

RESOLUTION NO. _____

A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, URGING THE FLORIDA LEGISLATURE TO ENACT SENATE BILL 606, AND ITS RELATED BILL, HOUSE BILL 493, BOTH ENTITLED "THE BOATING SAFETY ACT OF 2022," OR OTHER SIMILAR LEGISLATION THAT REGULATES VESSEL LIVERIES AND PROMOTES BOATING SAFETY; AND DIRECTING THE CITY CLERK TO SEND A COPY OF THIS RESOLUTION TO THE PRESIDENT OF THE FLORIDA SENATE, THE SPEAKER OF THE FLORIDA HOUSE OF REPRESENTATIVES, AND MEMBERS OF THE MIAMI-DADE STATE LEGISLATIVE DELEGATION.

WHEREAS, the City of Miami Beach hosts approximately 13.3 million visitors each year, and is considered one of the world's most popular tourist destinations because of its beaches, crystal-clear blue water, and amazing tropical environment; and

WHEREAS, numerous water activities, including parasailing, powerboating, and jet-skiing are popular waterborne activities, which are enjoyed by both residents of Miami-Dade County and tourists;

WHEREAS, in the last year, Miami-Dade County has seen a surge in recreational vessel activity on County waters; and

WHEREAS, while this increase in activity supports the City's economy, the City nevertheless must ensure that vessel operators and vessel rental businesses are conducting their activities lawfully and in a manner protective of human health, safety, and the environment; and

WHEREAS, however, many vessel operators and vessel rental businesses have not been complying with local, state, and federal laws pertaining to vessel safety and business regulations; and

WHEREAS, the increase in vessel activity on our waters, which has been prompted in significant part by vessel rental companies, also known as "liveries" or "charters," has led to an increase in navigational hazards and vessel accidents and injuries on the water; and

WHEREAS, the rampant growth in charter and livery operations has also had adverse impacts on the environment, including damage to marine habitats in Biscayne Bay; and

WHEREAS, state law significantly constrains local governments' ability to regulate vessel activity on state waters such as Biscayne Bay, and therefore it is incumbent upon the state to take action to address the negative consequences of the recent increase in recreational vessel activity on state waters; and

WHEREAS, Senate Bill ("SB") 606 and House Bill ("HB") 493, both entitled "the Boating Safety Act of 2022," have been filed for consideration during the 2022 session of the Florida Legislature; and

WHEREAS, the Boating Safety Act of 2022 establishes a permitting scheme for vessel liveries, to be administered by the Florida Fish and Wildlife Conservation Commission, that protects economic activity but ensures that vessel liveries remain legally accountable and observe regulations designed to protect the safety of the customers who rent vessels from them; and

WHEREAS, the Boating Safety Act of 2022 also increases the civil penalties applicable for violations of certain vessel-safety laws, such as violating navigation rules, carelessly causing seagrass scarring, and anchoring or mooring in prohibited areas, as well as laws pertaining to vessel registration and transfer of title; and

WHEREAS, in addition to other provisions, the Boating Safety Act of 2022 provides for the creation of an Illegal Boating Strike Team "for the purpose of coordinating law enforcement at the federal, state, and local levels to increase public safety and decrease boating accidents, injuries, fatalities, and criminal activity"; and

WHEREAS, the Mayor and City Commission urge the Florida Legislature to enact the Boating Safety Act of 2022, or any other similar legislation that regulates vessel liveries and promotes boating safety in order protect the residents, visitors, environment, and economy of the City of Miami Beach, Miami-Dade County, and the State of Florida.

NOW, THEREFORE, BE IT DULY RESOLVED BY THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, that the Mayor and City Commission hereby urge the Florida Legislature to urge the Florida Legislature to enact Senate Bill 606, and its related bill, House Bill 493, both entitled "the Boating Safety Act Of 2022," or other similar legislation that regulates vessel liveries and promotes boating safety; and direct the City Clerk to send a copy of this Resolution to the President of the Florida Senate, the Speaker of the Florida House of Representatives, and members of the Miami-Dade State Legislative Delegation.

PASSED AND ADOPTED this ____ day of December, 2021

ATTEST:

Mayor Dan Gelber

Rafael E. Granado, City Clerk

(Sponsored by Commissioner Alex Fernandez)

APPROVED AS TO
FORM & LANGUAGE
& FOR EXECUTION

City Attorney

12-1-21
Date