

By Senator Carlton

23-141-04

1 A bill to be entitled
2 An act relating to emergency lights on
3 vehicles; amending s. 316.2397, F.S.; requiring
4 wreckers to display amber rotating or flashing
5 lights in certain situations; providing an
6 effective date.

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

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10 Section 1. Subsection (3) of section 316.2397, Florida
11 Statutes, is amended to read:

12 316.2397 Certain lights prohibited; exceptions.--
13 (3) Vehicles of the fire department and fire patrol,
14 including vehicles of volunteer firefighters as permitted
15 under s. 316.2398, vehicles of medical staff physicians or
16 technicians of medical facilities licensed by the state as
17 authorized under s. 316.2398, ambulances as authorized under
18 this chapter, and buses and taxicabs as authorized under s.
19 316.2399 are permitted to show or display red lights. Vehicles
20 of the fire department, fire patrol, police vehicles, and such
21 ambulances and emergency vehicles of municipal and county
22 departments, public service corporations operated by private
23 corporations, the Department of Environmental Protection, the
24 Department of Transportation, and the Department of
25 Agriculture and Consumer Services as are designated or
26 authorized by their respective department or the chief of
27 police of an incorporated city or any sheriff of any county
28 are hereby authorized to operate emergency lights and sirens
29 in an emergency. Wreckers, mosquito control fog and spray
30 vehicles, and emergency vehicles of governmental departments
31 or public service corporations may show or display amber

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

20 | Section 2. This act shall take effect July 1, 2004.

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23 | SENATE SUMMARY

24 | Requires wreckers to use amber rotating or flashing
25 | lights when performing recoveries on the roadside or
26 | while towing a vehicle on wheel lifts, slings, or under
27 | reach.
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