

By Senator Gainer

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1                   A bill to be entitled  
2           An act relating to motor vehicle lights and signals;  
3           amending s. 316.235, F.S.; authorizing any motor  
4           vehicle to be equipped with certain lamps or devices  
5           under certain circumstances; amending s. 316.2397,  
6           F.S.; authorizing certain vehicles to display red and  
7           white lights; amending s. 316.2398, F.S.; authorizing  
8           certain vehicles to display red and white warning  
9           signals under certain circumstances; providing  
10          requirements and penalties; amending s. 316.224, F.S.;  
11          conforming a cross-reference; providing an effective  
12          date.

13  
14 Be It Enacted by the Legislature of the State of Florida:

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16           Section 1. Present subsections (3) through (6) of section  
17   316.235, Florida Statutes, are redesignated as subsections (4)  
18   through (7), respectively, and a new subsection (3) is added to  
19   that section, to read:

20           316.235 Additional lighting equipment.—

21           (3) Any motor vehicle may be equipped with one or more  
22   lamps or devices underneath the motor vehicle as long as such  
23   lamps or devices do not emit light in violation of s.  
24   316.2397(1) or (7) or s. 316.238.

25           Section 2. Subsections (1) and (3) and paragraph (c) of  
26   subsection (7) of section 316.2397, Florida Statutes, are  
27   amended to read:

28           316.2397 Certain lights prohibited; exceptions.—

29           (1) A ~~No~~ person may not ~~shall~~ drive or move or cause to be

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30 moved any vehicle or equipment upon any highway within this  
31 state with any lamp or device thereon showing or displaying a  
32 red, red and white, or blue light visible from directly in front  
33 thereof except for certain vehicles ~~hereinafter~~ provided in this  
34 section.

35 (3) Vehicles of the fire department and fire patrol,  
36 including vehicles of volunteer firefighters as permitted under  
37 s. 316.2398, may show or display red or red and white lights.  
38 Vehicles of medical staff physicians or technicians of medical  
39 facilities licensed by the state as authorized under s.  
40 316.2398, ambulances as authorized under this chapter, and buses  
41 and taxicabs as authorized under s. 316.2399 may show or display  
42 red lights. Vehicles of the fire department, fire patrol, police  
43 vehicles, and such ambulances and emergency vehicles of  
44 municipal and county departments, public service corporations  
45 operated by private corporations, the Fish and Wildlife  
46 Conservation Commission, the Department of Environmental  
47 Protection, the Department of Transportation, the Department of  
48 Agriculture and Consumer Services, and the Department of  
49 Corrections as are designated or authorized by their respective  
50 department or the chief of police of an incorporated city or any  
51 sheriff of any county may operate emergency lights and sirens in  
52 an emergency. Wreckers, mosquito control fog and spray vehicles,  
53 and emergency vehicles of governmental departments or public  
54 service corporations may show or display amber lights when in  
55 actual operation or when a hazard exists provided they are not  
56 used going to and from the scene of operation or hazard without  
57 specific authorization of a law enforcement officer or law  
58 enforcement agency. Wreckers must use amber rotating or flashing

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59 lights while performing recoveries and loading on the roadside  
60 day or night, and may use such lights while towing a vehicle on  
61 wheel lifts, slings, or under reach if the operator of the  
62 wrecker deems such lights necessary. A flatbed, car carrier, or  
63 rollback may not use amber rotating or flashing lights when  
64 hauling a vehicle on the bed unless it creates a hazard to other  
65 motorists because of protruding objects. Further, escort  
66 vehicles may show or display amber lights when in the actual  
67 process of escorting oversized equipment, material, or  
68 buildings as authorized by law. Vehicles owned or leased by  
69 private security agencies may show or display green and amber  
70 lights, with either color being no greater than 50 percent of  
71 the lights displayed, while the security personnel are engaged  
72 in security duties on private or public property.

73 (7) Flashing lights are prohibited on vehicles except:

74 (c) For the lamps authorized under subsections (1), (2),  
75 (3), (4), and (9), s. 316.2065, or s. 316.235(6) ~~s. 316.235(5)~~  
76 which may flash.

77 Section 3. Section 316.2398, Florida Statutes, is amended  
78 to read:

79 316.2398 Display or use of red or red and white warning  
80 signals; motor vehicles of volunteer firefighters or medical  
81 staff.—

82 (1) A privately owned vehicle belonging to an active  
83 firefighter member of a regularly organized volunteer  
84 firefighting company or association, while en route to the fire  
85 station for the purpose of proceeding to the scene of a fire or  
86 other emergency or while en route to the scene of a fire or  
87 other emergency in the line of duty as an active firefighter

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88 member of a regularly organized firefighting company or  
89 association, may display or use red or red and white warning  
90 signals. ~~or~~ A privately owned vehicle belonging to a medical  
91 staff physician or technician of a medical facility licensed by  
92 the state, while responding to an emergency in the line of duty,  
93 may display or use red warning signals. Warning signals must be  
94 visible from the front and from the rear of such vehicle,  
95 subject to the following restrictions and conditions:

96 (a) No more than two red or red and white warning signals  
97 may be displayed.

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

100 (c) In order for an active volunteer firefighter to display  
101 such red or red and white warning signals on his or her vehicle,  
102 the volunteer firefighter must first secure a written permit  
103 from the chief executive officers of the firefighting  
104 organization to use the red or red and white warning signals,  
105 and this permit must be carried by the volunteer firefighter at  
106 all times while the red or red and white warning signals are  
107 displayed.

108 (2) ~~A It is unlawful for~~ any person who is not an active  
109 firefighter member of a regularly organized volunteer  
110 firefighting company or association or a physician or technician  
111 of the medical staff of a medical facility licensed by the state  
112 may not ~~to~~ display on any motor vehicle owned by him or her, at  
113 any time, any red or red and white warning signals as described  
114 in subsection (1).

115 (3) ~~It is unlawful for~~ An active volunteer firefighter may  
116 not ~~to~~ operate any red or red and white warning signals as

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117 authorized in subsection (1), except while en route to the fire  
118 station for the purpose of proceeding to the scene of a fire or  
119 other emergency, or while at or en route to the scene of a fire  
120 or other emergency, in the line of duty.

121 (4) ~~It is unlawful for~~ A physician or technician of the  
122 medical staff of a medical facility may not ~~to~~ operate any red  
123 warning signals as authorized in subsection (1), except when  
124 responding to an emergency in the line of duty.

125 (5) A violation of this section is a nonmoving violation,  
126 punishable as provided in chapter 318. In addition, a any  
127 volunteer firefighter who violates this section shall be  
128 dismissed from membership in the firefighting organization by  
129 the chief executive officers thereof.

130 Section 4. Subsection (3) of section 316.224, Florida  
131 Statutes, is amended to read:

132 316.224 Color of clearance lamps, identification lamps,  
133 side marker lamps, backup lamps, reflectors, and deceleration  
134 lights.—

135 (3) All lighting devices and reflectors mounted on the rear  
136 of any vehicle shall display or reflect a red color, except the  
137 stop light or other signal device, which may be red, amber, or  
138 yellow, and except that the light illuminating the license plate  
139 shall be white and the light emitted by a backup lamp shall be  
140 white or amber. Deceleration lights as authorized by s.  
141 316.235(6) ~~s. 316.235(5)~~ shall display an amber color.

142 Section 5. This act shall take effect October 1, 2019.