

**28.24 GIVING REQUIRED INFORMATION CONCERNING A VESSEL
INVOLVED IN AN ACCIDENT THAT WAS FALSE OR BELIEVED
TO BE FALSE**

§ 327.3015, Fla. Stat.

To prove the crime of Giving Required Information Concerning a Vessel Involved in an Accident that was False or Believed to be False, the State must prove the following three elements beyond a reasonable doubt:

- 1. (Defendant) was [the operator of a vessel] [a witness to a vessel] [the owner of a vessel] [the person who leased, rented, or chartered a vessel] that was involved in an accident.**
- 2. (Defendant) gave information [orally] [electronically] [in a written report] to [The Division of Law Enforcement of the Fish and Wildlife Conservation Commission] [the office of the sheriff] [an investigating police officer] about the boating accident that was required to be provided under Florida law.**
- 3. At the time (defendant) gave the information, [he] [she] either knew the information was false or [he] [she] had reason to believe the information was false.**

§ 327.301, Fla. Stat.

Florida law requires the operator of a vessel that is in any manner involved in an accident resulting in bodily injury, death, or disappearance of any person or damage to any vessel or other property in an apparent aggregate amount of at least \$2,000 to report to The Division of Law Enforcement of the Fish and Wildlife Conservation Commission or the office of the sheriff or an investigating police officer the cause and conditions existing at the time of the boating accident and the persons and vessels involved. The operator of the vessel may also be required to provide the policy numbers of liability insurance and the names of carriers covering any vessel involved in an accident.

Give if applicable.

The Division of Law Enforcement of the Fish and Wildlife Conservation Commission may require any witness to the accident to provide such a report.

Give if applicable.

Whenever the operator of the vessel is incapable of making a written report, the owner of the vessel must make the report not made by the operator.

Give if applicable.

If the vessel was leased, rented, or chartered at the time of the accident, the person who offered the vessel for lease, rental, or charter is responsible for making the report.

§ 327.02, Fla. Stat.

To be the “operator of a vessel” means to be in charge of or in command of or in actual physical control of a vessel upon the waters of this state, or to exercise control over or to have responsibility for a vessel’s navigation or safety while the vessel is underway upon the waters of this state, or to control or steer a vessel being towed by another vessel upon the waters of Florida.

§ 327.02, Fla. Stat.; *State v. Davis*, 110 So. 3d 27 (Fla. 2d DCA 2013).

“Vessel” means a boat 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.

Gaulden v. State, 195 So. 3d 1123 (Fla. 2016); *State v. Elder*, 975 So.2d 481 (Fla. 2d DCA 2007).

To be “involved in an accident,” a vessel, though not necessarily the defendant’s vessel, must collide with another vessel, person, or object.

Give if applicable. State v. Elder, 975 So.2d 481 (Fla. 2d DCA 2007).

“Involved” means to draw in as a participant, to implicate, to relate closely, to connect, to have an effect on, to concern directly, or to affect.

Lesser Included Offenses

No lesser included offenses have been identified for this offense.

Comments

A special instruction will be necessary if the defendant is alleged to have given false information on a report other than the report required by § 327.301, Fla. Stat.

This instruction was adopted on March 20, 2026.