

HOUSE OF REPRESENTATIVES STAFF ANALYSIS

BILL #: CS/HB 463 Lights Displayed on Fire Department Vehicles
SPONSOR(S): Transportation & Modals Subcommittee, Bartleman, Melo, and others
TIED BILLS: IDEN./SIM. **BILLS:** SB 1158

REFERENCE	ACTION	ANALYST	STAFF DIRECTOR or BUDGET/POLICY CHIEF
1) Transportation & Modals Subcommittee	17 Y, 0 N, As CS	Walker	Hinshelwood
2) Infrastructure Strategies Committee	24 Y, 0 N	Walker	Harrington

SUMMARY ANALYSIS

Under Florida law, vehicles of a fire department and fire patrol, including vehicles of volunteer firefighters, may show or display red or red and white lights. Florida law does not currently allow the use of blue lights on fire department vehicles.

The bill allows government-owned fire department vehicles, except vehicles of the fire patrol or volunteer fire departments, to show or display blue lights, in addition to red or red and white lights, if such vehicles:

- Have a gross vehicle rating of more than 24,000 pounds;
- Are authorized in writing by the fire chief of the government agency; and
- Show or display the blue lights only on the rear.

The bill may have an indeterminate fiscal impact on local governments and the private sector.

FULL ANALYSIS

I. SUBSTANTIVE ANALYSIS

A. EFFECT OF PROPOSED CHANGES:

Background

Show or Display of Blue Lights on Florida Vehicles or Equipment

Under Florida law, vehicles of a fire department and fire patrol, including vehicles of volunteer firefighters, may show or display red or red and white lights.¹ Florida does not currently allow the use of blue lights on fire department vehicles.

Florida law expressly prohibits any vehicle or equipment, except police vehicles, to show or display blue lights, with the exception that vehicles owned, operated, or leased by the Department of Corrections or any county correctional agency may show or display blue lights when responding to emergencies.²

Additionally, it is generally prohibited for *non-government* owned vehicles or vessels to use any flashing or rotating blue light unless such person is a law enforcement officer employed by a federal, state, county, or city law enforcement agency or is appointed by the Governor.³

Visibility of Red and Blue Lights on Emergency Vehicles

At least 16 states in the United States allow fire department vehicles to display blue emergency warning lights.⁴ Studies have shown that blue⁵ and red emergency lights are rated as the most visible colors⁶, with red lights being most visible in the daytime and blue lights being most visible at night.⁷ Such studies recommend that emergency vehicles use a combination of red and blue lights to maximize visibility under all ambient lighting conditions.⁸

Standard Fire Engine Weight

A standard fire engine typically weighs within a 20,000 to 40,000-pound range.⁹

¹ S. 316.2397(3), F.S.

² S. 316.2397(2), F.S.

³ S. 843.081(2), F.S.

⁴ See Guardian Angel, *State Statutes Emergency Vehicle Lights Guide*, <https://www.guardianangeldevices.com/state-statutes/> (last visited Jan. 23, 2024). See also Henry Cesari, *Here's the color of Police and Fire Truck Lights in Every State*, MotorBiscuit (Oct. 16, 2023), <https://www.motorbiscuit.com/heres-the-color-of-police-and-fire-truck-lights-in-every-state/> (last visited Jan. 23, 2024).

⁵ Michael J. Flannigan, Daniel F. Blower, and Joel M. Devonshire, *Effects of Warning Lamp Color and Intensity on Driver Vision*, (Oct. 2008), <https://www.sae.org/standardsdev/tsb/cooperative/warninglamp0810.pdf>, pp. 38-39 (last visited Jan. 23, 2024). The study was supported by Department of Homeland Security, Federal Emergency Management Agency, United States Fire Administration, and the US Department of Justice, Office of Justice Programs. *Id.*

⁶ Emergency Responder Safety Institute, *New Study of Driver Perception of Emergency Warning Lights and Retroreflective Markings Commissioned by The Emergency Responder Safety Institute Yields Surprising Findings*, (Jan. 2022), <https://www.respondersafety.com/news/news/2022/01/new-study-of-driver-perception-of-emergency-warning-lights-and-retroreflective-markings-commissioned-by-the-emergency-responder-safety-institute-yields-surprising-findings/#> (last visited Jan. 23, 2024).

⁷ Justice Technology Information Center, *Law Enforcement Vehicle Lighting and Reflectivity Studies: An Overview*, <https://www.ojp.gov/pdffiles1/nij/nlctc/253106.pdf>, p.8 (last visited Jan. 23, 2024).

⁸ *Id.*

⁹ Simon Burge, *How Much Does a Fire Truck Weigh?*, International Fire and Safety Journal (Aug. 1, 2023), <https://internationalfireandsafetyjournal.com/how-much-does-a-fire-truck-weigh/#:~:text=The%20range%20in%20weight%20is.%202C000%20to%2040%2C000%2Dpound%20range> (last visited Jan. 23, 2024).

Effect of the Bill

The bill allows government-owned fire department vehicles, except vehicles of the fire patrol or volunteer fire departments, to show or display blue lights, in addition to red or red and white lights, if such vehicles:

- Have a gross vehicle rating of more than 24,000 pounds;
- Are authorized in writing by the fire chief of the government agency; and
- Show or display the blue lights only on the rear.

B. SECTION DIRECTORY:

Section 1 Amends s. 316.2397, F.S., relating to certain lights prohibited; exceptions.

Section 2 Provides an effective date of July 1, 2024.

II. FISCAL ANALYSIS & ECONOMIC IMPACT STATEMENT

A. FISCAL IMPACT ON STATE GOVERNMENT:

1. Revenues:

None.

2. Expenditures:

None.

B. FISCAL IMPACT ON LOCAL GOVERNMENTS:

1. Revenues:

None.

2. Expenditures:

Indeterminate. It is not known if or how many fire departments will voluntarily choose to retrofit their vehicles to display or show blue lights on the rear of qualified vehicles.

C. DIRECT ECONOMIC IMPACT ON PRIVATE SECTOR:

Indeterminate. The bill may have a positive impact on private entities that retrofit lights on emergency vehicles, to the extent that fire departments voluntarily choose to display or show blue lights on the rear of qualified vehicles.

D. FISCAL COMMENTS:

None.

III. COMMENTS

A. CONSTITUTIONAL ISSUES:

1. Applicability of Municipality/County Mandates Provision:

Not applicable. This bill does not appear to require counties or municipalities to spend funds or take action requiring the expenditures of funds; reduce the authority that counties or municipalities have to raise revenues in the aggregate; or reduce the percentage of state tax shared with counties or municipalities.

2. Other:

None.

B. RULE-MAKING AUTHORITY:

The bill neither authorizes nor requires executive branch rulemaking.

C. DRAFTING ISSUES OR OTHER COMMENTS:

None.

IV. AMENDMENTS/COMMITTEE SUBSTITUTE CHANGES

On January 10, 2024, the Transportation & Modals Subcommittee adopted a Proposed Committee Substitute (PCS) and reported the bill favorably as a committee substitute. The PCS:

- Conforms language to the Senate companion.
- Removes permission for blue lights to be displayed on police equipment and, therefore, focuses solely on permission for blue lights to be displayed on certain types of government-owned fire department vehicles.
- Makes clarifying and conforming changes.

This analysis is drafted to the committee substitute as approved by the Transportation & Modals Subcommittee.