

Committee on Environmental Preservation And Conservation

CS/CS/HB 1363 — Vessel Safety

by State Affairs Committee; Agriculture and Natural Resources Subcommittee; and Rep. Van Zant (CS/CS/SB 1594 by Criminal Justice Committee; Environmental Preservation and Conservation Committee; and Senators Bradley, Dean, and Latvala)

The bill authorizes the Fish and Wildlife Conservation Commission (FWC), officers of the FWC, and any law enforcement agency or officer specified in s. 327.70, F.S., which includes county sheriffs, their deputies, and municipal police officers, to relocate or remove, or cause to be relocated or removed derelict vessels, vessels that interfere other vessels, and vessels that constitute navigational hazards. The bill limits liability for all damages to relocated vessels unless the damages result from gross negligence or willful misconduct, as defined in the bill. It requires a contractor who performs removal or relocation services to be licensed in accordance with applicable U.S. Coast Guard regulations. The contractor must carry an insurance policy to insure against any accident, loss, injury, property damage, or other causality caused by or resulting from the contractor's actions. The bill also requires such contractors to be equipped to perform the work. Lastly, the bill provides for the recovery of all costs, including those costs owed to a third party, from the owner of the relocated or removed vessel and directs the FWC's Department of Legal Affairs to represent the FWC in actions to recover the costs of relocation or removal from the vessel owner.

If approved by the Governor, these provisions take effect July 1, 2014.

Vote: Senate 40-0; House 116-0