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LEGISLATIVE ACTION

Senate

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House

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Floor: WD/2R

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04/26/2019 01:04 PM

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Senator Rouson moved the following:

**Senate Amendment (with title amendment)**

Delete lines 211 - 221

and insert:

Section 4. 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 States Coast Guard vessel or auxiliary vessel, fire vessel, or



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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  
19 commits a noncriminal infraction as provided in s. 327.73.

20 Section 5. Paragraphs (r), (aa), and (bb) of subsection (1)  
21 of section 327.73, Florida Statutes, are amended, paragraph (cc)  
22 is added to that subsection, and paragraph (s) of that  
23 subsection and subsection (4) of that section are reenacted, to  
24 read:

25 327.73 Noncriminal infractions.—

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

28 (r) Section 327.53(4), (5), and (7), relating to marine  
29 sanitation, and section 327.60, relating to no-discharge zones,  
30 for which the civil penalty is \$250.

31 (s) Section 327.395, relating to boater safety education.

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

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

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

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

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41 If a vessel is not relocated within 60 days after receiving a  
42 citation for a third offense, the vessel may be moved to a safe  
43 storage area and impounded by law enforcement. Local  
44 governmental law enforcement agencies are responsible for  
45 expenses relating to the removal and the relocation of a vessel  
46 to a safe storage area and, if necessary, for disposal of the  
47 vessel if the vessel is not claimed within 60 days.

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

- 50 1. For a first offense, up to a maximum of \$50.
- 51 2. For a second offense, up to a maximum of \$250 ~~\$100~~.
- 52 3. For a third or subsequent offense, up to a maximum of  
53 \$500 ~~\$250~~.

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

- 56 1. For a first offense, \$50.
- 57 2. For a second offense occurring within 12 months after a  
58 prior conviction, \$250.
- 59 3. For a third offense occurring within 36 months after a  
60 prior conviction, \$500.
- 61 4. For a fourth or subsequent offense occurring within 72  
62 months after a prior conviction, \$1,000.

63  
64 ===== T I T L E A M E N D M E N T =====

65 And the title is amended as follows:

66 Delete lines 26 - 28

67 and insert:

68 areas outside of the no-discharge zones; creating s.  
69 327.332, F.S.; requiring vessel operators to reduce



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70 speed in specified hazardous situations; providing  
71 penalties; reenacting and amending s. 327.73, F.S.;  
72 revising civil penalties relating to certain at-risk  
73 vessels and prohibited anchoring or mooring; providing  
74 civil penalties relating to vessels operators who fail  
75 to reduce speed for special hazards; specifying the  
76 fines for violations