

The Florida Senate
BILL ANALYSIS AND FISCAL IMPACT STATEMENT

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

Prepared By: The Professional Staff of the Committee on Transportation

BILL: SB 1644

INTRODUCER: Senator Rodriguez

SUBJECT: Emergency Vehicles

DATE: March 31, 2025

REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	Johnson	Vickers	TR	Pre-meeting
2.	_____	_____	CA	_____
3.	_____	_____	RC	_____

I. Summary:

SB 1644 authorizes ambulance drivers of state-licensed medical facilities or of a volunteer ambulance service to exercise certain privileges when responding to an emergency in his or her privately owned vehicle. The bill authorizes such persons to display red lights under certain circumstances. The bill requires an ambulance driver using his or her personal vehicle to respond to an emergency to complete an emergency vehicle operator course.

The bill removes the limit of two red or red and white warning signals on certain private vehicles responding to emergencies.

The bill amends the eligibility requirements for an exemption from the certificate of public convenience and necessity requirement for the licensure of basic live support or advanced life support services and requires an applicant to submit a sworn affidavit. The bill provides criminal penalties for fraudulent affidavits.

The bill also increases the number of counties in which this exemption may be granted.

The bill does not appear to have a fiscal impact on state or local governments.

This bill takes effect July 1, 2025.

II. Present Situation:

Volunteer Ambulance Services

Florida law defines the term “volunteer ambulance service” to mean a faith-based, not-for-profit charitable corporation registered¹ which is licensed² as a basic life support service or an advanced life support service; which is not a parent, subsidiary, or affiliate of, or related to, any for-profit entity; and which uses only unpaid volunteers to provide basic life support services or advanced life support services free of charge, is not operating for pecuniary profit or financial gain, and does not distribute to or inure to the benefit of its directors, volunteers, members, or officers any part of its assets or income.³

Florida appears to have at least two volunteer ambulance services that meet this definition.⁴

Ambulance Drivers

Section 401.23(7), F.S., defines the term “ambulance driver” to mean any person who meets the requirements of s. 401.281, F.S.

Under s. 401.281(1), F.S., ambulance drivers must meet the following qualifications:

- Be at least 18 years of age;
- Certify under oath that he or she is not addicted to alcohol or any controlled substance;
- Certify under oath that he or she is free from any physical or mental defect or disease that might impair his or her ability to drive an ambulance;
- Upon initial designation as a driver, has not, within the past three years, been convicted of driving under the influence of alcohol or controlled substances and has not had his or her driver license suspended under the driver license point system;⁵
- Possess a valid driver license, is trained in the safe operation of emergency vehicles, and has completed an emergency vehicle operator's course or the reasonable equivalent as approved by the Department of Health;
- Possess a valid American Red Cross or National Safety Council standard first aid course card or its equivalent; and
- Possess a valid American Red Cross or American Heart Association cardiopulmonary resuscitation card.

The Department of Health is required to periodically inspect licensed medical transport services for compliance with this provision.⁶

¹ The corporation must be registered under ch. 617, F.S., relating to corporations not for profit.

² Licensing is under part III of ch. 401, F.S., relating to medical transportation services.

³ Sections 316.003(111) and 401.23(23), F.S.

⁴ See Hatzalah South Florida Emergency Medical Services, <https://hsfems.org/> (last visited March 27, 2025), and Jewish Volunteer Ambulance Corps <https://jvacusa.org/> (last visited March 27, 2025).

⁵ The driver license point system is provided for in ch. 322, F.S.

⁶ Section 401.281(2), F.S.

Display of Lights on Vehicles

Florida law prohibits a person from driving or moving any vehicle upon any highway with any lamp or device showing or displaying a red, red and white, or blue light visible from directly in front except for certain vehicles as provided in s. 316.2397, F.S.,⁷ which authorizes certain lights on as police vehicles, fire-vehicles, and other emergency-related vehicles.

Under this statute, vehicles of medical staff physicians or technicians of license medical facilities licensed by the state or of volunteer ambulance services⁸, ambulances, buses, and taxicabs may show or display red lights.⁹

Under Florida law, a privately owned vehicle belonging to a medical staff physician or technician of a licensed medical facility licensed or of a volunteer ambulance service, while responding to an emergency in the line of duty, may display or use red warning signals. Warning signals must be visible from the front and from the rear of such vehicle, subject to the following restrictions and conditions:

- No more than two red or red and white warning signals may be displayed.
- No inscription of any kind may appear across lens of the warning signal.
- An emergency medical technician, doctor, or paramedic who is using his or her personal vehicle with a red light to respond to an emergency call must have completed a 16-hour emergency vehicle operator course.¹⁰

A person who is not an active firefighter member of a regularly organized volunteer firefighting company or association or a physician or technician of the medical staff of a licensed medical facility or of a volunteer ambulance service may not display on any motor vehicle owned by him or her, at any time, any red or red and white warning signals.¹¹

A physician or technician of the medical staff of a licensed medical facility or of a volunteer ambulance service may not operate any red warning signals, except when responding to an emergency in the line of duty.¹²

Florida law authorizes a medical staff physician or technician of a licensed medical facility or of a volunteer ambulance service when responding to an emergency in the line of duty in his or her privately owned vehicle, using red lights¹³ to exercise certain privileges, which are subject to certain conditions.¹⁴ The driver of such a vehicle may:

- Park or stand, irrespective of state law;
- Proceed past a red or stop signal or stop sign, but only after slowing down as may be necessary for safe operation;
- Exceed the maximum speed limits so long as the driver does not endanger life or property;

⁷ Section 316.2397(1), F.S.

⁸ This is authorized under s. 316.2398, F.S.

⁹ Section 316.2397(3)(b), F.S.

¹⁰ Section 316.2398(1), F.S.

¹¹ Section 316.2398(2), F.S.

¹² Section 316.2398(4), F.S.

¹³ This is as authorized in s. 316.2398, F.S.

¹⁴ Section 316.072(5)(a)2., F.S.

- Disregard regulations governing direction or movement or turning in specified directions, so long as the driver does not endanger life or property.¹⁵

The foregoing does not relieve the driver of a specified vehicle from the duty to drive with due regard for the safety of all persons, nor do these provisions protect the driver from the consequences of his or her reckless disregard for the safety of others.¹⁶

Licensure of Basic Life Support or Advanced Life Support Services

Section 401.25, F.S., requires the Department of Health to license entities providing basic life support or advanced life support services. Licensure requirements include the applicant obtaining a certificate of public convenience and necessity from each county in which the applicant will operate. An applicant that is an active first responder agency is exempt from the certificate of public convenience and necessity requirements if it:

- Is a faith-based, not-for-profit charitable corporation which has been responding to medical emergencies in this state for at least 10 consecutive years.
- Is not a parent, subsidiary, or affiliate of, or related to, any for-profit entity.
- Provides basic life support services or advanced life support services solely through at least 50 unpaid licensed emergency medical technicians or paramedic volunteers.
- Is not operating for pecuniary profit or financial gain.
- Does not distribute to or inure to the benefit of its directors, members, or officers any part of its assets or income.
- Does not receive any government funding. However, the volunteer ambulance service may receive funding from specialty license plate proceeds.
- Has never had a license denied, revoked, or suspended.
- Provides services free of charge.
- As part of its application for licensure, provides to the Department of Health a management plan with specified information and proof of adequate insurance coverage to meet state or county insurance requirements, whichever requirements are greater.
- Provides a disclaimer on all written materials that the volunteer ambulance service is not associated with the state's 911 system.

This exemption may be granted to no more than four counties. However, an applicant is not exempted from and must comply with all other licensure requirements. An applicant must also take all reasonable efforts to enter into a memorandum of understanding with the emergency medical services licensee within whose jurisdiction the applicant will provide services in order to facilitate communications and coordinate emergency services for situations beyond the scope of the applicant's capacity and for situations of advanced life support that are deemed priority 1 or priority 2 emergencies.¹⁷

¹⁵ Section 316.072(5)(b), F.S. This is except as directed by a police officer.

¹⁶ Section 316.072(5)(c), F.S.

¹⁷ Section 401.25(2)(d), F.S.

III. Effect of Proposed Changes:

Section 1 amends s. 316.072, F.S., to authorize an ambulance driver of a medical facility or volunteer ambulance service when responding to an emergency using his or her privately owned vehicle to use red lights, subject to statutory conditions associated with the use of such red lights.

Section 2 amends s. 316.2397, F.S., to authorize ambulance drivers of medical facilities or of volunteer ambulance services to show or display red lights on their vehicles.

Section 3 amends s. 316.2398, F.S., to authorize ambulance drivers of a medical facility or of a volunteer ambulance service, while responding to an emergency in the line of duty, to display or use red warning signals. The bill adds an ambulance driver using his or her personal vehicle to the exceptions to the general prohibition of vehicles using such lights.

The bill requires an ambulance driver using his or her personal vehicle with a red light to respond to an emergency call to have completed a 16-hour emergency vehicle operator course. This course is currently required for ambulance drivers.

The bill also removes the limit of two red or red and white warning signals to be displayed on such vehicles.

Section 4 amends s. 401.25, F.S., relating to eligibility for the exemption from a certificate of public convenience and necessity requirements for providers of basic and advanced life support services. The bill changes the number of years that the entity has been responding to medical emergencies from 10 consecutive years to 15 consecutive years. The bill increases the minimum number of unpaid licensed emergency medical technician or paramedic volunteers from 50 to 150, with this minimum in at least three counties at the time of the application. The bill also prohibits the distribution of benefits to other related parties, and clarifies that services are provided at no charge to the patient.

The bill provides that an applicant seeking an exemption from a certificate of public convenience and necessity requirements for providers must submit to the Department of Health a sworn affidavit attesting that the applicant meets all of the requirements of the exemption. A person who submits a fraudulent affidavit violates s. 837.012, F.S., relating to perjury when not in an official proceeding, and commits a misdemeanor in the first degree.¹⁸

The bill increases from 4 to 15, the number of counties for which the exemption for a certificate of public convenience and necessity applies.

Section 5 of the bill provides an effective date of July 1, 2025.

¹⁸ The penalty for a misdemeanor in the first degree is a term of imprisonment not exceeding one year or a fine of up to \$1,000. See ss. 775.082(4)(a) and 775.083(1)(d), F.S.,

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

D. State Tax or Fee Increases:

None.

E. Other Constitutional Issues:

None.

V. Fiscal Impact Statement:

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

None.

C. Government Sector Impact:

None.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Statutes Affected:

This bill substantially amends the following sections of the Florida Statutes: 316.072, 316.2397, 316.2398, and 401.25.

IX. Additional Information:

- A. **Committee Substitute – Statement of Changes:**
(Summarizing differences between the Committee Substitute and the prior version of the bill.)

None.

- B. **Amendments:**

None.

This Senate Bill Analysis does not reflect the intent or official position of the bill's introducer or the Florida Senate.
