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1 A bill to be entitled
2 An act relating to boating safety; providing a short
3 title; amending s. 327.30, F.S.; authorizing a court
4 to impose a specified fine for certain boating
5 collisions and accidents; requiring such fines to be
6 deposited into the Marine Resources Conservation Trust
7 Fund for specified purposes; defining terms; amending
8 s. 327.395, F.S.; requiring certain boating safety
9 education courses and temporary certificate
10 examinations to include specified components;
11 directing the Fish and Wildlife Conservation
12 Commission to include such components in boating
13 safety education campaigns and certain educational
14 materials; amending s. 327.50, F.S.; requiring
15 operators of vessels used in the instruction of water
16 sports and activities to use engine cutoff switches
17 and wear operative links to the switches under certain
18 conditions; amending s. 327.54, F.S.; defining terms;
19 prohibiting liveries from offering a vessel for lease
20 or rent without a livery permit; specifying
21 requirements and qualifications for the permit;
22 authorizing the Fish and Wildlife Conservation
23 Commission to adopt rules; providing penalties for
24 permit violations; revising the conditions under which
25 a livery may not knowingly lease or rent a vessel;
26 requiring a person receiving safety instruction to
27 provide the livery with a specified signed
28 attestation; requiring a written agreement between a
29 livery and a renter or lessee; providing requirements

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30 for such agreement; requiring a livery to notify law
31 enforcement of overdue rentals or leases under certain
32 circumstances; prohibiting a livery from knowingly
33 leasing or renting a livery vessel to certain persons;
34 providing an exception; revising livery insurance
35 requirements; providing applicability; requiring
36 specified boating safety education courses for certain
37 instructors; requiring liveries to report certain
38 accidents to the Division of Law Enforcement of the
39 commission; requiring liveries to make facilities and
40 records available to law enforcement upon notice;
41 providing penalties for violations and additional
42 penalties for subsequent violations; prohibiting
43 certain violators from acting as a livery for a
44 specified timeframe after such a violation;
45 authorizing the commission, beginning on a specified
46 date, to revoke or refuse to issue permits for
47 repeated violations; amending s. 327.73, F.S.;
48 increasing fines for violations of certain boating
49 regulations; providing fines for improper transfers of
50 title and failures to update vessel registration
51 information; authorizing certain fees and penalties
52 deposited into the Marine Resources Conservation Trust
53 Fund to be used for law enforcement purposes; amending
54 s. 327.731, F.S.; imposing a fine for persons
55 convicted of certain criminal or noncriminal
56 infractions; providing for the deposit of such fines
57 into the Marine Resources Conservation Trust Fund;
58 requiring the commission to maintain a program to

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59 ensure compliance with certain boating safety
60 education requirements; specifying requirements for
61 the program; amending s. 328.03, F.S.; providing that
62 an improper transfer of vessel title is subject to a
63 civil penalty; amending s. 328.48, F.S.; requiring
64 that the address provided in a vessel registration
65 application and a certificate of registration be a
66 physical residential or business address; authorizing
67 the commission to accept post office box addresses in
68 lieu of the physical residential or business address;
69 providing that a person who fails to update his or her
70 vessel registration information within a specified
71 timeframe is subject to a civil penalty; providing
72 effective dates.

73
74 Be It Enacted by the Legislature of the State of Florida:

75
76 Section 1. This act may be cited as the "Boating Safety Act
77 of 2022."

78 Section 2. Subsection (7) is added to section 327.30,
79 Florida Statutes, to read:

80 327.30 Collisions, accidents, and casualties.—

81 (7) In addition to any other penalty provided by law, a
82 court may order a person convicted of a violation of this
83 section or of any rule adopted or order issued by the commission
84 pursuant to this section to pay an additional fine of up to
85 \$1,000 per violation. All fines assessed and collected pursuant
86 to this subsection shall be remitted by the clerk of the court
87 to the Department of Revenue to be deposited into the Marine

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88 Resources Conservation Trust Fund to be used to enhance state
89 and local law enforcement activities related to boating
90 infractions. As used in this subsection, the terms "convicted"
91 and "conviction" mean any judicial disposition other than
92 acquittal or dismissal.

93 Section 3. Effective October 1, 2022, subsection (4) of
94 section 327.395, Florida Statutes, is amended to read:

95 327.395 Boating safety education.—

96 (4) A commission-approved boating safety education course
97 or temporary certificate examination developed or approved by
98 the commission must include components ~~a component~~ regarding:

99 (a) Diving vessels, awareness of divers in the water,
100 divers-down warning devices, and the requirements of s. 327.331.

101 (b) The danger associated with:

102 1. A passenger riding on a seat back, gunwale, transom,
103 bow, motor cover, or any other vessel area not designed and
104 designated by the manufacturer for seating.

105 2. A passenger falling overboard.

106 3. Operating a vessel with a person in the water near the
107 vessel.

108 4. Starting a vessel with the engine in gear.

109 5. Leaving the vessel running when a passenger is boarding
110 or disembarking.

111 (c) The proper use and lifesaving benefits of an engine
112 cutoff switch for motorboats and personal watercraft.

113
114 The commission must include the components under this subsection
115 in boating safety education campaigns and in educational
116 materials produced by the commission, as appropriate.

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117 Section 4. Effective October 1, 2022, subsection (4) is
118 added to section 327.50, Florida Statutes, to read:

119 327.50 Vessel safety regulations; equipment and lighting
120 requirements.—

121 (4) The operator of a vessel used in the instruction of a
122 water sport or activity must use an engine cutoff switch and
123 wear an operative link to the switch when a person participating
124 in the water sport or activity is in the water.

125 Section 5. Effective January 1, 2023, section 327.54,
126 Florida Statutes, is amended to read:

127 327.54 Liveries; safety regulations; penalty.—

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

129 (a) "Advertise" means to describe or draw attention to a
130 vessel and its availability for lease or rental in any medium
131 for the purpose of promoting the lease or rental of the vessel.

132 (b) "Conviction" means any judicial disposition other than
133 acquittal or dismissal.

134 (c) "Livery" means a person who advertises and offers a
135 livery vessel for use by another in exchange for any type of
136 consideration when such person does not also provide the lessee
137 or renter with a captain, a crew, or any type of staff or
138 personnel to operate, oversee, maintain, or manage the vessel.
139 The owner of a vessel who does not advertise his or her vessel
140 for use by another for consideration and who loans or offers his
141 or her vessel for use to another known to him or her either for
142 consideration or without consideration is not a livery. A public
143 or private school or postsecondary institution located within
144 this state is not a livery. A vessel rented or leased by a
145 livery is a livery vessel as defined in s. 327.02.

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146 (d) "Seaworthy" means the vessel and all of its parts and
147 equipment, including, but not limited to, engines, bilge pumps,
148 and kill switches, are functional and reasonably fit for their
149 intended purpose.

150 (2) A livery may not offer a vessel for lease or rent
151 without first being issued a no-cost livery permit by the
152 commission. The permit must be renewed annually. To qualify for
153 issuance or renewal of a livery permit, an applicant must
154 provide the commission with a list of all vessels offered by the
155 livery for lease or rent by another, have valid insurance
156 pursuant to subsection (7), have an amount of United States
157 Coast Guard-approved lawful personal floatation devices on site
158 sufficient to accommodate the capacity of all vessels offered by
159 the livery for rent or lease by another, have on site all safety
160 equipment required by s. 327.50 and the Code of Federal
161 Regulations sufficient to equip all vessels offered by the
162 livery for rent or lease by another, and display the information
163 required by paragraph (3) (f). If, before the annual renewal of
164 the permit, the information required by this subsection changes,
165 the livery must provide the commission with the updated
166 information within 10 days after the change.

167 (a) The commission may adopt rules to implement this
168 subsection.

169 (b) A person who violates this subsection commits a
170 misdemeanor of the first degree, punishable as provided in s.
171 775.082 or s. 775.083.

172 (3) A livery may not knowingly lease, ~~hire,~~ or rent a
173 vessel to any person:

174 (a) When the number of persons intending to use the vessel

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175 exceeds the number considered to constitute a maximum safety
176 load for the vessel as specified on the authorized persons
177 capacity plate of the vessel.

178 (b) When the horsepower of the motor exceeds the capacity
179 of the vessel.

180 (c) When the vessel does not contain the ~~required~~ safety
181 equipment required under s. 327.50.

182 (d) When the vessel is not seaworthy, is a derelict vessel
183 as defined in s. 823.11, or is at risk of becoming derelict as
184 provided in s. 327.4107.

185 (e) ~~When the vessel is equipped with a motor of 10~~
186 ~~horsepower or greater,~~ Unless the livery provides pre-rental
187 ~~prerental~~ or pre-ride ~~preride~~ instruction in compliance with
188 rules established by the commission.

189 1. The instruction must include ~~that includes,~~ but need not
190 be limited to:

191 a.1. Operational characteristics of the vessel to be
192 rented.

193 b.2. Safe vessel operation and vessel right-of-way.

194 c.3. The responsibility of the vessel operator for the safe
195 and proper operation of the vessel.

196 d.4. Local characteristics of the waterway where the vessel
197 will be operated, such as navigational hazards, the presence of
198 boating-restricted areas, and water depths.

199 e. Emergency procedures, such as appropriate responses to
200 capsizing, falls overboard, taking on water, and vessel
201 accidents.

202 2. Any person receiving instruction in the safe handling of
203 livery vessels pursuant to this paragraph must provide the

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204 livery with a written statement attesting to each component of
205 the instruction.

206 a. The commission shall establish by rule the content of
207 the statement form.

208 b. The statement form must be signed by the individual
209 providing the instruction.

210 c. The livery shall maintain the statement form for no less
211 than 90 days and, upon request, make the form available for
212 inspection by law enforcement.

213

214 ~~Any person delivering the information specified in this~~
215 ~~paragraph must have successfully completed a boater safety~~
216 ~~course approved by the National Association of State Boating Law~~
217 ~~Administrators and this state.~~

218 (f) Unless the livery displays boating safety information
219 in a place visible to the renting public. The commission shall
220 prescribe by rule, pursuant to chapter 120, the contents and
221 size of the boating safety information to be displayed.

222 (g) Unless the livery has a written agreement with the
223 renter or lessee. The written agreement must include the name,
224 address, and date of birth for the renter and the number of
225 people aboard the vessel, as well as the time the vessel is
226 required to be returned to the livery or another specified
227 location and an emergency contact name, address, and telephone
228 number. The livery shall maintain each agreement for no less
229 than 1 year and, upon request, make each agreement available for
230 inspection by law enforcement.

231 (4)-(2) A livery may not knowingly lease, ~~hire,~~ or rent a
232 vessel to a person who is required to comply with s. 327.395

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233 unless such person presents to the livery the documentation
234 required by s. 327.395(2) for the operation of a vessel or meets
235 the exemption provided under s. 327.395(6) (f).

236 (5)~~(3)~~ If a vessel rented or leased by a livery is
237 unnecessarily overdue more than 4 hours after the contracted
238 vessel rental time has expired, the livery must ~~shall~~ notify law
239 enforcement ~~the proper authorities~~.

240 (6)~~(4)~~~~(a)~~ A livery may not knowingly lease, ~~hire,~~ or rent a
241 livery vessel, other than a human-powered vessel, personal
242 watercraft to any person who is under 18 years of age.

243 ~~(b) A livery may not knowingly lease, hire, or rent a~~
244 ~~personal watercraft to any person who has not received~~
245 ~~instruction in the safe handling of personal watercraft, in~~
246 ~~compliance with rules established by the commission pursuant to~~
247 ~~chapter 120.~~

248 ~~(c) Any person receiving instruction in the safe handling~~
249 ~~of personal watercraft pursuant to a program established by rule~~
250 ~~of the commission must provide the livery with a written~~
251 ~~statement attesting to the same.~~

252 (7)~~(5)~~ A livery may not lease, ~~hire,~~ or rent any personal
253 watercraft or offer to lease, ~~hire,~~ or rent any livery vessel
254 ~~personal watercraft~~ unless the livery first obtains and carries
255 in full force and effect a policy from a licensed insurance
256 carrier in this state which insures the livery and the renter,
257 ~~insuring~~ against any accident, loss, injury, property damage, or
258 other casualty caused by or resulting from the operation of the
259 livery vessel ~~personal watercraft~~. The insurance policy must
260 ~~shall~~ provide coverage of at least \$500,000 per person and \$1
261 million per event. The livery shall ~~must~~ have proof of such

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262 insurance available for inspection at the location where livery
263 vessels ~~personal watercraft~~ are being leased, ~~hired,~~ or rented,
264 or offered for lease, ~~hire,~~ or rent, and shall provide to each
265 renter the insurance carrier's name and address and the
266 insurance policy number. This subsection does not apply to
267 human-powered vessels.

268 (8) Notwithstanding the person's age or any exemptions
269 provided in s. 327.395, any person delivering instruction
270 regarding the safe operation of vessels or pre-rental or pre-
271 ride instruction in accordance with subsection (3) must have
272 successfully completed a boating safety education course
273 approved by the National Association of State Boating Law
274 Administrators and this state.

275 (9) If a vessel rented or leased by a livery is involved in
276 an accident, the livery must report the accident to the
277 division.

278 (10) A livery shall make its facilities and records
279 available for inspection upon request by law enforcement no
280 later than 24 hours after receiving notice from law enforcement.

281 (11) (a) ~~(6)~~ Any person convicted of violating this section,
282 other than subsection (2), who has not been convicted of a
283 violation of this section within the past 3 years commits a
284 misdemeanor of the second degree, punishable as provided in s.
285 775.082 or s. 775.083.

286 (b) Unless the stricter penalties in paragraph (c) apply, a
287 person who violates this section, other than subsection (2),
288 within 3 years after a previous conviction of a violation of
289 this section commits a misdemeanor of the first degree,
290 punishable as provided in s. 775.082 or s. 775.083, with a

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291 minimum mandatory fine of \$500.

292 (c) A person who violates this section, other than
293 subsection (2), within 5 years after two previous convictions
294 for a violation of this section commits a misdemeanor of the
295 first degree, punishable as provided in s. 775.082 or s.
296 775.083, with a minimum mandatory fine of \$1,000.

297 (12) A person who commits more than one violation of this
298 section, other than subsection (2), within a 3-year period may
299 not act as a livery during a 90-day period immediately after
300 being charged with that violation. The commission may revoke or
301 refuse to issue a permit under subsection (2) based on repeated
302 violations of this section.

303 Section 6. Subsections (1) and (8) of section 327.73,
304 Florida Statutes, are amended to read:

305 327.73 Noncriminal infractions.—

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

308 (a) Section 328.46, relating to operation of unregistered
309 and unnumbered vessels.

310 (b) Section 328.48(4), relating to display of number and
311 possession of registration certificate.

312 (c) Section 328.48(5), relating to display of decal.

313 (d) Section 328.52(2), relating to display of number.

314 (e) Section 328.54, relating to spacing of digits and
315 letters of identification number.

316 (f) Section 328.60, relating to military personnel and
317 registration of vessels.

318 (g) Section 328.72(13), relating to operation with an
319 expired registration, for which the penalty is:

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320 1. For a first or subsequent offense of s. 328.72(13)(a),
321 up to a maximum of \$100 ~~\$50~~.

322 2. For a first offense of s. 328.72(13)(b), up to a maximum
323 of \$250.

324 3. For a second or subsequent offense of s. 328.72(13)(b),
325 up to a maximum of \$500. Any person cited for a noncriminal
326 infraction under this subparagraph may not have the provisions
327 of paragraph (4)(a) available to him or her but must appear
328 before the designated official at the time and location of the
329 scheduled hearing.

330 (h) Section 327.33(2), relating to careless operation.

331 (i) Section 327.37, relating to water skiing, aquaplaning,
332 parasailing, and similar activities.

333 (j) Section 327.44, relating to interference with
334 navigation.

335 (k) Violations relating to boating-restricted areas and
336 speed limits:

337 1. Established by the commission or by local governmental
338 authorities pursuant to s. 327.46.

339 2. Speed limits established pursuant to s. 379.2431(2).

340 (l) Section 327.48, relating to regattas and races.

341 (m) Section 327.50(1) and (2), relating to required safety
342 equipment, lights, and shapes.

343 (n) Section 327.65, relating to muffling devices.

344 (o) Section 327.33(3)(b), relating to a violation of
345 navigation rules:

346 1. That does not result in an accident; or

347 2. That results in an accident not causing serious bodily
348 injury or death, for which the penalty is:

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349 a. For a first offense, up to a maximum of \$500 ~~\$250~~.

350 b. For a second offense, up to a maximum of \$1,000 ~~\$750~~.

351 c. For a third or subsequent offense, up to a maximum of
352 \$1,500 ~~\$1,000~~.

353 (p) Section 327.39(1), (2), (3), and (5), relating to
354 personal watercraft.

355 (q) Section 327.53(1), (2), (3), and (8), relating to
356 marine sanitation.

357 (r) Section 327.53(4), (5), and (7), relating to marine
358 sanitation, and s. 327.60, relating to no-discharge zones, for
359 which the civil penalty is \$250.

360 (s) Section 327.395, relating to boater safety education.
361 However, a person cited for violating the requirements of s.
362 327.395 relating to failure to have required proof of boating
363 safety education in his or her possession may not be convicted
364 if, before or at the time of a county court hearing, the person
365 produces proof of the boating safety education identification
366 card or temporary certificate for verification by the hearing
367 officer or the court clerk and the identification card or
368 temporary certificate was valid at the time the person was
369 cited.

370 (t) Section 327.52(3), relating to operation of overloaded
371 or overpowered vessels.

372 (u) Section 327.331, relating to divers-down warning
373 devices, except for violations meeting the requirements of s.
374 327.33.

375 (v) Section 327.391(1), relating to the requirement for an
376 adequate muffler on an airboat.

377 (w) Section 327.391(3), relating to the display of a flag

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378 on an airboat.

379 (x) Section 253.04(3)(a), relating to carelessly causing
380 seagrass scarring, for which the civil penalty upon conviction
381 is:

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

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

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

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

389 (y) Section 327.45, relating to protection zones for
390 springs, for which the penalty is:

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

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

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

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

398 (z) Section 327.4108, relating to the anchoring of vessels
399 in anchoring limitation areas, for which the penalty is:

400 1. For a first offense, up to a maximum of \$100 ~~\$50~~.

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

402 3. For a third or subsequent offense, up to a maximum of
403 \$500 ~~\$250~~.

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

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407 1. For a first offense, \$100.

408 2. For a second offense occurring 30 days or more after a
409 first offense, \$250.

410 3. For a third or subsequent offense occurring 30 days or
411 more after a previous offense, \$500.

412
413 A vessel that is the subject of three or more violations issued
414 pursuant to the same paragraph of s. 327.4107(2) within an 18-
415 month period which result in dispositions other than acquittal
416 or dismissal shall be declared to be a public nuisance and
417 subject to ss. 705.103(2) and (4) and 823.11(3). The commission,
418 an officer of the commission, or a law enforcement agency or
419 officer specified in s. 327.70 may relocate, remove, or cause to
420 be relocated or removed such public nuisance vessels from waters
421 of this state. The commission, an officer of the commission, or
422 a law enforcement agency or officer acting pursuant to this
423 paragraph upon waters of this state shall be held harmless for
424 all damages to the vessel resulting from such relocation or
425 removal unless the damage results from gross negligence or
426 willful misconduct as these terms are defined in s. 823.11.

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

429 1. For a first offense, up to a maximum of \$100 ~~\$50~~.

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

431 3. For a third or subsequent offense, up to a maximum of
432 \$500 ~~\$250~~.

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

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

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436 2. For a second offense occurring within 12 months after a
437 prior offense, \$250 ~~\$100~~.

438 3. For a third offense occurring within 36 months after a
439 prior offense, \$500 ~~\$250~~.

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

442 (ee) Section 328.03, relating to an improper transfer of
443 title, for which the penalty is up to a maximum of \$500.

444 (ff) Section 328.48(9), relating to the failure to update
445 vessel registration information, for which the penalty is up to
446 a maximum of \$500.

447
448 Any person cited for a violation of ~~any provision of~~ this
449 subsection shall be deemed to be charged with a noncriminal
450 infraction, shall be cited for such an infraction, and shall be
451 cited to appear before the county court. The civil penalty for
452 any such infraction is \$100 ~~\$50~~, except as otherwise provided in
453 this section. Any person who fails to appear or otherwise
454 properly respond to a uniform boating citation ~~shall~~, in
455 addition to the charge relating to the violation of the boating
456 laws of this state, must be charged with the offense of failing
457 to respond to such citation and, upon conviction, be guilty of a
458 misdemeanor of the second degree, punishable as provided in s.
459 775.082 or s. 775.083. A written warning to this effect shall be
460 provided at the time such uniform boating citation is issued.

461 (8) All fees and civil penalties assessed and collected
462 pursuant to this section shall be remitted by the clerk of the
463 court to the Department of Revenue to be deposited into the
464 Marine Resources Conservation Trust Fund for boating safety

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465 education or law enforcement purposes.

466 Section 7. Subsection (1) of section 327.731, Florida
467 Statutes, is amended, and subsection (4) is added to that
468 section, to read:

469 327.731 Mandatory education for violators.—

470 (1) A person convicted of a criminal violation under this
471 chapter, convicted of a noncriminal infraction under this
472 chapter if the infraction resulted in a reportable boating
473 accident, or convicted of two noncriminal infractions as
474 specified in s. 327.73(1)(h)–(k), (m), (o), (p), and (s)–(y),
475 the said infractions occurring within a 12-month period, must:

476 (a) Enroll in, attend, and successfully complete, at his or
477 her own expense, a classroom or online boating safety course
478 that is approved by and meets the minimum standards established
479 by commission rule;

480 (b) File with the commission within 90 days proof of
481 successful completion of the course; ~~and~~

482 (c) Refrain from operating a vessel until he or she has
483 filed proof of successful completion of the course with the
484 commission; and

485 (d) Pay a fine of \$500. The clerk of the court shall remit
486 all fines assessed and collected under this paragraph to the
487 Department of Revenue to be deposited into the Marine Resources
488 Conservation Trust Fund to support law enforcement activities.

489 (4) The commission shall maintain a program to ensure
490 compliance with the mandatory boating safety education
491 requirements under this section. This program must:

492 (a) Track any citations resulting in a conviction under
493 this section and the disposition of such citations.

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494 (b) Send specific notices to each person subject to the
495 requirement for mandatory boating safety education.

496 Section 8. Subsection (3) of section 328.03, Florida
497 Statutes, is amended to read:

498 328.03 Certificate of title required.—

499 (3) A person may ~~shall~~ not sell, assign, or transfer a
500 vessel titled by the state without delivering to the purchaser
501 or transferee a valid certificate of title with an assignment on
502 it showing the transfer of title to the purchaser or transferee.
503 A person may ~~shall~~ not purchase or otherwise acquire a vessel
504 required to be titled by the state without obtaining a
505 certificate of title for the vessel in his or her name. The
506 purchaser or transferee shall, within 30 days after a change in
507 vessel ownership, file an application for a title transfer with
508 the county tax collector. An additional \$10 fee must ~~shall~~ be
509 charged against the purchaser or transferee if he or she files a
510 title transfer application after the 30-day period. The county
511 tax collector may ~~shall be entitled to~~ retain \$5 of the
512 additional amount. Any person who does not properly transfer
513 title of a vessel pursuant to this chapter is subject to the
514 penalties provided in s. 327.73(1)(ee).

515 Section 9. Effective July 1, 2023, subsection (4) of
516 section 328.03, Florida Statutes, as amended by chapter 2019-76,
517 Laws of Florida, is amended to read:

518 328.03 Certificate of title required.—

519 (4) An additional \$10 fee shall be charged against the
520 purchaser or transferee if he or she files a title transfer
521 application after the 30-day period. The county tax collector
522 may ~~shall be entitled to~~ retain \$5 of the additional amount. Any

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523 person who does not properly transfer title of a vessel pursuant
524 to this chapter is subject to the penalties provided in s.
525 327.73(1)(ee).

526 Section 10. Paragraph (a) of subsection (1) and subsection
527 (4) of section 328.48, Florida Statutes, are amended, and
528 subsection (9) is added to that section, to read:

529 328.48 Vessel registration, application, certificate,
530 number, decal, duplicate certificate.—

531 (1)(a) The owner of each vessel required by this law to pay
532 a registration fee and secure an identification number shall
533 file an application with the county tax collector. The
534 application must ~~shall~~ provide the owner's name and physical
535 residential or business address; residency status; personal or
536 business identification; and a complete description of the
537 vessel, and must ~~shall~~ be accompanied by payment of the
538 applicable fee required in s. 328.72. An individual applicant
539 must provide a valid driver license or identification card
540 issued by this state or another state or a valid passport. A
541 business applicant must provide a federal employer
542 identification number, if applicable, verification that the
543 business is authorized to conduct business in this ~~the~~ state, or
544 a Florida city or county business license or number.
545 Registration is not required for any vessel that is not used on
546 the waters of this state. Upon receipt of an application from a
547 live-aboard vessel owner whose primary residence is the vessel,
548 the commission may authorize such owner to provide a post office
549 box address in lieu of a physical residential or business
550 address.

551 (4) Each certificate of registration issued must ~~shall~~

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552 state among other items the numbers awarded to the vessel, the
553 hull identification number, the name and physical residential or
554 business address of the owner, and a description of the vessel,
555 except that certificates of registration for vessels constructed
556 or assembled by the owner registered for the first time must
557 ~~shall~~ state all the foregoing information except the hull
558 identification number. The numbers must ~~shall~~ be placed on each
559 side of the forward half of the vessel in such position as to
560 provide clear legibility for identification, except, if the
561 vessel is an airboat, the numbers may be placed on each side of
562 the rudder. The numbers awarded to the vessel must ~~shall~~ read
563 from left to right and must ~~shall~~ be in block characters of good
564 proportion not less than 3 inches in height. The numbers must
565 ~~shall~~ be of a solid color that ~~which~~ will contrast with the
566 color of the background and must ~~shall~~ be so maintained as to be
567 clearly visible and legible; i.e., dark numbers on a light
568 background or light numbers on a dark background. The
569 certificate of registration must ~~shall~~ be pocket-sized and must
570 ~~shall~~ be available for inspection on the vessel for which issued
571 whenever such vessel is in operation. Upon receipt of an
572 application from a live-aboard vessel owner whose primary
573 residence is the vessel, the commission may authorize such owner
574 to provide a post office box address in lieu of a physical
575 residential address.

576 (9) A person who does not update his or her vessel
577 registration information with the county tax collector within 6
578 months after a change to the information is subject to the
579 penalties provided in s. 327.73(1)(ff).

580 Section 11. Except as otherwise expressly provided in this

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581 | act, this act shall take effect July 1, 2022.