

Amendment No. 1

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED	_____	(Y/N)
ADOPTED AS AMENDED	_____	(Y/N)
ADOPTED W/O OBJECTION	_____	(Y/N)
FAILED TO ADOPT	_____	(Y/N)
WITHDRAWN	_____	(Y/N)
OTHER		

1 Committee/Subcommittee hearing bill: Professions & Public
 2 Health Subcommittee

3 Representative Caruso offered the following:

4

5 **Amendment**

6 Remove lines 62-235 and insert:

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

13 Section 2. Paragraph (a) of subsection (5) of section
 14 316.072, Florida Statutes, is amended to read:

15 316.072 Obedience to and effect of traffic laws.—

16 (5) AUTHORIZED EMERGENCY VEHICLES.—

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

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

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

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

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

34 316.2397 Certain lights prohibited; exceptions.—

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

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

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

75 Section 4. Subsections (1), (2), and (4) of section
76 316.2398, Florida Statutes, are amended to read:

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

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

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92 signals. Warning signals must be visible from the front and from
93 the rear of such vehicle, subject to the following restrictions
94 and conditions:

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

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

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

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).

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

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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
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

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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 corporation registered under chapter 617 which is
155 licensed by the department as a basic life support service or an
156 advanced life support service, is not a parent, subsidiary or
157 affiliate of, or related to any for-profit entity, and which
158 uses only unpaid volunteers to provide services, is not
159 operating for pecuniary profit or financial gain, and does not
160 distribute to or inure to the benefit of its directors,
161 volunteers, members, or officers, any part of its assets or
162 income.

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

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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 a first responder agency is
175 exempt from this requirement if it is a faith-based, not-for-
176 profit corporation registered under chapter 617 which has been
177 operating in this state for at least 10 consecutive years, has
178 no for-profit subsidiaries, uses volunteers to provide services,
179 is not operating for pecuniary profit or financial gain, and
180 does not distribute to or inure to the benefit of its directors,
181 members, or officers any part of its assets or income.

182 (6) (a) The governing body of each county may adopt
183 ordinances that provide reasonable standards for certificates of
184 public convenience and necessity for basic or advanced life
185 support services and air ambulance services. In developing
186 standards for certificates of public convenience and necessity,
187 the governing body of each county must consider state
188 guidelines, recommendations of the local or regional trauma
189 agency created under chapter 395, and the recommendations of
190 municipalities within its jurisdiction.

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