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CS/CS/HB 427

2016 Legislature

1
2 An act relating to recreational vessel registration;
3 amending s. 328.72, F.S.; providing definitions;
4 providing a reduced recreational vessel registration
5 fee schedule for vessels registered during a specified
6 period which are equipped with an emergency position
7 indicating radio beacon or for which the owner of the
8 vessel owns a personal locator beacon; limiting
9 application to one vessel per owner; authorizing the
10 Department of Highway Safety and Motor Vehicles to
11 adopt rules relating to proof of qualification;
12 providing for certain funds to supplement the reduced
13 amounts collected; providing for expiration of the
14 reduced fee schedule; amending s. 328.76, F.S.,
15 relating to the Marine Resources Conservation Trust
16 Fund; providing for use of the supplemental funds;
17 amending s. 328.66, F.S., relating to county and
18 municipality optional registration fees; specifying
19 that the reduced fees do not apply to the limitation
20 on registration fees charged by a county; providing an
21 effective date.

22
23 Be It Enacted by the Legislature of the State of Florida:

24
25 Section 1. Subsection (1) of section 328.72, Florida
26 Statutes, is amended, and subsection (18) is added to that

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27 | section, to read:

28 | 328.72 Classification; registration; fees and charges;
29 | surcharge; disposition of fees; fines; marine turtle stickers.—

30 | (1) VESSEL REGISTRATION FEE.—

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

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

38 | 2. Class A-2—12 feet or more and less than 16 feet in
39 | length: \$16.25 for each 12-month period registered. ~~(To county):~~
40 | 2.85 for each 12-month period registered.

41 | 3. Class 1—16 feet or more and less than 26 feet in length:
42 | \$28.75 for each 12-month period registered. ~~(To county):~~ 8.85
43 | for each 12-month period registered.

44 | 4. Class 2—26 feet or more and less than 40 feet in
45 | length: \$78.25 for each 12-month period registered. ~~(To county):~~
46 | 32.85 for each 12-month period registered.

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

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

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53 7. Class 5–110 feet or more in length: \$189.75 for each
 54 12-month period registered. ~~+(To county): 86.85 for each 12-month~~
 55 period registered.

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

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

60 (18) REDUCED VESSEL REGISTRATION FEE.—

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

62 1. "Emergency position-indicating radio beacon" means a
 63 device installed on the vessel being registered that:

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

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

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

70 2. "Full registration fee amount" means the registration
 71 fee as provided in subsection (1) and not the reduced vessel
 72 registration fee specified in this subsection.

73 3. "Personal locator beacon" means a device designed to be
 74 carried by an individual that:

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

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

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

81 (b) The registration certificate fee imposed under
 82 subsection (1) for a recreational vessel equipped with an
 83 emergency position-indicating radio beacon, or for a
 84 recreational vessel the owner of which owns a personal locator
 85 beacon, shall be reduced to the following amounts for each 12-
 86 month period registered:

87 1. Class A-1-\$4.24.

88 2. Class A-2-\$13.77.

89 3. Class 1-\$24.83.

90 4. Class 2-\$68.56.

91 5. Class 3-\$112.31.

92 6. Class 4-\$134.41.

93 7. Class 5-\$167.11.

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

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

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105 minimum, the following:

106 1. The name of the beacon owner.

107 2. The expiration date of the beacon's registration.

108 3. The unique identification number of the beacon.

109 4. For vessels equipped with an emergency position-
 110 indicating radio beacon, identification of the vessel equipped
 111 with the beacon.

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

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

123 (g) This subsection expires July 1, 2017.

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

126 328.76 Marine Resources Conservation Trust Fund; vessel
 127 registration funds; appropriation and distribution.—

128 (1) Except as otherwise specified in this subsection and
 129 less the amount equal to any administrative costs which shall be
 130 deposited in the Highway Safety Operating Trust Fund, in each

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131 fiscal year beginning on or after July 1, 2001, all funds
 132 collected from the registration of vessels through the
 133 Department of Highway Safety and Motor Vehicles and the tax
 134 collectors of the state and funds transferred from the General
 135 Revenue Fund pursuant to s. 328.72(18), except for those funds
 136 designated as the county portion pursuant to s. 328.72(1), shall
 137 be deposited in the Marine Resources Conservation Trust Fund for
 138 recreational channel marking; public launching facilities; law
 139 enforcement and quality control programs; aquatic weed control;
 140 manatee protection, recovery, rescue, rehabilitation, and
 141 release; and marine mammal protection and recovery. The funds
 142 collected pursuant to s. 328.72(1) shall be transferred as
 143 follows:

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

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

155 (c) An amount equal to 40 percent of the registration fees
 156 from commercial vessels shall be transferred by the Department

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157 of Highway Safety and Motor Vehicles to the Invasive Plant
 158 Control Trust Fund in the Fish and Wildlife Conservation
 159 Commission for aquatic plant research and control.

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

166 (e) After all administrative costs are funded and the
 167 distributions in paragraphs (a)-(d) have been made, up to
 168 \$400,000 shall be transferred by the Department of Highway
 169 Safety and Motor Vehicles to the General Inspection Trust Fund
 170 of the Department of Agriculture and Consumer Services to fund
 171 activities relating to the protection, restoration, and research
 172 of the natural oyster reefs and beds of the state. This
 173 paragraph expires July 1, 2017.

174 (f) After all administrative costs are funded and the
 175 distributions in paragraphs (a)-(d) have been made, up to
 176 \$300,000 may be used by the Fish and Wildlife Conservation
 177 Commission for boating safety education. This paragraph expires
 178 July 1, 2017.

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

181 328.66 County and municipality optional registration fee.—

182 (1) Any county may impose an annual registration fee on

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183 vessels registered, operated, used, or stored on the waters of
184 this state within its jurisdiction. This fee shall be 50 percent
185 of the applicable state registration fee as provided in s.
186 328.72(1) and not the reduced vessel registration fee specified
187 in s. 328.72(18). However, the first \$1 of every registration
188 imposed under this subsection shall be remitted to the state for
189 deposit in the Save the Manatee Trust Fund created within the
190 Fish and Wildlife Conservation Commission, and shall be used
191 only for the purposes specified in s. 379.2431(4). All other
192 moneys received from such fee shall be expended for the patrol,
193 regulation, and maintenance of the lakes, rivers, and waters and
194 for other boating-related activities of such municipality or
195 county. A municipality that was imposing a registration fee
196 before April 1, 1984, may continue to levy such fee,
197 notwithstanding the provisions of this section.

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