

By the Committee on Environment and Natural Resources; and
Senator Rouson

592-03795-19

20191530c1

1 A bill to be entitled
2 An act relating to vessels; creating s. 327.332, F.S.;
3 requiring vessel operators to reduce speed in
4 specified hazardous situations; providing penalties;
5 amending s. 327.73, F.S.; revising civil penalties
6 relating to certain at-risk vessels and prohibited
7 anchoring or mooring; providing civil penalties
8 relating to vessels that fail to reduce speed for
9 special hazards; 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. Section 327.332, Florida Statutes, is created to
14 read:

15 327.332 Special hazards requiring slow speed.-

16 (1) A vessel operator must reduce to slow speed, minimum
17 wake upon approaching within 300 feet of any emergency vessel,
18 including, but not limited to, a law enforcement vessel, United
19 States Coast Guard vessel or auxiliary vessel, fire vessel, or
20 tow vessel, with its emergency lights activated.

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

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

28 Section 2. Paragraphs (aa) and (bb) of subsection (1) of
29 section 327.73, Florida Statutes, are amended, and paragraph

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30 (cc) is added to that subsection, to read:

31 327.73 Noncriminal infractions.—

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

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

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

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

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

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

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

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

46 3. For a third or subsequent offense, up to a maximum of
47 \$500 ~~\$250~~.

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

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

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

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

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

57
58 Any person cited for a violation of any provision of this

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59 subsection shall be deemed to be charged with a noncriminal
60 infraction, shall be cited for such an infraction, and shall be
61 cited to appear before the county court. The civil penalty for
62 any such infraction is \$50, except as otherwise provided in this
63 section. Any person who fails to appear or otherwise properly
64 respond to a uniform boating citation shall, in addition to the
65 charge relating to the violation of the boating laws of this
66 state, be charged with the offense of failing to respond to such
67 citation and, upon conviction, be guilty of a misdemeanor of the
68 second degree, punishable as provided in s. 775.082 or s.
69 775.083. A written warning to this effect shall be provided at
70 the time such uniform boating citation is issued.

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