



319188

LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
01/31/2024	.	
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The Committee on Transportation (Burton) recommended the following:

**Senate Amendment (with title amendment)**

Delete everything after the enacting clause and insert:

Section 1. Present subsections (54) through (111) of section 316.003, Florida Statutes, are redesignated as subsections (55) through (112), respectively, a new subsection (54) is added to that section, and subsection (1) and present subsection (64) of that section are amended, to read:

316.003 Definitions.—The following words and phrases, when



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11 used in this chapter, shall have the meanings respectively  
12 ascribed to them in this section, except where the context  
13 otherwise requires:

14 (1) AUTHORIZED EMERGENCY VEHICLES.—Vehicles of the fire  
15 department (fire patrol), police vehicles, organ transport  
16 vehicles, emergency management vehicles, and such ambulances and  
17 emergency vehicles of municipal departments, volunteer ambulance  
18 services, public service corporations operated by private  
19 corporations, the Fish and Wildlife Conservation Commission, the  
20 Department of Environmental Protection, the Department of  
21 Health, the Department of Transportation, and the Department of  
22 Corrections as are designated or authorized by their respective  
23 departments or the chief of police of an incorporated city or  
24 any sheriff of any of the various counties.

25 (54) ORGAN TRANSPORT VEHICLE.—Any dedicated and marked  
26 vehicle operated by an organ procurement organization,  
27 transplant center, or its contracted service provider to  
28 transport organs or surgical teams for organ recovery or  
29 transplant. An operator of such vehicle must have completed a  
30 16-hour emergency vehicle operator course.

31 (65) ~~(64)~~ PRIVATE ROAD OR DRIVEWAY.—Except as otherwise  
32 provided in paragraph (90) (b) ~~(89) (b)~~, any privately owned way  
33 or place used for vehicular travel by the owner and those having  
34 express or implied permission from the owner, but not by other  
35 persons.

36 Section 2. Paragraph (a) of subsection (5) of section  
37 316.072, Florida Statutes, is amended to read:

38 316.072 Obedience to and effect of traffic laws.—

39 (5) AUTHORIZED EMERGENCY VEHICLES.—



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40 (a)1. The driver of an authorized emergency vehicle, when  
41 responding to an emergency call, when transporting organs or  
42 surgical teams for organ recovery or transplant while en route  
43 to a hospital, an airport, or other designated location, when in  
44 the pursuit of an actual or suspected violator of the law, or  
45 when responding to a fire alarm, but not upon returning from a  
46 fire;

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

52 3. The driver of an authorized law enforcement vehicle,  
53 when conducting a nonemergency escort, to warn the public of an  
54 approaching motorcade;

55  
56 may exercise the privileges set forth in this section, but  
57 subject to the conditions herein stated.

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

60 316.2397 Certain lights prohibited; exceptions.—

61 (3) (a) Vehicles of the fire department and fire patrol,  
62 including vehicles of volunteer firefighters as permitted under  
63 s. 316.2398, may show or display red or red and white lights.

64 (b) Vehicles of medical staff physicians or technicians of  
65 medical facilities licensed by the state or of volunteer  
66 ambulance services as authorized under s. 316.2398, ambulances  
67 as authorized under this chapter, and buses and taxicabs as  
68 authorized under s. 316.2399 may show or display red lights.



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69 Vehicles of the fire department, fire patrol, police vehicles,  
70 and such ambulances and emergency vehicles of municipal and  
71 county departments, volunteer ambulance services, public service  
72 corporations operated by private corporations, the Fish and  
73 Wildlife Conservation Commission, the Department of  
74 Environmental Protection, the Department of Transportation, the  
75 Department of Agriculture and Consumer Services, and the  
76 Department of Corrections as are designated or authorized by  
77 their respective department or the chief of police of an  
78 incorporated city or any sheriff of any county may operate  
79 emergency lights and sirens in an emergency.

80 (c) Organ transport vehicles transporting organs or  
81 surgical teams for organ recovery or transplant may show or  
82 display red lights and operate sirens while en route to a  
83 hospital, an airport, or other designated location.

84 (d) Wreckers, mosquito control fog and spray vehicles, and  
85 emergency vehicles of governmental departments or public service  
86 corporations may show or display amber lights when in actual  
87 operation or when a hazard exists provided they are not used  
88 going to and from the scene of operation or hazard without  
89 specific authorization of a law enforcement officer or law  
90 enforcement agency.

91 (e) Wreckers must use amber rotating or flashing lights  
92 while performing recoveries and loading on the roadside day or  
93 night, and may use such lights while towing a vehicle on wheel  
94 lifts, slings, or under reach if the operator of the wrecker  
95 deems such lights necessary. A flatbed, car carrier, or rollback  
96 may not use amber rotating or flashing lights when hauling a  
97 vehicle on the bed unless it creates a hazard to other motorists



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98 because of protruding objects. Further, escort vehicles may show  
99 or display amber lights when in the actual process of escorting  
100 overdimensioned equipment, material, or buildings as authorized  
101 by law.

102 (f) Vehicles owned or leased by private security agencies  
103 may show or display green and amber lights, with either color  
104 being no greater than 50 percent of the lights displayed, while  
105 the security personnel are engaged in security duties on private  
106 or public property.

107 Section 4. Subsection (1) of section 316.2398, Florida  
108 Statutes, is amended to read:

109 316.2398 Display or use of red or red and white warning  
110 signals; motor vehicles of volunteer firefighters or medical  
111 staff.—

112 (1) A privately owned vehicle belonging to an active  
113 firefighter member of a regularly organized volunteer  
114 firefighting company or association, while en route to the fire  
115 station for the purpose of proceeding to the scene of a fire or  
116 other emergency or while en route to the scene of a fire or  
117 other emergency in the line of duty as an active firefighter  
118 member of a regularly organized firefighting company or  
119 association, may display or use red or red and white warning  
120 signals. A privately owned vehicle belonging to a medical staff  
121 physician or technician of a medical facility licensed by the  
122 state or of a volunteer ambulance service, while responding to  
123 an emergency in the line of duty, may display or use red warning  
124 signals. An organ transport vehicle, while transporting organs  
125 or surgical teams for organ recovery or transplant while en  
126 route to a hospital, an airport, or other designated location,



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127 may display or use red warning signals. Warning signals must be  
128 visible from the front and from the rear of such vehicle,  
129 subject to the following restrictions and conditions:

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

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

134 (c) In order for an active volunteer firefighter to display  
135 such red or red and white warning signals on his or her vehicle,  
136 the volunteer firefighter must first secure a written permit  
137 from the chief executive officers of the firefighting  
138 organization to use the red or red and white warning signals,  
139 and this permit must be carried by the volunteer firefighter at  
140 all times while the red or red and white warning signals are  
141 displayed.

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

146 Section 5. Subsection (4) of section 316.271, Florida  
147 Statutes, is amended to read:

148 316.271 Horns and warning devices.—

149 (4) No vehicle shall be equipped with, nor shall any person  
150 use upon a vehicle, any siren, whistle, or bell, except as  
151 otherwise permitted in this section or s. 316.2397.

152 Section 6. Paragraph (a) of subsection (3) of section  
153 316.306, Florida Statutes, is amended to read:

154 316.306 School and work zones; prohibition on the use of a  
155 wireless communications device in a handheld manner.—



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156 (3) (a) 1. A person may not operate a motor vehicle while  
157 using a wireless communications device in a handheld manner in a  
158 designated school crossing, school zone, or work zone area as  
159 defined in s. 316.003(112) ~~s. 316.003(111)~~. This subparagraph  
160 shall only be applicable to work zone areas if construction  
161 personnel are present or are operating equipment on the road or  
162 immediately adjacent to the work zone area. For the purposes of  
163 this paragraph, a motor vehicle that is stationary is not being  
164 operated and is not subject to the prohibition in this  
165 paragraph.

166 2. Effective January 1, 2020, a law enforcement officer may  
167 stop motor vehicles and issue citations to persons who are  
168 driving while using a wireless communications device in a  
169 handheld manner in violation of subparagraph 1.

170 Section 7. Subsection (1) of section 655.960, Florida  
171 Statutes, is amended to read:

172 655.960 Definitions; ss. 655.960-655.965.—As used in this  
173 section and ss. 655.961-655.965, unless the context otherwise  
174 requires:

175 (1) "Access area" means any paved walkway or sidewalk which  
176 is within 50 feet of any automated teller machine. The term does  
177 not include any street or highway open to the use of the public,  
178 as defined in s. 316.003(90) (a) or (b) ~~s. 316.003(89) (a) or (b)~~,  
179 including any adjacent sidewalk, as defined in s. 316.003.

180 Section 8. This act shall take effect July 1, 2024.

181  
182 ===== T I T L E A M E N D M E N T =====

183 And the title is amended as follows:

184 Delete everything before the enacting clause



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185 and insert:

186                   A bill to be entitled  
187           An act relating to the use of lights and sirens on  
188           authorized emergency vehicles; amending s. 316.003,  
189           F.S.; revising the definition of the term "authorized  
190           emergency vehicles"; defining the term "organ  
191           transport vehicle"; amending s. 316.072, F.S.;  
192           authorizing organ transport vehicles to exercise  
193           certain privileges; amending s. 316.2397, F.S.;  
194           providing that certain vehicles transporting organs  
195           and surgical teams for organ recovery or transplant  
196           may show or display red lights and operate sirens  
197           while en route to a hospital, an airport, or other  
198           designated location; amending s. 316.2398, F.S.;  
199           authorizing the display or use of red warning signals  
200           by organ transport vehicles under certain  
201           circumstances; amending s. 316.271, F.S., conforming a  
202           provision to changes made by the act; amending ss.  
203           316.306 and 655.960, F.S.; conforming cross-  
204           references; providing an effective date.