

Committee on Environmental Preservation And Conservation

CS/CS/HB 7043 — Vessels

by Government Accountability Committee; Agriculture and Natural Resources Appropriations Subcommittee; Natural Resources and Public Lands Subcommittee; Rep. Raschein and others (CS/CS/SB 1338 by Appropriations Committee; Environmental Preservation and Conservation Committee; and Senator Book)

The bill (Chapter 2017-163, L.O.F.) implements many of the recommendations made by the Florida Fish and Wildlife Conservation Commission (FWC) in its final report on the Anchoring and Mooring Pilot Program. Specifically, the bill implements recommendations relating to the following issues:

- Prevention of derelict vessels by:
 - Providing an additional condition that would indicate that a vessel is at risk of becoming derelict.
 - Enhancing the civil penalty for having an expired vessel registration longer than six months.
 - Prohibiting the Department of Highway Safety and Motor Vehicles from issuing a certificate of title to any applicant for any vessels that has been deemed derelict.
- Anchoring and mooring by:
 - Creating anchoring limited areas near vessel launching facilities, superyacht repair facilities, or the marked boundaries of public mooring fields.
 - Prohibiting the anchoring or mooring of a vessel or floating structure within the marked boundary of a public mooring field unless the owner or operator has a lawful right to anchor or moor in the mooring field by contractual agreement or other business arrangement or mooring, tying, or otherwise affixing to an unlawful object that is on or affixed to the bottom of the waters of the state.
- Local governmental authority by authorizing local governments to enact and enforce ordinances that:
 - Require owners or operators of vessels or floating structures subject to marine sanitation requirements to provide proof of proper sewage disposal if the FWC determines that sufficient facilities are available within the local government's jurisdiction when anchored or moored for more than 10 consecutive days within marked boundaries of permitted mooring fields or designated no discharge zones.
 - Implement procedures for abandoned or lost property that allow a local government to remove a vessel affixed to a public dock within its jurisdiction which is abandoned or lost property.

In addition to implementing the recommendations of the FWC, the bill:

- Allows private residential multifamily docks that were grand-fathered in to use sovereignty submerged lands to exceed the 1:1 ratio for the number of moored boats to the number of units within the private multifamily development.
- Authorizes the FWC to establish boating restricted areas upon request of a private property owner of submerged lands that are adjacent to Outstanding Florida Waters or an

aquatic preserve for the sole purpose of protecting any seagrass and contiguous seagrass habitat within their property boundaries from seagrass scarring due to propeller dredging. The property owner is required to apply for a uniform waterway market permit for the established boating restricted area.

These provisions were approved by the Governor and take effect on July 1, 2017.

Vote: Senate 34-0; House 117-0