

By the Committee on Transportation; and Senator Rodriguez

596-03162-25

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1                   A bill to be entitled  
2           An act relating to emergency services; amending s.  
3           316.2398, F.S.; deleting a limitation on the number of  
4           red or red and white warning signals that certain  
5           vehicles may display; amending s. 401.25, F.S.;  
6           revising the circumstances under which certain  
7           applicants for a specified license are exempt from a  
8           requirement to obtain certificates of public  
9           convenience and necessity; requiring an applicant  
10          seeking such exemption to submit a sworn affidavit to  
11          the department attesting to certain facts; providing  
12          criminal penalties for the submission of an affidavit  
13          that fraudulently attests to certain facts; revising a  
14          limitation on the number of counties that may be  
15          granted a certain exemption; prohibiting a licensed  
16          volunteer ambulance service from applying for,  
17          receiving funds under, or participating in certain  
18          grant programs; amending s. 395.401, F.S.; conforming  
19          a cross-reference; providing an effective date.

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

22  
23           Section 1. Paragraph (a) of subsection (1) of section  
24           316.2398, Florida Statutes, is amended to read:

25           316.2398 Display or use of red or red and white warning  
26           signals; motor vehicles of volunteer firefighters or medical  
27           staff.—

28           (1) A privately owned vehicle belonging to an active  
29           firefighter member of a regularly organized volunteer

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30 firefighting company or association, while en route to the fire  
31 station for the purpose of proceeding to the scene of a fire or  
32 other emergency or while en route to the scene of a fire or  
33 other emergency in the line of duty as an active firefighter  
34 member of a regularly organized firefighting company or  
35 association, may display or use red or red and white warning  
36 signals. A privately owned vehicle belonging to a medical staff  
37 physician or technician of a medical facility licensed by the  
38 state or of a volunteer ambulance service, while responding to  
39 an emergency in the line of duty, may display or use red warning  
40 signals. An organ transport vehicle, while transporting organs  
41 or surgical teams for organ donation or transplant while en  
42 route to a hospital, an airport, or other designated location,  
43 may display or use red warning signals. Warning signals must be  
44 visible from the front and from the rear of such vehicle,  
45 subject to the following restrictions and conditions:

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

48 Section 2. Present subsections (6) and (7) of section  
49 401.25, Florida Statutes, are redesignated as subsections (7)  
50 and (8), respectively, a new subsection (6) is added to that  
51 section, and paragraph (d) of subsection (2) of that section is  
52 amended, to read:

53 401.25 Licensure as a basic life support or an advanced  
54 life support service.—

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

57 (d) The applicant has obtained a certificate of public  
58 convenience and necessity from each county in which the

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59 applicant will operate. In issuing the certificate of public  
60 convenience and necessity, the governing body of each county  
61 shall consider the recommendations of municipalities within its  
62 jurisdiction.

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

65 ~~a.1.~~ Is a faith-based, not-for-profit charitable  
66 corporation registered under chapter 617 which has been  
67 responding to medical emergencies in this state for at least 15  
68 ~~10~~ consecutive years.

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

71 ~~c.3.~~ Provides basic life support services or advanced life  
72 support services solely through at least 150 ~~50~~ unpaid licensed  
73 emergency medical technician or paramedic volunteers in at least  
74 three counties at the time of application.

75 ~~d.4.~~ Is not operating for pecuniary profit or financial  
76 gain.

77 ~~e.5.~~ Does not distribute to or inure to the benefit of its  
78 directors, members, or officers or other related parties any  
79 part of its assets or income.

80 ~~6.~~ ~~Does not receive any government funding. However, the~~  
81 ~~volunteer ambulance service may receive funding from specialty~~  
82 ~~license plate proceeds.~~

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

84 g.8. Provides services at no cost to the patient ~~free of~~  
85 ~~charge.~~

86 h.9. As part of its application for licensure, provides to  
87 the department a management plan that includes a training

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88 program, dispatch protocols, a complaint management system, an  
89 accident or injury handling system, a quality assurance program,  
90 and proof of adequate insurance coverage to meet state or county  
91 insurance requirements, whichever requirements are greater.

92 i.10. Provides a disclaimer on all written materials that  
93 the volunteer ambulance service is not associated with the  
94 state's 911 system.

95 2. An applicant seeking an exemption from this requirement  
96 must submit to the department a sworn affidavit that complies  
97 with s. 92.50(1) attesting that the applicant meets the  
98 requirements for exemption provided in sub-subparagraphs 1.a.-i.  
99 A person who submits an affidavit fraudulently attesting to  
100 meeting such requirements violates s. 837.012 and commits a  
101 misdemeanor of the first degree, punishable as provided in s.  
102 775.082 or s. 775.083.

103 3. The exemption under subparagraph 1. ~~this paragraph~~ may  
104 be granted to no more than 15 ~~four~~ counties. This exemption  
105 notwithstanding, an applicant is not exempted from and must  
106 comply with all other requirements for licensure. An applicant  
107 must also take all reasonable efforts to enter into a memorandum  
108 of understanding with the emergency medical services licensee  
109 within whose jurisdiction the applicant will provide services in  
110 order to facilitate communications and coordinate emergency  
111 services for situations beyond the scope of the applicant's  
112 capacity and for situations of advanced life support that are  
113 deemed priority 1 or priority 2 emergencies.

114 (6) A volunteer ambulance service licensed under this  
115 section may not apply for, receive funds under, or participate  
116 in any grant program designed exclusively for publicly operated

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117 fire departments or emergency medical service agencies.

118 Section 3. Paragraph (1) of subsection (1) of section  
119 395.401, Florida Statutes, is amended to read:

120 395.401 Trauma services system plans; approval of trauma  
121 centers and pediatric trauma centers; procedures; renewal.—

122 (1)

123 (1) A county, upon the recommendations of the local or  
124 regional trauma agency, may adopt ordinances governing the  
125 transport of a patient who is receiving care in the field from  
126 prehospital emergency medical personnel when the patient meets  
127 specific criteria for trauma, burn, or pediatric centers adopted  
128 by the local or regional trauma agency. These ordinances must be  
129 consistent with s. 395.4045, ordinances adopted under s.  
130 401.25(7) ~~s. 401.25(6)~~, and the local or regional trauma system  
131 plan and, to the furthest possible extent, must ensure that  
132 individual patients receive appropriate medical care while  
133 protecting the interests of the community at large by making  
134 maximum use of available emergency medical care resources.

135 Section 4. This act shall take effect July 1, 2025.