

# SENATE STAFF ANALYSIS AND ECONOMIC IMPACT STATEMENT

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

BILL: SB 2096  
 SPONSOR: Senator Brown-Waite  
 SUBJECT: Outboard Motors  
 DATE: February 19, 2002      REVISED: \_\_\_\_\_

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	Gee	Voigt	NR	Favorable
2.	_____	_____	TR	_____
3.	_____	_____	AGG	_____
4.	_____	_____	AP	_____
5.	_____	_____	_____	_____
6.	_____	_____	_____	_____

**I. Summary:**

This bill transfers the administration of s. 860.20, F.S., relating to the placement of serial numbers on outboard motors, from the Department of Environmental Protection to the Department of Highway Safety and Motor Vehicles.

This bill amends s. 860.20, F.S.

**II. Present Situation:**

Section 860.20, F.S., requires the Department of Environmental Protection (DEP) to adopt rules specifying the locations and manner in which serial numbers must be affixed to outboard motors. This section also requires the DEP's Division of Law Enforcement to issue a replacement identifying serial number for an outboard motor when ordered to do so by the court, if such numbers do not exist or have been somehow removed or altered.

Pursuant to ch. 328, F.S., the Department of Highway Safety and Motor Vehicles (DHSMV) is responsible for the registration and titling of vessels. This responsibility was transferred to the DHSMV from the DEP in 1995.

When the 1999 Legislature created the Fish and Wildlife Conservation Commission (FWC) it transferred some elements of the DEP to the FWC, including the responsibility for marine life, boating safety, and marine law enforcement. At the time of this transfer of functions, it appears that the issue of the most appropriate placement of the responsibilities relating to outboard motor serial numbers should have been addressed. It was not, however, and the DEP remains responsible for a vestige of its former marine law enforcement program. This bill transfers the

responsibility to the DHSMV where it would be appropriately placed in the agency that maintains vessel registration and titling information.

**III. Effect of Proposed Changes:**

Section 860.20, F.S., is amended to require the DHSMV to adopt rules specifying the location and manner in which serial numbers for outboard motors must be affixed. The DHSMV is also required by this section to issue replacement serial numbers for outboard motors when directed to do so by a court.

**IV. Constitutional Issues:**

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

**V. Economic Impact and Fiscal Note:**

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

None.

C. Government Sector Impact:

The DEP reports that its expenses in administering this program have been minimal. The DHSMV should not incur any significant expense in supplementing the DEP.

**VI. Technical Deficiencies:**

None.

**VII. Related Issues:**

None.

**VIII. Amendments:**

None.

---

This Senate staff analysis does not reflect the intent or official position of the bill's sponsor or the Florida Senate.

---