

By Senator Margolis

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1 A bill to be entitled

2 An act relating to commercial parasailing; creating s.  
3 327.375, F.S.; defining the term "commercial parasailing";  
4 requiring each vessel engaged in commercial parasailing to  
5 obtain an annual license; requiring each owner to carry  
6 liability insurance; providing for minimum amounts of  
7 insurance and maximum deductibles; providing requirements  
8 for persons conducting commercial parasailing operations;  
9 providing criminal penalties; providing an effective date.

10  
11 Be It Enacted by the Legislature of the State of Florida:

12  
13 Section 1. Section 327.375, Florida Statutes, is created to  
14 read:

15 327.375 Commercial parasailing.--

16 (1) As used in this section, the term "commercial  
17 parasailing" means providing or offering to provide, for  
18 consideration, any activity involving the towing of a person by a  
19 motorboat when:

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

21 (b) The person or persons ascend above the water; and

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

24 (2) A vessel engaged in commercial parasailing must obtain  
25 an annual license from the commission at a cost of \$50. All  
26 license fees collected shall be paid into the Marine Resources  
27 Conservation Trust Fund to recover the associated costs of  
28 regulating commercial parasailing. The license must be available  
29 for inspection when the vessel is engaged in commercial

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30 parasailing.

31 (3) The owner of a vessel engaged in commercial parasailing  
32 must obtain and carry a policy from an insurance carrier licensed  
33 in this state, insuring against an accident, loss, injury,  
34 property damage, or other casualty caused by or resulting from  
35 the commercial parasailing activity. The insurance policy must  
36 provide coverage for a minimum of \$750,000 per person and \$1.5  
37 million per event. The deductible for the insurance policy may  
38 not exceed \$5,000 per event. Proof of insurance must be carried  
39 on the vessel and be available for inspection when commercial  
40 parasailing activities are conducted. A person conducting a  
41 commercial parasailing activity shall give each rider the  
42 insurance carrier's name and address and the insurance policy  
43 number.

44 (4) A person engaged in commercial parasailing must meet  
45 the following requirements:

46 (a) A person may not use any vessel for commercial  
47 parasailing unless it is designed and equipped for towing a  
48 person while parasailing and is equipped with a launch platform  
49 and powered winch to release and retrieve the towline.

50 (b) A person operating a vessel engaged in commercial  
51 parasailing on the waters of this state must have a current and  
52 valid license issued by the United States Coast Guard authorizing  
53 that person to engage in carrying passengers for hire. The  
54 license must be carried on the vessel and be available for  
55 inspection while commercial parasailing activities are conducted.

56 (c) A person may not operate a vessel for commercial  
57 parasailing unless an observer 18 years of age or older is  
58 present in the vessel at all times to monitor the progress of any

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59 airborne parasail rider and parachute. The observer shall be  
60 attentive to the parasail rider or riders and may not have any  
61 other duties while the rider or riders are in the water or  
62 suspended above the water.

63 (d) A person may not operate any vessel engaged in  
64 commercial parasailing unless:

65 1. All riders wear a United States Coast Guard approved  
66 type I, type II, or type III personal flotation device that is in  
67 serviceable condition and of the proper size;

68 2. All riders are connected to the towline and secured in a  
69 seat harness attached to an ascending type of parachute;

70 3. The vessel is in full compliance with all requirements  
71 of the United States Coast Guard governing crewing and equipment  
72 carriage for passenger-carrying vessels as specified in the Code  
73 of Federal Regulations or as otherwise specified by the United  
74 States Coast Guard in the vessel's certificate of inspection; and

75 4. The vessel is equipped with a functional VHF marine  
76 transceiver.

77 (e) Commercial parasailing is prohibited in the Atlantic  
78 Ocean and the Gulf of Mexico in waters less than 2,000 feet from  
79 the shore. The restriction applies to the entire commercial  
80 parasailing apparatus, including the vessel, towline, and rider.

81 (f) A person may not operate a vessel towing a commercial  
82 parasailing rider so that the vessel, towline, or rider comes  
83 within 600 feet of:

84 1. An anchored vessel;

85 2. A person in the water;

86 3. The shore or seawall; or

87 4. A structure, bridge, power line, wharf, pier, dock,

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88 buoy, platform, piling, channel marker, or other similar object.

89 (g) Commercial parasailing is prohibited:

90 1. On bodies of water less than 2,000 feet in width from  
91 shore to shore;

92 2. From one-half hour after sunset to one-half hour before  
93 sunrise and at all times during restricted visibility; and

94 3. When there are sustained winds of 20 knots or higher or  
95 seas 5 feet or higher in the area of operation.

96 (j) Towlines used for commercial parasailing may not exceed  
97 800 feet in length.

98 (k) Commercial parasail operators shall launch riders only  
99 from and recover riders only to the vessel's launch platform.

100 (l) No more than two persons may be tethered to the towing  
101 vessel and ascend above the water at any time.

102 (4) A person who violates this section commits a  
103 misdemeanor of the second degree, punishable as provided in s.  
104 775.082 or s. 775.083.

105 Section 2. This act shall take effect October 1, 2008.