

By the Committee on Tourism and Representative Maygarden

1 A bill to be entitled
2 An act relating to placement of uniform warning
3 and safety flags on public beaches; creating s.
4 380.276, F.S.; providing for a cooperative
5 effort among state agencies and local
6 governments to plan for and assist in the
7 display of uniform warning and safety flags and
8 the placement of specified uniform notification
9 signs; providing that the Department of
10 Community Affairs shall direct and coordinate a
11 program for the display and placement of such
12 flags and signs; providing for the development
13 of the program; providing program components
14 and requirements; authorizing the department to
15 coordinate the implementation of the program
16 with specified entities; providing for rules;
17 limiting the liability of participating
18 governmental entities; providing an effective
19 date.

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

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23 Section 1. Section 380.276, Florida Statutes, is
24 created to read:

25 380.276 Beaches and coastal areas; display of uniform
26 warning and safety flags on public beaches; placement of
27 uniform notification signs.--

28 (1) It is the intent of the Legislature that a
29 cooperative effort among state agencies and local governments
30 be undertaken to plan for and assist in the display of uniform
31 warning and safety flags, and the placement of uniform

1 notification signs that provide the meaning of such warning
2 and safety flags, on the public beaches along the coast of the
3 state. Because the varying natural conditions of Florida's
4 public beaches and coastal areas pose significant risks to the
5 safety of tourists and the general public, it is important to
6 inform the public of the need to exercise caution.

7 (2) The Department of Community Affairs, through the
8 Florida Coastal Management Program, shall direct and
9 coordinate the uniform warning and safety flag program. The
10 purpose of the program shall be to encourage the display of
11 uniform warning and safety flags at all public beaches along
12 the coast of the state at which warning and safety flags are
13 displayed and lifeguards are on duty, and to encourage the
14 placement of uniform notification signs that provide the
15 meaning of such flags.

16 (3) The Department of Community Affairs shall develop
17 a program for the display of uniform warning and safety flags
18 at all public beaches along the coast of the state at which
19 warning and safety flags are displayed and lifeguards are on
20 duty, and for the placement of uniform notification signs that
21 provide the meaning of the flags displayed. Such a program
22 shall provide:

23 (a) For posted notification of the meaning of each of
24 the warning and safety flags at all designated public access
25 points.

26 (b) That uniform notification signs be posted in a
27 conspicuous location and be clearly legible.

28 (c) A standard size, shape, color, and definition for
29 each warning and safety flag.

30 (d) That flags incorporate a numerical designation to
31 accommodate persons who are colorblind.

1 (e) That flags not specifically defined by the
2 department must be identified by the entity displaying the
3 flags in the posted notification.

4 (f) Guidelines for the periodic replacement of flags.

5 (4) The Department of Community Affairs is authorized,
6 within the limits of appropriations available to it for such
7 purposes, to establish and operate a program to encourage the
8 display of uniform warning and safety flags on all public
9 beaches along the coast of the state and to encourage the
10 placement of uniform notification signs that provide the
11 meaning of the flags displayed. The department shall
12 coordinate the implementation of the uniform warning and
13 safety flag program with local governing bodies and the
14 Florida Beach Patrol Chiefs Association.

15 (5) The Department of Community Affairs may adopt
16 rules pursuant to ss. 120.536(1) and 120.54 necessary to
17 administer this section.

18 (6) The state, state agencies, local governments, and
19 local government agencies may not be held liable for any
20 injury caused by the reasonable placement or location of
21 uniform warning and safety flags or reasonably posted uniform
22 notification signs or the failure to install uniform warning
23 and safety flags or posted uniform notification signs as
24 provided by this section.

25 Section 2. This act shall take effect July 1, 2002.