

**HOUSE OF REPRESENTATIVES STAFF ANALYSIS**

**BILL #:** CS/HB 1113 Use of Lights and Sirens on Emergency Vehicles

**SPONSOR(S):** Transportation & Modals Subcommittee, Killebrew

**TIED BILLS:** IDEN./SIM. **BILLS:** SB 1164

REFERENCE	ACTION	ANALYST	STAFF DIRECTOR or BUDGET/POLICY CHIEF
1) Transportation & Modals Subcommittee	17 Y, 0 N, As CS	Walker	Hinshelwood
2) Infrastructure Strategies Committee			

**SUMMARY ANALYSIS**

Transporting life-saving organs or surgical teams for organ recovery is a process that requires timely and seamless coordination between donor hospitals, organ procurement organizations, transplant centers, and other contracted service providers. Organ transportation is most commonly achieved through ground or air transportation.

Florida law generally prohibits the use of red, white, or blue lights and sirens on a vehicle, except as specifically authorized. Florida law does not currently allow motor vehicles that solely transport organs or surgical teams for organ recovery to operate emergency lights and sirens.

The bill provides that transport vehicles designated by an organ procurement organization or transplant center, or a contracted service provider of such organization or center, for the sole purpose of transporting organs or surgical teams for organ recovery and transplant may show or display red or red and white lights and operate sirens while en route to a hospital, airport, or other necessary location. The bill provides that such vehicles must be clearly marked to indicate their authorized purpose.

As a point of clarification, the bill does not designate organ transport vehicles as “authorized emergency vehicles” under ch. 316, F.S., relating to state uniform traffic control. Therefore, the organ transport vehicles are still subject to obeying traffic laws provided in ch. 316, F.S., and are not provided authority as authorized emergency vehicles are to, for example, proceed past a red light or stop or to exceed the maximum speed limit.

The bill will have an indeterminate fiscal impact on the private sector.

The bill has an effective date of July 1, 2024.

**FULL ANALYSIS**  
**I. SUBSTANTIVE ANALYSIS**

A. EFFECT OF PROPOSED CHANGES:

**BACKGROUND**

*Show or Display of Red, White, or Blue Lights on Vehicles and Use of Sirens in Florida*

Florida law prohibits a person from driving a vehicle 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 specifically provided for in Florida law.<sup>1</sup>

Blue lights may only be shown or displayed on:<sup>2</sup>

- Police vehicles, or
- Vehicles of the Department of Corrections or county correctional agency when responding to emergencies.

Red lights may be shown or displayed on:<sup>3</sup>

- 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, F.S.
- Ambulances as authorized under ch. 316, F.S.
- Buses and taxicabs as authorized under s. 316.2399, F.S.
- Emergency response vehicles of the Fish and Wildlife Conservation Commission, the Department of Environmental Protection, and the Department of Health when responding to an emergency in the line of duty.

Red or red and white lights may be shown or displayed on vehicles of the fire department and fire patrol, including vehicles of volunteer firefighters as permitted under s. 316.2398, F.S.<sup>4</sup>

No vehicle may be equipped with, nor may any person use upon a vehicle, any siren, whistle, or bell, except for certain vehicles specifically provided for in Florida law.<sup>5</sup> Emergency lights and sirens in an emergency may be operated on the following vehicles as designated or authorized by their respective department, chief of police, or sheriff:<sup>6</sup>

- Fire department vehicles;
- Fire patrol vehicles;
- Police vehicles;
- Ambulances and emergency vehicles of municipal and county departments;
- Vehicles of volunteer ambulance services;
- Vehicles of public service corporations operated by private corporations; and
- Vehicles of the following state agencies: 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.

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<sup>1</sup> S. 316.2397(1), F.S.

<sup>2</sup> S. 316.2397(2), F.S.

<sup>3</sup> S. 316.2397(3) and (9), F.S.

<sup>4</sup> S. 316.2397(3), F.S.

<sup>5</sup> S. 316.271(4), F.S.

<sup>6</sup> Ss. 316.2397(3) and 316.271(6), F.S.

## Organ Donation

One organ donor can save up to eight lives, and on average, 17 people die each day while waiting for an organ transplant.<sup>7</sup> Once recovered from the donors, life-saving organs will only remain healthy for a short period of time. Therefore, transporting organs or surgical teams for organ recovery is a process that requires timely and seamless coordination between the involved parties. Involved parties include, but are not limited to, donor hospitals, organ procurement organizations, transplant centers, and other contracted service providers.<sup>8</sup> Organ transportation is most commonly achieved through ground or air transportation.<sup>9</sup>

Florida law does not currently allow motor vehicles that solely transport organs or surgical teams for organ recovery to operate emergency lights and sirens.

### **Effect of the Bill**

The bill provides that transport vehicles designated by an organ procurement organization or transplant center, or a contracted service provider of such organization or center, for the sole purpose of transporting organs or surgical teams for organ recovery and transplant may show or display red or red and white lights and operate sirens while en route to a hospital, airport, or other necessary location. The bill provides that such vehicles must be clearly marked to indicate their authorized purpose. As a point of clarification, the bill does not designate organ transport vehicles as “authorized emergency vehicles” under ch. 316, F.S., relating to state uniform traffic control. Therefore, the organ transport vehicles are still subject to obeying traffic laws provided in ch. 316, F.S., and are not provided authority as authorized emergency vehicles are to, for example, proceed past a red light or stop or to exceed the maximum speed limit.

The bill has an effective date of July 1, 2024.

#### B. SECTION DIRECTORY:

**Section 1** Amends s. 316.2397, F.S., relating to certain lights prohibited; exceptions.

**Section 2** Amends s. 316.271, F.S., relating to horns and warning devices.

**Section 3** Provides an effective date of July 1, 2024.

## II. FISCAL ANALYSIS & ECONOMIC IMPACT STATEMENT

#### A. FISCAL IMPACT ON STATE GOVERNMENT:

##### 1. Revenues:

None.

##### 2. Expenditures:

None.

#### B. FISCAL IMPACT ON LOCAL GOVERNMENTS:

##### 1. Revenues:

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<sup>7</sup> Gift of Life Donor Program, *Get the Facts*, <https://www.donors1.org/learn-about-organ-donation/who-can-donate/get-the-facts/#:~:text=One%20organ%20donor%20can%20save,are%20waiting%20for%20a%20kidney>. (last visited Jan. 16, 2024).

<sup>8</sup> LifeSource Organ, Eye and Tissue Donation, *How are Organs Transported for Transplant*, (Sep. 22, 2020), <https://www.life-source.org/latest/how-are-organs-transported-for-transplant/#:~:text=Transportation%20often%20depends%20on%20the,time%2C%20so%20every%20minute%20counts>. (last visited Jan. 16, 2024).

<sup>9</sup> *Id.*

None.

2. Expenditures:

None.

C. DIRECT ECONOMIC IMPACT ON PRIVATE SECTOR:

Indeterminate. The bill does not require private entities that transport organs or surgical teams for organ recovery to retrofit their vehicles to display emergency lights and operate sirens. However, where vehicles are retrofitted with emergency lights and sirens, the bill may positively impact the speed and efficiency with which organs and surgical teams are transported and may, therefore, ultimately help save lives.

D. FISCAL COMMENTS:

None.

### III. COMMENTS

A. CONSTITUTIONAL ISSUES:

1. Applicability of Municipality/County Mandates Provision:

Not Applicable. This bill does not appear to affect county or municipal governments.

2. Other:

None.

B. RULE-MAKING AUTHORITY:

The bill neither authorizes nor requires executive branch rulemaking.

C. DRAFTING ISSUES OR OTHER COMMENTS:

None.

### IV. AMENDMENTS/COMMITTEE SUBSTITUTE CHANGES

On January 19, 2024, the Transportation & Modals Subcommittee considered one amendment, which was adopted, and reported the bill favorably as a committee substitute. The amendment:

- Clarifies who designates the organ transport vehicles such that the vehicles are authorized to display emergency lights and sirens;
- Specifies permissible colors for the emergency lights; and
- Amends s. 316.271, F.S., in order to provide for use of sirens on organ transport vehicles.

The analysis is drafted to the committee substitute as approved by the Transportation & Modals Subcommittee.