

1                   A bill to be entitled  
2           An act relating to vessels; providing a short title;  
3           amending s. 327.02, F.S.; providing that the term  
4           "probable cause" does not include specified actions  
5           relating to safety or marine sanitation equipment  
6           inspections; amending s. 253.0346, F.S.; including  
7           Clean Marine Manufacturers within the Clean Marine  
8           Program; amending s. 327.47, F.S.; authorizing certain  
9           grants to be awarded for the construction and  
10          maintenance of publicly owned parking for boat-hauling  
11          vehicles and trailers; amending s. 327.56, F.S.;  
12          prohibiting certain officers from performing a vessel  
13          stop or boarding a vessel without probable cause or  
14          specified knowledge; requiring such officers to make  
15          good faith attempts to not board vessels without the  
16          owner or operator on board; providing that violations  
17          of safety and marine sanitation equipment requirements  
18          are considered secondary offenses; removing provisions  
19          authorizing certain officers to board a vessel under  
20          certain circumstances; removing provisions relating to  
21          the inspection of floating structures; amending s.  
22          327.70, F.S.; requiring the Florida Fish and Wildlife  
23          Commission, in coordination with the Department of  
24          Highway Safety and Motor Vehicles, to create the  
25          "Florida Freedom Boater" safety inspection decal for

26 specified purposes; providing for the award of such  
 27 decal; providing requirements for such decal; creating  
 28 s. 327.75, F.S.; providing a short title; providing  
 29 definitions; prohibiting specified entities from  
 30 restricting the use or sale of watercrafts based on  
 31 the energy source used by such watercrafts; providing  
 32 severability; providing an effective date.  
 33

34 Be It Enacted by the Legislature of the State of Florida:  
 35

36 **Section 1.** This act may be cited as the "Boater Freedom  
 37 Act."

38 **Section 2. Subsections (39) through (48) of section**  
 39 **327.02, Florida Statutes, are renumbered as subsections (40),**  
 40 **through (49), respectively, and a new subsection (39) is added**  
 41 **to that section, to read:**

42 327.02 Definitions.—As used in this chapter and in chapter  
 43 328, unless the context clearly requires a different meaning,  
 44 the term:

45 (39) "Probable cause" does not include any action to make  
 46 a safety or marine sanitation equipment inspection.

47 **Section 3. Subsection (3) of section 253.0346, Florida**  
 48 **Statutes, is amended to read:**

49 253.0346 Lease of sovereignty submerged lands for marinas,  
 50 boatyards, mooring fields, and marine retailers.—

51 (3) For a facility designated by the department as a Clean  
 52 Marina, Clean Boatyard, Clean Marine Manufacturer, or Clean  
 53 Marine Retailer under the Clean Marina Program:

54 (a) A discount of 10 percent on the annual lease fee shall  
 55 apply if the facility:

- 56 1. Actively maintains designation under the program.
- 57 2. Complies with the terms of the lease.
- 58 3. Does not change use during the term of the lease.

59 (b) Extended-term lease surcharges shall be waived if the  
 60 facility:

- 61 1. Actively maintains designation under the program.
- 62 2. Complies with the terms of the lease.
- 63 3. Does not change use during the term of the lease.
- 64 4. Is available to the public on a first-come, first-  
 65 served basis.

66 (c) If the facility is in arrears on lease fees or fails  
 67 to comply with paragraph (b), the facility is not eligible for  
 68 the discount or waiver under this subsection until arrears have  
 69 been paid and compliance with the program has been met.

70 **Section 4. Section 327.47, Florida Statutes, is amended to**  
 71 **read:**

72 327.47 Competitive grant programs.—The commission shall  
 73 develop and administer competitive grant programs funded with  
 74 moneys transferred pursuant to s. 206.606(1)(d). Grants may be  
 75 awarded for the construction and maintenance of publicly owned

76 boat ramps, parking for boat-hauling vehicles and trailers,  
77 piers, and docks; boater education; deployment of manatee  
78 technical avoidance technology; and economic development  
79 initiatives that promote boating in the state. The commission  
80 may adopt rules pursuant to chapter 120 to implement this  
81 section.

82 **Section 5. Section 327.56, Florida Statutes, is amended to**  
83 **read:**

84 327.56 Safety and marine sanitation equipment inspections;  
85 probable cause; qualified.—

86 (1) An ~~no~~ officer may not shall board any vessel or  
87 perform a vessel stop in this state unless the officer has  
88 probable cause or knowledge to believe that a violation of this  
89 chapter has occurred or is occurring. An officer shall ~~to~~ make a  
90 good faith attempt to not board a vessel ~~safety or marine~~  
91 sanitation equipment inspection if the owner or operator is not  
92 aboard.

93 (2) When the owner or operator is aboard, an officer may  
94 board a vessel with consent or when the officer has probable  
95 cause or knowledge to believe that a violation of ~~a provision of~~  
96 this chapter has occurred or is occurring.

97 (3) A violation of safety and marine sanitation equipment  
98 requirements may only be considered a secondary offense, rather  
99 than a primary offense ~~An officer may board a vessel when the~~  
100 ~~operator refuses or is unable to display the safety or marine~~

101 ~~sanitation equipment required by law, if requested to do so by a~~  
102 ~~law enforcement officer, or when the safety or marine sanitation~~  
103 ~~equipment to be inspected is permanently installed and is not~~  
104 ~~visible for inspection unless the officer boards the vessel.~~

105 ~~(2) Inspection of floating structures for compliance with~~  
106 ~~this section shall be as provided in s. 403.091.~~

107 **Section 6. Subsection (2) of section 327.70, Florida**  
108 **Statutes, is amended to read:**

109 327.70 Enforcement of this chapter and chapter 328.—

110 (2)(a)1. The commission, in coordination with the  
111 Department of Highway Safety and Motor Vehicles, shall create a  
112 "Florida Freedom Boater" safety inspection decal for issue at  
113 the time of registration or renewal signifying that the vessel  
114 is deemed to have met the safety equipment carriage and use  
115 requirements of this chapter. Upon demonstrated compliance with  
116 the safety equipment carriage and use requirements of this  
117 chapter at the time of registration or renewal ~~during a safety~~  
118 ~~inspection initiated by a law enforcement officer,~~ the operator  
119 of a vessel shall be issued a "Florida Freedom Boater" safety  
120 inspection decal signifying that the vessel is deemed to have  
121 met the safety equipment carriage and use requirements of this  
122 chapter ~~at the time and location of such inspection.~~ The  
123 commission may designate by rule the timeframe for expiration  
124 of, and the specific design for, the "Florida Freedom Boater"  
125 safety inspection decal. However, a decal may not be valid for

126 less than 1 calendar year or more than 5 years at the time of  
127 issue and, at a minimum, must meet the standards specified in  
128 this paragraph. ~~All decals issued by the commission on or before~~  
129 ~~December 31, 2018, are no longer valid after that date.~~

130 2. The "Florida Freedom Boater" safety inspection decal,  
131 ~~if displayed,~~ must be located within 6 inches of the inspected  
132 vessel's properly displayed vessel registration decal. For  
133 nonmotorized vessels that are not required to be registered, the  
134 "Florida Freedom Boater" safety inspection decal, ~~if displayed,~~  
135 must be located above the waterline on the forward half of the  
136 port side of the vessel.

137 (b) ~~If a vessel properly displays a valid safety~~  
138 ~~inspection decal created or approved by the division, a law~~  
139 ~~enforcement officer may not stop the vessel for the sole purpose~~  
140 ~~of inspecting the vessel for compliance with the safety~~  
141 ~~equipment carriage and use requirements of this chapter unless~~  
142 ~~there is reasonable suspicion that a violation of a safety~~  
143 ~~equipment carriage or use requirement has occurred or is~~  
144 ~~occurring.~~ This subsection does not restrict a law enforcement  
145 officer from stopping a vessel for any other lawful purpose when  
146 the officer has probable cause or knowledge to believe that a  
147 violation has occurred or is occurring.

148 **Section 7. Section 327.75, Florida Statutes, is created to**  
149 **read:**

150 327.75 Watercraft Energy Source Freedom.—

151        (1) SHORT TITLE.—This section may be cited as the  
152        "Watercraft Energy Source Freedom Act."

153        (2) DEFINITIONS.—For the purposes of this section, the  
154        term:

155        (a) "Energy source" means any source of energy used to  
156        power a watercraft, including, but not limited to, gasoline,  
157        diesel fuel, electricity, hydrogen, and solar power.

158        (b) "Watercraft" means any vessel or craft designed for  
159        navigation on water, including boats and personal watercraft.

160        (3) PROHIBITION ON RESTRICTIONS BASED ON ENERGY SOURCE.—  
161        Notwithstanding any other law to the contrary, a state agency,  
162        municipality, government entity, or county may not restrict the  
163        use or sale of a watercraft based on the energy source used to  
164        power the watercraft, including an energy source used for  
165        propulsion or used for powering other functions of the  
166        watercraft.

167        **Section 8.** If any provision of this act or its application  
168        to any person or circumstance is held invalid, the invalidity  
169        shall not affect the remaining provisions or applications of  
170        this act which can be given effect without the invalid provision  
171        or application.

172        **Section 9.** This act shall take effect July 1, 2025.