

By Senator Garcia

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1 A bill to be entitled
2 An act relating to the use of lights on motor
3 vehicles; amending s. 316.2397, F.S.; authorizing
4 vehicles owned, operated, or leased by any county
5 correctional agency to show or display blue lights
6 when responding to emergencies; providing an effective
7 date.

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

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11 Section 1. Section 316.2397, Florida Statutes, is amended
12 to read:

13 316.2397 Certain lights prohibited; exceptions.—

14 (1) No person shall drive or move or cause to be moved any
15 vehicle or equipment upon any highway within this state with any
16 lamp or device thereon showing or displaying a red or blue light
17 visible from directly in front thereof except for certain
18 vehicles hereinafter provided.

19 (2) It is expressly prohibited for any vehicle or
20 equipment, except police vehicles, to show or display blue
21 lights. However, vehicles owned, operated, or leased by the
22 Department of Corrections or any county correctional agency may
23 show or display blue lights when responding to emergencies.

24 (3) Vehicles of the fire department and fire patrol,
25 including vehicles of volunteer firefighters as permitted under
26 s. 316.2398, vehicles of medical staff physicians or technicians
27 of medical facilities licensed by the state as authorized under
28 s. 316.2398, ambulances as authorized under this chapter, and
29 buses and taxicabs as authorized under s. 316.2399 are permitted

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30 to show or display red lights. Vehicles of the fire department,
31 fire patrol, police vehicles, and such ambulances and emergency
32 vehicles of municipal and county departments, public service
33 corporations operated by private corporations, the Department of
34 Environmental Protection, the Department of Transportation, the
35 Department of Agriculture and Consumer Services, and the
36 Department of Corrections as are designated or authorized by
37 their respective department or the chief of police of an
38 incorporated city or any sheriff of any county are hereby
39 authorized to operate emergency lights and sirens in an
40 emergency. Wreckers, mosquito control fog and spray vehicles,
41 and emergency vehicles of governmental departments or public
42 service corporations may show or display amber lights when in
43 actual operation or when a hazard exists provided they are not
44 used going to and from the scene of operation or hazard without
45 specific authorization of a law enforcement officer or law
46 enforcement agency. Wreckers must use amber rotating or flashing
47 lights while performing recoveries and loading on the roadside
48 day or night, and may use such lights while towing a vehicle on
49 wheel lifts, slings, or under reach if the operator of the
50 wrecker deems such lights necessary. A flatbed, car carrier, or
51 rollback may not use amber rotating or flashing lights when
52 hauling a vehicle on the bed unless it creates a hazard to other
53 motorists because of protruding objects. Further, escort
54 vehicles may show or display amber lights when in the actual
55 process of escorting oversized equipment, material, or
56 buildings as authorized by law. Vehicles owned or leased by
57 private security agencies may show or display green and amber
58 lights, with either color being no greater than 50 percent of

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59 the lights displayed, while the security personnel are engaged
60 in security duties on private or public property.

61 (4) Road or street maintenance equipment, road or street
62 maintenance vehicles, road service vehicles, refuse collection
63 vehicles, petroleum tankers, and mail carrier vehicles may show
64 or display amber lights when in operation or a hazard exists.

65 (5) Road maintenance and construction equipment and
66 vehicles may display flashing white lights or flashing white
67 strobe lights when in operation and where a hazard exists.
68 Additionally, school buses and vehicles that are used to
69 transport farm workers may display flashing white strobe lights.

70 (6) All lighting equipment heretofore referred to shall
71 meet all requirements as set forth in s. 316.241.

72 (7) Flashing lights are prohibited on vehicles except as a
73 means of indicating a right or left turn, to change lanes, or to
74 indicate that the vehicle is lawfully stopped or disabled upon
75 the highway or except that the lamps authorized in subsections
76 (1), (2), (3), (4), and (9) and s. 316.235(5) are permitted to
77 flash.

78 (8) Subsections (1) and (7) do not apply to police, fire,
79 or authorized emergency vehicles while in the performance of
80 their necessary duties.

81 (9) Flashing red lights may be used by emergency response
82 vehicles of the Department of Environmental Protection and the
83 Department of Health when responding to an emergency in the line
84 of duty.

85 (10) A violation of this section is a noncriminal traffic
86 infraction, punishable as a nonmoving violation as provided in
87 chapter 318.

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Section 2. This act shall take effect July 1, 2009.