



1 whistle, or other adequate device, or visible signals by the  
2 use of displayed blue or red lights, yield the right-of-way to  
3 the emergency vehicle and shall immediately proceed to a  
4 position parallel to, and as close as reasonable to the  
5 closest edge of the curb of the roadway, clear of any  
6 intersection and shall stop and remain in position until the  
7 authorized emergency vehicle has passed, unless otherwise  
8 directed by any law enforcement officer.

9 (b) When an authorized emergency vehicle making use of  
10 any visual signals is parked, the driver of every other  
11 vehicle, as soon as it is safe:

12 1. Shall vacate the lane closest to the emergency  
13 vehicle when driving on an interstate highway or other highway  
14 with two or more lanes traveling in the direction of the  
15 emergency vehicle, except when otherwise directed by a law  
16 enforcement officer.

17 2. Shall slow to a speed that is 20 miles per hour  
18 less than the posted speed limit when the posted speed limit  
19 is 25 miles per hour or greater; or travel at 5 miles per hour  
20 when the posted speed limit is 20 miles per hour or less, when  
21 driving on a two-lane road, except when otherwise directed by  
22 a law enforcement officer.

23 (c) The Department of Highway Safety and Motor  
24 Vehicles shall provide an educational awareness campaign  
25 informing the motoring public about the Move Over Act. The  
26 department shall provide information about the Move Over Act  
27 in all newly printed driver's license educational materials  
28 after July 1, 2002.

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1 This section shall not relieve the driver of an authorized  
2 emergency vehicle from the duty to drive with due regard for  
3 the safety of all persons using the highway.

4 (6) A violation of this section is a noncriminal  
5 traffic infraction, punishable pursuant to chapter 318 as  
6 either a moving violation for infractions of subsection (1) or  
7 subsection (3), or as a pedestrian violation for infractions  
8 of subsection (2).

9 Section 3. Subsections (2), (3), and (10) of section  
10 316.2397, Florida Statutes, are amended to read:

11 316.2397 Certain lights prohibited; exceptions.--

12 (2) It is expressly prohibited for any vehicle or  
13 equipment, except police vehicles, to show or display blue  
14 lights. However, vehicles owned, operated, or leased by the  
15 Department of Corrections may show or display blue lights when  
16 responding to emergencies. A person who violates this  
17 subsection is guilty of a misdemeanor of the first degree,  
18 punishable as provided in s. 843.081.exceptions.--

19 (3) Vehicles of the fire department and fire patrol,  
20 including vehicles of volunteer firefighters as permitted  
21 under s. 316.2398, vehicles of medical staff physicians or  
22 technicians of medical facilities licensed by the state as  
23 authorized under s. 316.2398, ambulances as authorized under  
24 this chapter, and buses and taxicabs as authorized under s.  
25 316.2399 are permitted to show or display red lights. Vehicles  
26 of the fire department, fire patrol, police vehicles, and such  
27 ambulances and emergency vehicles of municipal and county  
28 departments, public service corporations operated by private  
29 corporations, the Department of Environmental Protection, the  
30 Department of Transportation, and the Department of  
31 Agriculture and Consumer Services as are designated or

1 authorized by their respective departments or the chief of  
2 police of an incorporated city or any sheriff of any county  
3 are hereby authorized to operate emergency lights and sirens  
4 in an emergency.Wreckers, mosquito control fog and spray  
5 vehicles, and emergency vehicles of governmental departments  
6 or public service corporations may show or display amber  
7 lights when in actual operation or when a hazard exists  
8 provided they are not used going to and from the scene of  
9 operation or hazard without specific authorization of a law  
10 enforcement officer or law enforcement agency. Wreckers may  
11 use amber rotating or flashing lights while performing  
12 recoveries and loading on the roadside day or night, and while  
13 towing a vehicle on wheel lifts, slings, or under reach only  
14 if the operator of the wrecker deems such lights necessary. A  
15 flatbed, car carrier, or rollback may not use amber rotating  
16 or flashing lights when hauling a vehicle on the bed unless it  
17 creates a hazard to other motorists because of protruding  
18 objects.Further, escort vehicles will be permitted to show or  
19 display amber lights when in the actual process of escorting  
20 overdimensioned equipment, material, or buildings as  
21 authorized by law. Vehicles of private watch, guard, or patrol  
22 agencies licensed pursuant to chapter 493 may show or display  
23 amber lights while patrolling condominium, cooperative, and  
24 private residential and business communities by which employed  
25 and which traverse public streets or highways.

26 (10) Except as provided in subsection (2),a violation  
27 of this section is a noncriminal traffic infraction,  
28 punishable as a nonmoving violation as provided in chapter  
29 318.

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1           Section 4. Paragraph (a) of subsection (1) and  
2 subsection (5) of section 316.2398, Florida Statutes, are  
3 amended to read:

4           316.2398 Display or use of red lights; motor vehicles  
5 of volunteer firefighters or medical staff.--

6           (1) A privately owned vehicle belonging to an active  
7 firefighter member of a regularly organized volunteer  
8 firefighting company or association, while en route to the  
9 fire station for the purpose of proceeding to the scene of a  
10 fire or other emergency or while en route to the scene of a  
11 fire or other emergency in the line of duty as an active  
12 firefighter member of a regularly organized firefighting  
13 company or association, or a privately owned vehicle belonging  
14 to a medical staff physician or technician of a medical  
15 facility licensed by the state, while responding to an  
16 emergency in the line of duty, may display or use a red light  
17 visible from the front and from the rear of such vehicle,  
18 subject to the following restrictions and conditions:

19           (a) A light may not have a light source greater than  
20 100,000 ~~50~~ candlepower.

21           (5)(a) A violation of this section by a person  
22 authorized under subsection (1) to display a red light is a  
23 nonmoving violation, punishable as provided in chapter 318.  
24 In addition, any volunteer firefighter shall be dismissed from  
25 membership in the firefighting organization by the chief  
26 executive officers thereof and may not serve as a firefighter  
27 in this state for a period of 1 year after the date of such  
28 violation.

29           (b) A person, other than a person authorized under  
30 subsection (1), who displays a red light in violation of this  
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1 section is guilty of a misdemeanor of the second degree,  
2 punishable as provided in s. 775.082 or s. 775.083.

3 Section 5. Subsection (2) of section 318.18, Florida  
4 Statutes, is amended to read:

5 318.18 Amount of civil penalties.--The penalties  
6 required for a noncriminal disposition pursuant to s. 318.14  
7 are as follows:

8 (2) Thirty dollars for all nonmoving traffic  
9 violations and:

10 (a) For all violations of s. 322.19.

11 (b) For all violations of ss. 320.0605, 320.07(1),  
12 322.065, and 322.15(1). Any person who is cited for a  
13 violation of s. 320.07(1) shall be charged a delinquent fee  
14 pursuant to s. 320.07(4).

15 1. If a person who is cited for a violation of s.  
16 320.0605 or s. 320.07 can show proof of having a valid  
17 registration at the time of arrest, the clerk of the court may  
18 dismiss the case and may assess a \$5 dismissal fee. A person  
19 who finds it impossible or impractical to obtain a valid  
20 registration certificate must submit an affidavit detailing  
21 the reasons for the impossibility or impracticality. The  
22 reasons may include, but are not limited to, the fact that the  
23 vehicle was sold, stolen, or destroyed; that the state in  
24 which the vehicle is registered does not issue a certificate  
25 of registration; or that the vehicle is owned by another  
26 person.

27 2. If a person who is cited for a violation of s.  
28 322.03, s. 322.065, or s. 322.15 can show a driver's license  
29 issued to him or her and valid at the time of arrest, the  
30 clerk of the court may dismiss the case and may assess a \$5  
31 dismissal fee.

1           3. If a person who is cited for a violation of s.  
2 316.646 can show proof of security as required by s. 627.733,  
3 issued to the person and valid at the time of arrest, the  
4 clerk of the court may dismiss the case and may assess a \$5  
5 dismissal fee. A person who finds it impossible or impractical  
6 to obtain proof of security must submit an affidavit detailing  
7 the reasons for the impracticality. The reasons may include,  
8 but are not limited to, the fact that the vehicle has since  
9 been sold, stolen, or destroyed; that the owner or registrant  
10 of the vehicle is not required by s. 627.733 to maintain  
11 personal injury protection insurance; or that the vehicle is  
12 owned by another person.

13           (c) For all violations of ss. 316.2935 and 316.610.  
14 However, for a violation of s. 316.2935 or s. 316.610, if the  
15 person committing the violation corrects the defect and  
16 obtains proof of such timely repair by an affidavit of  
17 compliance executed by the law enforcement agency within 30  
18 days from the date upon which the traffic citation was issued,  
19 and pays \$4 to the law enforcement agency, thereby completing  
20 the affidavit of compliance, then upon presentation of said  
21 affidavit by the defendant to the clerk within the 30-day time  
22 period set forth under s. 318.14(4), the fine must be reduced  
23 to \$5, which the clerk of the court shall retain.

24           (d) For all violations of s. 316.126(1)(b), unless  
25 otherwise specified.

26           Section 6. Subsection (13) is added to section 318.21,  
27 Florida Statutes, to read:

28           318.21 Disposition of civil penalties by county  
29 courts.--All civil penalties received by a county court  
30 pursuant to the provisions of this chapter shall be  
31 distributed and paid monthly as follows:

1       (13) As of July 1, 2002, the proceeds from the fine as  
2 defined in s. 316.126(1)(b) shall be paid to the Crimes  
3 Compensation Trust Fund administered by the Office of the  
4 Attorney General. The Office of the Attorney General shall  
5 annually allocate in an equal distribution funds collected  
6 pursuant to s. 316.126(1)(b) to the surviving minor children  
7 of any victim killed as a result of a violation of s.  
8 316.126(1)(b).

9           Section 7. This act shall take effect July 1, 2002.

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