

HB 427

2016

1 A bill to be entitled
2 An act relating to recreational vessel registration;
3 amending s. 328.72, F.S.; providing definitions;
4 providing for a reduced recreational vessel
5 registration fee when the vessel is equipped with an
6 emergency position indicating radio beacon or the
7 owner of the vessel owns a personal locator beacon;
8 limiting application to one vessel per owner;
9 authorizing the Department of Highway Safety and Motor
10 Vehicles to adopt rules relating to proof of
11 qualification; providing for certain funds to
12 supplement the reduced amounts collected; amending s.
13 328.76, F.S., relating to the Marine Resources
14 Conservation Trust Fund; providing for use of the
15 supplemental funds; amending s. 328.66, F.S., relating
16 to county and municipality optional registration fees;
17 specifying that the reduced fees do not apply to the
18 limitation on registration fees charged by a county;
19 providing an effective date.

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

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23 Section 1. Subsection (1) of section 328.72, Florida
24 Statutes, is amended, and subsection (18) is added to that
25 section, to read:

26 328.72 Classification; registration; fees and charges;

27 surcharge; disposition of fees; fines; marine turtle stickers.-

28 (1) VESSEL REGISTRATION FEE.-

29 (a) Vessels that are required to be registered shall be
 30 classified for registration purposes according to the following
 31 schedule, and, except as provided in subsection (18), the
 32 registration certificate fee shall be in the following amounts:

33 1. Class A-1-Less than 12 feet in length, and all canoes
 34 to which propulsion motors have been attached, regardless of
 35 length: \$5.50 for each 12-month period registered.

36 2. Class A-2-12 feet or more and less than 16 feet in
 37 length: \$16.25 for each 12-month period registered. ~~(To county):~~
 38 2.85 for each 12-month period registered.

39 3. Class 1-16 feet or more and less than 26 feet in length:
 40 \$28.75 for each 12-month period registered. ~~(To county):~~ 8.85
 41 for each 12-month period registered.

42 4. Class 2-26 feet or more and less than 40 feet in
 43 length: \$78.25 for each 12-month period registered. ~~(To county):~~
 44 32.85 for each 12-month period registered.

45 5. Class 3-40 feet or more and less than 65 feet in
 46 length: \$127.75 for each 12-month period registered. ~~(To~~
 47 ~~county):~~ 56.85 for each 12-month period registered.

48 6. Class 4-65 feet or more and less than 110 feet in
 49 length: \$152.75 for each 12-month period registered. ~~(To~~
 50 ~~county):~~ 68.85 for each 12-month period registered.

51 7. Class 5-110 feet or more in length: \$189.75 for each
 52 12-month period registered. ~~(To county):~~ 86.85 for each 12-month

53 | period registered.

54 | 8. Dealer registration certificate: \$25.50 for each 12-
55 | month period registered.

56 | (b) The county portion of the vessel registration fee is
57 | derived from recreational vessels only.

58 | (18) REDUCED VESSEL REGISTRATION FEE.—

59 | (a) As used in this subsection, the term:

60 | 1. "Emergency position-indicating radio beacon" means a
61 | device installed on the vessel being registered that:

62 | a. Transmits distress signals at a frequency between 406.0
63 | and 406.1 MHz;

64 | b. Is manufactured by a company approved to manufacture
65 | beacons by the International Cospas-Sarsat Programme; and

66 | c. Is registered with the United States National Oceanic
67 | and Atmospheric Administration.

68 | 2. "Full registration fee amount" means the registration
69 | fee as provided in subsection (1) and not the reduced vessel
70 | registration fee specified in this subsection.

71 | 3. "Personal locator beacon" means a device designed to be
72 | carried by an individual that:

73 | a. Transmits distress signals at a frequency between 406.0
74 | and 406.1 MHz;

75 | b. Is manufactured by a company approved to manufacture
76 | beacons by the International Cospas-Sarsat Programme; and

77 | c. Is registered with the United States National Oceanic
78 | and Atmospheric Administration.

79 (b) The registration certificate fee imposed under
 80 subsection (1) for a recreational vessel equipped with an
 81 emergency position-indicating radio beacon, or for a
 82 recreational vessel the owner of which owns a personal locator
 83 beacon, shall be reduced to the following amounts for each 12-
 84 month period registered:

- 85 1. Class A-1-\$2.90.
- 86 2. Class A-2-\$11.00.
- 87 3. Class 1-\$20.40.
- 88 4. Class 2-\$57.50.
- 89 5. Class 3-\$94.65.
- 90 6. Class 4-\$113.40.
- 91 7. Class 5-\$141.15.

92 (c) A person who owns a personal locator beacon and who
 93 owns more than one recreational vessel qualifies to pay the
 94 reduced fee under paragraph (b) for only one such vessel.

95 (d) In order to qualify for reduced registration fees
 96 under this subsection, a vessel owner must, at the time of
 97 registration, demonstrate that the vessel is equipped with an
 98 emergency position-indicating radio beacon or that the vessel
 99 owner owns a personal locator beacon. The Department of Highway
 100 Safety and Motor Vehicles may adopt rules specifying what
 101 constitutes sufficient proof to qualify for reduced registration
 102 fees under this subsection, but such proof must contain, at a
 103 minimum, the following:

- 104 1. The name of the beacon owner.

- 105 2. The expiration date of the beacon's registration.
- 106 3. The unique identification number of the beacon.
- 107 4. For vessels equipped with an emergency position-
- 108 indicating radio beacon, identification of the vessel equipped
- 109 with the beacon.

110 (e) For each vessel registration qualifying for reduced
 111 registration fees under this subsection, an amount equal to the
 112 difference between the full registration fee amount and the
 113 actual amount of registration fee paid for such vessel
 114 registration shall be transferred from the General Revenue Fund
 115 to the Department of Highway Safety and Motor Vehicles and shall
 116 be distributed pursuant to s. 328.76.

117 Section 2. Subsection (1) of section 328.76, Florida
 118 Statutes, is amended to read:

119 328.76 Marine Resources Conservation Trust Fund; vessel
 120 registration funds; appropriation and distribution.—

121 (1) Except as otherwise specified in this subsection and
 122 less the amount equal to any administrative costs which shall be
 123 deposited in the Highway Safety Operating Trust Fund, in each
 124 fiscal year beginning on or after July 1, 2001, all funds
 125 collected from the registration of vessels through the
 126 Department of Highway Safety and Motor Vehicles and the tax
 127 collectors of the state and funds transferred from the General
 128 Revenue Fund pursuant to s. 328.72(18), except for those funds
 129 designated as the county portion pursuant to s. 328.72(1), shall
 130 be deposited in the Marine Resources Conservation Trust Fund for

131 recreational channel marking; public launching facilities; law
132 enforcement and quality control programs; aquatic weed control;
133 manatee protection, recovery, rescue, rehabilitation, and
134 release; and marine mammal protection and recovery. The funds
135 collected pursuant to s. 328.72(1) shall be transferred as
136 follows:

137 (a) In each fiscal year, an amount equal to \$1.50 for each
138 commercial and recreational vessel registered in this state
139 shall be transferred by the Department of Highway Safety and
140 Motor Vehicles to the Save the Manatee Trust Fund and shall be
141 used only for the purposes specified in s. 379.2431(4).

142 (b) An amount equal to \$2 from each recreational vessel
143 registration fee, except that for class A-1 vessels, shall be
144 transferred by the Department of Highway Safety and Motor
145 Vehicles to the Invasive Plant Control Trust Fund in the Fish
146 and Wildlife Conservation Commission for aquatic weed research
147 and control.

148 (c) An amount equal to 40 percent of the registration fees
149 from commercial vessels shall be transferred by the Department
150 of Highway Safety and Motor Vehicles to the Invasive Plant
151 Control Trust Fund in the Fish and Wildlife Conservation
152 Commission for aquatic plant research and control.

153 (d) An amount equal to 40 percent of the registration fees
154 from commercial vessels shall be transferred by the Department
155 of Highway Safety and Motor Vehicles, on a monthly basis, to the
156 General Inspection Trust Fund of the Department of Agriculture

157 and Consumer Services. These funds shall be used for shellfish
 158 and aquaculture development and quality control programs.

159 (e) After all administrative costs are funded and the
 160 distributions in paragraphs (a)-(d) have been made, up to
 161 \$400,000 shall be transferred by the Department of Highway
 162 Safety and Motor Vehicles to the General Inspection Trust Fund
 163 of the Department of Agriculture and Consumer Services to fund
 164 activities relating to the protection, restoration, and research
 165 of the natural oyster reefs and beds of the state. This
 166 paragraph expires July 1, 2017.

167 (f) After all administrative costs are funded and the
 168 distributions in paragraphs (a)-(d) have been made, up to
 169 \$300,000 may be used by the Fish and Wildlife Conservation
 170 Commission for boating safety education. This paragraph expires
 171 July 1, 2017.

172 Section 3. Subsection (1) of section 328.66, Florida
 173 Statutes, is amended to read:

174 328.66 County and municipality optional registration fee.—

175 (1) Any county may impose an annual registration fee on
 176 vessels registered, operated, used, or stored on the waters of
 177 this state within its jurisdiction. This fee shall be 50 percent
 178 of the applicable state registration fee as provided in s.
 179 328.72(1) and not the reduced vessel registration fee specified
 180 in s. 328.72(18). However, the first \$1 of every registration
 181 imposed under this subsection shall be remitted to the state for
 182 deposit in the Save the Manatee Trust Fund created within the

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183 Fish and Wildlife Conservation Commission, and shall be used
184 only for the purposes specified in s. 379.2431(4). All other
185 moneys received from such fee shall be expended for the patrol,
186 regulation, and maintenance of the lakes, rivers, and waters and
187 for other boating-related activities of such municipality or
188 county. A municipality that was imposing a registration fee
189 before April 1, 1984, may continue to levy such fee,
190 notwithstanding the provisions of this section.

191 Section 4. This act shall take effect July 1, 2016.