

By the Committee on Environmental Preservation and Conservation;
and Senator Dean

592-02315-11

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1 A bill to be entitled

2 An act relating to boating safety; amending s.
3 327.395, F.S.; providing an exemption from the
4 requirement that certain persons must possess a
5 boating safety identification card while operating a
6 motor vessel of a specified horsepower or greater;
7 amending s. 327.54, F.S.; requiring liveries to
8 require that a person present a valid boater safety
9 identification card or provide proof that the person
10 passed the boating education safety course or
11 examination; providing an effective date.

12
13 Be It Enacted by the Legislature of the State of Florida:

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15 Section 1. Subsection (6) of section 327.395, Florida
16 Statutes, is amended to read:

17 327.395 Boating safety identification cards.—

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

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

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

22 (c) Is accompanied in the vessel by a person who is exempt
23 from this section or who holds an identification card in
24 compliance with this section, is 18 years of age or older, and
25 is attendant to the operation of the vessel and responsible for
26 the safe operation of the vessel and for any violation that
27 occurs during the operation.

28 (d) Is a nonresident who has in his or her possession proof
29 that he or she has completed a boater education course or

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30 equivalency examination in another state which meets or exceeds
31 the requirements of subsection (1).

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

35 (f) Is operating a vessel within 90 days after completing
36 the requirements of paragraph (1) (a) or paragraph (1) (b) and has
37 available for inspection photographic identification and his or
38 her boater education certificate as proof that the course was
39 successfully completed. The boater education certificate must
40 provide, at a minimum, the student's first and last name, the
41 student's date of birth, and the date he or she passed the
42 course examination.

43 (g)~~(f)~~ Is exempted by rule of the commission.

44 Section 2. Subsection (2) of section 327.54, Florida
45 Statutes, is amended to read:

46 327.54 Liveries; safety regulations; penalty.—

47 (2) A livery may not knowingly lease, hire, or rent any
48 vessel powered by a motor of 10 horsepower or greater to any
49 person who is required to comply with s. 327.395, unless such
50 person presents to the livery a valid boater safety
51 identification card or proof of meeting the temporary exemption
52 provided by s. 327.395(6) (f) to the livery.

53 Section 3. This act shall take effect July 1, 2011.