

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 a fully autonomous vehicle being
7 operated with the automated driving system engaged
8 from a prohibition on the active display of television
9 or video; amending s. 316.305, F.S.; exempting a motor
10 vehicle operator who is operating an autonomous
11 vehicle from a prohibition on the use of wireless
12 communications devices; amending s. 316.85, F.S.;
13 providing that a licensed human operator is not
14 required to operate a fully autonomous vehicle;
15 authorizing a fully autonomous vehicle to operate in
16 this state regardless of whether a human operator is
17 physically present in the vehicle; requiring the
18 automated driving system to be deemed to be the
19 operator of an autonomous vehicle operating with the
20 automated driving system engaged; providing
21 construction; authorizing the Florida Turnpike
22 Enterprise to fund and operate certain test
23 facilities; providing requirements for operation of
24 on-demand autonomous vehicle networks; amending s.
25 319.145, F.S.; revising requirements for autonomous

26 | vehicles registered in this state; creating s.
 27 | 322.015, F.S.; providing applicability; amending ss.
 28 | 339.175, 339.64, 339.83, and 627.0653, F.S.;
 29 | conforming provisions to changes made by the act;
 30 | amending s. 655.960, F.S.; conforming a cross-
 31 | reference; providing an effective date.

32 |
 33 | Be It Enacted by the Legislature of the State of Florida:

34 |
 35 | Section 1. Subsections (48) through (101) of section
 36 | 316.003, Florida Statutes, are renumbered as subsections (49)
 37 | through (102), respectively, present subsections (3) and (59)
 38 | are amended, and a new subsection (48) is added to that section,
 39 | to read:

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

44 | (3) AUTOMATED DRIVING SYSTEM ~~AUTONOMOUS VEHICLE~~.—The
 45 | hardware and software that are collectively capable of
 46 | performing the entire dynamic driving task of an autonomous
 47 | vehicle on a sustained basis, regardless of whether it is
 48 | limited to a specific operational design domain. The term:

49 | (a) "Autonomous vehicle" means any vehicle equipped with
 50 | an automated driving system.

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

56 (c) "Fully autonomous vehicle" means a vehicle equipped
57 with an automated driving system designed to function without
58 autonomous technology. The term "autonomous technology" means
59 technology installed on a motor vehicle that has the capability
60 to drive the vehicle on which the technology is installed
61 without the active control or monitoring by a human operator.
62 The term excludes a motor vehicle enabled with active safety
63 systems or driver assistance systems, including, without
64 limitation, a system to provide electronic blind spot
65 assistance, crash avoidance, emergency braking, parking
66 assistance, adaptive cruise control, lane keep assistance, lane
67 departure warning, or traffic jam and queuing assistant, unless
68 any such system alone or in combination with other systems
69 enables the vehicle on which the technology is installed to
70 drive without active control or monitoring by a human operator.

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

76 (48) ON-DEMAND AUTONOMOUS VEHICLE NETWORK.—A passenger
77 transportation network that uses a software application or other
78 digital means to connect passengers to fully autonomous
79 vehicles, exclusively or in addition to other vehicles, for
80 transportation, including for-hire transportation and
81 transportation for compensation.

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

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

89 316.062 Duty to give information and render aid.—

90 (5) This section does not apply to a fully autonomous
91 vehicle operating with the automated driving system engaged in
92 the event of a crash involving the vehicle if the vehicle owner,
93 or a person on behalf of the vehicle owner, promptly contacts a
94 law enforcement agency to report the crash or if the fully
95 autonomous vehicle has the capability of alerting a law
96 enforcement agency to the crash.

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

99 316.063 Duty upon damaging unattended vehicle or other
100 property.—

101 (4) This section does not apply to a fully autonomous
102 vehicle operating with the automated driving system engaged in
103 the event of a crash involving the vehicle if the vehicle owner,
104 or a person on behalf of the vehicle owner, promptly contacts a
105 law enforcement agency to report the crash or if the fully
106 autonomous vehicle has the capability of alerting a law
107 enforcement agency to the crash.

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

110 316.065 Crashes; reports; penalties.—

111 (5) Subsection (1) does not apply to a fully autonomous
112 vehicle operating with the automated driving system engaged in
113 the event of a crash involving the vehicle if the vehicle owner,
114 or a person on behalf of the vehicle owner, promptly contacts a
115 law enforcement agency to report the crash or if the fully
116 autonomous vehicle has the capability of alerting a law
117 enforcement agency to the crash.

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

120 316.1975 Unattended motor vehicle.—

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

123 Section 6. Section 316.303, Florida Statutes, is amended
124 to read:

125 316.303 Television receivers.—

126 (1) A ~~No~~ motor vehicle may not be operated on the highways
 127 of this state if the vehicle is actively displaying moving
 128 television broadcast or pre-recorded video entertainment content
 129 that is visible from the driver's seat while the vehicle is in
 130 motion, unless the vehicle is a fully ~~equipped with~~ autonomous
 131 vehicle technology, as defined in s. 316.003(3), and is being
 132 operated with the automated driving system engaged ~~in autonomous~~
 133 ~~mode, as provided in s. 316.85(2).~~

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

138 (3) This section does not prohibit the use of an
 139 electronic display used in conjunction with a vehicle navigation
 140 system; an electronic display used by an operator of an
 141 autonomous ~~a vehicle equipped with autonomous technology~~, as
 142 defined in s. 316.003(3); or an electronic display used by an
 143 operator of a vehicle equipped and operating with driver-
 144 assistive truck platooning technology, as defined in s. 316.003.

145 (4) A violation of this section is a noncriminal traffic
 146 infraction, punishable as a nonmoving violation as provided in
 147 chapter 318.

148 Section 7. Paragraph (b) of subsection (3) of section
 149 316.305, Florida Statutes, is amended to read:

150 316.305 Wireless communications devices; prohibition.—

- 151 (3)
- 152 (b) Paragraph (a) does not apply to a motor vehicle
- 153 operator who is:
- 154 1. Performing official duties as an operator of an
- 155 authorized emergency vehicle as defined in s. 322.01, a law
- 156 enforcement or fire service professional, or an emergency
- 157 medical services professional.
- 158 2. Reporting an emergency or criminal or suspicious
- 159 activity to law enforcement authorities.
- 160 3. Receiving messages that are:
- 161 a. Related to the operation or navigation of the motor
- 162 vehicle;
- 163 b. Safety-related information, including emergency,
- 164 traffic, or weather alerts;
- 165 c. Data used primarily by the motor vehicle; or
- 166 d. Radio broadcasts.
- 167 4. Using a device or system for navigation purposes.
- 168 5. Conducting wireless interpersonal communication that
- 169 does not require manual entry of multiple letters, numbers, or
- 170 symbols, except to activate, deactivate, or initiate a feature
- 171 or function.
- 172 6. Conducting wireless interpersonal communication that
- 173 does not require reading text messages, except to activate,
- 174 deactivate, or initiate a feature or function.
- 175 7. Operating an autonomous vehicle, as defined in s.

176 | 316.003(3) s. 316.003, with the automated driving system engaged
 177 | ~~in autonomous mode.~~

178 | Section 8. Section 316.85, Florida Statutes, is amended to
 179 | read:

180 | 316.85 Autonomous vehicles; operation; compliance with
 181 | traffic and motor vehicle laws; testing.-

182 | (1) Notwithstanding any other law, a licensed human
 183 | operator is not required to operate a fully autonomous vehicle A
 184 | ~~person who possesses a valid driver license may operate an~~
 185 | ~~autonomous vehicle in autonomous mode on roads in this state if~~
 186 | ~~the vehicle is equipped with autonomous technology,~~ as defined
 187 | in s. 316.003(3) s. 316.003.

188 | (2) A fully autonomous vehicle may operate in this state
 189 | regardless of whether a human operator is physically present in
 190 | the vehicle.

191 | (3) (a) ~~(2)~~ For purposes of this chapter, unless the context
 192 | otherwise requires, the automated driving system, when engaged,
 193 | ~~a person~~ shall be deemed to be the operator of an autonomous
 194 | ~~vehicle operating in autonomous mode when the person causes the~~
 195 | ~~vehicle's autonomous technology to engage,~~ regardless of whether
 196 | a ~~the~~ person is physically present in the vehicle while the
 197 | vehicle is operating with the automated driving system engaged
 198 | ~~in autonomous mode.~~

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

201 1. Prohibit the automated driving system from being deemed
202 the operator of an autonomous vehicle operating with the
203 automated driving system engaged.

204 2. Require a licensed human operator to operate a fully
205 autonomous vehicle.

206 (4) The Florida Turnpike Enterprise may fund, construct,
207 and operate test facilities for the advancement of autonomous
208 and connected innovative transportation technology solutions for
209 the purposes of improving safety and decreasing congestion for
210 the traveling public and to otherwise advance the objectives of
211 the Florida Turnpike Enterprise as set forth in the Florida
212 Transportation Code.

213 (5) An on-demand autonomous vehicle network may operate
214 pursuant to state laws governing the operation of transportation
215 network companies and transportation network company vehicles as
216 defined in s. 627.748, except that any provision of s. 627.748
217 that reasonably applies only to a human driver does not apply to
218 the operation of a fully autonomous vehicle with the automated
219 driving system engaged in an on-demand autonomous vehicle
220 network.

221 Section 9. Section 319.145, Florida Statutes, is amended
222 to read:

223 319.145 Autonomous vehicles.—

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

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

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251 ~~when the vehicle is operating in autonomous mode.~~

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

254 (3) If the autonomous vehicle is fully autonomous, it must
255 be able to achieve a minimal risk condition if a failure of the
256 automated driving system occurs which renders that system unable
257 to perform the entire dynamic driving task relevant to its
258 intended operational design domain. The term "minimal risk
259 condition" means a reasonably safe state, such as bringing the
260 vehicle to a complete stop and activating the vehicle's hazard
261 lamps.

262 (4)~~(2)~~ Federal regulations promulgated by the National
263 Highway Traffic Safety Administration shall supersede this
264 section when found to be in conflict with this section.

265 Section 10. Section 322.015, Florida Statutes, is created
266 to read:

267 322.015 Exemption.—This chapter does not apply when a
268 fully autonomous vehicle is operated with the automated driving
269 system engaged and without a human operator.

270 Section 11. Paragraph (c) of subsection (7) of section
271 339.175, Florida Statutes, is amended to read:

272 339.175 Metropolitan planning organization.—

273 (7) LONG-RANGE TRANSPORTATION PLAN.—Each M.P.O. must
274 develop a long-range transportation plan that addresses at least
275 a 20-year planning horizon. The plan must include both long-

276 range and short-range strategies and must comply with all other
277 state and federal requirements. The prevailing principles to be
278 considered in the long-range transportation plan are: preserving
279 the existing transportation infrastructure; enhancing Florida's
280 economic competitiveness; and improving travel choices to ensure
281 mobility. The long-range transportation plan must be consistent,
282 to the maximum extent feasible, with future land use elements
283 and the goals, objectives, and policies of the approved local
284 government comprehensive plans of the units of local government
285 located within the jurisdiction of the M.P.O. Each M.P.O. is
286 encouraged to consider strategies that integrate transportation
287 and land use planning to provide for sustainable development and
288 reduce greenhouse gas emissions. The approved long-range
289 transportation plan must be considered by local governments in
290 the development of the transportation elements in local
291 government comprehensive plans and any amendments thereto. The
292 long-range transportation plan must, at a minimum:

293 (c) Assess capital investment and other measures necessary
294 to:

295 1. Ensure the preservation of the existing metropolitan
296 transportation system including requirements for the operation,
297 resurfacing, restoration, and rehabilitation of major roadways
298 and requirements for the operation, maintenance, modernization,
299 and rehabilitation of public transportation facilities; and

300 2. Make the most efficient use of existing transportation

301 facilities to relieve vehicular congestion, improve safety, and
302 maximize the mobility of people and goods. Such efforts must
303 include, but are not limited to, consideration of infrastructure
304 and technological improvements necessary to accommodate advances
305 in vehicle technology, such as automated driving systems
306 ~~autonomous technology~~ and other developments.

307
308 In the development of its long-range transportation plan, each
309 M.P.O. must provide the public, affected public agencies,
310 representatives of transportation agency employees, freight
311 shippers, providers of freight transportation services, private
312 providers of transportation, representatives of users of public
313 transit, and other interested parties with a reasonable
314 opportunity to comment on the long-range transportation plan.
315 The long-range transportation plan must be approved by the
316 M.P.O.

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

320 339.64 Strategic Intermodal System Plan.—

321 (3)

322 (c) The department shall coordinate with federal,
323 regional, and local partners, as well as industry
324 representatives, to consider infrastructure and technological
325 improvements necessary to accommodate advances in vehicle

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326 | technology, such as automated driving systems ~~autonomous~~
327 | ~~technology~~ and other developments, in Strategic Intermodal
328 | System facilities.

329 | (4) The Strategic Intermodal System Plan shall include the
330 | following:

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

336 | Section 13. Section 339.83, Florida Statutes, is amended
337 | to read:

338 | 339.83 Enrollment in federal pilot programs.—The Secretary
339 | of Transportation may enroll the State of Florida in any federal
340 | pilot program or project for the collection and study of data
341 | for the review of federal or state roadway safety,
342 | infrastructure sustainability, congestion mitigation,
343 | transportation system efficiency, automated driving systems
344 | ~~autonomous vehicle technology~~, or capacity challenges.

345 | Section 14. Subsection (6) of section 627.0653, Florida
346 | Statutes, is amended to read:

347 | 627.0653 Insurance discounts for specified motor vehicle
348 | equipment.—

349 | (6) The Office of Insurance Regulation may approve a
350 | premium discount to any rates, rating schedules, or rating

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351 manuals for the liability, personal injury protection, and
352 collision coverages of a motor vehicle insurance policy filed
353 with the office if the insured vehicle is equipped with an
354 automated driving system ~~autonomous driving technology~~ or
355 electronic vehicle collision avoidance technology that is
356 factory installed or a retrofitted system and that complies with
357 National Highway Traffic Safety Administration standards.

358 Section 15. Subsection (1) of section 655.960, Florida
359 Statutes, is amended to read:

360 655.960 Definitions; ss. 655.960-655.965.—As used in this
361 section and ss. 655.961-655.965, unless the context otherwise
362 requires:

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

368 Section 16. This act shall take effect July 1, 2019.