



265890

LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
04/20/2023	.	
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The Committee on Rules (DiCeglie) recommended the following:

**Senate Amendment (with title amendment)**

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2  
3 Before line 12  
4 insert:

5 Section 1. Paragraph (b) of subsection (1) of section  
6 327.46, Florida Statutes, is amended to read:

7 327.46 Boating-restricted areas.—

8 (1) Boating-restricted areas, including, but not limited  
9 to, restrictions of vessel speeds and vessel traffic, may be  
10 established on the waters of this state for any purpose  
11 necessary to protect the safety of the public if such



12 restrictions are necessary based on boating accidents,  
13 visibility, hazardous currents or water levels, vessel traffic  
14 congestion, or other navigational hazards or to protect  
15 seagrasses on privately owned submerged lands.

16 (b) Municipalities and counties may establish the following  
17 boating-restricted areas by ordinance, including,  
18 notwithstanding the prohibition in s. 327.60(2)(c), within the  
19 portion of the Florida Intracoastal Waterway within their  
20 jurisdiction:

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

23 a. Within 500 feet of any boat ramp, hoist, marine railway,  
24 or other launching or landing facility available for use by the  
25 general boating public on waterways more than 300 feet in width  
26 or within 300 feet of any boat ramp, hoist, marine railway, or  
27 other launching or landing facility available for use by the  
28 general boating public on waterways not exceeding 300 feet in  
29 width.

30 b. Within 500 feet of fuel pumps or dispensers at any  
31 marine fueling facility that sells motor fuel to the general  
32 boating public on waterways more than 300 feet in width or  
33 within 300 feet of the fuel pumps or dispensers at any licensed  
34 terminal facility that sells motor fuel to the general boating  
35 public on waterways not exceeding 300 feet in width.

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

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

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

40 b. Within 300 feet of any bridge span presenting a vertical



41 clearance of less than 25 feet or a horizontal clearance of less  
42 than 100 feet.

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

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

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

50 f. Within 500 feet of a sewage pumpout facility at a public  
51 or private nonresidential marina on a waterway where the sewage  
52 pumpout facility is within 100 feet of the marked portion of the  
53 Florida Intracoastal Waterway.

54 3. An ordinance establishing a vessel-exclusion zone if the  
55 area is:

56 a. Designated as a public bathing beach or swim area,  
57 except that such areas may not be created on waters that include  
58 any portion of the Florida Intracoastal Waterway or that are  
59 within 100 feet of the marked channel of the Florida  
60 Intracoastal Waterway.

61 b. Within 300 feet of a dam, spillway, or flood control  
62 structure.

63  
64 Vessel exclusion zones created pursuant to this subparagraph  
65 must be marked with uniform waterway markers permitted by the  
66 commission in accordance with this chapter. Such zones may not  
67 be marked by ropes.

68 Section 2. For the purpose of incorporating the amendment  
69 made by this act to section 327.46, Florida Statutes, in a



70 reference thereto, subsection (2) of section 327.41, Florida  
71 Statutes, is reenacted to read:

72 327.41 Uniform waterway regulatory markers.—

73 (2) Any county or municipality which has been granted a  
74 boating-restricted area designation, by rule of the commission  
75 pursuant to s. 327.46(1)(a), for a portion of the Florida  
76 Intracoastal Waterway within its jurisdiction or which has  
77 adopted a boating-restricted area by ordinance pursuant to s.  
78 327.46(1)(b) or (c) or s. 379.2431(2)(p), or any other  
79 governmental entity which has legally established a boating-  
80 restricted area, may apply to the commission for permission to  
81 place regulatory markers within the boating-restricted area.

82  
83 ===== T I T L E A M E N D M E N T =====

84 And the title is amended as follows:

85 Delete line 2

86 and insert:

87 An act relating to vessels; amending s. 327.46, F.S.;  
88 authorizing counties and municipalities to establish  
89 slow speed, minimum wake boating-restricted areas  
90 within a specified distance from certain sewage  
91 pumpout facilities at public or private nonresidential  
92 marinas within certain portions of the Florida  
93 Intracoastal Waterway; reenacting s. 327.41(2), F.S.,  
94 relating to uniform waterway regulatory markers, to  
95 incorporate the amendment made to s. 327.46, F.S., in  
96 a reference thereto; amending