

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 Appropriations Committee on Transportation, Tourism, and Economic Development

BILL: CS/SB 1644

INTRODUCER: Transportation Committee and Senator Rodriguez

SUBJECT: Emergency Services

DATE: April 10, 2025

REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	<u>Johnson</u>	<u>Vickers</u>	<u>TR</u>	Fav/CS
2.	<u>Wells</u>	<u>Nortelus</u>	<u>ATD</u>	Favorable
3.	<u> </u>	<u> </u>	<u>RC</u>	<u> </u>

Please see Section IX. for Additional Information:

COMMITTEE SUBSTITUTE - Substantial Changes

I. Summary:

CS/SB 1644 addresses various provisions related to emergency services. Specifically, the bill:

- Repeals the limit of two red or red and white warning signals on certain private vehicles responding to emergencies;
- Amends the eligibility requirements for an exemption from the certificate of public convenience and necessity requirement for the licensure of basic life support or advanced life support services;
- Requires an applicant for such an exemption to submit a sworn affidavit and providing criminal penalties for fraudulent affidavits;
- Authorizes entities with such an exemption to receive public funds and increases the number of counties in which this exemption may be granted; and
- Prohibits volunteer ambulance services from applying for, receiving funds under, or participating in any grant program designed exclusively for publicly operated fire departments or emergency medical services agencies.

The bill does not have a fiscal impact on state revenues or expenditures. **See Section V., Fiscal Impact Statement.**

This bill takes effect July 1, 2025.

II. Present Situation:

Display of Lights on Vehicles

Florida law prohibits a person from driving or moving any vehicle upon any highway with any lamp or device showing or displaying a red, red and white, or blue light visible from directly in front except for certain vehicles as provided in s. 316.2397, F.S.,¹ which authorizes certain lights on police vehicles, fire-vehicles, and other emergency-related vehicles.

Under this statute, vehicles of medical staff physicians or technicians of license medical facilities licensed by the state or of volunteer ambulance services², ambulances, buses, and taxicabs may show or display red lights.³

A privately owned vehicle belonging to a medical staff physician or technician of a licensed medical facility licensed by the state or of a volunteer ambulance service, while responding to an emergency in the line of duty, may display or use red warning signals. Warning signals must be visible from the front and from the rear of such vehicle, subject to certain restrictions and conditions including that no more than two red or red and white warning signals may be displayed.⁴

Licensure of Basic Life Support or Advanced Life Support Services

Section 401.25, F.S., requires the Department of Health to license entities providing basic life support or advanced life support services. Licensure requirements include the applicant obtaining a certificate of public convenience and necessity from each county in which the applicant will operate. An applicant that is an active first responder agency is exempt from the certificate of public convenience and necessity requirements if it:

- Is a faith-based, not-for-profit charitable corporation which has been responding to medical emergencies in this state for at least 10 consecutive years.
- Is not a parent, subsidiary, or affiliate of, or related to, any for-profit entity.
- Provides basic life support services or advanced life support services solely through at least 50 unpaid licensed emergency medical technicians or paramedic volunteers.
- Is not operating for pecuniary profit or financial gain.
- Does not distribute to or inure to the benefit of its directors, members, or officers any part of its assets or income.
- Does not receive any government funding. However, the volunteer ambulance service may receive funding from specialty license plate proceeds.
- Has never had a license denied, revoked, or suspended.
- Provides services free of charge.
- As part of its application for licensure, provides to the Department of Health a management plan with specified information and proof of adequate insurance coverage to meet state or county insurance requirements, whichever requirements are greater.

¹ Section 316.2397(1), F.S.

² This is authorized under s. 316.2398, F.S.

³ Section 316.2397(3)(b), F.S.

⁴ Section 316.2398(1)(a), F.S.

- Provides a disclaimer on all written materials that the volunteer ambulance service is not associated with the state's 911 system.

This exemption may be granted to operate in no more than four counties. However, an applicant is not exempted from and must comply with all other licensure requirements. An applicant must also take all reasonable efforts to enter into a memorandum of understanding with the emergency medical services licensee within whose jurisdiction the applicant will provide services in order to facilitate communications and coordinate emergency services for situations beyond the scope of the applicant's capacity and for situations of advanced life support that are deemed priority 1 or priority 2 emergencies.⁵

Volunteer Ambulance Services

Florida law defines the term “volunteer ambulance service” to mean a faith-based, not-for-profit charitable corporation:

- Registered as a not-for-profit corporation;⁶
- Licensed as a basic life support service or an advanced life support service;⁷
- Not a parent, subsidiary, or affiliate of, or related to, any for-profit entity;
- Uses only unpaid volunteers to provide basic life support services or advanced life support services free of charge;
- Is not operating for pecuniary profit or financial gain; and
- Does not distribute to or inure to the benefit of its directors, volunteers, members, or officers any part of its assets or income.⁸

Florida appears to have at least two volunteer ambulance services that currently meet this definition.⁹

III. Effect of Proposed Changes:

Section 1 amends s. 316.2398, F.S., to remove the limit of two red or red and white warning signals to be displayed on certain privately owned vehicles responding to emergencies.

Section 2 amends s. 401.25, F.S., relating to eligibility for the exemption from a certificate of public convenience and necessity requirements for providers of basic and advanced life support services, to change the number of years that the entity has been responding to medical emergencies from 10 consecutive years to 15 consecutive years. The bill increases the minimum number of unpaid licensed emergency medical technicians or paramedic volunteers from 50 to 150, with this minimum in at least three counties at the time of the application. The bill also prohibits the distribution of benefits to other related parties, and clarifies that services are provided at no cost to the patient.

⁵ Section 401.25(2)(d), F.S.

⁶ Not-for-profit corporations are registered under ch. 617, F.S.

⁷ Licensing for basic or advanced life support services in under ch. 401, F.S.

⁸ Sections 316.003(111) and 401.23(23), F.S.

⁹ See Hatzalah South Florida Emergency Medical Services, <https://hsfems.org/> (last visited March 27, 2025), and Jewish Volunteer Ambulance Corps <https://jvacusa.org/> (last visited March 27, 2025).

The bill repeals the provision that such entities do not receive any government funding, with an exception for a volunteer ambulance service receiving funding from the proceeds from the sale of specialty license plates.¹⁰

The bill provides that an applicant seeking an exemption from a certificate of public convenience and necessity requirements for providers must submit to the Department of Health a sworn affidavit attesting that the applicant meets all of the requirements of the exemption. A person who submits a fraudulent affidavit violates s. 837.012, F.S., relating to perjury when not in an official proceeding, and commits a misdemeanor in the first degree.¹¹

The bill increases from four to 15, the number of counties for which the exemption for a certificate of public convenience and necessity applies.

The bill provides that a private ambulance service licensed under s. 401.25, F.S., may not apply for, receive funds under, or participate in any grant program designed exclusively for publicly operated fire departments or emergency medical services.

Section 3 amends s. 395.401, F.S., to conform a cross-reference.

Section 4 provides an effective date of 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.

¹⁰ Section 320.08058(106), F.S., creates the Florida Stands with Israel license plate with the proceeds distributed to Hatzalah of Miami-Dade, Inc., to assist in training and deploying first responders to expedite emergency response.

¹¹ The penalty for a misdemeanor in the first degree is a term of imprisonment not exceeding one year or a fine of up to \$1,000. See ss. 775.082(4)(a) and 775.083(1)(d), F.S.

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

None.

B. Private Sector Impact:

None.

C. Government Sector Impact:

None.

VI. Technical Deficiencies:

None.

VII. Related Issues:

Sections 316.003(111) and 401.23(23), F.S. provide identical definitions for the term “volunteer ambulance service.” These definitions are consistent with the existing statute providing an exemption from the certificate of public convenience and necessity requirement. However, the bill amends these requirements, and these definitions will no longer be consistent with this statute.

VIII. Statutes Affected:

This bill substantially amends the following sections of the Florida Statutes: 316.2398, 395.401, and 401.25.

IX. Additional Information:**A. Committee Substitute – Statement of Substantial Changes:**

(Summarizing differences between the Committee Substitute and the prior version of the bill.)

CS by Transportation on April 1, 2025:

- Reverts to existing law the authorization for specified professions to display and use red lights on privately-owned vehicles when responding to emergencies.
- Revises the prohibition on receiving government funds for first-responder agencies exempt from the certificate of public convenience and necessary requirements for licensees as a basic life support or advanced life support service.
- Prohibits volunteer ambulance services from applying for, receiving funds under, or participating in any grant program designed exclusively for publicly operated fire departments or emergency medical service agencies.
- Conforms a cross-reference.

B. Amendments:

None.

This Senate Bill Analysis does not reflect the intent or official position of the bill's introducer or the Florida Senate.
