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2 An act relating to the Florida Vessel
3 Registration and Safety Law; amending s.
4 327.25, F.S.; providing an exemption from
5 annual vessel registration fees for vessels
6 owned and operated by the Safe Harbor Haven,
7 Inc.; amending s. 327.52, F.S.; revising
8 language with respect to maximum loading and
9 horsepower requirements for specified vessels
10 and prohibiting the operation of vessels in an
11 overloaded or overpowered condition; amending
12 s. 327.73, F.S.; creating a noncriminal
13 infraction for overloaded and overpowered
14 vessels; providing effective dates.

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

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18 Section 1. Subsection (15) of section 327.25, Florida
19 Statutes, 1996 Supplement, is amended to read:

20 327.25 Classification; registration; fees and charges;
21 surcharge; disposition of fees; fines; marine turtle
22 stickers.--

23 (15) EXEMPTIONS.--Vessels owned and operated by Sea
24 Explorer or Sea Scout units of the Boy Scouts of America, the
25 Girl Scouts of America, the Safe Harbor Haven, Inc., or the
26 Associated Marine Institutes, Inc., and its affiliates are
27 exempt from the provisions of subsection (1). Such vessels
28 shall be issued certificates of registration and numbers upon
29 application and payment of the service fee provided in
30 subsection (7).

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1 Section 2. Effective October 1, 1997, section 327.52,
2 Florida Statutes, is amended to read:

3 (Substantial rewording of section. See

4 s. 327.52, F.S., for present text.)

5 327.52 Maximum loading and horsepower.--

6 (1) Except for sailboats, canoes, kayaks, and
7 inflatable boats, this section applies to all monohull
8 motorboats less than 20 feet in length that are: manufactured
9 or used primarily for noncommercial use; leased, rented, or
10 chartered to another for the latter's noncommercial use; or
11 engaged in the carrying of six or fewer passengers for hire.

12 (2) No person shall sell or offer for sale any vessel
13 described in subsection (1) unless said vessel displays the
14 maximum capacity information as prescribed in Part 183 of
15 Title 33 of the Code of Federal Regulations. This shall not
16 apply to resales but it is the intent of this section to
17 require dealers and manufacturers to furnish this information
18 upon the original sale.

19 (3) No person shall operate any vessel described in
20 subsection (1) when said vessel exceeds the maximum weight
21 capacity, maximum persons capacity, or maximum horsepower
22 capacity. If no maximum capacity information is displayed, the
23 capacities shall be calculated as provided in subparts C and D
24 of Part 183 of Title 33 of the Code of Federal Regulations.
25 This subsection shall not preclude the finding of reckless
26 operation under s. 327.33(1) when a vessel is operated in a
27 grossly overloaded or overpowered condition.

28 Section 3. Effective October 1, 1997, paragraph (t) is
29 added to subsection (1) of section 327.73, Florida Statutes,
30 1996 Supplement, to read:

31 327.73 Noncriminal infractions.--

1 (1) Violations of the following provisions of the
2 vessel laws of this state are noncriminal infractions:

3 (t) Section 327.52(3), relating to operation of
4 overloaded or overpowered vessels.

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6 Any person cited for a violation of any such provision shall
7 be deemed to be charged with a noncriminal infraction, shall
8 be cited for such an infraction, and shall be cited to appear
9 before the county court. The civil penalty for any such
10 infraction is \$50, except as otherwise provided in this
11 section. Any person who fails to appear or otherwise properly
12 respond to a uniform boating citation shall, in addition to
13 the charge relating to the violation of the boating laws of
14 this state, be charged with the offense of failing to respond
15 to such citation and, upon conviction, be guilty of a
16 misdemeanor of the second degree, punishable as provided in s.
17 775.082 or s. 775.083. A written warning to this effect shall
18 be provided at the time such uniform boating citation is
19 issued.

20 Section 4. Except as otherwise provided herein, this
21 act shall take effect upon becoming a law.