

HOUSE OF REPRESENTATIVES STAFF ANALYSIS

BILL #: HB 545 Use of Lights on Motor Vehicles

SPONSOR(S): Garcia and others

TIED BILLS: **IDEN./SIM. BILLS:** SB 1030

	REFERENCE	ACTION	ANALYST	STAFF DIRECTOR
1)	Roads, Bridges & Ports Policy Committee		McVay	Miller
2)	Public Safety & Domestic Security Policy Committee			
3)	Military & Local Affairs Policy Committee			
4)	Economic Development & Community Affairs Policy Council			
5)				

SUMMARY ANALYSIS

Current law only permits police and vehicles owned, operated, or leased by the Department of Corrections to show or display blue lights when responding to emergencies. However, of Florida's 67 counties, 9 counties operate their jail detention facilities in county departments rather than Sheriff's Offices.

HB 545 amends s. 316.2397, F.S. to allow vehicles owned, operated, or leased by any county correctional agency to show or display blue lights when responding to emergencies.

The bill has no fiscal impact on state and local government and an effective date of July 1, 2009.

HOUSE PRINCIPLES

Members are encouraged to evaluate proposed legislation in light of the following guiding principles of the House of Representatives

- Balance the state budget.
- Create a legal and regulatory environment that fosters economic growth and job creation.
- Lower the tax burden on families and businesses.
- Reverse or restrain the growth of government.
- Promote public safety.
- Promote educational accountability, excellence, and choice.
- Foster respect for the family and for innocent human life.
- Protect Florida's natural beauty.

FULL ANALYSIS

I. SUBSTANTIVE ANALYSIS

A. EFFECT OF PROPOSED CHANGES:

Present Situation

Section 316.2397(2), F.S., prohibits any vehicle or equipment, with the exception of police vehicles, to show or display blue lights. As it is currently written, the statute also allows vehicles owned, operated, or leased by the Department of Corrections to show or display blue lights when responding to emergencies.

Currently, of the 67 counties in Florida, 9 operate their county jail facilities in county departments rather than Sheriff's Offices, and therefore, are not authorized to display blue lights under the current statute.

Proposed Changes

HB 545 would enable vehicles "owned, operated, or leased by any county correctional agency" to show or display blue lights when responding to emergencies. By amending Section 316.2397(2), F.S., the bill allows a broader range of vehicles to show or display blue lights when responding to emergencies.

B. SECTION DIRECTORY:

Section 1: Amends Section 316.2397(2), F.S., by revising provisions restricting the use of certain colored lights; providing vehicles "owned, operated, or leased" by any county correctional agency to show or display blue lights when responding to emergencies.

Section 2: Provides an effective date of July 1, 2009

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:

None

D. FISCAL COMMENTS:

There may be minimal replacement costs for vehicles owned, operated, or leased by any county correctional agency to install the blue color lights, if they choose. The installation of blue lights on these vehicles is not mandatory.

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:

According to the sponsor's office, the purpose of this legislation is to improve safety and security on the roads by allowing county correctional agencies that are not currently covered under 316.2397, F.S., to show or display blue lights when responding to emergencies.

IV. AMENDMENTS/COUNCIL OR COMMITTEE SUBSTITUTE CHANGES