

**The Florida Senate**  
**BILL ANALYSIS AND FISCAL IMPACT STATEMENT**

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

Prepared By: The Professional Staff of the Environmental Preservation and Conservation Committee

BILL: SB 968

INTRODUCER: Senator Dean

SUBJECT: Boating Safety

DATE: February 25, 2011      REVISED: \_\_\_\_\_

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	Wiggins	Yeatman	EP	<b>Pre-meeting</b>
2.			CA	
3.			BC	
4.				
5.				
6.				

**I. Summary:**

The bill amends provisions to allow boating safety identification cards to be issued by Florida Fish and Wildlife Conservation Commission (FWC) approved liveries, marinas, or other persons that administer the boater safety course. The approved agent must issue cards that are similar in appearance to the cards issued by FWC.

The bill amends section 327.395 of the Florida Statutes.

**II. Present Situation:**

Section 327.395, F.S., requires that a person born after January 1, 1988 must have a boater safety identification card to operate a vessel powered by a motor of 10 horsepower or greater. In order to obtain a boater safety identification card the person must have completed a commission-approved boater education course that meets the minimum 8-hour instruction requirement established by the National Association of State Boating Law Administrators. A person may also obtain a boater safety identification card by passing a course equivalency examination approved by FWC or pass a temporary certificate examination developed or approved by FWC.

The boater safety course may be taken in person at one of FWC's state offices at no charge. An applicant may also take the course online at a cost of up to \$30. FWC lists the approved online courses on their website.<sup>1</sup> The United States Coast Guard also offers an FWC approved course for \$35. FWC may appoint liveries, marinas, or other agents to administer the boater safety course as long as the entities adhere to FWC's established guidelines. These private entities offer

[http://myfwc.com/SAFETY/Safety\\_Boat\\_Safety\\_OnlineClasses.htm](http://myfwc.com/SAFETY/Safety_Boat_Safety_OnlineClasses.htm) (last visited Feb. 28, 2011).

the course for approximately \$30. However, these entities may not issue a boater safety card on the premises. These private entities must send a \$2 exam fee to FWC in addition to providing proof that the applicant successfully passed the course. FWC also allows the private entities to charge and keep an additional \$1 service fee.<sup>2</sup>

Once FWC has received documented proof that the applicant successfully completed the course then FWC will mail a boater safety identification card to the applicant. It currently takes FWC up to 10 days to mail a card to an applicant who has successfully completed the boating safety course and has provided all of the necessary identification documentation. Incomplete applications may take longer as FWC must contact the applicant and retrieve any missing information.

### III. Effect of Proposed Changes:

**Section 1** amends s. 327.395, F.S., to allow entities such as liveries, marinas, or other persons to issue boater safety identification cards that are similar in appearance to the boater safety identification cards approved by FWC.

**Section 2** provides an effective date of July 1, 2011.

### IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

### V. Fiscal Impact Statement:

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

The bill would allow entities that offer the boating safety course approved by FWC to issue licenses to the applicants. Private entities may see an increase in business if they are allowed to issue cards on the premises. This would allow an applicant who successfully completed the course to be issued a license on the premises instead of having to wait for FWC to mail the card to their address. Many of the private entities also offer more

---

<sup>2</sup> See s. 327.395(4), F.S.

extensive boating courses and tutorials at additional varying costs. If an entity was able to provide the card on the premises then the other course offerings could also realize a positive fiscal impact.

**C. Government Sector Impact:**

FWC's workload and costs associated with mailing cards to the applicants would probably diminish if private entities are issuing the cards at their place of business.

**VI. Technical Deficiencies:**

None.

**VII. Related Issues:**

None.

**VIII. Additional Information:**

**A. Committee Substitute – Statement of Substantial Changes:**

(Summarizing differences between the Committee Substitute and the prior version of the bill.)

None.

**B. Amendments:**

None.