

By Senator Diaz de la Portilla

34-1479-00

See HB

1 A bill to be entitled
 2 An act relating to the placement of rip current
 3 warning signs; providing a short title;
 4 creating s. 380.275, F.S.; providing for a
 5 cooperative effort among state agencies and
 6 local governments to plan for and assist in the
 7 placement of rip current warning signs;
 8 providing that the Department of Community
 9 Affairs shall direct and coordinate the
 10 program; requiring the development of a uniform
 11 rip current warning sign; authorizing the
 12 department to coordinate the distribution and
 13 erection of rip current warning signs;
 14 providing for rules; limiting the liability of
 15 participating governmental entities; providing
 16 an effective date.

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

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 20 Section 1. This act may be cited as the
 21 "McGriff-Mannix Act" in honor of James McGriff and Brian
 22 Mannix, who lost their lives as a result of rip currents.

23 Section 2. Section 380.275, Florida Statutes, is
 24 created to read:

25 380.275 Beaches and coastal areas; posting of rip
 26 current warning signs.--

27 (1) It is the intent of the Legislature that a
 28 cooperative effort among state agencies and local governments
 29 be developed to plan for and assist in the placement of rip
 30 current warning signs along the public beaches and coastal
 31 areas of the state. A rip current is a strong surface current

1 of water flowing out past the surf zone, which can pull even
2 the strongest swimmer into deeper water. Rip currents pose a
3 significant danger of drowning to tourists and the general
4 public, and it is therefore important to inform the public to
5 be cautious in coastal areas where rip currents can occur.

6 (2) The Department of Community Affairs, through the
7 Florida Coastal Management Program, shall direct and
8 coordinate the rip current warning sign program, which shall
9 be a program to encourage the placement of rip current warning
10 signs in areas that may pose a significant risk to the public
11 as a result of rip currents. Signs may be located where the
12 public has established an access way to a beach or coastal
13 area.

14 (3) The department shall develop a uniform rip current
15 warning sign for use at any public beach or along any coastal
16 area where there may be a significant threat to the public as
17 a result of rip currents, to be placed, insofar as is
18 practicable, wherever the public has established access ways
19 to the beach.

20 (4) The department is authorized, within the limits of
21 appropriations available to it for such purposes, to establish
22 and operate a program to encourage the placement of rip
23 current warning signs in areas where the public has
24 established an access way to a beach or coastal area that may
25 be subject to a significant threat of dangerous rip currents
26 and therefore may pose a hazard to the public. The department
27 shall also coordinate with the local governing body the
28 distribution and erection of rip current warning signs
29 whenever there is a request for such assistance.

30 (5) The department is authorized to adopt rules to
31 implement this section.

1 (6) The state, state agencies, local governments, and
2 local government agencies shall not be held liable for any
3 injury caused by the placement or maintenance of rip current
4 warning signs or the failure to install or maintain rip
5 current signs as provided by this section.

6 Section 3. This act shall take effect October 1, 2000.

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9 LEGISLATIVE SUMMARY

10 Provides for a cooperative effort among state agencies
11 and local governments to plan for and assist in the
12 placement of rip current warning signs under the
13 direction of the Department of Community Affairs.
14 Requires the development of a uniform rip current warning
15 sign and authorizes the department to coordinate the
16 distribution and erection of such signs. Limits the
17 liability of participating governmental entities.
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