

## CHAPTER 2024-174

### Committee Substitute for Committee Substitute for House Bill No. 437

An act relating to anchoring limitation areas; amending s. 327.4108, F.S.; revising anchoring limitation areas in certain sections of Biscayne Bay in Miami-Dade County; revising documentation and evidence criteria for proving the location of a vessel within an anchoring limitation area; providing an effective date.

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

Section 1. Paragraph (c) of subsection (1) and paragraph (b) of subsection (6) of section 327.4108, Florida Statutes, are amended to read:

327.4108 Anchoring of vessels in anchoring limitation areas.—

(1) The following densely populated urban areas, which have narrow state waterways, residential docking facilities, and significant recreational boating traffic, are designated as and shall be considered to be grandfathered-in anchoring limitation areas, within which a person may not anchor a vessel at any time during the period between one-half hour after sunset and one-half hour before sunrise, except as provided in subsections (4) and (5):

(c) The sections of Biscayne Bay in Miami-Dade County lying between:

1. Palm Island and State Road A1A.
2. Rivo Alto Island and Di Lido Island.
3. San Marino Island and Di Lido Island.
- ~~4.2.~~ San Marino Island and San Marco Island.
- ~~5.3.~~ San Marco Island and Biscayne Island.

(6)

(b)1. For a vessel in an anchoring limitation area established pursuant to subsection (2), upon an inquiry by a law enforcement officer or agency, a vessel owner or operator must be given an opportunity to provide proof that the vessel has not exceeded the limitations described in subsection (2). Such proof may include any of the following:

a. Documentation showing that the vessel was in another location at least 1 nautical mile away within a period of less than 45 days before the inquiry.

b. Electronic evidence, including, but not limited to, navigational devices or tracking devices permanently affixed to the vessel that show the vessel was in another location at least 1 nautical mile away within a period of less than 45 days before the inquiry.

2. If a vessel owner or operator fails or refuses to provide proof that the vessel has not exceeded the limitations described in subsection (2), the law enforcement officer or agency may issue a citation for a violation of this section.

Section 2. This act shall take effect July 1, 2024.

Approved by the Governor May 10, 2024.

Filed in Office Secretary of State May 10, 2024.