

By the Committees on Rules; and Environment and Natural Resources; and Senator Garcia

595-03781-24

2024192c2

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. Paragraph (c) of subsection (1) and paragraph
13 (b) of subsection (6) of section 327.4108, Florida Statutes, are
14 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 lying
26 between:

- 27 1. Palm Island and State Road 1A.
28 2. Rivo Alto Island and Di Lido Island.
29 3. San Marino Island and Di Lido Island.

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30 ~~4.2.~~ San Marino Island and San Marco Island.

31 ~~5.3.~~ San Marco Island and Biscayne Island.

32 (6)

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

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

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

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

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