

By Senator Brown-Waite

10-707-02

1 A bill to be entitled
 2 An act relating to outboard motors; amending s.
 3 860.20, F.S.; transferring the responsibility
 4 for issuing replacement outboard motor serial
 5 numbers from the Department of Environmental
 6 Protection to the Department of Highway Safety
 7 and Motor Vehicles; providing an effective
 8 date.

9
 10 Be It Enacted by the Legislature of the State of Florida:

11
 12 Section 1. Section 860.20, Florida Statutes, is
 13 amended to read:

14 860.20 Outboard motors; identification numbers.--

15 (1)(a) The Department of Highway Safety and Motor
 16 Vehicles ~~Environmental Protection~~ shall adopt rules specifying
 17 the locations and manner in which serial numbers for outboard
 18 motors shall be affixed. In adopting such rules, the
 19 department shall consider the adequacy of voluntary industry
 20 standards, the current state of technology, and the overall
 21 purpose of reducing vessel and motor thefts in the state.

22 (b) Any outboard motor manufactured after October 1,
 23 1985, which is for sale in the state shall comply with the
 24 serial number rules promulgated by the department. Any
 25 person, firm, or corporation which sells or offers for sale
 26 any outboard boat motor manufactured after October 1, 1985,
 27 which does not comply with this section is guilty of a
 28 misdemeanor of the first degree, punishable as provided in s.
 29 775.082 or s. 775.083.

30 (2)(a) It is unlawful for any person to possess any
 31 outboard boat motor with the knowledge that the serial number

1 required by subsection (1) has been removed, erased, defaced,
2 or otherwise altered to prevent identification.

3 (b) It is unlawful for any person to knowingly
4 possess, manufacture, sell or exchange, offer to sell or
5 exchange, supply in blank, or give away any counterfeit
6 manufacturer's outboard motor serial number plate or decal
7 used for the purpose of identification of any outboard motor;
8 to authorize, direct, aid in exchange, or give away such
9 counterfeit manufacturer's outboard motor serial number plate
10 or decal; or to conspire to do any of the foregoing.

11 (c) Any person who violates any provision of this
12 subsection is guilty of a felony of the third degree,
13 punishable as provided in s. 775.082, s. 775.083, or s.
14 775.084.

15 (3) If any of the serial numbers required by this
16 section to identify ownership of an outboard motor do not
17 exist or have been removed, erased, defaced, or otherwise
18 altered to prevent identification and its true identity cannot
19 be determined, the outboard motor may be seized as contraband
20 property by a law enforcement agency and shall be subject to
21 forfeiture pursuant to ss. 932.701-932.704. Such outboard
22 motor may not be sold or used to propel a vessel on the waters
23 of the state unless the department ~~Division of Law Enforcement~~
24 ~~of the Department of Environmental Protection~~ is directed by
25 written order of a court of competent jurisdiction to issue to
26 the outboard motor a replacement identifying number which
27 shall be affixed to the outboard motor and shall thereafter be
28 used for identification purposes.

29 Section 2. This act shall take effect July 1, 2002.
30
31

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31

SENATE SUMMARY

Transfers the responsibility for issuing replacement outboard motor serial numbers from the Department of Environmental Protection to the Department of Highway Safety and Motor Vehicles.