

1                   A bill to be entitled  
 2           An act relating to use of lights on motor vehicles;  
 3           amending s. 316.2397, F.S.; authorizing vehicles owned,  
 4           operated, or leased by any county correctional agency to  
 5           show or display blue lights when responding to  
 6           emergencies; providing an 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. Section 316.2397, Florida Statutes, is amended  
 11           to read:

12           316.2397 Certain lights prohibited; exceptions.--

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

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

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

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29 | to show or display red lights. Vehicles of the fire department,  
30 | fire patrol, police vehicles, and such ambulances and emergency  
31 | vehicles of municipal and county departments, public service  
32 | corporations operated by private corporations, the Department of  
33 | Environmental Protection, the Department of Transportation, the  
34 | Department of Agriculture and Consumer Services, and the  
35 | Department of Corrections as are designated or authorized by  
36 | their respective department or the chief of police of an  
37 | incorporated city or any sheriff of any county are hereby  
38 | authorized to operate emergency lights and sirens in an  
39 | emergency. Wreckers, mosquito control fog and spray vehicles,  
40 | and emergency vehicles of governmental departments or public  
41 | service corporations may show or display amber lights when in  
42 | actual operation or when a hazard exists provided they are not  
43 | used going to and from the scene of operation or hazard without  
44 | specific authorization of a law enforcement officer or law  
45 | enforcement agency. Wreckers must use amber rotating or flashing  
46 | lights while performing recoveries and loading on the roadside  
47 | day or night, and may use such lights while towing a vehicle on  
48 | wheel lifts, slings, or under reach if the operator of the  
49 | wrecker deems such lights necessary. A flatbed, car carrier, or  
50 | rollback may not use amber rotating or flashing lights when  
51 | hauling a vehicle on the bed unless it creates a hazard to other  
52 | motorists because of protruding objects. Further, escort  
53 | vehicles may show or display amber lights when in the actual  
54 | process of escorting overdimensioned equipment, material, or  
55 | buildings as authorized by law. Vehicles owned or leased by  
56 | private security agencies may show or display green and amber

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57 | lights, with either color being no greater than 50 percent of  
58 | the lights displayed, while the security personnel are engaged  
59 | in security duties on private or public property.

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

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

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

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

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

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

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

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