

1                                   A bill to be entitled  
 2       An act relating to vessel safety; amending s. 327.39,  
 3       F.S.; revising certain requirements for operating personal  
 4       watercraft; prohibiting operation of such watercraft by  
 5       certain persons except under adult supervision; amending  
 6       s. 327.54, F.S.; revising the requirements relating to the  
 7       boating safety course required for leasing or renting a  
 8       personal watercraft from a livery; providing an effective  
 9       date.

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

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13           Section 1. Subsections (5) and (6) of section 327.39,  
 14 Florida Statutes, are amended to read:

15           327.39 Personal watercraft regulated.—

16           (5) No person under the age of 14 shall operate any  
 17 personal watercraft on the waters of this state, and no person  
 18 under the age of 16 shall operate such watercraft without adult  
 19 supervision.

20           (6) (a) It is unlawful for the owner of any personal  
 21 watercraft or any person having charge over or control of a  
 22 personal watercraft to authorize or knowingly permit the same to  
 23 be operated by a person under 16 ~~14~~ years of age in violation of  
 24 this section or by a person who does not hold a boating safety  
 25 identification card in compliance with s. 327.395(1).

26           (b)1. It is unlawful for the owner of any leased, hired,  
 27 or rented personal watercraft, or any person having charge over  
 28 or control of a leased, hired, or rented personal watercraft, to

29 authorize or knowingly permit the watercraft to be operated by  
 30 any person who has not received instruction in the safe handling  
 31 of personal watercraft, in compliance with s. 327.54 and rules  
 32 established by the commission.

33 2. Any person receiving instruction in the safe handling  
 34 of personal watercraft pursuant to s. 327.54 and any a program  
 35 established by rule of the commission must provide the owner of,  
 36 or person having charge of or control over, a leased, hired, or  
 37 rented personal watercraft with a written statement attesting to  
 38 the same.

39 3. The commission shall have the authority to establish  
 40 rules pursuant to chapter 120 prescribing the instruction to be  
 41 given, which shall take into account the nature and operational  
 42 characteristics of personal watercraft and general principles  
 43 and regulations pertaining to boating safety.

44 (c) Any person who violates this subsection commits a  
 45 misdemeanor of the second degree, punishable as provided in s.  
 46 775.082 or s. 775.083.

47 Section 2. Subsection (4) of section 327.54, Florida  
 48 Statutes, is amended to read:

49 327.54 Liveries; safety regulations; penalty.—

50 (4) (a) A livery may not knowingly lease, hire, or rent a  
 51 personal watercraft to any person who is under 18 years of age.

52 (b) A livery may not knowingly lease, hire, or rent a  
 53 personal watercraft to any person who has not received  
 54 instruction in the safe handling of personal watercraft pursuant  
 55 to rule 68D-36.107, Florida Administrative Code, or any other  
 56 rule, in compliance with rules established by the commission

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57 pursuant to chapter 120.

58 (c) Any person receiving instruction in the safe handling  
59 of personal watercraft pursuant to rule 68D-36.107, Florida  
60 Administrative Code, or any other ~~a~~ program established by rule  
61 of the commission,  must provide the livery with a written  
62 statement attesting to the same.

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64 Any agent or employee delivering the information specified in  
65 this subsection must enroll in, attend, and successfully  
66 complete, at his or her own expense, a boating safety course  
67 approved by the National Association of State Boating Law  
68 Administrators and the commission.

69 Section 3. This act shall take effect July 1, 2010.