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CS/CS/HB 1113

2024 Legislature

1  
 2 An act relating to the use of lights and sirens on  
 3 emergency vehicles; amending s. 316.003, F.S.;  
 4 revising the definition of the term "authorized  
 5 emergency vehicles"; defining the term "organ  
 6 transport vehicle"; amending s. 316.072, F.S.;  
 7 authorizing the driver of an authorized emergency  
 8 vehicle to exercise certain privileges when  
 9 transporting organs or surgical teams for organ  
 10 donation or transplant to certain locations; amending  
 11 s. 316.2397, F.S.; authorizing authorized emergency  
 12 vehicles to operate emergency lights and sirens in an  
 13 emergency; authorizing organ transport vehicles to  
 14 show or display red lights; amending s. 316.2398,  
 15 F.S.; authorizing an organ transport vehicle to  
 16 display or use red warning signals under certain  
 17 circumstances; amending s. 316.271, F.S., conforming  
 18 provisions to changes made by the act; amending ss.  
 19 316.306 and 655.960, F.S.; conforming cross-  
 20 references; providing an effective date.

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

23  
 24 Section 1. Subsections (54) through (111) of section  
 25 316.003, Florida Statutes, are renumbered as subsections (55)

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26 | through (112), respectively, subsection (1) and present  
 27 | subsection (64) are amended, and a new subsection (54) is added  
 28 | to that section, to read:

29 |       316.003 Definitions.—The following words and phrases, when  
 30 | used in this chapter, shall have the meanings respectively  
 31 | ascribed to them in this section, except where the context  
 32 | otherwise requires:

33 |       (1) AUTHORIZED EMERGENCY VEHICLES.—Vehicles of the fire  
 34 | department, ~~fire patrol~~, police vehicles, emergency management  
 35 | vehicles, organ transport vehicles, and ~~such~~ ambulances and  
 36 | emergency vehicles of municipal and county departments,  
 37 | volunteer ambulance services, public service corporations  
 38 | operated by private corporations, the Fish and Wildlife  
 39 | Conservation Commission, the Department of Environmental  
 40 | Protection, the Department of Health, the Department of  
 41 | Transportation, the Department of Agriculture and Consumer  
 42 | Services, and the Department of Corrections as are designated or  
 43 | authorized by their respective departments or the chief of  
 44 | police of an incorporated city or any sheriff of any of the  
 45 | various counties.

46 |       (54) ORGAN TRANSPORT VEHICLE.—Any dedicated and marked  
 47 | vehicle operated by an organ procurement organization,  
 48 | transplant center, or its contracted service provider to  
 49 | transport organs or surgical teams for organ recovery and  
 50 | transplant. An operator of such vehicle must have completed a

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51 16-hour emergency vehicle operator course.

52 (65)~~(64)~~ PRIVATE ROAD OR DRIVEWAY.—Except as otherwise  
 53 provided in paragraph (90)(b) ~~(89)(b)~~, any privately owned way  
 54 or place used for vehicular travel by the owner and those having  
 55 express or implied permission from the owner, but not by other  
 56 persons.

57 Section 2. Paragraph (a) of subsection (5) of section  
 58 316.072, Florida Statutes, is amended to read:

59 316.072 Obedience to and effect of traffic laws.—

60 (5) AUTHORIZED EMERGENCY VEHICLES.—

61 (a)1. The driver of an authorized emergency vehicle, when  
 62 responding to an emergency call, when transporting organs or  
 63 surgical teams for organ donation or transplant while en route  
 64 to a hospital, an airport, or other designated location, when in  
 65 the pursuit of an actual or suspected violator of the law, or  
 66 when responding to a fire alarm, but not upon returning from a  
 67 fire;

68 2. A medical staff physician or technician of a medical  
 69 facility licensed by the state or of a volunteer ambulance  
 70 service when responding to an emergency in the line of duty in  
 71 his or her privately owned vehicle, using red lights as  
 72 authorized in s. 316.2398; or

73 3. The driver of an authorized law enforcement vehicle,  
 74 when conducting a nonemergency escort, to warn the public of an  
 75 approaching motorcade;

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76  
77 may exercise the privileges set forth in this section, but  
78 subject to the conditions herein stated.

79 Section 3. Subsection (3) of section 316.2397, Florida  
80 Statutes, is amended to read:

81 316.2397 Certain lights prohibited; exceptions.—

82 (3) (a) Vehicles of the fire department and fire patrol,  
83 including vehicles of volunteer firefighters as permitted under  
84 s. 316.2398, may show or display red or red and white lights.

85 (b) Vehicles of medical staff physicians or technicians of  
86 medical facilities licensed by the state or of volunteer  
87 ambulance services as authorized under s. 316.2398, ambulances  
88 as authorized under this chapter, and buses and taxicabs as  
89 authorized under s. 316.2399 may show or display red lights.

90 (c) ~~Authorized emergency vehicles of the fire department,~~  
91 ~~fire patrol, police vehicles, and such ambulances and emergency~~  
92 ~~vehicles of municipal and county departments, volunteer~~  
93 ~~ambulance services, public service corporations operated by~~  
94 ~~private corporations, the Fish and Wildlife Conservation~~  
95 ~~Commission, the Department of Environmental Protection, the~~  
96 ~~Department of Transportation, the Department of Agriculture and~~  
97 ~~Consumer Services, and the Department of Corrections as are~~  
98 ~~designated or authorized by their respective department or the~~  
99 ~~chief of police of an incorporated city or any sheriff of any~~  
100 ~~county~~ may operate emergency lights and sirens in an emergency.

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101        (d) Organ transport vehicles may show or display red  
 102        lights.

103        (e) Wreckers, mosquito control fog and spray vehicles, and  
 104        emergency vehicles of governmental departments or public service  
 105        corporations may show or display amber lights when in actual  
 106        operation or when a hazard exists provided they are not used  
 107        going to and from the scene of operation or hazard without  
 108        specific authorization of a law enforcement officer or law  
 109        enforcement agency.

110        (f) Wreckers must use amber rotating or flashing lights  
 111        while performing recoveries and loading on the roadside day or  
 112        night, and may use such lights while towing a vehicle on wheel  
 113        lifts, slings, or under reach if the operator of the wrecker  
 114        deems such lights necessary. A flatbed, car carrier, or rollback  
 115        may not use amber rotating or flashing lights when hauling a  
 116        vehicle on the bed unless it creates a hazard to other motorists  
 117        because of protruding objects. Further, escort vehicles may show  
 118        or display amber lights when in the actual process of escorting  
 119        overdimensioned equipment, material, or buildings as authorized  
 120        by law.

121        (g) Vehicles owned or leased by private security agencies  
 122        may show or display green and amber lights, with either color  
 123        being no greater than 50 percent of the lights displayed, while  
 124        the security personnel are engaged in security duties on private  
 125        or public property.

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126 Section 4. Subsection (1) of section 316.2398, Florida  
 127 Statutes, is amended to read:

128 316.2398 Display or use of red or red and white warning  
 129 signals; motor vehicles of volunteer firefighters or medical  
 130 staff.—

131 (1) A privately owned vehicle belonging to an active  
 132 firefighter member of a regularly organized volunteer  
 133 firefighting company or association, while en route to the fire  
 134 station for the purpose of proceeding to the scene of a fire or  
 135 other emergency or while en route to the scene of a fire or  
 136 other emergency in the line of duty as an active firefighter  
 137 member of a regularly organized firefighting company or  
 138 association, may display or use red or red and white warning  
 139 signals. A privately owned vehicle belonging to a medical staff  
 140 physician or technician of a medical facility licensed by the  
 141 state or of a volunteer ambulance service, while responding to  
 142 an emergency in the line of duty, may display or use red warning  
 143 signals. An organ transport vehicle, while transporting organs  
 144 or surgical teams for organ donation or transplant while en  
 145 route to a hospital, an airport, or other designated location,  
 146 may display or use red warning signals. Warning signals must be  
 147 visible from the front and from the rear of such vehicle,  
 148 subject to the following restrictions and conditions:

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

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

153 (c) In order for an active volunteer firefighter to  
 154 display such red or red and white warning signals on his or her  
 155 vehicle, the volunteer firefighter must first secure a written  
 156 permit from the chief executive officers of the firefighting  
 157 organization to use the red or red and white warning signals,  
 158 and this permit must be carried by the volunteer firefighter at  
 159 all times while the red or red and white warning signals are  
 160 displayed.

161 (d) An emergency medical technician, doctor, or paramedic  
 162 who is using his or her personal vehicle with a red light to  
 163 respond to an emergency call must have completed a 16-hour  
 164 emergency vehicle operator course.

165 Section 5. Subsection (4) of section 316.271, Florida  
 166 Statutes, is amended to read:

167 316.271 Horns and warning devices.—

168 (4) No vehicle shall be equipped with, nor shall any  
 169 person use upon a vehicle, any siren, whistle, or bell, except  
 170 as otherwise permitted in this section or s. 316.2397.

171 Section 6. Paragraph (a) of subsection (3) of section  
 172 316.306, Florida Statutes, is amended to read:

173 316.306 School and work zones; prohibition on the use of a  
 174 wireless communications device in a handheld manner.—

175 (3)(a)1. A person may not operate a motor vehicle while

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176 using a wireless communications device in a handheld manner in a  
 177 designated school crossing, school zone, or work zone area as  
 178 defined in s. 316.003(112) ~~s. 316.003(111)~~. This subparagraph  
 179 shall only be applicable to work zone areas if construction  
 180 personnel are present or are operating equipment on the road or  
 181 immediately adjacent to the work zone area. For the purposes of  
 182 this paragraph, a motor vehicle that is stationary is not being  
 183 operated and is not subject to the prohibition in this  
 184 paragraph.

185 2. Effective January 1, 2020, a law enforcement officer  
 186 may stop motor vehicles and issue citations to persons who are  
 187 driving while using a wireless communications device in a  
 188 handheld manner in violation of subparagraph 1.

189 Section 7. Subsection (1) of section 655.960, Florida  
 190 Statutes, is amended to read:

191 655.960 Definitions; ss. 655.960-655.965.—As used in this  
 192 section and ss. 655.961-655.965, unless the context otherwise  
 193 requires:

194 (1) "Access area" means any paved walkway or sidewalk  
 195 which is within 50 feet of any automated teller machine. The  
 196 term does not include any street or highway open to the use of  
 197 the public, as defined in s. 316.003(90) (a) or (b) ~~s.~~  
 198 ~~316.003(89) (a) or (b)~~, including any adjacent sidewalk, as  
 199 defined in s. 316.003.

200 Section 8. This act shall take effect July 1, 2024.