

Amendment No.

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WITHDRAWN	_____	(Y/N)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		

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

**Amendment (with title amendment)**

Remove everything after the enacting clause and insert:

6 Section 1. Subsections (48) through (101) of section  
 7 316.003, Florida Statutes, are renumbered as subsections (49)  
 8 through (102), respectively, present subsections (3) and (59)  
 9 are amended, and new subsection (48) is added to that section,  
 10 to read:

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

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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, excluding strategic functions such as trip  
25 scheduling and selection of destinations and waypoints.

26 (c) "Fully autonomous vehicle" means a vehicle equipped  
27 with an automated driving system designed to function without  
28 autonomous technology. The term "autonomous technology" means  
29 technology installed on a motor vehicle that has the capability  
30 to drive the vehicle on which the technology is installed  
31 without the active control or monitoring by a human operator.  
32 The term excludes a motor vehicle enabled with active safety  
33 systems or driver assistance systems, including, without  
34 limitation, a system to provide electronic blind spot  
35 assistance, crash avoidance, emergency braking, parking  
36 assistance, adaptive cruise control, lane keep assistance, lane  
37 departure warning, or traffic jam and queuing assistant, unless  
38 any such system alone or in combination with other systems  
39 enables the vehicle on which the technology is installed to  
40 drive without active control or monitoring by a human operator.

41 (d) "Operational design domain" means a description of the

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42 specific operating domain in which an automated driving system  
43 is designed to properly operate, including, but not limited to,  
44 roadway types, speed ranges, environmental conditions such as  
45 weather and time of day, and other domain constraints.

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

52 (60) ~~(59)~~ PRIVATE ROAD OR DRIVEWAY.—Except as otherwise  
53 provided in paragraph (82) (b) ~~(81) (b)~~, any privately owned way  
54 or place used for vehicular travel by the owner and those having  
55 express or implied permission from the owner, but not by other  
56 persons.

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

59 316.062 Duty to give information and render aid.—

60 (5) This section does not apply to a fully autonomous  
61 vehicle operating with the automated driving system engaged in  
62 the event of a crash involving the vehicle if the vehicle owner,  
63 or a person on behalf of the vehicle owner, promptly contacts a  
64 law enforcement agency to report the crash or if the fully  
65 autonomous vehicle has the capability of alerting a law  
66 enforcement agency to the crash.

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

69 316.063 Duty upon damaging unattended vehicle or other  
70 property.—

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

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

80 316.065 Crashes; reports; penalties.—

81 (5) Subsection (1) does not apply to a fully autonomous  
82 vehicle operating with the automated driving system engaged in  
83 the event of a crash involving the vehicle if the vehicle owner,  
84 or a person on behalf of the vehicle owner, promptly contacts a  
85 law enforcement agency to report the crash or if the fully  
86 autonomous vehicle has the capability of alerting a law  
87 enforcement agency to the crash.

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

90 316.1975 Unattended motor vehicle.—

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

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92 vehicle operating with the automated driving system engaged.

93 Section 6. Section 316.303, Florida Statutes, is amended  
94 to read:

95 316.303 Television receivers.—

96 (1) A ~~No~~ motor vehicle may not be operated on the highways  
97 of this state if the vehicle is actively displaying moving  
98 television broadcast or pre-recorded video entertainment content  
99 that is visible from the driver's seat while the vehicle is in  
100 motion, unless the vehicle is ~~equipped with autonomous~~  
101 ~~technology, as defined in s. 316.003(3), and is being operated~~  
102 with the automated driving system engaged ~~in autonomous mode, as~~  
103 ~~provided in s. 316.85(2).~~

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

108 (3) This section does not prohibit the use of an  
109 electronic display used in conjunction with a vehicle navigation  
110 system; an electronic display used by an operator of an  
111 autonomous ~~a vehicle equipped with autonomous technology~~, as  
112 defined in s. 316.003(3); or an electronic display used by an  
113 operator of a vehicle equipped and operating with driver-  
114 assistive truck platooning technology, as defined in s. 316.003.

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

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117 chapter 318.

118 Section 7. Paragraph (b) of subsection (3) of section  
119 316.305, Florida Statutes, is amended to read:

120 316.305 Wireless communications devices; prohibition.—

121 (3)

122 (b) Paragraph (a) does not apply to a motor vehicle  
123 operator who is:

124 1. Performing official duties as an operator of an  
125 authorized emergency vehicle as defined in s. 322.01, a law  
126 enforcement or fire service professional, or an emergency  
127 medical services professional.

128 2. Reporting an emergency or criminal or suspicious  
129 activity to law enforcement authorities.

130 3. Receiving messages that are:

131 a. Related to the operation or navigation of the motor  
132 vehicle;

133 b. Safety-related information, including emergency,  
134 traffic, or weather alerts;

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

136 d. Radio broadcasts.

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

138 5. Conducting wireless interpersonal communication that  
139 does not require manual entry of multiple letters, numbers, or  
140 symbols, except to activate, deactivate, or initiate a feature  
141 or function.

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142 6. Conducting wireless interpersonal communication that  
143 does not require reading text messages, except to activate,  
144 deactivate, or initiate a feature or function.

145 7. Operating an autonomous vehicle, as defined in s.  
146 316.003(3) ~~s. 316.003~~, with the automated driving system engaged  
147 ~~in autonomous mode.~~

148 Section 8. Section 316.85, Florida Statutes, is amended to  
149 read:

150 316.85 Autonomous vehicles; operation; compliance with  
151 traffic and motor vehicle laws; testing.—

152 (1) Notwithstanding any other law, a licensed human  
153 operator is not required to operate a fully autonomous vehicle ~~A~~  
154 ~~person who possesses a valid driver license may operate an~~  
155 ~~autonomous vehicle in autonomous mode on roads in this state if~~  
156 ~~the vehicle is equipped with autonomous technology,~~ as defined  
157 in s. 316.003(3) ~~s. 316.003~~.

158 (2) A fully autonomous vehicle may operate in this state  
159 regardless of whether a human operator is physically present in  
160 the vehicle.

161 (3) ~~(a)-(2)~~ For purposes of this chapter, unless the context  
162 otherwise requires, the automated driving system, when engaged,  
163 ~~a person~~ shall be deemed to be the operator of an autonomous  
164 vehicle ~~operating in autonomous mode when the person causes the~~  
165 ~~vehicle's autonomous technology to engage,~~ regardless of whether  
166 a ~~the~~ person is physically present in the vehicle while the

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167 vehicle is operating with the automated driving system engaged  
168 ~~in autonomous mode.~~

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

171 1. Prohibit the automated driving system from being deemed  
172 the operator of an autonomous vehicle operating with the  
173 automated driving system engaged.

174 2. Require a licensed human operator to operate a fully  
175 autonomous vehicle.

176 (4) An on-demand autonomous vehicle network shall operate  
177 pursuant to state laws governing the operation of transportation  
178 network companies and transportation network company vehicles as  
179 defined in s. 627.748, except that any provision of s. 627.748  
180 that reasonably applies only to a human driver does not apply to  
181 the operation of a fully autonomous vehicle with the automated  
182 driving system engaged in an on-demand autonomous vehicle  
183 network. The following automobile insurance requirements apply  
184 to a fully autonomous vehicle with the automated driving system  
185 engaged in an on-demand autonomous vehicle network:

186 (a) Automobile insurance that provides:

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

189 2. Personal injury protection benefits that meet the  
190 minimum coverage amounts required of a limousine under ss.  
191 627.730-627.7405; and



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192 3. Uninsured and underinsured vehicle coverage as required  
193 by s. 627.727.

194 (b) The coverage requirements of this paragraph may be  
195 satisfied by any of the following:

196 1. Automobile insurance maintained by the owner of a fully  
197 autonomous vehicle with the automated driving system engaged in  
198 an on-demand autonomous vehicle network;

199 2. Automobile insurance maintained by the on-demand  
200 autonomous vehicle network; or

201 3. A combination of sub-subparagraphs 1. and 2.

202 (5) It is the intent of the Legislature to provide for  
203 uniformity of laws governing autonomous vehicles throughout the  
204 state. A local government may not impose any tax, fee, for-hire  
205 vehicle requirement, or other requirement on automated driving  
206 systems or autonomous vehicles or on a person who operates an  
207 autonomous vehicle, including, but not limited to, a person who  
208 operates an autonomous vehicle for purposes of providing  
209 passenger transportation services. This subsection does not  
210 exempt an autonomous vehicle from a tax or fee that applies  
211 equally to motor vehicles that are not autonomous.

212 Section 9. Section 319.145, Florida Statutes, is amended  
213 to read:

214 319.145 Autonomous vehicles.—

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

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- 217        (a) When required by federal law:
- 218            1. Have been certified in accordance with federal
- 219 regulations in 49 C.F.R. part 567 as being in compliance with
- 220 applicable federal motor vehicle safety standards.
- 221            2. Bear the required certification label or labels
- 222 including reference to any exemption granted under applicable
- 223 federal law.
- 224        (b) Be capable of being operated in compliance with the
- 225 applicable traffic and motor vehicle laws of this state,
- 226 regardless of whether the vehicle is operating with the
- 227 automated driving system engaged.
- 228            (2) If the autonomous vehicle is not fully autonomous,
- 229 ~~applicable federal standards and regulations for such motor~~
- 230 ~~vehicle.~~ the vehicle must:
- 231            ~~(a)~~ have a system to safely alert a licensed human ~~the~~
- 232 operator physically present in the vehicle if an automated
- 233 driving system ~~autonomous technology~~ failure is detected while
- 234 the automated driving system ~~autonomous technology~~ is engaged.
- 235 When an alert is given, the system must:
- 236            ~~1.~~ require the licensed human operator to take control of
- 237 the autonomous vehicle; or must achieve a minimal risk
- 238 condition.
- 239            ~~2.~~ ~~If the operator does not, or is not able to, take~~
- 240 ~~control of the autonomous vehicle, be capable of bringing the~~
- 241 ~~vehicle to a complete stop.~~

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

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

246 (3) If the autonomous vehicle is fully autonomous, it must  
247 be able to achieve a minimal risk condition if a failure of the  
248 automated driving system occurs which renders that system unable  
249 to perform the entire dynamic driving task relevant to its  
250 intended operational design domain. The term "minimal risk  
251 condition" means a reasonably safe state, such as bringing the  
252 vehicle to a complete stop and activating the vehicle's hazard  
253 lamps.

254 (4)~~(2)~~ Federal regulations promulgated by the National  
255 Highway Traffic Safety Administration shall supersede this  
256 section when found to be in conflict with this section.

257 Section 10. Section 322.015, Florida Statutes, is created  
258 to read:

259 322.015 Exemption.—This chapter does not apply when a  
260 fully autonomous vehicle is operated with the automated driving  
261 system engaged and without a human operator.

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

264 338.2216 Florida Turnpike Enterprise; powers and  
265 authority.—

266 (1)

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267 (f) The Florida Turnpike Enterprise may enter into one or  
268 more agreements to fund, construct, and operate facilities for  
269 the advancement of autonomous and connected innovative  
270 transportation technologies for the purposes of improving  
271 safety and decreasing congestion for the traveling public. Such  
272 agreements may include terms that authorize a private entity to  
273 sell or provide products or business opportunities at the  
274 facilities which benefit the traveling public, provide  
275 additional revenue, or otherwise advance the enterprise's  
276 objectives as set forth under the Florida Transportation Code.

277 Section 12. Paragraph (c) of subsection (7) of section  
278 339.175, Florida Statutes, is amended to read:

279 339.175 Metropolitan planning organization.—

280 (7) LONG-RANGE TRANSPORTATION PLAN.—Each M.P.O. must  
281 develop a long-range transportation plan that addresses at least  
282 a 20-year planning horizon. The plan must include both long-  
283 range and short-range strategies and must comply with all other  
284 state and federal requirements. The prevailing principles to be  
285 considered in the long-range transportation plan are: preserving  
286 the existing transportation infrastructure; enhancing Florida's  
287 economic competitiveness; and improving travel choices to ensure  
288 mobility. The long-range transportation plan must be consistent,  
289 to the maximum extent feasible, with future land use elements  
290 and the goals, objectives, and policies of the approved local  
291 government comprehensive plans of the units of local government

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292 located within the jurisdiction of the M.P.O. Each M.P.O. is  
293 encouraged to consider strategies that integrate transportation  
294 and land use planning to provide for sustainable development and  
295 reduce greenhouse gas emissions. The approved long-range  
296 transportation plan must be considered by local governments in  
297 the development of the transportation elements in local  
298 government comprehensive plans and any amendments thereto. The  
299 long-range transportation plan must, at a minimum:

300 (c) Assess capital investment and other measures necessary  
301 to:

302 1. Ensure the preservation of the existing metropolitan  
303 transportation system including requirements for the operation,  
304 resurfacing, restoration, and rehabilitation of major roadways  
305 and requirements for the operation, maintenance, modernization,  
306 and rehabilitation of public transportation facilities; and

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

314  
315 In the development of its long-range transportation plan, each  
316 M.P.O. must provide the public, affected public agencies,

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317 representatives of transportation agency employees, freight  
318 shippers, providers of freight transportation services, private  
319 providers of transportation, representatives of users of public  
320 transit, and other interested parties with a reasonable  
321 opportunity to comment on the long-range transportation plan.  
322 The long-range transportation plan must be approved by the  
323 M.P.O.

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

327 339.64 Strategic Intermodal System Plan.—

328 (3)

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

336 (4) The Strategic Intermodal System Plan shall include the  
337 following:

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

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342 ~~technology~~ and other developments.

343 Section 14. Section 339.83, Florida Statutes, is amended  
344 to read:

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

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

354 627.0653 Insurance discounts for specified motor vehicle  
355 equipment.—

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

365 Section 16. Subsection (1) of section 655.960, Florida  
366 Statutes, is amended to read:

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367 655.960 Definitions; ss. 655.960-655.965.—As used in this  
368 section and ss. 655.961-655.965, unless the context otherwise  
369 requires:

370 (1) "Access area" means any paved walkway or sidewalk  
371 which is within 50 feet of any automated teller machine. The  
372 term does not include any street or highway open to the use of  
373 the public, as defined in s. 316.003(82)(a) ~~s. 316.003(81)(a)~~ or  
374 (b), including any adjacent sidewalk, as defined in s. 316.003.

375 Section 17. This act shall take effect July 1, 2019.  
376

377 -----  
378 **T I T L E A M E N D M E N T**

379 Remove everything before the enacting clause and insert:  
380 An act relating to autonomous vehicles; amending s. 316.003,  
381 F.S.; revising and providing definitions; amending ss. 316.062,  
382 316.063, 316.065, and 316.1975, F.S.; providing applicability;  
383 amending s. 316.303, F.S.; exempting a vehicle being operated  
384 with the automated driving system engaged from a prohibition on  
385 the active display of television or video; amending s. 316.305,  
386 F.S.; exempting a motor vehicle operator who is operating an  
387 autonomous vehicle from a prohibition on the use of wireless  
388 communications devices; amending s. 316.85, F.S.; providing that  
389 a licensed human operator is not required to operate a fully  
390 autonomous vehicle; authorizing a fully autonomous vehicle to  
391 operate in this state regardless of whether a human operator is



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392 | physically present in the vehicle; requiring the automated  
393 | driving system to be deemed to be the operator of an autonomous  
394 | vehicle operating with the automated driving system engaged;  
395 | providing construction; providing requirements for operation of  
396 | on-demand autonomous vehicle networks; providing uniformity of  
397 | laws governing autonomous vehicles; providing autonomous  
398 | vehicles are not exempt from certain taxes and fees; amending s.  
399 | 319.145, F.S.; revising requirements for autonomous vehicles  
400 | registered in this state; creating s. 322.015, F.S.; providing  
401 | applicability; amending s. 338.2216, F.S.; authorizing the  
402 | Florida Turnpike Enterprise to fund, construct, and operate  
403 | certain test facilities; amending ss. 339.175, 339.64, 339.83,  
404 | and 627.0653, F.S.; conforming provisions to changes made by the  
405 | act; amending s. 655.960, F.S.; conforming a cross-reference;  
406 | providing an effective date.