

## HOUSE OF REPRESENTATIVES STAFF FINAL BILL ANALYSIS

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

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

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

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**FINAL HOUSE FLOOR ACTION:** 117 Y's

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**GOVERNOR'S ACTION:** Approved

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### SUMMARY ANALYSIS

CS/CS/HB 1113 passed the House on February 22, 2024, and subsequently passed the Senate on March 4, 2024.

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, emergency management vehicles, emergency vehicles of county departments, and vehicles operated by the Department of Agriculture and Consumer Services;
- 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 and may 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 bill will have an indeterminate fiscal impact on the state and local government and the private sector.

The bill was approved by the Governor on March 22, 2024, ch. 2024-34, L.O.F., and will become effective on July 1, 2024.

## I. SUBSTANTIVE INFORMATION

### A. EFFECT OF 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.

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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.

- 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>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 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 management vehicles, emergency vehicles of county departments, and vehicles operated by the Department of Agriculture and Consumer Services (DACS).

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

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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 Mar. 4, 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 Mar. 4, 2024).

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

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 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.

## **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.

