

1 A bill to be entitled
 2 An act relating to power-driven vessel safety
 3 requirements; providing a short title; creating s.
 4 327.396, F.S.; prohibiting sitting in a specified
 5 manner upon the bow, transom, or gunwale of a power-
 6 driven vessel while the vessel is making way;
 7 providing definitions; providing penalties; amending
 8 s. 327.73, F.S.; providing penalties for violations
 9 relating to power-driven vessel safety requirements;
 10 providing an effective date.

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

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 14 Section 1. This act may be cited as the "Limb Preservation
 15 Act."

16 Section 2. Section 327.396, Florida Statutes, is created
 17 to read:

18 327.396 Power-driven vessel safety requirements.—

19 (1) A person may not sit upon the bow, transom, or gunwale
 20 of a power-driven vessel with any portion of his or her foot or
 21 leg over the uppermost outside edge of the vessel while the
 22 vessel is making way.

23 (2) The operator of a power-driven vessel may not allow a
 24 person to sit upon the bow, transom, or gunwale of the vessel
 25 with any portion of his or her foot or leg over the uppermost

26 | outside edge of the vessel while the vessel is making way.

27 | (3) As used in this section, the term:

28 | (a) "Making way" means moving relative to the surface of
 29 | the water as a result of a power-driven vessel's machinery.

30 | (b) "Power-driven vessel" means a vessel propelled by
 31 | machinery.

32 | (4) A person who violates this section commits a
 33 | noncriminal infraction, punishable as provided in s. 327.73.

34 | Section 3. Paragraph (cc) is added to subsection (1) of
 35 | section 327.73, Florida Statutes, to read:

36 | 327.73 Noncriminal infractions.—

37 | (1) Violations of the following provisions of the vessel
 38 | laws of this state are noncriminal infractions:

39 | (cc) Section 327.396, relating to power-driven vessel
 40 | safety requirements.

41 |
 42 | Any person cited for a violation of any provision of this
 43 | subsection shall be deemed to be charged with a noncriminal
 44 | infraction, shall be cited for such an infraction, and shall be
 45 | cited to appear before the county court. The civil penalty for
 46 | any such infraction is \$50, except as otherwise provided in this
 47 | section. Any person who fails to appear or otherwise properly
 48 | respond to a uniform boating citation shall, in addition to the
 49 | charge relating to the violation of the boating laws of this
 50 | state, be charged with the offense of failing to respond to such

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51 citation and, upon conviction, be guilty of a misdemeanor of the
52 second degree, punishable as provided in s. 775.082 or s.
53 775.083. A written warning to this effect shall be provided at
54 the time such uniform boating citation is issued.

55 Section 4. This act shall take effect July 1, 2021.