



446228

LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
03/10/2021	.	
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The Committee on Health Policy (Pizzo) recommended the following:

**Senate Amendment (with title amendment)**

Delete lines 62 - 235  
and insert:  
licensed under part III of chapter 401 as a basic life support service or an advanced life support service and which has no for-profit subsidiaries, uses volunteers to provide services, is not operating for pecuniary profit or financial gain, and does not distribute to or inure to the benefit of its directors, members, or officers any part of its assets or income.



11 Section 2. Paragraph (a) of subsection (5) of section  
12 316.072, Florida Statutes, is amended to read:

13 316.072 Obedience to and effect of traffic laws.—

14 (5) AUTHORIZED EMERGENCY VEHICLES.—

15 (a)1. The driver of an authorized emergency vehicle, when  
16 responding to an emergency call, when in the pursuit of an  
17 actual or suspected violator of the law, or when responding to a  
18 fire alarm, but not upon returning from a fire;

19 2. A medical staff physician or technician of a medical  
20 facility licensed by the state or of a volunteer ambulance  
21 service when responding to an emergency in the line of duty in  
22 his or her privately owned vehicle, using red lights as  
23 authorized in s. 316.2398; or

24 3. The driver of an authorized law enforcement vehicle,  
25 when conducting a nonemergency escort, to warn the public of an  
26 approaching motorcade;

27  
28 may exercise the privileges set forth in this section, but  
29 subject to the conditions herein stated.

30 Section 3. Subsection (3) of section 316.2397, Florida  
31 Statutes, is amended to read:

32 316.2397 Certain lights prohibited; exceptions.—

33 (3) Vehicles of the fire department and fire patrol,  
34 including vehicles of volunteer firefighters as permitted under  
35 s. 316.2398, may show or display red or red and white lights.  
36 Vehicles of medical staff physicians or technicians of medical  
37 facilities licensed by the state or of volunteer ambulance  
38 services as authorized under s. 316.2398, ambulances as  
39 authorized under this chapter, and buses and taxicabs as



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40 authorized under s. 316.2399 may show or display red lights.  
41 Vehicles of the fire department, fire patrol, police vehicles,  
42 and such ambulances and emergency vehicles of municipal and  
43 county departments, volunteer ambulance services, public service  
44 corporations operated by private corporations, the Fish and  
45 Wildlife Conservation Commission, the Department of  
46 Environmental Protection, the Department of Transportation, the  
47 Department of Agriculture and Consumer Services, and the  
48 Department of Corrections as are designated or authorized by  
49 their respective department or the chief of police of an  
50 incorporated city or any sheriff of any county may operate  
51 emergency lights and sirens in an emergency. Wreckers, mosquito  
52 control fog and spray vehicles, and emergency vehicles of  
53 governmental departments or public service corporations may show  
54 or display amber lights when in actual operation or when a  
55 hazard exists provided they are not used going to and from the  
56 scene of operation or hazard without specific authorization of a  
57 law enforcement officer or law enforcement agency. Wreckers must  
58 use amber rotating or flashing lights while performing  
59 recoveries and loading on the roadside day or night, and may use  
60 such lights while towing a vehicle on wheel lifts, slings, or  
61 under reach if the operator of the wrecker deems such lights  
62 necessary. A flatbed, car carrier, or rollback may not use amber  
63 rotating or flashing lights when hauling a vehicle on the bed  
64 unless it creates a hazard to other motorists because of  
65 protruding objects. Further, escort vehicles may show or display  
66 amber lights when in the actual process of escorting  
67 overdimensioned equipment, material, or buildings as authorized  
68 by law. Vehicles owned or leased by private security agencies



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69 may show or display green and amber lights, with either color  
70 being no greater than 50 percent of the lights displayed, while  
71 the security personnel are engaged in security duties on private  
72 or public property.

73 Section 4. Subsections (1), (2), and (4) of section  
74 316.2398, Florida Statutes, are amended to read:

75 316.2398 Display or use of red or red and white warning  
76 signals; motor vehicles of volunteer firefighters or medical  
77 staff.—

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

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

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

97 (c) In order for an active volunteer firefighter to display



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98 such red or red and white warning signals on his or her vehicle,  
99 the volunteer firefighter must first secure a written permit  
100 from the chief executive officers of the firefighting  
101 organization to use the red or red and white warning signals,  
102 and this permit must be carried by the volunteer firefighter at  
103 all times while the red or red and white warning signals are  
104 displayed.

105 (2) A person who is not an active firefighter member of a  
106 regularly organized volunteer firefighting company or  
107 association or a physician or technician of the medical staff of  
108 a medical facility licensed by the state or of a volunteer  
109 ambulance service may not display on any motor vehicle owned by  
110 him or her, at any time, any red or red and white warning  
111 signals as described in subsection (1).

112 (4) A physician or technician of the medical staff of a  
113 medical facility licensed by the state or of a volunteer  
114 ambulance service may not operate any red warning signals as  
115 authorized in subsection (1), except when responding to an  
116 emergency in the line of duty.

117 Section 5. Section 401.211, Florida Statutes, is amended to  
118 read:

119 401.211 Legislative intent.—The Legislature recognizes that  
120 the systematic provision of emergency medical services saves  
121 lives and reduces disability associated with illness and injury.  
122 In addition, that system of care must be equally capable of  
123 assessing, treating, and transporting children, adults, and  
124 frail elderly persons. Further, it is the intent of the  
125 Legislature to encourage the development and maintenance of  
126 emergency medical services because such services are essential



127 to the health and well-being of all citizens of the state. The  
128 Legislature finds that it is in the public interest to foster  
129 the development of emergency medical services that address  
130 religious sensitivities. In accordance with the Florida  
131 Volunteer and Community Service Act of 2001, the Legislature  
132 further recognizes the value of augmenting existing county and  
133 municipal emergency medical services with those provided by  
134 volunteer service organizations. The Legislature also recognizes  
135 that the establishment of a comprehensive statewide injury-  
136 prevention program supports state and community health systems  
137 by further enhancing the total delivery system of emergency  
138 medical services and reduces injuries for all persons. The  
139 purpose of this part is to protect and enhance the public  
140 health, welfare, and safety through the establishment of an  
141 emergency medical services state plan, an advisory council, a  
142 comprehensive statewide injury-prevention program, minimum  
143 standards for emergency medical services personnel, vehicles,  
144 services and medical direction, and the establishment of a  
145 statewide inspection program created to monitor the quality of  
146 patient care delivered by each licensed service and  
147 appropriately certified personnel.

148 Section 6. Subsection (22) is added to section 401.23,  
149 Florida Statutes, to read:

150 401.23 Definitions.—As used in this part, the term:

151 (22) "Volunteer ambulance service" means a faith-based,  
152 not-for-profit corporation registered under chapter 617 which is  
153 licensed by the department as a basic life support service or an  
154 advanced life support service and which has no for-profit  
155 subsidiaries, uses volunteers to provide services, is not



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156 operating for pecuniary profit or financial gain, and does not  
157 distribute to or inure to the benefit of its directors, members,  
158 or officers any part of its assets or income.

159 Section 7. Paragraph (d) of subsection (2) and subsection  
160 (6) of section 401.25, Florida Statutes, are amended to read:

161 401.25 Licensure as a basic life support or an advanced  
162 life support service.-

163 (2) The department shall issue a license for operation to  
164 any applicant who complies with the following requirements:

165 (d) The applicant has obtained a certificate of public  
166 convenience and necessity from each county in which the  
167 applicant will operate. In issuing the certificate of public  
168 convenience and necessity, the governing body of each county  
169 shall consider the recommendations of municipalities within its  
170 jurisdiction. An applicant that is a first responder agency is  
171 exempt from this requirement if it is a faith-based, not-for-  
172 profit corporation registered under chapter 617 which has been  
173 operating in this state for at least 10 consecutive years, has  
174 no for-profit subsidiaries, uses volunteers to provide services,  
175 is not operating for pecuniary profit or financial gain, and  
176 does not distribute to or inure to the benefit of its directors,  
177 members, or officers any part of its assets or income.

178  
179 ===== T I T L E A M E N D M E N T =====

180 And the title is amended as follows:

181 Delete lines 22 - 24

182 and insert:

183 the term "volunteer ambulance service"; amending s.  
184 401.25, F.S.; exempting certain first responder



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agencies from