

1 A bill to be entitled
 2 An act relating to commercial parasailing; amending s.
 3 327.02, F.S.; providing definition; creating 327.375;
 4 providing a short title; requiring the owner of a vessel
 5 engaged in commercial parasailing to obtain and carry an
 6 insurance policy; providing minimum coverage from the
 7 insurance policy; providing requirements for proof of
 8 insurance; providing insurance information to be provided
 9 to each rider; providing for launch and recovery of riders
 10 from towing vessel; requiring a person engaged in
 11 operating a vessel for commercial parasailing to have
 12 certain licenses; requiring a minimum age for a person to
 13 monitor the progress of a parasail rider; providing
 14 requirements for operation of commercial parasailing
 15 vessels; requiring certain equipment; providing times of
 16 the day in which commercial parasailing is prohibited;
 17 providing penalties; providing an effective date.

18
 19 Be It Enacted by the Legislature of the State of Florida:

20
 21 Section 1. Subsection (41) is added to section 327.02,
 22 Florida Statutes, to read:
 23 327.02 Definitions of terms used in this chapter and in
 24 chapter 328.--As used in this chapter and in chapter 328, unless
 25 the context clearly requires a different meaning, the term:
 26 (41) "Commercial parasailing" means providing or offering
 27 to provide, for consideration, any activity involving the towing
 28 of a person by a motorboat when:

- 29 (a) One or more persons are tethered to the towing vessel;
- 30 (b) The person or persons ascend above the water; and
- 31 (c) The person or persons remain suspended above the water
- 32 while the vessel is underway.

33 Section 2. Section 327.375, Florida Statutes, is created
 34 to read:

35 327.375 Commercial parasailing.--

36 (1) This section may be cited as the "Amber May White
 37 Act."

38 (2) The owner of a vessel engaged in commercial
 39 parasailing may not offer or provide for consideration any
 40 parasailing activity unless the owner first obtains and carries
 41 in full force and effect a policy, from an insurance carrier
 42 licensed in this state, insuring against any accident, loss,
 43 injury, property damage, or other casualty caused by or
 44 resulting from any commercial parasailing activity. The
 45 insurance policy shall provide coverage of at least \$500,000 per
 46 person and \$1 million per event. The owner must have proof of
 47 such insurance available for inspection at the location wherever
 48 commercial parasailing is offered or provided for consideration
 49 and shall provide to each customer the insurance carrier's name
 50 and address and the insurance policy number.

51 (3) A person engaged in commercial parasailing must meet
 52 the following requirements:

53 (a) Commercial parasail operators shall launch riders only
 54 from and recover riders only to the vessel.

55 (b) A person may not operate a vessel engaged in
 56 commercial parasailing on the waters of this state unless the

57 person in charge of or in command of the vessel has a current
58 and valid license issued by the United States Coast Guard
59 authorizing that person to engage in carrying passengers for
60 hire. The license must be appropriate for the number of
61 passengers carried and the displacement of the vessel. The
62 license must be carried on the vessel and be available for
63 inspection while commercial parasailing activities are
64 conducted.

65 (c) A person may not operate a vessel for commercial
66 parasailing unless an observer 18 years of age or older is
67 present in the vessel at all times to monitor the progress of
68 any tethered parasail rider and parasail equipment. The observer
69 shall be attentive to the parasail rider or riders and
70 equipment.

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

73 1. All riders wear an appropriate floatation device
74 approved by the United States Coast Guard, other than an
75 inflatable device, that is in serviceable condition and of the
76 proper size;

77 2. The vessel is in full compliance with all requirements
78 of the United States Coast Guard governing crewing and equipment
79 carriage for passenger-carrying vessels as specified in the Code
80 of Federal Regulations or as otherwise specified by the United
81 States Coast Guard in the vessel's certificate of inspection;
82 and

83 3. The vessel is equipped with a functional VHF marine
84 transceiver.

CS/HB 919

2008

85 (e) No more than two persons may be tethered to the towing
86 vessel and ascend above the water at any time.

87 (4) Commercial parasailing is prohibited from one-half
88 hour after sunset to one-half hour before sunrise.

89 (5) Any person convicted of violating this section commits
90 a misdemeanor of the second degree, punishable as provided in s.
91 775.082 or s. 775.083.

92 Section 3. This act shall take effect October 1, 2008.