

By the Committee on Environmental Preservation and Conservation;
and Senators Rader and Book

592-02316-18

20181612c1

1 A bill to be entitled
2 An act relating to airboat regulation; providing a
3 short title; amending s. 327.391, F.S.; requiring, by
4 a specified date, a commercial airboat operator to
5 have specified documents on board the airboat while
6 carrying passengers for hire; providing an exception;
7 providing a penalty; amending s. 327.73, F.S.;
8 providing a penalty for violation of airboat operation
9 requirements; providing an effective date.

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11 Be It Enacted by the Legislature of the State of Florida:

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13 Section 1. This act may be cited as "Ellie's Law."

14 Section 2. Subsection (5) is added to section 327.391,
15 Florida Statutes, to read:

16 327.391 Airboats regulated.—

17 (5) (a) Beginning December 31, 2018, a person may not
18 operate an airboat to carry passengers for hire on waters of the
19 state unless he or she has all of the following on board the
20 airboat:

21 1. A photographic identification card.

22 2. Proof of compliance with s. 327.395.

23 3. Proof of successful completion of a commission-approved
24 airboat operator course that meets the minimum standards
25 established by commission rule.

26 4. A certificate of successful course completion in
27 cardiopulmonary resuscitation and first aid.

28 (b) A person issued a captain's license by the United
29 States Coast Guard is not required to complete the boating

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30 safety education course required under s. 327.395. Proof of the
31 captain's license must be on board the airboat when carrying
32 passengers for hire on waters of the state.

33 (c) A person who violates this subsection commits a
34 noncriminal infraction, punishable as provided in s. 327.73.

35 Section 3. Paragraph (cc) is added to subsection (1) of
36 section 327.73, Florida Statutes, to read:

37 327.73 Noncriminal infractions.—

38 (1) Violations of the following provisions of the vessel
39 laws of this state are noncriminal infractions:

40 (cc) Section 327.391(5), relating to airboat operation
41 requirements, for which the civil penalty is up to a maximum of
42 \$500.

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44 Any person cited for a violation of any provision of this
45 subsection shall be deemed to be charged with a noncriminal
46 infraction, shall be cited for such an infraction, and shall be
47 cited to appear before the county court. The civil penalty for
48 any such infraction is \$50, except as otherwise provided in this
49 section. Any person who fails to appear or otherwise properly
50 respond to a uniform boating citation shall, in addition to the
51 charge relating to the violation of the boating laws of this
52 state, be charged with the offense of failing to respond to such
53 citation and, upon conviction, be guilty of a misdemeanor of the
54 second degree, punishable as provided in s. 775.082 or s.
55 775.083. A written warning to this effect shall be provided at
56 the time such uniform boating citation is issued.

57 Section 4. This act shall take effect upon becoming a law.