance does not impose new charges or fees payable to the County. As such, the County does not anticipate an increase in revenues. The Code Enforcement Department enforces the Ordinance via funds within the Department's budget.

3. A good faith estimate of the number of businesses likely to be impacted by the ordinance:
There are approximately 80 active towing/immobilization certificate holders authorized to perform such services in Hillsborough County pursuant to the Ordinance.

4. Additional information the governing body deems useful (if any): Most amendments to the Ordinance are to comply with state law. Specifically, section 163.211, Florida Statutes, regarding occupational licensing and section 713.78, Florida Statutes, regarding methods of payment that must be accepted by a towing/immobilization service. Additional amendments strengthen consumer protection and reinforce industry best practices.