

By the Committee on Environment and Natural Resources; and
Senator Garcia

592-01781-24

202430c1

1 A bill to be entitled
2 An act relating to boating safety; amending s.
3 322.051, F.S.; requiring the Department of Highway
4 Safety and Motor Vehicles to issue original, renewal,
5 or replacement identification cards with a lifetime
6 boating safety identification card symbol to
7 applicants if certain conditions are met; requiring
8 the department to include the symbol on such cards
9 with no additional fee for the designation; requiring
10 the department to issue replacement identification
11 cards that meet certain requirements without charging
12 a specified fee; amending s. 322.08, F.S.; requiring
13 that applications for original, renewal, or
14 replacement driver licenses or identification cards
15 indicate whether the applicant has obtained a boating
16 safety identification card and, if so, that a copy of
17 such card be submitted with the application;
18 authorizing the Fish and Wildlife Conservation
19 Commission to provide the department with certain
20 information relating to the applicant; amending s.
21 322.14, F.S.; requiring the department to issue
22 original, renewal, or replacement driver licenses with
23 a lifetime boating safety identification card symbol
24 to applicants if certain conditions are met; requiring
25 the department to include the symbol on such licenses
26 with no additional fee for the designation; requiring
27 the department to issue replacement driver licenses
28 that meet certain requirements without charging a
29 specified fee; amending s. 327.35, F.S.; requiring a

592-01781-24

202430c1

30 person convicted of certain violations relating to
31 boating under the influence to maintain an insurance
32 policy that meets certain requirements; providing
33 criminal penalties for failure to maintain such
34 insurance; amending s. 327.395, F.S.; requiring all
35 persons, rather than only persons born on or after a
36 specified date, while operating a vessel, to have
37 specified identification in their possession aboard
38 the vessel; revising the required components of the
39 commission's developed or approved boating safety
40 education course or temporary certificate examination;
41 amending s. 327.731, F.S.; revising the mandatory
42 education requirements for a person convicted of
43 certain violations; requiring the commission to adopt
44 rules; making technical changes; amending s. 119.0712,
45 F.S.; conforming a cross-reference; reenacting s.
46 327.54(4), F.S., relating to liveries, to incorporate
47 the amendment made to s. 327.395, F.S., in references
48 thereto; providing effective dates.

49
50 Be It Enacted by the Legislature of the State of Florida:

51
52 Section 1. Effective October 1, 2025, paragraph (d) of
53 subsection (8) of section 322.051, Florida Statutes, is amended,
54 and paragraph (f) is added to that subsection, to read:

55 322.051 Identification cards.—

56 (8)

57 (d) The department shall include symbols representing the
58 following on an identification card upon the payment of an

592-01781-24

202430c1

59 additional \$1 fee by an applicant who meets the requirements of
60 subsection (1) and presents his or her:

- 61 1. Lifetime freshwater fishing license;
- 62 2. Lifetime saltwater fishing license;
- 63 3. Lifetime hunting license; or
- 64 4. Lifetime sportsman's license; ~~or~~
- 65 5. ~~Lifetime boater safety identification card.~~

66
67 A person may replace his or her identification card before its
68 expiration date with a card that includes his or her status as a
69 lifetime licensee ~~or boater safety cardholder~~ upon surrender of
70 his or her current identification card, payment of a \$2 fee to
71 be deposited into the Highway Safety Operating Trust Fund, and
72 presentation of the person's lifetime license ~~or card~~. If the
73 sole purpose of the replacement identification card is the
74 inclusion of the applicant's status as a lifetime licensee ~~or~~
75 ~~cardholder~~, the replacement identification card must be issued
76 without payment of the fee required in s. 322.21(1)(f)3.c.

77 (f) The department shall issue an original, renewal, or
78 replacement identification card, as applicable, which includes a
79 symbol representing a lifetime boating safety identification
80 card upon the applicant's presentation of his or her Florida
81 boating safety identification card or a receipt of confirmation
82 by the Fish and Wildlife Conservation Commission that the
83 applicant was issued a Florida boating safety identification
84 card. The department shall include the lifetime boating safety
85 identification card symbol on an original, renewal, or
86 replacement identification card with no additional fee to the
87 applicant for the designation. If the sole purpose of the

592-01781-24

202430c1

88 replacement identification card is the inclusion of the
89 applicant's status as a lifetime boating safety cardholder, the
90 replacement identification card must be issued without payment
91 of any fee required by s. 322.21(1)(f).

92 Section 2. Effective October 1, 2025, present subsections
93 (5) through (10) of section 322.08, Florida Statutes, are
94 redesignated as subsections (6) through (11), respectively, and
95 a new subsection (5) is added to that section, to read:

96 322.08 Application for license; requirements for license
97 and identification card forms.—

98 (5) Each such application must indicate whether the
99 applicant has obtained a Florida boating safety identification
100 card pursuant to s. 327.395, and, if so, a copy of such card
101 must be submitted with the application. For purposes of
102 administering this subsection, the Fish and Wildlife
103 Conservation Commission may provide to the department any record
104 it has of the applicant completing a boating safety education
105 course that meets the requirements of s. 327.395 or having been
106 issued a Florida boating safety identification card.

107 Section 3. Effective October 1, 2025, paragraph (e) of
108 subsection (1) of section 322.14, Florida Statutes, is amended,
109 and paragraph (g) is added to that subsection, to read:

110 322.14 Licenses issued to drivers.—

111 (1)

112 (e) The department shall include symbols representing the
113 following on a driver license upon the payment of an additional
114 \$1 fee by an applicant who meets the requirements of s. 322.08
115 and presents his or her:

116 1. Lifetime freshwater fishing license;

592-01781-24

202430c1

- 117 2. Lifetime saltwater fishing license;
118 3. Lifetime hunting license; or
119 4. Lifetime sportsman's license; ~~or~~
120 ~~5. Lifetime boater safety identification card.~~

121
122 A person may replace his or her driver license before its
123 expiration date with a license that includes his or her status
124 as a lifetime licensee ~~or boater safety cardholder~~ upon
125 surrender of his or her current driver license, payment of a \$2
126 fee to be deposited into the Highway Safety Operating Trust
127 Fund, and presentation of the person's lifetime license ~~or~~
128 ~~identification card~~. If the sole purpose of the replacement
129 driver license is the inclusion of the applicant's status as a
130 lifetime licensee ~~or cardholder~~, the replacement driver license
131 must be issued without payment of the fee required in s.

132 322.21(1)(e).

133 (g) The department shall issue an original, renewal, or
134 replacement driver license, as applicable, which includes a
135 symbol representing a lifetime boating safety identification
136 card, upon the applicant's presentation of his or her Florida
137 boating safety identification card or a receipt of confirmation
138 by the Fish and Wildlife Conservation Commission that the
139 applicant has been issued a Florida boating safety
140 identification card. The department shall include the lifetime
141 boating safety identification card symbol on an original,
142 renewal, or replacement driver license with no additional fee to
143 the applicant for the designation. If the sole purpose of the
144 replacement driver license is the inclusion of the applicant's
145 status as a lifetime boating safety cardholder, the replacement

592-01781-24

202430c1

146 driver license must be issued without payment of any fee
147 required by s. 322.21(1)(e).

148 Section 4. Present subsection (10) of section 327.35,
149 Florida Statutes, is redesignated as subsection (11), and a new
150 subsection (10) is added to that section, to read:

151 327.35 Boating under the influence; penalties; "designated
152 drivers."—

153 (10) Notwithstanding any sentence or fine imposed by law or
154 the court, a person convicted of a violation of subsection (1)
155 and one or more criminal violations under this chapter, whether
156 arising from the same incident or within the preceding 12
157 months, must maintain an insurance policy insuring against loss
158 from liability for bodily injury, death, and property damage
159 arising out of the ownership, maintenance, or use of a vessel.
160 Such insurance must contain limits not less than \$100,000 for
161 bodily injury liability or death and \$50,000 for property
162 damage. A person who operates a vessel without the requisite
163 insurance commits a misdemeanor of the second degree, punishable
164 as provided in s. 775.082 or s. 775.083.

165 Section 5. Subsections (1), (2), and (4) of section
166 327.395, Florida Statutes, are amended to read:

167 327.395 Boating safety education.—

168 (1) Effective July 1, 2026, a person operating ~~born on or~~
169 after January 1, 1988, may not operate a vessel powered by a
170 motor of 10 horsepower or greater must have unless such person
171 has in his or her possession aboard the vessel the documents
172 required by subsection (2).

173 (2) While operating a vessel, a person ~~identified under~~
174 ~~subsection (1)~~ must have in his or her possession aboard the

592-01781-24

202430c1

175 vessel photographic identification and a Florida boating safety
176 identification card issued by the commission; a state-issued
177 identification card or driver license indicating possession of
178 the Florida boating safety identification card; or photographic
179 identification and a temporary certificate issued or approved by
180 the commission, an International Certificate of Competency, a
181 boating safety card or certificate from another state or United
182 States territory, or a Canadian Pleasure Craft Operator Card,
183 which shows that he or she has done one of the following:

184 (a) Completed a commission-approved boating safety
185 education course that meets the minimum requirements established
186 by the National Association of State Boating Law
187 Administrators.~~†~~

188 (b) Passed a temporary certificate examination developed or
189 approved by the commission.~~†~~

190 (c) Obtained a valid International Certificate of
191 Competency.~~†~~~~or~~

192 (d) Completed a boating safety education course or
193 equivalency examination in another state, a United States
194 territory, or Canada which meets or exceeds the minimum
195 requirements established by the National Association of State
196 Boating Law Administrators.

197 (4) A commission-approved boating safety education course
198 or temporary certificate examination developed or approved by
199 the commission must include components regarding all of the
200 following:

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

203 (b) The danger associated with:

592-01781-24

202430c1

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

207 2. A passenger falling overboard.

208 3. Operating a vessel with a person in the water near the
209 vessel.

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

211 5. Leaving the vessel running when a passenger is boarding
212 or disembarking.

213 6. Boating under the influence in violation of s. 327.35.

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

216 (d) Human trafficking awareness.

217
218 The commission must include the components under this subsection
219 in boating safety education campaigns and in educational
220 materials produced by the commission, as appropriate.

221 Section 6. Section 327.731, Florida Statutes, is amended to
222 read:

223 327.731 Mandatory education for violators.—

224 (1) A person convicted of a criminal violation under this
225 chapter, convicted of a noncriminal infraction under this
226 chapter if the infraction resulted in a reportable boating
227 accident, or convicted of a ~~two~~ noncriminal infraction
228 ~~infractions~~ as specified in s. 327.73(1)(h)-(k), (m), (o), (p),
229 or and (s)-(y), ~~the infractions occurring within a 12-month~~
230 ~~period,~~ must do all of the following:

231 (a) Enroll in, attend, and successfully complete, at his or
232 her own expense, one of the following courses, as applicable:

592-01781-24

202430c1

233 1. For a person convicted of any two noncriminal
234 infractions within a 24-month period, the boating safety
235 education course provided for in s. 327.395.

236 2. For a person convicted of a criminal violation, of a
237 noncriminal infraction under this chapter if the infraction
238 resulted in a reportable boating accident, or of three or more
239 noncriminal infractions within a 36-month period, the boating
240 safety education course provided for in s. 327.395 and a 4-hour
241 course that includes information regarding all of the following:

242 a. The boating laws of this state.

243 b. Causes and prevention of boating accidents.

244 c. The importance of wearing personal flotation devices.

245 d. The use of common sense and common courtesy while
246 operating a vessel.

247 e. Operating a vessel defensively. ~~a classroom or online~~
248 ~~boating safety course that is approved by and meets the minimum~~
249 ~~standards established by commission rule;~~

250 (b) File with the commission within 90 days proof of
251 successful completion of the course. ~~;~~

252 (c) Refrain from operating a vessel until he or she has
253 filed proof of successful completion of the course with the
254 commission. ~~;~~ ~~and~~

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

259 (2) For the purposes of this section, the terms "convicted"
260 and "conviction" mean ~~means~~ a finding of guilt, or the
261 acceptance of a plea of guilty or nolo contendere, regardless of

592-01781-24

202430c1

262 whether ~~or not~~ adjudication was withheld or whether imposition
263 of sentence was withheld, deferred, or suspended. A ~~Any~~ person
264 who operates a vessel on the waters of this state in violation
265 of ~~the provisions of~~ this section commits ~~is guilty of~~ a
266 misdemeanor of the second degree, punishable as provided in s.
267 775.082 or s. 775.083.

268 (3) The commission shall print on the reverse side of the
269 defendant's copy of the boating citation a notice of the
270 provisions of this section. Upon conviction, the clerk of the
271 court shall notify the defendant that it is unlawful for him or
272 her to operate any vessel until he or she has complied with this
273 section, but failure of the clerk of the court to provide such a
274 notice is ~~shall~~ not ~~be~~ a defense to a charge of unlawful
275 operation of a vessel under subsection (2).

276 (4) The commission shall:

277 (a) Maintain a program to ensure compliance with the
278 mandatory boating safety education requirements under this
279 section. This program must:

280 1. ~~(a)~~ Track any citations resulting in a conviction under
281 this section and the disposition of such citations; and—

282 2. ~~(b)~~ Send specific notices to each person subject to the
283 requirement for mandatory boating safety education.

284 (b) Adopt rules necessary to implement this section.

285 Section 7. Effective October 1, 2025, paragraph (c) of
286 subsection (2) of section 119.0712, Florida Statutes, is amended
287 to read:

288 119.0712 Executive branch agency-specific exemptions from
289 inspection or copying of public records.—

290 (2) DEPARTMENT OF HIGHWAY SAFETY AND MOTOR VEHICLES.—

592-01781-24

202430c1

291 (c) E-mail addresses collected by the Department of Highway
292 Safety and Motor Vehicles pursuant to s. 319.40(3), s.
293 320.95(2), or s. 322.08(11) ~~s. 322.08(10)~~ are exempt from s.
294 119.07(1) and s. 24(a), Art. I of the State Constitution. This
295 exemption applies retroactively.

296 Section 8. For the purpose of incorporating the amendment
297 made by this act to section 327.395, Florida Statutes, in
298 references thereto, subsection (4) of section 327.54, Florida
299 Statutes, is reenacted to read:

300 327.54 Liveries; safety regulations; penalty.—

301 (4) A livery may not knowingly lease or rent a vessel to a
302 person who is required to comply with s. 327.395 unless such
303 person presents to the livery the documentation required by s.
304 327.395(2) for the operation of a vessel or meets the exemption
305 provided under s. 327.395(6) (f).

306 Section 9. Except as otherwise expressly provided in this
307 act, this act shall take effect July 1, 2024.