

By Senator Webster

12-1090-99

See HB

1 A bill to be entitled
2 An act relating to vessel registration;
3 designating chapter 328, F.S., as part I of
4 chapter 328, F.S., entitled "Vessels; title
5 certificates; liens"; creating part II of
6 chapter 328, F.S., entitled "Vessel
7 registration"; amending ss. 212.06, 282.1095,
8 320.04, 327.53, 327.60, 327.73, 370.06,
9 370.0603, 370.12, 409.2598, F.S.; conforming
10 cross-references; amending s. 327.01, F.S.;
11 changing the title of chapter 327, F.S., from
12 the "Florida Vessel and Registration Safety
13 Law" to the "Florida Vessel Safety Law";
14 amending s. 327.22, F.S., relating to the
15 regulation of vessels by municipalities or
16 counties; renumbering and amending ss. 327.03,
17 327.10, 327.11, 327.17, 327.21, 327.23, 327.24,
18 327.25, 327.26, 327.28, 327.90, F.S.;
19 conforming to the act; creating s. 328.44,
20 F.S.; providing for rules; creating s. 328.66,
21 F.S.; providing for optional vessel
22 registration fees by counties and
23 municipalities; amending s. 327.04, F.S.;
24 conforming to the act; renumbering ss. 327.031,
25 327.12, 327.13, 327.14, 327.15, 327.16, 327.18,
26 327.19, 327.29, F.S.; conforming to the act;
27 providing an effective date.

28
29 Be It Enacted by the Legislature of the State of Florida:
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1 Section 1. (1) Chapter 328, Florida Statutes,
2 consisting of ss. 328.01 through 328.30, Florida Statutes, is
3 designated as part I of that chapter and entitled "Vessels;
4 title certificates; liens."

5 (2) Sections 328.40 through 328.80, Florida Statutes,
6 as created by this act, are designated as part II of chapter
7 328, Florida Statutes, entitled "Vessel registration."

8 Section 2. Paragraph (e) of subsection (1) of section
9 212.06, Florida Statutes, 1998 Supplement, is amended to read:

10 212.06 Sales, storage, use tax; collectible from
11 dealers; "dealer" defined; dealers to collect from purchasers;
12 legislative intent as to scope of tax.--

13 (1)

14 (e)1. Notwithstanding any other provision of this
15 chapter, tax shall not be imposed on any vessel registered
16 pursuant to s. 328.52 ~~327.11~~ by a vessel dealer or vessel
17 manufacturer with respect to a vessel used solely for
18 demonstration, sales promotional, or testing purposes. The
19 term "promotional purposes" shall include, but not be limited
20 to, participation in fishing tournaments. For the purposes of
21 this paragraph, "promotional purposes" means the entry of the
22 vessel in a marine-related event where prospective purchasers
23 would be in attendance, where the vessel is entered in the
24 name of the dealer or manufacturer, and where the vessel is
25 clearly marked as for sale, on which vessel the name of the
26 dealer or manufacturer is clearly displayed, and which vessel
27 has never been transferred into the dealer's or manufacturer's
28 accounting books from an inventory item to a capital asset for
29 depreciation purposes.

30 2. The provisions of this paragraph do not apply to
31 any vessel when used for transporting persons or goods for

1 compensation; when offered, let, or rented to another for
2 consideration; when offered for rent or hire as a means of
3 transportation for compensation; or when offered or used to
4 provide transportation for persons solicited through personal
5 contact or through advertisement on a "share expense" basis.

6 Section 3. Subsections (1) and (3) of section
7 282.1095, Florida Statutes, 1998 Supplement, are amended to
8 read:

9 282.1095 State agency law enforcement radio system.--

10 (1) For the purpose of acquiring and implementing a
11 statewide radio communications system to serve law enforcement
12 units of state agencies, and to serve local law enforcement
13 agencies through a mutual aid channel, the Joint Task Force on
14 State Agency Law Enforcement Communications is established in
15 the Department of Management Services and the State Agency Law
16 Enforcement Radio System Trust Fund is established in the
17 Department of Management Services from July 1, 1988, through
18 December 31, 2003. The trust fund shall be funded from
19 surcharges collected under ss. 320.0802 and 328.72 ~~327.25~~.

20 (3) Moneys in the trust fund may be used by the joint
21 task force to acquire by competitive procurement the
22 equipment; software; and engineering, administrative, and
23 maintenance services it needs to construct, operate, and
24 maintain the statewide radio system. Moneys in the trust fund
25 collected as a result of the surcharges set forth in ss.
26 320.0802 and 328.72 ~~327.25~~ shall be used to help fund the
27 costs of the system. Upon completion of the system, moneys in
28 the trust fund may also be used by the joint task force to
29 provide for payment of the recurring maintenance costs of the
30 system. During statewide implementation, moneys in the trust
31 fund may be used by the joint task force to maintain and

1 enhance, over and above existing agency budgets, existing
2 radio equipment systems of the state agencies represented by
3 the task force members, up to a maximum of 10 percent per year
4 per agency, of the existing radio equipment inventory until
5 the existing radio equipment can be replaced pursuant to
6 implementation of the statewide radio communications system.

7 Section 4. Paragraph (b) of subsection (1) of section
8 320.04, Florida Statutes, 1998 Supplement, is amended to read:

9 320.04 Registration service charge.--

10 (1)

11 (b) In addition to the fees provided in paragraph (a),
12 any tax collector may impose an additional service charge of
13 not more than 50 cents on any transaction specified in
14 paragraph (a) or on any transaction specified in s.

15 319.32(2)(a) or s. 328.48 ~~s. 327.11~~ (1982 Supplement to the
16 Florida Statutes 1981) when such transaction occurs at any tax
17 collector's branch office.

18 Section 5. Section 327.01, Florida Statutes, is
19 amended to read:

20 327.01 Short title.--This chapter shall be known as
21 the "Florida Vessel ~~Registration and~~ Safety Law."

22 Section 6. Section 327.03, Florida Statutes, 1998
23 Supplement, is renumbered as section 328.40, Florida Statutes,
24 and amended to read:

25 328.40 ~~327.03~~ Administration of vessel registration
26 and titling laws; records.--

27 (1) The administration of vessel registration and
28 titling as set forth in this chapter ~~and chapter 328~~ is under
29 the Department of Highway Safety and Motor Vehicles, which
30 shall provide for issuing, handling, and recording of all
31 vessel registration and titling applications and certificates,

1 including the receipt and accounting of vessel registration
2 and titling fees.

3 (2) The Department of Highway Safety and Motor
4 Vehicles shall keep records and perform such other clerical
5 duties as required pertaining to:

6 (a) Vessel registration and titling.

7 (b) Suspension of the vessel operating privilege under
8 ss. 327.35-327.355.

9 (3) All records made or kept by the Department of
10 Highway Safety and Motor Vehicles under this law are public
11 records except for confidential reports.

12 Section 7. Section 327.031, Florida Statutes, is
13 renumbered as section 328.42, Florida Statutes.

14 Section 8. Section 327.04, Florida Statutes, 1998
15 Supplement, is amended to read:

16 327.04 Rules.--

17 ~~(1) The department has authority to adopt rules~~
18 ~~pursuant to ss. 120.536(1) and 120.54, other than rules~~
19 ~~pertaining to vessel registration or titling, to implement the~~
20 ~~provisions of this chapter conferring powers or duties upon~~
21 ~~it.~~

22 ~~(2) The Department of Highway Safety and Motor~~
23 ~~Vehicles has authority to adopt rules pursuant to ss.~~
24 ~~120.536(1) and 120.54 which pertain to vessel registration and~~
25 ~~titling to implement the provisions of this chapter and~~
26 ~~chapter 328 conferring duties upon it.~~

27 Section 9. Section 328.44, Florida Statutes, is
28 created to read:

29 328.44 Rules.--The Department of Highway Safety and
30 Motor Vehicles has authority to adopt rules pursuant to ss.

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1 120.536(1) and 120.54 to implement the provisions of this
2 chapter conferring duties upon it.

3 Section 10. Section 327.10, Florida Statutes, is
4 renumbered as section 328.46, Florida Statutes, and amended to
5 read:

6 328.46 ~~327.10~~ Operation of registered vessels.--

7 (1) Every vessel that is required to be registered and
8 that is using the waters of this state shall be registered and
9 numbered within 30 days after purchase by the owner except as
10 specifically exempt. During this 30-day period, the operator
11 is required to have aboard the vessel and available for
12 inspection a bill of sale. The bill of sale for the vessel
13 shall serve as the temporary certificate of number that is
14 required by federal law and must contain the following
15 information:

- 16 (a) Make of the vessel.
17 (b) Length of the vessel.
18 (c) Type of propulsion.
19 (d) Hull identification number.
20 (e) A statement declaring Florida to be the state
21 where the vessel is principally used.
22 (f) Name of the purchaser.
23 (g) Address of the purchaser, including ZIP code.
24 (h) Signature of the purchaser.
25 (i) Name of the seller.
26 (j) Signature of the seller.
27 (k) Date of the sale of the vessel. The date of sale
28 shall also serve as the date of issuance of the temporary
29 certificate of number.

30 (l) Notice to the purchaser and operator that the
31 temporary authority to use the vessel on the waters of this

1 state is invalid after 30 days following the date of sale of
2 the vessel.

3 (2) No person shall operate or give permission for the
4 operation of any such vessel on such waters unless:

5 (a) Such vessel is registered within 30 days after
6 purchase by the owner and numbered with the identifying number
7 set forth in the certificate of registration, displayed:

8 1. In accordance with s. 328.48(4)~~327.11(4)~~, except,
9 if the vessel is an airboat, the registration number may be
10 displayed on each side of the rudder; or

11 2. In accordance with 33 C.F.R. s. 173.27, or with a
12 federally approved numbering system of another state; and

13 (b) The certificate of registration or temporary
14 certificate of number awarded to such vessel is in full force
15 and effect.

16 Section 11. Section 327.11, Florida Statutes, is
17 renumbered as section 328.48, Florida Statutes, and amended to
18 read:

19 328.48 ~~327.11~~ Vessel registration, application,
20 certificate, number, decal, duplicate certificate.--

21 (1)(a) The owner of each vessel required by this law
22 to pay a registration fee and secure an identification number
23 shall file an application with the county tax collector. The
24 application shall provide the owner's name and address;
25 residency status; personal or business identification, which
26 may include, but need not be limited to, a driver's license
27 number, Florida identification card number, or federal
28 employer identification number; and a complete description of
29 the vessel, and shall be accompanied by payment of the
30 applicable fee required in s. 328.72 ~~327.25~~. Registration is
31

1 not required for any vessel that is not used on the waters of
2 this state.

3 (b) For purposes of registration, the owner may
4 establish proof of ownership of the vessel by submitting with
5 his or her application an executed bill of sale, a builder's
6 contract, a manufacturer's statement of origin, a federal
7 marine document, or any other document acceptable to the
8 Department of Highway Safety and Motor Vehicles and presented
9 at the time of registration to the agency issuing the
10 registration certificate.

11 (2) All vessels operated on the waters of the state
12 must be registered, either commercial or noncommercial as
13 defined herein, except as follows:

14 (a) A vessel used exclusively on private lakes and
15 ponds.

16 (b) A vessel owned by the United States Government.

17 (c) A vessel used exclusively as a ship's lifeboat.

18 (d) A non-motor-powered vessel.

19 (3) The Department of Highway Safety and Motor
20 Vehicles shall issue certificates of registration and numbers
21 for city, county, and state-owned vessels at no charge,
22 provided the vessels are used for purposes other than
23 recreation.

24 (4) Each certificate of registration issued shall
25 state among other items the numbers awarded to the vessel, the
26 hull identification number, the name and address of the owner,
27 and a description of the vessel, except that certificates of
28 registration for vessels constructed or assembled by the owner
29 registered for the first time shall state all the foregoing
30 information except the hull identification number. The
31 numbers shall be placed on each side of the forward half of

1 the vessel in such position as to provide clear legibility for
2 identification, except, if the vessel is an airboat, the
3 numbers may be placed on each side of the rudder. The numbers
4 awarded to the vessel shall read from left to right and shall
5 be in block characters of good proportion not less than 3
6 inches in height. The numbers shall be of a solid color which
7 will contrast with the color of the background and shall be so
8 maintained as to be clearly visible and legible; i.e., dark
9 numbers on a light background or light numbers on a dark
10 background. The certificate of registration shall be
11 pocket-sized and shall be available for inspection on the
12 vessel for which issued whenever such vessel is in operation.

13 (5) A decal signifying the year or years during which
14 the certificate is valid shall be furnished by the Department
15 of Highway Safety and Motor Vehicles with each registration
16 certificate issued. The decal issued to an undocumented vessel
17 shall be displayed by affixing it to the port (left) side of
18 the vessel within 6 inches before or after the registration
19 number. The decal issued to a documented vessel shall be
20 placed on the port (left) side of the vessel and may be
21 affixed to a window or the windshield on the port (left) side
22 of the vessel in lieu of being placed on the hull. A decal
23 issued to a dealer shall be affixed, with the registration
24 number, to a removable sign pursuant to s. 328.52(2)
25 ~~327.13(2)~~. Any decal for a previous year shall be removed from
26 a vessel operating on the waters of the state.

27 (6) Anyone guilty of falsely certifying any facts
28 relating to application, certificate, transfer, number, decal,
29 or duplicate certificates or any information required under
30 this section shall be punished as provided under this chapter.

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1 Section 12. Section 327.12, Florida Statutes, is
2 renumbered as section 328.50, Florida Statutes.

3 Section 13. Section 327.13, Florida Statutes, is
4 renumbered as section 328.52, Florida Statutes.

5 Section 14. Section 327.14, Florida Statutes, is
6 renumbered as section 328.54, Florida Statutes.

7 Section 15. Section 327.15, Florida Statutes, is
8 renumbered as section 328.56, Florida Statutes.

9 Section 16. Section 327.16, Florida Statutes, is
10 renumbered as section 328.58, Florida Statutes.

11 Section 17. Section 327.17, Florida Statutes, is
12 renumbered as section 328.60, Florida Statutes, and amended to
13 read:

14 328.60 ~~327.17~~ Military personnel; registration;
15 penalties.--Any military personnel on active duty in this
16 state operating a vessel that has a registration number in
17 full force and effect which has been awarded to it pursuant to
18 a federally approved numbering system of another state or by
19 the United States Coast Guard in a state without a federally
20 approved numbering system, or a federally documented vessel
21 with a valid registration in full force and effect from
22 another state shall not be required to register his or her
23 vessel in this state while such certificate of registration
24 remains valid; but, at the expiration of such registration
25 certificate, all registration and titling shall be issued by
26 this state. In the case of a federally documented vessel, the
27 issuance of a title is not required by this chapter ~~328~~.

28 Section 18. Section 327.18, Florida Statutes, is
29 renumbered as section 328.62, Florida Statutes.

30 Section 19. Section 327.19, Florida Statutes, is
31 renumbered as section 328.64, Florida Statutes.

1 Section 20. Section 327.21, Florida Statutes, is
2 renumbered as section 328.65, Florida Statutes, and amended to
3 read:

4 328.65 ~~327.21~~ Legislative intent with respect to
5 registration and numbering of vessels.--It is the legislative
6 intent that vessels be registered and numbered uniformly
7 throughout the state. The purpose of ss. ~~327.22, 327.23,~~
8 ~~327.25, 327.58, 327.70, and 327.72,~~ 328.66, 328.68, and 328.72
9 is to make registration and numbering procedures similar to
10 those of automobiles and airplanes and to provide for a vessel
11 registration fee and certificate so as to determine the
12 ownership of vessels which operate on the waters of this state
13 and to aid in the advancement of maritime safety.

14 Section 21. Section 327.22, Florida Statutes, is
15 amended to read:

16 327.22 Regulation of vessels by municipalities or
17 counties.--

18 (1)~~(a)~~ Nothing in this chapter shall be construed to
19 prohibit any municipality or county that expends money for the
20 patrol, regulation, and maintenance of any lakes, rivers, or
21 waters and for other boating-related activities in such
22 municipality or county from regulating vessels resident in
23 such municipality or county. Any county or municipality may
24 adopt ordinances which provide for enforcement of noncriminal
25 violations of s. 327.33 relating to the careless operation of
26 a vessel which results in the endangering or damaging of
27 property, by citation mailed to registered owner of the
28 vessel. Any such ordinance shall apply only in designated
29 restricted areas which are properly marked and in need of
30 shoreline protection. Any county and the municipalities
31 located within the county may jointly regulate vessels.

1 (2)(b) Citations issued to liveried vessels pursuant
2 to this subsection shall be the responsibility of the lessee
3 of the vessel. It shall be the responsibility of the lessor
4 upon request of the agency issuing the citation, to provide
5 the name and address of the lessee. It shall be the
6 responsibility of the livery to provide such information as a
7 part of the rental agreement. The livery is not responsible
8 for the payment of citations if the livery provides the
9 required information.

10 ~~(2) Any county may impose an annual registration fee~~
11 ~~on vessels registered, operated, or stored in the water within~~
12 ~~its jurisdiction. This fee shall be 50 percent of the~~
13 ~~applicable state registration fee. However, the first \$1 of~~
14 ~~every registration imposed under this subsection shall be~~
15 ~~remitted to the state for deposit in the Save the Manatee~~
16 ~~Trust Fund for expenditure solely on activities related to the~~
17 ~~preservation of manatees. All other moneys received from such~~
18 ~~fee shall be expended for the patrol, regulation, and~~
19 ~~maintenance of the lakes, rivers, and waters and for other~~
20 ~~boating-related activities of such municipality or county. A~~
21 ~~municipality that was imposing a registration fee before April~~
22 ~~1, 1984, may continue to levy such fee, notwithstanding the~~
23 ~~provisions of this section.~~

24 ~~(3) Any county which imposes an annual registration~~
25 ~~fee may establish, by interlocal agreement with one or more of~~
26 ~~the municipalities located in the county, a distribution~~
27 ~~formula for dividing the proceeds of the fee or for use of the~~
28 ~~funds for boating-related projects located within the county~~
29 ~~or the municipality or municipalities, or the county and the~~
30 ~~municipality or municipalities.~~

31

1 Section 22. Section 328.66, Florida Statutes, is
2 created to read:

3 328.66 County and municipality optional registration
4 fee.--

5 (1) Any county may impose an annual registration fee
6 on vessels registered, operated, or stored in the water within
7 its jurisdiction. This fee shall be 50 percent of the
8 applicable state registration fee. However, the first \$1 of
9 every registration imposed under this subsection shall be
10 remitted to the state for deposit in the Save the Manatee
11 Trust Fund for expenditure solely on activities related to the
12 preservation of manatees. All other moneys received from such
13 fee shall be expended for the patrol, regulation, and
14 maintenance of the lakes, rivers, and waters and for other
15 boating-related activities of such municipality or county. A
16 municipality that was imposing a registration fee before April
17 1, 1984, may continue to levy such fee, notwithstanding the
18 provisions of this section.

19 (2) Any county which imposes an annual registration
20 fee may establish, by interlocal agreement with one or more of
21 the municipalities located in the county, a distribution
22 formula for dividing the proceeds of the fee or for use of the
23 funds for boating-related projects located within the county
24 or the municipality or municipalities, or the county and the
25 municipality or municipalities.

26 Section 23. Section 327.23, Florida Statutes, is
27 renumbered as section 328.68, Florida Statutes, and amended to
28 read:

29 328.68 ~~327.23~~ Exemption of vessels and outboard motors
30 from personal property tax; temporary certificate of
31 registration; vessel registration certificate fee.--

1 (1) Every vessel registered as provided herein, and
2 outboard motor capable of propelling any such vessel, shall be
3 exempt from any personal property tax and in lieu thereof
4 shall pay a vessel registration certificate fee. A
5 certificate of registration shall be issued for any documented
6 vessel, the owner of which has paid the registration
7 certificate fee, but no state registration number shall be
8 issued to such vessel.

9 (2) A temporary certificate of registration may be
10 issued to a vessel for which the owner has made application to
11 the United States Coast Guard for documentation and has paid
12 the applicable registration certificate fee pursuant to s.
13 328.72(1)~~327.25(1)~~. A temporary certificate of registration
14 shall only be issued upon proof that all applicable state
15 sales taxes have been paid and that the application for
16 documentation is on file with the United States Coast Guard.
17 Any reregistration of such a vessel without the submission of
18 the vessel's documentation papers shall require written
19 verification from the United States Coast Guard as to the
20 current status of the application for the vessel's
21 documentation. Upon receipt of the vessel's documentation
22 papers, the owner shall bring them to the agent issuing the
23 temporary certificate for official recording of information.

24 Section 24. Section 327.24, Florida Statutes, is
25 renumbered as section 328.70, Florida Statutes, and amended to
26 read:

27 328.70 ~~327.24~~ Legislative intent with respect to
28 uniform registration fee, classification of vessels.--It is
29 declared to be the intent of the Legislature that all vessels
30 in the state be subject to a uniform registration fee at a
31 rate based on the length of the vessels. It is also declared

1 to be the intent of the Legislature that all vessels be
2 classified as either "commercial" or "noncommercial" and that
3 all such vessels be registered according to the provisions of
4 s. 328.72 ~~327.25~~. Any vessel which is required to be
5 registered and meets the definition of a commercial vessel
6 shall be classified and registered as a "commercial vessel."
7 Any vessel which is required to be registered and is not
8 operated for commercial purposes shall be classified and
9 registered as a "noncommercial vessel."

10 Section 25. Section 327.25, Florida Statutes, is
11 renumbered as section 328.72, Florida Statutes, and amended to
12 read:

13 328.72 ~~327.25~~ Classification; registration; fees and
14 charges; surcharge; disposition of fees; fines; marine turtle
15 stickers.--

16 (1) VESSEL REGISTRATION FEE.--Vessels that are
17 required to be registered shall be classified for registration
18 purposes according to the following schedule, and the
19 registration certificate fee shall be in the following
20 amounts:

21 Class A-1--Less than 12 feet in length, and all canoes
22 to which propulsion motors have been attached, regardless of
23 length.....\$3.50

24 Class A-2--12 feet or more and less than 16 feet in
25 length.....10.50
26 (To county).....2.85

27 Class 1--16 feet or more and less than 26 feet in
28 length.....18.50
29 (To county).....8.85

30 Class 2--26 feet or more and less than 40 feet in
31 length.....50.50

1	(To county).....	32.85
2	Class 3--40 feet or more and less than 65 feet in	
3	length.....	82.50
4	(To county).....	56.85
5	Class 4--65 feet or more and less than 110 feet in	
6	length.....	98.50
7	(To county).....	68.85
8	Class 5--110 feet or more in length.....	122.50
9	(To county).....	86.85
10	Dealer registration certificate	16.50
11	(2) ANTIQUE VESSEL REGISTRATION FEE.--	
12	(a) A vessel that is at least 30 years old, used only	
13	for noncommercial purposes, and powered by the vessel's	
14	original-type power plant may be registered as an antique	
15	vessel. When applying for registration as an antique vessel,	
16	the owner of such a vessel shall submit certification, as	
17	prescribed by the Department of Highway Safety and Motor	
18	Vehicles or from a marine surveyor that the vessel meets the	
19	requirements of this paragraph.	
20	(b) The registration number for an antique vessel	
21	shall be affixed on the forward half of the hull or on the	
22	port side of the windshield according to ss. <u>328.48</u> and <u>328.54</u>	
23	327.11 and 327.14.	
24	(c) The Department of Highway Safety and Motor	
25	Vehicles may issue a decal identifying the vessel as an	
26	antique vessel. The decal shall be placed within 3 inches of	
27	the registration number.	
28	(3) ALIEN OR NONRESIDENT LICENSE FEE.--An additional	
29	license fee of \$50 shall be required of all aliens or	
30	nonresidents of the state on all vessels not subject to a	
31	specific reciprocal agreement with another state, which	

1 vessels are used for commercial purposes and owned in whole or
2 in part by such aliens or nonresidents. Such fee shall be in
3 addition to the vessel registration fee required by this
4 section.

5 (4) TRANSFER OF OWNERSHIP.--

6 (a) When the ownership of a registered vessel changes,
7 an application for transfer of registration shall be filed
8 with the county tax collector by the new owner within 30 days
9 with a fee of \$3.25. The county tax collector shall retain
10 \$2.25 of the fee and shall remit \$1 to the department. A
11 refund may not be made for any unused portion of a
12 registration period.

13 (b) If a vessel is an antique as defined in subsection
14 (2), the application shall be accompanied by either a
15 certificate of title, a notarized bill of sale and a
16 registration, or a notarized bill of sale and an affidavit by
17 the owner defending the title from all claims. The bill of
18 sale must contain a complete vessel description to include the
19 hull identification number and engine number, if appropriate;
20 the year, make, and color of the vessel; the selling price;
21 and the signatures of the seller and purchaser.

22 (5) REPLACEMENT DECAL.--A decal issued to replace a
23 lost or misplaced decal may be obtained by submitting \$2.25
24 with a request for such replacement decal to the county tax
25 collector. A replacement decal may not be issued except upon
26 receipt of a written request by the registered owner or an
27 appointed representative.

28 (6) CHANGE OF CLASSIFICATION.--If the classification
29 of a vessel changes from noncommercial to commercial, or from
30 commercial to noncommercial, and a current registration
31 certificate has been issued to the owner, the owner shall

1 forward his or her certificate to the county tax collector
2 with a fee of \$2.25 and a new certificate shall be issued.

3 (7) SERVICE FEE.--In addition to other registration
4 fees, the vessel owner shall pay the tax collector a \$2.25
5 service fee for each registration issued, replaced, or
6 renewed. All fees, other than the service charge, collected
7 by a tax collector must be remitted to the department not
8 later than 7 working days following the last day of the week
9 in which the money was remitted. Vessels may travel in salt
10 water or fresh water.

11 (8) MAIL SERVICE CHARGE.--A mail service charge shall
12 be collected for each registration or reregistration mailed by
13 the Department of Highway Safety and Motor Vehicles or any tax
14 collector. All registrations and reregistrations shall be
15 mailed by first-class mail. The amount of the mail service
16 charge shall be the actual postage required rounded to the
17 nearest 5 cents, plus a 25-cent handling charge. The mail
18 service charge shall be in addition to the service charge
19 provided in subsection (7) and shall be used and accounted for
20 in accordance with law.

21 (9) SURCHARGE.--In addition, during the period January
22 1, 1989, through December 31, 2003, there is hereby levied and
23 imposed on each vessel registration fee imposed under
24 subsection (1) a surcharge in the amount of \$1, which shall be
25 collected in the same manner as the fee and deposited into the
26 State Agency Law Enforcement Radio System Trust Fund of the
27 Department of Management Services. However, the surcharge
28 shall be terminated on midnight December 31, 1994, unless the
29 pilot project established in s. 282.1095 is deemed successful
30 by the joint task force with the concurrence of the Governor

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1 and Cabinet as the head of the Department of Management
2 Services.

3 (10) DUPLICATE REGISTRATION CERTIFICATE.--A duplicate
4 registration certificate to replace a lost or misplaced
5 certificate may be obtained from a tax collector for \$2.25. A
6 duplicate certificate will not be issued except by written
7 request of the registered owner or a person authorized by the
8 owner to make such a request.

9 (11) VOLUNTARY CONTRIBUTIONS.--The application form
10 for boat registration shall include a provision to allow each
11 applicant to indicate a desire to pay an additional voluntary
12 contribution to the Save the Manatee Trust Fund for manatee
13 and marine mammal research, protection, recovery, rescue,
14 rehabilitation, and release. This contribution shall be in
15 addition to all other fees and charges. The amount of the
16 request for a voluntary contribution solicited shall be \$1 per
17 registrant. Beginning with boat registration in fiscal year
18 1992-1993, the request for a voluntary contribution solicited
19 shall be \$2 or \$5 per registrant. A registrant who provides a
20 voluntary contribution of \$5 or more shall be given a sticker
21 or emblem by the tax collector to display, which signifies
22 support for the Save the Manatee Trust Fund. All voluntary
23 contributions shall be deposited in the Save the Manatee Trust
24 Fund for use according to this subsection. The first \$2 of
25 voluntary contribution by a vessel registrant shall be
26 available for the manatee protection and recovery effort
27 pursuant to s. 370.12(5)(a). Any additional amount of
28 voluntary contribution by a vessel registrant shall also be
29 for the purpose of the manatee protection and recovery effort,
30 except that any voluntary contribution in excess of the first
31 \$2 voluntary contribution by a vessel registrant but not

1 exceeding \$2 shall be available for manatee rehabilitation by
2 those facilities approved to rescue, rehabilitate, and release
3 manatees pursuant to s. 370.12(5)(b). The form shall also
4 include language permitting a voluntary contribution of \$5 per
5 applicant, which contribution shall be transferred into the
6 Election Campaign Financing Trust Fund. A statement providing
7 an explanation of the purpose of the trust fund shall also be
8 included.

9 (12) REGISTRATION.--

10 (a) "Registration period" is a period of 12 months
11 during which a vessel registration is valid.

12 (b) "Renewal period" is a period of 30 days during
13 which renewal of a vessel registration is required, except as
14 otherwise provided by law.

15 (c) ~~Effective July 1, 1996,~~The following registration
16 periods and renewal periods are established:

17 1. For vessels owned by individuals, the registration
18 period begins the first day of the birth month of the owner
19 and ends the last day of the month immediately preceding the
20 owner's birth month in the succeeding year. If the vessel is
21 registered in the name of more than one person, the birth
22 month of the person whose name first appears on the
23 registration shall be used to determine the registration
24 period. For a vessel subject to this registration period, the
25 renewal period is the 30-day period ending at midnight on the
26 vessel owner's date of birth.

27 2. For vessels owned by companies, corporations,
28 governmental entities, those entities listed under subsection
29 (15)(11), and registrations issued to dealers and
30 manufacturers, the registration period begins July 1 and ends
31

1 June 30. The renewal period is the 30-day period beginning
2 June 1.

3 (d) Beginning June 1, 1997, through May 31, 1998, for
4 purposes of implementing the birth month schedule of
5 registrations, those persons whose birth months are June,
6 July, August, and September shall register for periods from 12
7 to 15 months, and those persons whose birth months are from
8 October through May shall register for periods of 4 to 11
9 months.

10 (13) FRACTIONAL REGISTRATION FEE.--For the purpose of
11 implementing the birth month schedule of registration and for
12 the period of June 1, 1997, through May 31, 1998, registration
13 fees shall be prorated on a monthly basis when the
14 registration period is other than 12 months. However, the
15 minimum fee for any registration is \$3.50. This subsection
16 expires June 1, 1998.

17 (14) EXPIRED REGISTRATION.--The operation of a
18 previously registered vessel after the expiration of the
19 registration period is a noncriminal violation, as defined in
20 s. 327.73.

21 (15) EXEMPTIONS.--Vessels owned and operated by Sea
22 Explorer or Sea Scout units of the Boy Scouts of America, the
23 Girl Scouts of America, the Safe Harbor Haven, Inc., or the
24 Associated Marine Institutes, Inc., and its affiliates, or
25 which are antique vessels as defined in paragraph (2)(a) are
26 exempt from the provisions of subsection (1). Such vessels
27 shall be issued certificates of registration and numbers upon
28 application and payment of the service fee provided in
29 subsection (7).

30 (16) DISTRIBUTION OF FEES.--Moneys deposited pursuant
31 to s. 328.76 ~~327.28~~ to be returned to the counties are for the

1 sole purposes of providing recreational channel marking and
2 public launching facilities and other boating-related
3 activities, for removal of vessels and floating structures
4 deemed a hazard to public safety and health for failure to
5 comply with s. 327.53, and for manatee and marine mammal
6 protection and recovery. The department shall ascertain, as a
7 guideline in determining the amounts of distributions each
8 county may receive, the number of noncommercial vessels
9 registered in the county during the preceding fiscal year
10 according to the fee schedule provided in subsection (1) and
11 shall promulgate rules to effectuate this. Each fiscal year,
12 prior to determination of distributions to the counties under
13 this section, an amount equal to \$1 for each vessel registered
14 in this state shall be transferred to the Save the Manatee
15 Trust Fund for manatee and marine mammal research, protection,
16 and recovery.

17 (17) MARINE TURTLE STICKER.--The Department of
18 Environmental Protection shall offer for sale with vessel
19 registrations a waterproof sticker in the shape of a marine
20 turtle at an additional cost of \$5, the proceeds of which
21 shall be deposited in the Marine Resources Conservation Trust
22 Fund to be used for marine turtle protection, research, and
23 recovery efforts pursuant to the provisions of s. 370.12(1).

24 (18) FORMS AND NOTICES.--The Department of Highway
25 Safety and Motor Vehicles shall prescribe and provide suitable
26 forms for applications and other notices and forms necessary
27 to administer the provisions of this chapter.

28 Section 26. Section 327.26, Florida Statutes, is
29 renumbered as section 328.74, Florida Statutes, and amended to
30 read:

31

1 328.74 ~~327.26~~ Stickers or emblems for the Save the
2 Manatee Trust Fund.--The department shall prepare stickers or
3 emblems signifying support for the Save the Manatee Trust Fund
4 which shall be given to persons who contribute to the Save the
5 Manatee Trust Fund as provided in s. 328.72 ~~327.25~~. The
6 department may accept stickers or emblems donated by any
7 governmental or nongovernmental entity for the purposes of
8 this section.

9 Section 27. Section 327.28, Florida Statutes, is
10 renumbered as section 328.76, Florida Statutes, and amended to
11 read:

12 328.76 ~~327.28~~ Marine Resources Conservation Trust
13 Fund; vessel registration funds; appropriation and
14 distribution.--

15 (1) Except as otherwise specified and less any
16 administrative costs, all funds collected from the
17 registration of vessels through the Department of Highway
18 Safety and Motor Vehicles and the tax collectors of the state
19 shall be deposited in the Marine Resources Conservation Trust
20 Fund for recreational channel marking; public launching
21 facilities; law enforcement and quality control programs;
22 aquatic weed control; manatee protection, recovery, rescue,
23 rehabilitation, and release; and marine mammal protection and
24 recovery. The funds collected pursuant to s. 328.72(1)
25 ~~327.25(1)~~ shall be transferred as follows:

26 (a) In each fiscal year, an amount equal to \$1 for
27 each vessel registered in this state shall be transferred to
28 the Save the Manatee Trust Fund for manatee and marine mammal
29 research, protection, and recovery in accordance with the
30 provisions of s. 370.12(5)(a).

31

1 (b) In addition, in each fiscal year, an amount equal
2 to 50 cents for each vessel registered in this state shall be
3 transferred to the Save the Manatee Trust Fund in accordance
4 with the provisions of s. 370.12(5)(b) for use by those
5 facilities approved to rescue, rehabilitate, and release
6 manatees as authorized pursuant to the Fish and Wildlife
7 Service of the United States Department of the Interior.

8 (c) Two dollars from each noncommercial vessel
9 registration fee, except that for class A-1 vessels, shall be
10 transferred to the Aquatic Plant Control Trust Fund for
11 aquatic weed research and control.

12 (d) Forty percent of the registration fees from
13 commercial vessels shall be used for law enforcement and
14 quality control programs.

15 (e) Forty percent of the registration fees from
16 commercial vessels shall be transferred to the Aquatic Plant
17 Control Trust Fund for aquatic plant research and control.

18 (2) All funds collected pursuant to s. 370.06(2) shall
19 be deposited in the Marine Resources Conservation Trust Fund.
20 Such funds shall be used to pay the cost of implementing the
21 saltwater products license program. Additional proceeds from
22 the licensing revenue shall be distributed among the following
23 program functions:

24 (a) No more than 15 percent nor less than the amount
25 deposited in the former Marine Fisheries Commission Trust Fund
26 pursuant to this subsection in fiscal year 1987-1988 shall go
27 to the Marine Fisheries Commission for its operations;

28 (b) No more than 15 percent shall go to law
29 enforcement;

30 (c) No more than 25 percent shall go to the Florida
31 Saltwater Products Promotion Trust Fund within the Department

1 of Agriculture and Consumer Services for the purpose of
2 providing marketing and extension services including industry
3 information and education; and

4 (d) The remainder, but at least 45 percent, shall go
5 to the Division of Marine Resources, for use in marine
6 research and statistics development, including quota
7 management.

8 Section 28. Section 327.29, Florida Statutes, is
9 renumbered as section 328.78, Florida Statutes.

10 Section 29. Subsection (7) of section 327.53, Florida
11 Statutes, is amended to read:

12 327.53 Marine sanitation.--

13 (7) Any vessel or floating structure operated or
14 occupied on the waters of the state in violation of this
15 section is declared a nuisance and a hazard to public safety
16 and health. The owner or operator of any vessel or floating
17 structure cited for violating this section shall, within 30
18 days following the issuance of the citation, correct the
19 violation for which the citation was issued or remove the
20 vessel or floating structure from the waters of the state. If
21 the violation is not corrected within the 30 days and the
22 vessel or floating structure remains on the waters of the
23 state in violation of this section, law enforcement officers
24 charged with the enforcement of this chapter under s. 327.70
25 shall apply to the appropriate court in the county in which
26 the vessel or floating structure is located, to order or
27 otherwise cause the removal of such vessel or floating
28 structure from the waters of the state at the owner's expense.
29 If the owner cannot be found or otherwise fails to pay the
30 removal costs, the provisions of s. 328.17 shall apply. If
31 the proceeds under s. 328.17 are not sufficient to pay all

1 removal costs, funds appropriated from the Marine Resources
2 Conservation Trust Fund pursuant to paragraph (6)(b) or s.
3 328.72(16)~~327.25(16)~~ may be used.

4 Section 30. Subsection (1) of section 327.60, Florida
5 Statutes, is amended to read:

6 327.60 Local regulations; limitations.--

7 (1) The provisions of ss. 327.01, 327.02, ~~327.11,~~
8 ~~327.13-327.16, 327.18, 327.19, 327.28,~~ 327.30-327.40,
9 327.44-327.50, 327.54, 327.56, and 327.65, 328.40-328.48,
10 328.52-328.58, 328.62, and 328.64 shall govern the operation,
11 equipment, and all other matters relating thereto whenever any
12 vessel shall be operated upon the waterways or when any
13 activity regulated hereby shall take place thereon. Nothing in
14 these sections shall be construed to prevent the adoption of
15 any ordinance or local law relating to operation and equipment
16 of vessels, except that no such ordinance or local law may
17 apply to the Florida Intracoastal Waterway and except that
18 such ordinances or local laws shall be operative only when
19 they are not in conflict with this chapter or any amendments
20 thereto or regulations thereunder.

21 Section 31. Subsection (1) of section 327.73, Florida
22 Statutes, is amended to read:

23 327.73 Noncriminal infractions.--

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

26 (a) Section 328.46 ~~327.10~~, relating to operation of
27 unregistered and unnumbered vessels.

28 (b) Section 328.48(4) ~~327.11(4)~~, relating to display
29 of number and possession of registration certificate.

30 (c) Section 328.48(5) ~~327.11(5)~~, relating to display
31 of decal.

- 1 (d) Section 328.52(2)~~327.13(2)~~, relating to display
2 of number.
- 3 (e) Section 328.54 ~~327.14~~, relating to spacing of
4 digits and letters of identification number.
- 5 (f) Section 328.60 ~~327.17~~, relating to military
6 personnel and registration of vessels.
- 7 (g) Section 328.72(14)~~327.25(14)~~, relating to
8 operation with an expired registration.
- 9 (h) Section 327.33(2), relating to careless operation.
- 10 (i) Section 327.37, relating to water skiing,
11 aquaplaning, and similar activities.
- 12 (j) Section 327.44, relating to interference with
13 navigation.
- 14 (k) Violations relating to restricted areas and speed
15 limits:
- 16 1. Established by the department pursuant to s.
17 327.46.
- 18 2. Established by local governmental authorities
19 pursuant to s. 327.22 or s. 327.60.
- 20 3. Speed limits established pursuant to s. 370.12(2).
- 21 (l) Section 327.48, relating to regattas and races.
- 22 (m) Section 327.50(1) and (2), relating to required
23 safety equipment, lights, and shapes.
- 24 (n) Section 327.65, relating to muffling devices.
- 25 (o) Section 327.33(3)(b), relating to navigation
26 rules.
- 27 (p) Section 327.39(1), (2), (3), and (5), relating to
28 personal watercraft.
- 29 (q) Section 327.53(1), (2), and (3), relating to
30 marine sanitation.
- 31

1 (r) Section 327.53(4), (5), and (7), relating to
2 marine sanitation, for which the civil penalty is \$250.

3 (s) Section 327.395, relating to boater safety
4 education.

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

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

22 Section 32. Section 327.90, Florida Statutes, is
23 renumbered as section 328.80, Florida Statutes, and amended to
24 read:

25 328.80 ~~327.90~~ Transactions by electronic or telephonic
26 means.--The Department of Highway Safety and Motor Vehicles is
27 authorized to accept any application provided for under this
28 chapter by electronic or telephonic means.

29 Section 33. Subsection (2) of section 370.06, Florida
30 Statutes, 1998 Supplement, is amended to read:

31 370.06 Licenses.--

1 (2) SALTWATER PRODUCTS LICENSE.--
2 (a) Every person, firm, or corporation that sells,
3 offers for sale, barter, or exchanges for merchandise any
4 saltwater products, or which harvests saltwater products with
5 certain gear or equipment as specified by law, must have a
6 valid saltwater products license, except that the holder of an
7 aquaculture certificate under s. 597.004 is not required to
8 purchase and possess a saltwater products license in order to
9 possess, transport, or sell marine aquaculture products. Each
10 saltwater products license allows the holder to engage in any
11 of the activities for which the license is required. The
12 license must be in the possession of the licenseholder or
13 aboard the vessel and shall be subject to inspection at any
14 time that harvesting activities for which a license is
15 required are being conducted. A restricted species endorsement
16 on the saltwater products license is required to sell to a
17 licensed wholesale dealer those species which the state, by
18 law or rule, has designated as "restricted species." This
19 endorsement may be issued only to a person who is at least 16
20 years of age, or to a firm certifying that over 25 percent of
21 its income or \$5,000 of its income, whichever is less, is
22 attributable to the sale of saltwater products pursuant to a
23 license issued under this paragraph or a similar license from
24 another state. This endorsement may also be issued to a
25 for-profit corporation if it certifies that at least \$5,000 of
26 its income is attributable to the sale of saltwater products
27 pursuant to a license issued under this paragraph or a similar
28 license from another state. However, if at least 50 percent of
29 the annual income of a person, firm, or for-profit corporation
30 is derived from charter fishing, the person, firm, or
31 for-profit corporation must certify that at least \$2,500 of

1 the income of the person, firm, or corporation is attributable
2 to the sale of saltwater products pursuant to a license issued
3 under this paragraph or a similar license from another state,
4 in order to be issued the endorsement. Such income attribution
5 must apply to at least 1 year out of the last 3 years. For the
6 purpose of this section "income" means that income which is
7 attributable to work, employment, entrepreneurship, pensions,
8 retirement benefits, and social security benefits. To renew an
9 existing restricted species endorsement, a marine aquaculture
10 producer possessing a valid saltwater products license with a
11 restricted species endorsement may apply income from the sale
12 of marine aquaculture products to licensed wholesale dealers.

13 1. The department is authorized to require
14 verification of such income. Acceptable proof of income earned
15 from the sale of saltwater products shall be:

16 a. Copies of trip ticket records generated pursuant to
17 this subsection (marine fisheries information system),
18 documenting qualifying sale of saltwater products;

19 b. Copies of sales records from locales other than
20 Florida documenting qualifying sale of saltwater products;

21 c. A copy of the applicable federal income tax return,
22 including Form 1099 attachments, verifying income earned from
23 the sale of saltwater products;

24 d. Crew share statements verifying income earned from
25 the sale of saltwater products; or

26 e. A certified public accountant's notarized statement
27 attesting to qualifying source and amount of income.

28

29 Any provision of this section or any other section of the
30 Florida Statutes to the contrary notwithstanding, any person
31 who owns a retail seafood market and/or restaurant at a fixed

1 location for at least 3 years who has had an occupational
2 license for 3 years prior to January 1, 1990, who harvests
3 saltwater products to supply his or her retail store and has
4 had a saltwater products license for 1 of the past 3 years
5 prior to January 1, 1990, may provide proof of his or her
6 verification of income and sales value at the person's retail
7 seafood market and/or restaurant and in his or her saltwater
8 products enterprise by affidavit and shall thereupon be issued
9 a restricted species endorsement.

10 2. Exceptions from income requirements shall be as
11 follows:

12 a. A permanent restricted species endorsement shall be
13 available to those persons age 62 and older who have qualified
14 for such endorsement for at least 3 out of the last 5 years.

15 b. Active military duty time shall be excluded from
16 consideration of time necessary to qualify and shall not be
17 counted against the applicant for purposes of qualifying.

18 c. Upon the sale of a used commercial fishing vessel
19 owned by a person, firm, or corporation possessing or eligible
20 for a restricted species endorsement, the purchaser of such
21 vessel shall be exempted from the qualifying income
22 requirement for the purpose of obtaining a restricted species
23 endorsement for a period of 1 year after purchase of the
24 vessel.

25 d. Upon the death or permanent disablement of a person
26 possessing a restricted species endorsement, an immediate
27 family member wishing to carry on the fishing operation shall
28 be exempted from the qualifying income requirement for the
29 purpose of obtaining a restricted species endorsement for a
30 period of 1 year after the death or disablement.

31

1 e. A restricted species endorsement may be issued on
2 an individual saltwater products license to a person age 62 or
3 older who documents that at least \$2,500 is attributable to
4 the sale of saltwater products pursuant to the provisions of
5 this paragraph.

6 f. A permanent restricted species endorsement may also
7 be issued on an individual saltwater products license to a
8 person age 70 or older who has held a saltwater products
9 license for at least 3 of the last 5 license years.

10 g. Any resident who is certified to be totally and
11 permanently disabled by a verified written statement, based
12 upon the criteria for permanent total disability in chapter
13 440 from a physician licensed in this state, by any branch of
14 the United States Armed Services, by the Social Security
15 Administration, or by the United States Department of Veterans
16 Affairs or its predecessor, or any resident who holds a valid
17 identification card issued by the Department of Veterans'
18 Affairs pursuant to s. 295.17, shall be exempted from the
19 income requirements if he or she also has held a saltwater
20 products license for at least 3 of the last 5 license years
21 prior to the date of the disability. A Disability Award Notice
22 issued by the United States Social Security Administration is
23 not sufficient certification for a resident to obtain the
24 income exemption unless the notice certifies that the resident
25 is totally and permanently disabled.

26
27 At least one saltwater products license bearing a restricted
28 species endorsement shall be aboard any vessel harvesting
29 restricted species in excess of any bag limit or when fishing
30 under a commercial quota or in commercial quantities, and such
31 vessel shall have a commercial vessel registration. This

1 subsection does not apply to any person, firm, or corporation
2 licensed under s. 370.07(1)(a)1. or (b) for activities
3 pursuant to such licenses. A saltwater products license may be
4 issued in the name of an individual or a valid boat
5 registration number. Such license is not transferable. A decal
6 shall be issued with each saltwater products license issued to
7 a valid boat registration number. The saltwater products
8 license decal shall be the same color as the vessel
9 registration decal issued each year pursuant to s. 328.48(5)
10 ~~327.11(5)~~ and shall indicate the period of time such license
11 is valid. The saltwater products license decal shall be placed
12 beside the vessel registration decal and, in the case of an
13 undocumented vessel, shall be placed so that the vessel
14 registration decal lies between the vessel registration number
15 and the saltwater products license decal. Any saltwater
16 products license decal for a previous year shall be removed
17 from a vessel operating on the waters of the state. A resident
18 shall pay an annual license fee of \$50 for a saltwater
19 products license issued in the name of an individual or \$100
20 for a saltwater products license issued to a valid boat
21 registration number. A nonresident shall pay an annual license
22 fee of \$200 for a saltwater products license issued in the
23 name of an individual or \$400 for a saltwater products license
24 issued to a valid boat registration number. An alien shall pay
25 an annual license fee of \$300 for a saltwater products license
26 issued in the name of an individual or \$600 for a saltwater
27 products license issued to a valid boat registration number.
28 Any person who sells saltwater products pursuant to this
29 license may sell only to a licensed wholesale dealer. A
30 saltwater products license must be presented to the licensed
31 wholesale dealer each time saltwater products are sold, and an

1 imprint made thereof. The wholesale dealer shall keep records
2 of each transaction in such detail as may be required by rule
3 of the Department of Environmental Protection not in conflict
4 with s. 370.07(6), and shall provide the holder of the
5 saltwater products license with a copy of the record. It is
6 unlawful for any licensed wholesale dealer to buy saltwater
7 products from any unlicensed person under the provisions of
8 this section, except that a licensed wholesale dealer may buy
9 from another licensed wholesale dealer. It is unlawful for any
10 licensed wholesale dealer to buy saltwater products designated
11 as "restricted species" from any person, firm, or corporation
12 not possessing a restricted species endorsement on his or her
13 saltwater products license under the provisions of this
14 section, except that a licensed wholesale dealer may buy from
15 another licensed wholesale dealer. The Department of
16 Environmental Protection shall be the licensing agency, may
17 contract with private persons or entities to implement aspects
18 of the licensing program, and shall establish by rule a marine
19 fisheries information system in conjunction with the licensing
20 program to gather fisheries data.

21 (b) Any person who sells, offers for sale, barter, or
22 exchanges for merchandise saltwater products must have a
23 method of catch preservation which meets the requirements and
24 standards of the seafood quality control code promulgated by
25 the Department of Environmental Protection.

26 (c) A saltwater products license is required to
27 harvest commercial quantities of saltwater products. Any
28 vessel from which commercial quantities of saltwater products
29 are harvested must have a commercial vessel registration.
30 Commercial quantities of saltwater products shall be defined
31 as:

1 1. With respect to those species for which no bag
2 limit has been established, more than 100 pounds per person
3 per day, provided that the harvesting of two fish or less per
4 person per day shall not be considered commercial quantities
5 regardless of aggregate weight; and

6 2. With respect to those species for which a bag limit
7 has been established, more than the bag limit allowed by law
8 or rule.

9 (d)1. In addition to the saltwater products license, a
10 marine life fishing endorsement is required for the harvest of
11 marine life species as defined by rule of the Marine Fisheries
12 Commission. This endorsement may be issued only to a person
13 who is at least 16 years of age or older or to a corporation
14 holding a valid restricted species endorsement.

15 2.a. Effective July 1, 1998, and until July 1, 2002, a
16 marine life endorsement may not be issued under this
17 paragraph, except that those endorsements that are active
18 during the 1997-1998 fiscal year may be renewed.

19 b. In 1998 persons or corporations holding a marine
20 life endorsement that was active in the 1997-1998 fiscal year
21 or an immediate family member of that person must request
22 renewal of the marine life endorsement before December 31,
23 1998.

24 c. In subsequent years and until July 1, 2002, a
25 marine life endorsement holder or member of his or her
26 immediate family must request renewal of the marine life
27 endorsement before September 30 of each year.

28 d. If a person or corporation holding an active marine
29 life fishing endorsement or a member of that person's
30 immediate family does not request renewal of the endorsement
31 before the applicable dates specified in this paragraph, the

1 department shall deactivate that marine life fishing
2 endorsement.

3 e. In the event of the death or disability of a person
4 holding an active marine life fishing endorsement, the
5 endorsement may be transferred by the person to a member of
6 his or her immediate family or may be renewed by any person so
7 designated by the executor of the person's estate.

8 f. Persons or corporations who hold saltwater product
9 licenses with marine life fishing endorsements issued to their
10 vessel registration numbers and who subsequently replace their
11 existing vessels with new vessels may transfer the existing
12 marine life fishing endorsement to the new boat registration
13 numbers.

14 g. Persons or corporations who hold saltwater product
15 licenses with marine life fishing endorsements issued to their
16 name and who subsequently incorporate or unincorporate may
17 transfer the existing marine life fishing endorsement to the
18 new corporation or person.

19 h. By July 1, 2000, the Marine Fisheries Commission
20 shall prepare a report regarding options for the establishment
21 of a limited-entry program for the marine life fishery and
22 submit the report to the Governor, the President of the
23 Senate, the Speaker of the House of Representatives, and the
24 chairs of the Senate and House committees having jurisdiction
25 over marine resources.

26 3. The fee for a marine life fishery endorsement on a
27 saltwater products license shall be \$75. These license fees
28 shall be collected and deposited in the Marine Resources
29 Conservation Trust Fund and used for the purchase and
30 installation of vessel mooring buoys at coral reef sites and
31 for research related to marine fisheries.

1 Section 34. Paragraph (b) of subsection (2) of section
2 370.0603, Florida Statutes, is amended to read:

3 370.0603 Marine Resources Conservation Trust Fund;
4 purposes.--

5 (2) The Marine Resources Conservation Trust Fund shall
6 receive the proceeds from:

7 (b) All funds collected from the registration of
8 vessels and other fees pursuant to s. 328.72 ~~327.25~~.

9 Section 35. Paragraph (b) of subsection (4) of section
10 370.12, Florida Statutes, 1998 Supplement, is amended to read:

11 370.12 Marine animals; regulation.--

12 (4) ANNUAL FUNDING OF PROGRAMS FOR MARINE ANIMALS.--

13 (b) Each fiscal year moneys in the Save the Manatee
14 Trust Fund shall also be used, pursuant to s. 328.76(1)(b)
15 ~~327.28(1)(b)~~, to reimburse the cost of activities related to
16 manatee rehabilitation by facilities that rescue,
17 rehabilitate, and release manatees as authorized pursuant to
18 the Fish and Wildlife Service of the United States Department
19 of the Interior. Such facilities must be involved in the
20 actual rescue and full-time acute care veterinarian-based
21 rehabilitation of manatees. The cost of activities includes,
22 but is not limited to, costs associated with expansion,
23 capital outlay, repair, maintenance, and operations related to
24 the rescue, treatment, stabilization, maintenance, release,
25 and monitoring of manatees. Moneys distributed through
26 contractual agreement to each facility for manatee
27 rehabilitation shall be proportionate to the number of
28 manatees under acute care rehabilitation and those released
29 during the previous fiscal year. However, the reimbursement
30 may not exceed the total amount available pursuant to ss.
31 328.72(11) and 328.76(1)(b) ~~327.25(7) and 327.28(1)(b)~~ for the

1 purposes provided in this paragraph. Prior to receiving
2 reimbursement for the expenses of rescue, rehabilitation, and
3 release, a facility that qualifies under state and federal
4 regulations shall submit a plan to the Department of
5 Environmental Protection for assisting the department and the
6 Department of Highway Safety and Motor Vehicles in marketing
7 the manatee specialty license plates. At a minimum, the plan
8 shall include provisions for graphics, dissemination of
9 brochures, recorded oral and visual presentation, and
10 maintenance of a marketing exhibit. The plan shall be updated
11 annually and the Department of Environmental Protection shall
12 inspect each marketing exhibit at least once each year to
13 ensure the quality of the exhibit and promotional material.
14 Each facility that receives funds for manatee rehabilitation
15 shall annually provide the department a written report, within
16 30 days after the close of the state fiscal year, documenting
17 the efforts and effectiveness of the facility's promotional
18 activities.

19 Section 36. Subsections (1) and (2) of section
20 409.2598, Florida Statutes, 1998 Supplement, are amended to
21 read:

22 409.2598 Suspension or denial of new or renewal
23 licenses; registrations; certifications.--

24 (1) The Title IV-D agency may petition the court that
25 entered the support order or the court that is enforcing the
26 support order to deny or suspend the license, registration, or
27 certificate issued under chapter 231, chapter 370, chapter
28 372, chapter 409, part II of chapter 455, or chapter 559 or s.
29 328.42 ~~327.031~~ of any obligor with a delinquent child support
30 obligation or who fails, after receiving appropriate notice,
31 to comply with subpoenas, orders to appear, orders to show

1 cause, or similar orders relating to paternity or child
2 support proceedings. However, a petition may not be filed
3 until the Title IV-D agency has exhausted all other available
4 remedies. The purpose of this section is to promote the public
5 policy of the state as established in s. 409.2551.

6 (2) The Title IV-D agency is authorized to screen all
7 applicants for new or renewal licenses, registrations, or
8 certificates and current licenses, registrations, or
9 certificates and current licensees, registration holders, and
10 certificateholders of all licenses, registrations, and
11 certificates issued under chapter 231, chapter 370, chapter
12 372, chapter 409, part II of chapter 455, or chapter 559 or s.
13 328.42 ~~327.031~~ to ensure compliance with any child support
14 obligation and any subpoenas, orders to appear, orders to show
15 cause, or similar orders relating to paternity or child
16 support proceedings. If the Title IV-D agency determines that
17 an applicant, licensee, registration holder, or
18 certificateholder is an obligor who is delinquent on a support
19 obligation or who is not in compliance with a subpoena, order
20 to appear, order to show cause, or similar order relating to
21 paternity or child support proceedings, the Title IV-D agency
22 shall certify the delinquency pursuant to s. 61.14.

23 Section 37. This act shall take effect upon becoming a
24 law.

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LEGISLATIVE SUMMARY

Designates present chapter 328, Florida Statutes, as part I of that chapter, entitled "Vessels; title certificates; liens" and creates, through the transfer of provisions in chapter 327, Florida Statutes, part II of chapter 328, Florida Statutes, entitled "Vessel registration."
Changes the short title for chapter 327, Florida Statutes, from the "Florida Vessel Registration and Safety Law" to the "Florida Vessel Safety Law." (See bill for details.)