

HB 1173

2026

1 A bill to be entitled
2 An act relating to boating-restricted areas; amending
3 s. 327.46, F.S.; revising the authority of
4 municipalities and counties to establish ordinances
5 for specified boating-restricted areas; requiring the
6 boundaries of such areas to be clearly marked with
7 specified markers; removing provisions requiring such
8 ordinances to be reviewed and approved by the Fish and
9 Wildlife Conservation Commission; providing an
10 effective date.

11
12 Be It Enacted by the Legislature of the State of Florida:

13
14 **Section 1. Subsection (1) of section 327.46, Florida**
15 **Statutes, is amended to read:**

16 327.46 Boating-restricted areas.—

17 (1) Boating-restricted areas, including, ~~but not limited~~
18 ~~to,~~ restrictions on vessel speed and operation, may be
19 established as follows: ~~of vessel speeds and vessel traffic, may~~
20 ~~be established on the waters of this state for any purpose~~
21 ~~necessary to protect the safety of the public if such~~
22 ~~restrictions are necessary based on boating accidents,~~
23 ~~visibility, hazardous currents or water levels, vessel traffic~~
24 ~~congestion, or other navigational hazards or to protect~~
25 ~~seagrasses on privately owned submerged lands.~~

26 (a) The commission may establish boating-restricted areas
27 by rule pursuant to chapter 120.

28 (b) Municipalities and counties may establish the
29 following boating-restricted areas by ordinance, including,
30 notwithstanding the prohibition in s. 327.60(2)(c), within the
31 portion of the Florida Intracoastal Waterway within their
32 jurisdiction:

33 1. An ordinance establishing an idle speed, no wake
34 boating-restricted area, if the area is:

35 a. Within 500 feet of any boat ramp, hoist, marine
36 railway, or other launching or landing facility available for
37 use by the general boating public on waterways more than 300
38 feet in width or within 300 feet of any boat ramp, hoist, marine
39 railway, or other launching or landing facility available for
40 use by the general boating public on waterways not exceeding 300
41 feet in width.

42 b. Within 500 feet of fuel pumps or dispensers at any
43 marine fueling facility that sells motor fuel to the general
44 boating public on waterways more than 300 feet in width or
45 within 300 feet of the fuel pumps or dispensers at any licensed
46 terminal facility that sells motor fuel to the general boating
47 public on waterways not exceeding 300 feet in width.

48 c. Inside or within 300 feet of any lock structure.

49 2. An ordinance establishing a slow speed, minimum wake
50 boating-restricted area if the area is:

- 51 a. Within 300 feet of any bridge fender system.
- 52 b. Within 300 feet of any bridge span presenting a
53 vertical clearance of less than 25 feet or a horizontal
54 clearance of less than 100 feet.
- 55 c. On a creek, stream, canal, or similar linear waterway
56 if the waterway is less than 75 feet in width from shoreline to
57 shoreline.
- 58 d. On a lake or pond of less than 10 acres in total
59 surface area.
- 60 e. Within the boundaries of a permitted public mooring
61 field and a buffer around the mooring field of up to 100 feet.
- 62 f. Within 500 feet of a sewage pumpout station at any
63 public or private nonresidential marina if the sewage pumpout
64 station is within 100 feet of the marked channel of the Florida
65 Intracoastal Waterway.
- 66 3. An ordinance establishing a vessel-exclusion zone if
67 the area is:
- 68 a. Designated as a public bathing beach or swim area,
69 except that such areas may not be created on waters that include
70 any portion of the Florida Intracoastal Waterway or that are
71 within 100 feet of the marked channel of the Florida
72 Intracoastal Waterway.
- 73 b. Within 300 feet of a dam, spillway, or flood control
74 structure.
- 75

Vessel exclusion zones created pursuant to this subparagraph must be marked with uniform waterway markers permitted by the commission in accordance with this chapter. Such zones may not be marked by ropes.

(c) Municipalities and counties may ~~have the authority to~~ establish by ordinance ~~the following other~~ boating-restricted areas to regulate vessel speed and operation÷

~~1. An ordinance establishing an idle speed, no wake boating-restricted area, if the area is~~ within 300 feet of a confluence of water bodies presenting a blind corner up to a distance of 1,000 feet if the extended area is necessary to ensure safe navigation and visibility for approaching vessels.
The boundaries of such areas must be clearly marked with uniform waterway markers consistent with commission rules, ~~a bend in a narrow channel or fairway, or such other area if an intervening obstruction to visibility may obscure other vessels or other users of the waterway.~~

~~2. An ordinance establishing a slow speed, minimum wake, or numerical speed limit boating-restricted area if the area is:~~

~~a. Within 300 feet of a confluence of water bodies presenting a blind corner, a bend in a narrow channel or fairway, or such other area if an intervening obstruction to visibility may obscure other vessels or other users of the waterway.~~

~~b. Subject to unsafe levels of vessel traffic congestion.~~

~~e. Subject to hazardous water levels or currents, or containing other navigational hazards.~~

~~d. An area that accident reports, uniform boating citations, vessel traffic studies, or other creditable data demonstrate to present a significant risk of collision or a significant threat to boating safety.~~

~~3. An ordinance establishing a vessel-exclusion zone if the area is reserved exclusively:~~

~~a. As a canoe trail or otherwise limited to vessels under oars or under sail.~~

~~b. For a particular activity and user group separation must be imposed to protect the safety of those participating in such activity.~~

~~Any of the ordinances adopted pursuant to this paragraph shall not take effect until the commission has reviewed the ordinance and determined by substantial competent evidence that the ordinance is necessary to protect public safety pursuant to this paragraph. Any application for approval of an ordinance shall be reviewed and acted upon within 90 days after receipt of a completed application. Within 30 days after a municipality or county submits an application for approval to the commission, the commission shall advise the municipality or county as to what information, if any, is needed to deem the application complete. An application shall be considered complete upon~~

~~receipt of all requested information and correction of any error or omission for which the applicant was timely notified or when the time for such notification has expired. The commission's action on the application shall be subject to review under chapter 120. The commission shall initiate rulemaking no later than January 1, 2010, to provide criteria and procedures for reviewing applications and procedures for providing for public notice and participation pursuant to this paragraph.~~

(d) Owners of private submerged lands that are adjacent to Outstanding Florida Waters, as defined in s. 403.061(28), or an aquatic preserve established under ss. 258.39-258.399 may request that the commission establish boating-restricted areas solely to protect any seagrass and contiguous seagrass habitat within their private property boundaries from seagrass scarring due to propeller dredging. Owners making a request pursuant to this paragraph must demonstrate to the commission clear ownership of the submerged lands. The commission shall adopt rules to implement this paragraph, including, but not limited to, establishing an application process and criteria for meeting the requirements of this paragraph. Each approved boating-restricted area shall be established by commission rule. For marking boating-restricted zones established pursuant to this paragraph, owners of privately submerged lands shall apply to the commission for a uniform waterway marker permit in accordance with ss. 327.40 and 327.41, and shall be responsible

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151 for marking the boating-restricted zone in accordance with the
152 terms of the permit.

153 (e) As used in this section, the term "seagrass" has the
154 same meaning as in s. 253.04.

155 **Section 2.** This act shall take effect July 1, 2026.