

By Senator Brandes

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1 A bill to be entitled
2 An act relating to transportation; amending s.
3 316.003, F.S.; defining and revising the definitions
4 of terms; amending s. 316.0745, F.S.; revising the
5 circumstances under which the Department of
6 Transportation is authorized to direct the removal of
7 certain traffic control devices; requiring the public
8 agency erecting or installing such a device to bring
9 it into compliance with certain requirements or remove
10 it upon the direction of the department; amending s.
11 316.0895, F.S.; providing that provisions prohibiting
12 a driver from following certain vehicles within a
13 specified distance do not apply to truck tractor-
14 semitrailer combinations under certain circumstances;
15 amending s. 316.303, F.S.; providing exceptions to the
16 prohibition against certain television-type receiving
17 equipment in vehicles; amending s. 316.85, F.S.;
18 revising the circumstances under which a licensed
19 driver is authorized to operate an autonomous vehicle
20 in autonomous mode; providing applicability; amending
21 s. 316.86, F.S.; deleting a provision authorizing the
22 operation of vehicles equipped with autonomous
23 technology on roads in this state for testing purposes
24 by certain persons or research organizations; deleting
25 a requirement that a human operator be present in an
26 autonomous vehicle for testing purposes; deleting
27 certain financial responsibility requirements for
28 entities performing such testing; amending s. 319.145,
29 F.S.; revising provisions relating to required
30 equipment and operation of autonomous vehicles;
31 amending s. 338.165, F.S.; authorizing the Department
32 of Transportation's Pinellas Bayway System to be

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33 transferred by the department and become part of the
34 turnpike system under the Florida Turnpike Enterprise
35 Law; providing applicability; amending s. 338.231,
36 F.S.; increasing the number of years before an
37 inactive prepaid toll account shall be presumed
38 unclaimed; deleting provisions relating to the use of
39 revenues from the turnpike system to pay the principal
40 and interest of a specified series of bonds and
41 certain expenses of the Sawgrass Expressway; amending
42 s. 339.175, F.S.; requiring certain long-range
43 transportation plans to include assessment of capital
44 investment and other measures necessary to make the
45 most efficient use of existing transportation
46 facilities to improve safety; requiring the
47 assessments to include consideration of infrastructure
48 and technological improvements necessary to
49 accommodate advances in vehicle technology; amending
50 s. 339.64, F.S.; requiring the Department of
51 Transportation to coordinate with certain partners and
52 industry representatives to consider infrastructure
53 and technological improvements necessary to
54 accommodate advances in vehicle technology in
55 Strategic Intermodal System facilities; requiring the
56 Strategic Intermodal System Plan to include a needs
57 assessment regarding such infrastructure and
58 technological improvements; repealing s. 341.0532,
59 F.S., relating to statewide transportation corridors;
60 providing an effective date.
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62 Be It Enacted by the Legislature of the State of Florida:

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64 Section 1. Present subsections (90) through (93) of section
65 316.003, Florida Statutes, are redesignated as subsections (91),
66 (93), (94), and (95), respectively, present subsection (90) of
67 that section is amended, and new subsections (90) and (92) are
68 added to that section, to read:

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

73 (90) AUTONOMOUS TECHNOLOGY.—Technology installed on a motor
74 vehicle which has the capability to drive the vehicle on which
75 the technology is installed without the active control of or
76 monitoring by a human operator.

77 (91) ~~(90)~~ AUTONOMOUS VEHICLE.—Any vehicle equipped with
78 autonomous technology. ~~The term "autonomous technology" means~~
79 ~~technology installed on a motor vehicle that has the capability~~
80 ~~to drive the vehicle on which the technology is installed~~
81 ~~without the active control or monitoring by a human operator.~~
82 The term excludes a motor vehicle enabled with active safety
83 systems or driver assistance systems, including, without
84 limitation, a system to provide electronic blind spot
85 assistance, crash avoidance, emergency braking, parking
86 assistance, adaptive cruise control, lane keep assistance, lane
87 departure warning, or traffic jam and queuing assistant, unless
88 any such system alone or in combination with other systems
89 enables the vehicle on which the technology is installed to
90 drive without the active control or monitoring by a human

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91 operator.

92 (92) DRIVER-ASSISTIVE TRUCK PLATOONING TECHNOLOGY.—Vehicle
93 automation technology that integrates a sensor array, wireless
94 communications, vehicle controls, and specialized software to
95 synchronize the acceleration and braking between no more than
96 two truck tractor-semitrailer combinations, while leaving each
97 vehicle's steering control and systems command in the control of
98 the vehicle's driver.

99 Section 2. Subsection (7) of section 316.0745, Florida
100 Statutes, is amended to read:

101 316.0745 Uniform signals and devices.—

102 (7) The Department of Transportation may, upon receipt and
103 investigation of reported noncompliance and is authorized, after
104 hearing pursuant to 14 days' notice, ~~to~~ direct the removal of
105 any purported traffic control device that fails to meet the
106 requirements of this section, wherever the device is located and
107 without regard to assigned responsibility under s. 316.1895
108 ~~which fails to meet the requirements of this section.~~ The public
109 agency erecting or installing the same shall immediately bring
110 it into compliance with the requirements of this section or
111 remove said device or signal upon the direction of the
112 Department of Transportation and may not, for a period of 5
113 years, install any replacement or new traffic control devices
114 paid for in part or in full with revenues raised by the state
115 unless written prior approval is received from the Department of
116 Transportation. Any additional violation by a public body or
117 official shall be cause for the withholding of state funds for
118 traffic control purposes until such public body or official
119 demonstrates to the Department of Transportation that it is

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120 complying with this section.

121 Section 3. Subsection (2) of section 316.0895, Florida
122 Statutes, is amended to read:

123 316.0895 Following too closely.-

124 (2) It is unlawful for the driver of any motor truck, motor
125 truck drawing another vehicle, or vehicle towing another vehicle
126 or trailer, when traveling upon a roadway outside of a business
127 or residence district, to follow within 300 feet of another
128 motor truck, motor truck drawing another vehicle, or vehicle
129 towing another vehicle or trailer. ~~The provisions of This~~
130 subsection may shall not be construed to prevent overtaking and
131 passing, nor does it nor shall the same apply upon any lane
132 specially designated for use by motor trucks or other slow-
133 moving vehicles. This subsection does not apply to two truck
134 tractor-semitrailer combinations equipped and connected with
135 driver-assistive truck platooning technology, as defined in s.
136 316.003, and operating on a multilane limited access facility,
137 if:

138 (a) The owner or operator first submits to the department
139 an instrument of insurance, a surety bond, or proof of self-
140 insurance acceptable to the department in the amount of \$1
141 million;

142 (b) The vehicles are equipped with an external indication,
143 visible to surrounding motorists, that the vehicles are engaged
144 in truck platooning; and

145 (c) The vehicles are not required to be placarded pursuant
146 to 49 C.F.R. parts 171-179.

147 Section 4. Subsections (1) and (3) of section 316.303,
148 Florida Statutes, are amended to read:

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149 316.303 Television receivers.—

150 (1) ~~A No~~ motor vehicle may not be operated on the highways
151 of this state if the vehicle is ~~shall be~~ equipped with
152 television-type receiving equipment so located that the viewer
153 or screen is visible from the driver's seat, unless the vehicle
154 is equipped with autonomous technology, as defined in s.
155 316.003, and is being operated in autonomous mode, as provided
156 in s. 316.85(2).

157 (3) This section does not prohibit the use of an electronic
158 display used in conjunction with a vehicle navigation system; an
159 electronic display used by an operator of a vehicle equipped
160 with autonomous technology, as defined in s. 316.003; or an
161 electronic display used by an operator of a vehicle equipped and
162 operating with driver-assistive truck platooning technology, as
163 defined in s. 316.003.

164 Section 5. Section 316.85, Florida Statutes, is amended to
165 read:

166 316.85 Autonomous vehicles; operation; preemption.—

167 (1) A person who possesses a valid driver license may
168 operate an autonomous vehicle in autonomous mode on roads in
169 this state if the vehicle is equipped with autonomous
170 technology, as defined in s. 316.003.

171 (2) For purposes of this chapter, unless the context
172 otherwise requires, a person shall be deemed to be the operator
173 of an autonomous vehicle operating in autonomous mode when the
174 person causes the vehicle's autonomous technology to engage,
175 regardless of whether the person is physically present in the
176 vehicle while the vehicle is operating in autonomous mode.

177 (3) All matters relating to the regulation and operation of

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178 autonomous vehicles on the public roads in this state are
179 preempted to the state, except as otherwise specifically
180 authorized by state or federal law.

181 Section 6. Section 316.86, Florida Statutes, is amended to
182 read:

183 ~~316.86 Operation of vehicles equipped with autonomous~~
184 ~~technology on roads for testing purposes; financial~~
185 ~~responsibility; Exemption from liability for manufacturer when~~
186 ~~third party converts vehicle.-~~

187 ~~(1) Vehicles equipped with autonomous technology may be~~
188 ~~operated on roads in this state by employees, contractors, or~~
189 ~~other persons designated by manufacturers of autonomous~~
190 ~~technology, or by research organizations associated with~~
191 ~~accredited educational institutions, for the purpose of testing~~
192 ~~the technology. For testing purposes, a human operator shall be~~
193 ~~present in the autonomous vehicle such that he or she has the~~
194 ~~ability to monitor the vehicle's performance and intervene, if~~
195 ~~necessary, unless the vehicle is being tested or demonstrated on~~
196 ~~a closed course. Before the start of testing in this state, the~~
197 ~~entity performing the testing must submit to the department an~~
198 ~~instrument of insurance, surety bond, or proof of self insurance~~
199 ~~acceptable to the department in the amount of \$5 million.~~

200 ~~(2) The original manufacturer of a vehicle converted by a~~
201 ~~third party into an autonomous vehicle is shall not be liable~~
202 ~~in, and shall have a defense to and be dismissed from, any legal~~
203 ~~action brought against the original manufacturer by any person~~
204 ~~injured due to an alleged vehicle defect caused by the~~
205 ~~conversion of the vehicle, or by equipment installed by the~~
206 ~~converter, unless the alleged defect was present in the vehicle~~

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207 as originally manufactured.

208 Section 7. Subsection (1) of section 319.145, Florida
209 Statutes, is amended to read:

210 319.145 Autonomous vehicles.—

211 (1) An autonomous vehicle registered in this state must
212 continue to meet applicable federal standards and regulations
213 for such a motor vehicle. The vehicle shall:

214 (a) Have a means to engage and disengage the autonomous
215 technology which is easily accessible to the operator or
216 passenger.

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

219 (c) Have a means to alert the operator of or passenger in
220 the vehicle if a technology failure affecting the ability of the
221 vehicle to safely operate autonomously is detected while the
222 vehicle is operating autonomously in order to indicate to the
223 operator or passenger that he or she should ~~to~~ take control of
224 the vehicle.

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

227 Section 8. Subsection (11) is added to section 338.165,
228 Florida Statutes, to read:

229 338.165 Continuation of tolls.—

230 (11) The department's Pinellas Bayway System may be
231 transferred by the department and become part of the turnpike
232 system under the Florida Turnpike Enterprise Law. The transfer
233 may not affect the rights of the parties, or their successors in
234 interest, under the settlement agreement and final judgment in
235 Leonard Lee Ratner, Esther Ratner, and Leeco Gas and Oil Co. v.

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236 State Road Department of the State of Florida, No. 67-1081 (Fla.
 237 2nd Cir. Ct. 1968).

238 Section 9. Paragraph (c) of subsection (3) and subsections
 239 (5) and (6) of section 338.231, Florida Statutes, are amended to
 240 read:

241 338.231 Turnpike tolls, fixing; pledge of tolls and other
 242 revenues.—The department shall at all times fix, adjust, charge,
 243 and collect such tolls and amounts for the use of the turnpike
 244 system as are required in order to provide a fund sufficient
 245 with other revenues of the turnpike system to pay the cost of
 246 maintaining, improving, repairing, and operating such turnpike
 247 system; to pay the principal of and interest on all bonds issued
 248 to finance or refinance any portion of the turnpike system as
 249 the same become due and payable; and to create reserves for all
 250 such purposes.

251 (3)

252 (c) Notwithstanding any other ~~provision of~~ law to the
 253 contrary, any prepaid toll account of any kind which has
 254 remained inactive for 10 ~~3~~ years shall be presumed unclaimed and
 255 its disposition shall be handled by the Department of Financial
 256 Services in accordance with all applicable provisions of chapter
 257 717 relating to the disposition of unclaimed property, and the
 258 prepaid toll account shall be closed by the department.

259 ~~(5) In each fiscal year while any of the bonds of the~~
 260 ~~Broward County Expressway Authority series 1984 and series 1986~~
 261 ~~A remain outstanding, the department is authorized to pledge~~
 262 ~~revenues from the turnpike system to the payment of principal~~
 263 ~~and interest of such series of bonds and the operation and~~
 264 ~~maintenance expenses of the Sawgrass Expressway, to the extent~~

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265 ~~gross toll revenues of the Sawgrass Expressway are insufficient~~
266 ~~to make such payments. The terms of an agreement relative to the~~
267 ~~pledge of turnpike system revenue will be negotiated with the~~
268 ~~parties of the 1984 and 1986 Broward County Expressway Authority~~
269 ~~lease purchase agreements, and subject to the covenants of those~~
270 ~~agreements. The agreement must establish that the Sawgrass~~
271 ~~Expressway is subject to the planning, management, and operating~~
272 ~~control of the department limited only by the terms of the~~
273 ~~lease purchase agreements. The department shall provide for the~~
274 ~~payment of operation and maintenance expenses of the Sawgrass~~
275 ~~Expressway until such agreement is in effect. This pledge of~~
276 ~~turnpike system revenues is subordinate to the debt service~~
277 ~~requirements of any future issue of turnpike bonds, the payment~~
278 ~~of turnpike system operation and maintenance expenses, and~~
279 ~~subject to any subsequent resolution or trust indenture relating~~
280 ~~to the issuance of such turnpike bonds.~~

281 (5) ~~(6)~~ The use and disposition of revenues pledged to bonds
282 are subject to ss. 338.22-338.241 and such regulations as the
283 resolution authorizing the issuance of the bonds or such trust
284 agreement may provide.

285 Section 10. Paragraph (c) of subsection (7) of section
286 339.175, Florida Statutes, is amended to read:

287 339.175 Metropolitan planning organization.—

288 (7) LONG-RANGE TRANSPORTATION PLAN.—Each M.P.O. must
289 develop a long-range transportation plan that addresses at least
290 a 20-year planning horizon. The plan must include both long-
291 range and short-range strategies and must comply with all other
292 state and federal requirements. The prevailing principles to be
293 considered in the long-range transportation plan are: preserving

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294 the existing transportation infrastructure; enhancing Florida's
295 economic competitiveness; and improving travel choices to ensure
296 mobility. The long-range transportation plan must be consistent,
297 to the maximum extent feasible, with future land use elements
298 and the goals, objectives, and policies of the approved local
299 government comprehensive plans of the units of local government
300 located within the jurisdiction of the M.P.O. Each M.P.O. is
301 encouraged to consider strategies that integrate transportation
302 and land use planning to provide for sustainable development and
303 reduce greenhouse gas emissions. The approved long-range
304 transportation plan must be considered by local governments in
305 the development of the transportation elements in local
306 government comprehensive plans and any amendments thereto. The
307 long-range transportation plan must, at a minimum:

308 (c) Assess capital investment and other measures necessary
309 to:

- 310 1. Ensure the preservation of the existing metropolitan
311 transportation system including requirements for the operation,
312 resurfacing, restoration, and rehabilitation of major roadways
313 and requirements for the operation, maintenance, modernization,
314 and rehabilitation of public transportation facilities; and
- 315 2. Make the most efficient use of existing transportation
316 facilities to relieve vehicular congestion, improve safety, and
317 maximize the mobility of people and goods. Such efforts must
318 include, but are not limited to, consideration of infrastructure
319 and technological improvements necessary to accommodate advances
320 in vehicle technology, such as autonomous technology and other
321 developments.

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323 In the development of its long-range transportation plan, each
324 M.P.O. must provide the public, affected public agencies,
325 representatives of transportation agency employees, freight
326 shippers, providers of freight transportation services, private
327 providers of transportation, representatives of users of public
328 transit, and other interested parties with a reasonable
329 opportunity to comment on the long-range transportation plan.
330 The long-range transportation plan must be approved by the
331 M.P.O.

332 Section 11. Paragraph (c) is added to subsection (3) of
333 section 339.64, Florida Statutes, and paragraph (a) of
334 subsection (4) of that section is amended, to read:

335 339.64 Strategic Intermodal System Plan.—

336 (3)

337 (c) The department shall coordinate with federal, regional,
338 and local partners, as well as industry representatives, to
339 consider infrastructure and technological improvements necessary
340 to accommodate advances in vehicle technology, such as
341 autonomous technology and other developments, in Strategic
342 Intermodal System facilities.

343 (4) The Strategic Intermodal System Plan shall include the
344 following:

345 (a) A needs assessment that must include, but is not
346 limited to, consideration of infrastructure and technological
347 improvements necessary to accommodate advances in vehicle
348 technology, such as autonomous technology and other
349 developments.

350 Section 12. Section 341.0532, Florida Statutes, is
351 repealed.

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Section 13. This act shall take effect July 1, 2016.