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A bill to be entitled
 An act relating to commercial parasailing; creating s.
 327.375, F.S.; defining the term "commercial parasailing";
 providing for the regulation of commercial parasailing by
 the Fish and Wildlife Conservation Commission; providing
 requirements for licensing and liability insurance;
 requiring the commission to establish minimum requirements
 for liability insurance and maximum deductible amounts;
 authorizing the commission to adopt rules; providing
 requirements for conducting commercial parasailing
 operations; providing a penalty; providing an effective
 date.

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

Section 1. Section 327.375, Florida Statutes, is created
 to read:

327.375 Commercial parasailing.--

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

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

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

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

(2) The Fish and Wildlife Conservation Commission shall
 regulate commercial parasailing by requiring, at a minimum, that
 each person who provides commercial parasailing to another
 person be licensed and maintain the minimum liability insurance

29 necessary for commercial parasailing. In order to recover the
30 costs of regulating commercial parasailing, the commission may
31 impose by rule an annual licensing fee, which may not exceed
32 \$100, and a registration fee of \$10 for each county in which a
33 licensee intends to engage in commercial parasailing. The
34 commission shall establish by rule the requirements for minimum
35 liability insurance, including maximum deductible amounts. The
36 commission may adopt rules pursuant to ss. 120.536(1) and 120.54
37 to administer this section.

38 (3) Each person who engages in commercial parasailing must
39 meet the following operation requirements:

40 (a) Each vessel engaged in commercial parasailing
41 operations must be designed and equipped for towing a person
42 while parasailing and must be equipped with a rear launch
43 platform and powered winch that is used to release and retrieve
44 the tow line.

45 (b) Any person who operates a vessel used for commercial
46 parasailing must maintain a valid license for carrying
47 passengers for hire issued by the United States Coast Guard.

48 (c) An observer who is 18 years of age or older must, at
49 all times, be present in any vessel that is engaged in
50 commercial parasailing to monitor the progress of each airborne
51 parasail rider and parachute.

52 (d) Each commercial parasail rider must wear a United
53 States Coast Guard approved type I, type II, or type III
54 personal flotation device of the proper size and must be
55 connected to the towline and secured in a seat harness attached
56 to an ascending type of parachute.

57 (e) Commercial parasailing in the Atlantic Ocean and the
 58 Gulf of Mexico is restricted to areas that are on or above
 59 waters that are not less than three-eighths of a nautical mile
 60 seaward from the shore. This restriction applies to the entire
 61 commercial parasailing apparatus, including the vessel, towline,
 62 and rider.

63 (f) Commercial parasailing may not be conducted within 600
 64 feet of any:

- 65 1. Anchored vessel;
- 66 2. Person in the water;
- 67 3. Shore or seawall; or
- 68 4. Structure, bridge, power line, wharf, pier, dock, buoy,
 69 platform, piling, channel marker, or other similar object.

70 (g) A person may not engage in commercial parasailing on a
 71 body of water less than 1,200 feet in width from shore to shore.

72 (h) Each vessel engaged in commercial parasailing must be
 73 equipped with a functional VHF marine transceiver.

74 (i) A person may not engage in commercial parasailing at
 75 any time between one-half hour after sunset and one-half hour
 76 before sunrise or during any period when visibility is
 77 restricted.

78 (j) A person may not engage in commercial parasailing in
 79 any area where there are sustained winds of 20 knots or seas 5
 80 feet or higher.

81 (k) A towline may not be longer than 800 feet.

82 (l) A commercial parasail rider may be launched only from
 83 the flight deck of the vessel.

84 (m) More than two persons may not be tethered to the

HB 0479

2005

85 | towing vessel and ascend above the water at any time.

86 | (4) A person who violates this section commits a
87 | misdemeanor of the second degree, punishable as provided in s.
88 | 775.082 or s. 775.083.

89 | Section 2. This act shall take effect October 1, 2005.