

MEMORANDUM

Agenda Item No. 11(A)(16)

TO: Honorable Chairman Anthony Rodriguez
and Members, Board of County Commissioners

DATE: January 22, 2025

FROM: Geri Bonzon-Keenan
County Attorney

SUBJECT: Resolution urging the Florida
Legislature to enact Senate Bill
58 or similar legislation that
would amend boating safety laws
to promote safety, prevent
accidents, and ensure that
violators are brought to justice

Resolution No. R-80-25

The accompanying resolution was prepared and placed on the agenda at the request of Prime Sponsor Commissioner Raquel A. Regalado.



Geri Bonzon-Keenan
County Attorney

GBK/jp



MEMORANDUM (Revised)

TO: Honorable Chairman Anthony Rodriguez
and Members, Board of County Commissioners

DATE: January 22, 2025

FROM: 
Gen Bonzon-Keenan
County Attorney

SUBJECT: Agenda Item No. 11(A)(16)

Please note any items checked.

- ☐ "3-Day Rule" for committees applicable if raised
- ☐ 6 weeks required between first reading and public hearing
- ☐ 4 weeks notification to municipal officials required prior to public hearing
- ☐ Decreases revenues or increases expenditures without balancing budget
- ☐ Budget required
- ☐ Statement of fiscal impact required
- ☐ Statement of social equity required
- ☒ Ordinance creating a new board requires detailed County Mayor's report for public hearing
- ☐ No committee review
- ☐ Applicable legislation requires more than a majority vote (i.e., 2/3's present ____, 2/3 membership ____, 3/5's ____, unanimous ____, majority plus one ____, CDMP 7 vote requirement per 2-116.1(3)(h) or (4)(c) ____, CDMP 2/3 vote requirement per 2-116.1(3) (h) or (4)(c) ____, CDMP 9 vote requirement per 2-116.1(4)(c) (2) ____) to approve
- ☐ Current information regarding funding source, index code and available balance, and available capacity (if debt is contemplated) required

Approved _____ Mayor
Veto _____
Override _____

Agenda Item No. 11(A)(16)
1-22-25

RESOLUTION NO. _____ R-80-25

RESOLUTION URGING THE FLORIDA LEGISLATURE TO
ENACT SENATE BILL 58 OR SIMILAR LEGISLATION THAT
WOULD AMEND BOATING SAFETY LAWS TO PROMOTE
SAFETY, PREVENT ACCIDENTS, AND ENSURE THAT
VIOLATORS ARE BROUGHT TO JUSTICE

WHEREAS, boating is a fundamental component of the culture and economy of Miami-Dade County, and boating safety is of paramount concern on Biscayne Bay and Miami-Dade County waterways; and

WHEREAS, in response to multiple tragic boating accidents on Biscayne Bay in recent years, including the death of Luciana “Lucy” Fernandez on September 4, 2022, this Board has taken action to promote boating safety, including but not limited to urging the Florida Legislature to improve state boating safety laws; and

WHEREAS, on May 21, 2024, this Board adopted Resolution No. R-461-24, which urged the Florida Legislature to align the penalties imposed on vessel operators who flee the scene of an accident with those applicable to vehicular drivers; and

WHEREAS, on September 17, 2024, this Board adopted Resolution No. R-820-24, which further urged the Florida Legislature to adopt legislation amending boating safety laws to promote safety, prevent accidents, and ensure that violators are brought to justice, including by achieving the following:

- Enhance penalties for vessel operators who are reckless and cause serious bodily injury, or who violate a navigational rule and cause death or serious bodily injury, by making these offenses third degree felonies;

- Enhance penalties for vessel operators who willfully leave the scene of a vessel collision based on the level of injury, by making it: a first degree felony if it was a fatal crash; a second degree felony if it was a crash with serious bodily injury; a third degree felony if it was a crash with injury other than serious bodily injury; and a misdemeanor of the first degree if it was a crash resulting in property damage;
- Provide a mandatory minimum term of imprisonment of four years for boating under the influence for the crimes of manslaughter and willfully leaving the scene of a fatal vessel collision; and
- Provide that the crimes of vessel homicide and boating-under-the-influence manslaughter include the killing of an unborn child by any injury to the mother; and

WHEREAS, on November 21, 2024, Senator Ileana Garcia (R – Miami) introduced Senate Bill (“SB”) 58 for consideration during the 2025 session of the Florida Legislature; and

WHEREAS, SB 58 would amend boating safety laws to promote safety, prevent accidents, and ensure that violators are brought to justice by:

- Enacting the same amendments proposed by this Board in Resolution No. R-820-24;
- Making other amendments to state criminal law regarding boating safety, including enhanced consequences for persons convicted of boating under the influence; and
- Improving current processes relating to boating safety identification cards, including a new requirement that all persons, rather than only persons born on or after a specified date, have specified identification in their possession while operating a vessel; and

WHEREAS, this Board is concerned that current state boating safety laws are insufficient to ensure public safety on Biscayne Bay and County waterways; and

WHEREAS, this Board therefore wishes to urge the Florida Legislature to adopt SB 58,
NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA, that this Board:

Section 1. Urges the Florida Legislature to enact Senate Bill 58 or similar legislation that would amend boating safety laws to promote safety, prevent accidents, and ensure that violators are brought to justice.

Section 2. Directs the Clerk of the Board to transmit a certified copy of this resolution to the Governor, the Senate President, the House Speaker, Senator Ileana Garcia, and the Chair and remaining Members of the Miami-Dade County State Legislative Delegation.

Section 3. Directs the County's state lobbyists to advocate for the passage of the legislation set forth in section 1 above, and authorizes and directs the Office of Intergovernmental Affairs to amend the 2025 State Legislative Package to include this item.

The Prime Sponsor of the foregoing resolution is Commissioner Raquel A. Regalado. It was offered by Commissioner **Danielle Cohen Higgins** , who moved its adoption. The motion was seconded by Commissioner **Kionne L. McGhee** and upon being put to a vote, the vote was as follows:

Anthony Rodriguez, Chairman	aye		
Kionne L. McGhee, Vice Chairman	aye		
Marleine Bastien	aye	Juan Carlos Bermudez	aye
Kevin Marino Cabrera	aye	Sen. René García	aye
Oliver G. Gilbert, III	aye	Roberto J. Gonzalez	aye
Keon Hardemon	absent	Danielle Cohen Higgins	aye
Eileen Higgins	aye	Raquel A. Regalado	aye
Micky Steinberg	aye		

The Chairperson thereupon declared this resolution duly passed and adopted this 22nd day of January, 2025. This resolution shall become effective upon the earlier of (1) 10 days after the date of its adoption unless vetoed by the County Mayor, and if vetoed, shall become effective only upon an override by this Board, or (2) approval by the County Mayor of this resolution and the filing of this approval with the Clerk of the Board.



MIAMI-DADE COUNTY, FLORIDA
BY ITS BOARD OF
COUNTY COMMISSIONERS

JUAN FERNANDEZ-BARQUIN, CLERK

By: Basia Pruna
Deputy Clerk

Approved by County Attorney as
to form and legal sufficiency.

CJW

Christopher J. Wahl