

## HOUSE OF REPRESENTATIVES STAFF ANALYSIS

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

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

**TIED BILLS:** **IDEN./SIM. BILLS:** CS/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	24 Y, 0 N, As CS	Walker	Harrington

### SUMMARY ANALYSIS

Under Florida law, authorized emergency vehicles are vehicles of the fire department (fire patrol), police vehicles, and such ambulances and emergency vehicles of municipal 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, 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.

Authorized emergency vehicles, except when otherwise directed by a police officer, may, park or stand, irrespective of the traffic laws provided in ch. 316, F.S.; proceed past a red or stop signal or stop sign, but only after slowing down as may be necessary for safe operation; exceed the maximum speed limits so long as the driver does not endanger life or property; and disregard regulations governing direction or movement or turning in specified directions, so long as the driver does not endanger life or property. Additionally, authorized emergency vehicles may show or display emergency lights and operate sirens while en route to an emergency.

The bill:

- Amends the definition of authorized emergency vehicles to include organ transport vehicles and makes other conforming changes to the term;
- Defines organ transport vehicle as 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;
- Requires that an operator of an organ transplant vehicle must have completed a 16-hour emergency vehicle operator course;
- Provides that an authorized emergency vehicle when transporting organs or surgical teams for organ donation or transplant while en route to a hospital, an airport, or other designated location may exercise the current law privileges available to authorized emergency vehicles to bypass certain uniform traffic safety laws; and
- Provides that organ transport vehicles may show or display red lights or display and use red warning signals while transporting organs or surgical teams for organ donation or transplant while in route to a hospital, an airport, or other designated location.

The bill will have an indeterminate fiscal impact on the state and local government and the private sector.

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

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

**A. EFFECT OF PROPOSED CHANGES:**

**Background**

Authorized Emergency Vehicles

Under Florida law, authorized emergency vehicles are vehicles of the fire department (fire patrol), police vehicles, and such ambulances and emergency vehicles of municipal 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, 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.<sup>1</sup>

The following drivers of authorized emergency vehicles, except when otherwise directed by a police officer, may park or stand, irrespective of the uniform traffic laws provided in ch. 316, F.S.; proceed past a red or stop signal or stop sign, but only after slowing down as may be necessary for safe operation; exceed the maximum speed limits so long as the driver does not endanger life or property; and disregard regulations governing direction or movement or turning in specified directions, so long as the driver does not endanger life or property:

- A driver of an authorized emergency vehicle, when responding to an emergency call, 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;
- 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; or
- The driver of an authorized law enforcement vehicle, when conducting a nonemergency escort, to warn the public of an approaching motorcade.<sup>2</sup>

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>3</sup>

Blue lights may only be shown or displayed on:<sup>4</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>5</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.

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<sup>1</sup> S. 316.003(1), F.S.

<sup>2</sup> S. 316.072(5), F.S.

<sup>3</sup> S. 316.2397(1), F.S.

<sup>4</sup> S. 316.2397(2), F.S.

<sup>5</sup> S. 316.2397(3) and (9), F.S.

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>6</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>7</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>8</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.

### 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>9</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>10</sup> Organ transportation is most commonly achieved through ground or air transportation.<sup>11</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 amends the definition of authorized emergency vehicles to include organ transport vehicles. The bill also clarifies that the term includes emergency vehicles of county departments and vehicles operated by the Department of Agriculture and Consumer Services (DACCS).

The bill defines organ transport vehicle as 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. The bill requires that an operator of an organ transport vehicle must have completed a 16-hour emergency vehicle operator course.

The bill provides that an authorized emergency vehicle when transporting organs or surgical teams for organ donation or transplant while en route to a hospital, an airport, or other designated location may exercise the privilege to, except when otherwise directed by a police officer, park or stand, irrespective of the uniform traffic laws provided in ch. 316, F.S.; proceed past a red or stop signal or stop sign, but

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

<sup>7</sup> S. 316.271(4), F.S.

<sup>8</sup> Ss. 316.2397(3) and 316.271(6), F.S.

<sup>9</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>10</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>11</sup> *Id.*

only after slowing down as may be necessary for safe operation; exceed the maximum speed limits so long as the driver does not endanger life or property; and disregard regulations governing direction or movement or turning in specified directions, so long as the driver does not endanger life or property.

The bill provides that authorized emergency vehicles may operate emergency lights and sirens in an emergency. Additionally, the bill provides that organ transport vehicles may show or display red lights and may display or use red warning signals while transporting organs or surgical teams for organ donation or transplant while en route to a hospital, an airport, or other designated location.

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

**B. SECTION DIRECTORY:**

**Section 1** Amends 316.003, F.S., relating to definitions.

**Section 2** Amends 316.072, F.S., relating to obedience to and effect of traffic laws.

**Section 3** Amends s. 316.2397, F.S., relating to certain lights prohibited; exceptions.

**Section 4** Amends s. 316.2398, F.S., relating to display or use of red or red and white warning signals; motor vehicles of volunteer firefighters or medical staff.

**Section 5** Amends s. 316.271, F.S., relating to horns and warning devices.

**Section 6** Amends s. 316.306, F.S., relating to school and work zones; prohibition on the use of a wireless communication device in a handheld manner.

**Section 7** Amends s. 655.960, F.S., relating to definitions.

**Section 8** 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:

Indeterminate. The bill does not require DACS to retrofit their vehicles to display emergency lights and operate signals. However, where such vehicles are retrofitted with emergency lights and sirens, DACS may incur costs.

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

1. Revenues:

None.

2. Expenditures:

Indeterminate. The bill does not require county departments to retrofit their emergency vehicles to display emergency lights and operate signals. However, where such vehicles are retrofitted with emergency lights and sirens, county departments may incur costs.

**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 require counties or municipalities to spend funds or take action requiring the expenditures of funds; reduce the authority that counties or municipalities have to raise revenues in the aggregate; or reduce the percentage of state tax shared with counties or municipalities.

**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.

On January 30, 2024, the Infrastructure Strategies Committee considered one strike all amendment, which was adopted, and reported the bill favorably as a committee substitute. The amendment:

- Amends the definition of authorized emergency vehicles to include organ transport vehicles and makes other conforming changes to the term;
- Defines organ transport vehicle as 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;
- Requires that an operator of an organ transplant vehicle must have completed a 16-hour emergency vehicle operator course;
- Provides that an authorized emergency vehicle when transporting organs or surgical teams for organ donation or transplant while en route to a hospital, an airport, or other designated location may exercise the current law privileges available to authorized emergency vehicles to bypass certain uniform traffic safety laws;
- Provides that authorized emergency vehicles may operate emergency lights and sirens in an emergency; and

- Provides that organ transport vehicles may show or display red lights and display or use red warning signals while transporting organs or surgical teams for organ donation or transplant while in route to a hospital, an airport, or other designated location.

The analysis is drafted to the committee substitute as approved by the Infrastructure Strategies Committee.