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LEGISLATIVE ACTION

Senate

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House

The Committee on Appropriations (Perry) recommended the following:

Senate Amendment (with title amendment)

Between lines 39 and 40

insert:

Section 1. Present subsections (3) through (6) of section 316.235, Florida Statutes, are redesignated as subsections (4) through (7), respectively, and a new subsection (3) is added to that section, to read:

316.235 Additional lighting equipment.—

(3) Any motor vehicle may be equipped with one or more



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11 lamps or devices underneath the motor vehicle as long as such
12 lamps or devices do not emit light in violation of s.
13 316.2397(1) or (7) or s. 316.238.

14 Section 2. Subsections (1) and (3) and paragraph (c) of
15 subsection (7) of section 316.2397, Florida Statutes, are
16 amended to read:

17 316.2397 Certain lights prohibited; exceptions.-

18 (1) A ~~No~~ person may not ~~shall~~ drive or move or cause to be
19 moved any vehicle or equipment upon any highway within this
20 state with any lamp or device thereon showing or displaying a
21 red, red and white, or blue light visible from directly in front
22 thereof except for certain vehicles ~~hereinafter~~ provided in this
23 section.

24 (3) Vehicles of the fire department and fire patrol,
25 including vehicles of volunteer firefighters as permitted under
26 s. 316.2398, may show or display red or red and white lights.
27 Vehicles of medical staff physicians or technicians of medical
28 facilities licensed by the state as authorized under s.
29 316.2398, ambulances as authorized under this chapter, and buses
30 and taxicabs as authorized under s. 316.2399 may show or display
31 red lights. Vehicles of the fire department, fire patrol, police
32 vehicles, and such ambulances and emergency vehicles of
33 municipal and county departments, public service corporations
34 operated by private corporations, the Fish and Wildlife
35 Conservation Commission, the Department of Environmental
36 Protection, the Department of Transportation, the Department of
37 Agriculture and Consumer Services, and the Department of
38 Corrections as are designated or authorized by their respective
39 department or the chief of police of an incorporated city or any



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40 sheriff of any county may operate emergency lights and sirens in
41 an emergency. Wreckers, mosquito control fog and spray vehicles,
42 and emergency vehicles of governmental departments or public
43 service corporations may show or display amber lights when in
44 actual operation or when a hazard exists provided they are not
45 used going to and from the scene of operation or hazard without
46 specific authorization of a law enforcement officer or law
47 enforcement agency. Wreckers must use amber rotating or flashing
48 lights while performing recoveries and loading on the roadside
49 day or night, and may use such lights while towing a vehicle on
50 wheel lifts, slings, or under reach if the operator of the
51 wrecker deems such lights necessary. A flatbed, car carrier, or
52 rollback may not use amber rotating or flashing lights when
53 hauling a vehicle on the bed unless it creates a hazard to other
54 motorists because of protruding objects. Further, escort
55 vehicles may show or display amber lights when in the actual
56 process of escorting overdimensioned equipment, material, or
57 buildings as authorized by law. Vehicles owned or leased by
58 private security agencies may show or display green and amber
59 lights, with either color being no greater than 50 percent of
60 the lights displayed, while the security personnel are engaged
61 in security duties on private or public property.

62 (7) Flashing lights are prohibited on vehicles except:

63 (c) For the lamps authorized under subsections (1), (2),
64 (3), (4), and (9), s. 316.2065, or s. 316.235(6) ~~s. 316.235(5)~~
65 which may flash.

66 Section 3. Section 316.2398, Florida Statutes, is amended
67 to read:

68 316.2398 Display or use of red or red and white warning



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69 signals; motor vehicles of volunteer firefighters or medical
70 staff.—

71 (1) A privately owned vehicle belonging to an active
72 firefighter member of a regularly organized volunteer
73 firefighting company or association, while en route to the fire
74 station for the purpose of proceeding to the scene of a fire or
75 other emergency or while en route to the scene of a fire or
76 other emergency in the line of duty as an active firefighter
77 member of a regularly organized firefighting company or
78 association, may display or use red or red and white warning
79 signals. ~~or~~ A privately owned vehicle belonging to a medical
80 staff physician or technician of a medical facility licensed by
81 the state, while responding to an emergency in the line of duty,
82 may display or use red warning signals. Warning signals must be
83 visible from the front and from the rear of such vehicle,
84 subject to the following restrictions and conditions:

85 (a) No more than two red or red and white warning signals
86 may be displayed.

87 (b) No inscription of any kind may appear across the face
88 of the lens of the red or red and white warning signal.

89 (c) In order for an active volunteer firefighter to display
90 such red or red and white warning signals on his or her vehicle,
91 the volunteer firefighter must first secure a written permit
92 from the chief executive officers of the firefighting
93 organization to use the red or red and white warning signals,
94 and this permit must be carried by the volunteer firefighter at
95 all times while the red or red and white warning signals are
96 displayed.

97 (2) ~~A It is unlawful for any person who is not an active~~



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98 firefighter member of a regularly organized volunteer
99 firefighting company or association or a physician or technician
100 of the medical staff of a medical facility licensed by the state
101 may not ~~to~~ display on any motor vehicle owned by him or her, at
102 any time, any red or red and white warning signals as described
103 in subsection (1).

104 (3) ~~It is unlawful for~~ An active volunteer firefighter may
105 not ~~to~~ operate any red or red and white warning signals as
106 authorized in subsection (1), except while en route to the fire
107 station for the purpose of proceeding to the scene of a fire or
108 other emergency, or while at or en route to the scene of a fire
109 or other emergency, in the line of duty.

110 (4) ~~It is unlawful for~~ A physician or technician of the
111 medical staff of a medical facility may not ~~to~~ operate any red
112 warning signals as authorized in subsection (1), except when
113 responding to an emergency in the line of duty.

114 (5) A violation of this section is a nonmoving violation,
115 punishable as provided in chapter 318. In addition, a ~~any~~
116 volunteer firefighter who violates this section shall be
117 dismissed from membership in the firefighting organization by
118 the chief executive officers thereof.

119 Section 4. Subsection (3) of section 316.224, Florida
120 Statutes, is amended to read:

121 316.224 Color of clearance lamps, identification lamps,
122 side marker lamps, backup lamps, reflectors, and deceleration
123 lights.—

124 (3) All lighting devices and reflectors mounted on the rear
125 of any vehicle shall display or reflect a red color, except the
126 stop light or other signal device, which may be red, amber, or



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127 yellow, and except that the light illuminating the license plate
128 shall be white and the light emitted by a backup lamp shall be
129 white or amber. Deceleration lights as authorized by s.
130 316.235(6) ~~s. 316.235(5)~~ shall display an amber color.
131

132 ===== T I T L E A M E N D M E N T =====

133 And the title is amended as follows:

134 Delete lines 2 - 3

135 and insert:

136 An act relating to motor vehicles; amending s.
137 316.235, F.S.; authorizing any motor vehicle to be
138 equipped with certain lamps or devices under certain
139 circumstances; amending s. 316.2397, F.S.; authorizing
140 certain vehicles to display red and white lights;
141 amending s. 316.2398, F.S.; authorizing certain
142 vehicles to display red and white warning signals
143 under certain circumstances; providing requirements
144 and penalties; amending s. 316.224, F.S.; conforming a
145 cross-reference; amending s. 319.30, F.S.;