

1                   A bill to be entitled  
2           An act relating to autonomous vehicles; amending s.  
3           316.003, F.S.; revising and providing definitions;  
4           amending ss. 316.062, 316.063, 316.065, and 316.1975,  
5           F.S.; providing applicability; amending s. 316.303,  
6           F.S.; exempting an autonomous vehicle being operated  
7           in autonomous mode from a prohibition on the active  
8           display of television or video; amending s. 316.305,  
9           F.S.; exempting a motor vehicle operator who is  
10          operating an autonomous vehicle from a prohibition on  
11          the use of wireless communications devices; amending  
12          s. 316.85, F.S.; providing that a licensed human  
13          operator is not required to operate a fully autonomous  
14          vehicle; authorizing a fully autonomous vehicle to  
15          operate in this state regardless of whether a licensed  
16          human operator is physically present in the vehicle;  
17          requiring the automated driving system to be deemed to  
18          be the operator of an autonomous vehicle operating in  
19          autonomous mode; providing construction; authorizing  
20          the Florida Turnpike Enterprise to fund and operate  
21          certain test facilities; preempting regulation of  
22          autonomous vehicles to the state; amending s. 319.145,  
23          F.S.; revising requirements for autonomous vehicles  
24          registered in this state; creating s. 322.015, F.S.;  
25          providing applicability; creating s. 324.033, F.S.;

26 providing autonomous vehicle insurance requirements;  
 27 amending ss. 339.175, 339.64, 339.83, and 627.0653,  
 28 F.S.; conforming provisions to changes made by the  
 29 act; amending s. 627.748, F.S.; providing insurance  
 30 requirements for certain autonomous vehicles used by a  
 31 transportation network company; providing an effective  
 32 date.

34 Be It Enacted by the Legislature of the State of Florida:

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

38 316.003 Definitions.—The following words and phrases, when  
 39 used in this chapter, shall have the meanings respectively  
 40 ascribed to them in this section, except where the context  
 41 otherwise requires:

42 (2) AUTOMATED DRIVING SYSTEM.—The hardware and software  
 43 that are collectively capable of performing the entire dynamic  
 44 driving task of an autonomous vehicle on a sustained basis,  
 45 regardless of whether it is limited to a specific operational  
 46 design domain, as specified in SAE International Standard J3016  
 47 (Revised September 2016). The term "autonomous vehicle" means  
 48 ~~AUTONOMOUS VEHICLE.—~~any vehicle equipped with an automated  
 49 driving system designed to function at a level of driving  
 50 automation of Level 3, 4, or 5, as specified in SAE

51 International Standard J3016 (Revised September 2016). The term  
52 "fully autonomous vehicle" means a vehicle equipped with an  
53 automated driving system designed to function at a level of  
54 driving automation of Level 4 or 5, as specified in SAE  
55 International Standard J3016 (Revised September 2016) autonomous  
56 technology. The term "autonomous technology" means technology  
57 installed on a motor vehicle that has the capability to drive  
58 the vehicle on which the technology is installed without the  
59 active control or monitoring by a human operator. The term  
60 excludes a motor vehicle enabled with active safety systems or  
61 driver assistance systems, including, without limitation, a  
62 system to provide electronic blind spot assistance, crash  
63 avoidance, emergency braking, parking assistance, adaptive  
64 cruise control, lane keep assistance, lane departure warning, or  
65 traffic jam and queuing assistant, unless any such system alone  
66 or in combination with other systems enables the vehicle on  
67 which the technology is installed to drive without active  
68 control or monitoring by a human operator.

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

71 316.062 Duty to give information and render aid.—

72 (5) This section does not apply to a fully autonomous  
73 vehicle operating in autonomous mode in the event of a crash  
74 involving the vehicle if the vehicle owner, or a person on  
75 behalf of the vehicle owner, promptly contacts a law enforcement

76 | agency to report the crash or if the autonomous vehicle has the  
 77 | capability of alerting a law enforcement agency to the crash.

78 | Section 3. Subsection (4) is added to section 316.063,  
 79 | Florida Statutes, to read:

80 | 316.063 Duty upon damaging unattended vehicle or other  
 81 | property.—

82 | (4) This section does not apply to a fully autonomous  
 83 | vehicle operating in autonomous mode in the event of a crash  
 84 | involving the vehicle if the vehicle owner, or a person on  
 85 | behalf of the vehicle owner, promptly contacts a law enforcement  
 86 | agency to report the crash or if the autonomous vehicle has the  
 87 | capability of alerting a law enforcement agency to the crash.

88 | Section 4. Subsection (5) is added to section 316.065,  
 89 | Florida Statutes, to read:

90 | 316.065 Crashes; reports; penalties.—

91 | (5) Subsection (1) does not apply to a fully autonomous  
 92 | vehicle operating in autonomous mode in the event of a crash  
 93 | involving the vehicle if the vehicle owner, or a person on  
 94 | behalf of the vehicle owner, promptly contacts a law enforcement  
 95 | agency to report the crash or if the autonomous vehicle has the  
 96 | capability of alerting a law enforcement agency to the crash.

97 | Section 5. Subsection (3) is added to section 316.1975,  
 98 | Florida Statutes, to read:

99 | 316.1975 Unattended motor vehicle.—

100 | (3) This section does not apply to a fully autonomous

101 vehicle operating in autonomous mode.

102 Section 6. Section 316.303, Florida Statutes, is amended  
103 to read:

104 316.303 Television receivers.—

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

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

116 (3) This section does not prohibit the use of an  
117 electronic display used in conjunction with a vehicle navigation  
118 system; an electronic display used by an operator of an  
119 autonomous ~~a vehicle equipped with autonomous technology~~, as  
120 defined in s. 316.003(2) ~~s. 316.003~~; or an electronic display  
121 used by an operator of a vehicle equipped and operating with  
122 driver-assistive truck platooning technology, as defined in s.  
123 316.003.

124 (4) A violation of this section is a noncriminal traffic  
125 infraction, punishable as a nonmoving violation as provided in

126 chapter 318.

127 Section 7. Paragraph (b) of subsection (3) of section  
 128 316.305, Florida Statutes, is amended to read:

129 316.305 Wireless communications devices; prohibition.—

130 (3)

131 (b) Paragraph (a) does not apply to a motor vehicle  
 132 operator who is:

133 1. Performing official duties as an operator of an  
 134 authorized emergency vehicle as defined in s. 322.01, a law  
 135 enforcement or fire service professional, or an emergency  
 136 medical services professional.

137 2. Reporting an emergency or criminal or suspicious  
 138 activity to law enforcement authorities.

139 3. Receiving messages that are:

140 a. Related to the operation or navigation of the motor  
 141 vehicle;

142 b. Safety-related information, including emergency,  
 143 traffic, or weather alerts;

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

145 d. Radio broadcasts.

146 4. Using a device or system for navigation purposes.

147 5. Conducting wireless interpersonal communication that  
 148 does not require manual entry of multiple letters, numbers, or  
 149 symbols, except to activate, deactivate, or initiate a feature  
 150 or function.

151 6. Conducting wireless interpersonal communication that  
152 does not require reading text messages, except to activate,  
153 deactivate, or initiate a feature or function.

154 7. Operating an autonomous vehicle, as defined in s.  
155 316.003(2) ~~s. 316.003~~, in autonomous mode.

156 Section 8. Section 316.85, Florida Statutes, is amended to  
157 read:

158 316.85 Autonomous vehicles; operation; compliance with  
159 traffic and motor vehicle laws; testing; preemption.-

160 (1) Notwithstanding any other law, a licensed human  
161 operator is not required to operate a fully autonomous vehicle ~~A~~  
162 ~~person who possesses a valid driver license may operate an~~  
163 ~~autonomous vehicle in autonomous mode on roads in this state if~~  
164 ~~the vehicle is equipped with autonomous technology, as defined~~  
165 ~~in s. 316.003(2) s. 316.003.~~

166 (2) A fully autonomous vehicle may operate in this state  
167 regardless of whether a licensed human operator is physically  
168 present in the vehicle.

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

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

178           1. Prohibit the automated driving system from being deemed  
 179 the operator of an autonomous vehicle operating in autonomous  
 180 mode.

181           2. Require a licensed human operator to operate a fully  
 182 autonomous vehicle.

183           (4) The Florida Turnpike Enterprise may fund, construct,  
 184 and operate test facilities for the advancement of autonomous  
 185 and connected innovative transportation technology solutions for  
 186 the purposes of improving safety and decreasing congestion for  
 187 the traveling public and to otherwise advance the objectives of  
 188 the Florida Turnpike Enterprise as set forth in the Florida  
 189 Transportation Code.

190           (5) It is the intent of the Legislature to provide for  
 191 uniformity of laws governing autonomous vehicles throughout the  
 192 state. A local government may not impose any tax, fee, or other  
 193 requirement on autonomous technology or autonomous vehicles or  
 194 on a person who operates an autonomous vehicle, including a  
 195 person who operates an autonomous vehicle for purposes of  
 196 providing passenger transportation services.

197           Section 9. Section 319.145, Florida Statutes, is amended  
 198 to read:

199           319.145 Autonomous vehicles.—

200           (1) An autonomous vehicle registered in this state must



201 ~~continue to~~ meet all of the following requirements:

202 (a) Comply with applicable federal law standards and  
 203 ~~regulations for such motor vehicle.~~

204 (b) When required by federal law, have been certified in  
 205 accordance with federal regulations in 49 C.F.R. part 567 as  
 206 being in compliance with applicable federal motor vehicle safety  
 207 standards and bear the required certification label or labels  
 208 including reference to any exemption granted under applicable  
 209 federal law.

210 (c) Be capable of being operated in compliance with the  
 211 applicable traffic and motor vehicle laws of this state,  
 212 regardless of whether the vehicle is operating in autonomous  
 213 mode.

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

216 (2) If the autonomous vehicle is not fully autonomous, the  
 217 ~~vehicle must:~~

218 ~~(a)~~ have a system to safely alert a licensed human the  
 219 operator physically present in the vehicle if an automated  
 220 driving system autonomous technology failure is detected while  
 221 the automated driving system autonomous technology is engaged.  
 222 ~~When an alert is given, the system must:~~

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

225 ~~2. If the operator does not, or is not able to, take~~

226 ~~control of the autonomous vehicle, be capable of bringing the~~  
227 ~~vehicle to a complete stop.~~

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

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

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

235 (4)(2) Federal regulations promulgated by the National  
236 Highway Traffic Safety Administration shall supersede this  
237 section when found to be in conflict with this section.

238 Section 10. Section 322.015, Florida Statutes, is created  
239 to read:

240 322.015 Exemption.—This chapter does not apply when a  
241 fully autonomous vehicle is operated in autonomous mode without  
242 a licensed human operator physically present in the vehicle.

243 Section 11. Section 324.033, Florida Statutes, is created  
244 to read:

245 324.033 Manner of proving financial responsibility;  
246 autonomous vehicles.—

247 (1) All fully autonomous vehicles must have uninsured and  
248 underinsured vehicle coverage as required by s. 627.727,  
249 personal injury protection coverage as provided by s. 627.736,  
250 and liability coverage in the amount of at least \$500,000 for

251 combined bodily injury liability and property damage liability  
252 or at least:

253 (a) One hundred thousand dollars for bodily injury to, or  
254 the death of, one person in any one accident;

255 (b) Subject to such limits for one person, \$300,000 for  
256 bodily injury to, or the death of, two or more persons in any  
257 one accident; and

258 (c) Fifty thousand dollars for damage to, or destruction  
259 of, the property of others in any one accident.

260 (2) Notwithstanding subsection (1), the owner or operator  
261 of an autonomous vehicle, as defined in s. 316.003(2), except in  
262 the circumstance of a digital network connecting a user to a  
263 driver or an autonomous vehicle, used commercially for the  
264 pickup or delivery of passengers or goods or for providing other  
265 services for compensation may prove financial responsibility by  
266 furnishing satisfactory evidence of having automobile insurance  
267 that provides all of the following:

268 (a) Primary automobile liability coverage of at least \$2  
269 million for death, bodily injury, and property damage.

270 (b) Personal injury protection benefits that meet the  
271 minimum coverage required under ss. 627.730-627.7405.

272 (c) Uninsured and underinsured vehicle coverage as  
273 required by s. 627.727.

274 Section 12. Paragraph (c) of subsection (7) of section  
275 339.175, Florida Statutes, is amended to read:

276           339.175 Metropolitan planning organization.—  
 277           (7) LONG-RANGE TRANSPORTATION PLAN.—Each M.P.O. must  
 278 develop a long-range transportation plan that addresses at least  
 279 a 20-year planning horizon. The plan must include both long-  
 280 range and short-range strategies and must comply with all other  
 281 state and federal requirements. The prevailing principles to be  
 282 considered in the long-range transportation plan are: preserving  
 283 the existing transportation infrastructure; enhancing Florida's  
 284 economic competitiveness; and improving travel choices to ensure  
 285 mobility. The long-range transportation plan must be consistent,  
 286 to the maximum extent feasible, with future land use elements  
 287 and the goals, objectives, and policies of the approved local  
 288 government comprehensive plans of the units of local government  
 289 located within the jurisdiction of the M.P.O. Each M.P.O. is  
 290 encouraged to consider strategies that integrate transportation  
 291 and land use planning to provide for sustainable development and  
 292 reduce greenhouse gas emissions. The approved long-range  
 293 transportation plan must be considered by local governments in  
 294 the development of the transportation elements in local  
 295 government comprehensive plans and any amendments thereto. The  
 296 long-range transportation plan must, at a minimum:  
 297           (c) Assess capital investment and other measures necessary  
 298 to:  
 299           1. Ensure the preservation of the existing metropolitan  
 300 transportation system including requirements for the operation,

301 resurfacing, restoration, and rehabilitation of major roadways  
302 and requirements for the operation, maintenance, modernization,  
303 and rehabilitation of public transportation facilities; and

304 2. Make the most efficient use of existing transportation  
305 facilities to relieve vehicular congestion, improve safety, and  
306 maximize the mobility of people and goods. Such efforts must  
307 include, but are not limited to, consideration of infrastructure  
308 and technological improvements necessary to accommodate advances  
309 in vehicle technology, such as automated driving systems  
310 ~~autonomous technology~~ and other developments.

311  
312 In the development of its long-range transportation plan, each  
313 M.P.O. must provide the public, affected public agencies,  
314 representatives of transportation agency employees, freight  
315 shippers, providers of freight transportation services, private  
316 providers of transportation, representatives of users of public  
317 transit, and other interested parties with a reasonable  
318 opportunity to comment on the long-range transportation plan.  
319 The long-range transportation plan must be approved by the  
320 M.P.O.

321 Section 13. Paragraph (c) of subsection (3) and paragraph  
322 (a) of subsection (4) of section 339.64, Florida Statutes, are  
323 amended to read:

324 339.64 Strategic Intermodal System Plan.—

325 (3)

326 (c) The department shall coordinate with federal,  
 327 regional, and local partners, as well as industry  
 328 representatives, to consider infrastructure and technological  
 329 improvements necessary to accommodate advances in vehicle  
 330 technology, such as automated driving systems ~~autonomous~~  
 331 ~~technology~~ and other developments, in Strategic Intermodal  
 332 System facilities.

333 (4) The Strategic Intermodal System Plan shall include the  
 334 following:

335 (a) A needs assessment that must include, but is not  
 336 limited to, consideration of infrastructure and technological  
 337 improvements necessary to accommodate advances in vehicle  
 338 technology, such as automated driving systems ~~autonomous~~  
 339 ~~technology~~ and other developments.

340 Section 14. Section 339.83, Florida Statutes, is amended  
 341 to read:

342 339.83 Enrollment in federal pilot programs.—The Secretary  
 343 of Transportation may enroll the State of Florida in any federal  
 344 pilot program or project for the collection and study of data  
 345 for the review of federal or state roadway safety,  
 346 infrastructure sustainability, congestion mitigation,  
 347 transportation system efficiency, automated driving systems  
 348 ~~autonomous vehicle technology~~, or capacity challenges.

349 Section 15. Subsection (6) of section 627.0653, Florida  
 350 Statutes, is amended to read:

351           627.0653 Insurance discounts for specified motor vehicle  
352 equipment.—

353           (6) The Office of Insurance Regulation may approve a  
354 premium discount to any rates, rating schedules, or rating  
355 manuals for the liability, personal injury protection, and  
356 collision coverages of a motor vehicle insurance policy filed  
357 with the office if the insured vehicle is equipped with an  
358 automated driving system ~~autonomous driving technology~~ or  
359 electronic vehicle collision avoidance technology that is  
360 factory installed or a retrofitted system and that complies with  
361 National Highway Traffic Safety Administration standards.

362           Section 16. Subsection (7) of section 627.748, Florida  
363 Statutes, is amended to read:

364           627.748 Transportation network companies.—

365           (7) TRANSPORTATION NETWORK COMPANY AND TNC DRIVER  
366 INSURANCE REQUIREMENTS.—

367           (a) ~~Beginning July 1, 2017,~~ A TNC driver or a TNC on  
368 behalf of the TNC driver shall maintain primary automobile  
369 insurance that:

370           1. Recognizes that the TNC driver is a TNC driver or  
371 otherwise uses a vehicle to transport riders for compensation;  
372 and

373           2. Covers the TNC driver while the TNC driver is logged on  
374 to the digital network of the TNC or while the TNC driver is  
375 engaged in a prearranged ride.

376 (b) The following automobile insurance requirements apply  
 377 while a participating TNC driver is logged on to the digital  
 378 network but is not engaged in a prearranged ride:

379 1. Automobile insurance that provides:

380 a. A primary automobile liability coverage of at least  
 381 \$50,000 for death and bodily injury per person, \$100,000 for  
 382 death and bodily injury per incident, and \$25,000 for property  
 383 damage;

384 b. Personal injury protection benefits that meet the  
 385 minimum coverage amounts required under ss. 627.730-627.7405;  
 386 and

387 c. Uninsured and underinsured vehicle coverage as required  
 388 by s. 627.727.

389 2. The coverage requirements of this paragraph may be  
 390 satisfied by any of the following:

391 a. Automobile insurance maintained by the TNC driver;

392 b. Automobile insurance maintained by the TNC; or

393 c. A combination of sub-subparagraphs a. and b.

394 (c) The following automobile insurance requirements apply  
 395 while a TNC driver is engaged in a prearranged ride:

396 1. Automobile insurance that provides:

397 a. A primary automobile liability coverage of at least \$1  
 398 million for death, bodily injury, and property damage;

399 b. Personal injury protection benefits that meet the  
 400 minimum coverage amounts required of a limousine under ss.



401 627.730-627.7405; and

402 c. Uninsured and underinsured vehicle coverage as required  
403 by s. 627.727.

404 2. The coverage requirements of this paragraph may be  
405 satisfied by any of the following:

406 a. Automobile insurance maintained by the TNC driver;

407 b. Automobile insurance maintained by the TNC; or

408 c. A combination of sub-subparagraphs a. and b.

409 (d) Beginning July 1, 2018, the following insurance  
410 requirements apply to all autonomous vehicles, as defined in s.  
411 316.003(2), used by a TNC during prearranged rides while the  
412 vehicles are being driven by an automated driving system:

413 1. Primary automobile liability coverage of at least \$1  
414 million for death, bodily injury, and property damage;

415 2. Personal injury protection benefits that meet the  
416 minimum coverage amounts required of a limousine under ss.  
417 627.730-627.7405; and

418 3. Uninsured and underinsured vehicle coverage as required  
419 by s. 627.727.

420 (e)~~(d)~~ If the TNC driver's insurance under paragraph (b)  
421 or paragraph (c) has lapsed or does not provide the required  
422 coverage, the insurance maintained by the TNC must provide the  
423 coverage required under this subsection, beginning with the  
424 first dollar of a claim, and have the duty to defend such claim.

425 (f)~~(e)~~ Coverage under an automobile insurance policy

426 maintained by the TNC must not be dependent on a personal  
427 automobile insurer first denying a claim, and a personal  
428 automobile insurance policy is not required to first deny a  
429 claim.

430 (g)~~(f)~~ Insurance required under this subsection must be  
431 provided by an insurer authorized to do business in this state  
432 which is a member of the Florida Insurance Guaranty Association  
433 or an eligible surplus lines insurer that has a superior,  
434 excellent, exceptional, or equivalent financial strength rating  
435 by a rating agency acceptable to the Office of Insurance  
436 Regulation of the Financial Services Commission.

437 (h)~~(g)~~ Insurance satisfying the requirements under this  
438 subsection is deemed to satisfy the financial responsibility  
439 requirement for a motor vehicle under chapter 324 and the  
440 security required under s. 627.733 for any period when the TNC  
441 driver is logged onto the digital network or engaged in a  
442 prearranged ride.

443 (i)~~(h)~~ A TNC driver shall carry proof of coverage  
444 satisfying paragraphs (b) and (c) with him or her at all times  
445 during his or her use of a TNC vehicle in connection with a  
446 digital network. In the event of an accident, a TNC driver shall  
447 provide this insurance coverage information to any party  
448 directly involved in the accident or the party's designated  
449 representative, automobile insurers, and investigating police  
450 officers. Proof of financial responsibility may be presented

451 through an electronic device, such as a digital phone  
452 application, under s. 316.646. Upon request, a TNC driver shall  
453 also disclose to any party directly involved in the accident or  
454 the party's designated representative, automobile insurers, and  
455 investigating police officers whether he or she was logged on to  
456 a digital network or was engaged in a prearranged ride at the  
457 time of the accident.

458 (j)~~(i)~~ If a TNC's insurer makes a payment for a claim  
459 covered under comprehensive coverage or collision coverage, the  
460 TNC shall cause its insurer to issue the payment directly to the  
461 business repairing the vehicle or jointly to the owner of the  
462 vehicle and the primary lienholder on the covered vehicle.

463 Section 17. This act shall take effect July 1, 2018.