

CHAPTER 2024-34

Committee Substitute for Committee Substitute for House Bill No. 1113

An act relating to the use of lights and sirens on emergency vehicles; amending s. 316.003, F.S.; revising the definition of the term “authorized emergency vehicles”; defining the term “organ transport vehicle”; amending s. 316.072, F.S.; authorizing the driver of an authorized emergency vehicle to exercise certain privileges when transporting organs or surgical teams for organ donation or transplant to certain locations; amending s. 316.2397, F.S.; authorizing authorized emergency vehicles to operate emergency lights and sirens in an emergency; authorizing organ transport vehicles to show or display red lights; amending s. 316.2398, F.S.; authorizing an organ transport vehicle to display or use red warning signals under certain circumstances; amending s. 316.271, F.S., conforming provisions to changes made by the act; amending ss. 316.306 and 655.960, F.S.; conforming cross-references; providing an effective date.

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

Section 1. Subsections (54) through (111) of section 316.003, Florida Statutes, are renumbered as subsections (55) through (112), respectively, subsection (1) and present subsection (64) are amended, and a new subsection (54) is added to that section, to read:

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

(1) **AUTHORIZED EMERGENCY VEHICLES.**—Vehicles of the fire department, (fire patrol), police vehicles, emergency management vehicles, organ transport vehicles, and ~~such~~ ambulances and emergency vehicles of 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 Health, the Department of Transportation, the Department of Agriculture and Consumer Services, and the Department of Corrections as are designated or authorized by their respective departments or the chief of police of an incorporated city or any sheriff of any of the various counties.

(54) ORGAN TRANSPORT VEHICLE.—Any dedicated and marked vehicle operated by an organ procurement organization, transplant center, or its contracted service provider to transport organs or surgical teams for organ recovery and transplant. An operator of such vehicle must have completed a 16-hour emergency vehicle operator course.

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

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

316.072 Obedience to and effect of traffic laws.—

(5) AUTHORIZED EMERGENCY VEHICLES.—

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

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

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

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

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

316.2397 Certain lights prohibited; exceptions.—

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

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

~~(c) Authorized emergency vehicles of the fire department, fire patrol, police vehicles, and such ambulances and emergency vehicles of 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 as are designated or authorized by their respective department or the chief of police of an incorporated city or any sheriff of any county may operate emergency lights and sirens in an emergency.~~

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

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

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

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

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

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

(1) A privately owned vehicle belonging to an active firefighter member of a regularly organized volunteer firefighting company or association, while en route to the fire station for the purpose of proceeding to the scene of a fire or other emergency or while en route to the scene of a fire or other emergency in the line of duty as an active firefighter member of a regularly organized firefighting company or association, may display or use red or red and white warning signals. A privately owned vehicle belonging to a medical staff physician or technician of a 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. An organ transport vehicle, while transporting organs or surgical teams for organ donation or transplant while en route to a hospital, an airport, or other designated location, may display or use red warning signals. Warning signals must be visible from the front and from the rear of such vehicle, subject to the following restrictions and conditions:

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

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

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

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

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

316.271 Horns and warning devices.—

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

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

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

(3)(a)1. A person may not operate a motor vehicle while using a wireless communications device in a handheld manner in a designated school crossing, school zone, or work zone area as defined in s. 316.003(112) ~~s. 316.003(111)~~. This subparagraph shall only be applicable to work zone areas if construction personnel are present or are operating equipment on the road or immediately adjacent to the work zone area. For the purposes of this paragraph, a motor vehicle that is stationary is not being operated and is not subject to the prohibition in this paragraph.

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

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

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

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

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

Approved by the Governor March 22, 2024.

Filed in Office Secretary of State March 22, 2024.