

By the Committee on Natural Resources; and Senator Cowin

312-1958-03

1 A bill to be entitled
2 An act relating to vessels; amending s. 327.65,
3 F.S.; requiring the Fish and Wildlife
4 Conservation Commission to prescribe by rule a
5 uniform ordinance for noise resulting from
6 vessel operation; requiring a report; providing
7 an effective date.

8
9 Be It Enacted by the Legislature of the State of Florida:

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11 Section 1. Section 327.65, Florida Statutes, is
12 amended to read:

13 327.65 Muffling devices.--

14 (1) The exhaust of every internal combustion engine
15 used on any vessel operated on the waters of this state shall
16 be effectively muffled by equipment so constructed and used as
17 to muffle the noise of the exhaust in a reasonable manner.
18 The use of cutouts is prohibited, except for vessels competing
19 in a regatta ~~or official boat race,~~ or other marine event
20 conducted in compliance with s. 327.48 and 33 C.F.R., part 100
21 ~~and for such vessels while on trial runs.~~

22 (2)~~(a)~~ The commission shall prescribe, by rule, a
23 uniform ordinance for the regulation of noise resulting from
24 vessel operation.Any county or municipality wishing to impose
25 additional noise pollution and exhaust regulations on vessels
26 may, pursuant to s. 327.60(1), adopt ~~by county ordinance~~ the
27 uniform ordinance.~~following regulations:~~

28 (3)~~(a)1.~~ A ~~No~~ person shall not operate or give
29 permission for the operation of any vessel on the waters of
30 any county or on a specified portion of the waters of any
31 county, including the Florida Intracoastal Waterway, which has

1 adopted the uniform vessel noise ordinance authorized in
2 ~~provisions of this section, in violation of the ordinance such~~
3 ~~a manner as to exceed the following sound levels at a distance~~
4 ~~of 50 feet from the vessel: for all vessels, a maximum sound~~
5 ~~level of 90 dB A.~~

6 (b)2. Any person who refuses to submit to a sound
7 level test when requested to do so by a law enforcement
8 officer is guilty of a misdemeanor of the second degree,
9 punishable as provided in s. 775.082 or s. 775.083.

10 ~~(b) The following words and phrases, when used in this~~
11 ~~section, shall have the meanings respectively assigned to them~~
12 ~~in this subsection.~~

13 1. ~~"dB A" means the composite abbreviation for the~~
14 ~~A-weighted sound level and the unit of sound level, the~~
15 ~~decibel.~~

16 2. ~~"Sound level" means the A-weighted sound pressure~~
17 ~~level measured with fast response using an instrument~~
18 ~~complying with the specification for sound level meters of the~~
19 ~~American National Standards Institute, Inc., or its successor~~
20 ~~bodies, except that only a weighting and fast dynamic response~~
21 ~~need be provided.~~

22 (4) The commission shall monitor the effectiveness of
23 this act and provide an annual report on the same to the
24 Legislature for 5 years beginning July 1, 2003.

25 Section 2. This act shall take effect July 1, 2003.

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STATEMENT OF SUBSTANTIAL CHANGES CONTAINED IN
COMMITTEE SUBSTITUTE FOR
Senate Bill 1012

This bill requires the Fish and Wildlife Conservation Commission to adopt, by rule, a uniform ordinance for the regulation of noise resulting from vessel operation. Any county or municipality wishing to impose additional noise or exhaust regulations on vessels may adopt the uniform ordinance. ~~Deletes the provision that provides that a county may adopt certain provisions relating to a specific sound level for vessels. Deletes certain definitions. Requires the commission to provide an annual report to the Legislature for 5 years beginning July 1,2003.~~