

Amendment No.

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED _____ (Y/N)
ADOPTED AS AMENDED _____ (Y/N)
ADOPTED W/O OBJECTION _____ (Y/N)
FAILED TO ADOPT _____ (Y/N)
WITHDRAWN _____ (Y/N)
OTHER _____

1 Committee/Subcommittee hearing bill: Careers & Competition
2 Subcommittee

3 Representative Harrison offered the following:

4
5 **Amendment (with title amendment)**

6 Remove everything after the enacting clause and insert:

7 Section 1. Section 559.9602, Florida Statutes, is created
8 to read:

9 559.9602 Salvage of pleasure vessels.-

10 (1) This section shall apply to all salvors operating in
11 Florida, except:

12 (a) Any person who performs salvage work while employed by
13 a municipal, county, state, or federal government when carrying
14 out the functions of that government.

15 (b) Any person who engages solely in salvage work for:

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16 1. Pleasure vessels that are owned, maintained, and
17 operated exclusively by such person and for that person's own
18 use; or

19 2. For-hire pleasure vessels that are rented for periods
20 of 30 days or less.

21 (c) Any person who owns or operates a marina or shore-
22 based repair facility and is in the business of repairing
23 pleasure vessels, where the salvage work takes place exclusively
24 at that person's facility.

25 (d) Any person who is in the business of repairing
26 pleasure vessels who performs the repair work at a landside or
27 shoreside location designated by the customer.

28 (e) Any person who is in the business of recovering,
29 storing, or selling pleasure vessels on behalf of insurance
30 companies that insure the vessels.

31 (2) As used in this section, the term:

32 (a) "Customer" means the person to whom a salvor offers
33 salvage work.

34 (b) "Employee" means an individual who is employed full-
35 time or part-time by a salvor and performs salvage work.

36 (c) "Pleasure vessel" means any watercraft no more than 60
37 feet in length which is used solely for personal pleasure,
38 family use, or the transportation of executives, persons under
39 the employment, and guests of the owner.

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40 (d) "Salvage work" means any assistance, services,
41 repairs, or other efforts rendered by a salvor relating to
42 saving, preserving, or rescuing a pleasure vessel or its
43 passengers and crew which are in marine peril. Salvage work does
44 not include towing a pleasure vessel.

45 (e) "Salvor" means a person in the business of voluntarily
46 providing assistance, services, repairs, or other efforts
47 relating to saving, preserving, or rescuing a pleasure vessel or
48 the vessel's passengers and crew which are in marine peril, in
49 exchange for compensation.

50 (3) (a) Before a salvor may engage in the salvage operation
51 of a pleasure vessel, the salvor shall provide the customer with
52 verbal and written notice that the service offered is not
53 covered by any towing contract. The written notice must include
54 the following statement, in capital letters of at least 12-point
55 type:

56
57 THE SERVICE OFFERED BY THE SALVOR IS CONSIDERED SALVAGE
58 WORK AND IS NOT COVERED BY ANY TOWING SERVICE CONTRACT. SALVAGE
59 WORK ALLOWS THE SALVOR TO PRESENT YOU, OR YOUR INSURANCE
60 COMPANY, WITH A BILL FOR THE CHARGES AT A LATER DATE. THE SALVOR
61 SHALL CALCULATE THE CHARGES ACCORDING TO FEDERAL SALVAGE LAW AND
62 SUCH CHARGES MAY EXCEED A CHARGE BASED ON A TIME AND MATERIALS
63 CALCULATION. THE CHARGES COULD AMOUNT TO AS MUCH AS THE ENTIRE
64 VALUE OF YOUR VESSEL AND ITS CONTENTS.

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65 IF YOU AGREE TO ALLOW THE SALVOR TO PERFORM THE OFFERED
66 WORK, YOUR ONLY RECOURSE TO CHALLENGE THE ASSESSED CHARGES IS BY
67 A LAWSUIT IN FEDERAL COURT OR, IF YOU AGREE, BY BINDING
68 ARBITRATION.

69 YOU MAY AGREE TO THE CHARGES WITH THE SALVOR BEFORE WORK
70 BEGINS, AND THAT AGREED AMOUNT SHALL BE THE MAXIMUM AMOUNT THE
71 SALVOR MAY CHARGE. YOU HAVE A RIGHT TO REJECT THE SALVOR'S OFFER
72 OF SERVICES IF THE SALVOR WILL NOT AGREE TO A CHARGE BEFORE
73 BEGINNING WORK.

74
75 (b) The salvor is relieved of providing the verbal and
76 written notice pursuant to this subsection if there is an
77 imminent threat of injury or death to any person on board the
78 vessel.

79 (4) (a) Any customer injured by a violation of this section
80 may bring an action in the appropriate court for relief. A
81 customer who prevails in such an action shall be entitled to
82 damages equal to 1.5 times the amount charged by the salvor,
83 plus actual damages, court costs, and reasonable attorney fees.
84 The customer may also bring an action for injunctive relief in
85 the circuit court.

86 (b) The remedies provided for in this section shall be in
87 addition to any other remedy provided by law.

88 Section 2. This act shall take effect July 1, 2018.

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T I T L E A M E N D M E N T
Remove everything before the enacting clause and insert:
A bill to be entitled
An act relating to the salvage of pleasure vessels;
creating s. 559.9602, F.S.; providing scope and
applicability; providing definitions; requiring
salvors of pleasure vessels to provide specified
verbal and written notice; providing an exception;
providing remedies; specifying that such remedies are
in addition to others provided by law; providing an
effective date.