

By Senator Crist

12-454A-07

See HB 767

1 A bill to be entitled
2 An act relating to vessels; creating s.
3 327.651, F.S.; prohibiting the operation of
4 soundmaking devices in vessels so that the
5 sound produced is audible at a certain distance
6 or louder than necessary for convenient hearing
7 by persons inside the vessel in certain areas;
8 providing exceptions; amending s. 327.73, F.S.;
9 providing for citation as a noncriminal
10 infraction; providing penalties; providing an
11 effective date.

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

15 Section 1. Section 327.651, Florida Statutes, is
16 created to read:

17 327.651 Operation of radios or other mechanical
18 soundmaking devices or instruments in vessels; exemptions.--

19 (1) A person operating or occupying a vessel on the
20 waters of this state may not operate or amplify the sound
21 produced by a radio, compact disc or tape player, electronic
22 device, or other mechanical soundmaking device or instrument
23 from within the vessel so that the sound is:

24 (a) Plainly audible at a distance of 100 feet or more
25 from the vessel; or

26 (b) Louder than necessary for the convenient hearing
27 by persons inside the vessel in areas adjoining churches,
28 schools, or hospitals, or within 100 feet of the shoreline.

29 (2) This section does not apply to:

30 (a) Vessels operated commercially, used in shows,
31 events, exhibitions, or tournaments. This subsection does not

1 prevent local authorities, with respect to waters of this
2 state under their local jurisdiction and with the reasonable
3 exercise of police power, from regulating the time and manner
4 in which such business may be operated.

5 (b) Regattas, parades, or other marine events
6 conducted under s. 327.48 or permitted under 33 C.F.R. part
7 100.

8 (c) Sound signals indicating maneuvering or warnings
9 in compliance with navigation rules.

10 (d) Any law enforcement vessel equipped with any
11 soundmaking device necessary in the performance of law
12 enforcement duties or any emergency vessel equipped with any
13 communication device necessary in the performance of any
14 emergency procedures.

15 Section 2. Paragraph (x) is added to subsection (1) of
16 section 327.73, Florida Statutes, to read:

17 327.73 Noncriminal infractions.--

18 (1) Violations of the following provisions of the
19 vessel laws of this state are noncriminal infractions:

20 (x) Section 327.651, relating to operation of radios
21 or other mechanical soundmaking devices or instruments in
22 vessels.

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24 Any person cited for a violation of any such provision shall
25 be deemed to be charged with a noncriminal infraction, shall
26 be cited for such an infraction, and shall be cited to appear
27 before the county court. The civil penalty for any such
28 infraction is \$50, except as otherwise provided in this
29 section. Any person who fails to appear or otherwise properly
30 respond to a uniform boating citation shall, in addition to
31 the charge relating to the violation of the boating laws of

1 | this state, be charged with the offense of failing to respond
2 | to such citation and, upon conviction, be guilty of a
3 | misdemeanor of the second degree, punishable as provided in s.
4 | 775.082 or s. 775.083. A written warning to this effect shall
5 | be provided at the time such uniform boating citation is
6 | issued.

7 | Section 3. This act shall take effect October 1, 2007.
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