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1  
2 An act relating to boating safety; providing a short  
3 title; amending s. 327.30, F.S.; authorizing a court  
4 to impose a specified fine for certain boating  
5 collisions and accidents; requiring such fines to be  
6 deposited into the Marine Resources Conservation Trust  
7 Fund for specified purposes; defining terms; amending  
8 s. 327.395, F.S.; requiring certain boating safety  
9 education courses and temporary certificate  
10 examinations to include specified components;  
11 directing the Fish and Wildlife Conservation  
12 Commission to include such components in boating  
13 safety education campaigns and certain educational  
14 materials; amending s. 327.50, F.S.; requiring  
15 operators of vessels used in the instruction of water  
16 sports and activities to use engine cutoff switches  
17 and wear operative links to the switches under certain  
18 conditions; amending s. 327.54, F.S.; defining terms;  
19 prohibiting liveries from offering a vessel for lease  
20 or rent without a livery permit; specifying  
21 requirements and qualifications for the permit;  
22 authorizing the Fish and Wildlife Conservation  
23 Commission to adopt rules; providing penalties for  
24 permit violations; revising the conditions under which  
25 a livery may not knowingly lease or rent a vessel;  
26 requiring a person receiving safety instruction to  
27 provide the livery with a specified signed  
28 attestation; requiring a written agreement between a  
29 livery and a renter or lessee; providing requirements

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30 for such agreement; requiring a livery to notify law  
31 enforcement of overdue rentals or leases under certain  
32 circumstances; prohibiting a livery from knowingly  
33 leasing or renting a livery vessel to certain persons;  
34 providing an exception; revising livery insurance  
35 requirements; providing applicability; requiring  
36 specified boating safety education courses for certain  
37 instructors; requiring liveries to report certain  
38 accidents to the Division of Law Enforcement of the  
39 commission; requiring liveries to make facilities and  
40 records available to law enforcement upon notice;  
41 providing penalties for violations and additional  
42 penalties for subsequent violations; prohibiting  
43 certain violators from acting as a livery for a  
44 specified timeframe after such a violation;  
45 authorizing the commission, beginning on a specified  
46 date, to revoke or refuse to issue permits for  
47 repeated violations; amending s. 327.73, F.S.;  
48 increasing fines for violations of certain boating  
49 regulations; providing fines for improper transfers of  
50 title and failures to update vessel registration  
51 information; authorizing certain fees and penalties  
52 deposited into the Marine Resources Conservation Trust  
53 Fund to be used for law enforcement purposes; amending  
54 s. 327.731, F.S.; imposing a fine for persons  
55 convicted of certain criminal or noncriminal  
56 infractions; providing for the deposit of such fines  
57 into the Marine Resources Conservation Trust Fund;  
58 requiring the commission to maintain a program to

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59 ensure compliance with certain boating safety  
60 education requirements; specifying requirements for  
61 the program; amending s. 328.03, F.S.; providing that  
62 an improper transfer of vessel title is subject to a  
63 civil penalty; amending s. 328.48, F.S.; requiring  
64 that the address provided in a vessel registration  
65 application and a certificate of registration be a  
66 physical residential or business address; authorizing  
67 the commission to accept post office box addresses in  
68 lieu of the physical residential or business address;  
69 providing that a person who fails to update his or her  
70 vessel registration information within a specified  
71 timeframe is subject to a civil penalty; providing  
72 effective dates.

73  
74 Be It Enacted by the Legislature of the State of Florida:

75  
76 Section 1. This act may be cited as the "Boating Safety Act  
77 of 2022."

78 Section 2. Subsection (7) is added to section 327.30,  
79 Florida Statutes, to read:

80 327.30 Collisions, accidents, and casualties.—

81 (7) In addition to any other penalty provided by law, a  
82 court may order a person convicted of a violation of this  
83 section or of any rule adopted or order issued by the commission  
84 pursuant to this section to pay an additional fine of up to  
85 \$1,000 per violation. All fines assessed and collected pursuant  
86 to this subsection shall be remitted by the clerk of the court  
87 to the Department of Revenue to be deposited into the Marine

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88 Resources Conservation Trust Fund to be used to enhance state  
89 and local law enforcement activities related to boating  
90 infractions. As used in this subsection, the terms "convicted"  
91 and "conviction" mean any judicial disposition other than  
92 acquittal or dismissal.

93 Section 3. Effective October 1, 2022, subsection (4) of  
94 section 327.395, Florida Statutes, is amended to read:

95 327.395 Boating safety education.—

96 (4) A commission-approved boating safety education course  
97 or temporary certificate examination developed or approved by  
98 the commission must include components ~~a component~~ regarding:

99 (a) Diving vessels, awareness of divers in the water,  
100 divers-down warning devices, and the requirements of s. 327.331.

101 (b) The danger associated with:

102 1. A passenger riding on a seat back, gunwale, transom,  
103 bow, motor cover, or any other vessel area not designed and  
104 designated by the manufacturer for seating.

105 2. A passenger falling overboard.

106 3. Operating a vessel with a person in the water near the  
107 vessel.

108 4. Starting a vessel with the engine in gear.

109 5. Leaving the vessel running when a passenger is boarding  
110 or disembarking.

111 (c) The proper use and lifesaving benefits of an engine  
112 cutoff switch for motorboats and personal watercraft.

113  
114 The commission must include the components under this subsection  
115 in boating safety education campaigns and in educational  
116 materials produced by the commission, as appropriate.

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117 Section 4. Effective October 1, 2022, subsection (4) is  
118 added to section 327.50, Florida Statutes, to read:

119 327.50 Vessel safety regulations; equipment and lighting  
120 requirements.—

121 (4) The operator of a vessel used in the instruction of a  
122 water sport or activity must use an engine cutoff switch and  
123 wear an operative link to the switch when a person participating  
124 in the water sport or activity is in the water.

125 Section 5. Effective January 1, 2023, section 327.54,  
126 Florida Statutes, is amended to read:

127 327.54 Liveries; safety regulations; penalty.—

128 (1) As used in this section, the term:

129 (a) "Advertise" means to describe or draw attention to a  
130 vessel and its availability for lease or rental in any medium  
131 for the purpose of promoting the lease or rental of the vessel.

132 (b) "Conviction" means any judicial disposition other than  
133 acquittal or dismissal.

134 (c) "Livery" means a person who advertises and offers a  
135 livery vessel for use by another in exchange for any type of  
136 consideration when such person does not also provide the lessee  
137 or renter with a captain, a crew, or any type of staff or  
138 personnel to operate, oversee, maintain, or manage the vessel.  
139 The owner of a vessel who does not advertise his or her vessel  
140 for use by another for consideration and who loans or offers his  
141 or her vessel for use to another known to him or her either for  
142 consideration or without consideration is not a livery. A public  
143 or private school or postsecondary institution located within  
144 this state is not a livery. A vessel rented or leased by a  
145 livery is a livery vessel as defined in s. 327.02.

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146        (d) "Seaworthy" means the vessel and all of its parts and  
147 equipment, including, but not limited to, engines, bilge pumps,  
148 and kill switches, are functional and reasonably fit for their  
149 intended purpose.

150        (2) A livery may not offer a vessel for lease or rent  
151 without first being issued a no-cost livery permit by the  
152 commission. The permit must be renewed annually. To qualify for  
153 issuance or renewal of a livery permit, an applicant must  
154 provide the commission with a list of all vessels offered by the  
155 livery for lease or rent by another, have valid insurance  
156 pursuant to subsection (7), have an amount of United States  
157 Coast Guard-approved lawful personal floatation devices on site  
158 sufficient to accommodate the capacity of all vessels offered by  
159 the livery for rent or lease by another, have on site all safety  
160 equipment required by s. 327.50 and the Code of Federal  
161 Regulations sufficient to equip all vessels offered by the  
162 livery for rent or lease by another, and display the information  
163 required by paragraph (3) (f). If, before the annual renewal of  
164 the permit, the information required by this subsection changes,  
165 the livery must provide the commission with the updated  
166 information within 10 days after the change.

167        (a) The commission may adopt rules to implement this  
168 subsection.

169        (b) A person who violates this subsection commits a  
170 misdemeanor of the first degree, punishable as provided in s.  
171 775.082 or s. 775.083.

172        (3) A livery may not knowingly lease, ~~hire,~~ or rent a  
173 vessel to any person:

174        (a) When the number of persons intending to use the vessel

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175 exceeds the number considered to constitute a maximum safety  
176 load for the vessel as specified on the authorized persons  
177 capacity plate of the vessel.

178 (b) When the horsepower of the motor exceeds the capacity  
179 of the vessel.

180 (c) When the vessel does not contain the ~~required~~ safety  
181 equipment required under s. 327.50.

182 (d) When the vessel is not seaworthy, is a derelict vessel  
183 as defined in s. 823.11, or is at risk of becoming derelict as  
184 provided in s. 327.4107.

185 (e) ~~When the vessel is equipped with a motor of 10~~  
186 ~~horsepower or greater,~~ Unless the livery provides pre-rental  
187 ~~prerental~~ or pre-ride ~~preride~~ instruction in compliance with  
188 rules established by the commission.

189 1. The instruction must include ~~that includes,~~ but need not  
190 be limited to:

191 a.1. Operational characteristics of the vessel to be  
192 rented.

193 b.2. Safe vessel operation and vessel right-of-way.

194 c.3. The responsibility of the vessel operator for the safe  
195 and proper operation of the vessel.

196 d.4. Local characteristics of the waterway where the vessel  
197 will be operated, such as navigational hazards, the presence of  
198 boating-restricted areas, and water depths.

199 e. Emergency procedures, such as appropriate responses to  
200 capsizing, falls overboard, taking on water, and vessel  
201 accidents.

202 2. Any person receiving instruction in the safe handling of  
203 livery vessels pursuant to this paragraph must provide the

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204 livery with a written statement attesting to each component of  
205 the instruction.

206 a. The commission shall establish by rule the content of  
207 the statement form.

208 b. The statement form must be signed by the individual  
209 providing the instruction.

210 c. The livery shall maintain the statement form for no less  
211 than 90 days and, upon request, make the form available for  
212 inspection by law enforcement.

213  
214 ~~Any person delivering the information specified in this~~  
215 ~~paragraph must have successfully completed a boater safety~~  
216 ~~course approved by the National Association of State Boating Law~~  
217 ~~Administrators and this state.~~

218 (f) Unless the livery displays boating safety information  
219 in a place visible to the renting public. The commission shall  
220 prescribe by rule, pursuant to chapter 120, the contents and  
221 size of the boating safety information to be displayed.

222 (g) Unless the livery has a written agreement with the  
223 renter or lessee. The written agreement must include the name,  
224 address, and date of birth for the renter and the number of  
225 people aboard the vessel, as well as the time the vessel is  
226 required to be returned to the livery or another specified  
227 location and an emergency contact name, address, and telephone  
228 number. The livery shall maintain each agreement for no less  
229 than 1 year and, upon request, make each agreement available for  
230 inspection by law enforcement.

231 (4)(2) A livery may not knowingly lease, ~~hire,~~ or rent a  
232 vessel to a person who is required to comply with s. 327.395



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233 unless such person presents to the livery the documentation  
234 required by s. 327.395(2) for the operation of a vessel or meets  
235 the exemption provided under s. 327.395(6) (f).

236 (5)~~(3)~~ If a vessel rented or leased by a livery is  
237 unnecessarily overdue more than 4 hours after the contracted  
238 vessel rental time has expired, the livery must ~~shall~~ notify law  
239 enforcement ~~the proper authorities~~.

240 (6)~~(4)~~~~(a)~~ A livery may not knowingly lease, ~~hire,~~ or rent a  
241 livery vessel, other than a human-powered vessel, personal  
242 watercraft to any person who is under 18 years of age.

243 ~~(b) A livery may not knowingly lease, hire, or rent a~~  
244 ~~personal watercraft to any person who has not received~~  
245 ~~instruction in the safe handling of personal watercraft, in~~  
246 ~~compliance with rules established by the commission pursuant to~~  
247 ~~chapter 120.~~

248 ~~(c) Any person receiving instruction in the safe handling~~  
249 ~~of personal watercraft pursuant to a program established by rule~~  
250 ~~of the commission must provide the livery with a written~~  
251 ~~statement attesting to the same.~~

252 (7)~~(5)~~ A livery may not lease, ~~hire,~~ or rent any ~~personal~~  
253 ~~watercraft~~ or offer to lease, ~~hire,~~ or rent any livery vessel  
254 ~~personal watercraft~~ unless the livery first obtains and carries  
255 in full force and effect a policy from a licensed insurance  
256 carrier in this state which insures the livery and the renter,  
257 ~~insuring~~ against any accident, loss, injury, property damage, or  
258 other casualty caused by or resulting from the operation of the  
259 livery vessel ~~personal watercraft~~. The insurance policy must  
260 ~~shall~~ provide coverage of at least \$500,000 per person and \$1  
261 million per event. The livery shall ~~must~~ have proof of such

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262 insurance available for inspection at the location where livery  
263 vessels ~~personal watercraft~~ are being leased, ~~hired,~~ or rented,  
264 or offered for lease, ~~hire,~~ or rent, and shall provide to each  
265 renter the insurance carrier's name and address and the  
266 insurance policy number. This subsection does not apply to  
267 human-powered vessels.

268 (8) Notwithstanding the person's age or any exemptions  
269 provided in s. 327.395, any person delivering instruction  
270 regarding the safe operation of vessels or pre-rental or pre-  
271 ride instruction in accordance with subsection (3) must have  
272 successfully completed a boating safety education course  
273 approved by the National Association of State Boating Law  
274 Administrators and this state.

275 (9) If a vessel rented or leased by a livery is involved in  
276 an accident, the livery must report the accident to the  
277 division.

278 (10) A livery shall make its facilities and records  
279 available for inspection upon request by law enforcement no  
280 later than 24 hours after receiving notice from law enforcement.

281 (11) (a) ~~(6)~~ Any person convicted of violating this section,  
282 other than subsection (2), who has not been convicted of a  
283 violation of this section within the past 3 years commits a  
284 misdemeanor of the second degree, punishable as provided in s.  
285 775.082 or s. 775.083.

286 (b) Unless the stricter penalties in paragraph (c) apply, a  
287 person who violates this section, other than subsection (2),  
288 within 3 years after a previous conviction of a violation of  
289 this section commits a misdemeanor of the first degree,  
290 punishable as provided in s. 775.082 or s. 775.083, with a

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291 minimum mandatory fine of \$500.

292 (c) A person who violates this section, other than  
293 subsection (2), within 5 years after two previous convictions  
294 for a violation of this section commits a misdemeanor of the  
295 first degree, punishable as provided in s. 775.082 or s.  
296 775.083, with a minimum mandatory fine of \$1,000.

297 (12) A person who commits more than one violation of this  
298 section, other than subsection (2), within a 3-year period may  
299 not act as a livery during a 90-day period immediately after  
300 being charged with that violation. The commission may revoke or  
301 refuse to issue a permit under subsection (2) based on repeated  
302 violations of this section.

303 Section 6. Subsections (1) and (8) of section 327.73,  
304 Florida Statutes, are amended to read:

305 327.73 Noncriminal infractions.—

306 (1) Violations of the following provisions of the vessel  
307 laws of this state are noncriminal infractions:

308 (a) Section 328.46, relating to operation of unregistered  
309 and unnumbered vessels.

310 (b) Section 328.48(4), relating to display of number and  
311 possession of registration certificate.

312 (c) Section 328.48(5), relating to display of decal.

313 (d) Section 328.52(2), relating to display of number.

314 (e) Section 328.54, relating to spacing of digits and  
315 letters of identification number.

316 (f) Section 328.60, relating to military personnel and  
317 registration of vessels.

318 (g) Section 328.72(13), relating to operation with an  
319 expired registration, for which the penalty is:

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320 1. For a first or subsequent offense of s. 328.72(13)(a),  
321 up to a maximum of \$100 ~~\$50~~.

322 2. For a first offense of s. 328.72(13)(b), up to a maximum  
323 of \$250.

324 3. For a second or subsequent offense of s. 328.72(13)(b),  
325 up to a maximum of \$500. Any person cited for a noncriminal  
326 infraction under this subparagraph may not have the provisions  
327 of paragraph (4)(a) available to him or her but must appear  
328 before the designated official at the time and location of the  
329 scheduled hearing.

330 (h) Section 327.33(2), relating to careless operation.

331 (i) Section 327.37, relating to water skiing, aquaplaning,  
332 parasailing, and similar activities.

333 (j) Section 327.44, relating to interference with  
334 navigation.

335 (k) Violations relating to boating-restricted areas and  
336 speed limits:

337 1. Established by the commission or by local governmental  
338 authorities pursuant to s. 327.46.

339 2. Speed limits established pursuant to s. 379.2431(2).

340 (l) Section 327.48, relating to regattas and races.

341 (m) Section 327.50(1) and (2), relating to required safety  
342 equipment, lights, and shapes.

343 (n) Section 327.65, relating to muffling devices.

344 (o) Section 327.33(3)(b), relating to a violation of  
345 navigation rules:

346 1. That does not result in an accident; or

347 2. That results in an accident not causing serious bodily  
348 injury or death, for which the penalty is:

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- 349 a. For a first offense, up to a maximum of \$500 ~~\$250~~.
- 350 b. For a second offense, up to a maximum of \$1,000 ~~\$750~~.
- 351 c. For a third or subsequent offense, up to a maximum of
- 352 \$1,500 ~~\$1,000~~.
- 353 (p) Section 327.39(1), (2), (3), and (5), relating to
- 354 personal watercraft.
- 355 (q) Section 327.53(1), (2), (3), and (8), relating to
- 356 marine sanitation.
- 357 (r) Section 327.53(4), (5), and (7), relating to marine
- 358 sanitation, and s. 327.60, relating to no-discharge zones, for
- 359 which the civil penalty is \$250.
- 360 (s) Section 327.395, relating to boater safety education.
- 361 However, a person cited for violating the requirements of s.
- 362 327.395 relating to failure to have required proof of boating
- 363 safety education in his or her possession may not be convicted
- 364 if, before or at the time of a county court hearing, the person
- 365 produces proof of the boating safety education identification
- 366 card or temporary certificate for verification by the hearing
- 367 officer or the court clerk and the identification card or
- 368 temporary certificate was valid at the time the person was
- 369 cited.
- 370 (t) Section 327.52(3), relating to operation of overloaded
- 371 or overpowered vessels.
- 372 (u) Section 327.331, relating to divers-down warning
- 373 devices, except for violations meeting the requirements of s.
- 374 327.33.
- 375 (v) Section 327.391(1), relating to the requirement for an
- 376 adequate muffler on an airboat.
- 377 (w) Section 327.391(3), relating to the display of a flag

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378 on an airboat.

379 (x) Section 253.04(3)(a), relating to carelessly causing  
380 seagrass scarring, for which the civil penalty upon conviction  
381 is:

382 1. For a first offense, \$100 ~~\$50~~.

383 2. For a second offense occurring within 12 months after a  
384 prior conviction, \$250.

385 3. For a third offense occurring within 36 months after a  
386 prior conviction, \$500.

387 4. For a fourth or subsequent offense occurring within 72  
388 months after a prior conviction, \$1,000.

389 (y) Section 327.45, relating to protection zones for  
390 springs, for which the penalty is:

391 1. For a first offense, \$100 ~~\$50~~.

392 2. For a second offense occurring within 12 months after a  
393 prior conviction, \$250.

394 3. For a third offense occurring within 36 months after a  
395 prior conviction, \$500.

396 4. For a fourth or subsequent offense occurring within 72  
397 months after a prior conviction, \$1,000.

398 (z) Section 327.4108, relating to the anchoring of vessels  
399 in anchoring limitation areas, for which the penalty is:

400 1. For a first offense, up to a maximum of \$100 ~~\$50~~.

401 2. For a second offense, up to a maximum of \$250 ~~\$100~~.

402 3. For a third or subsequent offense, up to a maximum of  
403 \$500 ~~\$250~~.

404 (aa) Section 327.4107, relating to vessels at risk of  
405 becoming derelict on waters of this state, for which the civil  
406 penalty is:

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- 407           1. For a first offense, \$100.  
408           2. For a second offense occurring 30 days or more after a  
409 first offense, \$250.  
410           3. For a third or subsequent offense occurring 30 days or  
411 more after a previous offense, \$500.  
412

413 A vessel that is the subject of three or more violations issued  
414 pursuant to the same paragraph of s. 327.4107(2) within an 18-  
415 month period which result in dispositions other than acquittal  
416 or dismissal shall be declared to be a public nuisance and  
417 subject to ss. 705.103(2) and (4) and 823.11(3). The commission,  
418 an officer of the commission, or a law enforcement agency or  
419 officer specified in s. 327.70 may relocate, remove, or cause to  
420 be relocated or removed such public nuisance vessels from waters  
421 of this state. The commission, an officer of the commission, or  
422 a law enforcement agency or officer acting pursuant to this  
423 paragraph upon waters of this state shall be held harmless for  
424 all damages to the vessel resulting from such relocation or  
425 removal unless the damage results from gross negligence or  
426 willful misconduct as these terms are defined in s. 823.11.

427           (bb) Section 327.4109, relating to anchoring or mooring in  
428 a prohibited area, for which the penalty is:

- 429           1. For a first offense, up to a maximum of \$100 ~~\$50~~.  
430           2. For a second offense, up to a maximum of \$250 ~~\$100~~.  
431           3. For a third or subsequent offense, up to a maximum of  
432 \$500 ~~\$250~~.

433           (cc) Section 327.463(4) (a) and (b), relating to vessels  
434 creating special hazards, for which the penalty is:

- 435           1. For a first offense, \$100 ~~\$50~~.

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436           2. For a second offense occurring within 12 months after a  
437 prior offense, \$250 ~~\$100~~.

438           3. For a third offense occurring within 36 months after a  
439 prior offense, \$500 ~~\$250~~.

440           (dd) Section 327.371, relating to the regulation of human-  
441 powered vessels.

442           ~~(ee) Section 328.03, relating to an improper transfer of~~  
443 ~~title, for which the penalty is up to a maximum of \$500.~~

444           ~~(ff) Section 328.48(9), relating to the failure to update~~  
445 ~~vessel registration information, for which the penalty is up to~~  
446 ~~a maximum of \$500.~~

447  
448 Any person cited for a violation of ~~any provision of~~ this  
449 subsection shall be deemed to be charged with a noncriminal  
450 infraction, shall be cited for such an infraction, and shall be  
451 cited to appear before the county court. The civil penalty for  
452 any such infraction is \$100 ~~\$50~~, except as otherwise provided in  
453 this section. Any person who fails to appear or otherwise  
454 properly respond to a uniform boating citation ~~shall~~, in  
455 addition to the charge relating to the violation of the boating  
456 laws of this state, must be charged with the offense of failing  
457 to respond to such citation and, upon conviction, be guilty of a  
458 misdemeanor of the second degree, punishable as provided in s.  
459 775.082 or s. 775.083. A written warning to this effect shall be  
460 provided at the time such uniform boating citation is issued.

461           (8) All fees and civil penalties assessed and collected  
462 pursuant to this section shall be remitted by the clerk of the  
463 court to the Department of Revenue to be deposited into the  
464 Marine Resources Conservation Trust Fund for boating safety



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465 education or law enforcement purposes.

466 Section 7. Subsection (1) of section 327.731, Florida  
467 Statutes, is amended, and subsection (4) is added to that  
468 section, to read:

469 327.731 Mandatory education for violators.—

470 (1) A person convicted of a criminal violation under this  
471 chapter, convicted of a noncriminal infraction under this  
472 chapter if the infraction resulted in a reportable boating  
473 accident, or convicted of two noncriminal infractions as  
474 specified in s. 327.73(1)(h)-(k), (m), (o), (p), and (s)-(y),  
475 the said infractions occurring within a 12-month period, must:

476 (a) Enroll in, attend, and successfully complete, at his or  
477 her own expense, a classroom or online boating safety course  
478 that is approved by and meets the minimum standards established  
479 by commission rule;

480 (b) File with the commission within 90 days proof of  
481 successful completion of the course; ~~and~~

482 (c) Refrain from operating a vessel until he or she has  
483 filed proof of successful completion of the course with the  
484 commission; and

485 (d) Pay a fine of \$500. The clerk of the court shall remit  
486 all fines assessed and collected under this paragraph to the  
487 Department of Revenue to be deposited into the Marine Resources  
488 Conservation Trust Fund to support law enforcement activities.

489 (4) The commission shall maintain a program to ensure  
490 compliance with the mandatory boating safety education  
491 requirements under this section. This program must:

492 (a) Track any citations resulting in a conviction under  
493 this section and the disposition of such citations.

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494           (b) Send specific notices to each person subject to the  
495 requirement for mandatory boating safety education.

496           Section 8. Subsection (3) of section 328.03, Florida  
497 Statutes, is amended to read:

498           328.03 Certificate of title required.—

499           (3) A person may ~~shall~~ not sell, assign, or transfer a  
500 vessel titled by the state without delivering to the purchaser  
501 or transferee a valid certificate of title with an assignment on  
502 it showing the transfer of title to the purchaser or transferee.  
503 A person may ~~shall~~ not purchase or otherwise acquire a vessel  
504 required to be titled by the state without obtaining a  
505 certificate of title for the vessel in his or her name. The  
506 purchaser or transferee shall, within 30 days after a change in  
507 vessel ownership, file an application for a title transfer with  
508 the county tax collector. An additional \$10 fee must ~~shall~~ be  
509 charged against the purchaser or transferee if he or she files a  
510 title transfer application after the 30-day period. The county  
511 tax collector may ~~shall be entitled to~~ retain \$5 of the  
512 additional amount. Any person who does not properly transfer  
513 title of a vessel pursuant to this chapter is subject to the  
514 penalties provided in s. 327.73(1)(ee).

515           Section 9. Effective July 1, 2023, subsection (4) of  
516 section 328.03, Florida Statutes, as amended by chapter 2019-76,  
517 Laws of Florida, is amended to read:

518           328.03 Certificate of title required.—

519           (4) An additional \$10 fee shall be charged against the  
520 purchaser or transferee if he or she files a title transfer  
521 application after the 30-day period. The county tax collector  
522 may ~~shall be entitled to~~ retain \$5 of the additional amount. Any

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523 person who does not properly transfer title of a vessel pursuant  
524 to this chapter is subject to the penalties provided in s.  
525 327.73(1)(ee).

526 Section 10. Paragraph (a) of subsection (1) and subsection  
527 (4) of section 328.48, Florida Statutes, are amended, and  
528 subsection (9) is added to that section, to read:

529 328.48 Vessel registration, application, certificate,  
530 number, decal, duplicate certificate.—

531 (1)(a) The owner of each vessel required by this law to pay  
532 a registration fee and secure an identification number shall  
533 file an application with the county tax collector. The  
534 application must ~~shall~~ provide the owner's name and physical  
535 residential or business address; residency status; personal or  
536 business identification; and a complete description of the  
537 vessel, and must ~~shall~~ be accompanied by payment of the  
538 applicable fee required in s. 328.72. An individual applicant  
539 must provide a valid driver license or identification card  
540 issued by this state or another state or a valid passport. A  
541 business applicant must provide a federal employer  
542 identification number, if applicable, verification that the  
543 business is authorized to conduct business in this ~~the~~ state, or  
544 a Florida city or county business license or number.  
545 Registration is not required for any vessel that is not used on  
546 the waters of this state. Upon receipt of an application from a  
547 live-aboard vessel owner whose primary residence is the vessel,  
548 the commission may authorize such owner to provide a post office  
549 box address in lieu of a physical residential or business  
550 address.

551 (4) Each certificate of registration issued must ~~shall~~

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552 state among other items the numbers awarded to the vessel, the  
553 hull identification number, the name and physical residential or  
554 business address of the owner, and a description of the vessel,  
555 except that certificates of registration for vessels constructed  
556 or assembled by the owner registered for the first time must  
557 ~~shall~~ state all the foregoing information except the hull  
558 identification number. The numbers must ~~shall~~ be placed on each  
559 side of the forward half of the vessel in such position as to  
560 provide clear legibility for identification, except, if the  
561 vessel is an airboat, the numbers may be placed on each side of  
562 the rudder. The numbers awarded to the vessel must ~~shall~~ read  
563 from left to right and must ~~shall~~ be in block characters of good  
564 proportion not less than 3 inches in height. The numbers must  
565 ~~shall~~ be of a solid color that ~~which~~ will contrast with the  
566 color of the background and must ~~shall~~ be so maintained as to be  
567 clearly visible and legible; i.e., dark numbers on a light  
568 background or light numbers on a dark background. The  
569 certificate of registration must ~~shall~~ be pocket-sized and must  
570 ~~shall~~ be available for inspection on the vessel for which issued  
571 whenever such vessel is in operation. Upon receipt of an  
572 application from a live-aboard vessel owner whose primary  
573 residence is the vessel, the commission may authorize such owner  
574 to provide a post office box address in lieu of a physical  
575 residential address.

576 (9) A person who does not update his or her vessel  
577 registration information with the county tax collector within 6  
578 months after a change to the information is subject to the  
579 penalties provided in s. 327.73(1)(ff).

580 Section 11. Except as otherwise expressly provided in this

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581 act, this act shall take effect July 1, 2022.