

Bill No. SB 2426

Barcode 550614

CHAMBER ACTION

Senate

House

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The Committee on Environmental Preservation (Alexander)
recommended the following amendment:

Senate Amendment (with title amendment)

Delete everything after the enacting clause

and insert:

Section 1. Section 380.276, Florida Statutes, is
amended to read:

380.276 Beaches and coastal areas; display of uniform
warning and safety flags at ~~on~~ public beaches; placement of
uniform notification signs; beach safety education.--

(1) It is the intent of the Legislature that a
cooperative effort among state agencies and local governments
be undertaken to plan for and assist in the display of uniform
warning and safety flags, and the placement of uniform
notification signs that provide the meaning of such warning
and safety flags, at ~~on the~~ public beaches along the coast of
the state. Because the varying natural conditions of Florida's
public beaches and coastal areas pose significant risks to the
safety of tourists and the general public, it is important to

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1 | inform the public of the need to exercise caution.

2 | (2) The Department of Environmental Protection,
3 | through the Florida Coastal Management Program, shall direct
4 | and coordinate the uniform warning and safety flag program.
5 | The purpose of the program shall be to encourage the display
6 | of uniform warning and safety flags at ~~all~~ public beaches
7 | along the coast of the state ~~at which warning and safety flags~~
8 | ~~are displayed and lifeguards are on duty,~~ and to encourage the
9 | placement of uniform notification signs that provide the
10 | meaning of such flags. Only warning and safety flags developed
11 | by the department shall be displayed. Participation in the
12 | program shall be open to any government having jurisdiction
13 | over a public beach along the coast, whether or not the beach
14 | has lifeguards.

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

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

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

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

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

31 | ~~(e) That flags not specifically defined by the~~

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1 ~~department must be identified by the entity displaying the~~
2 ~~flags in the posted notification.~~

3 ~~(f) Guidelines for the periodic replacement of flags.~~

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

14 (5) The Department of Environmental Protection may
15 adopt rules pursuant to ss. 120.536(1) and 120.54 necessary to
16 administer this section.

17 (6) Due to the inherent danger of constantly changing
18 surf conditions along Florida's coast, the state, state
19 agencies, local and regional government entities or
20 authorities, and their individual employees and agents
21 ~~governments, and local government agencies~~ may not be held
22 liable for any injury or loss of life caused by changing surf
23 conditions along the coastal areas, whether or not uniform
24 warning and safety flags or notification signs developed by
25 the department are displayed or posted ~~the reasonable~~
26 ~~placement or location of uniform warning and safety flags or~~
27 ~~reasonably posted uniform notification signs or the failure to~~
28 ~~install uniform warning and safety flags or posted uniform~~
29 ~~notification signs as provided by this section.~~

30 (7) The Department of Environmental Protection,
31 through the Florida Coastal Management Program, may also

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1 develop and make available to the public other educational
2 information and materials related to beach safety.

3 Section 2. This act shall take effect July 1, 2005.

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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 Delete everything before the enacting clause

9

10 and insert:

11 A bill to be entitled
12 An act relating to beach safety; amending s.
13 380.276, F.S.; revising the provisions for the
14 placement of uniform warning and safety flags
15 at public beaches; prohibiting the display of
16 flags not specifically developed by the
17 Department of Environmental Protection;
18 revising liability provisions; authorizing the
19 department to develop and distribute
20 information and materials related to beach
21 safety; providing an effective date.

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