

# PROTECTING YOURSELF WHEN YOU SELL, DONATE, OR DISPOSE OF YOUR VESSEL

We've all seen them, abandoned and derelict vessels. Some are found floating, others sitting on the bottom, or in the mangroves. On land, they're common sightings on vacant lots, in the woods or along deserted streets.

## What damage can an abandoned or derelict vessel cause?

### *In the Water...*

More than an eyesore, abandoned and derelict vessel can be real threats. Drifting, beached, broken-up or sunken

vessels can jeopardize human safety, cause navigational hazards and impact aquatic habitats.

Abandoned and derelict vessels that are partially submerged or entirely submerged are difficult to see. If a collision occurs, serious injury is possible.

Abandoned and derelict vessels may contain oil, fuel or other toxic substances that can injure or kill marine life, contaminate submerged lands and nearby shores, and degrade water quality

Abandoned and derelict vessels that settle on the bottom can cause scouring or crushing of sensitive habitats.

### *On Land...*

More than an eyesore, abandoned and derelict vessels can be real threats. Abandoned and derelict vessels are mosquito breeding havens, jeopardizing human health.

Abandoned and derelict vessels may contain oil, fuel or other toxic substances that can injure or kill plant and animal life, contaminate soils and degrade adjacent water quality.

**So now you may be asking yourself...** What exactly does abandoned and derelict vessels have to do with protecting yourself when you sell, donate or dispose of your vessel?

## DID YOU KNOW –

➤ If you sell or donate a vessel to another party (including donation through the County's Amnesty Program), and the transfer of ownership is not recorded to the Department of Highway Safety and Motor Vehicles (DHSMV), you may be held responsible if it is later found abandoned or derelict (FSS 705.103 & 823.11) or if

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the vessel or its registration numbers are used illegally.

- If you dispose of your vessel (including disposal through the County's Amnesty Program) and you do not report the disposal of the vessel to the DHSMV, you may be held responsible if it is later found abandoned or derelict or if the vessel (FSS 705.103 & 823.11) or its registration numbers are used illegally.
- If you are found liable for a derelict or abandoned vessel, you may also be held responsible for any costs incurred to remove and properly dispose of the vessel. Failure to pay could result in a lien on your property. You may also have your registration privileges revoked (including motor vehicles & vessel) (FSS 705.103 & 823.11).
- If you are found liable for a derelict or abandoned vessel, you may face criminal or civil charges if the vessel is found leaking fuel, oil or other hazardous substances, or if the vessel causes an accident (FSS 705.103 & 823.11).
- It is unlawful to deploy your unwanted vessel as an artificial reef. Violators, in addition to the penalties above, could face first to third degree felony charges (FSS 370.25). Further, any motor vehicle, vessel, aircraft, container, crane, winch or machine used to reef an unwanted vessel that exceeds 500 pounds or 100 cubic feet will be considered contraband and is subject to forfeiture (FSS 403.413).
- You are required by law to notify the DHSMV within 30 days of the sale, transfer or disposal of any vessel (FSS 328.64). **You should not rely on the new owner to do this for you.**

Notification of sale, transfer of ownership or disposal may be made at the County Tax Collector's Office. You will need to bring applicable



supporting documents which may include a copy of the Bill of Sale or Transfer, or a Receipt of Disposal (from Landfill), as well as any or all title documents. The following link is for a form that I found on the DHSMV website for vessel sellers to fill out and take with them to the Tax Collectors Office. [www.hsmv.state.fl.us/forms/notice.html](http://www.hsmv.state.fl.us/forms/notice.html).

The information bulleted above was found within the cited sections of the Florida State Statutes. These Statutes are all publicly accessible at [www.MyFlorida.com](http://www.MyFlorida.com).

Charlotte County implemented its own abandoned vessel program in 2007 (2007-50). The Abandoned Vessel Program has two primary objectives.

1. Encourage proper disposal of unwanted vessels; and
2. Remove and dispose of derelict or abandoned vessels.

If you would like more information about the County's Abandoned Vessel Program, call Charlotte County Natural Resources Division at 941.764.4360.

Remember when selling, donating, or disposing of your vessel to follow the law because it will protect you!

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