



443802

LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
04/02/2019	.	
	.	
	.	
	.	

The Committee on Environment and Natural Resources (Rouson) recommended the following:

Senate Amendment (with title amendment)

Delete everything after the enacting clause
and insert:

Section 1. Section 327.332, Florida Statutes, is created to
read:

327.332 Special hazards requiring slow speed.-

(1) A vessel operator must reduce to slow speed, minimum
wake upon approaching within 300 feet of any emergency vessel,
including, but not limited to, a law enforcement vessel, United



443802

11 States Coast Guard vessel or auxiliary vessel, fire vessel, or
12 tow vessel, with its emergency lights activated.

13 (2) A vessel operator must reduce to slow speed, minimum
14 wake upon approaching within 300 feet of any construction vessel
15 or barge when workers are present and actively engaged in
16 operations and an orange flag or yellow flashing light is
17 displayed from the tallest portion of the vessel or barge.

18 (3) A vessel operator found in violation of this section is
19 guilty of a noncriminal infraction as provided in s. 327.73.

20 Section 2. Paragraphs (aa) and (bb) of subsection (1) of
21 section 327.73, Florida Statutes, are amended, and paragraph
22 (cc) is added to that subsection, to read:

23 327.73 Noncriminal infractions.—

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

26 (aa) Section 327.4107, relating to vessels at risk of
27 becoming derelict on waters of this state, for which the civil
28 penalty is:

29 1. For a first offense, \$50.

30 2. For a second offense occurring 30 days or more after a
31 first offense, ~~\$250~~ \$100.

32 3. For a third or subsequent offense occurring 30 days or
33 more after a previous offense, ~~\$500~~ \$250.

34 (bb) Section 327.4109, relating to anchoring or mooring in
35 a prohibited area, for which the penalty is:

36 1. For a first offense, up to a maximum of \$50.

37 2. For a second offense, up to a maximum of ~~\$250~~ \$100.

38 3. For a third or subsequent offense, up to a maximum of
39 ~~\$500~~ \$250.



443802

40 (cc) Section 327.332, relating to vessels failing to reduce
41 speed for special hazards, for which the penalty is:

42 1. For a first offense, \$50.

43 2. For a second offense occurring within 12 months after a
44 prior conviction, \$250.

45 3. For a third offense occurring within 36 months after a
46 prior conviction, \$500.

47 4. For a fourth or subsequent offense occurring within 72
48 months after a prior conviction, \$1,000.

49

50 Any person cited for a violation of any provision of this
51 subsection shall be deemed to be charged with a noncriminal
52 infraction, shall be cited for such an infraction, and shall be
53 cited to appear before the county court. The civil penalty for
54 any such infraction is \$50, except as otherwise provided in this
55 section. Any person who fails to appear or otherwise properly
56 respond to a uniform boating citation shall, in addition to the
57 charge relating to the violation of the boating laws of this
58 state, be charged with the offense of failing to respond to such
59 citation and, upon conviction, be guilty of a misdemeanor of the
60 second degree, punishable as provided in s. 775.082 or s.
61 775.083. A written warning to this effect shall be provided at
62 the time such uniform boating citation is issued.

63 Section 3. This act shall take effect July 1, 2019.

64

65 ===== T I T L E A M E N D M E N T =====

66 And the title is amended as follows:

67 Delete everything before the enacting clause
68 and insert:



443802

69 A bill to be entitled
70 An act relating to vessels; creating s. 327.332, F.S.;
71 requiring vessel operators to reduce speed in
72 specified hazardous situations; providing penalties;
73 amending s. 327.73, F.S.; revising civil penalties
74 relating to certain at-risk vessels and prohibited
75 anchoring or mooring; providing civil penalties
76 relating to vessels that fail to reduce speed for
77 special hazards; providing an effective date.