

By the Committee on Transportation; and Senator Burton

596-02667-24

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1                   A bill to be entitled  
2           An act relating to the use of lights and sirens on  
3           authorized emergency vehicles; amending s. 316.003,  
4           F.S.; revising the definition of the term "authorized  
5           emergency vehicles"; defining the term "organ  
6           transport vehicle"; amending s. 316.072, F.S.;  
7           authorizing organ transport vehicles to exercise  
8           certain privileges; amending s. 316.2397, F.S.;  
9           providing that certain vehicles transporting organs  
10          and surgical teams for organ recovery or transplant  
11          may show or display red lights and operate sirens  
12          while en route to a hospital, an airport, or other  
13          designated location; amending s. 316.2398, F.S.;  
14          authorizing the display or use of red warning signals  
15          by organ transport vehicles under certain  
16          circumstances; amending s. 316.271, F.S., conforming a  
17          provision to changes made by the act; amending ss.  
18          316.306 and 655.960, F.S.; conforming cross-  
19          references; providing an effective date.

20  
21 Be It Enacted by the Legislature of the State of Florida:

22  
23           Section 1. Present subsections (54) through (111) of  
24           section 316.003, Florida Statutes, are redesignated as  
25           subsection (55) through (112), respectively, a new subsection  
26           (54) is added to that section, and subsection (1) and present  
27           subsection (64) of that section are amended, to read:

28           316.003 Definitions.—The following words and phrases, when  
29           used in this chapter, shall have the meanings respectively

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30 ascribed to them in this section, except where the context  
31 otherwise requires:

32 (1) AUTHORIZED EMERGENCY VEHICLES.—Vehicles of the fire  
33 department (fire patrol), police vehicles, organ transport  
34 vehicles, emergency management vehicles, and such ambulances and  
35 emergency vehicles of municipal departments, volunteer ambulance  
36 services, public service corporations operated by private  
37 corporations, the Fish and Wildlife Conservation Commission, the  
38 Department of Environmental Protection, the Department of  
39 Health, the Department of Transportation, and the Department of  
40 Corrections as are designated or authorized by their respective  
41 departments or the chief of police of an incorporated city or  
42 any sheriff of any of the various counties.

43 (54) ORGAN TRANSPORT VEHICLE.—Any dedicated and marked  
44 vehicle operated by an organ procurement organization,  
45 transplant center, or its contracted service provider to  
46 transport organs or surgical teams for organ recovery or  
47 transplant. An operator of such vehicle must have completed a  
48 16-hour emergency vehicle operator course.

49 (65)~~(64)~~ PRIVATE ROAD OR DRIVEWAY.—Except as otherwise  
50 provided in paragraph (90) (b) ~~(89) (b)~~, any privately owned way  
51 or place used for vehicular travel by the owner and those having  
52 express or implied permission from the owner, but not by other  
53 persons.

54 Section 2. Paragraph (a) of subsection (5) of section  
55 316.072, Florida Statutes, is amended to read:

56 316.072 Obedience to and effect of traffic laws.—

57 (5) AUTHORIZED EMERGENCY VEHICLES.—

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

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59 responding to an emergency call, when transporting organs or  
60 surgical teams for organ recovery or transplant while en route  
61 to a hospital, an airport, or other designated location, when in  
62 the pursuit of an actual or suspected violator of the law, or  
63 when responding to a fire alarm, but not upon returning from a  
64 fire;

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

70 3. The driver of an authorized law enforcement vehicle,  
71 when conducting a nonemergency escort, to warn the public of an  
72 approaching motorcade;

73  
74 may exercise the privileges set forth in this section, but  
75 subject to the conditions herein stated.

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

78 316.2397 Certain lights prohibited; exceptions.—

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

82 (b) Vehicles of medical staff physicians or technicians of  
83 medical facilities licensed by the state or of volunteer  
84 ambulance services as authorized under s. 316.2398, ambulances  
85 as authorized under this chapter, and buses and taxicabs as  
86 authorized under s. 316.2399 may show or display red lights.  
87 Vehicles of the fire department, fire patrol, police vehicles,

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88 and such ambulances and emergency vehicles of municipal and  
89 county departments, volunteer ambulance services, public service  
90 corporations operated by private corporations, the Fish and  
91 Wildlife Conservation Commission, the Department of  
92 Environmental Protection, the Department of Transportation, the  
93 Department of Agriculture and Consumer Services, and the  
94 Department of Corrections as are designated or authorized by  
95 their respective department or the chief of police of an  
96 incorporated city or any sheriff of any county may operate  
97 emergency lights and sirens in an emergency.

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

102 (d) Wreckers, mosquito control fog and spray vehicles, and  
103 emergency vehicles of governmental departments or public service  
104 corporations may show or display amber lights when in actual  
105 operation or when a hazard exists provided they are not used  
106 going to and from the scene of operation or hazard without  
107 specific authorization of a law enforcement officer or law  
108 enforcement agency.

109 (e) Wreckers must use amber rotating or flashing lights  
110 while performing recoveries and loading on the roadside day or  
111 night, and may use such lights while towing a vehicle on wheel  
112 lifts, slings, or under reach if the operator of the wrecker  
113 deems such lights necessary. A flatbed, car carrier, or rollback  
114 may not use amber rotating or flashing lights when hauling a  
115 vehicle on the bed unless it creates a hazard to other motorists  
116 because of protruding objects. Further, escort vehicles may show

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117 or display amber lights when in the actual process of escorting  
118 overdimensioned equipment, material, or buildings as authorized  
119 by law.

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

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

127 316.2398 Display or use of red or red and white warning  
128 signals; motor vehicles of volunteer firefighters or medical  
129 staff.—

130 (1) A privately owned vehicle belonging to an active  
131 firefighter member of a regularly organized volunteer  
132 firefighting company or association, while en route to the fire  
133 station for the purpose of proceeding to the scene of a fire or  
134 other emergency or while en route to the scene of a fire or  
135 other emergency in the line of duty as an active firefighter  
136 member of a regularly organized firefighting company or  
137 association, may display or use red or red and white warning  
138 signals. A privately owned vehicle belonging to a medical staff  
139 physician or technician of a medical facility licensed by the  
140 state or of a volunteer ambulance service, while responding to  
141 an emergency in the line of duty, may display or use red warning  
142 signals. An organ transport vehicle, while transporting organs  
143 or surgical teams for organ recovery or transplant while en  
144 route to a hospital, an airport, or other designated location,  
145 may display or use red warning signals. Warning signals must be

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146 visible from the front and from the rear of such vehicle,  
147 subject to the following restrictions and conditions:

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

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

152 (c) In order for an active volunteer firefighter to display  
153 such red or red and white warning signals on his or her vehicle,  
154 the volunteer firefighter must first secure a written permit  
155 from the chief executive officers of the firefighting  
156 organization to use the red or red and white warning signals,  
157 and this permit must be carried by the volunteer firefighter at  
158 all times while the red or red and white warning signals are  
159 displayed.

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

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

166 316.271 Horns and warning devices.—

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

170 Section 6. Paragraph (a) of subsection (3) of section  
171 316.306, Florida Statutes, is amended to read:

172 316.306 School and work zones; prohibition on the use of a  
173 wireless communications device in a handheld manner.—

174 (3) (a) 1. A person may not operate a motor vehicle while

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175 using a wireless communications device in a handheld manner in a  
176 designated school crossing, school zone, or work zone area as  
177 defined in s. 316.003(112) ~~s. 316.003(111)~~. This subparagraph  
178 shall only be applicable to work zone areas if construction  
179 personnel are present or are operating equipment on the road or  
180 immediately adjacent to the work zone area. For the purposes of  
181 this paragraph, a motor vehicle that is stationary is not being  
182 operated and is not subject to the prohibition in this  
183 paragraph.

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

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

190 655.960 Definitions; ss. 655.960-655.965.—As used in this  
191 section and ss. 655.961-655.965, unless the context otherwise  
192 requires:

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

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