

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

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

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13 Section 1. Section 327.651, Florida Statutes, is created
 14 to read:

15 327.651 Operation of radios or other mechanical
 16 soundmaking devices or instruments in vessels; exemptions.--

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

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

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

27 (2) This section does not apply to:

28 (a) Vessels operated commercially, used in shows, events,
 29 exhibitions, or tournaments. This subsection does not prevent
 30 local authorities, with respect to waters of this state under
 31 their local jurisdiction and with the reasonable exercise of
 32 police power, from regulating the time and manner in which such
 33 business may be operated.

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

36 (c) Sound signals indicating maneuvering or warnings in
 37 compliance with navigation rules.

38 (d) Any law enforcement vessel equipped with any
 39 soundmaking device necessary in the performance of law
 40 enforcement duties or any emergency vessel equipped with any
 41 communication device necessary in the performance of any
 42 emergency procedures.

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

45 327.73 Noncriminal infractions.--

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

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

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 51 Any person cited for a violation of any such provision shall be
 52 deemed to be charged with a noncriminal infraction, shall be
 53 cited for such an infraction, and shall be cited to appear
 54 before the county court. The civil penalty for any such
 55 infraction is \$50, except as otherwise provided in this section.

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56 Any person who fails to appear or otherwise properly respond to
57 a uniform boating citation shall, in addition to the charge
58 relating to the violation of the boating laws of this state, be
59 charged with the offense of failing to respond to such citation
60 and, upon conviction, be guilty of a misdemeanor of the second
61 degree, punishable as provided in s. 775.082 or s. 775.083. A
62 written warning to this effect shall be provided at the time
63 such uniform boating citation is issued.

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