

Bill No. CS for SB 2412

Amendment No. \_\_\_\_ Barcode 962482

CHAMBER ACTION

Senate

House

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Senator Sebesta moved the following amendment:

**Senate Amendment (with title amendment)**

On page 7, line 15, delete that line

and insert:

Section 3. Subsection (1) of section 316.605, Florida Statutes, is amended to read:

316.605 Licensing of vehicles.--

(1) Every vehicle, at all times while driven, stopped, or parked upon any highways, roads, or streets of this state, shall be licensed in the name of the owner thereof in accordance with the laws of this state unless such vehicle is not required by the laws of this state to be licensed in this state and shall, except as otherwise provided in s. 320.0706 for front-end registration license plates on truck tractors, display the license plate or both of the license plates assigned to it by the state, one on the rear and, if two, the other on the front of the vehicle, each to be securely fastened to the vehicle outside the main body of the vehicle in such manner as to prevent the plates from swinging, with

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1 all letters, numerals, printing, writing, and other  
 2 identification marks upon the plates regarding the word  
 3 "Florida," the registration decal, and the alphanumeric  
 4 designation shall be clear and distinct and free from  
 5 defacement, mutilation, grease, and other obscuring matter, so  
 6 that they will be plainly visible and legible at all times 100  
 7 feet from the rear or front. Nothing shall be placed upon the  
 8 face of a Florida plate except as permitted by law or by rule  
 9 or regulation of a governmental agency. No license plates  
 10 other than those furnished by the state shall be  
 11 used. However, if the vehicle is not required to be licensed  
 12 in this state, the license plates on such vehicle issued by  
 13 another state, by a territory, possession, or district of the  
 14 United States, or by a foreign country, substantially  
 15 complying with the provisions hereof, shall be considered as  
 16 complying with this chapter. A violation of this subsection is  
 17 a noncriminal traffic infraction, punishable as a nonmoving  
 18 violation as provided in chapter 318.

19 Section 4. Section 327.375, Florida Statutes, is  
 20 created to read:

21 327.375 Commercial parasailing.--

22 (1) "Commercial parasailing" means any activity  
 23 involving the towing of a person by a motorboat for  
 24 consideration when:

25 (a) One or more persons are tethered to the towing  
 26 vessel.

27 (b) The person or persons ascend above the water.

28 (c) The person or persons remain suspended above the  
 29 water while the vessel is underway.

30 (2) The commission shall regulate the use of  
 31 commercial parasailing by requiring, at a minimum, the

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1 licensing of persons engaged in commercial parasailing and by  
2 requiring minimum liability insurance necessary for commercial  
3 parasailing. In order to recover the associated costs of  
4 regulating commercial parasailing, the commission may impose  
5 an annual licensing fee to be established by rule not to  
6 exceed \$100 and a \$10 registration fee for each county in  
7 which the commercial parasailing enterprise intends to provide  
8 service. The commission may establish the requirements for  
9 minimum liability insurance and maximum deductible amounts for  
10 that insurance by rule. The commission has authority to adopt  
11 rules pursuant to ss. 120.536(1) and 120.54 to implement the  
12 provisions of this section.

13 (3) Any person engaged in commercial parasailing  
14 operations shall meet the following operation requirements:

15 (a) Vessels engaged in commercial parasailing  
16 operations must be designed and equipped for towing a person  
17 while parasailing and must be equipped with a rear launch  
18 platform and powered winch used to release and retrieve the  
19 tow line.

20 (b) All commercial parasail operators are required to  
21 have a license for carrying passengers for hire issued by the  
22 United States Coast Guard.

23 (c) All commercial parasailing operations shall  
24 include an observer 18 years of age or older who is present in  
25 the vessel at all times to monitor the progress of any  
26 airborne parasail rider and parachute.

27 (d) All commercial parasail riders shall wear a United  
28 States Coast Guard approved type I, type II, or type III  
29 personal flotation device of the proper size and must be  
30 connected to the towline and secured in a seat harness  
31 attached to an ascending type of parachute.

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1       (e) Commercial parasailing conducted in the Atlantic  
2 Ocean and the Gulf of Mexico shall be restricted to not less  
3 than three-eighths nautical mile from the shore. This  
4 restriction applies to the entire commercial parasailing  
5 apparatus, including the vessel, towline, and rider.

6       (f) Commercial parasailing operations shall not be  
7 conducted within 600 feet of any:

- 8           1. Anchored vessel;  
9           2. Person in the water;  
10          3. Shore or seawall; or  
11          4. Structure, bridge, powerline, wharf, pier, dock,  
12 buoy, platform, piling, channel marker, or other similar  
13 object.

14       (g) Commercial parasailing shall not be permitted on  
15 bodies of water less than 1,200 feet in width from shore to  
16 shore.

17       (h) All commercial parasailing towing vessels shall be  
18 equipped with a functional VHF marine transceiver.

19       (i) Commercial parasailing shall be conducted only  
20 from one-half hour after sunrise to one-half hour before  
21 sunset and at no time during restricted visibility.

22       (j) Commercial parasailing is prohibited when there  
23 are sustained winds of 20 knots or seas 5 feet or higher in  
24 the area of operation.

25       (k) Towlines shall not exceed 800 feet in length.

26       (l) Commercial parasail operators shall only launch  
27 riders from the flight deck of the vessels.

28       (m) No more than two persons shall be tethered to the  
29 towing vessel and ascend above the water at any time.

30       (4) A person who violates this section commits a  
31 misdemeanor of the second degree, punishable as provided in s.

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1 775.082 or s. 775.083.

2 Section 5. Except as otherwise expressly provided in  
3 this act, this act shall take effect October 1, 2004.

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

7 And the title is amended as follows:

8 On page 1, lines 2-12, delete those lines

9

10 and insert:

11 An act relating vehicles and vessels; amending  
12 s. 341.8203, F.S.; redefining the terms  
13 "authority" and "high-speed rail system";  
14 amending s. 341.840, F.S.; revising the tax  
15 exemption of the authority and its agents and  
16 contractors; providing for annual  
17 redetermination of eligibility for exemption;  
18 providing for recapture of taxes when an  
19 exemption is used inappropriately; providing  
20 for rules; amending s. 316.605, F.S.; revising  
21 provisions for display of license plates;  
22 creating s. 327.375, F.S.; providing  
23 regulations for commercial parasailing;  
24 defining "commercial parasailing"; providing  
25 for regulation by the Fish and Wildlife  
26 Conservation Commission; requiring licensing  
27 and liability insurance; providing for rules  
28 establishing minimum liability and maximum  
29 deductible amounts; authorizing the commission  
30 to adopt rules; providing commercial  
31 parasailing operation requirements; providing

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penalties; providing an effective date.