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LEGISLATIVE ACTION

Senate

House

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Floor: WD

03/09/2012 04:40 PM

Senator Dean moved the following:

Senate Amendment (with title amendment)

Between lines 41 and 42

insert:

Section 1. Paragraph (a) of subsection (5) of section 20.23, Florida Statutes, is amended to read:

20.23 Department of Transportation.—There is created a Department of Transportation which shall be a decentralized agency.

(5) (a) The operations of the department shall be organized into seven districts, each headed by a district secretary, and a turnpike enterprise and a rail enterprise, each enterprise headed by an executive director. The district secretaries and



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14 the executive directors shall be registered professional
15 engineers in accordance with ~~the provisions of~~ chapter 471 or
16 the laws of another state, or, in lieu of professional engineer
17 registration, a district secretary or executive director may
18 hold an advanced degree in an appropriate related discipline,
19 such as a Master of Business Administration. The headquarters of
20 the districts shall be located in Polk, Columbia, Washington,
21 Broward, Volusia, Miami-Dade, and Hillsborough Counties. The
22 headquarters of the turnpike enterprise shall be located in
23 Orange County. The headquarters of the rail enterprise shall be
24 located in Leon County. In order to provide for efficient
25 operations and to expedite the decisionmaking process, the
26 department shall provide for maximum decentralization to the
27 districts.

28 Section 2. Paragraph (a) of subsection (4) of section
29 339.175, Florida Statutes, is amended to read:

30 (4) APPORTIONMENT.—

31 (a) The Governor shall, with the agreement of the affected
32 units of general-purpose local government as required by federal
33 rules and regulations, apportion the membership on the
34 applicable M.P.O. among the various governmental entities within
35 the area. At the request of a majority of the affected units of
36 general-purpose local government comprising an M.P.O., the
37 Governor and a majority of units of general-purpose local
38 government serving on an M.P.O. shall cooperatively agree upon
39 and prescribe who may serve as an alternate member and a method
40 for appointing alternate members who may vote at any M.P.O.
41 meeting that an alternate member attends in place of a regular
42 member. The method shall be set forth as a part of the



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43 interlocal agreement describing the M.P.O.'s membership or in
44 the M.P.O.'s operating procedures and bylaws. The governmental
45 entity so designated shall appoint the appropriate number of
46 members to the M.P.O. from eligible officials. Representatives
47 of the department shall serve as nonvoting advisers to members
48 ~~of~~ the M.P.O. governing board. Additional nonvoting advisers may
49 be appointed by the M.P.O. as deemed necessary; however, to the
50 maximum extent feasible, each M.P.O. shall seek to appoint
51 nonvoting representatives of various multimodal forms of
52 transportation not otherwise represented by voting members of
53 the M.P.O. An M.P.O. shall appoint nonvoting advisers
54 representing major military installations located within the
55 jurisdictional boundaries of the M.P.O. upon the request of the
56 aforesaid major military installations and subject to the
57 agreement of the M.P.O. All nonvoting advisers may attend and
58 participate fully in governing board meetings but may ~~shall~~ not
59 ~~have a vote or and shall not~~ be members of the governing board.
60 The Governor shall review the composition of the M.P.O.
61 membership in conjunction with the decennial census as prepared
62 by the United States Department of Commerce, Bureau of the
63 Census, and reapportion it as necessary to comply with
64 subsection (3).

65 Section 3. Subsection (89) is added to section 316.003,
66 Florida Statutes, to read:

67 316.003 Definitions.—The following words and phrases, when
68 used in this chapter, shall have the meanings respectively
69 ascribed to them in this section, except where the context
70 otherwise requires:

71 (89) AUTONOMOUS VEHICLE.—Any vehicle equipped with



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72 autonomous technology. The term "autonomous technology" means
73 technology installed on a motor vehicle which has the capability
74 of driving the vehicle on which the technology is installed
75 without the active control of or monitoring by a human operator.
76 The term excludes a motor vehicle enabled with active safety
77 systems or driver assistance systems, including, without
78 limitation, a system to provide electronic blind spot
79 assistance, crash avoidance, emergency braking, parking
80 assistance, adaptive cruise control, a lane departure warning
81 system, or traffic jam and queuing assistant, unless such system
82 alone or in combination with other systems enables the vehicle
83 on which the technology is installed to drive without the active
84 control or monitoring by a human operator.

85 Section 4. Section 316.85, Florida Statutes, is created to
86 read:

87 316.85 Autonomous vehicles; operation.-

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

90 (2) For purposes of this chapter, unless the context
91 otherwise requires, a person shall be deemed to be the operator
92 of an autonomous vehicle operating in autonomous mode if the
93 person causes the vehicle's autonomous technology to engage,
94 regardless of whether the person is physically present in the
95 vehicle while the vehicle is operating in autonomous mode.

96 Section 5. Section 319.145, Florida Statutes, is created to
97 read:

98 319.145 Autonomous vehicles.-

99 (1) An autonomous vehicle registered in this state must
100 continue to meet federal standards and regulations for a motor



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101 vehicle. The vehicle must:

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

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

106 (c) Have a means to alert the operator of the vehicle if a
107 technology failure affecting the ability of the vehicle to
108 safely operate autonomously is detected while the vehicle is
109 operating autonomously in order to advise the operator to take
110 control of the vehicle.

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

113 (2) Federal regulations promulgated by the National Highway
114 Traffic Safety Administration shall supersede this section if
115 they are found to be in conflict with this section.

116 Section 6. (1) Vehicles equipped with autonomous technology
117 may be operated on roads in this state by employees,
118 contractors, or other persons designated by manufacturers of
119 autonomous technology for the purpose of testing the technology.
120 For testing purposes, a human operator must be present in the
121 autonomous vehicle such that he or she has the ability to
122 monitor the vehicle's performance and intervene, if necessary,
123 unless the vehicle is being tested or demonstrated on a closed
124 course. Before the start of testing in this state, the entity
125 performing the testing must submit to the Department of Highway
126 Safety and Motor Vehicles an instrument of insurance, surety
127 bond, or proof of self-insurance acceptable to the department in
128 the amount of \$5 million.

129 (2) The original manufacturer of a vehicle converted by a



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130 third party into an autonomous vehicle is not liable in, shall
131 have a defense to, and shall be dismissed from any legal action
132 brought against the original manufacturer by a person injured
133 due to an alleged vehicle defect caused by the conversion of the
134 vehicle, or by equipment installed by the converter, unless the
135 alleged defect was present in the vehicle as originally
136 manufactured.

137 (3) By February 12, 2014, the Department of Highway Safety
138 and Motor Vehicles shall submit a report to the President of the
139 Senate and the Speaker of the House of Representatives
140 recommending additional legislative or regulatory action that
141 may be required for the safe testing and operation of motor
142 vehicles equipped with autonomous technology.

143 Section 7. Subsection (42) of section 320.01, Florida
144 Statutes, is amended to read:

145 320.01 Definitions, general.—As used in the Florida
146 Statutes, except as otherwise provided, the term:

147 (42) "Low-speed vehicle" means any four-wheeled ~~electric~~
148 vehicle whose top speed is greater than 20 miles per hour but
149 not greater than 25 miles per hour, including, but not limited
150 to, neighborhood electric vehicles. Low-speed vehicles must
151 comply with the safety standards in 49 C.F.R. s. 571.500 and s.
152 316.2122.

154 ===== T I T L E A M E N D M E N T =====

155 And the title is amended as follows:

156 Delete line 3

157 and insert:

158 programs; amending s. 20.23, F.S., relating to the



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159 Department of Transportation; requiring that district
160 secretaries and executive directors be professional
161 engineers from any state; amending s. 339.175, F.S.;
162 providing that representatives of the department shall
163 serve as nonvoting advisers to the metropolitan
164 planning organization governing board; authorizing the
165 appointment of additional nonvoting advisers; amending
166 s. 316.003, F.S.; defining the terms "autonomous
167 vehicle" and "autonomous technology" when used in
168 provisions for traffic control; creating s. 316.85,
169 F.S.; authorizing a person who possesses a valid
170 driver license to operate an autonomous vehicle;
171 specifying that the person who causes the vehicle's
172 autonomous technology to engage is the operator;
173 creating s. 319.145, F.S.; requiring an autonomous
174 vehicle registered in this state to meet federal
175 standards and regulations for a motor vehicle;
176 specifying certain requirements for such vehicle;
177 providing for the application of certain federal
178 regulations; authorizing the operation of vehicles
179 equipped with autonomous technology by certain persons
180 for testing purposes under certain conditions;
181 requiring an instrument of insurance, surety bond, or
182 self-insurance prior to the testing of a vehicle;
183 limiting liability of the original manufacturer of a
184 vehicle converted to an autonomous vehicle; directing
185 the department to prepare a report on the safe testing
186 and operation of vehicles equipped with autonomous
187 technology and submit the report to the Legislature by



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188 a certain date; amending s. 320.01, F.S.; revising the
189 definition of the term "low-speed vehicle" to include
190 vehicles that are not electric powered; amending s.
191 341.301, F.S.; revising the