



148344

LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
03/24/2009	.	
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The Committee on Environmental Preservation and Conservation
(Rich) recommended the following:

Senate Amendment to Amendment (708694)

Between lines 208 and 209
insert:

Section 8. Effective January 1, 2010, section 327.395,
Florida Statutes, is amended to read:

327.395 Boating safety identification cards.—

(1) A person born on or after January 1, 1988, ~~21 years of
age or younger~~ may not operate a vessel powered by a motor of 10
horsepower or greater unless such person has in his or her
possession aboard the vessel photographic identification and a



148344

12 boater safety identification card issued by the commission which
13 shows that he or she has:

14 (a) Completed a commission-approved boater education course
15 that meets the minimum 8-hour instruction requirement
16 established by the National Association of State Boating Law
17 Administrators;

18 (b) Passed a course equivalency examination approved by the
19 commission; or

20 (c) Passed a temporary certificate examination developed or
21 approved by the commission.

22 (2) Any person may obtain a boater safety identification
23 card by complying with the requirements of this section.

24 (3) Any commission-approved boater education or boater
25 safety course, course-equivalency examination developed or
26 approved by the commission, or temporary certificate examination
27 developed or approved by the commission must include a component
28 regarding diving vessels, awareness of divers in the water,
29 divers-down flags, and the requirements of s. 327.331.

30 (4) The commission may appoint liveries, marinas, or other
31 persons as its agents to administer the course, course
32 equivalency examination, or temporary certificate examination
33 and issue identification cards under guidelines established by
34 the commission. An agent must charge the \$2 examination fee,
35 which must be forwarded to the commission with proof of passage
36 of the examination and may charge and keep a \$1 service fee.

37 (5) An identification card issued to a person who has
38 completed a boating education course or a course equivalency
39 examination is valid for life. A card issued to a person who has
40 passed a temporary certification examination is valid for 12



148344

41 months from the date of issuance.

42 (6) A person is exempt from subsection (1) if he or she:

43 (a) Is licensed by the United States Coast Guard to serve
44 as master of a vessel.

45 (b) Operates a vessel only on a private lake or pond.

46 (c) Is accompanied in the vessel by a person who is exempt
47 from this section or who holds an identification card in
48 compliance with this section, is 18 years of age or older, and
49 is attendant to the operation of the vessel and responsible for
50 the safe operation of the vessel and for any violation that
51 occurs during the operation.

52 (d) Is a nonresident who has in his or her possession proof
53 that he or she has completed a boater education course or
54 equivalency examination in another state which meets or exceeds
55 the requirements of subsection (1).

56 (e) Is operating a vessel within 90 days after the purchase
57 of that vessel and has available for inspection aboard that
58 vessel a bill of sale meeting the requirements of s. 328.46(1).

59 (f) ~~(e)~~ Is exempted by rule of the commission.

60 (7) A person who operates a vessel in violation of
61 subsection (1) commits ~~violates this section is guilty of a~~
62 noncriminal infraction, punishable as provided in s. 327.73.

63 (8) The commission shall design forms and adopt rules to
64 administer this section. Such rules shall include provision for
65 educational and other public and private entities to offer the
66 course and administer examinations.

67 (9) The commission shall institute and coordinate a
68 statewide program of boating safety instruction and
69 certification to ensure that boating courses and examinations



148344

70 are available in each county of the state.

71 (10) The commission is authorized to establish and to
72 collect a \$2 examination fee to cover administrative costs.

73 (11) The commission is authorized to adopt rules pursuant
74 to chapter 120 to implement the provisions of this section.

75

76 Renumber subsequent sections

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