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LEGISLATIVE ACTION

Senate

House

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03/09/2012 11:46 AM

Senator Negron moved the following:

Senate Amendment (with title amendment)

Delete everything after the enacting clause
and insert:

Section 1. Vehicles equipped with autonomous technology;
intent.-

(1) As used in this section, the term "autonomous
technology" means technology installed on a motor vehicle that
has the capability to drive the vehicle on which the technology
is installed without the active control or monitoring by a human
operator. The term excludes a motor vehicle enabled with active
safety systems or driver assistance systems, including, without
limitation, a system to provide electronic blind spot



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14 assistance, crash avoidance, emergency braking, parking
15 assistance, adaptive cruise control, lane keep assistance, lane
16 departure warning, or traffic jam and queuing assistant, unless
17 any such system alone or in combination with other systems
18 enables the vehicle on which the technology is installed to
19 drive without the active control or monitoring by a human
20 operator.

21 (2) It is the intent of the Legislature to encourage the
22 safe development, testing, and operation of motor vehicles with
23 autonomous technology on the public roads of the state. The
24 Legislature finds that the state does not prohibit or
25 specifically regulate the testing or operation of autonomous
26 technology in motor vehicles on public roads.

27 Section 2. Subsection (89) is added to section 316.003,
28 Florida Statutes, to read:

29 316.003 Definitions.—The following words and phrases, when
30 used in this chapter, shall have the meanings respectively
31 ascribed to them in this section, except where the context
32 otherwise requires:

33 (89) AUTONOMOUS VEHICLE.—Any vehicle equipped with
34 autonomous technology. The term "autonomous technology" means
35 technology installed on a motor vehicle that has the capability
36 to drive the vehicle on which the technology is installed
37 without the active control or monitoring by a human operator.
38 The term excludes a motor vehicle enabled with active safety
39 systems or driver assistance systems, including, without
40 limitation, a system to provide electronic blind spot
41 assistance, crash avoidance, emergency braking, parking
42 assistance, adaptive cruise control, lane keep assistance, lane



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43 departure warning, or traffic jam and queuing assistant, unless
44 any such system alone or in combination with other systems
45 enables the vehicle on which the technology is installed to
46 drive without the active control or monitoring by a human
47 operator.

48 Section 3. Section 316.85, Florida Statutes, is created to
49 read:

50 316.85 Autonomous vehicles; operation.—

51 (1) A person who possesses a valid driver license may
52 operate an autonomous vehicle in autonomous mode.

53 (2) For purposes of this chapter, unless the context
54 otherwise requires, a person shall be deemed to be the operator
55 of an autonomous vehicle operating in autonomous mode when the
56 person causes the vehicle's autonomous technology to engage,
57 regardless of whether the person is physically present in the
58 vehicle while the vehicle is operating in autonomous mode.

59 Section 4. Section 319.145, Florida Statutes, is created to
60 read:

61 319.145 Autonomous vehicles.—

62 (1) An autonomous vehicle registered in this state must
63 continue to meet federal standards and regulations for a motor
64 vehicle. The vehicle shall:

65 (a) Have a means to engage and disengage the autonomous
66 technology which is easily accessible to the operator.

67 (b) Have a means, inside the vehicle, to visually indicate
68 when the vehicle is operating in autonomous mode.

69 (c) Have a means to alert the operator of the vehicle if a
70 technology failure affecting the ability of the vehicle to
71 safely operate autonomously is detected while the vehicle is



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72 operating autonomously in order to indicate to the operator to
73 take control of the vehicle.

74 (d) Be capable of being operated in compliance with the
75 applicable traffic and motor vehicle laws of this state.

76 (2) Federal regulations promulgated by the National Highway
77 Traffic Safety Administration shall supersede this section when
78 found to be in conflict with this section.

79 Section 5. (1) Vehicles equipped with autonomous technology
80 may be operated on roads in this state by employees,
81 contractors, or other persons designated by manufacturers of
82 autonomous technology for the purpose of testing the technology.
83 For testing purposes, a human operator shall be present in the
84 autonomous vehicle such that he or she has the ability to
85 monitor the vehicle's performance and intervene, if necessary,
86 unless the vehicle is being tested or demonstrated on a closed
87 course. Prior to the start of testing in this state, the entity
88 performing the testing must submit to the Department of Highway
89 Safety and Motor Vehicles an instrument of insurance, surety
90 bond, or proof of self-insurance acceptable to the department in
91 the amount of \$5 million.

92 (2) The original manufacturer of a vehicle converted by a
93 third party into an autonomous vehicle shall not be liable in,
94 and shall have a defense to and be dismissed from, any legal
95 action brought against the original manufacturer by any person
96 injured due to an alleged vehicle defect caused by the
97 conversion of the vehicle, or by equipment installed by the
98 converter, unless the alleged defect was present in the vehicle
99 as originally manufactured.

100 (3) By February 12, 2014, the Department of Highway Safety



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101 and Motor Vehicles shall submit a report to the President of the
102 Senate and the Speaker of the House of Representatives
103 recommending additional legislative or regulatory action that
104 may be required for the safe testing and operation of motor
105 vehicles equipped with autonomous technology.

106 Section 6. This act shall take effect July 1, 2012.

107
108 ===== T I T L E A M E N D M E N T =====

109 And the title is amended as follows:

110 Delete everything before the enacting clause
111 and insert:

112 A bill to be entitled
113 An act relating to vehicles with autonomous
114 technology; defining the term "autonomous technology";
115 providing legislative intent and findings; amending s.
116 316.003, F.S.; defining the terms "autonomous vehicle"
117 and "autonomous technology" when used in provisions
118 for traffic control; creating s. 316.85, F.S.;
119 authorizing a person who possesses a valid driver
120 license to operate an autonomous vehicle; specifying
121 that the person who causes the vehicle's autonomous
122 technology to engage is the operator; creating s.
123 319.145, F.S.; requiring an autonomous vehicle
124 registered in this state to meet federal standards and
125 regulations for a motor vehicle; specifying certain
126 requirements for such vehicle; providing for the
127 application of certain federal regulations;
128 authorizing the operation of vehicles equipped with
129 autonomous technology by certain persons for testing



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130 purposes under certain conditions; requiring an
131 instrument of insurance, surety bond, or self-
132 insurance prior to the testing of a vehicle; limiting
133 liability of the original manufacturer of a vehicle
134 converted to an autonomous vehicle; directing the
135 Department of Highway Safety and Motor Vehicles to
136 prepare a report on the safe testing and operation of
137 vehicles equipped with autonomous technology and
138 submit the report to the Legislature by a certain
139 date; providing an effective date.