

Amendment No.

CHAMBER ACTION

Senate

House

.

1 Representative Caruso offered the following:

2
3 **Amendment (with title amendment)**

4 Remove lines 69-279 and insert:

5 provide services free of charge, is not operating for pecuniary
6 profit or financial gain, and does not distribute to or inure to
7 the benefit of its directors, members, or officers any part of
8 its assets or income.

9 Section 2. Paragraph (a) of subsection (5) of section
10 316.072, Florida Statutes, is amended to read:

11 316.072 Obedience to and effect of traffic laws.—

12 (5) AUTHORIZED EMERGENCY VEHICLES.—

13 (a)1. The driver of an authorized emergency vehicle, when

042015

Approved For Filing: 4/20/2021 3:24:30 PM

Amendment No.

14 responding to an emergency call, when in the pursuit of an
15 actual or suspected violator of the law, or when responding to a
16 fire alarm, but not upon returning from a fire;

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

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

25
26 may exercise the privileges set forth in this section, but
27 subject to the conditions herein stated.

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

30 316.2397 Certain lights prohibited; exceptions.—

31 (3) Vehicles of the fire department and fire patrol,
32 including vehicles of volunteer firefighters as permitted under
33 s. 316.2398, may show or display red or red and white lights.
34 Vehicles of medical staff physicians or technicians of medical
35 facilities licensed by the state or of volunteer ambulance
36 services as authorized under s. 316.2398, ambulances as
37 authorized under this chapter, and buses and taxicabs as
38 authorized under s. 316.2399 may show or display red lights.

042015

Approved For Filing: 4/20/2021 3:24:30 PM

Amendment No.

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

042015

Approved For Filing: 4/20/2021 3:24:30 PM

Amendment No.

64 | amber lights when in the actual process of escorting
65 | overdimensioned equipment, material, or buildings as authorized
66 | by law. Vehicles owned or leased by private security agencies
67 | may show or display green and amber lights, with either color
68 | being no greater than 50 percent of the lights displayed, while
69 | the security personnel are engaged in security duties on private
70 | or public property.

71 | Section 4. Subsections (1), (2), and (4) of section
72 | 316.2398, Florida Statutes, are amended to read:

73 | 316.2398 Display or use of red or red and white warning
74 | signals; motor vehicles of volunteer firefighters or medical
75 | staff.—

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

042015

Approved For Filing: 4/20/2021 3:24:30 PM

Amendment No.

89 the rear of such vehicle, subject to the following restrictions
90 and conditions:

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

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

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

103 (d) An emergency medical technician, doctor, or paramedic
104 who is using his or her personal vehicle with a red light to
105 respond to an emergency call must have completed a 16-hour
106 emergency vehicle operator course.

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

042015

Approved For Filing: 4/20/2021 3:24:30 PM

Amendment No.

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

119 Section 5. Section 401.211, Florida Statutes, is amended
120 to read:

121 401.211 Legislative intent.—The Legislature recognizes
122 that the systematic provision of emergency medical services
123 saves lives and reduces disability associated with illness and
124 injury. In addition, that system of care must be equally capable
125 of assessing, treating, and transporting children, adults, and
126 frail elderly persons. Further, it is the intent of the
127 Legislature to encourage the development and maintenance of
128 emergency medical services because such services are essential
129 to the health and well-being of all citizens of the state. The
130 Legislature finds that it is in the public interest to foster
131 the development of emergency medical services that address
132 religious sensitivities. In accordance with the Florida
133 Volunteer and Community Service Act of 2001, the Legislature
134 further recognizes the value of augmenting existing county and
135 municipal emergency medical services with those provided by
136 volunteer service organizations. The Legislature also recognizes
137 that the establishment of a comprehensive statewide injury-
138 prevention program supports state and community health systems

042015

Approved For Filing: 4/20/2021 3:24:30 PM

Amendment No.

139 by further enhancing the total delivery system of emergency
140 medical services and reduces injuries for all persons. The
141 purpose of this part is to protect and enhance the public
142 health, welfare, and safety through the establishment of an
143 emergency medical services state plan, an advisory council, a
144 comprehensive statewide injury-prevention program, minimum
145 standards for emergency medical services personnel, vehicles,
146 services and medical direction, and the establishment of a
147 statewide inspection program created to monitor the quality of
148 patient care delivered by each licensed service and
149 appropriately certified personnel.

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

152 401.23 Definitions.—As used in this part, the term:

153 (22) "Volunteer ambulance service" means a faith-based,
154 not-for-profit charitable corporation registered under chapter
155 617 which is licensed under this part as a basic life support
156 service or an advanced life support service; which is not a
157 parent, subsidiary, or affiliate of, or related to, any for-
158 profit entity; and which uses only unpaid volunteers to provide
159 services free of charge, is not operating for pecuniary profit
160 or financial gain, and does not distribute to or inure to the
161 benefit of its directors, volunteers, members, or officers any
162 part of its assets or income.

163 Section 7. Paragraph (d) of subsection (2) and subsection

042015

Approved For Filing: 4/20/2021 3:24:30 PM

Amendment No.

164 (6) of section 401.25, Florida Statutes, are amended to read:
165 401.25 Licensure as a basic life support or an advanced
166 life support service.-

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

169 (d) The applicant has obtained a certificate of public
170 convenience and necessity from each county in which the
171 applicant will operate. In issuing the certificate of public
172 convenience and necessity, the governing body of each county
173 shall consider the recommendations of municipalities within its
174 jurisdiction. An applicant that is an active first responder
175 agency is exempt from this requirement if it:

176 1. Is a faith-based, not-for-profit charitable corporation
177 registered under chapter 617 which has been responding to
178 medical emergencies in this state for at least 10 consecutive
179 years.

180 2. Is not a parent, subsidiary, or affiliate of, or
181 related to, any for-profit entity.

182 3. Provides emergency response services solely through at
183 least 50 unpaid licensed emergency medical technician or
184 paramedic volunteers.

185 4. Is not operating for pecuniary profit or financial
186 gain.

187 5. Does not distribute to or inure to the benefit of its
188 directors, members, or officers any part of its assets or

042015

Approved For Filing: 4/20/2021 3:24:30 PM

Amendment No.

189 income.

190 6. Does not receive any government funding.

191 7. Has never had a license denied, revoked, or suspended.

192 8. Provides services free of charge.

193 9. As part of its application for licensure, provides to
194 the department a management plan that includes a training
195 program, complaint management system, accident or injury
196 handling system, quality assurance program, and proof of
197 adequate insurance coverage to meet state or county insurance
198 requirements, whichever requirements are greater.

199

200 The exemption under this paragraph may be granted to no more
201 than four counties. This exemption notwithstanding, an applicant
202 is not exempted from and must comply with all other requirements
203 for licensure. An applicant must also take all reasonable
204 efforts to enter into a memorandum of understanding with the
205 emergency medical services licensee within whose jurisdiction
206 the applicant will provide services in order to facilitate
207 communications and coordinate emergency services for situations
208 beyond the scope of the applicant's capacity and for situations
209 of advanced life support that are deemed priority 1 or priority
210 2 emergencies.

211 (6) (a) The governing body of each county may adopt
212 ordinances that provide reasonable standards for certificates of
213 public convenience and necessity for basic or advanced life

042015

Approved For Filing: 4/20/2021 3:24:30 PM

Amendment No.

214 support services and air ambulance services. In developing
 215 standards for certificates of public convenience and necessity,
 216 the governing body of each county must consider state
 217 guidelines, recommendations of the local or regional trauma
 218 agency created under chapter 395, and the recommendations of
 219 municipalities within its jurisdiction.

220 (b) A county or municipal government may not limit,
 221 prohibit, or prevent a volunteer ambulance service from
 222 responding to an emergency or from providing emergency medical
 223 services or transport within its jurisdiction. However, an
 224 emergency medical services provider or fire rescue services
 225 provider operated by a county, municipality, or special district
 226 is responsible for the care and transport of an unresponsive
 227 patient if a volunteer ambulance service arrives at the scene of
 228 an emergency simultaneously with such a provider and a person
 229 authorized to consent to the medical treatment of the
 230 unresponsive patient is not present.

231 (c) A county or municipal government may not require a
 232 volunteer ambulance service to obtain a license or certificate
 233 or pay a fee to provide ambulance services or nonemergency air
 234 ambulance services

235

236 -----

237 **T I T L E A M E N D M E N T**

238 Remove lines 25-37 and insert:

042015

Approved For Filing: 4/20/2021 3:24:30 PM

Amendment No.

239 necessity requirements; providing a limitation;
240 requiring compliance with all other licensure
241 requirements; providing requirements regarding
242 memoranda of understanding; providing that county and
243 municipal governments may not limit, prohibit, or
244 prevent volunteer ambulance services from responding
245 to emergencies or providing emergency medical services
246 or transport within their respective jurisdictions;
247 specifying that an emergency medical services provider
248 or fire rescue services provider operated by a county,
249 municipality, or special district is responsible for
250 the care and transport of certain patients;
251 prohibiting county and municipal governments from
252 requiring volunteer ambulance services to obtain a
253 license or certificate or pay a fee to provide
254 ambulance services or nonemergency air ambulance
255 services within their

042015

Approved For Filing: 4/20/2021 3:24:30 PM