

State-Specific Boating Safety Requirements

Florida State Laws

1. Law Enforcement Authority

Law enforcement officers of the Florida Fish and Wildlife Conservation Commission, Sheriff's deputies of the various counties, and any other authorized enforcement officer, shall have the authority to order the removal of vessels deemed to be an interference or hazard to public safety, enforce all boating safety laws or cause any inspection to be made of all vessels in accordance to state law.

A law enforcement officer may stop any vessel for the purpose of checking for compliance with boating safety equipment requirements.

2. Age Restrictions

In addition to the boating safety education requirements of listed in the next section, a person must be at least 14 years of age to operate a personal watercraft in this state. A person must be at least 18 years of age to rent a personal watercraft in this state.

3. Boater Safety Education Requirements

Anyone born on or after January 1, 1988 who operates a vessel powered by 10 horsepower or more must pass an approved boater safety course and have in his/her possession photographic identification and a boater safety identification card issued by the Florida Fish and Wildlife Conservation Commission. The only exemptions to this requirement are as follows:

- If there is a person on board who is not affected by this law or is at least 18 years of age and holds a boater education I.D. card. This person must be attendant to and take responsibility for the safe operation of the vessel.
- If the person is operating on a private lake or pond.
- If the operator is licensed by the USCG as a master of a vessel.
- If the person is operating an out-of-state boat and is a non-resident and has proof of the successful completion of a NASBLA-approved course from another state and is visiting the state for less than 60 days or less.

4. Vessel Registration

All vessels operating with mechanical propulsion devices (such as gas or electric outboards) are required to be registered.

Vessels must be registered and numbered within thirty (30) days of purchase.

Registration numbers must be displayed on the forward half of the vessel on both sides above the waterline. The numbers must be bold block letters at least 3" high in a color contrasting to the hull.

The vessel registration decal must be renewed annually and is to be displayed within six (6) inches of, either before or after, the registration numbers on the port (left) side.

Documented vessels without a state registration in full force and effect, must also obtain a Florida registration and display the validation decal on the port side of the vessel when using Florida waters.

5. Maximum Loading and Horsepower

No person may operate a monohull boat of less than 20 feet in length while exceeding the maximum weight, persons, or horsepower capacity as displayed on the manufacturer's capacity plate.

6. Equipment and Lighting Requirements

The owner and/or operator of a vessel is responsible to carry, store, maintain, and use the safety equipment required by the U.S.C.G. safety equipment requirements.

A child under the age of six (6) must wear a U.S.C.G. approved Type I, II, or III personal flotation device while onboard a vessel under 26 feet in length while the vessel is underway on Florida waters. The requirement is different in federal waters. On these waters, each child under 13 years old who is underway on a recreational vessel must wear an appropriate USCG-approved PFD unless the child is below deck or in an enclosed cabin. "Underway" is defined as anytime except when the vessel is anchored, moored, made fast to the shore, or aground.

The use of sirens or flashing, occulting, or revolving lights is prohibited except where expressly allowed by law.

7. Marine Sanitation Devices

Vessels operating in Florida waters must comply with the U.S.C.G. requirements relating to marine sanitation devices, if applicable.

8. Muffling Devices

All vessels must be equipped with an effective muffling device. This has been interpreted to require automotive style mufflers on the engine exhaust of airboats.

The use of cutouts is prohibited, except for vessels competing in a regatta or official boat race and such vessels while on trial runs.

9. Boating Accidents

The operator of a vessel involved in a boating accident where there is personal injury beyond immediate first-aid, death, disappearance of any person under circumstances which indicate death or injury, or if there is damage to the vessel(s) and/or personal property of at least \$2,000, must, by the quickest means possible, give notice to one of the following: the Florida Fish and Wildlife Conservation Commission, the sheriff of the county in which the accident occurred, or the police chief of the municipality in which the accident occurred, if applicable.

It is unlawful for any person operating a vessel involved in a boating accident to leave the scene without giving all possible aid to the involved persons and without reporting the accident to the proper authorities.

10. Vessel Speed Restrictions

Any vessel operating in a speed zone posted as "Idle Speed - No Wake" must operate at the minimum speed that will maintain steerageway.

Any vessel operating in a speed zone posted as "Slow Down - Minimum Wake" must operate fully off plane and completely settled in water. The vessel's wake must not be excessive nor create a hazard to other vessels.

11. Mooring to Markers or Buoys

It is unlawful to moor or fasten to any lawfully placed navigational aid or regulatory marker except in the event of an emergency. It is also illegal to tamper with, move or damage any navigational aid or regulatory marker.

12. Reckless and Careless Operation

Anyone who operates a vessel with willful disregard for the safety of persons or property will be cited for reckless operation (a first-degree misdemeanor).

All operators are responsible for operating their vessel in a reasonable and prudent manner with regard for other vessel traffic, posted restrictions, the presence of a divers-down flag, and other circumstances so as not to endanger people or property. Failure to do so is considered careless operation (a non-criminal infraction).

A violation of the Federal Navigation Rules is also a violation of Florida law.

13. Interference with Navigation

Except in the event of an emergency, it is unlawful for any person to anchor or operate a vessel in a manner that will unreasonably interfere with the navigation of other vessels.

14. Boating Under the Influence

It is a violation of Florida law to operate a vessel while impaired by alcohol or other drugs. A vessel operator suspected of boating under the influence must submit to sobriety tests and a physical or chemical test to determine blood or breath alcohol content.

In Florida, a vessel operator is presumed to be under the influence if their blood or breath alcohol level is at or above 0.08.

Any person under 21 years of age who is found to have a breath alcohol level of 0.02 or higher and operates or is in actual physical control of a vessel is in violation of Florida law.

15. Mandatory Violator Education

Florida law requires that anyone convicted of a criminal boating violation, a non-criminal boating infraction which resulted in a boating accident, or two non-criminal boating safety infractions within a 12-month period, must enroll in, attend, and successfully complete a NASBLA/state approved classroom boater education course. Correspondence or on-line course applications do not meet these requirements.

Anyone who is convicted of a criminal boating violation, any boating infraction resulting in a reportable boating accident, or two non-criminal boating safety violations within a 12-month period must attend and successfully complete an approved boating safety course and file proof with the Florida Fish and Wildlife Conservation Commission. The violator's privilege to operate a vessel in the state will be suspended until proof of course completion is filed.

16. PWC Regulations

Each person operating, riding on, or being towed behind a personal watercraft must wear an approved non-inflatable Type I, II, III, or V personal flotation device. Inflatable personal flotation devices are prohibited.

The operator of a personal watercraft must attach the engine cutoff switch lanyard (if equipped by the manufacturer) to his/her person, clothing, or PFD.

Personal watercraft may not be operated from ½ hour after sunset to ½ hour before sunrise.

Maneuvering a personal watercraft by weaving through congested vessel traffic, jumping the wake of another vessel unreasonably close or when visibility around the vessel is obstructed,

or swerving at the last possible moment to avoid collision is classified as reckless operation of a vessel (a first-degree misdemeanor).

A person must be at least 14 years of age to operate a personal watercraft in this state.

A person must be at least 18 years of age to rent a personal watercraft in this state.

It is unlawful for a person to knowingly allow a person under 14 years of age to operate a personal watercraft (a second-degree misdemeanor).

17. Water Ski Regulations

The operator of a vessel towing someone on skis or another aquaplaning device must either have an observer, in addition to the operator, on board who is attendant to the actions of the skier or have and use a wide-angle rear view mirror.

No one may ski or aquaplane between the hours of ½ hour past sunset to a ½ hour before sunrise.

No one may water ski or use another aquaplaning device unless they are wearing a U.S.C.G. approved non-inflatable Type I, II, III, or V personal flotation device (PFD). Inflatable personal flotation devices are prohibited.

No one may ski or use another aquaplaning device while impaired by alcohol or other drugs.

The operator of a vessel towing a skier may not pull the skier close enough to a fixed object or another vessel that there is risk of collision.

18. Divers-down Flag

The size of divers-down flags displayed on vessels must be at least 20 inches by 24 inches, and a stiffener is required to keep the flag unfurled. Dive flags carried on floats may still be 12 inches by 12 inches. Also, divers-down flags on vessels must be displayed above the vessel's highest point so that the flag's visibility is not obstructed in any direction.

Divers must make reasonable efforts to stay within 300 feet of a divers-down flag on open waters (all waterways other than rivers, inlets, or navigation channels) and within 100 feet of a flag within rivers, inlets, or navigation channels.

Vessel operators must make a reasonable effort to maintain a distance of at least 300 feet from divers-down flags on open waters and at least 100 feet from flags on rivers, inlets, or navigation channels. Vessels approaching divers-down flags closer than 300 feet in open water and 100 feet in rivers, inlets, and navigation channels must slow to idle speed.

19. Liveries (Rental Agencies)

The facility is prohibited from renting a vessel that does not have proper safety equipment, exceeds the recommended horsepower or load capacity, or is not seaworthy.

The facility must provide pre-rental or pre-ride instruction on the safe operation of the vessel with a motor of 10 horsepower or more. This instruction must include, at a minimum, operational characteristics of the vessel, safe operation and right-of-way, operator responsibilities, and local waterway characteristics. The person delivering this information must have completed a NASBLA/state-approved boater safety course.

All renters required by law to have a boater education ID card must have the card or its equivalent before the facility may rent to them.

The livery must display boating safety information in a place visible to the renting public in accordance with FWC guidelines.

PWC liveries must provide on-the-water demonstration and a check ride to evaluate the proficiency of renters.

PWC liveries may not rent to anyone under the age of 18.

PWC liveries must display safety information on the proper operation of a PWC. The information must include: propulsion, steering and stopping characteristics of jet pump vessels, the location and content of warning labels, how to re-board a PWC, the applicability of the Navigation Rules to PWC operation, problems with seeing and being seen by other boaters, reckless operation, and noise, nuisance, and environmental concerns.

20. Other State-Specific Regulations

21. Environmental Awareness

Manatee Awareness

The Florida Manatee (*Trichechus manatus latirostris*) is an integral part of Florida's ecology. The manatee weighs approximately 66 pounds at birth. As adults they can weigh up to 3,500 pounds, but their average weight is approximately 1,000 pounds. The females are generally larger than the males. These mammals have a bulbous face and rotund body with paddle-shaped tails and two front flippers with large fingernails. Young manatees are dark in color and change to a light brown or light gray as they age. The skin of the manatee is wrinkled, rough and covered with stiff hairs. The manatee's split upper lip is covered with tiny hairs that help the manatee to "feel" their surroundings. Manatees graze on sea vegetation and can eat up to a couple hundred pounds of aquatic plants a day earning their nickname "Sea Cows." Because of the rough diet, the teeth of the Manatees fall out and are replaced horizontally, not vertically like most other mammals. Polyphyodont, tooth replacement, continues throughout the manatee life cycle.

There is no direct evidence that shows whether the manatee population in the state of Florida is declining, increasing, or stabilizing although most estimates suggest that the population is stable. Manatees have no natural enemies and can live to be 60 years or more. Human activities pose the greatest risk to manatees. Known causes of death are ingestion of fishhooks or collision with boats. Manatees are wild animals and for their own protection are best left alone. They can be friendly and curious, but interaction with humans teaches them to approach for food and attention. The manatee can then be harmed by watercraft or cruel and ignorant people who may try to harm them.

Manatees are protected by state and federal law. It is illegal to harass, hunt, capture, or kill any marine mammal, including manatees. Anything that disrupts a manatee's normal behavior is a violation of law, punishable under federal law up to a \$50,000 fine, one-year imprisonment, or both. Boaters must observe all manatee protection zone requirements including reducing speed in posted manatee zones.

Protecting Marine Habitats

Many bodies of water contain fragile ecosystems just under the surface. These ecosystems are becoming endangered due to the increased number of people utilizing our waterways. Boaters may not realize the effect that they have on their environment. For example, it is

important to use caution in choosing an anchoring location as anchors can potentially damage underwater habitats. In Florida, most of the areas utilized by boaters are also sea grass and coral reef habitats. Either sea grass beds or corals line most of the coast line. Both ecosystems provide a vital habitat for juvenile marine species and are a feeding ground for a variety of fish and other organisms. Should a boater anchor in a sea grass bed or coral reef, damage to these habitats are caused when the anchor is dropped and pulled over the sea floor. Boaters should drop anchor only in barren sandy areas or use a mooring buoy that has been provided. When driving through a sensitive ecosystem, boaters should use special precautions as propellers can also have damaging effects to these fragile areas. In a sea grass bed boaters should turn off their engine and pole through the area to avoid causing damage. When boating near a reef, be aware of the water depth and tide changes to avoid running aground. You can help preserve these fragile ecosystems by educating fellow boaters of the sensitive areas.

Sea Grass Awareness

Sea grasses are the principal food for endangered marine herbivores such as manatees and green sea turtles. Not only do they act as natural filters to help purify the water but they also provide a suitable environment for a wide variety of marine life. Boaters should make all available attempts to avoid running through sea grass beds and allowing their propellers to scar the beds. When you are unfamiliar with a waterway, refer to your navigation chart and look for light green areas or the letters "grs" which identify sea grass beds. Stay within the channels marked on your chart and do not take shortcuts through sea grass. It is a violation of Florida law to damage sea grass beds in some areas within state waters and boaters can be fined and/or jailed for any damage caused.

Additional Information

For more information on Florida boating law refer to the Florida Fish and Wildlife Conservation Commission at <http://floridaconservation.org/law/>.