

By Senator Rodriguez

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1                                   A bill to be entitled  
2       An act relating to emergency vehicles; amending s.  
3       316.072, F.S.; authorizing certain ambulance drivers  
4       to exercise certain privileges; amending s. 316.2397,  
5       F.S.; authorizing vehicles of certain ambulance  
6       drivers to show or display red lights; amending s.  
7       316.2398, F.S.; authorizing privately owned vehicles  
8       belonging to certain ambulance drivers to display or  
9       use red warning signals under certain circumstances,  
10      subject to specified conditions; deleting a limitation  
11      on the number of red or red and white warning signals  
12      that certain vehicles may display; prohibiting certain  
13      ambulance drivers from operating any red warning  
14      signals except when responding to an emergency in the  
15      line of duty; amending s. 401.25, F.S.; revising the  
16      circumstances under which certain applicants for a  
17      specified license are exempt from a requirement to  
18      obtain certificates of public convenience and  
19      necessity; requiring an applicant seeking such  
20      exemption to submit a sworn affidavit to the  
21      department attesting to certain facts; providing  
22      criminal penalties for the submission of an affidavit  
23      that fraudulently attests to certain facts; revising a  
24      limitation on the number of counties that may be  
25      granted a certain exemption; providing an effective  
26      date.

27  
28   Be It Enacted by the Legislature of the State of Florida:  
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30 Section 1. Paragraph (a) of subsection (5) of section  
31 316.072, Florida Statutes, is amended to read:

32 316.072 Obedience to and effect of traffic laws.—

33 (5) AUTHORIZED EMERGENCY VEHICLES.—

34 (a)1. The driver of an authorized emergency vehicle, when  
35 responding to an emergency call; when transporting organs or  
36 surgical teams for organ donation or transplant while en route  
37 to a hospital, an airport, or other designated location; when in  
38 the pursuit of an actual or suspected violator of the law; or  
39 when responding to a fire alarm, but not upon returning from a  
40 fire;

41 2. A medical staff physician or technician or an ambulance  
42 driver as defined in s. 401.23 of a medical facility licensed by  
43 the state or of a volunteer ambulance service when responding to  
44 an emergency in the line of duty in his or her privately owned  
45 vehicle, using red lights as authorized in s. 316.2398; or

46 3. The driver of an authorized law enforcement vehicle,  
47 when conducting a nonemergency escort, to warn the public of an  
48 approaching motorcade;

49  
50 may exercise the privileges set forth in this section, but  
51 subject to the conditions herein stated.

52 Section 2. Paragraph (b) of subsection (3) of section  
53 316.2397, Florida Statutes, is amended to read:

54 316.2397 Certain lights prohibited; exceptions.—

55 (3)

56 (b) Vehicles of medical staff physicians or technicians or  
57 ambulance drivers as defined in s. 401.23 of medical facilities  
58 licensed by the state or of volunteer ambulance services as

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59 authorized under s. 316.2398, ambulances as authorized under  
60 this chapter, and buses and taxicabs as authorized under s.  
61 316.2399 may show or display red lights.

62 Section 3. Subsections (1), (2), and (4) of section  
63 316.2398, Florida Statutes, are amended to read:

64 316.2398 Display or use of red or red and white warning  
65 signals; motor vehicles of volunteer firefighters or medical  
66 staff.—

67 (1) A privately owned vehicle belonging to an active  
68 firefighter member of a regularly organized volunteer  
69 firefighting company or association, while en route to the fire  
70 station for the purpose of proceeding to the scene of a fire or  
71 other emergency or while en route to the scene of a fire or  
72 other emergency in the line of duty as an active firefighter  
73 member of a regularly organized firefighting company or  
74 association, may display or use red or red and white warning  
75 signals. A privately owned vehicle belonging to a medical staff  
76 physician or technician or an ambulance driver as defined in s.  
77 401.23 of a medical facility licensed by the state or of a  
78 volunteer ambulance service, while responding to an emergency in  
79 the line of duty, may display or use red warning signals. An  
80 organ transport vehicle, while transporting organs or surgical  
81 teams for organ donation or transplant while en route to a  
82 hospital, an airport, or other designated location, may display  
83 or use red warning signals. Warning signals must be visible from  
84 the front and from the rear of such vehicle, subject to the  
85 following restrictions and conditions:

86 (a) ~~No more than two red or red and white warning signals~~  
87 ~~may be displayed.~~

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

90       (b)~~(e)~~ In order for an active volunteer firefighter to  
91 display such red or red and white warning signals on his or her  
92 vehicle, the volunteer firefighter must first secure a written  
93 permit from the chief executive officers of the firefighting  
94 organization to use the red or red and white warning signals,  
95 and this permit must be carried by the volunteer firefighter at  
96 all times while the red or red and white warning signals are  
97 displayed.

98       (c)~~(d)~~ An emergency medical technician, a doctor, a ~~or~~  
99 paramedic, or an ambulance driver as defined in s. 401.23 who is  
100 using his or her personal vehicle with a red light to respond to  
101 an emergency call must have completed a 16-hour emergency  
102 vehicle operator course.

103       (2) A person who is not an active firefighter member of a  
104 regularly organized volunteer firefighting company or  
105 association or a physician or technician of the medical staff or  
106 an ambulance driver as defined in s. 401.23 of a medical  
107 facility licensed by the state or of a volunteer ambulance  
108 service may not display on any motor vehicle owned by him or  
109 her, at any time, any red or red and white warning signals as  
110 described in subsection (1).

111       (4) A physician or technician of the medical staff or an  
112 ambulance driver as defined in s. 401.23 of a medical facility  
113 licensed by the state or of a volunteer ambulance service may  
114 not operate any red warning signals as authorized in subsection  
115 (1), except when responding to an emergency in the line of duty.

116       Section 4. Paragraph (d) of subsection (2) of section

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117 401.25, Florida Statutes, is amended to read:

118 401.25 Licensure as a basic life support or an advanced  
119 life support service.—

120 (2) The department shall issue a license for operation to  
121 any applicant who complies with the following requirements:

122 (d) The applicant has obtained a certificate of public  
123 convenience and necessity from each county in which the  
124 applicant will operate. In issuing the certificate of public  
125 convenience and necessity, the governing body of each county  
126 shall consider the recommendations of municipalities within its  
127 jurisdiction.

128 1. An applicant that is an active first responder agency is  
129 exempt from this requirement if it:

130 ~~a.1.~~ Is a faith-based, not-for-profit charitable  
131 corporation registered under chapter 617 which has been  
132 responding to medical emergencies in this state for at least 15  
133 ~~10~~ consecutive years.

134 ~~b.2.~~ Is not a parent, subsidiary, or affiliate of, or  
135 related to, any for-profit entity.

136 ~~c.3.~~ Provides basic life support services or advanced life  
137 support services solely through at least 150 ~~50~~ unpaid licensed  
138 emergency medical technician or paramedic volunteers in at least  
139 three counties at the time of application.

140 ~~4. Is not operating for pecuniary profit or financial gain.~~

141 ~~d.5.~~ Does not distribute to or inure to the benefit of its  
142 directors, members, or officers or other related parties any  
143 part of its assets or income.

144 ~~e.6.~~ Does not receive any government funding. However, the  
145 volunteer ambulance service may receive funding from specialty

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146 license plate proceeds.

147 ~~f.7.~~ Has never had a license denied, revoked, or suspended.

148 ~~g.8.~~ Provides services at no cost to the patient ~~free of~~  
149 ~~charge.~~

150 ~~h.9.~~ As part of its application for licensure, provides to  
151 the department a management plan that includes a training  
152 program, dispatch protocols, a complaint management system, an  
153 accident or injury handling system, a quality assurance program,  
154 and proof of adequate insurance coverage to meet state or county  
155 insurance requirements, whichever requirements are greater.

156 ~~i.10.~~ Provides a disclaimer on all written materials that  
157 the volunteer ambulance service is not associated with the  
158 state's 911 system.

159 2. An applicant seeking an exemption from this requirement  
160 must submit to the department a sworn affidavit that complies  
161 with s. 92.50(1) attesting that the applicant meets the  
162 requirements for exemption provided in sub-subparagraphs 1.a.-i.  
163 A person who submits an affidavit fraudulently attesting to  
164 meeting such requirements violates s. 837.012 and commits a  
165 misdemeanor of the first degree, punishable as provided in s.  
166 775.082 or s. 775.083.

167 3. The exemption under subparagraph 1. ~~this paragraph~~ may  
168 be granted to no more than 15 ~~four~~ counties. This exemption  
169 notwithstanding, an applicant is not exempted from and must  
170 comply with all other requirements for licensure. An applicant  
171 must also take all reasonable efforts to enter into a memorandum  
172 of understanding with the emergency medical services licensee  
173 within whose jurisdiction the applicant will provide services in  
174 order to facilitate communications and coordinate emergency

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175 services for situations beyond the scope of the applicant's  
176 capacity and for situations of advanced life support that are  
177 deemed priority 1 or priority 2 emergencies.

178 Section 5. This act shall take effect July 1, 2025.