

The 2021 Florida Statutes

[Title XXIV](#)
VESSELS[Chapter 327](#)
VESSEL SAFETY[View Entire Chapter](#)**327.4109 Anchoring or mooring prohibited; exceptions; penalties.—**

(1)(a) The owner or operator of a vessel or floating structure may not anchor or moor such that the nearest approach of the anchored or moored vessel or floating structure is:

1. Within 150 feet of any public or private marina, boat ramp, boatyard, or other public vessel launching or loading facility;
2. Within 500 feet of a superyacht repair facility. For purposes of this subparagraph, the term “superyacht repair facility” means a facility that services or repairs a yacht with a water line of 120 feet or more in length; or
3. Within 100 feet outward from the marked boundary of a public mooring field or a lesser distance if approved by the commission upon request of a local government within which the mooring field is located. The commission may adopt rules to implement this subparagraph.

(b) This subsection does not apply to:

1. A vessel owned or operated by a governmental entity.
2. A construction or dredging vessel on an active job site.
3. A commercial fishing vessel actively engaged in commercial fishing.
4. A vessel actively engaged in recreational fishing if the persons onboard are actively tending hook and line fishing gear or nets.

(2) Notwithstanding subsection (1), an owner or operator of a vessel may anchor or moor within 150 feet of any public or private marina, boat ramp, boatyard, or other public vessel launching or loading facility; within 500 feet of a superyacht repair facility; or within 100 feet outward from the marked boundary of a public mooring field if:

(a) The vessel suffers a mechanical failure that poses an unreasonable risk of harm to the vessel or the persons onboard such vessel. The owner or operator of the vessel may anchor or moor for 5 business days or until the vessel is repaired, whichever occurs first.

(b) Imminent or existing weather conditions in the vicinity of the vessel pose an unreasonable risk of harm to the vessel or the persons onboard such vessel. The owner or operator of the vessel may anchor or moor until weather conditions no longer pose such risk. During a hurricane or tropical storm, weather conditions are deemed to no longer pose an unreasonable risk of harm when the hurricane or tropical storm warning affecting the area has expired.

(3) The owner or operator of a vessel or floating structure may not anchor or moor within the marked boundary of a public mooring field unless the owner or operator has a lawful right to do so by contractual agreement or other business arrangement.

(4) The owner or operator of a vessel or floating structure may not anchor, moor, tie, or otherwise affix or allow the vessel or floating structure to remain anchored, moored, tied, or otherwise affixed to an unpermitted, unauthorized, or otherwise unlawful object that is on or affixed to the bottom of the waters of this state. This subsection does not apply to a private mooring owned by the owner of privately owned submerged lands.

(5) A violation of this section is a noncriminal infraction, punishable as provided in s. [327.73\(1\)\(bb\)](#).

(6)(a) As used in this subsection, and applied only for the purposes of the study required by this subsection and not for any other purposes, the term “long-term stored vessel” means a vessel on the waters of the state which is not under the supervision and control of a person capable of operating, maintaining, or moving it from one location to another and which has remained anchored or moored outside of a public mooring field for at least 30 days out of a 60-day period.

(b) The commission shall conduct, or contract with a private vendor to conduct, for not longer than 2 years, a study of the impacts of long-term stored vessels on local communities and this state.

(c) The study shall:

1. Investigate whether, and to what extent, long-term stored vessels and vessels anchored or moored outside of public mooring fields for more than 30 days contribute to the number of derelict and abandoned vessels on the waters of the state.
2. Investigate the impacts of long-term stored vessels, vessels anchored or moored outside of public mooring fields for more than 30 days, and vessels moored within public mooring fields on the local and state economies; public safety; public boat ramps, staging docks, and public marinas; and the environment during and after significant tropical storm and hurricane events.
3. Provide recommendations for appropriate management options for long-term stored vessels and vessels anchored or moored outside public mooring fields for more than 30 days to mitigate any identified negative impacts to local communities and this state.

(d) The commission shall submit a report of its findings and recommendations to the Governor, the President of the Senate, and the Speaker of the House of Representatives within 6 months after the study is completed.

(e) This subsection is contingent upon appropriation by the Legislature.

(f) This subsection expires January 1, 2024.

History.—s. 6, ch. 2017-163; s. 2, ch. 2019-54; s. 14, ch. 2021-184.