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Proposed Committee Substitute by the Committee on Appropriations  
(Appropriations Subcommittee on Agriculture, Environment, and  
General Government)

1                                   A bill to be entitled  
2           An act relating to operation and safety of motor  
3           vehicles and vessels; amending ss. 316.1932 and  
4           316.1939, F.S.; revising conditions under which a  
5           person's driving privilege is suspended and under  
6           which the person commits a misdemeanor relating to  
7           tests for alcohol, chemical substances, or controlled  
8           substances; specifying that such misdemeanor is a  
9           misdemeanor of the first degree; amending s. 327.02,  
10          F.S.; defining the term "human-powered vessel";  
11          revising the definition of the term "navigation  
12          rules"; amending s. 327.04, F.S.; providing additional  
13          rulemaking authority to the Fish and Wildlife  
14          Conservation Commission; creating s. 327.462, F.S.;  
15          defining terms; authorizing heads of certain entities  
16          to establish temporary protection zones in certain  
17          water bodies for certain purposes; providing  
18          protection zone requirements; prohibiting the  
19          restriction of vessel movement within the Florida  
20          Intracoastal Waterway except under certain  
21          circumstances; requiring the heads of certain entities  
22          to report the establishment of such protection zones  
23          to the commission and to the appropriate United States  
24          Coast Guard Sector Command; providing requirements for  
25          the report; providing applicability; providing  
26          penalties; amending ss. 327.352 and 327.359, F.S.;



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27       revising conditions under which a person commits a  
28       misdemeanor of the first degree for refusing to submit  
29       to certain tests; creating s. 327.371, F.S.; providing  
30       circumstances under which a person may operate a  
31       human-powered vessel within the boundaries of the  
32       marked channel of the Florida Intracoastal Waterway;  
33       providing a penalty; amending s. 327.391, F.S.;  
34       conforming cross-references; amending s. 327.395,  
35       F.S.; revising the types of documentation that a  
36       person may use to comply with certain boating safety  
37       requirements; removing the authority of the commission  
38       to appoint certain entities to administer a boating  
39       safety education course or temporary certificate  
40       examination and issue certain credentials; exempting  
41       certain persons from the requirement to possess  
42       certain documents aboard a vessel; removing the  
43       specified service fee amount that certain entities  
44       that issue boating safety identification cards and  
45       temporary certificates may charge and keep; amending  
46       s. 327.4107, F.S.; revising the conditions under which  
47       officers may determine a vessel is at risk of becoming  
48       derelict; authorizing certain officers to provide  
49       notice that a vessel is at risk of becoming derelict  
50       via body camera recordings; authorizing the commission  
51       or certain officers to relocate at-risk vessels to a  
52       certain distance from mangroves or vegetation;  
53       providing that the commission or officers are not  
54       liable for damages to such vessels; providing an  
55       exception; authorizing the commission to establish a



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56 derelict vessel prevention program consisting of  
57 certain components; authorizing the commission to  
58 adopt rules; providing that such program is subject to  
59 appropriation by the Legislature; providing for  
60 funding; amending s. 327.4108, F.S.; designating  
61 Monroe County as an anchoring limitation area subject  
62 to certain requirements; requiring the commission to  
63 adopt rules; providing construction; requiring the  
64 commission to designate a specified area as a priority  
65 for the removal of derelict vessels until certain  
66 conditions are met; deleting obsolete language;  
67 amending s. 327.4109, F.S.; prohibiting the anchoring  
68 or mooring of a vessel or floating structure within a  
69 certain distance of certain facilities; providing  
70 exceptions; amending s. 327.45, F.S.; authorizing the  
71 commission to establish protection zones where certain  
72 activities are prohibited in or near springs; amending  
73 s. 327.46, F.S.; authorizing a county or municipality  
74 to establish a boating-restricted area within and  
75 around a public mooring field and within certain  
76 portions of the Florida Intracoastal Waterway;  
77 creating s. 327.463, F.S.; specifying conditions under  
78 which a vessel is and is not operating at slow speed,  
79 minimum wake; prohibiting a person from operating a  
80 vessel faster than slow speed, minimum wake within a  
81 certain distance from other specified vessels;  
82 providing requirements for construction vessel or  
83 barge flags; exempting a person from being cited for a  
84 violation under certain circumstances; providing



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85 penalties; providing applicability; amending s.  
86 327.50, F.S.; authorizing the commission to exempt  
87 vessel owners and operators from certain safety  
88 equipment requirements; amending s. 327.53, F.S.;  
89 requiring the owner or operator of a live-aboard  
90 vessel or houseboat equipped with a marine sanitation  
91 device to maintain a record of the date and location  
92 of each pumpout of the device for a certain period;  
93 conforming a cross-reference; making technical  
94 changes; amending s. 327.54, F.S.; prohibiting a  
95 livery from leasing, hiring, or renting a vessel to a  
96 person required to complete a commission-approved  
97 boating safety education course unless such person  
98 presents certain documentation indicating compliance;  
99 amending s. 327.60, F.S.; authorizing a local  
100 government to enact and enforce regulations allowing  
101 the local law enforcement agency to remove an  
102 abandoned or lost vessel affixed to a public mooring;  
103 amending s. 327.73, F.S.; providing additional  
104 violations that qualify as noncriminal infractions;  
105 providing civil penalties; prohibiting conviction of a  
106 person cited for a violation relating to possessing  
107 proof of boating safety education under certain  
108 circumstances; increasing certain civil penalties;  
109 providing that certain vessels shall be declared a  
110 public nuisance subject to certain statutory  
111 provisions; authorizing the commission or certain  
112 officers to relocate or remove public nuisance vessels  
113 from the waters of this state; providing that the



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114 commission or officers are not liable for damages to  
115 such vessels; providing an exception; amending s.  
116 328.09, F.S.; prohibiting the Department of Highway  
117 Safety and Motor Vehicles from issuing a certificate  
118 of title to an applicant for a vessel that has been  
119 deemed derelict pursuant to certain provisions;  
120 authorizing the department, at a later date, to reject  
121 an application for a certificate of title for such a  
122 vessel; amending s. 376.15, F.S.; revising unlawful  
123 acts relating to derelict vessels; defining the term  
124 "leave"; prohibiting an owner or operator whose vessel  
125 becomes derelict due to specified accidents or events  
126 from being charged with a violation under certain  
127 circumstances; providing applicability; conforming  
128 provisions to changes made by the act; authorizing a  
129 governmental subdivision that has received  
130 authorization from a law enforcement officer or agency  
131 to direct a contractor to perform vessel storage,  
132 destruction, and disposal activities; authorizing the  
133 commission to provide local government grants for the  
134 storage, destruction, and disposal of derelict  
135 vessels; providing for funding; amending s. 705.103,  
136 F.S.; providing notice procedures for when a law  
137 enforcement officer ascertains that a derelict or  
138 public nuisance vessel is present on the waters of  
139 this state; requiring a mailed notice to the owner or  
140 party responsible for the vessel to inform him or her  
141 of the right to a hearing; providing hearing  
142 requirements; authorizing a law enforcement agency to



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143 take certain actions if a hearing is not requested or  
144 a vessel is determined to be derelict or otherwise in  
145 violation of law; revising provisions relating to  
146 liability for vessel removal costs and notification of  
147 the amount owed; providing penalties for a person who  
148 is issued a registration for a vessel or motor vehicle  
149 before such costs are paid; requiring persons whose  
150 vessel registration and motor vehicle privileges have  
151 been revoked for failure to pay certain costs to be  
152 reported to the department; prohibiting issuance of a  
153 certificate of registration to such persons until such  
154 costs are paid; amending s. 823.11, F.S.; revising  
155 application of definitions; revising the definition of  
156 the term "derelict vessel"; specifying requirements  
157 for a vessel to be considered wrecked, junked, or  
158 substantially dismantled; providing construction;  
159 revising unlawful acts relating to derelict vessels;  
160 defining the term "leave"; prohibiting an owner or  
161 operator whose vessel becomes derelict due to  
162 specified accidents or events from being charged with  
163 a violation under certain circumstances; providing  
164 applicability; providing that relocation or removal  
165 costs incurred by a governmental subdivision are  
166 recoverable against the vessel owner or the party  
167 determined to be legally responsible for the vessel  
168 being derelict; providing penalties for a person who  
169 is issued a registration for a vessel or motor vehicle  
170 before such costs are paid; authorizing a governmental  
171 subdivision that has received authorization from a law



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172 enforcement officer or agency to direct a contractor  
173 to perform vessel relocation or removal activities;  
174 providing effective dates.

175

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

177

178 Section 1. Effective October 1, 2021, paragraphs (a) and  
179 (c) of subsection (1) of section 316.1932, Florida Statutes, are  
180 amended to read:

181 316.1932 Tests for alcohol, chemical substances, or  
182 controlled substances; implied consent; refusal.-

183 (1) (a) 1.a. A ~~Any~~ person who accepts the privilege extended  
184 by the laws of this state of operating a motor vehicle within  
185 this state is, by ~~se~~ operating such vehicle, deemed to have  
186 given his or her consent to submit to an approved chemical test  
187 or physical test including, but not limited to, an infrared  
188 light test of his or her breath for the purpose of determining  
189 the alcoholic content of his or her blood or breath if the  
190 person is lawfully arrested for any offense allegedly committed  
191 while the person was driving or was in actual physical control  
192 of a motor vehicle while under the influence of alcoholic  
193 beverages. The chemical or physical breath test must be  
194 incidental to a lawful arrest and administered at the request of  
195 a law enforcement officer who has reasonable cause to believe  
196 such person was driving or was in actual physical control of the  
197 motor vehicle within this state while under the influence of  
198 alcoholic beverages. The administration of a breath test does  
199 not preclude the administration of another type of test. The  
200 person shall be told that his or her failure to submit to any



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201 lawful test of his or her breath will result in the suspension  
202 of the person's privilege to operate a motor vehicle for a  
203 period of 1 year for a first refusal, or for a period of 18  
204 months if the driving privilege of such person has been  
205 previously suspended or if he or she has previously been fined  
206 under s. 327.35215 as a result of a refusal to submit to ~~such~~ a  
207 test or tests required under this chapter or chapter 327, and  
208 shall also be told that if he or she refuses to submit to a  
209 lawful test of his or her breath and his or her driving  
210 privilege has been previously suspended or if he or she has  
211 previously been fined under s. 327.35215 for a prior refusal to  
212 submit to a lawful test of his or her breath, urine, or blood as  
213 required under this chapter or chapter 327, he or she commits a  
214 misdemeanor of the first degree, punishable as provided in s.  
215 775.082 or s. 775.083, in addition to any other penalties  
216 provided by law. The refusal to submit to a chemical or physical  
217 breath test upon the request of a law enforcement officer as  
218 provided in this section is admissible into evidence in any  
219 criminal proceeding.

220 b. A ~~Any~~ person who accepts the privilege extended by the  
221 laws of this state of operating a motor vehicle within this  
222 state is, by ~~se~~ operating such vehicle, deemed to have given his  
223 or her consent to submit to a urine test for the purpose of  
224 detecting the presence of chemical substances as set forth in s.  
225 877.111 or controlled substances if the person is lawfully  
226 arrested for any offense allegedly committed while the person  
227 was driving or was in actual physical control of a motor vehicle  
228 while under the influence of chemical substances or controlled  
229 substances. The urine test must be incidental to a lawful arrest





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230 and administered at a detention facility or any other facility,  
231 mobile or otherwise, which is equipped to administer such tests  
232 at the request of a law enforcement officer who has reasonable  
233 cause to believe such person was driving or was in actual  
234 physical control of a motor vehicle within this state while  
235 under the influence of chemical substances or controlled  
236 substances. The urine test shall be administered at a detention  
237 facility or any other facility, mobile or otherwise, which is  
238 equipped to administer such test in a reasonable manner that  
239 will ensure the accuracy of the specimen and maintain the  
240 privacy of the individual involved. The administration of a  
241 urine test does not preclude the administration of another type  
242 of test. The person shall be told that his or her failure to  
243 submit to any lawful test of his or her urine will result in the  
244 suspension of the person's privilege to operate a motor vehicle  
245 for a period of 1 year for the first refusal, or for a period of  
246 18 months if the driving privilege of such person has been  
247 previously suspended or if he or she has previously been fined  
248 under s. 327.35215 as a result of a refusal to submit to ~~such~~ a  
249 test or tests required under this chapter or chapter 327, and  
250 shall also be told that if he or she refuses to submit to a  
251 lawful test of his or her urine and his or her driving privilege  
252 has been previously suspended or if he or she has previously  
253 been fined under s. 327.35215 for a prior refusal to submit to a  
254 lawful test of his or her breath, urine, or blood as required  
255 under this chapter or chapter 327, he or she commits a  
256 misdemeanor of the first degree, punishable as provided in s.  
257 775.082 or s. 775.083, in addition to any other penalties  
258 provided by law. The refusal to submit to a urine test upon the



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259 request of a law enforcement officer as provided in this section  
260 is admissible into evidence in any criminal proceeding.

261         2. The Alcohol Testing Program within the Department of Law  
262 Enforcement is responsible for the regulation of the operation,  
263 inspection, and registration of breath test instruments utilized  
264 under the driving and boating under the influence provisions and  
265 related provisions located in this chapter and chapters 322 and  
266 327. The program is responsible for the regulation of the  
267 individuals who operate, inspect, and instruct on the breath  
268 test instruments utilized in the driving and boating under the  
269 influence provisions and related provisions located in this  
270 chapter and chapters 322 and 327. The program is further  
271 responsible for the regulation of blood analysts who conduct  
272 blood testing to be utilized under the driving and boating under  
273 the influence provisions and related provisions located in this  
274 chapter and chapters 322 and 327. The program shall:

275             a. Establish uniform criteria for the issuance of permits  
276 to breath test operators, agency inspectors, instructors, blood  
277 analysts, and instruments.

278             b. Have the authority to permit breath test operators,  
279 agency inspectors, instructors, blood analysts, and instruments.

280             c. Have the authority to discipline and suspend, revoke, or  
281 renew the permits of breath test operators, agency inspectors,  
282 instructors, blood analysts, and instruments.

283             d. Establish uniform requirements for instruction and  
284 curricula for the operation and inspection of approved  
285 instruments.

286             e. Have the authority to specify one approved curriculum  
287 for the operation and inspection of approved instruments.



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- 288 f. Establish a procedure for the approval of breath test  
289 operator and agency inspector classes.
- 290 g. Have the authority to approve or disapprove breath test  
291 instruments and accompanying paraphernalia for use pursuant to  
292 the driving and boating under the influence provisions and  
293 related provisions located in this chapter and chapters 322 and  
294 327.
- 295 h. With the approval of the executive director of the  
296 Department of Law Enforcement, make and enter into contracts and  
297 agreements with other agencies, organizations, associations,  
298 corporations, individuals, or federal agencies as are necessary,  
299 expedient, or incidental to the performance of duties.
- 300 i. Issue final orders which include findings of fact and  
301 conclusions of law and which constitute final agency action for  
302 the purpose of chapter 120.
- 303 j. Enforce compliance with ~~the provisions of~~ this section  
304 through civil or administrative proceedings.
- 305 k. Make recommendations concerning any matter within the  
306 purview of this section, this chapter, chapter 322, or chapter  
307 327.
- 308 l. Promulgate rules for the administration and  
309 implementation of this section, including definitions of terms.
- 310 m. Consult and cooperate with other entities for the  
311 purpose of implementing the mandates of this section.
- 312 n. Have the authority to approve the type of blood test  
313 utilized under the driving and boating under the influence  
314 provisions and related provisions located in this chapter and  
315 chapters 322 and 327.
- 316 o. Have the authority to specify techniques and methods for



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317 breath alcohol testing and blood testing utilized under the  
318 driving and boating under the influence provisions and related  
319 provisions located in this chapter and chapters 322 and 327.

320 p. Have the authority to approve repair facilities for the  
321 approved breath test instruments, including the authority to set  
322 criteria for approval.

323

324 Nothing in this section shall be construed to supersede  
325 provisions in this chapter and chapters 322 and 327. The  
326 specifications in this section are derived from the power and  
327 authority previously and currently possessed by the Department  
328 of Law Enforcement and are enumerated to conform with the  
329 mandates of chapter 99-379, Laws of Florida.

330 (c) A ~~Any~~ person who accepts the privilege extended by the  
331 laws of this state of operating a motor vehicle within this  
332 state is, by operating such vehicle, deemed to have given his or  
333 her consent to submit to an approved blood test for the purpose  
334 of determining the alcoholic content of the blood or a blood  
335 test for the purpose of determining the presence of chemical  
336 substances or controlled substances as provided in this section  
337 if there is reasonable cause to believe the person was driving  
338 or in actual physical control of a motor vehicle while under the  
339 influence of alcoholic beverages or chemical or controlled  
340 substances and the person appears for treatment at a hospital,  
341 clinic, or other medical facility and the administration of a  
342 breath or urine test is impractical or impossible. As used in  
343 this paragraph, the term "other medical facility" includes an  
344 ambulance or other medical emergency vehicle. The blood test  
345 shall be performed in a reasonable manner. A ~~Any~~ person who is



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346 incapable of refusal by reason of unconsciousness or other  
347 mental or physical condition is deemed not to have withdrawn his  
348 or her consent to such test. A blood test may be administered  
349 whether or not the person is told that his or her failure to  
350 submit to such a blood test will result in the suspension of the  
351 person's privilege to operate a motor vehicle upon the public  
352 highways of this state and that a refusal to submit to a lawful  
353 test of his or her blood, if his or her driving privilege has  
354 been previously suspended for refusal to submit to a lawful test  
355 of his or her breath, urine, or blood, is a misdemeanor. A Any  
356 person who is capable of refusal shall be told that his or her  
357 failure to submit to such a blood test will result in the  
358 suspension of the person's privilege to operate a motor vehicle  
359 for a period of 1 year for a first refusal, or for a period of  
360 18 months if the driving privilege of the person has been  
361 suspended previously or if he or she has previously been fined  
362 under s. 327.35215 as a result of a refusal to submit to ~~such a~~  
363 ~~test or tests~~ required under this chapter or chapter 327, ~~and~~  
364 ~~that a refusal to submit to a lawful test of his or her blood,~~  
365 ~~if his or her driving privilege has been previously suspended~~  
366 ~~for a prior refusal to submit to a lawful test of his or her~~  
367 ~~breath, urine, or blood, is a misdemeanor.~~ The refusal to submit  
368 to a blood test upon the request of a law enforcement officer is  
369 admissible in evidence in any criminal proceeding.

370 Section 2. Effective October 1, 2021, subsection (1) of  
371 section 316.1939, Florida Statutes, is amended to read:

372 316.1939 Refusal to submit to testing; penalties.—

373 (1) A Any person who has refused to submit to a chemical or  
374 physical test of his or her breath, ~~blood,~~ or urine, as



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375 described in s. 316.1932, and whose driving privilege was  
376 previously suspended or who was previously fined under s.  
377 327.35215 for a prior refusal to submit to a lawful test of his  
378 or her breath, urine, or blood required under this chapter or  
379 chapter 327, and:

380 (a) Who the arresting law enforcement officer had probable  
381 cause to believe was driving or in actual physical control of a  
382 motor vehicle in this state while under the influence of  
383 alcoholic beverages, chemical substances, or controlled  
384 substances;

385 (b) Who was placed under lawful arrest for a violation of  
386 s. 316.193 unless such test was requested pursuant to s.  
387 316.1932(1)(c);

388 (c) Who was informed that, if he or she refused to submit  
389 to such test, his or her privilege to operate a motor vehicle  
390 would be suspended for a period of 1 year or, in the case of a  
391 second or subsequent refusal, for a period of 18 months;

392 (d) Who was informed that a refusal to submit to a lawful  
393 test of his or her breath ~~or~~ urine, ~~or blood~~, if his or her  
394 driving privilege has been previously suspended or if he or she  
395 has previously been fined under s. 327.35215 for a prior refusal  
396 to submit to a lawful test of his or her breath, urine, or blood  
397 as required under this chapter or chapter 327, is a misdemeanor  
398 of the first degree, punishable as provided in s. 775.082 or s.  
399 775.083, in addition to any other penalties provided by law; and

400 (e) Who, after having been so informed, refused to submit  
401 to any such test when requested to do so by a law enforcement  
402 officer or correctional officer commits a misdemeanor of the  
403 first degree and is subject to punishment as provided in s.



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404 775.082 or s. 775.083.

405 Section 3. Present subsections (18) through (47) of section  
406 327.02, Florida Statutes, are redesignated as subsections (19)  
407 through (48), respectively, a new subsection (18) is added to  
408 that section, and present subsection (31) of that section is  
409 amended, to read:

410 327.02 Definitions.—As used in this chapter and in chapter  
411 328, unless the context clearly requires a different meaning,  
412 the term:

413 (18) "Human-powered vessel" means a vessel powered only by  
414 its occupant or occupants, including, but not limited to, a  
415 vessel powered only by the occupants' hands or feet, oars, or  
416 paddles.

417 (32)~~(31)~~ "Navigation rules" means, for vessels on:

418 (a) Waters outside established navigational lines of  
419 demarcation as specified in 33 C.F.R. part 80, the International  
420 Navigational Rules Act of 1977, 33 U.S.C. s. 1602, as amended,  
421 including the appendix and annexes thereto, through December 31,  
422 2020 ~~October 1, 2012.~~

423 (b) All waters not outside of such established lines of  
424 demarcation, the Inland Navigational Rules Act of 1980, 33  
425 C.F.R. parts 83-90, as amended, through December 31, 2020  
426 ~~October 1, 2012.~~

427 Section 4. Section 327.04, Florida Statutes, is amended to  
428 read:

429 327.04 Rules.—The commission may ~~has authority to~~ adopt  
430 rules pursuant to ss. 120.536(1) and 120.54 to implement ~~the~~  
431 ~~provisions of this chapter,~~ the provisions of chapter 705  
432 relating to vessels, and ss. 376.15 and 823.11 conferring powers



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433 or duties upon it.

434 Section 5. Section 327.462, Florida Statutes, is created to  
435 read:

436 327.462 Temporary protection zones for spaceflight launches  
437 and recovery of spaceflight assets.-

438 (1) As used in this section, the term:

439 (a) "Launch services" means the conduct of a launch and  
440 activities involved in the preparation of a launch vehicle,  
441 payload, government astronaut, commercial astronaut, or  
442 spaceflight participant for such launch.

443 (b) "Reentry services" means the conduct of a reentry and  
444 activities involved in the preparation of a reentry vehicle,  
445 payload, government astronaut, commercial astronaut, or  
446 spaceflight participant for such reentry.

447 (c) "Spaceflight assets" means any item, or any part of an  
448 item, owned by a spaceflight entity which is used in launch  
449 services or reentry services, including crewed and uncrewed  
450 spacecraft, launch vehicles, parachutes and other landing aids,  
451 and any spacecraft or ancillary equipment that was attached to  
452 the launch vehicle during launch, orbit, or reentry.

453 (d) "Spaceflight entity" has the same meaning as provided  
454 in s. 331.501.

455 (2) The head of a law enforcement agency or entity  
456 identified in s. 327.70(1), or his or her designee, may, upon  
457 waters of this state within the law enforcement agency's or  
458 entity's jurisdiction, when necessary for preparations in  
459 advance of a launch service or reentry service or for the  
460 recovery of spaceflight assets before or after a launch service  
461 or reentry service, temporarily establish a protection zone





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462 requiring vessels to leave, or prohibiting vessels from  
463 entering, water bodies within:

464 (a) Five hundred yards of where launch services, reentry  
465 services, or spaceflight asset recovery operations are being  
466 conducted; or

467 (b) A distance greater than provided in paragraph (a) if  
468 the head of such law enforcement agency or entity, or his or her  
469 designee, determines such greater distance is in the best  
470 interest of public safety.

471 (3) A protection zone established under subsection (2) may  
472 remain in effect only as long as necessary to ensure security  
473 around the launch and recovery areas and to recover spaceflight  
474 assets and any personnel being transported within a spacecraft  
475 following the launch or reentry activity. Such protection zone  
476 may not be in place more than 72 hours before or 72 hours after  
477 the launch. The head of a law enforcement agency or entity  
478 identified in s. 327.70, or his or her designee:

479 (a) May also restrict vessels from operating within up to  
480 500 yards of any vessel transporting recovered spaceflight  
481 assets following a spaceflight launch or reentry while such  
482 vessel is continuously underway transporting such assets to a  
483 location for removal from the waters of this state; and

484 (b) May not restrict vessel movement within the Florida  
485 Intracoastal Waterway, except as necessary during the transport  
486 of spaceflight assets to or from port or during exigent  
487 circumstances.

488 (4) The head of a law enforcement agency or entity  
489 establishing a protection zone under this section, or his or her  
490 designee, must report the establishment of such protection zone



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491 via e-mail to the commission's Division of Law Enforcement,  
492 Boating and Waterways Section, and to the appropriate United  
493 States Coast Guard Sector Command having responsibility over the  
494 water body, at least 72 hours before establishment of the  
495 protection zone. Such report must include the reasons for the  
496 protection zone, the portion of the water body or water bodies  
497 which will be included in the protection zone, and the duration  
498 of the protection zone. No later than 72 hours after the end of  
499 the protection zone period, the head of the law enforcement  
500 agency or entity, or his or her designee, must report via e-mail  
501 to the commission's Division of Law Enforcement, Boating and  
502 Waterways Section, the details of all citations issued for  
503 violating the protection zone.

504 (5) This section applies only to launch services, reentry  
505 services, or the recovery of spaceflight assets occurring or  
506 originating within spaceport territory, as defined in s.  
507 331.304, and to federally licensed or federally authorized  
508 launches and reentries occurring or transiting to an end  
509 destination upon waters of this state.

510 (6) A person who violates this section or any directive  
511 given by a law enforcement officer relating to the establishment  
512 of a protection zone under this section after being advised of  
513 the establishment of the protection zone commits a misdemeanor  
514 of the second degree, punishable as provided in s. 775.082 or s.  
515 775.083.

516 Section 6. Effective October 1, 2021, paragraphs (a) and  
517 (c) of subsection (1) of section 327.352, Florida Statutes, are  
518 amended to read:

519 327.352 Tests for alcohol, chemical substances, or



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520 controlled substances; implied consent; refusal.-

521 (1) (a) 1. The Legislature declares that the operation of a  
522 vessel is a privilege that must be exercised in a reasonable  
523 manner. In order to protect the public health and safety, it is  
524 essential that a lawful and effective means of reducing the  
525 incidence of boating while impaired or intoxicated be  
526 established. Therefore, a any person who accepts the privilege  
527 extended by the laws of this state of operating a vessel within  
528 this state is, by ~~so~~ operating such vessel, deemed to have given  
529 his or her consent to submit to an approved chemical test or  
530 physical test including, but not limited to, an infrared light  
531 test of his or her breath for the purpose of determining the  
532 alcoholic content of his or her blood or breath if the person is  
533 lawfully arrested for any offense allegedly committed while the  
534 person was operating a vessel while under the influence of  
535 alcoholic beverages. The chemical or physical breath test must  
536 be incidental to a lawful arrest and administered at the request  
537 of a law enforcement officer who has reasonable cause to believe  
538 such person was operating the vessel within this state while  
539 under the influence of alcoholic beverages. The administration  
540 of a breath test does not preclude the administration of another  
541 type of test. The person shall be told that his or her failure  
542 to submit to any lawful test of his or her breath under this  
543 chapter will result in a civil penalty of \$500, and shall also  
544 be told that if he or she refuses to submit to a lawful test of  
545 his or her breath and he or she has been previously fined under  
546 s. 327.35215 or has previously had his or her driver license  
547 suspended under s. 322.2615 for refusal to submit to any lawful  
548 test of his or her breath, urine, or blood, he or she commits a



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549 misdemeanor of the first degree, punishable as provided in s.  
550 775.082 or s. 775.083, in addition to any other penalties  
551 provided by law. The refusal to submit to a chemical or physical  
552 breath test upon the request of a law enforcement officer as  
553 provided in this section is admissible into evidence in any  
554 criminal proceeding.

555 2. A ~~Any~~ person who accepts the privilege extended by the  
556 laws of this state of operating a vessel within this state is,  
557 by ~~so~~ operating such vessel, deemed to have given his or her  
558 consent to submit to a urine test for the purpose of detecting  
559 the presence of chemical substances as set forth in s. 877.111  
560 or controlled substances if the person is lawfully arrested for  
561 any offense allegedly committed while the person was operating a  
562 vessel while under the influence of chemical substances or  
563 controlled substances. The urine test must be incidental to a  
564 lawful arrest and administered at a detention facility or any  
565 other facility, mobile or otherwise, which is equipped to  
566 administer such tests at the request of a law enforcement  
567 officer who has reasonable cause to believe such person was  
568 operating a vessel within this state while under the influence  
569 of chemical substances or controlled substances. The urine test  
570 shall be administered at a detention facility or any other  
571 facility, mobile or otherwise, which is equipped to administer  
572 such test in a reasonable manner that will ensure the accuracy  
573 of the specimen and maintain the privacy of the individual  
574 involved. The administration of a urine test does not preclude  
575 the administration of another type of test. The person shall be  
576 told that his or her failure to submit to any lawful test of his  
577 or her urine under this chapter will result in a civil penalty



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578 of \$500, and shall also be told that if he or she refuses to  
579 submit to a lawful test of his or her urine and he or she has  
580 been previously fined under s. 327.35215 or has previously had  
581 his or her driver license suspended under s. 322.2615 for  
582 refusal to submit to any lawful test of his or her breath,  
583 urine, or blood, he or she commits a misdemeanor of the first  
584 degree, punishable as provided in s. 775.082 or s. 775.083, in  
585 addition to any other penalties provided by law. The refusal to  
586 submit to a urine test upon the request of a law enforcement  
587 officer as provided in this section is admissible into evidence  
588 in any criminal proceeding.

589 (c) A ~~Any~~ person who accepts the privilege extended by the  
590 laws of this state of operating a vessel within this state is,  
591 by operating such vessel, deemed to have given his or her  
592 consent to submit to an approved blood test for the purpose of  
593 determining the alcoholic content of the blood or a blood test  
594 for the purpose of determining the presence of chemical  
595 substances or controlled substances as provided in this section  
596 if there is reasonable cause to believe the person was operating  
597 a vessel while under the influence of alcoholic beverages or  
598 chemical or controlled substances and the person appears for  
599 treatment at a hospital, clinic, or other medical facility and  
600 the administration of a breath or urine test is impractical or  
601 impossible. As used in this paragraph, the term "other medical  
602 facility" includes an ambulance or other medical emergency  
603 vehicle. The blood test shall be performed in a reasonable  
604 manner. A ~~Any~~ person who is incapable of refusal by reason of  
605 unconsciousness or other mental or physical condition is deemed  
606 not to have withdrawn his or her consent to such test. A ~~Any~~



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607 person who is capable of refusal shall be told that his or her  
608 failure to submit to such a blood test will result in a civil  
609 penalty of \$500 ~~and that a refusal to submit to a lawful test of~~  
610 ~~his or her blood, if he or she has previously been fined for~~  
611 ~~refusal to submit to any lawful test of his or her breath,~~  
612 ~~urine, or blood, is a misdemeanor.~~ The refusal to submit to a  
613 blood test upon the request of a law enforcement officer shall  
614 be admissible in evidence in any criminal proceeding.

615 Section 7. Effective October 1, 2021, section 327.359,  
616 Florida Statutes, is amended to read:

617 327.359 Refusal to submit to testing; penalties.—A ~~Any~~  
618 person who has refused to submit to a chemical or physical test  
619 of his or her breath, ~~blood,~~ or urine, as described in s.  
620 327.352, and who has been previously fined under s. 327.35215 or  
621 has previously had his or her driver license suspended under s.  
622 322.2615 for refusal to submit to a lawful test of his or her  
623 breath, urine, or blood, and:

624 (1) Who the arresting law enforcement officer had probable  
625 cause to believe was operating or in actual physical control of  
626 a vessel in this state while under the influence of alcoholic  
627 beverages, chemical substances, or controlled substances;

628 (2) Who was placed under lawful arrest for a violation of  
629 s. 327.35 unless such test was requested pursuant to s.  
630 327.352 (1) (c);

631 (3) Who was informed that if he or she refused to submit to  
632 such test, he or she is subject to a fine of \$500;

633 (4) Who was informed that a refusal to submit to a lawful  
634 test of his or her breath or, ~~urine, or blood,~~ if he or she has  
635 been previously fined under s. 327.35215 or has previously had



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636 his or her driver license suspended under s. 322.2615 for  
637 refusal to submit to a lawful test of his or her breath, urine,  
638 or blood, is a misdemeanor of the first degree, punishable as  
639 provided in s. 775.082 or s. 775.083; and

640 (5) Who, after having been so informed, refused to submit  
641 to any such test when requested to do so by a law enforcement  
642 officer or correctional officer commits a misdemeanor of the  
643 first degree, punishable ~~and is subject to punishment~~ as  
644 provided in s. 775.082 or s. 775.083.

645 Section 8. Section 327.371, Florida Statutes, is created to  
646 read:

647 327.371 Human-powered vessels regulated.—

648 (1) A person may operate a human-powered vessel within the  
649 boundaries of the marked channel of the Florida Intracoastal  
650 Waterway as defined in s. 327.02:

651 (a) When the marked channel is the only navigable portion  
652 of the waterway available due to vessel congestion or  
653 obstructions on the water. The operator of the human-powered  
654 vessel shall proceed with diligence to a location where he or  
655 she may safely operate the vessel outside the marked channel of  
656 the Florida Intracoastal Waterway.

657 (b) When crossing the marked channel, provided that the  
658 crossing is done in the most direct, continuous, and expeditious  
659 manner possible and does not interfere with other vessel traffic  
660 in the channel.

661 (c) During an emergency endangering life or limb.

662 (2) A person may not operate a human-powered vessel in the  
663 marked channel of the Florida Intracoastal Waterway except as  
664 provided in subsection (1).



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665           (3) A person who violates this section commits a  
666 noncriminal infraction, punishable as provided in s. 327.73.

667           Section 9. Subsection (1) and paragraphs (a) and (b) of  
668 subsection (5) of section 327.391, Florida Statutes, are amended  
669 to read:

670           327.391 Airboats regulated.—

671           (1) The exhaust of every internal combustion engine used on  
672 any airboat operated on the waters of this state shall be  
673 provided with an automotive-style factory muffler, underwater  
674 exhaust, or other manufactured device capable of adequately  
675 muffling the sound of the exhaust of the engine as described in  
676 s. 327.02(31) ~~s. 327.02(30)~~. The use of cutouts or flex pipe as  
677 the sole source of muffling is prohibited, except as provided in  
678 subsection (4). A ~~Any~~ person who violates this subsection  
679 commits a noncriminal infraction, punishable as provided in s.  
680 327.73(1).

681           (5) (a) ~~Beginning July 1, 2019,~~ A person may not operate an  
682 airboat to carry one or more passengers for hire on waters of  
683 this ~~the~~ state unless he or she has all of the following onboard  
684 the airboat:

685           1. A photographic identification card.

686           2. Proof of completion of a boater education course that  
687 complies with s. 327.395(2)(a) ~~s. 327.395(1)(a)~~. Except as  
688 provided in paragraph (b), no operator is exempt from this  
689 requirement, regardless of age or the exemptions provided under  
690 s. 327.395.

691           3. Proof of successful completion of a commission-approved  
692 airboat operator course that meets the minimum standards  
693 established by commission rule.





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694 4. Proof of successful course completion in cardiopulmonary  
695 resuscitation and first aid.

696 (b) A person issued a captain's license by the United  
697 States Coast Guard is not required to complete a boating safety  
698 education course that complies with s. 327.395(2)(a) ~~s.~~  
699 ~~327.395(1)(a)~~. Proof of the captain's license must be onboard  
700 the airboat when carrying one or more passengers for hire on  
701 waters of this ~~the~~ state.

702 Section 10. Section 327.395, Florida Statutes, is amended  
703 to read:

704 327.395 Boating safety education.—

705 (1) A person born on or after January 1, 1988, may not  
706 operate a vessel powered by a motor of 10 horsepower or greater  
707 unless such person has in his or her possession aboard the  
708 vessel the documents required by subsection (2).

709 (2) While operating a vessel, a person identified under  
710 subsection (1) must have in his or her possession aboard the  
711 vessel photographic identification and a Florida boating safety  
712 identification card issued by the commission;~~;~~ a state-issued  
713 identification card or driver license indicating possession of  
714 the Florida boating safety identification card;~~;~~ or photographic  
715 identification and a temporary certificate issued or approved by  
716 the commission, an International Certificate of Competency, a  
717 boating safety card or certificate from another state or United  
718 States territory, or a Canadian Pleasure Craft Operator Card,  
719 which shows that he or she has:

720 (a) Completed a commission-approved boating safety  
721 education course that meets the minimum requirements established  
722 by the National Association of State Boating Law Administrators;



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723 ~~or~~  
724 (b) Passed a temporary certificate examination developed or  
725 approved by the commission;

726 (c) A valid International Certificate of Competency; or

727 (d) Completed a boating safety education course or  
728 equivalency examination in another state, a United States  
729 territory, or Canada which meets or exceeds the minimum  
730 requirements established by the National Association of State  
731 Boating Law Administrators.

732 (3) (a) ~~(2) (a)~~ A person may obtain a Florida boating safety  
733 identification card by successfully completing a boating safety  
734 education course that meets the requirements of this section and  
735 rules adopted by the commission pursuant to this section.

736 (b) A person may obtain a temporary certificate by passing  
737 a temporary certificate examination that meets the requirements  
738 of this section and rules adopted by the commission pursuant to  
739 this section.

740 (4) ~~(3)~~ A Any commission-approved boating safety education  
741 course or temporary certificate examination developed or  
742 approved by the commission must include a component regarding  
743 diving vessels, awareness of divers in the water, divers-down  
744 warning devices, and the requirements of s. 327.331.

745 ~~(4) The commission may appoint liveries, marinas, or other~~  
746 ~~persons as its agents to administer the course or temporary~~  
747 ~~certificate examination and issue identification cards or~~  
748 ~~temporary certificates in digital, electronic, or paper format~~  
749 ~~under guidelines established by the commission. An agent must~~  
750 ~~charge the \$2 examination fee, which must be forwarded to the~~  
751 ~~commission with proof of passage of the examination and may~~



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752 ~~charge and keep a \$1 service fee.~~

753 (5) A Florida boating safety identification card issued to  
754 a person who has completed a boating safety education course is  
755 valid for life. A temporary certificate issued to a person who  
756 has passed a temporary certification examination is valid for 90  
757 days after the date of issuance. The commission may issue either  
758 the boating safety identification card or the temporary  
759 certificate in a digital, electronic, or paper format.

760 (6) A person is exempt from subsection (1) if he or she:

761 (a) 1. Is licensed by the United States Coast Guard to serve  
762 as master of a vessel; or

763 2. Has been previously licensed by the United States Coast  
764 Guard to serve as master of a vessel, provides proof of such  
765 licensure to the commission, and requests that a boating safety  
766 identification card be issued in his or her name.

767 (b) Operates a vessel only on a private lake or pond.

768 (c) Is accompanied in the vessel by a person who is exempt  
769 from this section or who holds a boating safety identification  
770 card in compliance with this section, who is 18 years of age or  
771 older, and who is attendant to the operation of the vessel and  
772 responsible for the safe operation of the vessel and for any  
773 violation that occurs during the operation of the vessel.

774 (d) Is a nonresident who has in his or her possession  
775 photographic identification and proof that he or she has  
776 completed a boating safety education course or equivalency  
777 examination in another state or a United States territory which  
778 meets or exceeds the minimum requirements established by the  
779 National Association of State Boating Law Administrators.

780 (e) Is operating a vessel within 90 days after the purchase



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781 of that vessel and has available for inspection aboard that  
782 vessel a bill of sale meeting the requirements of s. 328.46(1).

783 (f) Is operating a vessel within 90 days after completing a  
784 boating safety education course in accordance with paragraph  
785 (2) (a) ~~the requirements of paragraph (1) (a)~~ and has a  
786 photographic identification card and a boating safety education  
787 certificate available for inspection as proof of having  
788 completed a boating safety education course. The boating safety  
789 education certificate must provide, at a minimum, the student's  
790 first and last name, the student's date of birth, and the date  
791 that he or she passed the course examination.

792 (g) Is exempted by rule of the commission.

793 (7) A person who operates a vessel in violation of this  
794 section ~~subsection (1)~~ commits a noncriminal infraction,  
795 punishable as provided in s. 327.73.

796 (8) The commission shall institute and coordinate a  
797 statewide program of boating safety instruction and  
798 certification to ensure that boating safety courses and  
799 examinations are available in each county of this ~~the~~ state. The  
800 commission may appoint agents to administer the boating safety  
801 education course or temporary certificate examination and may  
802 authorize the agents to issue temporary certificates in digital,  
803 electronic, or paper format. An agent ~~The agents~~ shall charge  
804 and collect the \$2 fee required in subsection (9) for each  
805 temporary certificate requested of the commission by that agent,  
806 which must be forwarded to the commission. The agent may charge  
807 and keep a ~~\$1~~ service fee.

808 (9) The commission may ~~is authorized to~~ establish and ~~to~~  
809 collect a \$2 fee for each card and temporary certificate issued



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810 pursuant to this section.

811 (10) The commission shall design forms and adopt rules  
812 pursuant to chapter 120 to implement ~~the provisions of this~~  
813 section.

814 (11) This section may be cited as the "Osmany 'Ozzie'  
815 Castellanos Boating Safety Education Act."

816 Section 11. Present subsection (5) of section 327.4107,  
817 Florida Statutes, is redesignated as subsection (6), a new  
818 subsection (5) and subsection (7) are added to that section, and  
819 paragraphs (d) and (e) of subsection (2) of that section are  
820 amended, to read:

821 327.4107 Vessels at risk of becoming derelict on waters of  
822 this state.—

823 (2) An officer of the commission or of a law enforcement  
824 agency specified in s. 327.70 may determine that a vessel is at  
825 risk of becoming derelict if any of the following conditions  
826 exist:

827 (d) The vessel is ~~left or stored aground unattended in such~~  
828 ~~a state that would prevent the vessel from getting underway, is~~  
829 ~~listing due to water intrusion, or is sunk or partially sunk.~~

830 (e) The vessel does not have an effective means of  
831 propulsion for safe navigation within 72 hours after the vessel  
832 owner or operator receives telephonic notice, in-person notice  
833 recorded on an agency-approved body camera, or written notice,  
834 which may be provided by facsimile, electronic mail, or other  
835 electronic means, stating such from an officer, and the vessel  
836 owner or operator is unable to provide a receipt, proof of  
837 purchase, or other documentation of having ordered necessary  
838 parts for vessel repair. The commission may adopt rules to



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839 implement this paragraph.

840 (5) The commission, an officer of the commission, or a law  
841 enforcement agency or officer specified in s. 327.70 may  
842 relocate or cause to be relocated an at-risk vessel found to be  
843 in violation of this section to a distance greater than 20 feet  
844 from a mangrove or upland vegetation. The commission, an officer  
845 of the commission, or a law enforcement agency or officer acting  
846 pursuant to this subsection upon waters of this state shall be  
847 held harmless for all damages to the at-risk vessel resulting  
848 from such relocation unless the damage results from gross  
849 negligence or willful misconduct as these terms are defined in  
850 s. 823.11.

851 (7) The commission may establish a derelict vessel  
852 prevention program to address vessels at risk of becoming  
853 derelict. Such program may, but is not required to, include:

854 (a) Removal, relocation, and destruction of vessels  
855 declared a public nuisance, derelict or at risk of becoming  
856 derelict, or lost or abandoned in accordance with s. 327.53(7),  
857 s. 327.73(1)(aa), s. 705.103(2) and (4), or s. 823.11(3).

858 (b) Creation of a vessel turn-in program allowing the owner  
859 of a vessel determined by law enforcement to be at risk of  
860 becoming derelict in accordance with this section to turn his or  
861 her vessel and vessel title over to the commission to be  
862 destroyed without penalty.

863 (c) Providing for removal and destruction of an abandoned  
864 vessel for which an owner cannot be identified or the owner of  
865 which is deceased and no heir is interested in acquiring the  
866 vessel.

867 (d) Purchase of anchor line, anchors, and other equipment



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868 necessary for securing vessels at risk of becoming derelict.

869 (e) Creating or acquiring moorings designated for securing  
870 vessels at risk of becoming derelict.

871  
872 The commission may adopt rules to implement this subsection.

873 Implementation of the derelict vessel prevention program shall  
874 be subject to appropriation by the Legislature and shall be  
875 funded by the Marine Resources Conservation Trust Fund or the  
876 Florida Coastal Protection Trust Fund.

877 Section 12. Section 327.4108, Florida Statutes, is amended  
878 to read:

879 327.4108 Anchoring of vessels in anchoring limitation  
880 areas.—

881 (1) The following densely populated urban areas, which have  
882 narrow state waterways, residential docking facilities, and  
883 significant recreational boating traffic, are designated as  
884 anchoring limitation areas, within which a person may not anchor  
885 a vessel at any time during the period between one-half hour  
886 after sunset and one-half hour before sunrise, except as  
887 provided in subsections (3) and (4):

888 (a) The section of Middle River lying between Northeast  
889 21st Court and the Intracoastal Waterway in Broward County.

890 (b) Sunset Lake in Miami-Dade County.

891 (c) The sections of Biscayne Bay in Miami-Dade County lying  
892 between:

893 1. Rivo Alto Island and Di Lido Island.

894 2. San Marino Island and San Marco Island.

895 3. San Marco Island and Biscayne Island.

896 (2) (a) Monroe County is designated as an anchoring



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897 limitation area within which a vessel may only be anchored in  
898 the same location for a maximum of 90 days. The commission shall  
899 adopt rules to implement this subsection.

900 (b) This subsection does not apply to an approved and  
901 permitted mooring field or to privately owned submerged land.

902 (c) Notwithstanding the commission rules adopted pursuant  
903 to this section, this section is not effective for Monroe County  
904 until the county approves, permits, and opens new moorings for  
905 public use, including at least 250 moorings within 1 mile of the  
906 Key West Bight City Dock and at least 50 moorings within the Key  
907 West Garrison Bight Mooring Field. Until such time, the  
908 commission shall designate the area within 1 mile of the Key  
909 West Bight City Dock as a priority for the expedited removal of  
910 derelict vessels.

911 ~~(2) To promote the public's use and enjoyment of the~~  
912 ~~designated waterway, except as provided in subsections (3) and~~  
913 ~~(4), a person may not anchor a vessel at any time during the~~  
914 ~~period between one-half hour after sunset and one-half hour~~  
915 ~~before sunrise in an anchoring limitation area.~~

916 (3) Notwithstanding subsections (1) and subsection (2), a  
917 person may anchor a vessel in an anchoring limitation area  
918 during a time that would otherwise be unlawful:

919 (a) If the vessel suffers a mechanical failure that poses  
920 an unreasonable risk of harm to the vessel or the persons  
921 onboard unless the vessel anchors. The vessel may anchor for 3  
922 business days or until the vessel is repaired, whichever occurs  
923 first.

924 (b) If imminent or existing weather conditions in the  
925 vicinity of the vessel pose an unreasonable risk of harm to the





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926 vessel or the persons onboard unless the vessel anchors. The  
927 vessel may anchor until weather conditions no longer pose such  
928 risk. During a hurricane or tropical storm, weather conditions  
929 are deemed to no longer pose an unreasonable risk of harm when  
930 the hurricane or tropical storm warning affecting the area has  
931 expired.

932 (c) During events described in s. 327.48 or other special  
933 events, including, but not limited to, public music  
934 performances, local government waterfront activities, or  
935 fireworks displays. A vessel may anchor for the lesser of the  
936 duration of the special event or 3 days.

937 (4) This section does not apply to:

938 (a) Vessels owned or operated by a governmental entity for  
939 law enforcement, firefighting, military, or rescue purposes.

940 (b) Construction or dredging vessels on an active job site.

941 (c) Vessels actively engaged in commercial fishing.

942 (d) Vessels engaged in recreational fishing if the persons  
943 onboard are actively tending hook and line fishing gear or nets.

944 (5) (a) As used in this subsection, the term "law  
945 enforcement officer or agency" means an officer or agency  
946 authorized to enforce this section pursuant to s. 327.70.

947 (b) A law enforcement officer or agency may remove a vessel  
948 from an anchoring limitation area and impound the vessel for up  
949 to 48 hours, or cause such removal and impoundment, if the  
950 vessel operator, after being issued a citation for a violation  
951 of this section:

952 1. Anchors the vessel in violation of this section within  
953 12 hours after being issued the citation; or

954 2. Refuses to leave the anchoring limitation area after



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955 being directed to do so by a law enforcement officer or agency.

956 (c) A law enforcement officer or agency acting under this  
957 subsection to remove or impound a vessel, or to cause such  
958 removal or impoundment, shall be held harmless for any damage to  
959 the vessel resulting from such removal or impoundment unless the  
960 damage results from gross negligence or willful misconduct.

961 (d) A contractor performing removal or impoundment services  
962 at the direction of a law enforcement officer or agency pursuant  
963 to this subsection must:

964 1. Be licensed in accordance with United States Coast Guard  
965 regulations, as applicable.

966 2. Obtain and carry a current policy issued by a licensed  
967 insurance carrier in this state to insure against any accident,  
968 loss, injury, property damage, or other casualty caused by or  
969 resulting from the contractor's actions.

970 3. Be properly equipped to perform such services.

971 (e) In addition to the civil penalty imposed under s.  
972 327.73(1)(z), the operator of a vessel that is removed and  
973 impounded pursuant to paragraph (b) must pay all removal and  
974 storage fees before the vessel is released. A vessel removed  
975 pursuant to paragraph (b) may not be impounded for longer than  
976 48 hours.

977 (6) A violation of this section is punishable as provided  
978 in s. 327.73(1)(z).

979 ~~(7) This section shall remain in effect notwithstanding the~~  
980 ~~Legislature's adoption of the commission's recommendations for~~  
981 ~~the regulation of mooring vessels outside of public mooring~~  
982 ~~fields pursuant to s. 327.4105.~~

983 Section 13. Paragraph (a) of subsection (1) and subsection



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984 (2) of section 327.4109, Florida Statutes, are amended to read:  
985 327.4109 Anchoring or mooring prohibited; exceptions;  
986 penalties.—

987 (1) (a) The owner or operator of a vessel or floating  
988 structure may not anchor or moor such that the nearest approach  
989 of the anchored or moored vessel or floating structure is:

990 1. Within 150 feet of any public or private marina, boat  
991 ramp, boatyard, or other public vessel launching or loading  
992 facility;

993 2. Within 500 ~~300~~ feet of a superyacht repair facility. For  
994 purposes of this subparagraph, the term "superyacht repair  
995 facility" means a facility that services or repairs a yacht with  
996 a water line of 120 feet or more in length; or

997 3. Within 100 feet outward from the marked boundary of a  
998 public mooring field or a lesser distance if approved by the  
999 commission upon request of a local government within which the  
1000 mooring field is located. The commission may adopt rules to  
1001 implement this subparagraph.

1002 (2) Notwithstanding subsection (1), an owner or operator of  
1003 a vessel may anchor or moor within 150 feet of any public or  
1004 private marina, boat ramp, boatyard, or other public vessel  
1005 launching or loading facility; within 500 ~~300~~ feet of a  
1006 superyacht repair facility; or within 100 feet outward from the  
1007 marked boundary of a public mooring field if:

1008 (a) The vessel suffers a mechanical failure that poses an  
1009 unreasonable risk of harm to the vessel or the persons onboard  
1010 such vessel. The owner or operator of the vessel may anchor or  
1011 moor for 5 business days or until the vessel is repaired,  
1012 whichever occurs first.



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1013 (b) Imminent or existing weather conditions in the vicinity  
1014 of the vessel pose an unreasonable risk of harm to the vessel or  
1015 the persons onboard such vessel. The owner or operator of the  
1016 vessel may anchor or moor until weather conditions no longer  
1017 pose such risk. During a hurricane or tropical storm, weather  
1018 conditions are deemed to no longer pose an unreasonable risk of  
1019 harm when the hurricane or tropical storm warning affecting the  
1020 area has expired.

1021 Section 14. Subsection (2) of section 327.45, Florida  
1022 Statutes, is amended to read:

1023 327.45 Protection zones for springs.-

1024 (2) The commission may establish by rule protection zones  
1025 that restrict the speed and operation of vessels, or that  
1026 prohibit the anchoring, mooring, beaching, or grounding of  
1027 vessels, to protect and prevent harm to first, second, and third  
1028 magnitude springs and springs groups, including their associated  
1029 spring runs, as determined by the commission using the most  
1030 recent Florida Geological Survey springs bulletin. This harm  
1031 includes negative impacts to water quality, water quantity,  
1032 hydrology, wetlands, and aquatic and wetland-dependent species.

1033 Section 15. Paragraph (b) of subsection (1) of section  
1034 327.46, Florida Statutes, is amended to read:

1035 327.46 Boating-restricted areas.-

1036 (1) Boating-restricted areas, including, but not limited  
1037 to, restrictions of vessel speeds and vessel traffic, may be  
1038 established on the waters of this state for any purpose  
1039 necessary to protect the safety of the public if such  
1040 restrictions are necessary based on boating accidents,  
1041 visibility, hazardous currents or water levels, vessel traffic



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1042 congestion, or other navigational hazards or to protect  
1043 seagrasses on privately owned submerged lands.

1044 (b) Municipalities and counties may ~~have the authority to~~  
1045 establish the following boating-restricted areas by ordinance,  
1046 including, notwithstanding the prohibition in s. 327.60(2)(c),  
1047 within the portion of the Florida Intracoastal Waterway within  
1048 their jurisdiction:

1049 1. An ordinance establishing an idle speed, no wake  
1050 boating-restricted area, if the area is:

1051 a. Within 500 feet of any boat ramp, hoist, marine railway,  
1052 or other launching or landing facility available for use by the  
1053 general boating public on waterways more than 300 feet in width  
1054 or within 300 feet of any boat ramp, hoist, marine railway, or  
1055 other launching or landing facility available for use by the  
1056 general boating public on waterways not exceeding 300 feet in  
1057 width.

1058 b. Within 500 feet of fuel pumps or dispensers at any  
1059 marine fueling facility that sells motor fuel to the general  
1060 boating public on waterways more than 300 feet in width or  
1061 within 300 feet of the fuel pumps or dispensers at any licensed  
1062 terminal facility that sells motor fuel to the general boating  
1063 public on waterways not exceeding 300 feet in width.

1064 c. Inside or within 300 feet of any lock structure.

1065 2. An ordinance establishing a slow speed, minimum wake  
1066 boating-restricted area if the area is:

1067 a. Within 300 feet of any bridge fender system.

1068 b. Within 300 feet of any bridge span presenting a vertical  
1069 clearance of less than 25 feet or a horizontal clearance of less  
1070 than 100 feet.



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1071 c. On a creek, stream, canal, or similar linear waterway if  
1072 the waterway is less than 75 feet in width from shoreline to  
1073 shoreline.

1074 d. On a lake or pond of less than 10 acres in total surface  
1075 area.

1076 e. Within the boundaries of a permitted public mooring  
1077 field and a buffer around the mooring field of up to 100 feet.

1078 3. An ordinance establishing a vessel-exclusion zone if the  
1079 area is:

1080 a. Designated as a public bathing beach or swim area,  
1081 except that such areas may not be established within the Florida  
1082 Intracoastal Waterway.

1083 b. Within 300 feet of a dam, spillway, or flood control  
1084 structure.

1085 Section 16. Section 327.463, Florida Statutes, is created  
1086 to read:

1087 327.463 Special hazards.—

1088 (1) For purposes of this section, a vessel:

1089 (a) Is operating at slow speed, minimum wake only if it is:

1090 1. Fully off plane and completely settled into the water;

1091 and

1092 2. Proceeding without wake or with minimum wake.

1093

1094 A vessel that is required to operate at slow speed, minimum wake  
1095 may not proceed at a speed greater than a speed that is  
1096 reasonable and prudent to avoid the creation of an excessive  
1097 wake or other hazardous condition under the existing  
1098 circumstances.

1099 (b) Is not proceeding at slow speed, minimum wake if it is:



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- 1100       1. Operating on plane;  
1101       2. In the process of coming off plane and settling into the  
1102 water or getting on plane; or  
1103       3. Operating at a speed that creates a wake that  
1104 unreasonably or unnecessarily endangers other vessels.  
1105       (2) A person may not operate a vessel faster than slow  
1106 speed, minimum wake within 300 feet of any emergency vessel,  
1107 including, but not limited to, a law enforcement vessel, United  
1108 States Coast Guard vessel, or firefighting vessel, when such  
1109 emergency vessel's emergency lights are activated.  
1110       (3) (a) A person may not operate a vessel faster than slow  
1111 speed, minimum wake within 300 feet of any construction vessel  
1112 or barge when the vessel or barge is displaying an orange flag  
1113 from a pole extending:  
1114       1. At least 10 feet above the tallest portion of the vessel  
1115 or barge, indicating that the vessel or barge is actively  
1116 engaged in construction operations; or  
1117       2. At least 5 feet above any superstructure permanently  
1118 installed upon the vessel or barge, indicating that the vessel  
1119 or barge is actively engaged in construction operations.  
1120       (b) A flag displayed on a construction vessel or barge  
1121 pursuant to this subsection must:  
1122       1. Be at least 2 feet by 3 feet in size.  
1123       2. Have a wire or other stiffener or be otherwise  
1124 constructed to ensure that the flag remains fully unfurled and  
1125 extended in the absence of a wind or breeze.  
1126       3. Be displayed so that the visibility of the flag is not  
1127 obscured in any direction.  
1128       (c) In periods of low visibility, including any time



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1129 between 30 minutes after sunset and 30 minutes before sunrise, a  
1130 person may not be cited for a violation of this subsection  
1131 unless the orange flag is illuminated and visible from a  
1132 distance of at least 2 nautical miles. Such illumination does  
1133 not relieve the construction vessel or barge from complying with  
1134 all navigation rules.

1135 (4) (a) A person operating a vessel in violation of this  
1136 section commits a noncriminal infraction, punishable as provided  
1137 in s. 327.73.

1138 (b) The owner of, or party who is responsible for, a  
1139 construction vessel or barge who displays an orange flag on the  
1140 vessel or barge when it is not actively engaged in construction  
1141 operations commits a noncriminal infraction, punishable as  
1142 provided in s. 327.73.

1143 (5) The speed and penalty provisions of this section do not  
1144 apply to a law enforcement, firefighting, or rescue vessel that  
1145 is owned or operated by a governmental entity.

1146 Section 17. Paragraph (a) of subsection (1) of section  
1147 327.50, Florida Statutes, is amended to read:

1148 327.50 Vessel safety regulations; equipment and lighting  
1149 requirements.—

1150 (1) (a) The owner and operator of every vessel on the waters  
1151 of this state shall carry, store, maintain, and use safety  
1152 equipment in accordance with current United States Coast Guard  
1153 safety equipment requirements as specified in the Code of  
1154 Federal Regulations, unless expressly exempted by the commission  
1155 department.

1156 Section 18. Paragraph (a) of subsection (6) and subsection  
1157 (7) of section 327.53, Florida Statutes, are amended, and





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1158 subsection (8) is added to that section, to read:

1159       327.53 Marine sanitation.—

1160       (6) (a) A violation of this section is a noncriminal  
1161 infraction, punishable as provided in s. 327.73. Each violation  
1162 shall be a separate offense. The owner and operator of any  
1163 vessel shall be jointly and severally liable for the civil  
1164 penalty imposed pursuant to this section.

1165       (7) A ~~Any~~ vessel or floating structure operated or occupied  
1166 on the waters of this ~~the~~ state in violation of this section is  
1167 declared a nuisance and a hazard to public safety and health.  
1168 The owner or operator of a ~~any~~ vessel or floating structure  
1169 cited for violating this section shall, within 30 days following  
1170 the issuance of the citation, correct the violation for which  
1171 the citation was issued or remove the vessel or floating  
1172 structure from the waters of this ~~the~~ state. If the violation is  
1173 not corrected within the 30 days and the vessel or floating  
1174 structure remains on the waters of this ~~the~~ state in violation  
1175 of this section, law enforcement officers charged with the  
1176 enforcement of this chapter under s. 327.70 shall apply to the  
1177 appropriate court in the county in which the vessel or floating  
1178 structure is located, to order or otherwise cause the removal of  
1179 such vessel or floating structure from the waters of this ~~the~~  
1180 state at the owner's expense. If the owner cannot be found or  
1181 otherwise fails to pay the removal costs, the provisions of s.  
1182 328.17 shall apply. If the proceeds under s. 328.17 are not  
1183 sufficient to pay all removal costs, funds appropriated from the  
1184 Marine Resources Conservation Trust Fund pursuant to paragraph  
1185 (6) (b) or s. 328.72(15) (c) ~~s. 328.72(16)~~ may be used.

1186       (8) The owner or operator of a live-aboard vessel as



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1187 defined in s. 327.02(23), or a houseboat as defined in s.  
1188 327.02(17), that is equipped with a marine sanitation device  
1189 must maintain a record of the date of each pumpout of the marine  
1190 sanitation device and the location of the pumpout station or  
1191 waste reception facility. Each record must be maintained for 1  
1192 year after the date of the pumpout.

1193 Section 19. Subsection (2) of section 327.54, Florida  
1194 Statutes, is amended to read:

1195 327.54 Liveries; safety regulations; penalty.—

1196 (2) A livery may not knowingly lease, hire, or rent a any  
1197 vessel ~~powered by a motor of 10 horsepower or greater~~ to a any  
1198 person who is required to comply with s. 327.395~~7~~, unless such  
1199 person presents to the livery photographic identification and a  
1200 valid boater safety identification card issued by the  
1201 commission, a state-issued identification card or driver license  
1202 indicating possession of the boating safety identification card,  
1203 or photographic identification and a valid temporary certificate  
1204 issued or approved by the commission as required under s.  
1205 327.395(2) ~~s. 327.395(1)~~, or meets the exemption provided under  
1206 s. 327.395(6) (f).

1207 Section 20. Subsection (5) of section 327.60, Florida  
1208 Statutes, is amended to read:

1209 327.60 Local regulations; limitations.—

1210 (5) A local government may enact and enforce regulations to  
1211 implement the procedures for abandoned or lost property that  
1212 allow the local law enforcement agency to remove a vessel  
1213 affixed to a public dock or mooring within its jurisdiction that  
1214 is abandoned or lost property pursuant to s. 705.103(1). Such  
1215 regulation must require the local law enforcement agency to post



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1216 a written notice at least 24 hours before removing the vessel.

1217 Section 21. Paragraphs (q), (s), and (aa) of subsection (1)  
1218 of section 327.73, Florida Statutes, are amended, and paragraphs  
1219 (cc) and (dd) are added to that subsection, to read:

1220 327.73 Noncriminal infractions.—

1221 (1) Violations of the following provisions of the vessel  
1222 laws of this state are noncriminal infractions:

1223 (q) Section 327.53(1), (2), ~~and (3)~~, and (8), relating to  
1224 marine sanitation.

1225 (s) Section 327.395, relating to boater safety education.

1226 However, a person cited for violating the requirements of s.  
1227 327.395 relating to failure to have required proof of boating  
1228 safety education in his or her possession may not be convicted  
1229 if, before or at the time of a county court hearing, the person  
1230 produces proof of the boating safety education identification  
1231 card or temporary certificate for verification by the hearing  
1232 officer or the court clerk and the identification card or  
1233 temporary certificate was valid at the time the person was  
1234 cited.

1235 (aa) Section 327.4107, relating to vessels at risk of  
1236 becoming derelict on waters of this state, for which the civil  
1237 penalty is:

1238 1. For a first offense, \$100 ~~\$50~~.

1239 2. For a second offense occurring 30 days or more after a  
1240 first offense, \$250 ~~\$100~~.

1241 3. For a third or subsequent offense occurring 30 days or  
1242 more after a previous offense, \$500 ~~\$250~~.

1243

1244 A vessel that is the subject of three or more violations issued



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1245 pursuant to the same paragraph of s. 327.4107(2) within an 18-  
1246 month period which result in dispositions other than acquittal  
1247 or dismissal shall be declared to be a public nuisance and  
1248 subject to ss. 705.103(2) and (4) and 823.11(3). The commission,  
1249 an officer of the commission, or a law enforcement agency or  
1250 officer specified in s. 327.70 may relocate, remove, or cause to  
1251 be relocated or removed such public nuisance vessels from waters  
1252 of this state. The commission, an officer of the commission, or  
1253 a law enforcement agency or officer acting pursuant to this  
1254 paragraph upon waters of this state shall be held harmless for  
1255 all damages to the vessel resulting from such relocation or  
1256 removal unless the damage results from gross negligence or  
1257 willful misconduct as these terms are defined in s. 823.11.

1258 (cc) Section 327.463(4) (a) and (b), relating to vessels  
1259 creating special hazards, for which the penalty is:

1260 1. For a first offense, \$50.

1261 2. For a second offense occurring within 12 months after a  
1262 prior offense, \$100.

1263 3. For a third offense occurring within 36 months after a  
1264 prior offense, \$250.

1265 (dd) Section 327.371, relating to the regulation of human-  
1266 powered vessels.

1267  
1268 Any person cited for a violation of any provision of this  
1269 subsection shall be deemed to be charged with a noncriminal  
1270 infraction, shall be cited for such an infraction, and shall be  
1271 cited to appear before the county court. The civil penalty for  
1272 any such infraction is \$50, except as otherwise provided in this  
1273 section. Any person who fails to appear or otherwise properly



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1274 respond to a uniform boating citation shall, in addition to the  
1275 charge relating to the violation of the boating laws of this  
1276 state, be charged with the offense of failing to respond to such  
1277 citation and, upon conviction, be guilty of a misdemeanor of the  
1278 second degree, punishable as provided in s. 775.082 or s.  
1279 775.083. A written warning to this effect shall be provided at  
1280 the time such uniform boating citation is issued.

1281 Section 22. Subsection (4) of section 328.09, Florida  
1282 Statutes, is amended to read:

1283 328.09 Refusal to issue and authority to cancel a  
1284 certificate of title or registration.-

1285 (4) The department may not issue a certificate of title to  
1286 an ~~any~~ applicant for a ~~any~~ vessel that has been deemed derelict  
1287 by a law enforcement officer under s. 376.15 or s. 823.11. A law  
1288 enforcement officer must inform the department in writing, which  
1289 may be provided by facsimile, electronic mail, or other  
1290 electronic means, of the vessel's derelict status and supply the  
1291 department with the vessel title number or vessel identification  
1292 number. The department may issue a certificate of title once a  
1293 law enforcement officer has verified in writing, which may be  
1294 provided by facsimile, electronic mail, or other electronic  
1295 means, that the vessel is no longer a derelict vessel.

1296 Section 23. Effective July 1, 2023, paragraph (e) of  
1297 subsection (3) of section 328.09, Florida Statutes, as amended  
1298 by section 12 of chapter 2019-76, Laws of Florida, is amended to  
1299 read:

1300 328.09 Refusal to issue and authority to cancel a  
1301 certificate of title or registration.-

1302 (3) Except as otherwise provided in subsection (4), the



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1303 department may reject an application for a certificate of title  
1304 only if:

1305 (e) The application is for a vessel that has been deemed  
1306 derelict by a law enforcement officer under s. 376.15 or s.  
1307 823.11. In such case, a law enforcement officer must inform the  
1308 department in writing, which may be provided by facsimile, e-  
1309 mail, or other electronic means, of the vessel's derelict status  
1310 and supply the department with the vessel title number or vessel  
1311 identification number. The department may issue a certificate of  
1312 title once a law enforcement officer has verified in writing,  
1313 which may be provided by facsimile, e-mail, or other electronic  
1314 means, that the vessel is no longer a derelict vessel.

1315 Section 24. Section 376.15, Florida Statutes, is amended to  
1316 read:

1317 376.15 Derelict vessels; relocation or removal from ~~public~~  
1318 waters of this state.-

1319 (1) As used in this section, the term:

1320 (a) "Commission" means the Fish and Wildlife Conservation  
1321 Commission.

1322 (b) "Gross negligence" means conduct so reckless or wanting  
1323 in care that it constitutes a conscious disregard or  
1324 indifference to the safety of the property exposed to such  
1325 conduct.

1326 (c) "Willful misconduct" means conduct evidencing  
1327 carelessness or negligence of such a degree or recurrence as to  
1328 manifest culpability, wrongful intent, or evil design or to show  
1329 an intentional and substantial disregard of the interests of the  
1330 vessel owner.

1331 (2) (a) It is unlawful for any person, firm, or corporation



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1332 to ~~store, leave, or abandon~~ any derelict vessel as defined in s.  
1333 823.11 upon the waters of in this state. For purposes of this  
1334 paragraph, the term "leave" means to allow a vessel to remain  
1335 occupied or unoccupied on the waters of this state for more than  
1336 24 hours.

1337 (b) Notwithstanding paragraph (a), a person who owns or  
1338 operates a vessel that becomes derelict upon the waters of this  
1339 state solely as a result of a boating accident that is reported  
1340 to law enforcement in accordance with s. 327.301 or otherwise  
1341 reported to law enforcement; a hurricane; or another sudden  
1342 event outside of his or her control may not be charged with a  
1343 violation if:

1344 1. The individual documents for law enforcement the  
1345 specific event that led to the vessel being derelict upon the  
1346 waters of this state; and

1347 2. The vessel has been removed from the waters of this  
1348 state or has been repaired or addressed such that it is no  
1349 longer derelict upon the waters of this state:

1350 a. For a vessel that has become derelict as a result of a  
1351 boating accident or other sudden event outside of his or her  
1352 control, within 7 days after such accident or event; or

1353 b. Within 45 days after the hurricane has passed over this  
1354 state.

1355 (c) This subsection does not apply to a vessel that was  
1356 derelict upon the waters of this state before the stated  
1357 accident or event.

1358 (3) (a) The commission, an officer ~~officers~~ of the  
1359 commission, or a ~~and any~~ law enforcement agency or officer  
1360 specified in s. 327.70 may ~~are authorized and empowered to~~



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1361 relocate, remove, store, destroy, or dispose of or cause to be  
1362 relocated, ~~or removed, stored, destroyed, or disposed of a~~ any  
1363 derelict vessel as defined in s. 823.11 from ~~public~~ waters of  
1364 this state as defined in s. 327.02. All costs, including costs  
1365 owed to a third party, incurred by the commission or other law  
1366 enforcement agency in the relocation, ~~or removal, storage,~~  
1367 destruction, or disposal of any abandoned or derelict vessel are  
1368 recoverable against the owner of the vessel or the party  
1369 determined to be legally responsible for the vessel being upon  
1370 the waters of this state in a derelict condition. The Department  
1371 of Legal Affairs shall represent the commission in actions to  
1372 recover such costs.

1373 (b) The commission, an officer ~~officers~~ of the commission,  
1374 or a ~~and any other~~ law enforcement agency or officer specified  
1375 in s. 327.70 acting pursuant to ~~under~~ this section to relocate,  
1376 remove, store, destroy, or dispose of or cause to be relocated,  
1377 ~~or removed, stored, destroyed, or disposed of~~ a derelict vessel  
1378 from ~~public~~ waters of this state as defined in s. 327.02 shall  
1379 be held harmless for all damages to the derelict vessel  
1380 resulting from such action ~~relocation or removal~~ unless the  
1381 damage results from gross negligence or willful misconduct as  
1382 these terms are defined in s. 823.11.

1383 (c) A contractor performing relocation or removal  
1384 activities at the direction of the commission, an officer  
1385 ~~officers~~ of the commission, ~~or~~ a law enforcement agency or  
1386 officer, or a governmental subdivision, when the governmental  
1387 subdivision has received authorization for the relocation or  
1388 removal from a law enforcement officer or agency pursuant to  
1389 this section, must be licensed in accordance with applicable





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1390 United States Coast Guard regulations where required; obtain and  
1391 carry in full force and effect a policy from a licensed  
1392 insurance carrier in this state to insure against any accident,  
1393 loss, injury, property damage, or other casualty caused by or  
1394 resulting from the contractor's actions; and be properly  
1395 equipped to perform the services to be provided.

1396 (d) The commission may establish a program to provide  
1397 grants to local governments for the removal, storage,  
1398 destruction, and disposal of derelict vessels from the ~~public~~  
1399 waters of this the state as defined in s. 327.02. The program  
1400 shall be funded from the Marine Resources Conservation Trust  
1401 Fund or the Florida Coastal Protection Trust Fund.  
1402 Notwithstanding ~~the provisions in~~ s. 216.181(11), funds  
1403 available for grants may only be authorized by appropriations  
1404 acts of the Legislature. In a given fiscal year, if all funds  
1405 appropriated pursuant to this paragraph are not requested by and  
1406 granted to local governments for the removal, storage,  
1407 destruction, and disposal of derelict vessels by the end of the  
1408 third quarter, the Fish and Wildlife Conservation Commission may  
1409 use the remainder of the funds to remove, store, destroy, and  
1410 dispose of, or to pay private contractors to remove, store,  
1411 destroy, and dispose of, derelict vessels.

1412 (e) The commission shall adopt by rule procedures for  
1413 submitting a grant application and criteria for allocating  
1414 available funds. Such criteria shall include, but not be limited  
1415 to, the following:

1416 1. The number of derelict vessels within the jurisdiction  
1417 of the applicant.

1418 2. The threat posed by such vessels to public health or



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1419 safety, the environment, navigation, or the aesthetic condition  
1420 of the general vicinity.

1421 3. The degree of commitment of the local government to  
1422 maintain waters free of abandoned and derelict vessels and to  
1423 seek legal action against those who abandon vessels in the  
1424 waters of this the state as defined in s. 327.02.

1425 (f) This section constitutes the authority for such removal  
1426 but is not intended to be in contravention of any applicable  
1427 federal act.

1428 Section 25. Subsections (2) and (4) of section 705.103,  
1429 Florida Statutes, are amended to read:

1430 705.103 Procedure for abandoned or lost property.—

1431 (2) (a)1. Whenever a law enforcement officer ascertains  
1432 that:

1433 a. An article of lost or abandoned property other than a  
1434 derelict vessel or a vessel declared a public nuisance pursuant  
1435 to s. 327.73(1)(aa) is present on public property and is of such  
1436 nature that it cannot be easily removed, the officer shall cause  
1437 a notice to be placed upon such article in substantially the  
1438 following form:

1439  
1440 NOTICE TO THE OWNER AND ALL PERSONS INTERESTED IN THE ATTACHED  
1441 PROPERTY. This property, to wit: ...(setting forth brief  
1442 description)... is unlawfully upon public property known as  
1443 ...(setting forth brief description of location)... and must be  
1444 removed within 5 days; otherwise, it will be removed and  
1445 disposed of pursuant to chapter 705, Florida Statutes. The owner  
1446 will be liable for the costs of removal, storage, and  
1447 publication of notice. Dated this: ...(setting forth the date of



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1448 posting of notice)..., signed: ...(setting forth name, title,  
1449 address, and telephone number of law enforcement officer)....

1450  
1451 b. A derelict vessel or a vessel declared a public nuisance  
1452 pursuant to s. 327.73(1)(aa) is present on the waters of this  
1453 state, the officer shall cause a notice to be placed upon such  
1454 vessel in substantially the following form:

1455  
1456 NOTICE TO THE OWNER AND ALL PERSONS INTERESTED IN THE ATTACHED  
1457 VESSEL. This vessel, to wit: ...(setting forth brief  
1458 description)... has been determined to be (derelict or a public  
1459 nuisance) and is unlawfully upon waters of this state  
1460 ...(setting forth brief description of location)... and must be  
1461 removed within 21 days; otherwise, it will be removed and  
1462 disposed of pursuant to chapter 705, Florida Statutes. The owner  
1463 and other interested parties have the right to a hearing to  
1464 challenge the determination that this vessel is derelict or  
1465 otherwise in violation of the law. Please contact ...(contact  
1466 information for person who can arrange for a hearing in  
1467 accordance with this section).... The owner or the party  
1468 determined to be legally responsible for the vessel being upon  
1469 the waters of this state in a derelict condition will be liable  
1470 for the costs of removal, destruction, and disposal if this  
1471 vessel is not removed by the owner. Dated this: ...(setting  
1472 forth the date of posting of notice)..., signed: ...(setting  
1473 forth name, title, address, and telephone number of law  
1474 enforcement officer)....

1475 2. The notices required under subparagraph 1. may Such  
1476 notice shall be not be less than 8 inches by 10 inches and shall



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1477 be sufficiently weatherproof to withstand normal exposure to the  
1478 elements. In addition to posting, the law enforcement officer  
1479 shall make a reasonable effort to ascertain the name and address  
1480 of the owner. If such is reasonably available to the officer,  
1481 she or he shall mail a copy of such notice to the owner on or  
1482 before the date of posting. If the property is a motor vehicle  
1483 as defined in s. 320.01(1) or a vessel as defined in s. 327.02,  
1484 the law enforcement agency shall contact the Department of  
1485 Highway Safety and Motor Vehicles in order to determine the name  
1486 and address of the owner and any person who has filed a lien on  
1487 the vehicle or vessel as provided in s. 319.27(2) or (3) or s.  
1488 328.15(1). On receipt of this information, the law enforcement  
1489 agency shall mail a copy of the notice by certified mail, return  
1490 receipt requested, to the owner and to the lienholder, if any,  
1491 except that a law enforcement officer who has issued a citation  
1492 for a violation of s. 376.15 or s. 823.11 to the owner of a  
1493 derelict vessel is not required to mail a copy of the notice by  
1494 certified mail, return receipt requested, to the owner. For a  
1495 derelict vessel or a vessel declared a public nuisance pursuant  
1496 to s. 327.73(1)(aa), the mailed notice must inform the owner or  
1497 responsible party that he or she has a right to a hearing to  
1498 dispute the determination that the vessel is derelict or  
1499 otherwise in violation of the law. If a request for a hearing is  
1500 made, a state agency shall follow the processes set forth in s.  
1501 120.569. Local governmental entities shall follow the processes  
1502 set forth in s. 120.569, except that a local judge, magistrate,  
1503 or code enforcement officer may be designated to conduct such a  
1504 hearing. If, at the end of 5 days after posting the notice in  
1505 sub-subparagraph 1.a., or at the end of 21 days after posting



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1506 the notice in sub-subparagraph 1.b., and mailing such notice, if  
1507 required, the owner or any person interested in the lost or  
1508 abandoned article or articles described has not removed the  
1509 article or articles from public property or shown reasonable  
1510 cause for failure to do so, and, in the case of a derelict  
1511 vessel or a vessel declared a public nuisance pursuant to s.  
1512 327.73(1)(aa), has not requested a hearing in accordance with  
1513 this section, the following shall apply:

1514 a. ~~(a)~~ For abandoned property other than a derelict vessel  
1515 or a vessel declared a public nuisance pursuant to s.  
1516 327.73(1)(aa), the law enforcement agency may retain any or all  
1517 of the property for its own use or for use by the state or unit  
1518 of local government, trade such property to another unit of  
1519 local government or state agency, donate the property to a  
1520 charitable organization, sell the property, or notify the  
1521 appropriate refuse removal service.

1522 b. For a derelict vessel or a vessel declared a public  
1523 nuisance pursuant to s. 327.73(1)(aa), the law enforcement  
1524 agency or its designee may:

1525 (I) Remove the vessel from the waters of this state and  
1526 destroy and dispose of the vessel or authorize another  
1527 governmental entity or its designee to do so; or

1528 (II) Authorize the vessel's use as an artificial reef in  
1529 accordance with s. 379.249 if all necessary federal, state, and  
1530 local authorizations are received.

1531  
1532 A law enforcement agency or its designee may also take action as  
1533 described in this sub-subparagraph if, following a hearing  
1534 pursuant to this section, the judge, magistrate, administrative



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1535 law judge, or hearing officer has determined the vessel to be  
1536 derelict as provided in s. 823.11 or otherwise in violation of  
1537 the law in accordance with s. 327.73(1)(aa) and a final order  
1538 has been entered or the case is otherwise closed.

1539 (b) For lost property, the officer shall take custody and  
1540 the agency shall retain custody of the property for 90 days. The  
1541 agency shall publish notice of the intended disposition of the  
1542 property, as provided in this section, during the first 45 days  
1543 of this time period.

1544 1. If the agency elects to retain the property for use by  
1545 the unit of government, donate the property to a charitable  
1546 organization, surrender such property to the finder, sell the  
1547 property, or trade the property to another unit of local  
1548 government or state agency, notice of such election shall be  
1549 given by an advertisement published once a week for 2  
1550 consecutive weeks in a newspaper of general circulation in the  
1551 county where the property was found if the value of the property  
1552 is more than \$100. If the value of the property is \$100 or less,  
1553 notice shall be given by posting a description of the property  
1554 at the law enforcement agency where the property was turned in.  
1555 The notice must be posted for not less than 2 consecutive weeks  
1556 in a public place designated by the law enforcement agency. The  
1557 notice must describe the property in a manner reasonably  
1558 adequate to permit the rightful owner of the property to claim  
1559 it.

1560 2. If the agency elects to sell the property, it must do so  
1561 at public sale by competitive bidding. Notice of the time and  
1562 place of the sale shall be given by an advertisement of the sale  
1563 published once a week for 2 consecutive weeks in a newspaper of



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1564 general circulation in the county where the sale is to be held.  
1565 The notice shall include a statement that the sale shall be  
1566 subject to any and all liens. The sale must be held at the  
1567 nearest suitable place to that where the lost or abandoned  
1568 property is held or stored. The advertisement must include a  
1569 description of the goods and the time and place of the sale. The  
1570 sale may take place no earlier than 10 days after the final  
1571 publication. If there is no newspaper of general circulation in  
1572 the county where the sale is to be held, the advertisement shall  
1573 be posted at the door of the courthouse and at three other  
1574 public places in the county at least 10 days prior to sale.  
1575 Notice of the agency's intended disposition shall describe the  
1576 property in a manner reasonably adequate to permit the rightful  
1577 owner of the property to identify it.

1578 (4) The owner of any abandoned or lost property, or in the  
1579 case of a derelict vessel, the owner or other party determined  
1580 to be legally responsible for the vessel being upon the waters  
1581 of this state in a derelict condition, who, after notice as  
1582 provided in this section, does not remove such property within  
1583 the specified period shall be liable to the law enforcement  
1584 agency, other governmental entity, or the agency's or entity's  
1585 designee for all costs of removal, storage, and destruction of  
1586 such property, less any salvage value obtained by disposal of  
1587 the property. Upon final disposition of the property, the law  
1588 enforcement officer or representative of the law enforcement  
1589 agency or other governmental entity shall notify the owner, if  
1590 known, of the amount owed. In the case of an abandoned vessel or  
1591 motor vehicle, any person who neglects or refuses to pay such  
1592 amount is not entitled to be issued a certificate of



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1593 registration for such vessel or motor vehicle, or any other  
1594 vessel or motor vehicle, until such costs have been paid. A  
1595 person who has neglected or refused to pay all costs of removal,  
1596 storage, disposal, and destruction of a vessel or motor vehicle  
1597 as provided in this section, after having been provided written  
1598 notice via certified mail that such costs are owed, and who  
1599 applies for and is issued a registration for a vessel or motor  
1600 vehicle before such costs have been paid in full commits a  
1601 misdemeanor of the first degree, punishable as provided in s.  
1602 775.082 or s. 775.083. The law enforcement officer or  
1603 representative of the law enforcement agency or other  
1604 governmental entity shall supply the Department of Highway  
1605 Safety and Motor Vehicles with a list of persons whose vessel  
1606 registration privileges and ~~or whose~~ motor vehicle privileges  
1607 have been revoked under this subsection. ~~Neither~~ The department  
1608 or a ~~nor any other~~ person acting as an agent of the department  
1609 may not ~~thereof shall~~ issue a certificate of registration to a  
1610 person whose vessel and ~~or~~ motor vehicle registration privileges  
1611 have been revoked, as provided by this subsection, until such  
1612 costs have been paid.

1613 Section 26. Effective July 1, 2023, subsection (2) of  
1614 section 705.103, Florida Statutes, as amended by section 29 of  
1615 chapter 2019-76, Laws of Florida, is amended to read:

1616 705.103 Procedure for abandoned or lost property.—

1617 (2) (a)1. Whenever a law enforcement officer ascertains  
1618 that:

1619 a. An article of lost or abandoned property other than a  
1620 derelict vessel or a vessel declared a public nuisance pursuant  
1621 to s. 327.73(1)(aa) is present on public property and is of such





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1622 nature that it cannot be easily removed, the officer shall cause  
1623 a notice to be placed upon such article in substantially the  
1624 following form:

1625  
1626 NOTICE TO THE OWNER AND ALL PERSONS INTERESTED IN THE ATTACHED  
1627 PROPERTY. This property, to wit: ...(setting forth brief  
1628 description)... is unlawfully upon public property known as  
1629 ...(setting forth brief description of location)... and must be  
1630 removed within 5 days; otherwise, it will be removed and  
1631 disposed of pursuant to chapter 705, Florida Statutes. The owner  
1632 will be liable for the costs of removal, storage, and  
1633 publication of notice. Dated this: ...(setting forth the date of  
1634 posting of notice)..., signed: ...(setting forth name, title,  
1635 address, and telephone number of law enforcement officer)....

1636  
1637 b. A derelict vessel or a vessel declared a public nuisance  
1638 pursuant to s. 327.73(1)(aa) is present on the waters of this  
1639 state, the officer shall cause a notice to be placed upon such  
1640 vessel in substantially the following form:

1641  
1642 NOTICE TO THE OWNER AND ALL PERSONS INTERESTED IN THE ATTACHED  
1643 VESSEL. This vessel, to wit: ...(setting forth brief description  
1644 of location)... has been determined to be (derelict or a public  
1645 nuisance) and is unlawfully upon the waters of this state  
1646 ...(setting forth brief description of location)... and must be  
1647 removed within 21 days; otherwise, it will be removed and  
1648 disposed of pursuant to chapter 705, Florida Statutes. The owner  
1649 and other interested parties have the right to a hearing to  
1650 challenge the determination that this vessel is derelict or



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1651 otherwise in violation of the law. Please contact ... (contact  
1652 information for person who can arrange for a hearing in  
1653 accordance with this section)... The owner or the party  
1654 determined to be legally responsible for the vessel being upon  
1655 the waters of this state in a derelict condition will be liable  
1656 for the costs of removal, destruction, and disposal if this  
1657 vessel is not removed by the owner. Dated this: ... (setting  
1658 forth the date of posting of notice)..., signed: ... (setting  
1659 forth name, title, address, and telephone number of law  
1660 enforcement officer)....

1661  
1662 2. The notices required under subparagraph 1. may ~~Such~~  
1663 ~~notice shall be~~ not be less than 8 inches by 10 inches and shall  
1664 be sufficiently weatherproof to withstand normal exposure to the  
1665 elements. In addition to posting, the law enforcement officer  
1666 shall make a reasonable effort to ascertain the name and address  
1667 of the owner. If such is reasonably available to the officer,  
1668 she or he shall mail a copy of such notice to the owner on or  
1669 before the date of posting. If the property is a motor vehicle  
1670 as defined in s. 320.01(1) or a vessel as defined in s. 327.02,  
1671 the law enforcement agency shall contact the Department of  
1672 Highway Safety and Motor Vehicles in order to determine the name  
1673 and address of the owner and any person who has filed a lien on  
1674 the vehicle or vessel as provided in s. 319.27(2) or (3) or s.  
1675 328.15. On receipt of this information, the law enforcement  
1676 agency shall mail a copy of the notice by certified mail, return  
1677 receipt requested, to the owner and to the lienholder, if any,  
1678 except that a law enforcement officer who has issued a citation  
1679 for a violation of s. 376.15 or s. 823.11 to the owner of a



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1680 derelict vessel is not required to mail a copy of the notice by  
1681 certified mail, return receipt requested, to the owner. For a  
1682 derelict vessel or a vessel declared a public nuisance pursuant  
1683 to s. 327.73(1)(aa), the mailed notice must inform the owner or  
1684 responsible party that he or she has a right to a hearing to  
1685 dispute the determination that the vessel is derelict or  
1686 otherwise in violation of the law. If a request for a hearing is  
1687 made, a state agency shall follow the processes as set forth in  
1688 s. 120.569. Local governmental entities shall follow the  
1689 processes set forth in s. 120.569, except that a local judge,  
1690 magistrate, or code enforcement officer may be designated to  
1691 conduct such a hearing. If, at the end of 5 days after posting  
1692 the notice in sub-subparagraph 1.a., or at the end of 21 days  
1693 after posting the notice in sub-subparagraph 1.b., and mailing  
1694 such notice, if required, the owner or any person interested in  
1695 the lost or abandoned article or articles described has not  
1696 removed the article or articles from public property or shown  
1697 reasonable cause for failure to do so, and, in the case of a  
1698 derelict vessel or a vessel declared a public nuisance pursuant  
1699 to s. 327.73(1)(aa), has not requested a hearing in accordance  
1700 with this section, the following shall apply:

1701 a. ~~(a)~~ For abandoned property other than a derelict vessel  
1702 or a vessel declared a public nuisance pursuant to s.  
1703 327.73(1)(aa), the law enforcement agency may retain any or all  
1704 of the property for its own use or for use by the state or unit  
1705 of local government, trade such property to another unit of  
1706 local government or state agency, donate the property to a  
1707 charitable organization, sell the property, or notify the  
1708 appropriate refuse removal service.



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1709 b. For a derelict vessel or a vessel declared a public  
1710 nuisance pursuant to s. 327.73(1)(aa), the law enforcement  
1711 agency or its designee may:

1712 (I) Remove the vessel from the waters of this state and  
1713 destroy and dispose of the vessel or authorize another  
1714 governmental entity or its designee to do so; or

1715 (II) Authorize the vessel's use as an artificial reef in  
1716 accordance with s. 379.249 if all necessary federal, state, and  
1717 local authorizations are received.

1718  
1719 A law enforcement agency or its designee may also take action as  
1720 described in this sub-subparagraph if, following a hearing  
1721 pursuant to this section, the judge, magistrate, administrative  
1722 law judge, or hearing officer has determined the vessel to be  
1723 derelict as provided in s. 823.11 or otherwise in violation of  
1724 the law in accordance with s. 327.73(1)(aa) and a final order  
1725 has been entered or the case is otherwise closed.

1726 (b) For lost property, the officer shall take custody and  
1727 the agency shall retain custody of the property for 90 days. The  
1728 agency shall publish notice of the intended disposition of the  
1729 property, as provided in this section, during the first 45 days  
1730 of this time period.

1731 1. If the agency elects to retain the property for use by  
1732 the unit of government, donate the property to a charitable  
1733 organization, surrender such property to the finder, sell the  
1734 property, or trade the property to another unit of local  
1735 government or state agency, notice of such election shall be  
1736 given by an advertisement published once a week for 2  
1737 consecutive weeks in a newspaper of general circulation in the



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1738 county where the property was found if the value of the property  
1739 is more than \$100. If the value of the property is \$100 or less,  
1740 notice shall be given by posting a description of the property  
1741 at the law enforcement agency where the property was turned in.  
1742 The notice must be posted for not less than 2 consecutive weeks  
1743 in a public place designated by the law enforcement agency. The  
1744 notice must describe the property in a manner reasonably  
1745 adequate to permit the rightful owner of the property to claim  
1746 it.

1747         2. If the agency elects to sell the property, it must do so  
1748 at public sale by competitive bidding. Notice of the time and  
1749 place of the sale shall be given by an advertisement of the sale  
1750 published once a week for 2 consecutive weeks in a newspaper of  
1751 general circulation in the county where the sale is to be held.  
1752 The notice shall include a statement that the sale shall be  
1753 subject to any and all liens. The sale must be held at the  
1754 nearest suitable place to that where the lost or abandoned  
1755 property is held or stored. The advertisement must include a  
1756 description of the goods and the time and place of the sale. The  
1757 sale may take place no earlier than 10 days after the final  
1758 publication. If there is no newspaper of general circulation in  
1759 the county where the sale is to be held, the advertisement shall  
1760 be posted at the door of the courthouse and at three other  
1761 public places in the county at least 10 days prior to sale.  
1762 Notice of the agency's intended disposition shall describe the  
1763 property in a manner reasonably adequate to permit the rightful  
1764 owner of the property to identify it.

1765         Section 27. Subsections (1), (2), and (3) of section  
1766 823.11, Florida Statutes, are amended to read:



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1767 823.11 Derelict vessels; relocation or removal; penalty.-

1768 (1) As used in this section and s. 376.15, the term:

1769 (a) "Commission" means the Fish and Wildlife Conservation  
1770 Commission.

1771 (b) "Derelict vessel" means a vessel, as defined in s.  
1772 327.02, that is ~~left, stored, or abandoned~~:

1773 1. In a wrecked, junked, or substantially dismantled  
1774 condition upon any ~~public~~ waters of this state.

1775 a. A vessel is wrecked if it is sunken or sinking; aground  
1776 without the ability to extricate itself absent mechanical  
1777 assistance; or remaining after a marine casualty, including, but  
1778 not limited to, a boating accident, extreme weather, or a fire.

1779 b. A vessel is junked if it has been substantially stripped  
1780 of vessel components, if vessel components have substantially  
1781 degraded or been destroyed, or if the vessel has been discarded  
1782 by the owner or operator. Attaching an outboard motor to a  
1783 vessel that is otherwise junked will not cause the vessel to no  
1784 longer be junked if such motor is not an effective means of  
1785 propulsion as required by s. 327.4107(2) (e) and associated  
1786 rules.

1787 c. A vessel is substantially dismantled if at least two of  
1788 the three following vessel systems or components are missing,  
1789 compromised, incomplete, inoperable, or broken:

1790 (I) The steering system;

1791 (II) The propulsion system; or

1792 (III) The exterior hull integrity.

1793

1794 Attaching an outboard motor to a vessel that is otherwise  
1795 substantially dismantled will not cause the vessel to no longer



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1796 be substantially dismantled if such motor is not an effective  
1797 means of propulsion as required by s. 327.4107(2) (e) and  
1798 associated rules.

1799         2. At a port in this state without the consent of the  
1800 agency having jurisdiction thereof.

1801         3. Docked, grounded, or beached upon the property of  
1802 another without the consent of the owner of the property.

1803         (c) "Gross negligence" means conduct so reckless or wanting  
1804 in care that it constitutes a conscious disregard or  
1805 indifference to the safety of the property exposed to such  
1806 conduct.

1807         (d) "Willful misconduct" means conduct evidencing  
1808 carelessness or negligence of such a degree or recurrence as to  
1809 manifest culpability, wrongful intent, or evil design or to show  
1810 an intentional and substantial disregard of the interests of the  
1811 vessel owner.

1812         (2) (a) ~~It is unlawful for~~ A person, firm, or corporation  
1813 may not ~~to store, leave, or abandon~~ any derelict vessel upon  
1814 waters of ~~in~~ this state. For purposes of this paragraph, the  
1815 term "leave" means to allow a vessel to remain occupied or  
1816 unoccupied on the waters of this state for more than 24 hours.

1817         (b) Notwithstanding paragraph (a), a person who owns or  
1818 operates a vessel that becomes derelict upon the waters of this  
1819 state solely as a result of a boating accident that is reported  
1820 to law enforcement in accordance with s. 327.301 or otherwise  
1821 reported to law enforcement; a hurricane; or another sudden  
1822 event outside of his or her control may not be charged with a  
1823 violation if:

1824         1. The individual documents for law enforcement the



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1825 specific event that led to the vessel being derelict upon the  
1826 waters of this state; and

1827 2. The vessel has been removed from the waters of this  
1828 state or has been repaired or addressed such that it is no  
1829 longer derelict upon the waters of this state:

1830 a. For a vessel that has become derelict as a result of a  
1831 boating accident or other sudden event outside of his or her  
1832 control, within 7 days after such accident or event; or

1833 b. Within 45 days after the hurricane has passed over the  
1834 state.

1835 (c) This subsection does not apply to a vessel that was  
1836 derelict upon the waters of this state before the stated  
1837 accident or event.

1838 (3) The commission, an officer ~~officers~~ of the commission,  
1839 or a ~~and any~~ law enforcement agency or officer specified in s.  
1840 327.70 may ~~are authorized and empowered to~~ relocate, remove,  
1841 store, destroy, or dispose of or cause to be relocated, ~~or~~  
1842 removed, stored, destroyed, or disposed of a derelict vessel  
1843 from ~~public~~ public waters of this state as defined in s. 327.02 if the  
1844 derelict vessel obstructs or threatens to obstruct navigation or  
1845 in any way constitutes a danger to the environment, property, or  
1846 persons. The commission, an officer ~~officers~~ of the commission,  
1847 or any other law enforcement agency or officer acting pursuant  
1848 to ~~under~~ this subsection to relocate, remove, store, destroy,  
1849 dispose of or cause to be relocated, ~~or~~ removed, stored,  
1850 destroyed, or disposed of a derelict vessel from ~~public~~ public waters  
1851 of this state shall be held harmless for all damages to the  
1852 derelict vessel resulting from such action ~~relocation or removal~~  
1853 unless the damage results from gross negligence or willful





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1854 misconduct.

1855 (a) Removal of derelict vessels under this subsection may  
1856 be funded by grants provided in ss. 206.606 and 376.15. The  
1857 commission shall implement a plan for the procurement of any  
1858 available federal disaster funds and use such funds for the  
1859 removal of derelict vessels.

1860 (b) All costs, including costs owed to a third party,  
1861 incurred by the commission, another ~~or other~~ law enforcement  
1862 agency, or a governmental subdivision, when the governmental  
1863 subdivision has received authorization from a law enforcement  
1864 officer or agency, in the relocation, ~~or~~ removal, storage,  
1865 destruction, or disposal of a derelict vessel are recoverable  
1866 against the vessel owner or the party determined to be legally  
1867 responsible for the vessel being upon the waters of this state  
1868 in a derelict condition. The Department of Legal Affairs shall  
1869 represent the commission in actions to recover such costs. As  
1870 provided in s. 705.103(4), a person who neglects or refuses to  
1871 pay such costs may not be issued a certificate of registration  
1872 for such vessel or for any other vessel or motor vehicle until  
1873 such costs have been paid. A person who has neglected or refused  
1874 to pay all costs of removal, storage, destruction, or disposal  
1875 of a derelict vessel as provided in this section, after having  
1876 been provided written notice via certified mail that such costs  
1877 are owed, and who applies for and is issued a registration for a  
1878 vessel or motor vehicle before such costs have been paid in full  
1879 commits a misdemeanor of the first degree, punishable as  
1880 provided in s. 775.082 or s. 775.083.

1881 (c) A contractor performing such ~~relocation or removal~~  
1882 activities at the direction of the commission, an officer



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1883 ~~officers~~ of the commission, ~~or~~ a law enforcement agency or  
1884 officer, or a governmental subdivision, when the governmental  
1885 subdivision has received authorization for the relocation or  
1886 removal from a law enforcement officer or agency, pursuant to  
1887 this section must be licensed in accordance with applicable  
1888 United States Coast Guard regulations where required; obtain and  
1889 carry in full force and effect a policy from a licensed  
1890 insurance carrier in this state to insure against any accident,  
1891 loss, injury, property damage, or other casualty caused by or  
1892 resulting from the contractor's actions; and be properly  
1893 equipped to perform the services to be provided.

1894       Section 28. Except as otherwise expressly provided in this  
1895 act, this act shall take effect July 1, 2021.