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CS/HB 1207, Engrossed 1

2012 Legislature

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2 An act relating to vehicles with autonomous
3 technology; defining the term "autonomous technology";
4 providing legislative intent and findings; amending s.
5 316.003, F.S.; defining the terms "autonomous vehicle"
6 and "autonomous technology" when used in provisions
7 for traffic control; creating s. 316.85, F.S.;
8 authorizing a person who possesses a valid driver
9 license to operate an autonomous vehicle; specifying
10 that the person who causes the vehicle's autonomous
11 technology to engage is the operator; creating s.
12 319.145, F.S.; requiring an autonomous vehicle
13 registered in this state to meet federal standards and
14 regulations for a motor vehicle; specifying certain
15 requirements for such vehicle; providing for the
16 application of certain federal regulations;
17 authorizing the operation of vehicles equipped with
18 autonomous technology by certain persons for testing
19 purposes under certain conditions; requiring an
20 instrument of insurance, surety bond, or self-
21 insurance prior to the testing of a vehicle; limiting
22 liability of the original manufacturer of a vehicle
23 converted to an autonomous vehicle; directing the
24 department to prepare a report on the safe testing and
25 operation of vehicles equipped with autonomous
26 technology and submit the report to the Legislature by
27 a certain date; providing an effective date.
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29 Be It Enacted by the Legislature of the State of Florida:

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31 Section 1. Vehicles equipped with autonomous technology;
 32 intent.—

33 (1) As used in this section, the term "autonomous
 34 technology" means technology installed on a motor vehicle that
 35 has the capability to drive the vehicle on which the technology
 36 is installed without the active control or monitoring by a human
 37 operator. The term excludes a motor vehicle enabled with active
 38 safety systems or driver assistance systems, including, without
 39 limitation, a system to provide electronic blind spot
 40 assistance, crash avoidance, emergency braking, parking
 41 assistance, adaptive cruise control, lane keep assistance, lane
 42 departure warning, or traffic jam and queuing assistant, unless
 43 any such system alone or in combination with other systems
 44 enables the vehicle on which the technology is installed to
 45 drive without the active control or monitoring by a human
 46 operator.

47 (2) It is the intent of the Legislature to encourage the
 48 safe development, testing, and operation of motor vehicles with
 49 autonomous technology on the public roads of the state. The
 50 Legislature finds that the state does not prohibit or
 51 specifically regulate the testing or operation of autonomous
 52 technology in motor vehicles on public roads.

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

55 316.003 Definitions.—The following words and phrases, when
 56 used in this chapter, shall have the meanings respectively

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57 ascribed to them in this section, except where the context
58 otherwise requires:

59 (89) AUTONOMOUS VEHICLE.—Any vehicle equipped with
60 autonomous technology. The term "autonomous technology" means
61 technology installed on a motor vehicle that has the capability
62 to drive the vehicle on which the technology is installed
63 without the active control or monitoring by a human operator.
64 The term excludes a motor vehicle enabled with active safety
65 systems or driver assistance systems, including, without
66 limitation, a system to provide electronic blind spot
67 assistance, crash avoidance, emergency braking, parking
68 assistance, adaptive cruise control, lane keep assistance, lane
69 departure warning, or traffic jam and queuing assistant, unless
70 any such system alone or in combination with other systems
71 enables the vehicle on which the technology is installed to
72 drive without the active control or monitoring by a human
73 operator.

74 Section 3. Section 316.85, Florida Statutes, is created to
75 read:

76 316.85 Autonomous vehicles; operation.—

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

79 (2) For purposes of this chapter, unless the context
80 otherwise requires, a person shall be deemed to be the operator
81 of an autonomous vehicle operating in autonomous mode when the
82 person causes the vehicle's autonomous technology to engage,
83 regardless of whether the person is physically present in the
84 vehicle while the vehicle is operating in autonomous mode.

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85 Section 4. Section 319.145, Florida Statutes, is created
 86 to read:

87 319.145 Autonomous vehicles.—

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

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

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

95 (c) Have a means to alert the operator of the vehicle if a
 96 technology failure affecting the ability of the vehicle to
 97 safely operate autonomously is detected while the vehicle is
 98 operating autonomously in order to indicate to the operator to
 99 take control of the vehicle.

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

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

105 Section 5. (1) Vehicles equipped with autonomous
 106 technology may be operated on roads in this state by employees,
 107 contractors, or other persons designated by manufacturers of
 108 autonomous technology for the purpose of testing the technology.
 109 For testing purposes, a human operator shall be present in the
 110 autonomous vehicle such that he or she has the ability to
 111 monitor the vehicle's performance and intervene, if necessary,
 112 unless the vehicle is being tested or demonstrated on a closed

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113 course. Prior to the start of testing in this state, the entity
114 performing the testing must submit to the Department of Highway
115 Safety and Motor Vehicles an instrument of insurance, surety
116 bond, or proof of self-insurance acceptable to the department in
117 the amount of \$5 million.

118 (2) The original manufacturer of a vehicle converted by a
119 third party into an autonomous vehicle shall not be liable in,
120 and shall have a defense to and be dismissed from, any legal
121 action brought against the original manufacturer by any person
122 injured due to an alleged vehicle defect caused by the
123 conversion of the vehicle, or by equipment installed by the
124 converter, unless the alleged defect was present in the vehicle
125 as originally manufactured.

126 (3) By February 12, 2014, the Department of Highway Safety
127 and Motor Vehicles shall submit a report to the President of the
128 Senate and the Speaker of the House of Representatives
129 recommending additional legislative or regulatory action that
130 may be required for the safe testing and operation of motor
131 vehicles equipped with autonomous technology.

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