

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 44

INTRODUCER: Senator Rodriguez

SUBJECT: Motor Vehicles

DATE: March 3, 2025

REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	Shutes	Vickers	TR	Pre-meeting
2.			CJ	
3.			RC	

I. Summary:

SB 44 increases the penalty for the offense of operating an unauthorized vehicle with a red or blue light visible from the front of the vehicle and stopping or attempting to stop (commonly referred to as “pulling over”) another vehicle from a first degree misdemeanor to a third degree felony.

The bill also increases the penalty for the offense of applying a substance, device, covering, etc., that affects the legibility, angular visibility, or detectability of a license plate or interferes with the ability to record any feature on a license plate from a noncriminal traffic infraction to a third-degree felony.

The bill has an indeterminate fiscal impact. See Section V. Fiscal Impact Statement.

The bill takes effect July 1, 2025.

II. Present Situation:

Authorized Emergency Vehicles

Florida law defines the following as “authorized emergency vehicles”:

- Vehicles of the fire department or fire patrol;
- Police vehicles;
- Ambulances; and
- Emergency vehicles operated by:
 - Municipal and county departments;
 - Volunteer ambulance services;
 - Public service corporations operated by private corporations;
 - The Fish and Wildlife Conservation Commission;

- The Department of Environmental Protection;
- The Department of Transportation;
- The Department of Agriculture and Consumer Services; and
- The Department of Corrections.¹

Section 316.2397, F.S., allows authorized emergency vehicles to display a red, red and white, or blue light visible from directly in front of the vehicle.

Section 843.081, F.S., provides legislative intent indicating that Florida citizens are vulnerable to becoming the victims of criminal acts through the illegal use of blue lights by the criminal elements, and that the Legislature intends to reduce this vulnerability to injury and loss of life and property by prohibiting the use of certain blue lights by any person other than an authorized law enforcement officer.

Certain Lights Prohibited

A person may not drive or move or cause to be moved any vehicle or equipment upon any highway within this state with any lamp or device thereon showing or displaying a red, red and white, or blue light visible from directly in front thereof except for certain vehicles as provided in s. 316.2397, F.S.² A violation of this provision is a noncriminal traffic infraction, punishable as a nonmoving violation.³ The statutory base fine is \$30, but with additional fees and court costs, the total fine may be up to \$108.⁴

A person operating a vehicle in violation of the prohibition on the use of red and blue lights, who stops or attempts to stop another vehicle commits a first degree misdemeanor, punishable as provided in ss. 775.082, or s. 775.083, F.S.⁵

In 2023, according to the uniform traffic citation database, there were 3,449 violations related to prohibited use of lights on vehicles.⁶

Altering Motor Vehicle Registration Certificates and License Plates

Section 320.061, F.S., prohibits altering the original appearance of any motor vehicle registration certificate, license plate, temporary license plate, mobile home sticker or validation sticker used for and assigned to a motor vehicle or a mobile home, whether by mutilation, alteration, defacement, or change of color or in any other manner. Similarly, a person may not apply or attach a substance, reflective matter, illuminated device, spray, coating, or other material onto or around any license plate which interferes with the legibility, angular visibility, or detectability of any feature or detail on the license plate. A violation of this provision is a noncriminal traffic

¹ Section 316.003(1), F.S.

² Section 316.2397(1), F.S.

³ Section 316.2397(10)(b), F.S.

⁴ Florida Association of Clerks of Court, *2023 Distribution Schedule*, p. 39.

https://cdn.ymaaws.com/www.flclerks.com/resource/resmgr/publicationsanddocuments/2023_Distribution_Schedule_e.pdf (last visited February 27, 2025).

⁵ A first-degree misdemeanor is punishable by a definite term of imprisonment not exceeding 1 year and a \$1,000 fine.

⁶ DHSMV, *Annual Uniform Traffic Citation Report Database*, <https://services.flhsmv.gov/SpecialtyPlates/UniformTrafficCitationReport> (last visited February 28, 2025)

infraction punishable as a moving violation as provided in ch. 318, F.S.⁷ The statutory base fine is \$60, but with additional fees and court costs, the total fine may be up to \$158.⁸

In 2023, according to the uniform traffic citation database, there were 2,927 violations related to obscuring a license plate.⁹

III. Effect of Proposed Changes:

The bill amends s. 316.2397, F.S., to increase the penalty associated with an unauthorized person stopping or attempting to stop (commonly referred to as “pulling over”) another vehicle using red or blue lights. The bill increases the penalty from a first degree misdemeanor to a third degree felony.

The bill also amends s. 320.061, F.S., to provide that any person who applies or attaches a substance, reflective matter, illuminated device, spray, coating, covering, or other material onto or around the license plate, which would interfere with the legibility, angular visibility, or detectability of any details of the plate, commits a third degree felony. The penalty for altering the appearance of a license plate would remain a noncriminal infraction, punishable as a moving violation.

This bill takes effect July 1, 2025.

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.

⁷ Section 320.061, F.S.

⁸ Florida Association of Clerks of Court, *2023 Distribution Schedule*, p. 42.

https://cdn.ymaws.com/www.flclerks.com/resource/resmgr/publicationsanddocuments/2023_Distribution_Schedule_e.pdf
(last visited February 27, 2025).

⁹ *Id.* at 2.

V. Fiscal Impact Statement:**A. Tax/Fee Issues:**

None.

B. Private Sector Impact:

None.

C. Government Sector Impact:

The bill will likely have a positive indeterminate fiscal impact. Both local and state governments will realize an indeterminate increase in revenue associated with the increased penalties provided for in the bill.

The Department of Highway and Motor Vehicles indicated that the bill will require electronic ticket systems to be updated and law enforcement officers will need to be educated regarding the provisions of the bill.¹⁰

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Statutes Affected:

This bill substantially amends sections 316.2397 and 320.061 of the Florida Statutes.

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.

¹⁰ Department of Highway Safety and Motor Vehicles, Agency Analysis of 2025 Senate Bill 44, p. 3, December 4, 2024. (On file with the Senate Committee on Transportation)