

Amendment No.

CHAMBER ACTION

Senate

House

.

1 Representative Fischer offered the following:

2

3 **Amendment (with title amendment)**

4 Remove everything after the enacting clause and insert:

5 Section 1. Subsections (48) through (86) and (87) through
6 (101) of section 316.003, Florida Statutes, are renumbered as
7 subsections (49) through (87) and (89) through (103),
8 respectively, present subsections (3) and (59) are amended, and
9 new subsections (48) and (88) are added to that section, to
10 read:

11 316.003 Definitions.—The following words and phrases, when
12 used in this chapter, shall have the meanings respectively

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13 ascribed to them in this section, except where the context
14 otherwise requires:

15 (3) AUTOMATED DRIVING SYSTEM AUTONOMOUS VEHICLE.—The
16 hardware and software that are collectively capable of
17 performing the entire dynamic driving task of an autonomous
18 vehicle on a sustained basis, regardless of whether it is
19 limited to a specific operational design domain. The term:

20 (a) "Autonomous vehicle" means any vehicle equipped with
21 an automated driving system.

22 (b) "Dynamic driving task" means all of the real-time
23 operational and tactical functions required to operate a vehicle
24 in on-road traffic within its specific operational design
25 domain, if any, excluding strategic functions such as trip
26 scheduling and selection of destinations and waypoints.

27 (c) "Fully autonomous vehicle" means a vehicle equipped
28 with an automated driving system designed to function without
29 autonomous technology. The term "autonomous technology" means
30 technology installed on a motor vehicle that has the capability
31 to drive the vehicle on which the technology is installed
32 without the active control or monitoring by a human operator.
33 The term excludes a motor vehicle enabled with active safety
34 systems or driver assistance systems, including, without
35 limitation, a system to provide electronic blind spot
36 assistance, crash avoidance, emergency braking, parking
37 assistance, adaptive cruise control, lane keep assistance, lane

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38 ~~departure warning, or traffic jam and queuing assistant, unless~~
39 ~~any such system alone or in combination with other systems~~
40 ~~enables the vehicle on which the technology is installed to~~
41 ~~drive without active control or monitoring by a human operator.~~

42 (d) "Operational design domain" means a description of the
43 specific operating domain in which an automated driving system
44 is designed to properly operate, including, but not limited to,
45 roadway types, speed ranges, environmental conditions such as
46 weather and time of day, and other domain constraints.

47 (48) ON-DEMAND AUTONOMOUS VEHICLE NETWORK.—A passenger
48 transportation network that uses a software application or other
49 digital means to connect passengers to fully autonomous
50 vehicles, exclusively or in addition to other vehicles, for
51 transportation, including for-hire transportation and
52 transportation for compensation.

53 (60) ~~(59)~~ PRIVATE ROAD OR DRIVEWAY.—Except as otherwise
54 provided in paragraph (82) (b) ~~(81) (b)~~, any privately owned way
55 or place used for vehicular travel by the owner and those having
56 express or implied permission from the owner, but not by other
57 persons.

58 (88) TELEOPERATION SYSTEM.—The hardware and software
59 installed in a motor vehicle which allow a remote human operator
60 to supervise or perform aspects of, or the entirety of, the
61 dynamic driving task. The term "remote human operator" means a
62 natural person who is not physically present in a vehicle

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63 equipped with an automated driving system who engages or
64 monitors the vehicle from a remote location. A remote human
65 operator may have the ability to perform aspects of, or the
66 entirety of, the dynamic driving task for the vehicle or cause
67 the vehicle to achieve a minimal risk condition as defined in s.
68 319.145(2). A remote human operator must be physically present
69 in the United States and be licensed to operate a motor vehicle
70 by a United States jurisdiction.

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

73 316.062 Duty to give information and render aid.—

74 (5) This section does not apply to a fully autonomous
75 vehicle operating with the automated driving system engaged in
76 the event of a crash involving the vehicle if the vehicle owner,
77 or a person on behalf of the vehicle owner, promptly contacts a
78 law enforcement agency to report the crash or if the fully
79 autonomous vehicle has the capability of alerting a law
80 enforcement agency to the crash.

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

83 316.063 Duty upon damaging unattended vehicle or other
84 property.—

85 (4) This section does not apply to a fully autonomous
86 vehicle operating with the automated driving system engaged in
87 the event of a crash involving the vehicle if the vehicle owner,

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88 or a person on behalf of the vehicle owner, promptly contacts a
89 law enforcement agency to report the crash or if the fully
90 autonomous vehicle has the capability of alerting a law
91 enforcement agency to the crash.

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

94 316.065 Crashes; reports; penalties.—

95 (5) Subsection (1) does not apply to a fully autonomous
96 vehicle operating with the automated driving system engaged in
97 the event of a crash involving the vehicle if the vehicle owner,
98 or a person on behalf of the vehicle owner, promptly contacts a
99 law enforcement agency to report the crash or if the fully
100 autonomous vehicle has the capability of alerting a law
101 enforcement agency to the crash.

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

104 316.1975 Unattended motor vehicle.—

105 (3) This section does not apply to a fully autonomous
106 vehicle operating with the automated driving system engaged.

107 Section 6. Section 316.303, Florida Statutes, is amended
108 to read:

109 316.303 Television receivers.—

110 (1) A ~~No~~ motor vehicle may not be operated on the highways
111 of this state if the vehicle is actively displaying moving
112 television broadcast or pre-recorded video entertainment content

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113 that is visible from the driver's seat while the vehicle is in
114 motion, unless the vehicle is ~~equipped with autonomous~~
115 ~~technology, as defined in s. 316.003(3), and is being operated~~
116 with the automated driving system engaged in autonomous mode, as
117 ~~provided in s. 316.85(2).~~

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

122 (3) This section does not prohibit the use of an
123 electronic display used in conjunction with a vehicle navigation
124 system; an electronic display used by an operator of an
125 autonomous a vehicle ~~equipped with autonomous technology~~, as
126 defined in s. 316.003(3); or an electronic display used by an
127 operator of a vehicle equipped and operating with driver-
128 assistive truck platooning technology, as defined in s. 316.003.

129 (4) A violation of this section is a noncriminal traffic
130 infraction, punishable as a nonmoving violation as provided in
131 chapter 318.

132 Section 7. Paragraph (b) of subsection (3) of section
133 316.305, Florida Statutes, is amended to read:

134 316.305 Wireless communications devices; prohibition.—

135 (3)

136 (b) Paragraph (a) does not apply to a motor vehicle
137 operator who is:

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138 1. Performing official duties as an operator of an
139 authorized emergency vehicle as defined in s. 322.01, a law
140 enforcement or fire service professional, or an emergency
141 medical services professional.

142 2. Reporting an emergency or criminal or suspicious
143 activity to law enforcement authorities.

144 3. Receiving messages that are:

145 a. Related to the operation or navigation of the motor
146 vehicle;

147 b. Safety-related information, including emergency,
148 traffic, or weather alerts;

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

150 d. Radio broadcasts.

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

152 5. Conducting wireless interpersonal communication that
153 does not require manual entry of multiple letters, numbers, or
154 symbols, except to activate, deactivate, or initiate a feature
155 or function.

156 6. Conducting wireless interpersonal communication that
157 does not require reading text messages, except to activate,
158 deactivate, or initiate a feature or function.

159 7. Operating an autonomous vehicle, as defined in s.
160 316.003(3) s. ~~316.003~~, with the automated driving system engaged
161 in autonomous mode.

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162 Section 8. Section 316.85, Florida Statutes, is amended to
163 read:

164 316.85 Autonomous vehicles; operation; compliance with
165 traffic and motor vehicle laws; testing.—

166 (1) Notwithstanding any other law, a licensed human
167 operator is not required to operate a fully autonomous vehicle A
168 ~~person who possesses a valid driver license may operate an~~
169 ~~autonomous vehicle in autonomous mode on roads in this state if~~
170 ~~the vehicle is equipped with autonomous technology,~~ as defined
171 in s. 316.003(3) ~~s. 316.003~~.

172 (2) A fully autonomous vehicle may operate in this state
173 regardless of whether a human operator is physically present in
174 the vehicle.

175 (3) (a) ~~(2)~~ For purposes of this chapter, unless the context
176 otherwise requires, the automated driving system, when engaged,
177 ~~a person~~ shall be deemed to be the operator of an autonomous
178 ~~vehicle operating in autonomous mode when the person causes the~~
179 ~~vehicle's autonomous technology to engage,~~ regardless of whether
180 a ~~the~~ person is physically present in the vehicle while the
181 vehicle is operating with the automated driving system engaged
182 ~~in autonomous mode.~~

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

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185 1. Prohibit the automated driving system from being deemed
186 the operator of an autonomous vehicle operating with the
187 automated driving system engaged.

188 2. Require a licensed human operator to operate a fully
189 autonomous vehicle.

190 (4) An on-demand autonomous vehicle network shall operate
191 pursuant to state laws governing the operation of transportation
192 network companies and transportation network company vehicles as
193 defined in s. 627.748, except that any provision of s. 627.748
194 that reasonably applies only to a human driver does not apply to
195 the operation of a fully autonomous vehicle with the automated
196 driving system engaged while logged on to an on-demand
197 autonomous vehicle network. A fully autonomous vehicle with the
198 automated driving system engaged while logged on to an on-demand
199 autonomous vehicle network must meet the insurance requirements
200 in s. 627.749.

201 (5) Notwithstanding any other provision of this chapter,
202 an autonomous vehicle or a fully autonomous vehicle equipped
203 with a teleoperation system may operate without a human operator
204 physically present in the vehicle when the teleoperation system
205 is engaged. A vehicle that is subject to this subsection must
206 meet the requirements of s. 319.145 and is considered a vehicle
207 that meets the definition provided in s. 316.003(3)(c) for the
208 purposes of ss. 316.062(5), 316.063(4), 316.065(5), 316.1975(3),
209 and 316.303(1).

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210 (6) It is the intent of the Legislature to provide for
211 uniformity of laws governing autonomous vehicles throughout the
212 state. A local government may not impose any tax, fee, for-hire
213 vehicle requirement, or other requirement on automated driving
214 systems or autonomous vehicles or on a person who operates an
215 autonomous vehicle, including, but not limited to, a person who
216 operates an autonomous vehicle for purposes of providing
217 passenger transportation services. This subsection does not
218 prohibit an airport or a seaport from charging reasonable fees
219 consistent with any fees charged to companies that provide
220 similar services at that airport or seaport for their use of the
221 airport's or seaport's facilities, nor does it prohibit the
222 airport or seaport from designating locations for staging,
223 pickup, or other similar operations at the airport or seaport.

224 Section 9. Section 319.145, Florida Statutes, is amended
225 to read:

226 319.145 Autonomous vehicles.—

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

229 (a) When required by federal law:

230 1. Have been certified in accordance with federal
231 regulations in 49 C.F.R. part 567 as being in compliance with
232 applicable federal motor vehicle safety standards.

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233 2. Bear the required certification label or labels
234 including reference to any exemption granted under applicable
235 federal law.

236 (b) Be capable of being operated in compliance with the
237 applicable traffic and motor vehicle laws of this state,
238 regardless of whether the vehicle is operating with the
239 automated driving system engaged.

240 (2) If the autonomous vehicle is not fully autonomous,
241 ~~applicable federal standards and regulations for such motor~~
242 ~~vehicle.~~ the vehicle must:

243 ~~(a)~~ have a system to safely alert a licensed human ~~the~~
244 operator physically present in the vehicle if an automated
245 driving system ~~autonomous technology~~ failure is detected while
246 the automated driving system ~~autonomous technology~~ is engaged.
247 When an alert is given, the system must:

248 ~~1.~~ require the licensed human operator to take control of
249 the autonomous vehicle, ~~or~~ must achieve a minimal risk
250 condition. The term "minimal risk condition" means a reasonably
251 safe state, such as bringing the vehicle to a complete stop and
252 activating the vehicle's hazard lamps.

253 (3) If the autonomous vehicle is fully autonomous, it must
254 be able to achieve a minimal risk condition if a failure of the
255 automated driving system occurs which renders that system unable
256 to perform the entire dynamic driving task relevant to its
257 intended operational design domain.

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

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

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

265 ~~(4)(2)~~ Federal regulations promulgated by the National
266 Highway Traffic Safety Administration shall supersede this
267 section when found to be in conflict with this section.

268 Section 10. Section 322.015, Florida Statutes, is created
269 to read:

270 322.015 Exemption.—This chapter does not apply when a
271 fully autonomous vehicle is operated with the automated driving
272 system engaged and without a human operator.

273 Section 11. Paragraph (f) is added to subsection (1) of
274 section 338.2216, Florida Statutes, to read:

275 338.2216 Florida Turnpike Enterprise; powers and
276 authority.—

277 (1)

278 (f) The Florida Turnpike Enterprise may enter into one or
279 more agreements to fund, construct, and operate facilities for
280 the advancement of autonomous and connected innovative
281 transportation technologies for the purposes of improving safety
282 and decreasing congestion for the traveling public. Such

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283 agreements may include terms that authorize a private entity to
284 sell or provide products or business opportunities at the
285 facilities which benefit the traveling public, provide
286 additional revenue, or otherwise advance the enterprise's
287 objectives as set forth in the Florida Transportation Code.

288 Section 12. Paragraph (c) of subsection (7) of section
289 339.175, Florida Statutes, is amended to read:

290 339.175 Metropolitan planning organization.—

291 (7) LONG-RANGE TRANSPORTATION PLAN.—Each M.P.O. must
292 develop a long-range transportation plan that addresses at least
293 a 20-year planning horizon. The plan must include both long-
294 range and short-range strategies and must comply with all other
295 state and federal requirements. The prevailing principles to be
296 considered in the long-range transportation plan are: preserving
297 the existing transportation infrastructure; enhancing Florida's
298 economic competitiveness; and improving travel choices to ensure
299 mobility. The long-range transportation plan must be consistent,
300 to the maximum extent feasible, with future land use elements
301 and the goals, objectives, and policies of the approved local
302 government comprehensive plans of the units of local government
303 located within the jurisdiction of the M.P.O. Each M.P.O. is
304 encouraged to consider strategies that integrate transportation
305 and land use planning to provide for sustainable development and
306 reduce greenhouse gas emissions. The approved long-range
307 transportation plan must be considered by local governments in

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308 the development of the transportation elements in local
309 government comprehensive plans and any amendments thereto. The
310 long-range transportation plan must, at a minimum:

311 (c) Assess capital investment and other measures necessary
312 to:

313 1. Ensure the preservation of the existing metropolitan
314 transportation system including requirements for the operation,
315 resurfacing, restoration, and rehabilitation of major roadways
316 and requirements for the operation, maintenance, modernization,
317 and rehabilitation of public transportation facilities; and

318 2. Make the most efficient use of existing transportation
319 facilities to relieve vehicular congestion, improve safety, and
320 maximize the mobility of people and goods. Such efforts must
321 include, but are not limited to, consideration of infrastructure
322 and technological improvements necessary to accommodate advances
323 in vehicle technology, such as automated driving systems
324 ~~autonomous technology~~ and other developments.

325

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

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333 The long-range transportation plan must be approved by the
334 M.P.O.

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

338 339.64 Strategic Intermodal System Plan.—

339 (3)

340 (c) The department shall coordinate with federal,
341 regional, and local partners, as well as industry
342 representatives, to consider infrastructure and technological
343 improvements necessary to accommodate advances in vehicle
344 technology, such as automated driving systems ~~autonomous~~
345 ~~technology~~ and other developments, in Strategic Intermodal
346 System facilities.

347 (4) The Strategic Intermodal System Plan shall include the
348 following:

349 (a) A needs assessment that must include, but is not
350 limited to, consideration of infrastructure and technological
351 improvements necessary to accommodate advances in vehicle
352 technology, such as automated driving systems ~~autonomous~~
353 ~~technology~~ and other developments.

354 Section 14. Section 339.83, Florida Statutes, is amended
355 to read:

356 339.83 Enrollment in federal pilot programs.—The Secretary
357 of Transportation may enroll the State of Florida in any federal

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358 pilot program or project for the collection and study of data
359 for the review of federal or state roadway safety,
360 infrastructure sustainability, congestion mitigation,
361 transportation system efficiency, automated driving systems
362 ~~autonomous vehicle technology~~, or capacity challenges.

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

365 627.0653 Insurance discounts for specified motor vehicle
366 equipment.—

367 (6) The Office of Insurance Regulation may approve a
368 premium discount to any rates, rating schedules, or rating
369 manuals for the liability, personal injury protection, and
370 collision coverages of a motor vehicle insurance policy filed
371 with the office if the insured vehicle is equipped with an
372 automated driving system ~~autonomous driving technology~~ or
373 electronic vehicle collision avoidance technology that is
374 factory installed or a retrofitted system and that complies with
375 National Highway Traffic Safety Administration standards.

376 Section 16. Section 627.749, Florida Statutes, is created
377 to read:

378 627.749 Autonomous vehicles; insurance requirements.—

379 (1) DEFINITIONS.—As used in this section, the term:

380 (a) "Automated driving system" has the same meaning as
381 provided in s. 316.003.

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382 (b) "Autonomous vehicle" has the same meaning as provided
383 in s. 316.003(3).

384 (c) "Fully autonomous vehicle" has the same meaning as
385 provided in s. 316.003(3).

386 (d) "On-demand autonomous vehicle network" has the same
387 meaning as provided in s. 316.003.

388 (2) INSURANCE REQUIREMENTS.—

389 (a) A fully autonomous vehicle with the automated driving
390 system engaged while logged on to an on-demand autonomous
391 vehicle network or engaged in a prearranged ride must be covered
392 by a policy of automobile insurance which provides:

393 1. Primary liability coverage of at least \$1 million for
394 death, bodily injury, and property damage.

395 2. Personal injury protection benefits that meet the
396 minimum coverage amounts required under ss. 627.730-627.7405.

397 3. Uninsured and underinsured vehicle coverage as required
398 by s. 627.727.

399 (b) The coverage requirements of paragraph (a) may be
400 satisfied by:

401 1. Automobile insurance maintained by the owner of a fully
402 autonomous vehicle with the automated driving system engaged
403 while logged on to an on-demand autonomous vehicle network or
404 engaged in a prearranged ride;

405 2. Automobile insurance maintained by the on-demand
406 autonomous vehicle network; or

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407 3. A combination of subparagraphs 1. and 2.

408 (3) ADDITIONAL COVERAGE REQUIREMENTS.—

409 (a) For purposes of compliance with chapter 324, the owner
410 or registrant of a fully autonomous vehicle, when the vehicle is
411 not subject to subsection (2), must furnish proof of ability to
412 respond in damages for the owner's or registrant's liability on
413 account of crashes arising out of the use of a motor vehicle:

414 1. In the amount of \$1 million because of bodily injury
415 to, or death of, one person in any one crash.

416 2. Subject to such limits for one person, in the amount of
417 \$1 million because of bodily injury to, or death of, two or more
418 persons in any one crash.

419 3. In the amount of \$1 million because of injury to, or
420 destruction of, property of others in any one crash.

421 4. With respect to commercial motor vehicles and nonpublic
422 sector buses that are fully autonomous vehicles, in the amounts
423 specified in ss. 627.7415 and 627.742, respectively.

424 (b) This subsection is repealed on January 1, 2024.

425 Section 17. Subsection (1) of section 655.960, Florida
426 Statutes, is amended to read:

427 655.960 Definitions; ss. 655.960-655.965.—As used in this
428 section and ss. 655.961-655.965, unless the context otherwise
429 requires:

430 (1) "Access area" means any paved walkway or sidewalk
431 which is within 50 feet of any automated teller machine. The

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432 term does not include any street or highway open to the use of
 433 the public, as defined in s. 316.003(82)(a) ~~s. 316.003(81)(a)~~ or
 434 (b), including any adjacent sidewalk, as defined in s. 316.003.
 435 Section 18. This act shall take effect July 1, 2019.

436
 437 -----

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

438 Remove everything before the enacting clause and insert:

439
 440
 441 A bill to be entitled
 442 An act relating to autonomous vehicles; amending s.
 443 316.003, F.S.; revising and providing definitions;
 444 amending ss. 316.062, 316.063, 316.065, and 316.1975,
 445 F.S.; providing applicability; amending s. 316.303,
 446 F.S.; exempting a vehicle being operated with the
 447 automated driving system engaged from a prohibition on
 448 the active display of television or video; amending s.
 449 316.305, F.S.; exempting a motor vehicle operator who
 450 is operating an autonomous vehicle from a prohibition
 451 on the use of wireless communications devices;
 452 amending s. 316.85, F.S.; providing that a licensed
 453 human operator is not required to operate a fully
 454 autonomous vehicle; authorizing a fully autonomous
 455 vehicle to operate in this state regardless of whether
 456 a human operator is physically present in the vehicle;

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457 requiring the automated driving system to be deemed to
458 be the operator of an autonomous vehicle operating
459 with the automated driving system engaged; providing
460 construction; providing requirements for operation of
461 on-demand autonomous vehicle networks; providing
462 insurance requirements; authorizing an autonomous or
463 fully autonomous vehicle equipped with a teleoperation
464 system to operate without a human operator physically
465 present in the vehicle when the system is engaged;
466 providing application to certain statutory provisions;
467 providing for uniformity of laws governing autonomous
468 vehicles; providing construction with respect to
469 certain fees charged and staging or pickup locations
470 designated by an airport or seaport; amending s.
471 319.145, F.S.; revising requirements for autonomous
472 vehicles registered in this state; creating s.
473 322.015, F.S.; providing applicability; amending s.
474 338.2216, F.S.; authorizing the Florida Turnpike
475 Enterprise to enter into agreements to fund,
476 construct, and operate certain facilities; amending
477 ss. 339.175, 339.64, 339.83, and 627.0653, F.S.;
478 conforming provisions to changes made by the act;
479 creating s. 627.749, F.S.; providing definitions;
480 providing insurance requirements for autonomous

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481 | vehicles; amending s. 655.960, F.S.; conforming a
482 | cross-reference; providing an effective date.

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