

By Senator Farmer

34-00530C-17

20171262__

1 A bill to be entitled
2 An act relating to boating in salt water; creating s.
3 327.396, F.S.; defining terms; prohibiting minors of a
4 certain age from operating vessels powered by a motor
5 of 10 horsepower or greater or certain sailboats or
6 other rigged vessels in salt water, except under
7 specified conditions; providing penalties for parents
8 or guardians who knowingly permit their children or
9 wards to violate the prohibition; providing penalties
10 for persons under the influence who supervise certain
11 minors operating a specified vessel; providing an
12 effective date.

13
14 Be It Enacted by the Legislature of the State of Florida:

15
16 Section 1. Section 327.396, Florida Statutes, is created to
17 read:

18 327.396 Operation of a vessel by a minor.—

19 (1) As used in this subsection, the term:

20 (a) "Specified vessel" means a vessel powered by a motor of
21 10 horsepower or greater or a sailboat, or other rigged vessel,
22 with a length of hull of 10 feet or more. The term does not
23 include a sailboard or sail kayak.

24 (b) "Under the influence" means a person meeting one of the
25 standards specified in s. 327.35(1)(a), (b), or (c).

26 (2) A person may not operate a specified vessel in salt
27 water, as defined in s. 379.101, if the person is younger than
28 16 years of age, unless such person:

29 (a) Is under the physical supervision of another person 21

34-00530C-17

20171262__

30 years of age or older. Such supervising person may not be under
31 the influence.

32 (b) Is participating in a school-sanctioned activity. For
33 the purposes of this section, the term "school" means any
34 elementary school, middle school, junior high school, secondary
35 school, career center, or postsecondary school, whether public
36 or nonpublic.

37 (3) (a) A parent or guardian who knowingly permits his or
38 her child or ward to operate a specified vessel in violation of
39 paragraph (2) (a) commits a misdemeanor of the second degree,
40 punishable as provided in s. 775.082 or s. 775.083.

41 (b) A person who supervises a minor as specified in
42 paragraph (2) (b) and who is under the influence during the
43 supervision commits a misdemeanor of the second degree,
44 punishable as provided in s. 775.082 or s. 775.083.

45 Section 2. This act shall take effect October 1, 2017.