Florida Senate - 2006

By Senator Sebesta

16-294A-06

1	A bill to be entitled
2	An act relating to commercial parasailing;
3	creating s. 327.375, F.S.; defining the term
4	"commercial parasailing"; requiring each vessel
5	to obtain an annual license from the Fish and
б	Wildlife Conservation Commission; requiring
7	each owner to carry liability insurance;
8	providing for minimum amounts of insurance and
9	maximum deductibles; providing requirements for
10	persons conducting commercial parasailing
11	operations; providing a criminal penalty;
12	providing an effective date.
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14	Be It Enacted by the Legislature of the State of Florida:
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16	Section 1. Section 327.375, Florida Statutes, is
17	created to read:
18	327.375 Commercial parasailing
19	(1) As used in this section, the term "commercial
20	parasailing" means providing or offering to provide, for
21	consideration, any activity involving the towing of a person
22	by a motorboat when:
23	(a) One or more persons are tethered to the towing
24	vessel;
25	(b) The person or persons ascend above the water; and
26	(c) The person or persons remain suspended above the
27	water while the vessel is underway.
28	(2) A vessel engaged in commercial parasailing shall
29	obtain an annual license from the commission for the cost of
30	<u>\$50. All license fees collected must be paid into the Marine</u>
31	Resources Conservation Trust Fund to recover the associated
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1 costs of regulating commercial parasailing. The license must 2 be available for inspection when the vessel is engaged in commercial parasailing. 3 4 (3) The owner of a vessel engaged in commercial 5 parasailing shall obtain and carry a policy from an insurance 6 carrier approved in this state, insuring against an accident, 7 loss, injury, property damage, or other casualty caused by or resulting from the commercial parasailing activity. The 8 insurance policy must provide coverage for a minimum of \$1 9 10 million per occurrence. The deductible for the insurance policy may not exceed \$5,000 per event. Proof of insurance 11 12 must be carried on the vessel and be available for inspection 13 when commercial parasailing activities are conducted. (4) A person engaged in commercial parasailing shall 14 meet the following requirements: 15 16 (a) A person may not use any vessel for commercial 17 parasailing unless it is designed and equipped for towing a 18 person while parasailing and is equipped with a launch platform and powered winch to release and retrieve the 19 20 towline. 21 (b) A person operating a vessel engaged in commercial parasailing on the waters of this state must have a current 2.2 23 and valid license issued by the United States Coast Guard authorizing that person to engage in carrying passengers for 2.4 25 hire. The license must be carried on the vessel and be available for inspection while commercial parasailing 26 27 activities are conducted. 28 (c) A person may not operate a vessel for commercial parasailing unless an observer 18 years of age or older is 29 30 present in the vessel at all times to monitor the progress of any airborne parasail rider and parachute. The observer must 31

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1 be attentive to the parasail rider or riders while the rider 2 or riders are in the water or suspended above the water. 3 (d) A person may not operate any vessel engaged in 4 commercial parasailing unless: 5 1. All riders wear a United States Coast Guard б approved type I, type II, or type III personal flotation 7 device that is in serviceable condition and of the proper 8 <u>size;</u> 9 All riders are connected to the towline and secured 2. 10 in a seat harness attached to an ascending type of parachute; 3. The vessel is in full compliance with all crewing 11 12 and equipment carriage requirements of the United States Coast 13 Guard for passenger carrying vessels as specified in the Code of Federal Regulations or as otherwise specified by the United 14 States Coast Guard in the vessel's certificate of inspection; 15 16 and 17 4. The vessel is equipped with a functional VHF marine 18 transceiver. (e) A person may not engage in commercial parasailing 19 20 in the Atlantic Ocean and the Gulf of Mexico in waters less 21 than 2,000 feet from the shore. The restriction applies to the entire commercial parasailing apparatus, including the vessel, 2.2 23 towline, and rider. (f) A person may not operate a vessel towing a 2.4 commercial parasailing rider so that the vessel, towline, or 25 rider comes within 600 feet of: 26 27 1. An anchored vessel; 2.8 2. A person in the water; 29 3. The shore or seawall; or 30 4. A structure, bridge, power line, wharf, pier, dock, platform, piling, channel marker, or other similar object. 31

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1 (q) A person may not engage in commercial parasailing: 2 On bodies of water less than 2,000 feet in width 1. 3 from shore to shore; 4 2. From one-half hour after sunset to one-half hour 5 before sunrise and at all times during restricted visibility; 6 or 7 3. When there are sustained winds of 20 knots or higher or seas 5 feet or higher in the area of operation. 8 9 (j) Towlines used for commercial parasailing may not 10 exceed 800 feet in length. (k) Commercial parasail operators must launch riders 11 12 only from and recover riders only to the vessel's launch 13 <u>platform.</u> (1) More than two persons may not be tethered to the 14 towing vessel and ascend above the water at any time. 15 (4) A person who violates this section commits a 16 17 misdemeanor of the second degree, punishable as provided in s. 775.082 or s. 775.083. 18 Section 2. This act shall take effect October 1, 2006. 19 20 21 22 SENATE SUMMARY 23 Requires vessels engaged in commercial parasailing to obtain an annual license. Requires each owner to carry liability insurance. Prescribes the minimum amount of 2.4 insurance and deductible. Provides requirements for 25 persons conducting commercial parasailing operations. Provides a criminal penalty. 26 27 28 29 30 31

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