

# A TAXONOMY OF VESSELS ON FLORIDA WATERS

Thomas T. Ankersen, Professor Emeritus  
University of Florida College of Law  
Florida Sea Grant

Katherine Pearson, J.D. Candidate  
University of Florida Levin College of Law  
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This chart includes definitions for vessel types found within the Florida Statutes (Fla. Stat. or FS) and the Florida Administrative Code (Fla. Admin. Code r. or FAC), organized by categories of vessels assigned by the authors. Where the same term is defined differently in different statutes or code provisions, these are assigned separate rows. Where a statute and the code employ the same wording for the term they are defining, they are listed in the same row. Where there is a definition in the code that is different from or not found in the statute, the definition is assigned its own row. Note that these broad categories are not mutually exclusive. Any vessel may also qualify for another category. The third column (Legal Context) provides the statutory or regulatory purposes for which the term is defined. The final column indicates any judicial or other authoritative interpretations of the term, as well as additional context from the authors. The final category lists definitions included in the Federal Inland Rules of Inland Navigation, which have been incorporated into Florida law. This chart addresses amendments that go back 30 years in the case of statutes, and 20 years in the case of agency rules.

## Summary Vessel Taxonomy

### Recreational Vessels

- Personal watercraft
- Yacht
- Motorboat
- Airboat
- Sailboat
- Inflatable boat
- Human-powered Vessel
- Canoe
- Racing shell, rowing scull, racing kayak
- Antique vessel

### Commercial vessels

- Commercial Vessel
- Commercial Fishing Vessel
- Vessel for Hire
- Charter Vessel
- Headboat
- Gambling Vessel
- Livery Vessel
- Barge

### Residential vessels

- Houseboat
- Live-Aboard

### Problematic Vessels

- Derelict Vessel
- At-risk Vessel
- Abandoned Vessel
- Unclaimed Vessel

### Source of Origin Vessels

- American Vessel
- Non-American Vessel
- Documented Vessel
- Foreign-documented Vessel
- Migrant vessel

### Vessel Construction

- Homemade Vessel
- Manufactured Vessel

**Vessel Terms Used but Not Defined**

- Boat
- Seaplane
- Amphibious Vessel
- Inflatable Boat
- Non-Motor-Powered-Vessel

§327.02, Fla. Stat. 2025. Definitions.—As used in this chapter and in chapter 328, unless the context clearly requires a different meaning, the term...(insert term)...means:

**Notes:**

1. The broad categories are not mutually exclusive. The selected category reflect the most representative category for a vessel type based on its legal context.
2. In some cases, a defined term can have multiple definition that are found in different statutes and rules

**Comprehensive Chart**

Defined Term & Citation	Definition	Legal Context	Authoritative Interpretations & Author Commentary
<b>Vessel</b>	<b>Watercraft</b>	<b>Boat</b>	
<p><b>BOAT</b></p> <p><b>Florida Constitution</b> Fla. Const. art. VII, § 1(b).</p>	<p>Used but not defined.</p> <p>“Motor vehicles, <b>boats</b>, airplanes, trailers, trailer coaches and mobile homes, as defined by law, shall be subject to a license tax for their operation in the amounts and for the purposes prescribed by law, but shall not be subject to ad valorem taxes.” (emphasis added).</p>	<p>- The term "boat" appears in Article VII, Section 1(b) of the Florida Constitution, which exempts boats (along with motor vehicles, airplanes, etc.) from ad valorem taxes and subjects them to a license tax.</p>	<p>- The term appears in various places in the Florida Statutes but is never discretely defined (apart from being characterized as a synonym for vessel.</p> <p>- In <i>State v. Davis</i>, 110 So.3d 27 (Fla. 2<sup>nd</sup> DCA 2013), the court found that vessel and boat were intended to have “nearly the same meaning.”</p> <p>- In <i>Department of Revenue v. Florida Boaters Ass'n, Inc.</i>, 409 So.2d 17 (1981), the</p>

			<p>court found a statute unconstitutional that excluded live-aboards from the meaning of boat in the Florida Constitution.</p> <p>- A 2005 Florida Attorney General's Opinion confirmed the constitutionality of the registration exemption for "non-motor-powered vessels." Op. Att'y Gen. Fla. 51 (2005).</p>
<p><b>VESSEL (1)</b></p> <p><b>Ch. 327: Florida Vessel Safety Law</b> Fla. Stat. § 327.02(46) (2025).</p> <p><b>Florida Manatee Sanctuary Act (FAC Implementation)</b> Fla. Admin. Code r. 68C-22.003(7)(c) (2025).</p> <p><b>So. Fla. WMD Agency Rule</b> Fla. Admin. Code r. 40E-7.521(29) (2025).</p>	<p>synonymous with <b>boat</b> as referenced in s. 1(b), Art. VII of the State Constitution and includes every description of watercraft, barge, and airboat, other than a seaplane on the water, used or capable of being used as a means of transportation on water.</p>	<p>- Defines "vessel" for the purposes of Chapters 327 (vessel safety) and 328 (vessel title, lien and registration). FS § 327.02(46).</p> <p>- FAC verbatim recitation of the "vessel" definition in Ch. 327.02(46) for the purpose of implementing the Florida Manatee Sanctuary Act regulations. FAC 68C-22.001-68C-22.029.</p> <p>- FAC verbatim recitation of the "vessel" definition in FS Ch. 327.02(46) for purposes of South Florida Water Management District Rules. FAC 40E-7.521.</p>	<p>- This definition is stable. There have been no notable amendments to this definition of vessel in either the Florida Statutes in the past thirty years or the FAC in the past twenty years.</p> <p>- In <i>Lozman v. City of Riviera Beach</i>, 568 U.S. 115, 121 (2013), the U.S. Supreme Court interpreted the federal definition of vessel, very similar to Florida's, and announced "the reasonable observer" test to distinguished floating homes from vessels.</p>
<p><b>VESSEL (2)</b></p> <p><b>Ch. 328: Florida Vessel Title, Lien and Registration Law</b></p> <p>- <b>Part I: Uniform Certificate of Title for Vessels Act</b></p>	<p>a watercraft used or capable of being used as a means of transportation on water, except: 1. A seaplane; 2. An amphibious vehicle for which a certificate of title is</p>	<p>- Defines "vessel" for the purposes of titling and registration. FS §§ 328.001-328.80.</p> <p>- Administered by Dep't of Highway Safety and Motor</p>	<p>- Otherwise similar to FS § 327.02(46), this definition also includes a list of vessel types that are excluded from vessel registration under FS Ch. 328. Over time, this list has grown to</p>

<p><b>- Part II: Vessel Registration</b>          Fla. Stat. § 328.0015(ee) (2025).</p>	<p>issued pursuant to chapter 319 or a similar statute of another state; 3. Non-motor-powered watercraft less than 16 feet in length; 4. Watercraft that operate only on a permanently fixed, manufactured course and the movement of which is restricted to or guided by means of a mechanical device to which the watercraft is attached or by which the watercraft is controlled; 5. A stationary floating structure that:</p> <ul style="list-style-type: none"> <li>a. Does not have and is not designed to have a mode of propulsion of its own;</li> <li>b. Is dependent for utilities upon a continuous utility hookup to a source originating on shore; and</li> <li>c. Has a permanent, continuous hookup to a shoreside sewage system;</li> </ul> <p>6. Watercraft owned by the United States, a state, or a foreign government or a political subdivision of any of them; and 7. Watercraft used solely as a lifeboat on another watercraft.</p>	<p>Vehicles (DMV). FS § 328.40.</p> <p>- Unless exempted, all vessels must be titled under FS § 328.03 and registered under FS § 328.46.</p>	<p>reflect new vessel exclusions, small non-motor-powered vessels, and floating homes.</p>
<p><b>VESSEL (3)- Federal</b></p>	<p>The word “vessel” includes every</p>	<p>- The United States Code defines “vessel”</p>	<p>- In <i>Lozman v. City of Riviera Beach</i>, 568 U.S.</p>

<p><b>Chapter 1 U.S. Code: Rules of Construction</b> 1 U.S.C. § 3</p>	<p>description of watercraft or other artificial contrivance used, or capable of being used, as a means of transportation on water.</p>	<p>for the purposes of its chapter on the rules of construction, which are used to interpret all federal statutes. 1 U.S.C. §§ 1-8.</p>	<p>115, 121 (2013), the court found that not every floating structure is a vessel as a vessel must be a means of transportation on water to a “reasonable observer.”</p>
<p><b>VESSEL (4)-Federal Federal Inland Navigation Rules 33</b> C.F.R. § 83.03(a) (2025).</p>	<p>The word <i>vessel</i> includes every description of water craft, including non-displacement craft, WIG craft and seaplanes, used or capable of being used as a means of transportation on water.</p>	<p>- Defines vessel for the purposes of the Inland Rules of Navigation of 1980.</p>	<p>- Note that FS Ch. 328 excludes seaplanes from its definition for purposes of vessel registration.</p> <p>- WIG means “Wing in Ground” and refers to a vessel that operates on a dynamic air cushion between the craft and the water.</p>
<p><b>VESSEL (5) State Agency Rule FAC Ch68B: Marine Fisheries</b> Fla. Admin. Code r. 68B-2.001(27).</p>	<p>"Vessel" includes any water craft used or capable of being used as a means of transportation on water. Vessel includes nondisplacement craft and any aircraft designed to maneuver on water.</p>	<p>- Regulates harvesting of recreational and commercial species on the same vessel at the same time.</p>	<p>- Note that this administrative definition includes vessels that could be characterized as “seaplanes,” which are specifically excluded from the statutory definition.</p> <p>- This chapter was adopted into the FAC in 2013. There have been no notable amendments to the definition of vessel since.</p>
<p><b>WATERCRAFT (1) Ch. 327: Watercraft Energy Source Freedom Act</b> Fla. Stat. § 327.75(2)(a) (2025).</p>	<p>Means any vessel or craft designed for navigation on water, including boats and personal watercraft.</p>	<p>- Defines “watercraft” for the purposes of the Watercraft Energy Source Freedom Act, which prohibits watercraft discrimination based on energy source. FS § 327.75(2).</p>	<p>- The Watercraft Energy Source Freedom Act was added to the Florida Statutes in 2025. There have been no notable amendments to the definition. Fla. Laws Ch. 2014-195.</p>
<p><b>WATERCRAFT (2) State Agency Rule FAC 51I: Florida Forest</b></p>	<p>Any motorized, paddle-propelled or wind-driven means of</p>	<p>- Prohibits use of watercraft in swimming areas on lands managed by</p>	<p>- There have been no notable amendments to the definition of watercraft in this rule</p>

<p><b>Service</b> Fla. Admin. Code r. 5I-4.002(36) (2025).</p>	<p>water-related transportation.</p>	<p>Florida Forest Service. FAC 5I-4.006(2).</p>	<p>in the past twenty years.</p>
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**NON-VESSELS**

<p><b>FLOATING STRUCTURE</b></p> <p><b>Ch. 327: Florida Vessel Safety Law</b> Fla. Stat. § 327.02(14) (2025).</p>	<p>means a floating entity, with or without accommodations built thereon, which is not primarily used as a means of transportation on water but which serves purposes or provides services typically associated with a structure or other improvement to real property. The term includes, but is not limited to, an entity used as a residence, place of business or office with public access; a hotel or motel; a restaurant or lounge; a clubhouse; a meeting facility; a storage or parking facility; or a mining platform, dredge, dragline, or similar facility or entity represented as such. Floating structures are expressly excluded from the definition of the term “vessel” provided in this section. Incidental movement upon water or resting partially or entirely on the bottom does not, in and of itself, preclude an entity from classification as a floating structure.</p>	<ul style="list-style-type: none"> <li>- Authorizes (“does not prohibit”) local government regulation of floating structures. FS § 327.60(3).</li> <li>- Authorizes local governments to require proof of proper sewage disposal. FS § 327.60(4)(a).</li> <li>- Requires “floating structure that has an enclosed living space with berthing facilities, or working space with public access, must be equipped with a permanently installed toilet properly connected to a Type III marine sanitation device or permanently attached via plumbing to shoreside sewage disposal.” FS § 327.53.</li> <li>- Prohibits anchoring or mooring of floating structures within specified distances of marinas, boat ramps, and other facilities. FS § 327.4109.</li> <li>- Exempts floating structures without propulsion systems, and that maintain shoreside utility hookups from vessel registration. FS § 328.0015.</li> </ul>	<ul style="list-style-type: none"> <li>- This definition was added to the Florida Vessel Safety Law in 1994. Fla. Laws Ch. 94-241. Since being added, there have been no notable amendments to the definition.</li> <li>- In <i>Lozman v. City of Riviera Beach</i>, 568 U.S. 115, 121 (2013), the court found that a floating home is a floating structure rather than a vessel unless a reasonable person would consider the structure to be designed for moving people or objects across waters.</li> <li>- FDEP characterizes docks as fixed or floating structures for the purposes of sovereign submerged lands management rules. FAC 18-21.003.</li> </ul>
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<p><b>FLOATING STRUCTURE (2)</b></p>	<p>means a floating <b>barge-like</b> entity, with</p>	<p>- Defines Floating Structure for the</p>	<p>- The highlighted text is the only variance</p>
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**Taxation and Finance**  
Fla. Stat. § 192.001(17)  
(2025).

or without accommodations built thereon, which is not primarily used as a means of transportation on water but which serves purposes or provides services typically associated with a structure or other improvement to real property. The term “floating structure” includes, but is not limited to, each entity used as a residence, place of business, office, hotel or motel, restaurant or lounge, clubhouse, meeting facility, storage or parking facility, mining platform, dredge, dragline, or similar facility or entity represented as such. Floating structures are expressly excluded from the definition of the term “vessel” provided in [s. 327.02](#). Incidental movement upon water shall not, in and of itself, preclude an entity from classification as a floating structure. **A floating structure is expressly included as a type of tangible personal property.** (emphasis added).

purposes classifying it as a “type of tangible personal property.” FS § 192.001(17).

from the definition found in FS Ch. 327.02(46) above.

- There have been no notable amendments to this definition of floating structure.

### RECREATIONAL VESSELS

It is also declared to be the intent of the Legislature that all vessels be classified as either “commercial” or “recreational” and that all such vessels be registered according to the provisions of FS § 328.72, FS § 328.70(1).

Any vessel which is required to be registered and is not used for commercial purposes shall be classified and registered as a “recreational vessel.” FS § 328.70(3).

<p><b>RECREATIONAL VESSEL</b></p> <p><b>Ch. 327: Florida Vessel Safety Law</b>          Fla. Stat. § 327.02(40) (2025).</p>	<p>means a vessel:</p> <ul style="list-style-type: none"> <li>a. Manufactured and used primarily for noncommercial purposes; or</li> <li>b. Leased, rented, or chartered to a person for his or her noncommercial use.</li> </ul>	<ul style="list-style-type: none"> <li>- Not applied in FS Ch. 327.</li> <li>- Applied in FS Ch. 328 to distinguish recreational vessels from commercial vessels for registration purposes. FS § 328.48(2).</li> <li>- Distinguish from commercial vessels in the distribution of registration fees. §328.72(15).</li> <li>- Authorize fee reduction for possession of personal locator beacon. FS Ch. 328.</li> </ul>	<ul style="list-style-type: none"> <li>- This term was added to the Florida Vessel Safety Law in 2000. Fla. Laws Ch. 2000-362.</li> <li>- There have been no notable amendments to the definition of recreational vessel in the Florida Statutes since then.</li> </ul>
<p><b>PERSONAL WATERCRAFT</b></p> <p><b>Ch. 327: Florida Vessel Safety Law</b> Fla. Stat. § 327.02(36) (2025).</p> <p><b>So. Fla. Water Mgmt. Dist. Agency Rule</b>          Fla. Admin. Code r. 40E-7.521(20) (2025).</p>	<p>means a vessel less than 16 feet in length which uses an inboard motor powering a water jet pump as its primary source of motive power and which is designed to be operated by a person sitting, standing, or kneeling on the vessel, rather than in the conventional manner of sitting or standing inside the vessel.</p>	<ul style="list-style-type: none"> <li>- Operational regulations (PFD requirement, lanyard cutoff switch, nighttime operation prohibition, age limits, etc.). FS § 327.39.</li> <li>- Specific boater safety education required. FS §327.395.</li> <li>- Prohibits local governments from “discriminating against personal watercraft.” FS §327.60(2)(d).</li> </ul>	<ul style="list-style-type: none"> <li>- In <i>State Farm Fire &amp; Cas. Co. v. Johnson</i>, 596 So. 2d 1162, 1163 (Fla. 4th DCA 1992), the court noted that the definition of personal watercraft includes “vessels with an inboard motor powering a water jet pump designed to be operated by a person in a sitting, standing, or kneeling position.”</li> <li>- The statutory definition was amended in 2000 to limit it to vessels “less than 16 feet in length” and to vessels with inboard motors. Fla. Laws Ch. 2000-362.</li> <li>- There have been no notable amendments to the definition of personal watercraft in the FAC in the past twenty years.</li> </ul>

<p><b>YACHT</b></p> <p><b>Ch. 326: Yacht and Ship Brokers Act</b>          Fla. Stat. § 326.002(4) (2025).</p>	<p>means any vessel that is propelled by sail or machinery in the water, exceeds 32 feet in length, and is:</p> <ul style="list-style-type: none"> <li>a. Manufactured or operated primarily for pleasure; or</li> <li>b. Leased, rented, or chartered to someone other than the owner for the other person's pleasure.</li> </ul>	<p>- Defines "yacht" for the purposes of the Yacht and Ship Brokers's Act. This definition is used within the chapter governing broker licensing. FS §§ 326.001-326.006.</p>	<p>- The definition was amended in 2024 to remove a weight requirement (300 gross tons), which had the effect increasing the number of vessels that fall under the definition. The amendment also added language requiring that the term only apply to yachts manufactured, operated, or chartered primarily for pleasure. Fla. Laws Ch. 2024-195.</p>
<p><b>MOTORBOAT</b></p> <p><b>Ch. 327: Florida Vessel Safety Act</b>          Fla. Stat. § 327.02(30) (2025).</p>	<p>means a vessel equipped with machinery for propulsion, irrespective of whether the propulsion machinery is in actual operation.</p>	<p>- Establishes right of motorboat owner to demand and receive a satisfaction of the lien for filing with DMV. FS § 328.15(1).</p>	<p>- It is not clear why the term is used here to the exclusion of non-motor vessels. Other provisions in the lien statute refer to vessels broadly.</p> <p>- The statutory definition was amended in 2000 to remove the requirement for actual propulsion. Fla. Laws Ch. 2000-362.</p> <p>- There have been no notable amendments to the definition for motorboat in the Florida Statutes in the past thirty years.</p>
<p><b>AIRBOAT</b></p> <p><b>(1) Ch. 327: Florida Vessel Safety Act</b>          Fla. Stat. § 327.02(1) (2025).</p>	<p>a vessel that is primarily designed for use in shallow waters and powered by an internal combustion engine with an airplane-type propeller mounted above the stern and used to push air across a set of rudders.</p>	<p>- General regulation of airboats (exhaust, flagging, passengers for hire, etc.). FS § 327.391.</p> <p>- Prohibits local governments from discriminating against airboats (for ordinances adopted after July 1, 2006, unless adopted by a</p>	<p>- The term was added to FS Ch. 327 in 2006. Fla. Laws Ch. 2006-172.</p> <p>- There have been no notable amendments to this definition since then.</p>

		2/3 vote). FS § 327.60 (2)(e).	
<b>AIRBOAT (2)</b> <b>Florida Wekiva River Protection Act</b> Fla. Stat. § 369.309(1) (2025).	For the purposes of this section, an airboat is any boat, sled, skiff, or swamp vessel that is pushed, pulled, or propelled by air power generated by a nondetachable motor of more than 10 horsepower.	- Prohibits airboats (as defined in the Wekiva River Protection Act) from operating on the Wekiva River System. FS § 369.309(1).	- The Florida Wekiva River Protection Act was added to the Florida Statutes in 1990. Fla. Laws Ch. 90-81.  - There have been no notable amendments to this definition.
<b>AIRBOAT (3)</b> <b>State Agency Rule Ch. 68A: Freshwater Fish and Wildlife</b> Fla. Admin. Code r. 68A-1.004(1) (2025).	Any boat, sled, sea skiff or swamp boat pushed, pulled or propelled by airpower generated by a motor of more than 25 horsepower.	- The regulatory definition implements FS Ch. 379 and applies it to the use of airboats in various wildlife management areas under FWC management.	- There have been no notable amendments to this definition in the past twenty years.
<b>SAILBOAT</b> <b>Ch. 327: Florida Vessel Safety Act</b> Fla. Stat. § 327.02(43) (2025).  <b>State Agency Rule Ch. 68D: Vessel Registration &amp; Boating Safety</b> Fla. Admin. Code r. 68D-15.002(1)(c) (2025) (verbatim repeat of the Ch. 327 definition)	means a vessel whose sole source of propulsion is the wind.	- This definition is used within the chapter governing vessel safety (FS §§ 327.01-327.804) in the following contexts: <ul style="list-style-type: none"> <li>• FS § 327.33 (applying federal nav. rules);</li> <li>• FS § 327.35 (boating under the influence);</li> <li>• FS § 327.50 (life jacket requirements &amp; equipment rules)</li> </ul> - Applied to rules to identify vessels at risk of becoming derelict (FAC 68D-15.002-68D-15.003), which treat sailboats uniquely due to propulsion distinction.	- There have been no notable amendments to the definition of sailboat in the Florida Statutes.

<p><b>HUMAN-POWERED VESSEL</b></p> <p><b>Ch. 327: Florida Vessel Safety Act</b>          Fla. Stat. § 327.02(18) (2025).</p>	<p>means a vessel powered only by its occupant or occupants, including, but not limited to, a vessel powered only by the occupants' hands or feet, oars, or paddles.</p>	<ul style="list-style-type: none"> <li>- Used to address operation of human-powered vessels in ICW. FS § 327.71.</li> <li>- Exception to prohibition on livery rentals of vessels to persons under 18 years old. FS § 327.54.</li> </ul>	<p>- The definition was added to the Florida Vessel Safety Act in 2021. Fla. Laws Ch. 2021-184. Since being added, there have been no notable amendments to the definition.</p>
<p><b>CANOE</b></p> <p><b>Ch. 327: Florida Vessel Safety Act</b>          Fla. Stat. § 327.02(5) (2025).</p>	<p>a light, narrow vessel with curved sides and with both ends pointed. A canoe-like vessel with a transom may not be excluded from the definition of a canoe if the width of its transom is less than 45 percent of the width of its beam or it has been designated as a canoe by the United States Coast Guard.</p>	<ul style="list-style-type: none"> <li>- Authorizes municipalities to create boating-restricted areas for canoe trails. FS § 327.46(1)(c)3(a)</li> <li>- Exempts canoes from maximum loading and horsepower notice requirements and restrictions. FS § 327.52(1).</li> <li>- Exempts non-motor canoes from vessel registration. FS § 328.56(4).</li> <li>- Establish fee schedule for canoes with motors. FS § 328.72(1)(a)(1).</li> </ul>	<p>- There have been no notable amendments to the definition of canoe in the Florida Statutes in the past thirty years.</p>
<p><b>RACING SHELL/ROWING SCULL/RACING KAYAK</b></p> <p><b>Ch. 327: Florida Vessel Safety Act</b>          Fla. Stat. § 327.02(39) (2025).</p>	<p>means a manually propelled vessel that is recognized by national or international racing associations for use in competitive racing and in which all occupants, with the exception of a coxswain, if one is provided, row, scull, or paddle and that is not designed to carry and does not carry any equipment not solely for competitive racing.</p>	<ul style="list-style-type: none"> <li>- exempts a non-motor-powered vessel less than 16 feet in length or a non-motor-powered canoe, kayak, racing shell, or rowing scull, regardless of length, from vessel registration requirements. FS § 328.56(4).</li> </ul>	<p>- There have been no notable amendments to the definition of racing shell/rowing scull/racing kayak in the Florida Statutes in the past thirty years.</p>

<p><b>ANTIQUUE VESSEL</b></p> <p><b>Ch. 328: Uniform Certificate of Title for Vessels Act</b>          Fla. Stat. § 328.72(2)(a) (2025).</p>	<p>A vessel that is at least 30 years old, used only for recreational purposes, and powered by the vessel's original-type power plant.</p>	<p>- FS 328.75(2)(a) defines an "antique vessel" for the purposes of the Uniform Certificate of Title for Vessels Act.</p>	<p>- A 2000 amendment replaced the word "noncommercial" with "recreational." Fla. Laws Ch. 2000-362.</p>
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**COMMERCIAL VESSELS**

**It is also declared to be the intent of the Legislature that all vessels be classified as either "commercial" or "recreational" and that all such vessels be registered according to the provisions of s. 328.72.**

<p><b>COMMERCIAL VESSEL</b></p> <p><b>Ch. 327: Florida Vessel Safety Law</b>          Fla. Stat. § 327.02(8) (2025).</p>	<p>a vessel used as a place of business or a professional or other commercial enterprise.</p>	<ul style="list-style-type: none"> <li>- Authorizes local governments to regulate commercial vessels (other than "commercial fishing vessels," "outside the marked boundaries of a mooring field"). FS § 327.60(2)(f)(2).</li> <li>- Authorizes local governments to regulate commercial vessels, excluding commercial fishing vessels, within their jurisdiction. FS §327.60(3).</li> <li>- Authorizes local governments to enact and enforce sewage pumpout requirements for live-aboard vessels, floating structures and commercial vessels, excluding commercial fishing vessels, within any areas of its jurisdiction. FS § 327.60(4)(d).</li> <li>- Requires a member representing commercial vessel owners and operators to sit on the Boating Advisory Council. FS § 327.803(1).</li> </ul>	<ul style="list-style-type: none"> <li>- The term originally included commercial fishing vessels, were separated and given their own definition. See "Commercial Fishing Vessel" below for statutory amendments.</li> <li>- The definition was amended in 2000 (Fla. Laws Ch. 2000-362), and again in 2017 to remove commercial fishing vessels, and insert the current definition. Fla. Laws Ch. 2017-163.</li> <li>- In <i>E. Ins. Co. v. Austin</i>, 369 So. 2d 823, 825 (Fla. 4th DCA 1981), the court noted that incidental sales of fish for the purpose of offsetting costs does not make a vessel "commercial."</li> </ul>
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		<p>- Vessel registration classification (commercial vs. recreational vessel). § 328.48(2)</p> <p>- Any vessel that is required to be registered and that meets the definition of a commercial fishing vessel or a commercial vessel shall be classified and registered as a commercial vessel. FS §328.70(2).</p> <p>- Additional vessel fees (applies to certain registered vessels including commercial vessels). FS § 328.76 (c)-(d).</p>	
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<p><b>COMMERCIAL FISHING VESSEL</b></p> <p><b>Ch. 327: Florida Vessel Safety Act</b>          Fla. Stat. § 327.02(6) (2025).</p>	<p>a vessel primarily engaged in the taking or landing of saltwater fish or saltwater products or freshwater fish or freshwater products, or a vessel licensed pursuant to s. <a href="#">379.361</a> from which commercial quantities of saltwater products are harvested, from within and without the waters of this state for sale to the consumer or to a retail or wholesale dealer.</p>	<p>- Exempted from definition of “live-aboard vessel. FS § 327.02(23).</p> <p>- Exempted from anchoring and mooring restrictions if “actively engaged in commercial fishing.” FS § 327.4109(1)(b)(3).</p> <p>- Requires vessels meeting the definition of commercial fishing vessel to be registered as commercial vessels. FS § 328.70(2).</p> <p>- References vessels licensed to harvest commercial quantities of saltwater products. FS § 379.361.</p> <p>- Uses the term when regulating fishing endorsements and</p>	<p>- The term “commercial fishing vessel” first appeared in its current form in 2017. Fla. Laws Ch. 2017-163.</p> <p>- In <i>E. Ins. Co. v. Austin</i>, 369 So. 2d 823, 825 (Fla. 4th DCA 1981), the court noted that incidental sales of fish for the purpose of offsetting costs does not make a vessel “commercial.”</p>
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		<p>vessel-based harvest. FS § 379.3671.</p> <p>- Stone crab fishery. References commercial fishing vessels in licensing and harvest provisions. FS § 379.365, FS § 379.354.</p>	
<p><b>VESSEL FOR HIRE</b></p> <p><b>No Statutory Definition</b></p> <p><b>State Agency Rule Ch. 68B: Marine Fisheries</b>          Fla. Admin. Code r. 68B-2.001(2) (2025).</p>	<p>means a vessel that is operated by a captain licensed by the United States Coast Guard and pursuant to Section 379.354(7), F.S., to carry passengers for hire and has one or more passengers onboard who are paying a fee (directly or indirectly) to take or pursue an organism regulated by Division 68B, F.A.C.</p>		<p>- There have been no notable amendments to this regulatory definition.</p> <p>- the term “vessel for hire” is used primarily to regulate passenger-carrying operations (charters, tours, liveries).</p> <p>- There is a federal definition for “vessel for hire.” 46 U.S.C. § 2101(42). “Vessel for hire” means a vessel that carries one or more passengers for consideration. This definition is part of the general definitional section of Title 46 (Shipping) and applies broadly across federal maritime safety law. [AT1]</p>
<p><b>CHARTER VESSEL</b></p> <p><b>No Statutory Definition</b></p> <p><b>State Agency Rule FAC Ch 68B: Marine Fisheries</b>          Fla. Admin. Code r. 68B-14.002 (2025).</p>	<p>means a vessel operated by a captain licensed by the United States Coast Guard to carry passengers for hire.</p>	<p>- The FAC includes “charter vessel” in a chapter on reef fish within the larger marine fisheries subtitle. FAC 68B-14.001-68B-14.0091.</p>	<p>- In <i>E. Ins. Co. v. Austin</i>, 369 So. 2d 823, 825 (Fla. 4th DCA 1981), the court noted that “charter” typically denotes “a commercial venture with investment in gear and equipment, intent on making a profit.”</p> <p>- Other rules in FAC Ch. 68B reference “charter vessel” or</p>

			<p>“charter vessel or headboat,” but they typically rely on the definition without restating it.</p> <p>- There have been no notable amendments to the definition of charter vessel in the Florida Statutes in the past twenty years.</p>
<p><b>HEADBOAT</b></p> <p><b>No Statutory Definition</b></p> <p><b>State Agency Rule Ch. 68B: Marine Fisheries</b>          Fla. Admin. Code r. 68B-14.002 (8) (2025).</p>	<p>a vessel that holds a valid Certificate of Inspection issued from the U.S. Coast Guard to carry passengers for hire when it carries a passenger who pays a fee or when there are more than three persons aboard, including the operator and crew.</p>		<p>- There have been no notable amendments to the definition of headboat in the FAC in the past twenty years.</p>
<p><b>GAMBLING VESSEL</b></p> <p><b>Clean Ocean Act</b>          Fla. Stat. § 376.25(2)(e) (2025).</p> <p><b>State Agency Rule Ch 62-606: Releases from Gambling</b>          Fla. Admin. Code r. 62-606.200 (4) (2025).</p>	<p>means a boat, ship, casino boat, watercraft, or barge that is kept, operated, or maintained for the purpose of gambling and that carries or operates gambling devices for the use of its passengers or otherwise provides facilities for the purpose of gambling, whether within or without the jurisdiction of this state, and whether the vessel is at berth, lying to, or navigating, and the sailing, voyaging, or cruising, or any segment of the sailing, voyaging, or cruising, begins and ends within this state. The term does not include a cruise ship as</p>	<p>- FAC Chapter requiring gambling vessels to register with DEP and report waste releases into coast waters. FAC 62-600.100.</p>	<p>- There have been no notable amendments to the definition of gambling vessel in the Florida Statutes since it was enacted in 2008, or in the FAC.</p> <p>- Note that cruise ships as defined in federal law are excluded</p>

	defined in 33 C.F.R. s. 101.105.		
<p><b>LIVERY VESSEL Ch. 327: Florida Vessel Safety Act</b> Fla. Stat. § 327.02(24) (2025).</p>	means a vessel leased or rented.	<ul style="list-style-type: none"> <li>- “Livery vessels shall be classified as ‘commercial’ or ‘recreational’ based on the manner in which they are used.” FS § 328.70(4).</li> <li>- FAC Ch. 68D-24 regulates liveries. The term livery vessel is not used in FAC Ch. 68D-24.</li> </ul>	<ul style="list-style-type: none"> <li>- This term was added to Florida’s Vessel Safety Act in 2000. Fla. Laws Ch. 2000-362.</li> <li>- A 2025 amendment removed the language “or chartered to another for consideration” from the end of the definition, limiting the number of vessels covered by this definition. Fla. Laws Ch. 2025-197.</li> </ul>
<p><b>BARGE (1)</b></p> <p><b>Ch. 327: Florida Vessel Safety Law</b> Fla. Stat. § 327.02(3) (2025).</p> <p><b>State Agency Rule Ch. 68D: Vessel Registration &amp; Boating Safety</b> Fla. Admin. Code r. 68D-15.002(1)(a) (2025).</p>	A vessel that does not have living quarters, is not propelled by its own power, and is designed to be pushed or pulled by another vessel.	<ul style="list-style-type: none"> <li>- Creates slow-speed minimum wake zone within 300 feet of a construction vessel or barge displaying an orange flag. FS § 327.463.</li> <li>- Exempts barges from evaluation procedure for establishing that a vessel has an “effective means of propulsion for safe navigation.” FAC 68D-15.002(3).</li> </ul>	<ul style="list-style-type: none"> <li>- The definition of “barge” was added to Chapter 327 in 2017. Fla. Laws Ch. 2017-163. It has not been amended since.</li> <li>- The term is also employed to address service of process on nonresidents operating aircraft or watercraft in the state. FS § 48.19; and for the crime of shooting into vessels, including barges. FS § 790.19, and obstructing harbors. FS § 861.06.</li> <li>- At the federal level, barge is defined simply as “any non-self-propelled vessel,” 46 U.S.C. §102. There is no mention of living quarters or design considerations.</li> </ul>
<p><b>BARGE (2)</b></p> <p><b>Ch. 328: Florida Vessel Title, Lien and Registration Law</b></p>	A vessel that is not self-propelled or fitted for propulsion by sail, paddle, oar, or similar device.	- An application for a title certificate is not required for a barge. FS § 328.03(c).	- The definition of “barge” was added to Chapter 328 in 2019. Fla. Laws Ch. 2019-76.

<p>Fla. Stat. § 328.0015(1) (a) (2025).</p>		<p>- Excuses barges from perfection of security interest requirement in titling. FS § 328.12(7) (b).</p>	<p>- At the federal level, barge is defined simply as “any non-self-propelled vessel,” 46 U.S.C. §102. There is no mention of living quarters or design considerations.</p>
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**RESIDENTIAL VESSELS**

<p><b>HOUSEBOAT</b>  <b>Ch. 327: Florida Vessel Safety Law</b> Fla. Stat. § 327.02(17) (2025).</p>	<p>means a vessel that is used primarily as a residence for at least 21 days during any 30-day period in a county of this state if such residential use of the vessel is to the preclusion of its use as a means of transportation.</p>	<ul style="list-style-type: none"> <li>- Creates special marine sanitation requirements (requires permanently installed toilets &amp; valve locking. apparatus, and disposal record maintenance. FS § 327.53(1)-(2).</li> <li>- County designated as a rural area of opportunity may create a no-discharge zone for freshwater water bodies within the county’s jurisdiction to prohibit treated and untreated sewage discharges from floating structures and live-aboard vessels not capable of being used as a means of transportation and from houseboats. FS § 327.60(4)(a)1.(c).</li> <li>- Included within definition of accommodation subject to timeshare and vacation rental regulations. FS § 721.02-05.</li> <li>- Requires livery operators to display safety posters. FAC 68D-34.004.</li> <li>- Includes houseboats on certificate of</li> </ul>	<ul style="list-style-type: none"> <li>- The term “houseboat” was added to Chapter 327 in 1994 are part of the “Clean Vessel Act.” Fla. Laws Ch. 94-241.</li> <li>- A 1995 amendment added language requiring the use for residential purposes “if such residential use . . . is to the preclusion of its uses as a means of transportation. Fla. Laws Ch. 95-333.</li> </ul>
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		<p>inspection form for homemade vessels. FAC 15C-15.004.</p> <ul style="list-style-type: none"> <li>- Exempts houseboats permanently at a fixed location from taxation of transient accommodations. FAC 12A-1.061.</li> <li>- Imposes specific criminal registration &amp; location requirements for sex offenders living on houseboats. FS § 775.21; FS § 775.261; FS § 944.607; FS § 944.4815.</li> </ul>	
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<p><b>LIVE-ABOARD VESSEL</b></p> <p><b>Ch. 327: Florida Vessel Safety Law</b>          Fla. Stat. § 327.02(23) (2025).</p>	<p>Means:</p> <ul style="list-style-type: none"> <li>a. A vessel used solely as a residence and not for navigation;</li> <li>b. A vessel for which a declaration of domicile has been filed pursuant to s. <a href="#">222.17</a>; or</li> <li>c. A vessel used as a residence that does not have an effective means of propulsion for safe navigation.</li> </ul> <p>A commercial fishing vessel is expressly excluded from the term “live-aboard vessel.”</p>	<ul style="list-style-type: none"> <li>- Local governments may regulate live-aboards in their jurisdiction (an exception – along with floating platforms and commercial vessels to the general preemption on local vessel regulation). FS § 327.60.</li> <li>- Owners or operators of live-aboard vessels equipped with marine sanitation devices must maintain detailed records of pumpout dates and locations for one year. FS § 327.53.</li> <li>- With EPA approval, a county designated as a rural economic opportunity area may create a no-discharge zone for live-aboards in freshwater bodies. FS § 372.60(3)(c).</li> <li>- Live-aboards may use P.O. Box for vessel registration.</li> </ul>	<ul style="list-style-type: none"> <li>- A 1985 Florida Attorney General’s Opinion explained that a vessel does not need to be a sole residence to qualify as a live-aboard vessel. Op. Att’y Gen. Fla. 45 (1985).</li> <li>- Local government authority to prohibit live-aboard vessels was confirmed in <i>Dozier v. City of Miami</i>, 639 So.2d 167 (1994).</li> <li>- A 2009 amendment added the phrase “and not for navigation,” to subpart (a). The amendment also added language allowing for vessels with a declaration of domicile to be classified as live-aboards. Fla. Laws Ch. 2009-86.</li> <li>- A 2017 amendment added language that a vessel used as a residence without an effective means of</li> </ul>
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- The criminal law also addresses live-aboards in terms of registration requirements for sex offenders. FS Ch. 775 & 985.

propulsion for safe navigation qualified as a live-aboard vessel. The amendment also removed language that a vessel represented as a place of business, or a professional/ commercial enterprise counted as a live-aboard vessel. Fla. Laws Ch. 2017-163.

- Note that the term is used differently in sovereign submerged lands leases for marinas. There a “live-aboard” may not exceed six months in a 12-month period or constitute a legal or primary residence.

**PROBLEMATIC VESSELS**

**DERELICT VESSEL**

**Public Nuisances**  
Fla. Stat. § 823.11(1)(b) (2025).

means a vessel, as defined in s. [327.02](#), that is:

1. In a wrecked, junked, or substantially dismantled condition upon any waters of this state.
  - a. A vessel is wrecked if it is sunken or sinking; aground without the ability to extricate itself absent mechanical assistance; or remaining after a marine casualty, including, but not limited to,

- This definition is used within the chapter governing public nuisances. FS §§ 823.01-823.16.

- Authorizes funding mechanisms including grant programs for local governments for derelict vessel removal. FS § 823.11.

- Revokes long term anchoring permits if vessels become derelict or “at risk of becoming derelict.” FS § 327.4111.

- Liveries prohibited from knowingly leasing or renting derelict vessels or vessels at risk of becoming derelict. § FS 327.54.

- A 2006 Florida Attorney General’s Opinion confirmed the municipal authority to remove derelict vessels. Op. Att’y Gen. Fla. 17 (2006).

- The definition was amended in 2006 to include the modern definition with 3 subparts (1. - 3.). Fla. Laws Ch. 2006-309.

- The definition was amended in 2021 to remove the requirement that the vessel needed to be in public waters to be considered derelict. This amendment also added language to subpart 1. defining the terms “wrecked,” “junked,” and

a boating accident, extreme weather, or a fire.

b. A vessel is junked if it has been substantially stripped of vessel components, if vessel components have substantially degraded or been destroyed, or if the vessel has been discarded by the owner or operator. Attaching an outboard motor to a vessel that is otherwise junked will not cause the vessel to no longer be junked if such motor is not an effective means of propulsion as required by s. 327.4107(2)(e) and associated rules.

c. A vessel is substantially dismantled if at least two of the three following vessel systems or components are missing,

- FDMV can reject title issuance for vessels deemed derelict. FS § 328.09.

- Authorizes a portion of vessel registration fees to derelict vessel removal. FS § 328.72.

- Provides specific exemptions from environmental resource permitting requirements for derelict vessel removal by federal, state, and local agencies. FAC 62-330.051.

- Creates an FWC Derelict/Migrant/and At-Risk Public Nuisance grant program. FAC 68-1.003

- Creates program for "Small Scale Vessel Removal Projects" under Inland Navigation District rules. FAC 66B-1.015 (FIND); FAC 66A-2.0051 (WCIND)

"substantially dismantled." Fla. Laws Ch. 2021-184.

- The 2021 amendment also replaced "left, stored or abandoned" with "leave" and defined leave to mean leave on state waters for more than 24 hours. Fla. Laws Ch. 2021-184.

compromised,  
incomplete,  
inoperable, or  
broken:

I. The  
steering  
system;

II. The  
propulsion  
system; or

III. The  
exterior  
hull  
integrity.

Attaching an  
outboard  
motor to a  
vessel that is  
otherwise  
substantially  
dismantled  
will not cause  
the vessel to  
no longer be  
substantially  
dismantled if  
such motor is  
not an  
effective  
means of  
propulsion as  
required by s.  
327.4107(2)(e)  
and  
associated  
rules.

2. At a port in this  
state without the  
consent of the  
agency having  
jurisdiction  
thereof.
3. Docked,  
grounded, or  
beached upon the  
property of  
another without  
the consent of the  
owner of the  
property.

**VESSELS AT RISK OF BECOMING DERELICT**

**Ch.327: Florida Vessel Safety Law**

Fla. Stat. § 327.4107(2) (2025).

A vessel is at risk of becoming derelict if, as determined by an officer of the commission or a law enforcement agency, any of the following conditions exist:

- a. The vessel is taking on or has taken on water without an effective means to dewater.
- b. Spaces on the vessel which are designed to be enclosed are incapable of being sealed off or remain open to the elements for extended periods of time.
- c. The vessel has broken loose or is in danger of breaking loose from its anchor.
- d. (The vessel is listing due to water intrusion.
- e. The vessel does not have an effective means of propulsion, and the vessel owner or operator is unable to provide a receipt, proof of purchase, or other documentation of having ordered necessary parts for repair. If the owner or operator is present on the vessel, a law enforcement

- Prohibits the anchoring, mooring or occupancy of "At Risk Vessels" on waters of the State. FS §327.4107(1).

- Authorizes law enforcement to relocate "At Risk Vessels" away from mangroves upland vegetation and insulates them from liability for the same. FS § 327.4107(4).

- Authorizes creation of a derelict vessel prevention program. FS § 327.4107(6).

- Authorized long term anchoring permits to be revoked if a vessel is determined to be "At Risk." FS § 327.4111.

- FAC 68D-15.002 implements provision requiring demonstration of "effective means of propulsion."

- FAC 68D-15.003 Creates the "Vessel Turn-In Program."

- This definition was added to Chapter 327 in 2016. Fla. Laws 2016-108.

- In 2017, Subpart e was added to the definition, though not in its present form. Fla. Laws Ch. 2017-163.

- In 2021, Subparts (d) was amended to reflect its current form. Subpart (e) was further amended. Fla. Laws Ch. 2021-184.

- In 2022, a new subpart (f) was added and reflects its current form. Fla. Laws Ch. 2022-142

- An amendment in 2025 altered requirements under subsection e by adding language requiring a lack of documentation by the owner. The amendment also changed testing procedures for effective means of propulsion so that if the owner or operator is present, the test can occur immediately, and if the owner or operator is not present, the test must be done within 48 hours of receiving notice. Fla. Laws Ch. 2025-147.

officer may require a test of the vessel's effective means of propulsion for safe navigation, to be conducted immediately. If the owner or operator is not present on the vessel, the owner or operator must, in the presence of law enforcement, conduct the test for effective means of propulsion for safe navigation within 48 hours after the vessel owner or operator receives notice from a law enforcement officer. The commission may adopt rules to implement this paragraph.

f. The vessel is tied to an unlawful or unpermitted structure or mooring.

**ABANDONED VESSEL**

**Lost or Abandoned Property**

Fla. Stat. § 705.101(1) (2025).

Included within the definition of abandoned property. FS § 705.101(1):  
 "The term [abandoned property] includes derelict vessels as defined in s. 823.11 and vessels declared a public nuisance pursuant to s. 327.73(1)(aa)." FS § 705.103.

- considered abandoned property for purposes of disposition procedures. FS §705.103.
- FWC authorized to create program for removal or destruction of abandoned vessel where no owner found, or deceased owner's heirs uninterested. FS § 327.4107.

- Despite not having a definition of its own, inclusion within the definition of abandoned property enables the term to be operationalized throughout the Florida Statutes and regulations.
- Confirming local government authority to remove abandoned vessels declared derelict by FWC, or pursuant to a program

- Local gov'ts may remove abandoned vessel from docks pursuant to FS § 326.60(5).

- Marinas may lien abandoned vessels. FS § 328.17.

- Vessel owners must surrender title after abandonment, with consent of any lienholders. FS § 328.03.

- Defines "responsible party" for pollutant discharge purposes to include "the persons who would have been responsible parties immediately prior to the abandonment of the vessel or facility." FS § 376.031.

- Abandoned vessels of historic or archaeological importance are property of the State. FS § 267.061.

- Wrecker operator liens for recovery, towing, or storage of abandoned vessels. FS § 713.78; reduced license fees for wreckers that tow abandoned vessels. FS § 320.08.

- Removal of abandoned vessels given preferential treatment in environmental permitting, and Sovereign Submerged Lands Use Authorizations, and public navigation projects. FAC 62-

delegation from FWC. Op. Att'y Gen. Fla. 17 (2006).

- In 2002, the Legislature amended FS 705.101(3), defining abandoned property, to specifically include vessels determined to be derelict. Fla. Laws Ch. 2002-46.

330.051; FAC 18-21.005;  
FAC 66A-2.0051.

**UNCLAIMED VESSEL**

**Ch. 327: Florida Vessel Safety Act**  
Fla. Stat. § 327.02(45)  
(2025).

Means an undocumented vessel, including its machinery, rigging, and accessories, which is in the physical possession of a marina, garage, or repair shop for repairs, improvements, or other work with the knowledge of the vessel owner and for which the costs of such services have been unpaid for more than 90 days after the date written notice of the completed work is given by the marina, garage, or repair shop to the vessel owner.

- This term is not expressly operationalized in the Florida Statutes. The most relevant statute authorizes non-judicial sale of vessels for unpaid costs, storage charges, or dockage fees, or for failure to pay removal costs under FS § 327.53(7), FS § 328.17.

- There have been no notable amendments to the definition of unclaimed vessel in the Florida Statutes in the past thirty years.

**SOURCE OF ORIGIN VESSELS**

**AMERICAN VESSEL**

**The Reemployment and Assistance Program Law**  
Fla. Stat. § 443.036(5)  
(2025).

Means any vessel documented or numbered under the laws of the United States. The term includes any vessel that is neither documented or numbered under the laws of the United States, nor documented under the laws of any foreign country, if its crew is employed solely by one or more citizens or residents of the United States or corporations organized under the laws of the United States or of any state.

- Used to establish employment coverage and exemptions for maritime workers under Florida's unemployment compensation system. FS § 443.1216.

- There have been no notable amendments to the definition of American vessel in the Florida Statutes in the past thirty years.

**NON-AMERICAN VESSEL**

Means any vessel that is not an "American Vessel" as defined in Section 443.036(5).

- Exempts employee services on Non-American Vessels if the services are on the

This rule has not been amended since its adoption in 2015.

<p><b>State Agency Rule 73B: Services Performed on or in Connection with a Non-American Vessel or Aircraft</b>          Fla. Admin. Code r. 73B-10.0251(1) (2025).</p>		<p>vessel while it is outside the U.S. FAC 73B-10.0251(1).</p>	
<p><b>DOCUMENTED VESSEL (1)</b>   <b>Ch. 327L Florida Vessel Safety Law</b>          Fla. Stat. § 327.02(12) (2025).</p>	<p>a vessel for which a valid certificate of documentation is outstanding pursuant to 46 C.F.R. part 67 (which required a federal certificate of documentation for any vessel of at least five net tons which engages in the fisheries on the navigable waters of the United States or in the Exclusive Economic Zone, or coastwise trade, unless exempt under § 67.9 ( including an endorsement specific the type of trade)</p>	<p>- There are no references to the term in FS Ch. 327.</p>	<p>- There have been no notable amendments to the definition of “documented vessel” in the past thirty years.</p> <p>- “coastwise trade” is concept in U.S. federal navigation law that addresses the domestic transportation of merchandise and passengers by water by qualified, U.S.-flagged vessels.</p>
<p><b>DOCUMENTED VESSEL (2)</b>   <b>Ch. 328: Florida Uniform Certificate of Title for Vessels Law</b>          Fla. Stat. § 328.0015(1)(i) (2025).</p>	<p>means a vessel covered by a certificate of documentation issued pursuant to 46 U.S.C. s. 12105. The term does not include a foreign-documented vessel.</p>	<p>- FS 328.0015(1)(i) defines “documented vessel” for the purposes of the Uniform Certificate of Title for Vessels Act.</p> <p>- Establishes that “documented vessels” are exempt from the State’s certificate of title requirements. FS § 328.03.</p> <p>- Requires FDMV to reject applications for title from documented vessels. FS § 328.09.</p> <p>- Unless exempt, documented vessels must still be registered per FS §</p>	<p>- There have been no notable amendments to the definition for “documented vessel” in the past thirty years.</p>

		328.48(5) and pay a fee per § 328.68(1).  - Documented vessels are not issued registration numbers. FS § 328.68(1).	
<b>FOREIGN-DOCUMENTED VESSEL</b>  <b>Ch. 328: Uniform Certificate of Title for Vessels Act</b> Fla. Stat. § 328.0015(1)(l) (2025).	means a vessel the ownership of which is recorded in a registry maintained by a country other than the United States which identifies each person who has an ownership interest in a vessel and includes a unique alphanumeric designation for the vessel.	- exempts foreign-documented vessels from application for a certificate of title. FS § 328.03.	- There have been no notable amendments to the definition of foreign-documented vessel in the Florida Statutes in the past thirty years.
<b>MIGRANT VESSEL</b>  <b>Public Nuisances</b> Fla. Stat. § 823.11(1)(d) (2025).	means an irregularly constructed and equipped maritime vessel designed, intended, or used for the purpose of undocumented immigrant transportation which was built or assembled using or combining makeshift or improvised materials or material components and meets at least one of the following criteria:  1. The vessel was not constructed by a boat manufacturer.  2. The vessel was not assigned a hull identification number.	- This definition is used within the chapter governing public nuisances. FS §§ 823.01-823.16.  - Prohibits leaving migrant vessels upon the waters of the State (for more than 24 hours). FS § 823.11(2)(a).  - Authorizes grant programs to fund removal. FS § 823.11(4)(a)-(c).	- This definition was added to F.S. § 823.1, the derelict vessel statute, in 2025. Fla. Laws Ch. 2025-34.  - A migrant vessel does not need to meet the seaworthiness criteria used to determine whether a vessel is derelict or not, yet it is subject to the same restrictions and removal requirements.
<b>CONSTRUCTED VESSELS</b>			
<b>HOMEMADE VESSEL</b>	a vessel built after October 31, 1972, for	- Requires a hull ID to be affixed to the vessel	- There have been no notable amendments

<p><b>Ch.327: Florida Safety Act</b>          Fla. Stat. § 327.02(16) (2025).</p>	<p>which a federal hull identification number is not required to be assigned by the manufacturer pursuant to federal law, or a vessel constructed or assembled before November 1, 1972, by an entity other than a licensed manufacturer for its own use or the use of a specific person. A vessel assembled from a manufacturer's kit or constructed from an unfinished manufactured hull is considered to be a homemade vessel if such a vessel is not required to have a hull identification number assigned by the United States Coast Guard. A rebuilt or reconstructed vessel may not be construed to be a homemade vessel.</p>	<p>by DMV. FS § 328.07(1)-(2).</p>	<p>to the definition of homemade vessel in the Florida Statutes in the past thirty years.</p>
<p><b>MANUFACTURED VESSEL</b>   <b>Ch. 327: Florida Vessel Safety Law</b>          Fla. Stat. § 327.02(25) (2025).</p>	<p>means a vessel built after October 31, 1972, for which a federal hull identification number is required pursuant to federal law, or a vessel constructed or assembled before November 1, 1972, by a duly licensed manufacturer.</p>	<p>- The term manufactured vessel is not used other than where it is defined.</p>	<p>- There have been no notable amendments to the definition of manufactured vessel in the Florida Statutes in the past thirty years.</p>

**VESSELS UNDEFINED AT THE STATE LEVEL**

<p><b>SEAPLANE</b></p>	<p>Undefined but used</p>	<p>- Excluded from the definitions of vessels in FS § 327.02(46) and FS § 328.0015(ee)(1).           - Excluded from the definition of vessel in Manatee Sanctuary</p>	<p>- Federal law tends to treat seaplanes as vessels while afloat and aircraft while in the air.</p>
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		<p>Act Regulations. FAC 68-C22.003.</p> <ul style="list-style-type: none"> <li>- municipalities may prohibit or regulate the landing of seaplanes in and upon any public waters of the state located within the limits or jurisdiction of, or bordering on, the municipality. FS §330.36.</li> <li>- Seaplane landing areas have distinct safety requirements; distinguished from airport runways. FAC 14-60.007.</li> </ul>	
<p><b>NON-MOTOR-POWERED VESSEL</b></p>	<p>Undefined but used</p>	<ul style="list-style-type: none"> <li>- Excepted from FS Ch. 328 vessel definition - for non-motor-powered vessels less than 16 feet. FS § 328.0015(ee)(3).</li> <li>- Excepted from vessel registration requirements. FS § 328.48(2)(d); FS § 328.56(1).</li> <li>- Exempts “non-motor-powered sailing vessels used for non-profit education from registration fee. FS § 328.72(14)(c).</li> </ul>	
<p><b>AUTONOMOUS VESSEL</b></p> <p><b>UNMANNED SURFACE VESSEL</b></p> <p><b>MARINE, SEA OR AQUATIC DRONE</b></p>	<p>Undefined and unregulated by their term(s). Likely still qualify as vessels under Chapter 327 &amp; 328.</p>	<ul style="list-style-type: none"> <li>- Likely subject to titling and registration requirements.</li> <li>- non-motor-powered drones less than 16’ may be exempt from registration. §328.48(2)(d); FS § 328.56(1).</li> <li>- Likely subject to operational</li> </ul>	<p>- Vessel statutes and rules were drafted assuming a human operator on board and the lack of one may create interpretative ambiguity in some instances. For example, certain safety regulations.</p>

		<p>requirements (Inland Navigation Rules).</p> <p>- May be subject to some safety requirements.</p>	
<p><b>FLOATING HOME</b></p> <p><b>Ch 253: State Lands</b></p>	<p>Undefined but used.</p>	<p>- Authorizing the Board of Trustees of the Internal Improvement Trust Fund to adopt rules regulating use of sovereign submerged lands by "floating homes" (as well as other vessels). FS § 253.03(b).</p>	
<p><b>PADDLEBOARD</b></p> <p><b>STANDUP PADDLEBOARD</b></p> <p><b>SUP</b></p>	<p>Undefined and not used in statute or regulation</p> <p>Likely falls within the definitions of vessel FS § 327.02(46), Recreational Vessel FS § Human-Powered Vessel, FS §327.02(18), Non-Motor-Powered Vessel, FS § 327.02(4).</p>		<p>- A 2008 USCG "determination letter" concluded that paddleboards are vessels under 46 USC §2101... "when beyond the narrow limits of a swimming, surfing or bathing area..." Memorandum: Legal Determination on Vessel Status of Paddleboard, US Coast Guard, Boating Safety Division (Oct. 3, 2008).</p>
<p><b>SURFBOARD</b></p>	<p>Undefined and not used in statute or regulation</p>		<p>- In Davis v. City of Jacksonville Beach (M.D. Fla. 1965), the federal district court declined to decide whether a surfboard is a vessel for purposes of maritime tort law but found admiralty jurisdiction applied anyway because surfboards can interfere with maritime activity.</p> <p>- In Carter v. Town of Palm Beach, 237 So. 2d 130, the Florida Supreme Court struck</p>

			down a Municipal Ordinance banning surfing.
<b>KITEBOARD</b>	Undefined and not used in statute and regulation.		- A 2007 USCG "determination letter" concluded that paddleboards are vessels under 46 USC §2101... "when beyond the narrow limits of a swimming, surfing or bathing area..." Memorandum: Legal Determination on Vessel Status of Kiteboard, US Coast Guard, Boating Safety Division (April 30, 2007).
<b>INFLATABLE BOAT</b>	Used but not defined.	- Exempted from requirement that sale or operations of monohull motorboats less than 20' manufactured or used primarily for noncommercial use must display maximum capacity requirement. FS § 327.52.	- § 327.52 operationalizes USCG capacity and loading requirements for boats prescribed in 33 CFR part 183 (Boats and Associated Equipment), Subchapter S (Boating Safety).
<b>AMPHIBIOUS VEHICLES</b>	Used but not defined. "Vessel means a watercraft used or capable of being used as a means of transportation on water, except:  ...  2. An amphibious vehicle for which a certificate of title is issued pursuant to chapter 319 or a similar statute of another state ..."  Fla. Stat. § 328.0015(ee) (2025).	- Exempted from title requirements provided the vehicle has been titled as motor vehicle in Florida or another state.	- The titling exemption likely does not remove it from the definition of vessel for purposes of Chapter 327, Florida Vessel Safety Law, including vessel safety regulations, equipment requirements, operator licensing, and operational rules.

## VESSELS DEFINED BY THE FEDERAL RULES OF INLAND NAVIGATION

The Inland Rules or “rules of the road,” as they are informally known, were adopted 1980 to reconcile sometimes conflicting state and regional approaches to navigation and establish a coherent set of navigation rules throughout the United States. Originally codified in federal statute (33 USC 2001 to 2038: Repealed. Pub. L. 108-293), the Inland Rules were moved to the Code of Federal Regulations for ease of revision and placed under the authority of the United States Coast Guard (33 C.F.R. § 83 (2025)). Florida has incorporated the Inland Rules by reference in Chapter 327 and applies them to assign liability in cases involving the reckless and careless operation of vessels (Fla Stat. §327.02(33) (2025)), and in the installation and use of lights and shapes on vessels for safety purposes (Fla. Stat. §327.50(2) (2025)).

<p><b>VESSEL</b></p> <p>33 C.F.R. § 83.03(a) (2025).</p>	<p>The word <i>vessel</i> includes every description of water craft, including non-displacement craft, WIG craft and seaplanes, used or capable of being used as a means of transportation on water.</p>		
<p><b>POWER-DRIVEN VESSEL</b></p> <p>33 C.F.R. § 83.03(b) (2025).</p>	<p>The term <i>power-driven vessel</i> means any vessel propelled by machinery.</p>		
<p><b>SAILING VESSEL</b></p> <p>33 C.F.R. § 83.03(c) (2025).</p>	<p>The term <i>sailing vessel</i> means any vessel under sail provided that propelling machinery, if fitted, is not being used.</p>		
<p><b>VESSEL ENGAGED IN FISHING</b></p> <p>33 C.F.R. § 83.03(d) (2025).</p>	<p>The term <i>vessel engaged in fishing</i> means any vessel fishing with nets, lines, trawls, or other fishing apparatus which restricts maneuverability, but does not include a vessel fishing with trolling lines or other fishing apparatus which do not restrict maneuverability.</p>		

<p><b>SEAPLANE</b></p> <p>33 C.F.R. § 83.03(e) (2025).</p>	<p>The word <i>seaplane</i> includes any aircraft designed to maneuver on the water.</p>		
<p><b>VESSEL NOT UNDER COMMAND</b></p> <p>33 C.F.R. § 83.03(f) (2025).</p>	<p>The term <i>vessel not under command</i> means a vessel which, through some exceptional circumstance, is unable to maneuver as required by these Rules and is therefore unable to keep out of the way of another vessel.</p>		
<p><b>VESSEL RESTRICTED IN HER ABILITY TO MANEUVER</b></p> <p>33 C.F.R. § 83.03(g) (2025).</p>	<p>The term <i>vessel restricted in her ability to maneuver</i> means a vessel which, from the nature of her work, is restricted in her ability to maneuver as required by these Rules and is therefore unable to keep out of the way of another vessel. The term <i>vessels restricted in their ability to maneuver</i> include, but are not limited to:</p> <ul style="list-style-type: none"> <li>I. A vessel engaged in laying, servicing, or picking up a navigation mark, submarine cable, or pipeline;</li> <li>II. a vessel engaged in dredging, surveying, or underwater operations;</li> <li>III. a vessel engaged in replenishment or transferring persons, provisions, or</li> </ul>		

cargo while  
underway;

IV. a vessel engaged  
in the launching  
or recovery of  
aircraft;

V. a vessel engaged  
in mine clearance  
operations;

VI. a vessel engaged  
in a towing  
operation such as  
severely restricts  
the towing vessel  
and her tow in  
their ability to  
deviate from their  
course.

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