1 A bill to be entitled
2 An act relating to volunteer ambulance services;
3 amending s. 316.003, F.S.; revising the definition of
4 the term "authorized emergency vehicles" and defining
5 the term "volunteer ambulance service"; amending s.
6 316.072, F.S.; authorizing certain medical staff of a
7 volunteer ambulance service to use red lights on a
8 privately owned vehicle under certain circumstances;
9 amending s. 316.2397, F.S.; authorizing vehicles of
10 volunteer ambulance services to show or display red
11 lights and operate emergency lights and sirens under
12 certain circumstances; amending s. 316.2398, F.S.;
13 authorizing privately owned vehicles belonging to
14 certain medical staff of a volunteer ambulance service
15 to display or use red warning signals under certain
16 circumstances; conforming a provision to changes made
17 by the act; prohibiting certain medical staff of
18 volunteer ambulance services from operating red
19 warning signals when not responding to an emergency in
20 the line of duty; amending s. 401.211, F.S.; revising
21 legislative intent; amending s. 401.23, F.S.; defining
22 the terms "volunteer ambulance service" and "volunteer
23 first responder agency"; amending s. 401.25, F.S.;
24 exempting volunteer first responder agencies from
25 certificate of public convenience and necessity

26 requirements; providing that county and municipal
27 governments may not limit, prohibit, or prevent
28 volunteer ambulance services from responding to
29 emergencies or providing emergency medical services or
30 transport within their respective jurisdictions;
31 prohibiting county and municipal governments from
32 requiring volunteer ambulance services to obtain a
33 license or certificate or pay a fee to provide
34 ambulance or air ambulance services within their
35 respective jurisdictions, with an exception; amending
36 s. 316.306, F.S.; conforming a cross-reference;
37 providing an effective date.
38
39 Be It Enacted by the Legislature of the State of Florida:
40
41 Section 1. Present subsection (105) of section 316.003,
42 Florida Statutes, is redesignated as subsection (106), a new
43 subsection (105) is added to that section, and subsection (1) of
44 that section is amended, to read:
45 316.003 Definitions.—The following words and phrases, when
46 used in this chapter, shall have the meanings respectively
47 ascribed to them in this section, except where the context
48 otherwise requires:
49 (1) AUTHORIZED EMERGENCY VEHICLES.—Vehicles of the fire
50 department (fire patrol), police vehicles, and such ambulances

51 and emergency vehicles of municipal departments, volunteer
52 ambulance services, public service corporations operated by
53 private corporations, the Fish and Wildlife Conservation
54 Commission, the Department of Environmental Protection, the
55 Department of Health, the Department of Transportation, and the
56 Department of Corrections as are designated or authorized by
57 their respective departments ~~department~~ or the chief of police
58 of an incorporated city or any sheriff of any of the various
59 counties.
60 (105) VOLUNTEER AMBULANCE SERVICE.—A faith-based, not-for-
61 profit corporation registered under chapter 617 which is
62 licensed by the department as a basic life support service or an
63 advanced life support service and which has no for-profit
64 subsidiaries, uses volunteers to provide services, is not
65 operating for pecuniary profit or financial gain, and does not
66 distribute to or inure to the benefit of its directors, members,
67 or officers any part of its assets or income.
68 Section 2. Paragraph (a) of subsection (5) of section
69 316.072, Florida Statutes, is amended to read:
70 316.072 Obedience to and effect of traffic laws.—
71 (5) AUTHORIZED EMERGENCY VEHICLES.—
72 (a)1. The driver of an authorized emergency vehicle, when
73 responding to an emergency call, when in the pursuit of an
74 actual or suspected violator of the law, or when responding to a
75 fire alarm, but not upon returning from a fire;

76 2. A medical staff physician or technician of a medical
77 facility or a volunteer ambulance service licensed by the state
78 when responding to an emergency in the line of duty in his or
79 her privately owned vehicle, using red lights as authorized in
80 s. 316.2398; or
81 3. The driver of an authorized law enforcement vehicle,
82 when conducting a nonemergency escort, to warn the public of an
83 approaching motorcade;
84
85 may exercise the privileges set forth in this section, but
86 subject to the conditions herein stated.
87 Section 3. Subsection (3) of section 316.2397, Florida
88 Statutes, is amended to read:
89 316.2397 Certain lights prohibited; exceptions.—
90 (3) Vehicles of the fire department and fire patrol,
91 including vehicles of volunteer firefighters as permitted under
92 s. 316.2398, may show or display red or red and white lights.
93 Vehicles of medical staff physicians or technicians of medical
94 facilities or volunteer ambulance services licensed by the state
95 as authorized under s. 316.2398, ambulances as authorized under
96 this chapter, and buses and taxicabs as authorized under s.
97 316.2399 may show or display red lights. Vehicles of the fire
98 department, fire patrol, police vehicles, and such ambulances
99 and emergency vehicles of municipal and county departments,
100 volunteer ambulance services, public service corporations

101 operated by private corporations, the Fish and Wildlife
102 Conservation Commission, the Department of Environmental
103 Protection, the Department of Transportation, the Department of
104 Agriculture and Consumer Services, and the Department of
105 Corrections as are designated or authorized by their respective
106 department or the chief of police of an incorporated city or any
107 sheriff of any county may operate emergency lights and sirens in
108 an emergency. Wreckers, mosquito control fog and spray vehicles,
109 and emergency vehicles of governmental departments or public
110 service corporations may show or display amber lights when in
111 actual operation or when a hazard exists provided they are not
112 used going to and from the scene of operation or hazard without
113 specific authorization of a law enforcement officer or law
114 enforcement agency. Wreckers must use amber rotating or flashing
115 lights while performing recoveries and loading on the roadside
116 day or night, and may use such lights while towing a vehicle on
117 wheel lifts, slings, or under reach if the operator of the
118 wrecker deems such lights necessary. A flatbed, car carrier, or
119 rollback may not use amber rotating or flashing lights when
120 hauling a vehicle on the bed unless it creates a hazard to other
121 motorists because of protruding objects. Further, escort
122 vehicles may show or display amber lights when in the actual
123 process of escorting overdimensioned equipment, material, or
124 buildings as authorized by law. Vehicles owned or leased by
125 private security agencies may show or display green and amber

126 lights, with either color being no greater than 50 percent of
127 the lights displayed, while the security personnel are engaged
128 in security duties on private or public property.
129 Section 4. Subsections (1), (2), and (4) of section
130 316.2398, Florida Statutes, are amended to read:
131 316.2398 Display or use of red or red and white warning
132 signals; motor vehicles of volunteer firefighters or medical
133 staff.—
134 (1) A privately owned vehicle belonging to an active
135 firefighter member of a regularly organized volunteer
136 firefighting company or association, while en route to the fire
137 station for the purpose of proceeding to the scene of a fire or
138 other emergency or while en route to the scene of a fire or
139 other emergency in the line of duty as an active firefighter
140 member of a regularly organized firefighting company or
141 association, may display or use red or red and white warning
142 signals. A privately owned vehicle belonging to a medical staff
143 physician or technician of a medical facility <u>or a volunteer</u>
144 <u>ambulance service</u> licensed by the state, while responding to an
145 emergency in the line of duty, may display or use red warning
146 signals. Warning signals must be visible from the front and from
147 the rear of such vehicle, subject to the following restrictions
148 and conditions:
149 (a) No more than two red or red and white warning signals
150 may be displayed.

151 (b) No inscription of any kind may appear across the face
152 of the lens of the red or red and white warning signal.
153 (c) In order for an active volunteer firefighter to
154 display such red or red and white warning signals on his or her
155 vehicle, the volunteer firefighter must first secure a written
156 permit from the chief executive officers of the firefighting
157 organization to use the red or red and white warning signals,
158 and this permit must be carried by the volunteer firefighter at
159 all times while the red or red and white warning signals are
160 displayed.
161 (2) A person who is not an active firefighter member of a
162 regularly organized volunteer firefighting company or
163 association or a physician or technician of the medical staff of
164 a medical facility <u>or a volunteer ambulance service</u> licensed by
165 the state may not display on any motor vehicle owned by him or
166 her, at any time, any red or red and white warning signals as
167 described in subsection (1).
168 (4) A physician or technician of the medical staff of a
169 medical facility <u>or a volunteer ambulance service</u> may not
170 operate any red warning signals as authorized in subsection (1),
171 except when responding to an emergency in the line of duty.
172 Section 5. Section 401.211, Florida Statutes, is amended
173 to read:
174 401.211 Legislative intent.—The Legislature recognizes
175 that the systematic provision of emergency medical services

176 saves lives and reduces disability associated with illness and
177 injury. In addition, that system of care must be equally capable
178 of assessing, treating, and transporting children, adults, and
179 frail elderly persons. Further, it is the intent of the
180 Legislature to encourage the development and maintenance of
181 emergency medical services because such services are essential
182 to the health and well-being of all citizens of the state. The
183 Legislature finds that it is in the public interest to foster
184 the development of emergency medical services that address
185 religious sensitivities. In accordance with the Florida
186 Volunteer and Community Service Act of 2001, the Legislature
187 further recognizes the value of augmenting existing county and
188 municipal emergency medical services with those provided by
189 volunteer service organizations. The Legislature also recognizes
190 that the establishment of a comprehensive statewide injury-
191 prevention program supports state and community health systems
192 by further enhancing the total delivery system of emergency
193 medical services and reduces injuries for all persons. The
194 purpose of this part is to protect and enhance the public
195 health, welfare, and safety through the establishment of an
196 emergency medical services state plan, an advisory council, a
197 comprehensive statewide injury-prevention program, minimum
198 standards for emergency medical services personnel, vehicles,
199 services and medical direction, and the establishment of a
200 statewide inspection program created to monitor the quality of

201 patient care delivered by each licensed service and
202 appropriately certified personnel.
203 Section 6. Subsections (22) and (23) are added to section
204 401.23, Florida Statutes, to read:
205 401.23 Definitions.—As used in this part, the term:
206 (22) "Volunteer ambulance service" means a faith-based,
207 not-for-profit corporation registered under chapter 617 which is
208 licensed by the department as a basic life support service or an
209 advanced life support service and which has no for-profit
210 subsidiaries, uses volunteers to provide services, is not
211 operating for pecuniary profit or financial gain, and does not
212 distribute to or inure to the benefit of its directors, members,
213 or officers any part of its assets or income.
214 (23) "Volunteer first responder agency" means a first
215 responder agency as defined in s. 401.435(2) which is a faith-
216 based, not-for-profit corporation registered under chapter 617,
217 has been operating in this state for at least 10 consecutive
218 years, has no for-profit subsidiaries, uses volunteers to
219 provide services, is not operating for pecuniary profit or
220 financial gain, and does not distribute to or inure to the
221 benefit of its directors, members, or officers any part of its
222 assets or income.
223 Section 7. Paragraph (d) of subsection (2) and subsection
224 (6) of section 401.25, Florida Statutes, are amended to read:
225 401.25 Licensure as a basic life support or an advanced

226 life support service.—
227 (2) The department shall issue a license for operation to
228 any applicant who complies with the following requirements:
229 (d) The applicant has obtained a certificate of public
230 convenience and necessity from each county in which the
231 applicant will operate. In issuing the certificate of public
232 convenience and necessity, the governing body of each county
233 shall consider the recommendations of municipalities within its
234 jurisdiction. An applicant that is a volunteer first responder
235 agency is exempt from this requirement.
236 (6)(a) The governing body of each county may adopt
237 ordinances that provide reasonable standards for certificates of
238 public convenience and necessity for basic or advanced life
239 support services and air ambulance services. In developing
240 standards for certificates of public convenience and necessity,
241 the governing body of each county must consider state
242 guidelines, recommendations of the local or regional trauma
243 agency created under chapter 395, and the recommendations of
244 municipalities within its jurisdiction.
245 (b) A county or municipal government may not limit,
246 prohibit, or prevent a volunteer ambulance service from
247 responding to an emergency or from providing emergency medical
248 services or transport within its jurisdiction.
249 (c) A county or municipal government may not require a
250 volunteer ambulance service to obtain a license or certificate

251 or pay a fee to provide ambulance or air ambulance services
252 within its jurisdiction, except that a county or municipal
253 government may impose, collect, or enforce payment of any
254 occupational license tax authorized by law.
255 Section 8. Paragraph (a) of subsection (3) of section
256 316.306, Florida Statutes, is amended to read:
257 316.306 School and work zones; prohibition on the use of a
258 wireless communications device in a handheld manner.—
259 (3)(a)1. A person may not operate a motor vehicle while
260 using a wireless communications device in a handheld manner in a
261 designated school crossing, school zone, or work zone area as
262 defined in s. 316.003(106) ~~s. 316.003(105)~~. This subparagraph
263 shall only be applicable to work zone areas if construction
264 personnel are present or are operating equipment on the road or
265 immediately adjacent to the work zone area. For the purposes of
266 this paragraph, a motor vehicle that is stationary is not being
267 operated and is not subject to the prohibition in this
268 paragraph.
269 2.a. During the period from October 1, 2019, through
270 December 31, 2019, a law enforcement officer may stop motor
271 vehicles to issue verbal or written warnings to persons who are
272 in violation of subparagraph 1. for the purposes of informing
273 and educating such persons of this section. This sub-
274 subparagraph shall stand repealed on October 1, 2020.
275 b. Effective January 1, 2020, a law enforcement officer

276 may stop motor vehicles and issue citations to persons who are
277 driving while using a wireless communications device in a
278 handheld manner in violation of subparagraph 1.
279 Section 9. This act shall take effect July 1, 2021.