

1 A bill to be entitled
 2 An act relating to boating safety; amending s.
 3 327.395, F.S.; removing a provision that exempts
 4 persons born before a specified date from having
 5 certain identification and boating safety
 6 documentation in their possession while operating a
 7 vessel; amending s. 327.54, F.S.; revising safety
 8 requirements for liveries to include pre-rental or
 9 pre-ride instruction on the proper use of floatation
 10 devices; deleting the requirement that a livery obtain
 11 and carry insurance that also insures a renter of the
 12 livery vessel; providing an effective date.

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

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 16 Section 1. Subsections (1) and (2) of section 327.395,
 17 Florida Statutes, are amended to read:

18 327.395 Boating safety education.—

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

23 (2) While operating a vessel, a person ~~identified under~~
 24 ~~subsection (1)~~ must have in his or her possession aboard the
 25 vessel photographic identification and a Florida boating safety

26 | identification card issued by the commission; a state-issued
 27 | identification card or driver license indicating possession of
 28 | the Florida boating safety identification card; or photographic
 29 | identification and a temporary certificate issued or approved by
 30 | the commission, an International Certificate of Competency, a
 31 | boating safety card or certificate from another state or United
 32 | States territory, or a Canadian Pleasure Craft Operator Card,
 33 | which shows that he or she has:

34 | (a) Completed a commission-approved boating safety
 35 | education course that meets the minimum requirements established
 36 | by the National Association of State Boating Law Administrators;

37 | (b) Passed a temporary certificate examination developed
 38 | or approved by the commission;

39 | (c) A valid International Certificate of Competency; or

40 | (d) Completed a boating safety education course or
 41 | equivalency examination in another state, a United States
 42 | territory, or Canada which meets or exceeds the minimum
 43 | requirements established by the National Association of State
 44 | Boating Law Administrators.

45 | Section 2. Paragraph (e) of subsection (3) and subsection
 46 | (7) of section 327.54, Florida Statutes, are amended to read:

47 | 327.54 Liveries; safety regulations; penalty.—

48 | (3) A livery may not knowingly lease or rent a vessel to
 49 | any person:

50 | (e) Unless the livery provides pre-rental or pre-ride

51 instruction in compliance with rules established by the
52 commission.

53 1. The instruction must include, but need not be limited
54 to:

55 a. Operational characteristics of the vessel to be rented.

56 b. Safe vessel operation and vessel right-of-way.

57 c. The responsibility of the vessel operator for the safe
58 and proper operation of the vessel.

59 d. Local characteristics of the waterway where the vessel
60 will be operated, such as navigational hazards, the presence of
61 boating-restricted areas, and water depths.

62 e. Emergency procedures, such as appropriate responses to
63 capsizing, falls overboard, taking on water, and vessel
64 accidents.

65 f. Proper use of personal floatation devices.

66 2. Any person receiving instruction in the safe handling
67 of livery vessels pursuant to this paragraph must provide the
68 livery with a written statement attesting to each component of
69 the instruction.

70 a. The commission shall establish by rule the content of
71 the statement form.

72 b. The statement form must be signed by the individual
73 providing the instruction.

74 c. The livery shall maintain the statement form for no
75 less than 90 days and, upon request, make the form available for

76 inspection by law enforcement.

77 (7) A livery may not lease or rent or offer to lease or
78 rent any livery vessel unless the livery first obtains and
79 carries in full force and effect a policy from a licensed
80 insurance carrier in this state which insures the livery ~~and the~~
81 ~~renter~~ against any accident, loss, injury, property damage, or
82 other casualty caused by or resulting from the operation of the
83 livery vessel. The insurance policy must provide coverage of at
84 least \$500,000 per person and \$1 million per event. The livery
85 shall have proof of such insurance available for inspection at
86 the location where livery vessels are being leased or rented, or
87 offered for lease or rent, and shall provide to each renter the
88 insurance carrier's name and address and the insurance policy
89 number. This subsection does not apply to human-powered vessels.

90 Section 3. This act shall take effect July 1, 2023.