

Amendment No. 1

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED	_____	(Y/N)
ADOPTED AS AMENDED	_____	(Y/N)
ADOPTED W/O OBJECTION	_____	(Y/N)
FAILED TO ADOPT	_____	(Y/N)
WITHDRAWN	_____	(Y/N)
OTHER		

1 Committee/Subcommittee hearing bill: Appropriations Committee
 2 Representative Fischer offered the following:

Amendment (with title amendment)

5 Remove everything after the enacting clause and insert:

6 Section 1. Subsection (2) of section 316.003, Florida
 7 Statutes, is amended to read:

8 316.003 Definitions.—The following words and phrases, when
 9 used in this chapter, shall have the meanings respectively
 10 ascribed to them in this section, except where the context
 11 otherwise requires:

12 (2) AUTOMATED DRIVING SYSTEM.—The hardware and software
 13 that are collectively capable of performing the entire dynamic
 14 driving task of an autonomous vehicle on a sustained basis,
 15 regardless of whether it is limited to a specific operational

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16 design domain, as specified in SAE International Standard J3016
17 (Revised September 2016). The term "autonomous vehicle" means
18 ~~AUTONOMOUS VEHICLE.—~~any vehicle equipped with an automated
19 driving system designed to function at a level of driving
20 automation of Level 3, 4, or 5, as specified in SAE
21 International Standard J3016 (Revised September 2016). The term
22 "fully autonomous vehicle" means a vehicle equipped with an
23 automated driving system designed to function at a level of
24 driving automation of Level 4 or 5, as specified in SAE
25 International Standard J3016 (Revised September 2016) autonomous
26 technology. The term "autonomous technology" means technology
27 installed on a motor vehicle that has the capability to drive
28 the vehicle on which the technology is installed without the
29 active control or monitoring by a human operator. The term
30 excludes a motor vehicle enabled with active safety systems or
31 driver assistance systems, including, without limitation, a
32 system to provide electronic blind spot assistance, crash
33 avoidance, emergency braking, parking assistance, adaptive
34 cruise control, lane keep assistance, lane departure warning, or
35 traffic jam and queuing assistant, unless any such system alone
36 or in combination with other systems enables the vehicle on
37 which the technology is installed to drive without active
38 control or monitoring by a human operator.

39 Section 2. Subsection (5) is added to section 316.062,
40 Florida Statutes, to read:

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41 316.062 Duty to give information and render aid.—

42 (5) This section does not apply to a fully autonomous
 43 vehicle operating in autonomous mode in the event of a crash
 44 involving the vehicle if the vehicle owner, or a person on
 45 behalf of the vehicle owner, promptly contacts a law enforcement
 46 agency to report the crash or if the autonomous vehicle has the
 47 capability of alerting a law enforcement agency to the crash.

48 Section 3. Subsection (4) is added to section 316.063,
 49 Florida Statutes, to read:

50 316.063 Duty upon damaging unattended vehicle or other
 51 property.—

52 (4) This section does not apply to a fully autonomous
 53 vehicle operating in autonomous mode in the event of a crash
 54 involving the vehicle if the vehicle owner, or a person on
 55 behalf of the vehicle owner, promptly contacts a law enforcement
 56 agency to report the crash or if the autonomous vehicle has the
 57 capability of alerting a law enforcement agency to the crash.

58 Section 4. Subsection (5) is added to section 316.065,
 59 Florida Statutes, to read:

60 316.065 Crashes; reports; penalties.—

61 (5) Subsection (1) does not apply to a fully autonomous
 62 vehicle operating in autonomous mode in the event of a crash
 63 involving the vehicle if the vehicle owner, or a person on
 64 behalf of the vehicle owner, promptly contacts a law enforcement

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65 agency to report the crash or if the autonomous vehicle has the
 66 capability of alerting a law enforcement agency to the crash.

67 Section 5. Subsection (3) is added to section 316.1975,
 68 Florida Statutes, to read:

69 316.1975 Unattended motor vehicle.—

70 (3) This section does not apply to a fully autonomous
 71 vehicle operating in autonomous mode.

72 Section 6. Section 316.303, Florida Statutes, is amended
 73 to read:

74 316.303 Television receivers.—

75 (1) No motor vehicle may be operated on the highways of
 76 this state if the vehicle is actively displaying moving
 77 television broadcast or pre-recorded video entertainment content
 78 that is visible from the driver's seat while the vehicle is in
 79 motion, unless the vehicle is an ~~equipped with~~ autonomous
 80 vehicle technology, as defined in s. 316.003(2), and is being
 81 operated in autonomous mode, ~~as provided in s. 316.85(2).~~

82 (2) This section does not prohibit the use of television-
 83 type receiving equipment used exclusively for safety or law
 84 enforcement purposes, provided such use is approved by the
 85 department.

86 (3) This section does not prohibit the use of an
 87 electronic display used in conjunction with a vehicle navigation
 88 system; an electronic display used by an operator of an
 89 autonomous ~~a vehicle equipped with autonomous technology~~, as

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90 defined in s. 316.003(2) ~~s. 316.003~~; or an electronic display
 91 used by an operator of a vehicle equipped and operating with
 92 driver-assistive truck platooning technology, as defined in s.
 93 316.003.

94 (4) A violation of this section is a noncriminal traffic
 95 infraction, punishable as a nonmoving violation as provided in
 96 chapter 318.

97 Section 7. Paragraph (b) of subsection (3) of section
 98 316.305, Florida Statutes, is amended to read:

99 316.305 Wireless communications devices; prohibition.—

100 (3)

101 (b) Paragraph (a) does not apply to a motor vehicle
 102 operator who is:

103 1. Performing official duties as an operator of an
 104 authorized emergency vehicle as defined in s. 322.01, a law
 105 enforcement or fire service professional, or an emergency
 106 medical services professional.

107 2. Reporting an emergency or criminal or suspicious
 108 activity to law enforcement authorities.

109 3. Receiving messages that are:

110 a. Related to the operation or navigation of the motor
 111 vehicle;

112 b. Safety-related information, including emergency,
 113 traffic, or weather alerts;

114 c. Data used primarily by the motor vehicle; or

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- 115 d. Radio broadcasts.
- 116 4. Using a device or system for navigation purposes.
- 117 5. Conducting wireless interpersonal communication that
- 118 does not require manual entry of multiple letters, numbers, or
- 119 symbols, except to activate, deactivate, or initiate a feature
- 120 or function.

121 6. Conducting wireless interpersonal communication that

122 does not require reading text messages, except to activate,

123 deactivate, or initiate a feature or function.

124 7. Operating an autonomous vehicle, as defined in s.

125 316.003(2) ~~s. 316.003~~, in autonomous mode.

126 Section 8. Section 316.85, Florida Statutes, is amended to

127 read:

128 316.85 Autonomous vehicles; operation; compliance with

129 traffic and motor vehicle laws; testing; preemption.-

130 (1) Notwithstanding any other law, a licensed human

131 operator is not required to operate a fully autonomous vehicle ~~A~~

132 ~~person who possesses a valid driver license may operate an~~

133 ~~autonomous vehicle in autonomous mode on roads in this state if~~

134 ~~the vehicle is equipped with autonomous technology, as defined~~

135 ~~in s. 316.003(2) s. 316.003.~~

136 (2) A fully autonomous vehicle may operate in this state

137 regardless of whether a licensed human operator is physically

138 present in the vehicle.

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139 (3) (a) ~~(2)~~ For purposes of this chapter, unless the context
 140 otherwise requires, the automated driving system ~~a person~~ shall
 141 be deemed to be the operator of an autonomous vehicle operating
 142 in autonomous mode ~~when the person causes the vehicle's~~
 143 ~~autonomous technology to engage~~, regardless of whether a the
 144 person is physically present in the vehicle while the vehicle is
 145 operating in autonomous mode.

146 (b) Unless otherwise provided by law, applicable traffic
 147 or motor vehicle laws of this state may not be construed to:

148 1. Prohibit the automated driving system from being deemed
 149 the operator of an autonomous vehicle operating in autonomous
 150 mode.

151 2. Require a licensed human operator to operate a fully
 152 autonomous vehicle.

153 (4) The Florida Turnpike Enterprise may fund, construct,
 154 and operate test facilities for the advancement of autonomous
 155 and connected innovative transportation technology solutions for
 156 the purposes of improving safety and decreasing congestion for
 157 the traveling public and to otherwise advance the objectives of
 158 the Florida Turnpike Enterprise as set forth in the Florida
 159 Transportation Code.

160 (5) It is the intent of the Legislature to provide for
 161 uniformity of laws governing autonomous vehicles throughout the
 162 state. A local government may not impose any tax, fee, or other
 163 requirement on autonomous technology or autonomous vehicles or

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164 on a person who operates an autonomous vehicle, including a
 165 person who operates an autonomous vehicle for purposes of
 166 providing passenger transportation services.

167 Section 9. Section 319.145, Florida Statutes, is amended
 168 to read:

169 319.145 Autonomous vehicles.—

170 (1) An autonomous vehicle registered in this state must
 171 ~~continue to~~ meet all of the following requirements:

172 (a) Complies with applicable federal law and regulations
 173 ~~applicable federal standards and regulations for such motor~~
 174 ~~vehicle.~~

175 (b) When required by federal law, has been certified in
 176 accordance with federal regulations in 49 C.F.R. Part 567 as
 177 being in compliance with applicable federal motor vehicle safety
 178 standards and bears the required certification label or labels
 179 including reference to any exemption granted under applicable
 180 federal law.

181 (c) Be capable of being operated in compliance with the
 182 applicable traffic and motor vehicle laws of this state,
 183 regardless of whether the vehicle is operating in autonomous
 184 mode.

185 (d) Have a means, inside the vehicle, to visually indicate
 186 when the vehicle is operating in autonomous mode.

187 (2) If the autonomous vehicle is not fully autonomous, the
 188 vehicle must:

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189 ~~(a)~~ have a system to safely alert a licensed human ~~the~~
 190 operator physically present in the vehicle if an automated
 191 driving system ~~autonomous technology~~ failure is detected while
 192 the automated driving system ~~autonomous technology~~ is engaged.

193 When an alert is given, the system must:

194 ~~1.~~ require the licensed human operator to take control of
 195 the autonomous vehicle; ~~or~~

196 ~~2.~~ ~~If the operator does not, or is not able to, take~~
 197 ~~control of the autonomous vehicle, be capable of bringing the~~
 198 ~~vehicle to a complete stop.~~

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

201 ~~(c)~~ ~~Be capable of being operated in compliance with the~~
 202 ~~applicable traffic and motor vehicle laws of this state.~~

203 (3) If the autonomous vehicle is fully autonomous, the
 204 automated driving system must be capable of bringing the vehicle
 205 to a complete stop if a failure of the system occurs.

206 (4)(2) Federal regulations promulgated by the National
 207 Highway Traffic Safety Administration shall supersede this
 208 section when found to be in conflict with this section.

209 Section 10. Section 322.015, Florida Statutes, is created
 210 to read:

211 322.015 Exemption.—This chapter does not apply when a
 212 fully autonomous vehicle is operated in autonomous mode without
 213 a licensed human operator physically present in the vehicle.

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214 Section 11. Paragraph (c) of subsection (7) of section
215 339.175, Florida Statutes, is amended to read:

216 339.175 Metropolitan planning organization.—

217 (7) LONG-RANGE TRANSPORTATION PLAN.—Each M.P.O. must
218 develop a long-range transportation plan that addresses at least
219 a 20-year planning horizon. The plan must include both long-
220 range and short-range strategies and must comply with all other
221 state and federal requirements. The prevailing principles to be
222 considered in the long-range transportation plan are: preserving
223 the existing transportation infrastructure; enhancing Florida's
224 economic competitiveness; and improving travel choices to ensure
225 mobility. The long-range transportation plan must be consistent,
226 to the maximum extent feasible, with future land use elements
227 and the goals, objectives, and policies of the approved local
228 government comprehensive plans of the units of local government
229 located within the jurisdiction of the M.P.O. Each M.P.O. is
230 encouraged to consider strategies that integrate transportation
231 and land use planning to provide for sustainable development and
232 reduce greenhouse gas emissions. The approved long-range
233 transportation plan must be considered by local governments in
234 the development of the transportation elements in local
235 government comprehensive plans and any amendments thereto. The
236 long-range transportation plan must, at a minimum:

237 (c) Assess capital investment and other measures necessary
238 to:

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239 1. Ensure the preservation of the existing metropolitan
240 transportation system including requirements for the operation,
241 resurfacing, restoration, and rehabilitation of major roadways
242 and requirements for the operation, maintenance, modernization,
243 and rehabilitation of public transportation facilities; and

244 2. Make the most efficient use of existing transportation
245 facilities to relieve vehicular congestion, improve safety, and
246 maximize the mobility of people and goods. Such efforts must
247 include, but are not limited to, consideration of infrastructure
248 and technological improvements necessary to accommodate advances
249 in vehicle technology, such as automated driving systems
250 ~~autonomous technology~~ and other developments.

251
252 In the development of its long-range transportation plan, each
253 M.P.O. must provide the public, affected public agencies,
254 representatives of transportation agency employees, freight
255 shippers, providers of freight transportation services, private
256 providers of transportation, representatives of users of public
257 transit, and other interested parties with a reasonable
258 opportunity to comment on the long-range transportation plan.
259 The long-range transportation plan must be approved by the
260 M.P.O.

261 Section 12. Paragraph (c) of subsection (3) and paragraph
262 (a) of subsection (4) of section 339.64, Florida Statutes, are
263 amended to read:

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264 339.64 Strategic Intermodal System Plan.—

265 (3)

266 (c) The department shall coordinate with federal,
 267 regional, and local partners, as well as industry
 268 representatives, to consider infrastructure and technological
 269 improvements necessary to accommodate advances in vehicle
 270 technology, such as automated driving systems ~~autonomous~~
 271 ~~technology~~ and other developments, in Strategic Intermodal
 272 System facilities.

273 (4) The Strategic Intermodal System Plan shall include the
 274 following:

275 (a) A needs assessment that must include, but is not
 276 limited to, consideration of infrastructure and technological
 277 improvements necessary to accommodate advances in vehicle
 278 technology, such as automated driving systems ~~autonomous~~
 279 ~~technology~~ and other developments.

280 Section 13. Section 339.83, Florida Statutes, is amended
 281 to read:

282 339.83 Enrollment in federal pilot programs.—The Secretary
 283 of Transportation may enroll the State of Florida in any federal
 284 pilot program or project for the collection and study of data
 285 for the review of federal or state roadway safety,
 286 infrastructure sustainability, congestion mitigation,
 287 transportation system efficiency, automated driving systems
 288 ~~autonomous vehicle technology~~, or capacity challenges.

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289 Section 14. Subsection (6) of section 627.0653, Florida
 290 Statutes, is amended to read:

291 627.0653 Insurance discounts for specified motor vehicle
 292 equipment.—

293 (6) The Office of Insurance Regulation may approve a
 294 premium discount to any rates, rating schedules, or rating
 295 manuals for the liability, personal injury protection, and
 296 collision coverages of a motor vehicle insurance policy filed
 297 with the office if the insured vehicle is equipped with an
 298 automated driving system ~~autonomous driving technology~~ or
 299 electronic vehicle collision avoidance technology that is
 300 factory installed or a retrofitted system and that complies with
 301 National Highway Traffic Safety Administration standards.

302 Section 15. This act shall take effect July 1, 2018.
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304 -----

305 **T I T L E A M E N D M E N T**

306 Remove everything before the enacting clause and insert:

307 A bill to be entitled
 308 An act relating to autonomous vehicles; amending s.
 309 316.003, F.S.; revising and providing definitions;
 310 amending ss. 316.062, 316.063, 316.065, and 316.1975,
 311 F.S.; providing applicability; amending s. 316.303,
 312 F.S.; exempting an autonomous vehicle being operated
 313 in autonomous mode from a prohibition on the active

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314 display of television or video; amending s. 316.305,
315 F.S.; exempting a motor vehicle operator who is
316 operating an autonomous vehicle from a prohibition on
317 the use of wireless communications devices; amending
318 s. 316.85, F.S.; providing that a licensed human
319 operator is not required to operate a fully autonomous
320 vehicle; authorizing a fully autonomous vehicle to
321 operate in this state regardless of whether a licensed
322 human operator is physically present in the vehicle;
323 requiring the automated driving system to be deemed to
324 be the operator of an autonomous vehicle operating in
325 autonomous mode; providing construction; authorizing
326 the Florida Turnpike Enterprise to fund and operate
327 certain test facilities; preempting regulation of
328 autonomous vehicles to the state; amending s. 319.145,
329 F.S.; revising requirements for autonomous vehicles
330 registered in this state; creating s. 322.015, F.S.;
331 providing applicability; amending ss. 339.175, 339.64,
332 339.83, and 627.0653, F.S.; conforming provisions to
333 changes made by the act; providing an effective date.