

26 Florida Statutes, are renumbered as subsections (5) through
27 (13), respectively, subsection (2), paragraph (e) of subsection
28 (3), present subsections (7) and (8) are amended, and a new
29 subsection (4) is added to that section, to read:

30 327.54 Liveries; safety regulations; penalty.—

31 (2) A livery may not offer a vessel for lease or rent
32 without first being issued a no-cost livery permit by the
33 commission. The permit must be renewed annually. To qualify for
34 issuance or renewal of a livery permit, an applicant must
35 provide the commission with a list of all vessels offered by the
36 livery for lease or rent by another, have valid insurance
37 pursuant to subsection (8) ~~(7)~~, have an amount of United States
38 Coast Guard-approved lawful personal floatation devices on site
39 sufficient to accommodate the capacity of all vessels offered by
40 the livery for rent or lease by another, have on site all safety
41 equipment required by s. 327.50 and the Code of Federal
42 Regulations sufficient to equip all vessels offered by the
43 livery for rent or lease by another, and display the information
44 required by paragraph (3) (f). If, before the annual renewal of
45 the permit, the information required by this subsection changes,
46 the livery must provide the commission with the updated
47 information within 10 days after the change.

48 (a) The commission may adopt rules to implement this
49 subsection.

50 (b) A person who violates this subsection commits a

51 | misdemeanor of the first degree, punishable as provided in s.
 52 | 775.082 or s. 775.083.

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

55 | (e) Unless the livery provides hands-on pre-rental or pre-
 56 | ride instruction in compliance with rules established by the
 57 | commission.

58 | 1. The instruction must include, but need not be limited
 59 | to:

60 | a. Operational characteristics of the vessel to be rented.

61 | b. Safe vessel operation and vessel right-of-way.

62 | c. The responsibility of the vessel operator for the safe
 63 | and proper operation of the vessel.

64 | d. Local characteristics of the waterway where the vessel
 65 | will be operated, such as navigational hazards, the presence of
 66 | boating-restricted areas, ~~and~~ water depths, and education on any
 67 | safety, regulatory, information, or navigation markers in the
 68 | geographic vicinity.

69 | e. Emergency procedures, such as appropriate responses to
 70 | capsizing, falls overboard, taking on water, and vessel
 71 | accidents.

72 | f. Proper use of personal floatation devices.

73 | g. A notice of the prohibition against boating under the
 74 | influence pursuant to s. 327.35.

75 | 2. Any person receiving instruction in the safe handling

76 of livery vessels pursuant to this paragraph must provide the
 77 livery with a written statement attesting to each component of
 78 the instruction.

79 a. The commission shall establish by rule the content of
 80 the statement form.

81 b. The statement form must be signed by the individual
 82 providing the instruction.

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

86 (4) If a renter or lessee retains a professional captain
 87 who holds an active license issued by the United States Coast
 88 Guard to command the vessel as required by an agreement between
 89 the livery and the renter or lessee, and the livery confirms
 90 that a professional captain has been retained, the renter or
 91 lessee and the livery are not subject to paragraph (3)(e).

92 (8)(7) A livery may not lease or rent or offer to lease or
 93 rent any livery vessel unless the livery first obtains and
 94 carries in full force and effect a policy from a licensed
 95 insurance carrier in this state which insures the livery ~~and the~~
 96 ~~renter~~ against any accident, loss, injury, property damage, or
 97 other casualty caused by or resulting from the operation of the
 98 livery vessel. The insurance policy must provide coverage of at
 99 least \$500,000 per person and \$1 million per event. The livery
 100 shall have proof of such insurance available for inspection at

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101 the location where livery vessels are being leased or rented, or
102 offered for lease or rent, and shall provide to each renter the
103 insurance carrier's name and address and the insurance policy
104 number. This subsection does not apply to human-powered vessels.

105 ~~(9)-(8)~~ Notwithstanding the person's age or any exemptions
106 provided in s. 327.395, any person delivering instruction
107 regarding the safe operation of vessels or hands-on pre-rental
108 or pre-ride instruction in accordance with subsection (3) must
109 have successfully completed a boating safety education course
110 approved by the National Association of State Boating Law
111 Administrators and this state.

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