

CHAPTER 2016-126

Committee Substitute for Committee Substitute for House Bill No. 427

An act relating to recreational vessel registration; amending s. 328.72, F.S.; providing definitions; providing a reduced recreational vessel registration fee schedule for vessels registered during a specified period which are equipped with an emergency position indicating radio beacon or for which the owner of the vessel owns a personal locator beacon; limiting application to one vessel per owner; authorizing the Department of Highway Safety and Motor Vehicles to adopt rules relating to proof of qualification; providing for certain funds to supplement the reduced amounts collected; providing for expiration of the reduced fee schedule; amending s. 328.76, F.S., relating to the Marine Resources Conservation Trust Fund; providing for use of the supplemental funds; amending s. 328.66, F.S., relating to county and municipality optional registration fees; specifying that the reduced fees do not apply to the limitation on registration fees charged by a county; providing an effective date.

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

Section 1. Subsection (1) of section 328.72, Florida Statutes, is amended, and subsection (18) is added to that section, to read:

328.72 Classification; registration; fees and charges; surcharge; disposition of fees; fines; marine turtle stickers.—

(1) VESSEL REGISTRATION FEE.—

(a) Vessels that are required to be registered shall be classified for registration purposes according to the following schedule, and, except as provided in subsection (18), the registration certificate fee shall be in the following amounts:

1. Class A-1—Less than 12 feet in length, and all canoes to which propulsion motors have been attached, regardless of length: \$5.50 for each 12-month period registered.

2. Class A-2—12 feet or more and less than 16 feet in length: \$16.25 for each 12-month period registered. (To county): 2.85 for each 12-month period registered.

3. Class 1—16 feet or more and less than 26 feet in length: \$28.75 for each 12-month period registered. (To county): 8.85 for each 12-month period registered.

4. Class 2—26 feet or more and less than 40 feet in length: \$78.25 for each 12-month period registered. (To county): 32.85 for each 12-month period registered.

5. Class 3—40 feet or more and less than 65 feet in length: \$127.75 for each 12-month period registered. (To county): 56.85 for each 12-month period registered.

6. Class 4—65 feet or more and less than 110 feet in length: \$152.75 for each 12-month period registered. (To county): 68.85 for each 12-month period registered.

7. Class 5—110 feet or more in length: \$189.75 for each 12-month period registered. (To county): 86.85 for each 12-month period registered.

8. Dealer registration certificate: \$25.50 for each 12-month period registered.

(b) The county portion of the vessel registration fee is derived from recreational vessels only.

(18) REDUCED VESSEL REGISTRATION FEE.—

(a) As used in this subsection, the term:

1. “Emergency position-indicating radio beacon” means a device installed on the vessel being registered that:

a. Transmits distress signals at a frequency between 406.0 and 406.1 MHz;

b. Is manufactured by a company approved to manufacture beacons by the International Cospas-Sarsat Programme; and

c. Is registered with the United States National Oceanic and Atmospheric Administration.

2. “Full registration fee amount” means the registration fee as provided in subsection (1) and not the reduced vessel registration fee specified in this subsection.

3. “Personal locator beacon” means a device designed to be carried by an individual that:

a. Transmits distress signals at a frequency between 406.0 and 406.1 MHz;

b. Is manufactured by a company approved to manufacture beacons by the International Cospas-Sarsat Programme; and

c. Is registered with the United States National Oceanic and Atmospheric Administration.

(b) The registration certificate fee imposed under subsection (1) for a recreational vessel equipped with an emergency position-indicating radio beacon, or for a recreational vessel the owner of which owns a personal

locator beacon, shall be reduced to the following amounts for each 12-month period registered:

1. Class A-1—\$4.24.
2. Class A-2—\$13.77.
3. Class 1—\$24.83.
4. Class 2—\$68.56.
5. Class 3—\$112.31.
6. Class 4—\$134.41.
7. Class 5—\$167.11.

(c) A person who owns a personal locator beacon and who owns more than one recreational vessel qualifies to pay the reduced fee under paragraph (b) for only one such vessel.

(d) In order to qualify for reduced registration fees under this subsection, a vessel owner must, at the time of registration, demonstrate that the vessel is equipped with an emergency position-indicating radio beacon or that the vessel owner owns a personal locator beacon. The Department of Highway Safety and Motor Vehicles may adopt rules specifying what constitutes sufficient proof to qualify for reduced registration fees under this subsection, but such proof must contain, at a minimum, the following:

1. The name of the beacon owner.
2. The expiration date of the beacon's registration.
3. The unique identification number of the beacon.
4. For vessels equipped with an emergency position-indicating radio beacon, identification of the vessel equipped with the beacon.

(e) For each vessel registration qualifying for reduced registration fees under this subsection, an amount equal to the difference between the full registration fee amount and the actual amount of registration fee paid for such vessel registration shall be transferred from the General Revenue Fund to the Department of Highway Safety and Motor Vehicles and shall be distributed pursuant to s. 328.76.

(f) The reduced registration certificate fee amounts provided in this subsection apply only to applicable vessels registered during the period beginning July 1, 2016, and ending June 30, 2017.

(g) This subsection expires July 1, 2017.

Section 2. Subsection (1) of section 328.76, Florida Statutes, is amended to read:

328.76 Marine Resources Conservation Trust Fund; vessel registration funds; appropriation and distribution.—

(1) Except as otherwise specified in this subsection and less the amount equal to any administrative costs which shall be deposited in the Highway Safety Operating Trust Fund, in each fiscal year beginning on or after July 1, 2001, all funds collected from the registration of vessels through the Department of Highway Safety and Motor Vehicles and the tax collectors of the state and funds transferred from the General Revenue Fund pursuant to s. 328.72(18), except for those funds designated as the county portion pursuant to s. 328.72(1), shall be deposited in the Marine Resources Conservation Trust Fund for recreational channel marking; public launching facilities; law enforcement and quality control programs; aquatic weed control; manatee protection, recovery, rescue, rehabilitation, and release; and marine mammal protection and recovery. The funds collected pursuant to s. 328.72(1) shall be transferred as follows:

(a) In each fiscal year, an amount equal to \$1.50 for each commercial and recreational vessel registered in this state shall be transferred by the Department of Highway Safety and Motor Vehicles to the Save the Manatee Trust Fund and shall be used only for the purposes specified in s. 379.2431(4).

(b) An amount equal to \$2 from each recreational vessel registration fee, except that for class A-1 vessels, shall be transferred by the Department of Highway Safety and Motor Vehicles to the Invasive Plant Control Trust Fund in the Fish and Wildlife Conservation Commission for aquatic weed research and control.

(c) An amount equal to 40 percent of the registration fees from commercial vessels shall be transferred by the Department of Highway Safety and Motor Vehicles to the Invasive Plant Control Trust Fund in the Fish and Wildlife Conservation Commission for aquatic plant research and control.

(d) An amount equal to 40 percent of the registration fees from commercial vessels shall be transferred by the Department of Highway Safety and Motor Vehicles, on a monthly basis, to the General Inspection Trust Fund of the Department of Agriculture and Consumer Services. These funds shall be used for shellfish and aquaculture development and quality control programs.

(e) After all administrative costs are funded and the distributions in paragraphs (a)-(d) have been made, up to \$400,000 shall be transferred by the Department of Highway Safety and Motor Vehicles to the General Inspection Trust Fund of the Department of Agriculture and Consumer Services to fund activities relating to the protection, restoration, and

research of the natural oyster reefs and beds of the state. This paragraph expires July 1, 2017.

(f) After all administrative costs are funded and the distributions in paragraphs (a)-(d) have been made, up to \$300,000 may be used by the Fish and Wildlife Conservation Commission for boating safety education. This paragraph expires July 1, 2017.

Section 3. Subsection (1) of section 328.66, Florida Statutes, is amended to read:

328.66 County and municipality optional registration fee.—

(1) Any county may impose an annual registration fee on vessels registered, operated, used, or stored on the waters of this state within its jurisdiction. This fee shall be 50 percent of the applicable state registration fee as provided in s. 328.72(1) and not the reduced vessel registration fee specified in s. 328.72(18). However, the first \$1 of every registration imposed under this subsection shall be remitted to the state for deposit in the Save the Manatee Trust Fund created within the Fish and Wildlife Conservation Commission, and shall be used only for the purposes specified in s. 379.2431(4). All other moneys received from such fee shall be expended for the patrol, regulation, and maintenance of the lakes, rivers, and waters and for other boating-related activities of such municipality or county. A municipality that was imposing a registration fee before April 1, 1984, may continue to levy such fee, notwithstanding the provisions of this section.

Section 4. This act shall take effect July 1, 2016.

Approved by the Governor March 25, 2016.

Filed in Office Secretary of State March 25, 2016.