

By Senator Clary

4-122A-03

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31

A bill to be entitled
An act relating to emergency lights on
vehicles; amending ss. 316.2397, 316.2398,
F.S.; revising penalties for showing or
displaying certain lights; providing an
effective date.

Be It Enacted by the Legislature of the State of Florida:

Section 1. Subsections (2) and (10) of section
316.2397, Florida Statutes, are amended to read:

316.2397 Certain lights prohibited; exceptions.--

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

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

Section 2. Section 316.2398, Florida Statutes, is
amended to read:

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

(1) A privately owned vehicle belonging to an active
firefighter member of a regularly organized volunteer
firefighting company or association, while en route to the
fire station for the purpose of proceeding to the scene of a

1 fire or other emergency or while en route to the scene of a
2 fire or other emergency in the line of duty as an active
3 firefighter member of a regularly organized firefighting
4 company or association, or a privately owned vehicle belonging
5 to a medical staff physician or technician of a medical
6 facility licensed by the state, while responding to an
7 emergency in the line of duty, may display or use a red light
8 visible from the front and from the rear of such vehicle,
9 subject to the following restrictions and conditions:

10 ~~(a) A light may not have a light source greater than~~
11 ~~50 candlepower.~~

12 ~~(a)(b)~~ Only one red light ~~of the revolving type~~ may be
13 displayed, and such light must be permanently or magnetically
14 mounted to the dashboard or roof of the vehicle.

15 ~~(b)(c)~~ The red light must consist of a lamp with a
16 red-colored red lens, but may not consist of an uncolored lens
17 with a red bulb.

18 ~~(c)(d)~~ The red light may not be a part of the regular
19 headlamps, taillights, or turn signal lights displayed on such
20 vehicle.

21 ~~(d)(e)~~ No inscription of any kind may appear across
22 the face of the lens of the red light.

23 ~~(e)(f)~~ The lens of the red light may not be less than
24 3 inches or more than 8 inches in diameter.

25 ~~(f)(g) In order~~ For an active volunteer firefighter to
26 display such a red light on his or her vehicle, the volunteer
27 firefighter must first secure a written permit from the chief
28 executive officers of the firefighting organization to use the
29 red light, and this permit must be carried by the volunteer
30 firefighter at all times while the red light is displayed.

31

1 (2) It is unlawful for any person who is not an active
2 firefighter member of a regularly organized volunteer
3 firefighting company or association or a physician or
4 technician of the medical staff of a medical facility licensed
5 by the state to display on any motor vehicle owned by him or
6 her, at any time, a red light as described in subsection (1).

7 (3) It is unlawful for an active volunteer firefighter
8 to operate a red light as authorized in subsection (1), except
9 while en route to the fire station for the purpose of
10 proceeding to the scene of a fire or other emergency, or while
11 en route to the scene of a fire or other emergency, in the
12 line of duty.

13 (4) It is unlawful for a physician or technician of
14 the medical staff of a medical facility to operate a red light
15 as authorized in subsection (1), except when responding to an
16 emergency in the line of duty.

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

25 (b) A person, other than a person authorized under
26 subsection (1), who displays a red light in violation of this
27 section commits a misdemeanor of the second degree, punishable
28 as provided in s. 775.082 or s. 775.083.

29 Section 3. This act shall take effect July 1, 2003.
30
31

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31

SENATE SUMMARY

Increases a penalty for the use of emergency lights on vehicles by unauthorized persons.