

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  
 18           have 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.~~

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.