

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WITHDRAWN _____ (Y/N)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:

3
4 **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

Amendment No. 1

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:

375631 - h0353 Strike-all.docxh0353 Strike-all

Published On: 1/22/2018 8:30:41 AM

Amendment No. 1

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

Amendment No. 1

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

375631 - h0353 Strike-all.docxh0353 Strike-all

Published On: 1/22/2018 8:30:41 AM

Amendment No. 1

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

375631 - h0353 Strike-all.docxh0353 Strike-all

Published On: 1/22/2018 8:30:41 AM

Amendment No. 1

- 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.

Amendment No. 1

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

375631 - h0353 Strike-all.docxh0353 Strike-all

Published On: 1/22/2018 8:30:41 AM

Amendment No. 1

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) Have been certified by the vehicle manufacturer as
173 meeting applicable federal standards and regulations for such
174 motor vehicle at the time of its manufacture.

175 (b) Be capable of being operated in compliance with the
176 applicable traffic and motor vehicle laws of this state,
177 regardless of whether the vehicle is operating in autonomous
178 mode.

179 (c) Have a means, inside the vehicle, to visually indicate
180 when the vehicle is operating in autonomous mode.

181 (2) If the autonomous vehicle is not fully autonomous, the
182 vehicle must:

183 ~~(a)~~ have a system to safely alert a licensed human ~~the~~
184 operator physically present in the vehicle if an automated
185 driving system ~~autonomous technology~~ failure is detected while
186 the automated driving system ~~autonomous technology~~ is engaged.

187 When an alert is given, the system must:

Amendment No. 1

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

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

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

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

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

200 ~~(4)(2)~~ Federal regulations promulgated by the National
201 Highway Traffic Safety Administration shall supersede this
202 section when found to be in conflict with this section.

203 Section 10. Section 322.015, Florida Statutes, is created
204 to read:

205 322.015 Exemption.—This chapter does not apply when a
206 fully autonomous vehicle is operated in autonomous mode without
207 a licensed human operator physically present in the vehicle.

208 Section 11. Paragraph (c) of subsection (7) of section
209 339.175, Florida Statutes, is amended to read:

210 339.175 Metropolitan planning organization.—

211 (7) LONG-RANGE TRANSPORTATION PLAN.—Each M.P.O. must
212 develop a long-range transportation plan that addresses at least

375631 - h0353 Strike-all.docxh0353 Strike-all

Published On: 1/22/2018 8:30:41 AM

Amendment No. 1

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

231 (c) Assess capital investment and other measures necessary
232 to:

233 1. Ensure the preservation of the existing metropolitan
234 transportation system including requirements for the operation,
235 resurfacing, restoration, and rehabilitation of major roadways
236 and requirements for the operation, maintenance, modernization,
237 and rehabilitation of public transportation facilities; and

375631 - h0353 Strike-all.docxh0353 Strike-all

Published On: 1/22/2018 8:30:41 AM

Amendment No. 1

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

245
246 In the development of its long-range transportation plan, each
247 M.P.O. must provide the public, affected public agencies,
248 representatives of transportation agency employees, freight
249 shippers, providers of freight transportation services, private
250 providers of transportation, representatives of users of public
251 transit, and other interested parties with a reasonable
252 opportunity to comment on the long-range transportation plan.
253 The long-range transportation plan must be approved by the
254 M.P.O.

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

258 339.64 Strategic Intermodal System Plan.—

259 (3)

260 (c) The department shall coordinate with federal,
261 regional, and local partners, as well as industry
262 representatives, to consider infrastructure and technological

375631 - h0353 Strike-all.docxh0353 Strike-all

Published On: 1/22/2018 8:30:41 AM

Amendment No. 1

263 improvements necessary to accommodate advances in vehicle
264 technology, such as automated driving systems ~~autonomous~~
265 ~~technology~~ and other developments, in Strategic Intermodal
266 System facilities.

267 (4) The Strategic Intermodal System Plan shall include the
268 following:

269 (a) A needs assessment that must include, but is not
270 limited to, consideration of infrastructure and technological
271 improvements necessary to accommodate advances in vehicle
272 technology, such as automated driving systems ~~autonomous~~
273 ~~technology~~ and other developments.

274 Section 13. Section 339.83, Florida Statutes, is amended
275 to read:

276 339.83 Enrollment in federal pilot programs.—The Secretary
277 of Transportation may enroll the State of Florida in any federal
278 pilot program or project for the collection and study of data
279 for the review of federal or state roadway safety,
280 infrastructure sustainability, congestion mitigation,
281 transportation system efficiency, automated driving systems
282 ~~autonomous vehicle technology~~, or capacity challenges.

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

285 627.0653 Insurance discounts for specified motor vehicle
286 equipment.—

375631 - h0353 Strike-all.docxh0353 Strike-all

Published On: 1/22/2018 8:30:41 AM

Amendment No. 1

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

296 Section 15. This act shall take effect July 1, 2018.

298 -----
299 **T I T L E A M E N D M E N T**

300 Remove everything before the enacting clause and insert:

301 A bill to be entitled

302 An act relating to autonomous vehicles; amending s.
303 316.003, F.S.; revising and providing definitions;
304 amending ss. 316.062, 316.063, 316.065, and 316.1975,
305 F.S.; providing applicability; amending s. 316.303,
306 F.S.; exempting an autonomous vehicle being operated
307 in autonomous mode from a prohibition on the active
308 display of television or video; amending s. 316.305,
309 F.S.; exempting a motor vehicle operator who is
310 operating an autonomous vehicle from a prohibition on
311 the use of wireless communications devices; amending

375631 - h0353 Strike-all.docxh0353 Strike-all

Published On: 1/22/2018 8:30:41 AM

Amendment No. 1

312 s. 316.85, F.S.; providing that a licensed human
313 operator is not required to operate a fully autonomous
314 vehicle; authorizing a fully autonomous vehicle to
315 operate in this state regardless of whether a licensed
316 human operator is physically present in the vehicle;
317 requiring the automated driving system to be deemed to
318 be the operator of an autonomous vehicle operating in
319 autonomous mode; providing construction; authorizing
320 the Florida Turnpike Enterprise to fund and operate
321 certain test facilities; preempting regulation of
322 autonomous vehicles to the state; amending s. 319.145,
323 F.S.; revising requirements for autonomous vehicles
324 registered in this state; creating s. 322.015, F.S.;
325 providing applicability; amending ss. 339.175, 339.64,
326 339.83, and 627.0653, F.S.; conforming provisions to
327 changes made by the act; providing an effective date.