

1                                   A bill to be entitled  
 2       An act relating to commercial parasailing; amending s.  
 3       327.02, F.S.; providing definitions; creating s. 327.375,  
 4       F.S.; providing a short title; requiring the owner of a  
 5       vessel engaged in commercial parasailing to obtain and  
 6       carry an insurance policy; providing minimum coverage for  
 7       the insurance policy; providing requirements for proof of  
 8       insurance; specifying the insurance information that must  
 9       be provided to each rider; providing for the launch and  
 10      recovery of riders from a towing vessel; requiring a  
 11      person engaged in operating a vessel for commercial  
 12      parasailing to have certain licenses; requiring certain  
 13      equipment; prohibiting commercial parasailing in certain  
 14      areas, under certain weather conditions, and during  
 15      certain hours; requiring a safety briefing for passengers  
 16      and parasail riders; providing penalties; amending ss.  
 17      320.08, 327.391, 328.17, 342.07, 713.78, and 715.07, F.S.;  
 18      conforming cross-references to changes made by the act;  
 19      providing an effective date.

20  
 21   Be It Enacted by the Legislature of the State of Florida:

22  
 23           Section 1.   Section 327.02, Florida Statutes, is amended to  
 24   read:

25           327.02   Definitions of terms used in this chapter and in  
 26   chapter 328.—As used in this chapter and in chapter 328, unless  
 27   the context clearly requires a different meaning, the term:

28           (1)   "Airboat" means a vessel that is primarily designed

HB 451

2011

29 | for use in shallow waters and powered by an internal combustion  
 30 | engine with an airplane-type propeller mounted above the stern  
 31 | and used to push air across a set of rudders.

32 |       (2) "Alien" means a person who is not a citizen of the  
 33 | United States.

34 |       (3) "Boating accident" means a collision, accident, or  
 35 | casualty involving a vessel in or upon, or entering into or  
 36 | exiting from, the water, including capsizing, collision with  
 37 | another vessel or object, sinking, personal injury, death,  
 38 | disappearance of any person from on board under circumstances  
 39 | that ~~which~~ indicate the possibility of death or injury, or  
 40 | property damage to any vessel or dock.

41 |       (4) "Canoe" means a light, narrow vessel with curved sides  
 42 | and with both ends pointed. A canoe-like vessel with a transom  
 43 | may not be excluded from the definition of a canoe if the width  
 44 | of its transom is less than 45 percent of the width of its beam  
 45 | or it has been designated as a canoe by the United States Coast  
 46 | Guard.

47 |       (5) "Commercial parasailing" means providing or offering  
 48 | to provide, for consideration, any activity involving the towing  
 49 | of a person by a motorboat when:

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

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

52 |       (c) The person or persons remain suspended above the water  
 53 | while the vessel is underway.

54 |       ~~(6)-(5)~~ "Commercial vessel" means:

55 |       (a) Any vessel primarily engaged in the taking or landing  
 56 | of saltwater fish or saltwater products or freshwater fish or

HB 451

2011

57 freshwater products, or any vessel licensed pursuant to s.  
58 379.361 from which commercial quantities of saltwater products  
59 are harvested, from within and without the waters of this state  
60 for sale either to the consumer, retail dealer, or wholesale  
61 dealer.

62 (b) Any other vessel, except a recreational vessel as  
63 defined in this section.

64 (7)~~(6)~~ "Commission" means the Fish and Wildlife  
65 Conservation Commission.

66 (8)~~(7)~~ "Dealer" means any person authorized by the  
67 Department of Revenue to buy, sell, resell, or otherwise  
68 distribute vessels. Such person shall have a valid sales tax  
69 certificate of registration issued by the Department of Revenue  
70 and a valid commercial or occupational license required by any  
71 county, municipality, or political subdivision of the state in  
72 which the person operates.

73 (9)~~(8)~~ "Division" means the Division of Law Enforcement of  
74 the Fish and Wildlife Conservation Commission.

75 (10)~~(9)~~ "Documented vessel" means a vessel for which a  
76 valid certificate of documentation is outstanding pursuant to 46  
77 C.F.R. part 67.

78 (11)~~(10)~~ "Floating structure" means a floating entity,  
79 with or without accommodations built thereon, which is not  
80 primarily used as a means of transportation on water but which  
81 serves purposes or provides services typically associated with a  
82 structure or other improvement to real property. The term  
83 "floating structure" includes, but is not limited to, each  
84 entity used as a residence, place of business or office with

HB 451

2011

85 public access, hotel or motel, restaurant or lounge, clubhouse,  
86 meeting facility, storage or parking facility, mining platform,  
87 dredge, dragline, or similar facility or entity represented as  
88 such. Floating structures are expressly excluded from the  
89 definition of the term "vessel" provided in this section.  
90 Incidental movement upon water or resting partially or entirely  
91 on the bottom shall not, in and of itself, preclude an entity  
92 from classification as a floating structure.

93 (12)~~(11)~~ "Florida Intracoastal Waterway" means the  
94 Atlantic Intracoastal Waterway, the Georgia state line north of  
95 Fernandina to Miami; the Port Canaveral lock and canal to the  
96 Atlantic Intracoastal Waterway; the Atlantic Intracoastal  
97 Waterway, Miami to Key West; the Okeechobee Waterway, Stuart to  
98 Fort Myers; the St. Johns River, Jacksonville to Sanford; the  
99 Gulf Intracoastal Waterway, Anclote to Fort Myers; the Gulf  
100 Intracoastal Waterway, Carrabelle to Tampa Bay; Carrabelle to  
101 Anclote open bay section (using Gulf of Mexico); the Gulf  
102 Intracoastal Waterway, Carrabelle to the Alabama state line west  
103 of Pensacola; and the Apalachicola, Chattahoochee, and Flint  
104 Rivers in Florida.

105 (13)~~(12)~~ "Homemade vessel" means any vessel built after  
106 October 31, 1972, for which a federal hull identification number  
107 is not required to be assigned by the manufacturer pursuant to  
108 federal law, or any vessel constructed or assembled prior to  
109 November 1, 1972, by other than a licensed manufacturer for his  
110 or her own use or the use of a specific person. A vessel  
111 assembled from a manufacturer's kit or constructed from an  
112 unfinished manufactured hull shall be considered to be a

HB 451

2011

113 | homemade vessel if such a vessel is not required to have a hull  
 114 | identification number assigned by the United States Coast Guard.  
 115 | A rebuilt or reconstructed vessel shall in no event be construed  
 116 | to be a homemade vessel.

117 | (14)~~(13)~~ "Houseboat" means any vessel that ~~which~~ is used  
 118 | primarily as a residence for a minimum of 21 days during any 30-  
 119 | day period, in a county of this state, and this residential use  
 120 | of the vessel is to the preclusion of the use of the vessel as a  
 121 | means of transportation.

122 | (15)~~(14)~~ "Length" means the measurement from end to end  
 123 | over the deck parallel to the centerline excluding sheer.

124 | (16)~~(15)~~ "Lien" means a security interest that ~~which~~ is  
 125 | reserved or created by a written agreement recorded with the  
 126 | Department of Highway Safety and Motor Vehicles pursuant to s.  
 127 | 328.15 which secures payment or performance of an obligation and  
 128 | is generally valid against third parties.

129 | (17)~~(16)~~ "Lienholder" means a person holding a security  
 130 | interest in a vessel, which interest is recorded with the  
 131 | Department of Highway Safety and Motor Vehicles pursuant to s.  
 132 | 328.15.

133 | (18)~~(17)~~ "Live-aboard vessel" means:

134 | (a) Any vessel used solely as a residence and not for  
 135 | navigation;

136 | (b) Any vessel represented as a place of business or a  
 137 | professional or other commercial enterprise; or

138 | (c) Any vessel for which a declaration of domicile has  
 139 | been filed pursuant to s. 222.17.

140 |

HB 451

2011

141 A commercial fishing boat is expressly excluded from the term  
 142 "live-aboard vessel."

143 (19)~~(18)~~ "Livery vessel" means any vessel leased, rented,  
 144 or chartered to another for consideration.

145 (20)~~(19)~~ "Manufactured vessel" means any vessel built  
 146 after October 31, 1972, for which a federal hull identification  
 147 number is required pursuant to federal law, or any vessel  
 148 constructed or assembled prior to November 1, 1972, by a duly  
 149 licensed manufacturer.

150 (21)~~(20)~~ "Marina" means a licensed commercial facility  
 151 that ~~which~~ provides secured public moorings or dry storage for  
 152 vessels on a leased basis. A commercial establishment authorized  
 153 by a licensed vessel manufacturer as a dealership shall be  
 154 considered a marina for nonjudicial sale purposes.

155 (22)~~(21)~~ "Marine sanitation device" means any equipment  
 156 other than a toilet, for installation on board a vessel, which  
 157 is designed to receive, retain, treat, or discharge sewage, and  
 158 any process to treat such sewage. Marine sanitation device Types  
 159 I, II, and III shall be defined as provided in 33 C.F.R. part  
 160 159.

161 (23)~~(22)~~ "Marker" means any channel mark or other aid to  
 162 navigation, information or regulatory mark, isolated danger  
 163 mark, safe water mark, special mark, inland waters obstruction  
 164 mark, or mooring buoy in, on, or over the waters of the state or  
 165 the shores thereof, and includes, but is not limited to, a sign,  
 166 beacon, buoy, or light.

167 (24)~~(23)~~ "Motorboat" means any vessel equipped with  
 168 machinery for propulsion, irrespective of whether the propulsion

HB 451

2011

169 machinery is in actual operation.

170 (25)~~(24)~~ "Muffler" means an automotive-style sound-  
 171 suppression device or system designed to effectively abate the  
 172 sound of exhaust gases emitted from an internal combustion  
 173 engine and prevent excessive sound when installed on such an  
 174 engine.

175 (26)~~(25)~~ "Navigation rules" means the International  
 176 Navigational Rules Act of 1977, 33 U.S.C. appendix following s.  
 177 1602, as amended, including the annexes thereto, for vessels on  
 178 waters outside of established navigational lines of demarcation  
 179 as specified in 33 C.F.R. part 80 or the Inland Navigational  
 180 Rules Act of 1980, 33 U.S.C. ss. 2001 et seq., as amended,  
 181 including the annexes thereto, for vessels on all waters not  
 182 outside of such lines of demarcation.

183 (27)~~(26)~~ "Nonresident" means a citizen of the United  
 184 States who has not established residence in this state and has  
 185 not continuously resided in this state for 1 year and in one  
 186 county for the 6 months immediately preceding the initiation of  
 187 a vessel titling or registration action.

188 (28)~~(27)~~ "Operate" means to be in charge of or in command  
 189 of or in actual physical control of a vessel upon the waters of  
 190 this state, or to exercise control over or to have  
 191 responsibility for a vessel's navigation or safety while the  
 192 vessel is underway upon the waters of this state, or to control  
 193 or steer a vessel being towed by another vessel upon the waters  
 194 of the state.

195 (29)~~(28)~~ "Owner" means a person, other than a lienholder,  
 196 having the property in or title to a vessel. The term includes a

HB 451

2011

197 person entitled to the use or possession of a vessel subject to  
 198 an interest in another person, reserved or created by agreement  
 199 and securing payment of performance of an obligation, but the  
 200 term excludes a lessee under a lease not intended as security.

201 (30)~~(29)~~ "Person" means an individual, partnership, firm,  
 202 corporation, association, or other entity.

203 (31)~~(30)~~ "Personal watercraft" means a vessel less than 16  
 204 feet in length which uses an inboard motor powering a water jet  
 205 pump, as its primary source of motive power and which is  
 206 designed to be operated by a person sitting, standing, or  
 207 kneeling on the vessel, rather than in the conventional manner  
 208 of sitting or standing inside the vessel.

209 (32)~~(31)~~ "Portable toilet" means a device consisting of a  
 210 lid, seat, containment vessel, and support structure which ~~that~~  
 211 is specifically designed to receive, retain, and discharge human  
 212 waste and which ~~that~~ is capable of being removed from a vessel  
 213 by hand.

214 (33)~~(32)~~ "Prohibited activity" means such activity as will  
 215 impede or disturb navigation or creates a safety hazard on  
 216 waterways of this state.

217 (34) "Quick release" means a device that enables the  
 218 tethered or connected person to quickly release or remove  
 219 himself or herself from his or her support system.

220 (35)~~(33)~~ "Racing shell," "rowing scull," or "racing kayak"  
 221 means a manually propelled vessel that ~~which~~ is recognized by  
 222 national or international racing associations for use in  
 223 competitive racing and in which all occupants, with the  
 224 exception of a coxswain, if one is provided, row, scull, or



HB 451

2011

225 | paddle, and that ~~which~~ is not designed to carry and does not  
 226 | carry any equipment not solely for competitive racing.

227 | (36) ~~(34)~~ "Recreational vessel" means any vessel:

228 | (a) Manufactured and used primarily for noncommercial  
 229 | purposes; or

230 | (b) Leased, rented, or chartered to a person for the  
 231 | person's noncommercial use.

232 | (37) ~~(35)~~ "Registration" means a state operating license on  
 233 | a vessel which is issued with an identifying number, an annual  
 234 | certificate of registration, and a decal designating the year  
 235 | for which a registration fee is paid.

236 | (38) ~~(36)~~ "Resident" means a citizen of the United States  
 237 | who has established residence in this state and has continuously  
 238 | resided in this state for 1 year and in one county for the 6  
 239 | months immediately preceding the initiation of a vessel titling  
 240 | or registration action.

241 | (39) ~~(37)~~ "Sailboat" means any vessel whose sole source of  
 242 | propulsion is the wind.

243 | (40) "Support system" means a device used to tether,  
 244 | connect, or otherwise suspend a person under the canopy.

245 | (41) "Sustained wind speed" means a wind speed determined  
 246 | by averaging the observed wind speed rounded to the nearest  
 247 | whole knot over a 2-minute period.

248 | (42) ~~(38)~~ "Unclaimed vessel" means any undocumented vessel,  
 249 | including its machinery, rigging, and accessories, which is in  
 250 | the physical possession of any marina, garage, or repair shop  
 251 | for repairs, improvements, or other work with the knowledge of  
 252 | the vessel owner and for which the costs of such services have

HB 451

2011

253 | been unpaid for a period in excess of 90 days from the date  
 254 | written notice of the completed work is given by the marina,  
 255 | garage, or repair shop to the vessel owner.

256 | (43)~~(39)~~ "Vessel" is synonymous with boat as referenced in  
 257 | s. 1(b), Art. VII of the State Constitution and includes every  
 258 | description of watercraft, barge, and airboat, other than a  
 259 | seaplane on the water, used or capable of being used as a means  
 260 | of transportation on water.

261 | (44)~~(40)~~ "Waters of this state" means any navigable waters  
 262 | of the United States within the territorial limits of this  
 263 | state, and the marginal sea adjacent to this state and the high  
 264 | seas when navigated as a part of a journey or ride to or from  
 265 | the shore of this state, and all the inland lakes, rivers, and  
 266 | canals under the jurisdiction of this state.

267 | Section 2. Section 327.375, Florida Statutes, is created  
 268 | to read:

269 | 327.375 Commercial parasailing.-

270 | (1) This section may be cited as the "Alejandra White  
 271 | Act."

272 | (2) The owner of a vessel engaged in commercial  
 273 | parasailing may not offer or provide for consideration any  
 274 | parasailing activity unless the owner first obtains and carries  
 275 | in full force and effect an insurance policy, from an insurance  
 276 | carrier licensed in this state, insuring against any accident,  
 277 | loss, injury, property damage, death, or other casualty caused  
 278 | by or resulting from any commercial parasailing activity. The  
 279 | insurance policy must provide coverage of at least \$1 million  
 280 | per person, per event. Proof of insurance must be available for

HB 451

2011

281 inspection at the location where commercial parasailing is  
282 offered or provided for consideration and each customer who  
283 requests it shall be provided with the insurance carrier's name  
284 and address and the insurance policy number.

285 (3) A person engaged in commercial parasailing must meet  
286 the following requirements:

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

289 (b) A person may not operate a vessel engaged in  
290 commercial parasailing on the waters of this state unless the  
291 person has a current and valid license issued by the United  
292 States Coast Guard authorizing that person to engage in carrying  
293 passengers for hire. The license must be appropriate for the  
294 number of passengers carried and the displacement of the vessel.  
295 The license must be carried on the vessel and be available for  
296 inspection while commercial parasailing activities are  
297 conducted.

298 (c) A person may not operate a vessel for commercial  
299 parasailing unless an observer 18 years of age or older is  
300 present in the vessel at all times to monitor the progress of  
301 any tethered parasail rider and parasail equipment. The observer  
302 may not be a customer, must be attentive to the parasail rider  
303 or riders and equipment, and may not have any other duties while  
304 the rider or riders are in the water or suspended above the  
305 water.

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

308 1. All riders wear an appropriate floatation device

HB 451

2011

309 approved by the United States Coast Guard, other than an  
310 inflatable device, which is in serviceable condition and of the  
311 proper size;

312 2. All riders are equipped with a support system that  
313 includes a harness that has a quick release or is a "gondola  
314 style" system that allows the rider to quickly self evacuate  
315 during an emergency.

316 3. The vessel is in full compliance with all requirements  
317 of the United States Coast Guard governing crewing and equipment  
318 carriage for passenger-carrying vessels as specified in the Code  
319 of Federal Regulations or as otherwise specified by the United  
320 States Coast Guard in the vessel's certificate of inspection;  
321 and

322 4. The vessel is equipped with a functional VHF marine  
323 transceiver that can monitor National Weather Service forecasts  
324 and send and receive and monitor channel 16.

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

327 (f) A person may not operate a vessel towing a commercial  
328 parasailing rider on any waters of the state less than 1,800  
329 feet from the shore. This restriction applies to the entire  
330 commercial parasailing apparatus, including the vessel, towline,  
331 and rider.

332 (g) A person may not operate a vessel towing a commercial  
333 parasailing rider so that the vessel, towline, or rider comes  
334 within 400 feet of:

335 1. An anchored vessel;

336 2. A person in the water; or

HB 451

2011

337 3. A structure, bridge, power line, wharf, pier, dock,  
338 platform, piling, marker, or other similar object.

339 (h) A person may not operate any vessel towing a parasail  
340 or engage in parasailing within 100 feet of the marked channel  
341 of the Florida Intracoastal Waterway.

342 (i) Commercial parasailing is prohibited when the current  
343 conditions or those forecasted by the National Weather Service  
344 include a sustained wind speed of 20 knots or higher in the area  
345 of operation, rain or heavy fog that results in reduced  
346 visibility of less than 0.5 miles, or a known lightning storm  
347 within 7 miles of the parasailing area.

348 (j) The vessel captain shall use all available means to  
349 determine prevailing and forecasted weather conditions and  
350 record this information in a weather log each time passengers  
351 are to be taken out on the water. The weather log must be  
352 available for inspection at all times at the place of business.

353 (k) Towlines used for commercial parasailing must be rated  
354 for a tensile strength that exceeds 4,800 pounds, must be double  
355 braided, low-stretch type, and may not exceed 800 feet in  
356 length.

357 (l) Each passenger and parasail rider must be given a  
358 safety briefing before embarking or before the parasail activity  
359 commences. This briefing must include a description of the  
360 equipment, the parasail activity, inherent risks, and  
361 instruction on how to safely evacuate from the passenger support  
362 during a water landing.

363 (m) A person operating a vessel for commercial parasailing  
364 may not engage in parasailing, or any similar activity at any

HB 451

2011

365 time between the hours of one-half hour after sunset to one-half  
 366 hour before sunrise.

367 (4) A person or operator who violates this section commits  
 368 a misdemeanor of the second degree, punishable as provided in s.  
 369 775.082 or s. 775.083.

370 Section 3. Paragraph (d) of subsection (5) of section  
 371 320.08, Florida Statutes, is amended to read:

372 320.08 License taxes.—Except as otherwise provided herein,  
 373 there are hereby levied and imposed annual license taxes for the  
 374 operation of motor vehicles, mopeds, motorized bicycles as  
 375 defined in s. 316.003(2), tri-vehicles as defined in s. 316.003,  
 376 and mobile homes, as defined in s. 320.01, which shall be paid  
 377 to and collected by the department or its agent upon the  
 378 registration or renewal of registration of the following:

379 (5) SEMITRAILERS, FEES ACCORDING TO GROSS VEHICLE WEIGHT;  
 380 SCHOOL BUSES; SPECIAL PURPOSE VEHICLES.—

381 (d) A wrecker, as defined in s. 320.01(40), which is used  
 382 to tow a vessel as defined in s. 327.02(43) ~~s. 327.02(39)~~, a  
 383 disabled, abandoned, stolen-recovered, or impounded motor  
 384 vehicle as defined in s. 320.01(38), or a replacement motor  
 385 vehicle as defined in s. 320.01(39): \$41 flat, of which \$11  
 386 shall be deposited into the General Revenue Fund.

387 Section 4. Subsection (1) of section 327.391, Florida  
 388 Statutes, is amended to read:

389 327.391 Airboats regulated.—

390 (1) The exhaust of every internal combustion engine used  
 391 on any airboat operated on the waters of this state shall be  
 392 provided with an automotive-style factory muffler, underwater

HB 451

2011

393 exhaust, or other manufactured device capable of adequately  
 394 muffling the sound of the exhaust of the engine as described in  
 395 s. 327.02(25) ~~s. 327.02(24)~~. The use of cutouts or flex pipe as  
 396 the sole source of muffling is prohibited, except as provided in  
 397 subsection (4). Any person who violates this subsection commits  
 398 a noncriminal infraction punishable as provided in s. 327.73(1).

399 Section 5. Subsection (4) of section 328.17, Florida  
 400 Statutes, is amended to read:

401 328.17 Nonjudicial sale of vessels.—

402 (4) A marina, as defined in s. 327.02(21) ~~s. 327.02(20)~~,  
 403 shall have:

404 (a) A possessory lien upon any vessel for storage fees,  
 405 dockage fees, repairs, improvements, or other work-related  
 406 storage charges, and for expenses necessary for preservation of  
 407 the vessel or expenses reasonably incurred in the sale or other  
 408 disposition of the vessel. The possessory lien shall attach as  
 409 of the date the vessel is brought to the marina or as of the  
 410 date the vessel first occupies rental space at the marina  
 411 facility.

412 (b) A possessory lien upon any vessel in a wrecked,  
 413 junked, or substantially dismantled condition, which has been  
 414 left abandoned at a marina, for expenses reasonably incurred in  
 415 the removal and disposal of the vessel. The possessory lien  
 416 shall attach as of the date the vessel arrives at the marina or  
 417 as of the date the vessel first occupies rental space at the  
 418 marina facility. If the funds recovered from the sale of the  
 419 vessel, or from the scrap or salvage value of the vessel, are  
 420 insufficient to cover the expenses reasonably incurred by the

HB 451

2011

421 marina in removing and disposing of the vessel, all costs in  
 422 excess of recovery shall be recoverable against the owner of the  
 423 vessel. For a vessel damaged as a result of a named storm, the  
 424 provisions of this paragraph shall be suspended for 60 days  
 425 following the date the vessel is damaged in the named storm. The  
 426 operation of the provisions specified in this paragraph run  
 427 concurrently with, and do not extend, the 60-day notice periods  
 428 provided in subsections (5) and (7).

429 Section 6. Subsection (2) of section 342.07, Florida  
 430 Statutes, is amended to read:

431 342.07 Recreational and commercial working waterfronts;  
 432 legislative findings; definitions.—

433 (2) As used in this section, the term "recreational and  
 434 commercial working waterfront" means a parcel or parcels of real  
 435 property which ~~that~~ provide access for water-dependent  
 436 commercial activities, including hotels and motels as defined in  
 437 s. 509.242(1), or provide access for the public to the navigable  
 438 waters of the state. Recreational and commercial working  
 439 waterfronts require direct access to or a location on, over, or  
 440 adjacent to a navigable body of water. The term includes water-  
 441 dependent facilities that are open to the public and offer  
 442 public access by vessels to the waters of the state or that are  
 443 support facilities for recreational, commercial, research, or  
 444 governmental vessels. These facilities include public lodging  
 445 establishments, docks, wharfs, lifts, wet and dry marinas, boat  
 446 ramps, boat hauling and repair facilities, commercial fishing  
 447 facilities, boat construction facilities, and other support  
 448 structures over the water. As used in this section, the term



HB 451

2011

449 "vessel" has the same meaning as in s. 327.02(43) ~~s. 327.02(39)~~.  
 450 Seaports are excluded from the definition.

451 Section 7. Paragraph (b) of subsection (1) of section  
 452 713.78, Florida Statutes, is amended to read:

453 713.78 Liens for recovering, towing, or storing vehicles  
 454 and vessels.—

455 (1) For the purposes of this section, the term:

456 (b) "Vessel" means every description of watercraft, barge,  
 457 and airboat used or capable of being used as a means of  
 458 transportation on water, other than a seaplane or a "documented  
 459 vessel" as defined in s. 327.02(10) ~~s. 327.02(9)~~.

460 Section 8. Paragraph (b) of subsection (1) of section  
 461 715.07, Florida Statutes, is amended to read:

462 715.07 Vehicles or vessels parked on private property;  
 463 towing.—

464 (1) As used in this section, the term:

465 (b) "Vessel" means every description of watercraft, barge,  
 466 and airboat used or capable of being used as a means of  
 467 transportation on water, other than a seaplane or a "documented  
 468 vessel" as defined in s. 327.02(10) ~~s. 327.02(9)~~.

469 Section 9. This act shall take effect July 1, 2011.