

By the Committee on Environment and Natural Resources; and
Senator Garcia

592-02426-24

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1 A bill to be entitled
2 An act relating to anchoring limitation areas;
3 amending s. 327.4108, F.S.; revising anchoring
4 limitation areas in certain sections of Biscayne Bay
5 in Miami-Dade County; revising documentation and
6 evidence criteria for proving the location of a vessel
7 within an anchoring limitation area; providing an
8 effective date.

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

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12 Section 1. Section 1. Paragraph (c) of subsection (1) and
13 paragraph (b) of subsection (6) of section 327.4108, Florida
14 Statutes, are amended to read:

15 327.4108 Anchoring of vessels in anchoring limitation
16 areas.—

17 (1) The following densely populated urban areas, which have
18 narrow state waterways, residential docking facilities, and
19 significant recreational boating traffic, are designated as and
20 shall be considered to be grandfathered-in anchoring limitation
21 areas, within which a person may not anchor a vessel at any time
22 during the period between one-half hour after sunset and one-
23 half hour before sunrise, except as provided in subsections (4)
24 and (5):

25 (c) The sections of Biscayne Bay in Miami-Dade County that
26 are within 200 yards of any part of the shore of the City of
27 Miami Beach lying between State Road A1A and State Road 112÷

28 ~~1. Rivo Alto Island and Di Lido Island.~~

29 ~~2. San Marino Island and San Marco Island.~~

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30 ~~3. San Marco Island and Biscayne Island.~~

31 (6)

32 (b)1. For a vessel in an anchoring limitation area
33 established pursuant to subsection (2), upon an inquiry by a law
34 enforcement officer or agency, a vessel owner or operator must
35 be given an opportunity to provide proof that the vessel has not
36 exceeded the limitations described in subsection (2). Such proof
37 may include any of the following:

38 a. Documentation showing that the vessel was in another
39 location at least 1 nautical mile away within a period of less
40 than 45 days before the inquiry.

41 b. Electronic evidence, including, but not limited to,
42 navigational devices or tracking devices permanently affixed to
43 the vessel that show the vessel was in another location at least
44 1 nautical mile away within a period of less than 45 days before
45 the inquiry.

46 2. If a vessel owner or operator fails or refuses to
47 provide proof that the vessel has not exceeded the limitations
48 described in subsection (2), the law enforcement officer or
49 agency may issue a citation for a violation of this section.

50 Section 2. This act shall take effect July 1, 2024.