

26 Section 2. Subsections (4) through (12) of section 327.54,
27 Florida Statutes, are renumbered as subsections (5) through
28 (13), respectively, subsection (2), paragraph (e) of subsection
29 (3), present subsections (7) and (8) are amended, and a new
30 subsection (4) is added to that section, to read:

31 327.54 Liveries; safety regulations; penalty.—

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

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

51 (b) A person who violates this subsection commits a
52 misdemeanor of the first degree, punishable as provided in s.
53 775.082 or s. 775.083.

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

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

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

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

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

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

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

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

73 f. Proper use of personal floatation devices.

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

76 2. Any person receiving instruction in the safe handling
 77 of livery vessels pursuant to this paragraph must provide the
 78 livery with a written statement attesting to each component of
 79 the instruction.

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

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

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

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

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

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

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

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