

By Senator Gelber

35-01959-10

20102506__

1 A bill to be entitled
2 An act relating to regulation of vessels; amending s.
3 327.60, F.S.; removing restrictions on county and
4 municipality regulation of certain non-live-aboard
5 vessels not in navigation; providing an effective
6 date.

7
8 Be It Enacted by the Legislature of the State of Florida:

9
10 Section 1. Subsections (2) and (3) of section 327.60,
11 Florida Statutes, are amended to read:

12 327.60 Local regulations; limitations.—

13 (2) Nothing in this chapter or chapter 328 shall be
14 construed to prevent the adoption of any ordinance or local
15 regulation relating to operation of vessels, except that a
16 county or municipality shall not enact, continue in effect, or
17 enforce any ordinance or local regulation:

18 (a) Establishing a vessel or associated equipment
19 performance or other safety standard, imposing a requirement for
20 associated equipment, or regulating the carrying or use of
21 marine safety articles;

22 (b) Relating to the design, manufacture, installation, or
23 use of any marine sanitation device on any vessel;

24 (c) Regulating any vessel upon the Florida Intracoastal
25 Waterway;

26 (d) Discriminating against personal watercraft;

27 (e) Discriminating against airboats, for ordinances adopted
28 after July 1, 2006, unless adopted by a two-thirds vote of the
29 governing body enacting such ordinance;

35-01959-10

20102506__

30 ~~(f) Regulating the anchoring of vessels other than live-~~
31 ~~aboard vessels outside the marked boundaries of mooring fields~~
32 ~~permitted as provided in s. 327.40;~~

33 (f)~~(g)~~ Regulating engine or exhaust noise, except as
34 provided in s. 327.65; or

35 (g)~~(h)~~ That conflicts with any provisions of this chapter
36 or any amendments thereto or rules adopted thereunder.

37 (3) Nothing in this section shall be construed to prohibit
38 local governmental authorities from the enactment or enforcement
39 of regulations which prohibit or restrict the mooring or
40 anchoring of floating structures or live-aboard vessels within
41 their jurisdictions or of any vessels within the marked
42 boundaries of mooring fields permitted as provided in s. 327.40.
43 However, local governmental authorities are prohibited from
44 regulating the anchoring outside of such mooring fields of non-
45 live-aboard vessels in navigation ~~vessels other than live-aboard~~
46 ~~vessels as defined in s. 327.02.~~

47 Section 2. This act shall take effect upon becoming a law.