

Bill No. CS for CS for SB 354

Amendment No. Barcode 713370

	CHAMBER ACTION	
<u>Senate</u>		<u>House</u>

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Senator Brown-Waite moved the following amendment:

Senate Amendment (with title amendment)

On page 43, between lines 18 and 19,

insert:

Section 33. Section 860.20, Florida Statutes, is amended to read:

860.20 Outboard motors; identification numbers.--

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

(b) Any outboard motor manufactured after October 1, 1985, which is for sale in the state shall comply with the serial number rules promulgated by the department. Any person, firm, or corporation which sells or offers for sale any outboard boat motor manufactured after October 1, 1985,

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1 which does not comply with this section is guilty of a
2 misdemeanor of the first degree, punishable as provided in s.
3 775.082 or s. 775.083.

4 (2)(a) It is unlawful for any person to possess any
5 outboard boat motor with the knowledge that the serial number
6 required by subsection (1) has been removed, erased, defaced,
7 or otherwise altered to prevent identification.

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

16 (c) Any person who violates any provision of this
17 subsection is guilty of a felony of the third degree,
18 punishable as provided in s. 775.082, s. 775.083, or s.
19 775.084.

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

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1 shall be affixed to the outboard motor and shall thereafter be
2 used for identification purposes.

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4 (Redesignate subsequent sections.)

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7 ===== T I T L E A M E N D M E N T =====

8 And the title is amended as follows:

9 On page 3, line 28, after the semicolon

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11 insert:

12 amending s. 860.20, F.S.; transferring the
13 responsibility for issuing replacement outboard
14 motor serial numbers from the Department of
15 Environmental Protection to the Department of
16 Highway Safety and Motor Vehicles;

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