

On-Water Law Enforcement and Boating Safety Summary

Federal, state, and local agencies enforce conduct a variety of on-water enforcement activities related to protection of public safety and resources. In addition to enforcement of vessel speed zones, on-water officers participate in a full range of police duties and special water-dependent patrol functions, such as enforcement of fisheries and wildlife laws, response to vessel accidents and distress calls, education, outreach, and maritime regulations. Since the 1995 Manatee Protection Plan was adopted, emphasis on port security and homeland defense missions has increased.

All manatee protection vessel speed zones and most boating safety zones in Miami-Dade County were established by the State of Florida in 1991 and are defined in Florida Administrative Code chapter 68C-22.025. Federal and local police agencies are authorized to enforcement these regulations. Signage and penalties for violations are established pursuant to Ch. 327.40 and 327.73, Florida Statutes. There are some additional vessel speed zones within Biscayne National Park that have been established by the National Park Service.

In 1995, there were a total of 66 on-water officers on staff of 9 state and local law enforcement agencies. In fiscal year 2008-09, there are 89 staffed state and local on-water enforcement positions, and 8 National Park Service rangers and support staff (Table 1). This represents an increase of 35% at the combined state and local level, although the increase is due entirely to addition of more local officers and establishment of new marine units in some municipalities. The number of State of Florida officers has decreased since 1995. All officers' duties involve the full range on maritime missions.

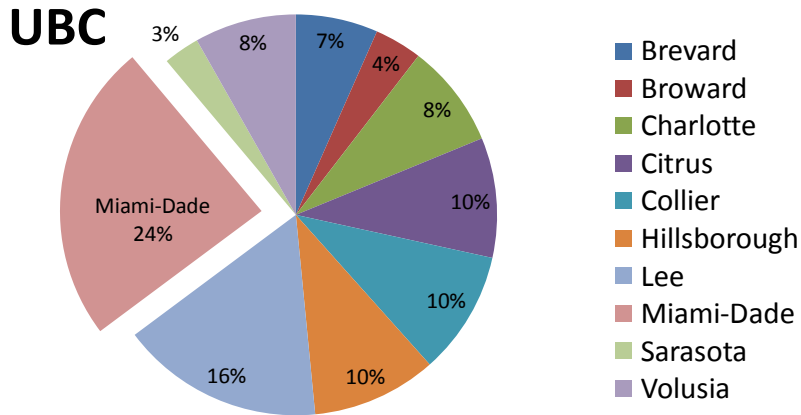
Table 1. On-water Law Enforcement Resources in Miami-Dade FY 2008-09

Agency	Total # Staffed On-Water Officers	
Miami-Dade County Police Department	27	(21 Officers, 5 Sergeants, 1 Lieutenant)
City of Miami Police Department	9	(1 Sergeant, 8 Officers)
Florida Fish and Wildlife Conservation Commission	9	(9 marine Officers)
Biscayne National Park	8	(1 Chief, 5 Officers, 1 Supporting Officer, 1 Court Liaison)
Coral Gables Police Department	5	(4 Officers, 1 Sergeant)
Sunny Isles Police Department	1	(1 Sergeant)
Indian Creek Village Police Department	* 15	(all officers are certified for on-water law enforcement)
Miami Beach Police Department	5	(4 Officers, 1 Sergeant)
North Miami Beach Police Department	* 8	(all officers are certified for on-water law enforcement)
North Miami Police Department	2	(2 Officers)
Key Biscayne Police Department	2	(2 Officers)
Bay Harbor Police Department	2	(1 full-time/1 part-time)
Golden Beach Police Department	1	(1 officer)
Surfside Police Department	0	(no marine patrol unit)
Miami Shores Police Department	0	(no marine patrol unit)
North Bay Village Police Department	0	(no marine unit at this time)
Bal Harbour Village Police Department	2	(2 Officers)
Aventura Marine Police Department	1	(1 Officer)
Total:	97	

* number of officers trained but not exclusively dedicated to full time on water LE

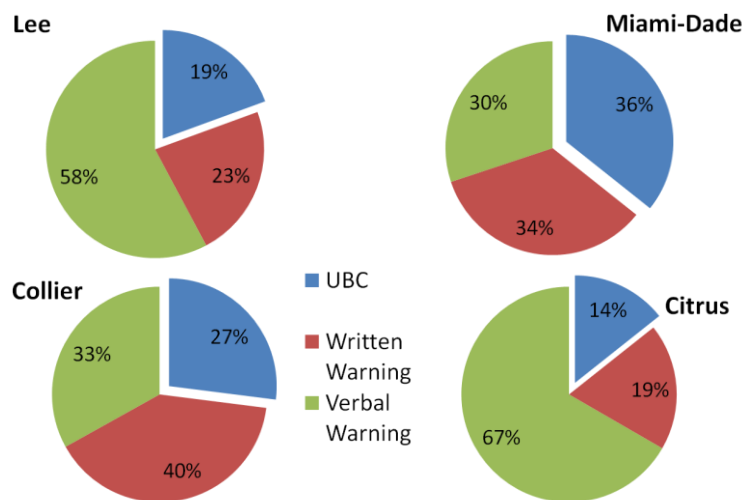
According to statewide enforcement statistics compiled by the Florida Fish and Wildlife Conservation Commission (FWC), more manatee zone tickets (Uniform Boating Citations, or UBCs) were issued in 2007 in Miami-Dade County by the combined efforts of on-water officers than in any other Florida county.

Figure 1. Manatee Zone Tickets and Warnings
 "Top Ten" Florida Counties 2007
 (data from FWC web site)



Also, compared to the other top four counties, Miami-Dade combined efforts had the highest proportion of citations and the lowest proportion of verbal warnings (Figure 2).

Figure 2. Manatee Zone Tickets and Warnings
 "Top Four" Florida Counties 2007
 (data from FWC web site)



Miami-Dade County Police Department Marine Patrol data for a 5-month period in 2008 provides information on the relative proportion of citations for manatee zone violations compared to other safety and equipment violations (Figures 3 and 4). The majority of citations written by Miami-Dade on-water officers during this period were for manatee zone infractions.

Figure 3. Miami-Dade Police Department Boating Citations April – August 2008

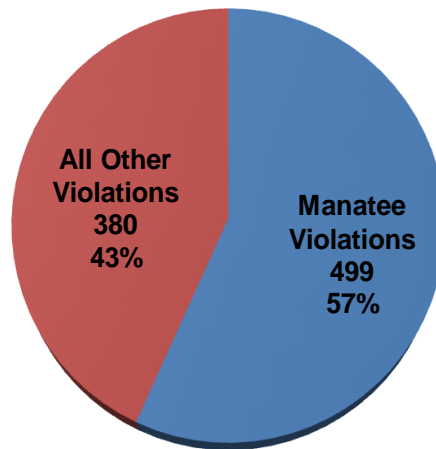
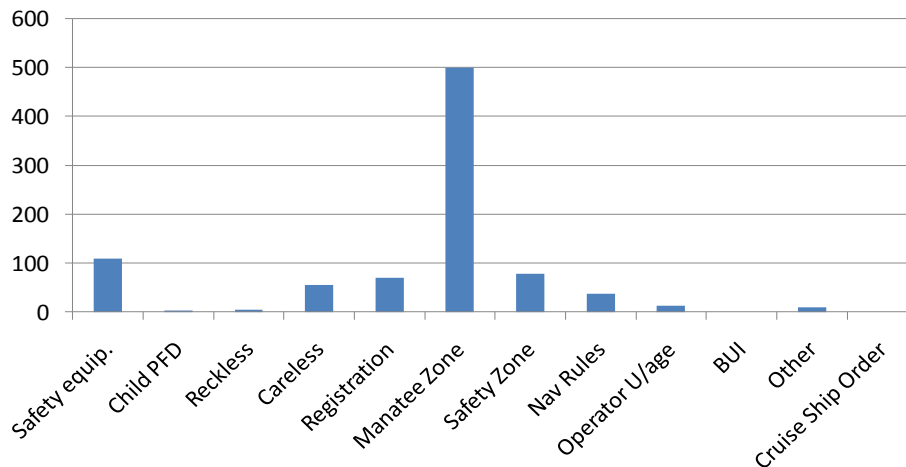


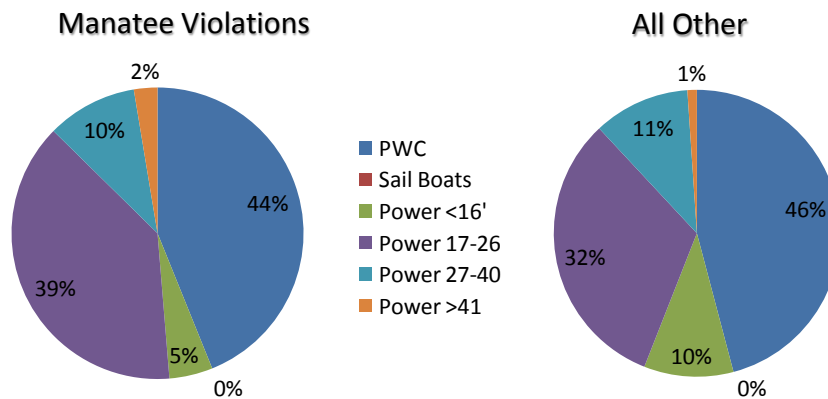
Figure 4. Miami-Dade Police Department Boating Citations Apr – Aug 2008



Miami-Dade citations were issued predominantly to personal watercraft (PWCs) and powerboats in smaller size classes (Figure 5). No sailboats received citations during the April to August 2008 period. This is consistent with findings of the boating activity study and other data documenting that the largest

number of vessels on the water are smaller size classes, and that rate of compliance is generally lowest among PWCs and smaller size vessels.

Figure 5. Miami-Dade Police Department Boating Citations Apr – Aug 2008



The FWC Division of Law Enforcement compiles an annual report on boating accident statistics in Florida. These reports include data on accident causes, human fatalities and injuries, property damage costs, vessel class, type of water body, season and time of day of accidents, location and frequency by county, operator and victim demographics, and citations. Additional details are provided on the ten Florida counties with the highest number of accidents each year. These reports are available at the following FWC web site: http://myfwc.com/SAFETY/Safety_Boat_Safety_AccidentStats.htm

In recent years, there have been more vessel accidents in Florida than in other states. The largest proportion of accident type statewide is collision between vessels or a vessel and a fixed object, and leading cause is operator inattention. The majority of accidents statewide are not within manatee protection zones. The single largest cause of human fatalities in boating accidents is ejection or falls overboard. The frequency of accidents involving PWCs is greater than what would be expected based upon their proportion of all registered vessels. Over the period 2002 to 2008, Miami-Dade has been among the top ten counties with highest number of accidents, and in 2008, ranked in second place, behind Monroe County. In 2008, 124 vessels were involved in 78 accidents, including three with human fatalities. Sixty-one percent of the vessels were open motorboats or cabin motorboats, and 17% were PWCs. The location of accidents in Miami-Dade from 2002 to 2008 is shown in Figure 6.

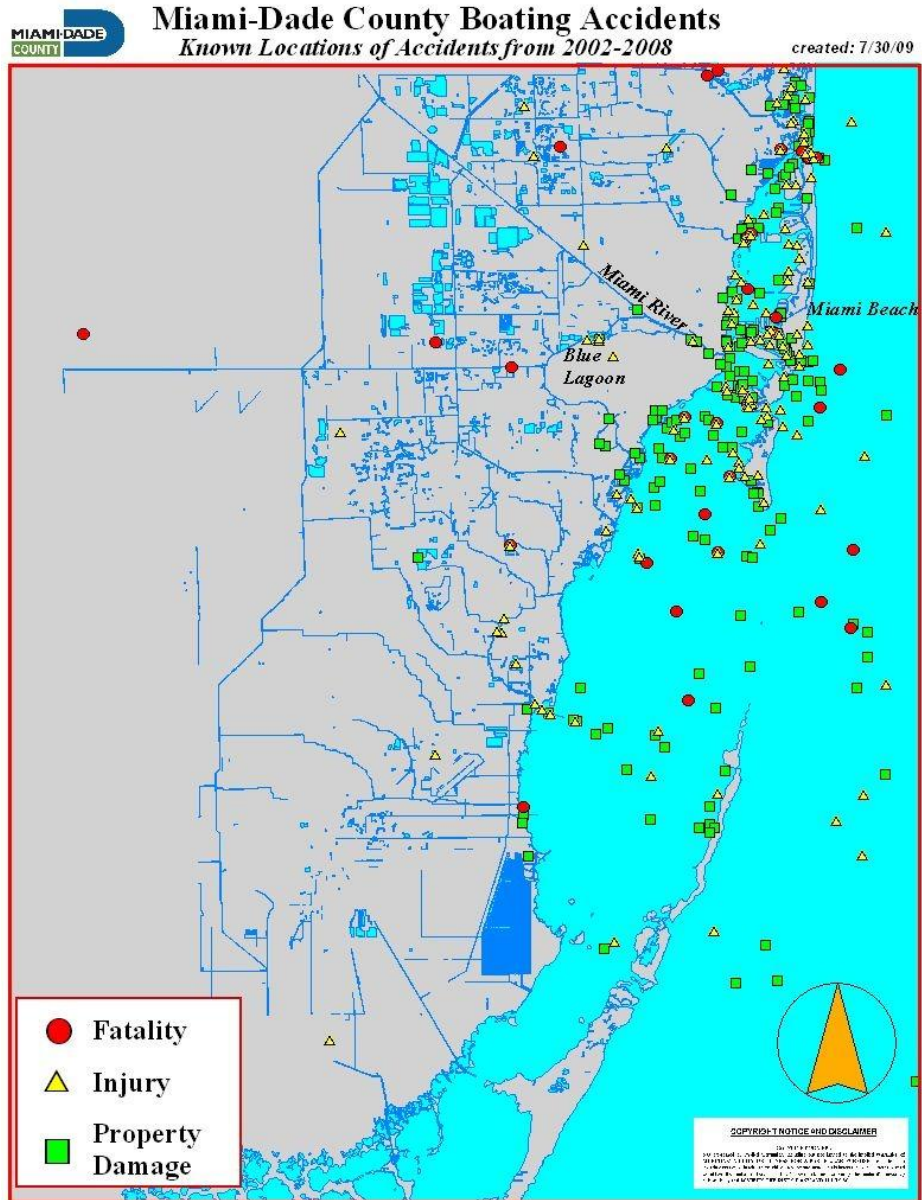


Figure 6. Known location of boating accidents in Miami-Dade County, 2002-2008 (location information provided by the FWC Division of Law Enforcement).

Accidents and fatalities have occurred in most waters, including open ocean or offshore areas. However, the highest density of accidents occurs in waters near in the Intracoastal Waterway to Haulover Inlet in north Miami-Dade, and in inshore waters and channels from Venetian Causeway to the vicinity of Rickenbacker Causeway, including the downtown area. These areas coincide with areas identified in the recent boating activity study (Gorzelay, 2009) as those with high numbers of powerboats in use, high densities of boats related to water area, and a significant number of boats traveling at higher speeds.

Gorzelay, Jay F., 2009, Recreational boating activity in Miami-Dade County, Mote Technical Report No. 1357, 115 pp + appendix.