

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 Committee on Transportation

BILL: SB 1164

INTRODUCER: Senator Burton

SUBJECT: Use of Lights and Sirens on Emergency Vehicles

DATE: January 29, 2024

REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	Johnson	Vickers	TR	Pre-meeting
2.			CA	
3.			RC	

I. Summary:

SB 1164 authorizes vehicles designated as emergency vehicles for the sole purpose of transporting organs and surgical teams for organ recovery and transplant to operate emergency lights and sirens while en route to a hospital, an airport, or other designated location. The bill requires operators of such vehicles to be licensed as a provider of advanced life support services or basic life support transportation services and be licensed to drive such emergency vehicle.

The bill takes effect July 1, 2024.

II. Present Situation:

Organ Transport and Donation

According to organ donation advocacy organizations, one organ donor can save up to eight lives, and on average, 17 people die each day while waiting for an organ transplant.¹ Once recovered from donors, life-saving organs 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.² Organ transportation is most commonly achieved through ground or air transportation.³

¹ 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 January 18, 2024).

² 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 January 18, 2024).

³ *Id.*

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

Authorized Lights on Specified Vehicles

Under Florida law, a person may not drive or move or cause to be moved any vehicle or equipment upon any highway within this state 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 as provided in s. 316.2397, F.S.⁴

Section 316.2397(3), F.S., provides that vehicles of the fire department and fire patrol, including vehicles of volunteer firefighters⁵ may show or display red or red and white lights. Vehicles of medical staff physicians or technicians of medical facilities licensed by the state or of volunteer ambulance services,⁶ ambulance, and buses and taxicabs⁷ may show or display red lights.

The following vehicles may operate emergency lights and sirens in an emergency:

- Vehicles of the fire department or fire patrol;
- Police vehicles;
- 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.⁸

A violation of is a noncriminal traffic infraction, punishable as a nonmoving violation.⁹ The statutory base fine is \$30, but with additional fees and court costs, the total fine may be up to \$108.¹⁰

III. Effect of Proposed Changes:

The bill provides that vehicles designated as emergency vehicles for the sole purpose of transporting organs and surgical teams for organ recovery and transplant may operate emergency lights and sirens while en route to a hospital, an airport, or other designated location. Such

⁴ Section 316.2397(1), F.S.

⁵ This is as permitted under s. 316.2398, F.S., relating to the display or use of red or red and white warning signals.

⁶ This is as authorized under s. 316.2398, F.S.

⁷ This is as authorized under s. 316.2399, F.S., relating to special warning lights for buses or taxicabs.

⁸ Section 316.2397(3), F.S.

⁹ Section 316.2397(10)(b), F.S.

¹⁰ Florida Association of Clerks of Court, *2023 Distribution Schedule*, p. 39.

https://cdn.ymaws.com/www.flclerks.com/resource/resmgr/publicationsanddocuments/2023_Distribution_Schedule_e.pdf
(last visited January 18, 2024).

vehicles include, but are not limited to, dedicated and marked vehicles operated by organ procurement organizations, transplant centers, or their contracted service providers. Operators of such emergency vehicles must be licensed as a provider of prehospita1 or interfaculty advanced life support or basic life support transportation services and licensed to drive such emergency vehicle.

The bill takes effect July 1, 2024.

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.

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:

The bill does not designate organ transport vehicles as “authorized emergency vehicles” under ch. 316, F.S., relating to state uniform traffic control. Therefore, organ transport vehicles are still required to obey traffic laws, and are not provided authority as authorized emergency vehicles are to, for example, proceed past a red light or to exceed the maximum speed limit.¹¹

VIII. Statutes Affected:

This bill substantially amends section 316.2397 of the Florida Statutes.

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

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

None.

B. Amendments:

None.

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

¹¹ See s. 316.072(5), F.S.