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LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
12/06/2023	.	
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The Committee on Environment and Natural Resources (Garcia) recommended the following:

Senate Amendment (with title amendment)

Delete everything after the enacting clause
and insert:

Section 1. Effective October 1, 2025, paragraph (d) of subsection (8) of section 322.051, Florida Statutes, is amended, and paragraph (f) is added to that subsection, to read:

322.051 Identification cards.—

(8)

(d) The department shall include symbols representing the



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11 following on an identification card upon the payment of an
12 additional \$1 fee by an applicant who meets the requirements of
13 subsection (1) and presents his or her:

- 14 1. Lifetime freshwater fishing license;
- 15 2. Lifetime saltwater fishing license;
- 16 3. Lifetime hunting license; or
- 17 4. Lifetime sportsman's license; ~~or~~
- 18 5. ~~Lifetime boater safety identification card.~~

19
20 A person may replace his or her identification card before its
21 expiration date with a card that includes his or her status as a
22 lifetime licensee ~~or boater safety cardholder~~ upon surrender of
23 his or her current identification card, payment of a \$2 fee to
24 be deposited into the Highway Safety Operating Trust Fund, and
25 presentation of the person's lifetime license ~~or card~~. If the
26 sole purpose of the replacement identification card is the
27 inclusion of the applicant's status as a lifetime licensee ~~or~~
28 ~~cardholder~~, the replacement identification card must be issued
29 without payment of the fee required in s. 322.21(1)(f)3.c.

30 (f) The department shall issue an original, renewal, or
31 replacement identification card, as applicable, which includes a
32 symbol representing a lifetime boating safety identification
33 card upon the applicant's presentation of his or her Florida
34 boating safety identification card or a receipt of confirmation
35 by the Fish and Wildlife Conservation Commission that the
36 applicant was issued a Florida boating safety identification
37 card. The department shall include the lifetime boating safety
38 identification card symbol on an original, renewal, or
39 replacement identification card with no additional fee to the



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40 applicant for the designation. If the sole purpose of the
41 replacement identification card is the inclusion of the
42 applicant's status as a lifetime boating safety cardholder, the
43 replacement identification card must be issued without payment
44 of any fee required by s. 322.21(1)(f).

45 Section 2. Effective October 1, 2025, present subsections
46 (5) through (10) of section 322.08, Florida Statutes, are
47 redesignated as subsections (6) through (11), respectively, and
48 a new subsection (5) is added to that section, to read:

49 322.08 Application for license; requirements for license
50 and identification card forms.—

51 (5) Each such application must indicate whether the
52 applicant has obtained a Florida boating safety identification
53 card pursuant to s. 327.395, and, if so, a copy of such card
54 must be submitted with the application. For purposes of
55 administering this subsection, the Fish and Wildlife
56 Conservation Commission may provide to the department any record
57 it has of the applicant completing a boating safety education
58 course that meets the requirements of s. 327.395 or having been
59 issued a Florida boating safety identification card.

60 Section 3. Effective October 1, 2025, paragraph (e) of
61 subsection (1) of section 322.14, Florida Statutes, is amended,
62 and paragraph (g) is added to that subsection, to read:

63 322.14 Licenses issued to drivers.—

64 (1)

65 (e) The department shall include symbols representing the
66 following on a driver license upon the payment of an additional
67 \$1 fee by an applicant who meets the requirements of s. 322.08
68 and presents his or her:



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- 69 1. Lifetime freshwater fishing license;
- 70 2. Lifetime saltwater fishing license;
- 71 3. Lifetime hunting license; or
- 72 4. Lifetime sportsman's license; ~~or~~
- 73 5. ~~Lifetime boater safety identification card.~~

74
75 A person may replace his or her driver license before its
76 expiration date with a license that includes his or her status
77 as a lifetime licensee ~~or boater safety cardholder~~ upon
78 surrender of his or her current driver license, payment of a \$2
79 fee to be deposited into the Highway Safety Operating Trust
80 Fund, and presentation of the person's lifetime license ~~or~~
81 ~~identification card~~. If the sole purpose of the replacement
82 driver license is the inclusion of the applicant's status as a
83 lifetime licensee ~~or cardholder~~, the replacement driver license
84 must be issued without payment of the fee required in s.
85 322.21(1)(e).

86 (g) The department shall issue an original, renewal, or
87 replacement driver license, as applicable, which includes a
88 symbol representing a lifetime boating safety identification
89 card, upon the applicant's presentation of his or her Florida
90 boating safety identification card or a receipt of confirmation
91 by the Fish and Wildlife Conservation Commission that the
92 applicant has been issued a Florida boating safety
93 identification card. The department shall include the lifetime
94 boating safety identification card symbol on an original,
95 renewal, or replacement driver license with no additional fee to
96 the applicant for the designation. If the sole purpose of the
97 replacement driver license is the inclusion of the applicant's



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98 status as a lifetime boating safety cardholder, the replacement
99 driver license must be issued without payment of any fee
100 required by s. 322.21(1)(e).

101 Section 4. Present subsection (10) of section 327.35,
102 Florida Statutes, is redesignated as subsection (11), and a new
103 subsection (10) is added to that section, to read:

104 327.35 Boating under the influence; penalties; "designated
105 drivers."—

106 (10) Notwithstanding any sentence or fine imposed by law or
107 the court, a person convicted of a violation of subsection (1)
108 and one or more criminal violations under this chapter, whether
109 arising from the same incident or within the preceding 12
110 months, must maintain an insurance policy insuring against loss
111 from liability for bodily injury, death, and property damage
112 arising out of the ownership, maintenance, or use of a vessel.
113 Such insurance must contain limits not less than \$100,000 for
114 bodily injury liability or death and \$50,000 for property
115 damage. A person who operates a vessel without the requisite
116 insurance commits a misdemeanor of the second degree, punishable
117 as provided in s. 775.082 or s. 775.083.

118 Section 5. Subsections (1), (2), and (4) of section
119 327.395, Florida Statutes, are amended to read:

120 327.395 Boating safety education.—

121 (1) Effective July 1, 2026, a person operating ~~born on or~~
122 ~~after January 1, 1988, may not operate~~ a vessel powered by a
123 motor of 10 horsepower or greater must have ~~unless such person~~
124 ~~has~~ in his or her possession aboard the vessel the documents
125 required by subsection (2).

126 (2) While operating a vessel, a person ~~identified under~~



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127 ~~subsection (1)~~ must have in his or her possession aboard the
128 vessel photographic identification and a Florida boating safety
129 identification card issued by the commission; a state-issued
130 identification card or driver license indicating possession of
131 the Florida boating safety identification card; or photographic
132 identification and a temporary certificate issued or approved by
133 the commission, an International Certificate of Competency, a
134 boating safety card or certificate from another state or United
135 States territory, or a Canadian Pleasure Craft Operator Card,
136 which shows that he or she has done one of the following:

137 (a) Completed a commission-approved boating safety
138 education course that meets the minimum requirements established
139 by the National Association of State Boating Law
140 Administrators.†

141 (b) Passed a temporary certificate examination developed or
142 approved by the commission.†

143 (c) Obtained a valid International Certificate of
144 Competency.†~~or~~

145 (d) Completed a boating safety education course or
146 equivalency examination in another state, a United States
147 territory, or Canada which meets or exceeds the minimum
148 requirements established by the National Association of State
149 Boating Law Administrators.

150 (4) A commission-approved boating safety education course
151 or temporary certificate examination developed or approved by
152 the commission must include components regarding all of the
153 following:

154 (a) Diving vessels, awareness of divers in the water,
155 divers-down warning devices, and the requirements of s. 327.331.



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156 (b) The danger associated with:
157 1. A passenger riding on a seat back, gunwale, transom,
158 bow, motor cover, or any other vessel area not designed and
159 designated by the manufacturer for seating.
160 2. A passenger falling overboard.
161 3. Operating a vessel with a person in the water near the
162 vessel.
163 4. Starting a vessel with the engine in gear.
164 5. Leaving the vessel running when a passenger is boarding
165 or disembarking.
166 6. Boating under the influence in violation of s. 327.35.
167 (c) The proper use and lifesaving benefits of an engine
168 cutoff switch for motorboats and personal watercraft.
169 (d) Human trafficking awareness.
170
171 The commission must include the components under this subsection
172 in boating safety education campaigns and in educational
173 materials produced by the commission, as appropriate.
174 Section 6. Section 327.731, Florida Statutes, is amended to
175 read:
176 327.731 Mandatory education for violators.—
177 (1) A person convicted of a criminal violation under this
178 chapter, convicted of a noncriminal infraction under this
179 chapter if the infraction resulted in a reportable boating
180 accident, or convicted of a two noncriminal infraction
181 ~~infractions~~ as specified in s. 327.73(1)(h)-(k), (m), (o), (p),
182 or and (s)-(y), the infractions occurring within a 12-month
183 ~~period,~~ must do all of the following:
184 (a) Enroll in, attend, and successfully complete, at his or



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185 her own expense, one of the following courses, as applicable:

186 1. For a person convicted of any two noncriminal
187 infractions within a 24-month period, the boating safety
188 education course provided for in s. 327.395.

189 2. For a person convicted of a criminal violation, of a
190 noncriminal infraction under this chapter if the infraction
191 resulted in a reportable boating accident, or of three or more
192 noncriminal infractions within a 36-month period, the boating
193 safety education course provided for in s. 327.395 and a 4-hour
194 course that includes information regarding all of the following:

195 a. The boating laws of this state.

196 b. Causes and prevention of boating accidents.

197 c. The importance of wearing personal flotation devices.

198 d. The use of common sense and common courtesy while
199 operating a vessel.

200 e. Operating a vessel defensively. ~~a classroom or online~~
201 ~~boating safety course that is approved by and meets the minimum~~
202 ~~standards established by commission rule.~~

203 (b) File with the commission within 90 days proof of
204 successful completion of the course. ~~;~~

205 (c) Refrain from operating a vessel until he or she has
206 filed proof of successful completion of the course with the
207 commission. ~~;~~ ~~and~~

208 (d) Pay a fine of \$500. The clerk of the court shall remit
209 all fines assessed and collected under this paragraph to the
210 Department of Revenue to be deposited into the Marine Resources
211 Conservation Trust Fund to support law enforcement activities.

212 (2) For the purposes of this section, the terms "convicted"
213 and "conviction" mean ~~means~~ a finding of guilt, or the



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214 acceptance of a plea of guilty or nolo contendere, regardless of
215 whether ~~or not~~ adjudication was withheld or whether imposition
216 of sentence was withheld, deferred, or suspended. A ~~Any~~ person
217 who operates a vessel on the waters of this state in violation
218 of ~~the provisions of~~ this section commits ~~is guilty of~~ a
219 misdemeanor of the second degree, punishable as provided in s.
220 775.082 or s. 775.083.

221 (3) The commission shall print on the reverse side of the
222 defendant's copy of the boating citation a notice of the
223 provisions of this section. Upon conviction, the clerk of the
224 court shall notify the defendant that it is unlawful for him or
225 her to operate any vessel until he or she has complied with this
226 section, but failure of the clerk of the court to provide such a
227 notice is ~~shall~~ not be a defense to a charge of unlawful
228 operation of a vessel under subsection (2).

229 (4) The commission shall:

230 (a) Maintain a program to ensure compliance with the
231 mandatory boating safety education requirements under this
232 section. This program must:

233 1. ~~(a)~~ Track any citations resulting in a conviction under
234 this section and the disposition of such citations; and-

235 2. ~~(b)~~ Send specific notices to each person subject to the
236 requirement for mandatory boating safety education.

237 (b) Adopt rules necessary to implement this section.

238 Section 7. Effective October 1, 2025, paragraph (c) of
239 subsection (2) of section 119.0712, Florida Statutes, is amended
240 to read:

241 119.0712 Executive branch agency-specific exemptions from
242 inspection or copying of public records.-



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243 (2) DEPARTMENT OF HIGHWAY SAFETY AND MOTOR VEHICLES.—

244 (c) E-mail addresses collected by the Department of Highway
245 Safety and Motor Vehicles pursuant to s. 319.40(3), s.
246 320.95(2), or s. 322.08(11) ~~s. 322.08(10)~~ are exempt from s.
247 119.07(1) and s. 24(a), Art. I of the State Constitution. This
248 exemption applies retroactively.

249 Section 8. For the purpose of incorporating the amendment
250 made by this act to section 327.395, Florida Statutes, in
251 references thereto, subsection (4) of section 327.54, Florida
252 Statutes, is reenacted to read:

253 327.54 Liveries; safety regulations; penalty.—

254 (4) A livery may not knowingly lease or rent a vessel to a
255 person who is required to comply with s. 327.395 unless such
256 person presents to the livery the documentation required by s.
257 327.395(2) for the operation of a vessel or meets the exemption
258 provided under s. 327.395(6) (f).

259 Section 9. Except as otherwise expressly provided in this
260 act, this act shall take effect July 1, 2024.

261
262 ===== T I T L E A M E N D M E N T =====

263 And the title is amended as follows:

264 Delete everything before the enacting clause
265 and insert:

266 A bill to be entitled
267 An act relating to boating safety; amending s.
268 322.051, F.S.; requiring the Department of Highway
269 Safety and Motor Vehicles to issue original, renewal,
270 or replacement identification cards with a lifetime
271 boating safety identification card symbol to



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272 applicants if certain conditions are met; requiring
273 the department to include the symbol on such cards
274 with no additional fee for the designation; requiring
275 the department to issue replacement identification
276 cards that meet certain requirements without charging
277 a specified fee; amending s. 322.08, F.S.; requiring
278 that applications for original, renewal, or
279 replacement driver licenses or identification cards
280 indicate whether the applicant has obtained a boating
281 safety identification card and, if so, that a copy of
282 such card be submitted with the application;
283 authorizing the Fish and Wildlife Conservation
284 Commission to provide the department with certain
285 information relating to the applicant; amending s.
286 322.14, F.S.; requiring the department to issue
287 original, renewal, or replacement driver licenses with
288 a lifetime boating safety identification card symbol
289 to applicants if certain conditions are met; requiring
290 the department to include the symbol on such licenses
291 with no additional fee for the designation; requiring
292 the department to issue replacement driver licenses
293 that meet certain requirements without charging a
294 specified fee; amending s. 327.35, F.S.; requiring a
295 person convicted of certain violations relating to
296 boating under the influence to maintain an insurance
297 policy that meets certain requirements; providing
298 criminal penalties for failure to maintain such
299 insurance; amending s. 327.395, F.S.; requiring all
300 persons, rather than only persons born on or after a



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301 specified date, while operating a vessel, to have
302 specified identification in their possession aboard
303 the vessel; revising the required components of the
304 commission's developed or approved boating safety
305 education course or temporary certificate examination;
306 amending s. 327.731, F.S.; revising the mandatory
307 education requirements for a person convicted of
308 certain violations; requiring the commission to adopt
309 rules; making technical changes; amending s. 119.0712,
310 F.S.; conforming a cross-reference; reenacting s.
311 327.54(4), F.S., relating to liveries, to incorporate
312 the amendment made to s. 327.395, F.S., in references
313 thereto; providing effective dates.