

HOUSE OF REPRESENTATIVES STAFF ANALYSIS

BILL #: CS/HB 707 Lights on Motor Vehicles
SPONSOR(S): Economic Expansion & Infrastructure and Taylor
TIED BILLS: IDEN./SIM. BILLS: SB 1780

REFERENCE	ACTION	ANALYST	STAFF DIRECTOR
1) <u>Committee on Infrastructure</u>	<u>7 Y, 0 N</u>	<u>Owen</u>	<u>Miller</u>
2) <u>Economic Expansion & Infrastructure Council</u>	<u>14 Y, 0 N, As CS</u>	<u>Owen</u>	<u>Tinker</u>
3) _____	_____	_____	_____
4) _____	_____	_____	_____
5) _____	_____	_____	_____

SUMMARY ANALYSIS

HB 707 amends s. 316.2397, F.S. by allowing vehicles owned or leased by private security agencies to display green and amber lights while the security personnel are engaged in security duties while on private or public property.

The bill has no fiscal impact on state and local government and an effective date of July 1, 2007.

FULL ANALYSIS

I. SUBSTANTIVE ANALYSIS

A. HOUSE PRINCIPLES ANALYSIS:

The bill does not appear to implicate any of the House Principles.

B. EFFECT OF PROPOSED CHANGES:

Present Situation:

Current statutes allow “private watch, guard, or patrol agencies licensed pursuant to chapter 493” to display amber colored lights while patrolling the grounds by which they are employed.

Proposed Changes:

The bill enables those vehicles “owned or leased by private security agencies” to display green and amber lights while the security personnel are engaged in security duties on private or public property.

By striking the current language, “private watch, guard, or patrol agencies licensed pursuant to chapter 493”, the bill allows a broader range of security providers to display green and amber lights. Many private security providers in Florida are proprietary services and not required to be licensed. Such services are authorized by s. 493.6102(4), F.S.

In addition, the bill allows the color green to be displayed by such security vehicles, when current statute only allows the color amber. The bill specifies that either color may be no greater than 50 percent of the lights displayed.

The bill also allows security vehicles to display the green and amber lights over an increased area, by allowing the lighted vehicles on “private or public property”.

C. SECTION DIRECTORY:

Section 1. Amends s. 316.2397, F.S. by revising provisions restricting the use of certain colored lights; providing for lights on vehicles owned or leased by private security agencies; and removing reference to watch, guard, and patrol agencies licensed under specified provisions.

Section 2. Provides an effective date of July 1, 2007.

II. FISCAL ANALYSIS & ECONOMIC IMPACT STATEMENT

A. FISCAL IMPACT ON STATE GOVERNMENT:

1. Revenues:

None.

2. Expenditures:

None.

B. FISCAL IMPACT ON LOCAL GOVERNMENTS:

1. Revenues:

None.

2. Expenditures:

None.

C. DIRECT ECONOMIC IMPACT ON PRIVATE SECTOR:

There may be minimal replacement costs for vehicles owned or leased by private security agencies to install the green color lights, if they choose. The installation of green lights on these vehicles is not mandatory.

D. FISCAL COMMENTS:

None.

III. COMMENTS

A. CONSTITUTIONAL ISSUES:

1. Applicability of Municipality/County Mandates Provision:

Not applicable because the bill does not appear to: require counties or cities to spend funds or take action requiring the expenditure of funds; reduce the authority that cities or counties have to raise revenues in the aggregate; or reduce the percentage of a state tax shared with cities or counties

2. Other:

None.

B. RULE-MAKING AUTHORITY:

None.

C. DRAFTING ISSUES OR OTHER COMMENTS:

The Florida Association of Security Agencies (FASA) states that the purpose of this legislation is to "allow law enforcement, fire and other public emergency responders to be able to identify all security vehicles in emergency situations." Under existing law, security agencies are included with public and private utility vehicles, tow trucks and others in the use of amber/white lights. The FASA state that the "unique combination of 50% green and 50% amber lights will stand out, thus allowing responding law enforcement officers to quickly and safely locate the security officer."

D. STATEMENT OF THE SPONSOR

No statement submitted.

IV. AMENDMENTS/COUNCIL SUBSTITUTE CHANGES

On April 4, 2007 the Economic Expansion and Infrastructure Council considered this bill. An amendment was adopted which specified the green and amber lights may be used when "the security personnel" are engaged in security duties, which conformed the House bill to the Senate bill. The bill was reported favorably as a Council substitute.