

## CHAPTER 2025-35

### Committee Substitute for Senate Bill No. 1388

An act relating to vessels; amending s. 327.45, F.S.; specifying that the Fish and Wildlife Conservation Commission's authorization to establish protection zones includes modifying the allowable means of certain vessel positioning to prevent significant harm to certain springs; revising what constitutes significant harm; amending s. 327.56, F.S.; prohibiting an officer from performing a vessel stop or boarding a vessel without probable cause; prohibiting an officer from performing a vessel stop or boarding a vessel under certain circumstances; providing that a violation of safety or marine sanitation equipment requirements is a secondary rather than a primary offense; amending s. 327.70, F.S.; requiring the commission, in coordination with the Department of Highway Safety and Motor Vehicles, to create the "Florida Freedom Boater" safety inspection decal for specified purposes; providing for the award of such decal; providing requirements for such decal; authorizing an officer to stop a vessel for a lawful purpose when the officer has probable cause or knowledge to believe a violation of certain provisions has occurred or is occurring; creating s. 327.75, F.S.; providing a short title; defining the terms "energy source" and "watercraft"; prohibiting specified entities from restricting the use or sale of watercraft based on the energy source used by such watercraft; amending s. 379.226, F.S.; revising provisions prohibiting the issuance of a license to a vessel owned by certain alien powers; providing an effective date.

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

Section 1. Subsection (2) of section 327.45, Florida Statutes, is amended to read:

327.45 Protection zones for springs.—

(2) The commission may establish by rule protection zones that restrict the speed and operation of vessels, or that prohibit or modify the allowable means of anchoring, mooring, beaching, or grounding of vessels, to protect and prevent significant harm to first, second, and third magnitude springs and springs groups, including their associated spring runs, as determined by the commission using the most recent Florida Geological Survey springs bulletin. Significant This harm includes negative impacts to water quality, water quantity, hydrology, wetlands, and aquatic and wetland-dependent species where the operation, anchoring, mooring, beaching, or grounding of vessels is determined to be the predominant cause of negative impacts.

Section 2. Section 327.56, Florida Statutes, is amended to read:

327.56 Safety and marine sanitation equipment inspections; probable cause; qualified.—

~~(1) An No officer may not shall board any vessel or perform a vessel stop in this state unless to make a safety or marine sanitation equipment inspection if the owner or operator is not aboard. When the owner or operator is aboard, an officer may board a vessel with consent or when the officer has probable cause or knowledge to believe that a violation of a provision of this chapter has occurred or is occurring.~~

~~(2) An officer may not perform a vessel stop or board a vessel for the sole purpose of performing a safety or marine sanitation equipment inspection. A violation of safety or marine sanitation equipment requirements is a secondary offense, rather than a primary offense An officer may board a vessel when the operator refuses or is unable to display the safety or marine sanitation equipment required by law, if requested to do so by a law enforcement officer, or when the safety or marine sanitation equipment to be inspected is permanently installed and is not visible for inspection unless the officer boards the vessel.~~

~~(2) Inspection of floating structures for compliance with this section shall be as provided in s. 403.091.~~

Section 3. Subsection (2) of section 327.70, Florida Statutes, is amended to read:

327.70 Enforcement of this chapter and chapter 328.—

(2)(a)1. The commission, in coordination with the Department of Highway Safety and Motor Vehicles, shall create a “Florida Freedom Boater” safety inspection decal for issue at the time of registration or renewal, signifying that the vessel is deemed to have met the safety equipment carriage and use requirements of this chapter. Upon demonstrated compliance with the safety equipment carriage and use requirements of this chapter at the time of registration or renewal during a safety inspection initiated by a law enforcement officer, the operator of a vessel shall be issued a “Florida Freedom Boater” safety inspection decal signifying that the vessel is deemed to have met the safety equipment carriage and use requirements of this chapter at the time and location of such inspection. The commission may designate by rule the timeframe for expiration of, and the specific design for, the “Florida Freedom Boater” safety inspection decal. However, a decal may not be valid for less than 1 calendar year or more than 5 years at the time of issue and, at a minimum, must meet the standards specified in this paragraph. ~~All decals issued by the commission on or before December 31, 2018, are no longer valid after that date.~~

2. The “Florida Freedom Boater” safety inspection decal, ~~if displayed,~~ must be located within 6 inches of the inspected vessel’s properly displayed vessel registration decal. For nonmotorized vessels that are not required to be registered, the “Florida Freedom Boater” safety inspection decal, ~~if displayed,~~ must be located above the waterline on the forward half of the port side of the vessel.

~~(b) If a vessel properly displays a valid safety inspection decal created or approved by the division, a law enforcement officer may not stop the vessel for the sole purpose of inspecting the vessel for compliance with the safety equipment carriage and use requirements of this chapter unless there is reasonable suspicion that a violation of a safety equipment carriage or use requirement has occurred or is occurring. This subsection does not restrict a law enforcement officer from stopping a vessel for any other lawful purpose when the officer has probable cause to believe that a violation of this chapter has occurred or is occurring.~~

Section 4. Section 327.75, Florida Statutes, is created to read:

327.75 Watercraft Energy Source Freedom Act.—

(1) SHORT TITLE.—This section may be cited as the “Watercraft Energy Source Freedom Act.”

(2) DEFINITIONS.—For the purposes of this section, the term:

(a) “Energy source” means any source of energy used to power a watercraft, including, but not limited to, gasoline, diesel fuel, electricity, hydrogen, and solar power.

(b) “Watercraft” means any vessel or craft designed for navigation on water, including boats and personal watercraft.

(3) PROHIBITION ON RESTRICTIONS BASED ON ENERGY SOURCE.—Notwithstanding any other law to the contrary, a state agency, municipality, governmental entity, or county may not restrict the use or sale of a watercraft based on the energy source used to power the watercraft, including an energy source used for propulsion or used for powering other functions of the watercraft.

Section 5. Subsection (3) of section 379.226, Florida Statutes, is amended to read:

379.226 Florida Territorial Waters Act; alien-owned commercial fishing vessels; prohibited acts; enforcement.—

~~(3) No license shall be issued by the Fish and Wildlife Conservation Commission under s. 379.361, to any vessel owned in whole or in part by any alien power, which subscribes to the doctrine of international communism, or any subject or national thereof, who subscribes to the doctrine of international communism, or any individual who subscribes to the doctrine of international communism, or who shall have signed a treaty of trade, friendship and alliance or a nonaggression pact with any communist power. The commission shall grant or withhold said licenses where other alien vessels are involved on the basis of reciprocity and retorsion, unless the nation concerned shall be designated as a friendly ally or neutral by a formal suggestion transmitted to the Governor of Florida by the Secretary of State of the United States. Upon the receipt of such suggestion licenses shall be~~

~~granted under s. 379.361, without regard to reciprocity and retorsion, to vessels of such nations.~~

Section 6. This act shall take effect July 1, 2025.

Approved by the Governor May 19, 2025.

Filed in Office Secretary of State May 19, 2025.