

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 vehicle being operated with the  
7           automated driving system engaged from a prohibition on  
8           the active display of television or video; amending s.  
9           316.305, F.S.; exempting a motor vehicle operator who  
10          is operating an autonomous vehicle from a prohibition  
11          on the use of wireless communications devices;  
12          amending s. 316.85, F.S.; providing that a licensed  
13          human operator is not required to operate a fully  
14          autonomous vehicle; authorizing a fully autonomous  
15          vehicle to operate in this state regardless of whether  
16          a 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  
19          with the automated driving system engaged; providing  
20          construction; providing requirements for operation of  
21          on-demand autonomous vehicle networks; providing  
22          insurance requirements; authorizing an autonomous or  
23          fully autonomous vehicle equipped with a teleoperation  
24          system to operate without a human operator physically  
25          present in the vehicle when the system is engaged;

26 providing application to certain statutory provisions;  
27 providing for uniformity of laws governing autonomous  
28 vehicles; providing construction with respect to  
29 certain fees charged and staging or pickup locations  
30 designated by an airport or seaport; amending s.  
31 319.145, F.S.; revising requirements for autonomous  
32 vehicles registered in this state; creating s.  
33 322.015, F.S.; providing applicability; amending s.  
34 338.2216, F.S.; authorizing the Florida Turnpike  
35 Enterprise to enter into agreements to fund,  
36 construct, and operate certain facilities; amending  
37 ss. 339.175, 339.64, 339.83, and 627.0653, F.S.;  
38 conforming provisions to changes made by the act;  
39 creating s. 627.749, F.S.; providing definitions;  
40 providing insurance requirements for autonomous  
41 vehicles; amending s. 655.960, F.S.; conforming a  
42 cross-reference; providing an effective date.

43  
44 Be It Enacted by the Legislature of the State of Florida:

45  
46 Section 1. Subsections (48) through (86) and (87) through  
47 (101) of section 316.003, Florida Statutes, are renumbered as  
48 subsections (49) through (87) and (89) through (103),  
49 respectively, present subsections (3) and (59) are amended, and  
50 new subsections (48) and (88) are added to that section, to

51 read:

52 316.003 Definitions.—The following words and phrases, when  
53 used in this chapter, shall have the meanings respectively  
54 ascribed to them in this section, except where the context  
55 otherwise requires:

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

61 (a) "Autonomous vehicle" means any vehicle equipped with  
62 an automated driving system.

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

68 (c) "Fully autonomous vehicle" means a vehicle equipped  
69 with an automated driving system designed to function without  
70 autonomous technology. The term "autonomous technology" means  
71 technology installed on a motor vehicle that has the capability  
72 to drive the vehicle on which the technology is installed  
73 without the active control or monitoring by a human operator.  
74 The term excludes a motor vehicle enabled with active safety  
75 systems or driver assistance systems, including, without

76 ~~limitation, a system to provide electronic blind spot~~  
77 ~~assistance, crash avoidance, emergency braking, parking~~  
78 ~~assistance, adaptive cruise control, lane keep assistance, lane~~  
79 ~~departure warning, or traffic jam and queuing assistant, unless~~  
80 ~~any such system alone or in combination with other systems~~  
81 ~~enables the vehicle on which the technology is installed to~~  
82 ~~drive without active control or monitoring by a human operator.~~

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

88 (48) ON-DEMAND AUTONOMOUS VEHICLE NETWORK.—A passenger  
89 transportation network that uses a software application or other  
90 digital means to connect passengers to fully autonomous  
91 vehicles, exclusively or in addition to other vehicles, for  
92 transportation, including for-hire transportation and  
93 transportation for compensation.

94 (60) ~~(59)~~ PRIVATE ROAD OR DRIVEWAY.—Except as otherwise  
95 provided in paragraph (82) (b) ~~(81) (b)~~, any privately owned way  
96 or place used for vehicular travel by the owner and those having  
97 express or implied permission from the owner, but not by other  
98 persons.

99 (88) TELEOPERATION SYSTEM.—The hardware and software  
100 installed in a motor vehicle which allow a remote human operator

101 to supervise or perform aspects of, or the entirety of, the  
102 dynamic driving task. The term "remote human operator" means a  
103 natural person who is not physically present in a vehicle  
104 equipped with an automated driving system who engages or  
105 monitors the vehicle from a remote location. A remote human  
106 operator may have the ability to perform aspects of, or the  
107 entirety of, the dynamic driving task for the vehicle or cause  
108 the vehicle to achieve a minimal risk condition as defined in s.  
109 319.145(2). A remote human operator must be physically present  
110 in the United States and be licensed to operate a motor vehicle  
111 by a United States jurisdiction.

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

114 316.062 Duty to give information and render aid.—

115 (5) This section does not apply to a fully autonomous  
116 vehicle operating with the automated driving system engaged in  
117 the event of a crash involving the vehicle if the vehicle owner,  
118 or a person on behalf of the vehicle owner, promptly contacts a  
119 law enforcement agency to report the crash or if the fully  
120 autonomous vehicle has the capability of alerting a law  
121 enforcement agency to the crash.

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

124 316.063 Duty upon damaging unattended vehicle or other  
125 property.—

126        (4) This section does not apply to a fully autonomous  
 127 vehicle operating with the automated driving system engaged in  
 128 the event of a crash involving the vehicle if the vehicle owner,  
 129 or a person on behalf of the vehicle owner, promptly contacts a  
 130 law enforcement agency to report the crash or if the fully  
 131 autonomous vehicle has the capability of alerting a law  
 132 enforcement agency to the crash.

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

135        316.065 Crashes; reports; penalties.—

136        (5) Subsection (1) does not apply to a fully autonomous  
 137 vehicle operating with the automated driving system engaged in  
 138 the event of a crash involving the vehicle if the vehicle owner,  
 139 or a person on behalf of the vehicle owner, promptly contacts a  
 140 law enforcement agency to report the crash or if the fully  
 141 autonomous vehicle has the capability of alerting a law  
 142 enforcement agency to the crash.

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

145        316.1975 Unattended motor vehicle.—

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

148        Section 6. Section 316.303, Florida Statutes, is amended  
 149 to read:

150        316.303 Television receivers.—

151 (1) A ~~No~~ motor vehicle may not be operated on the highways  
152 of this state if the vehicle is actively displaying moving  
153 television broadcast or pre-recorded video entertainment content  
154 that is visible from the driver's seat while the vehicle is in  
155 motion, unless the vehicle is ~~equipped with autonomous~~  
156 ~~technology, as defined in s. 316.003(3), and is being operated~~  
157 with the automated driving system engaged in autonomous mode, as  
158 provided in s. 316.85(2).

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

163 (3) This section does not prohibit the use of an  
164 electronic display used in conjunction with a vehicle navigation  
165 system; an electronic display used by an operator of an  
166 autonomous ~~a vehicle equipped with autonomous technology,~~ as  
167 defined in s. 316.003(3); or an electronic display used by an  
168 operator of a vehicle equipped and operating with driver-  
169 assistive truck platooning technology, as defined in s. 316.003.

170 (4) A violation of this section is a noncriminal traffic  
171 infraction, punishable as a nonmoving violation as provided in  
172 chapter 318.

173 Section 7. Paragraph (b) of subsection (3) of section  
174 316.305, Florida Statutes, is amended to read:

175 316.305 Wireless communications devices; prohibition.—

- 176 (3)
- 177 (b) Paragraph (a) does not apply to a motor vehicle
- 178 operator who is:
- 179 1. Performing official duties as an operator of an
- 180 authorized emergency vehicle as defined in s. 322.01, a law
- 181 enforcement or fire service professional, or an emergency
- 182 medical services professional.
- 183 2. Reporting an emergency or criminal or suspicious
- 184 activity to law enforcement authorities.
- 185 3. Receiving messages that are:
- 186 a. Related to the operation or navigation of the motor
- 187 vehicle;
- 188 b. Safety-related information, including emergency,
- 189 traffic, or weather alerts;
- 190 c. Data used primarily by the motor vehicle; or
- 191 d. Radio broadcasts.
- 192 4. Using a device or system for navigation purposes.
- 193 5. Conducting wireless interpersonal communication that
- 194 does not require manual entry of multiple letters, numbers, or
- 195 symbols, except to activate, deactivate, or initiate a feature
- 196 or function.
- 197 6. Conducting wireless interpersonal communication that
- 198 does not require reading text messages, except to activate,
- 199 deactivate, or initiate a feature or function.
- 200 7. Operating an autonomous vehicle, as defined in s.



201 316.003(3) s. 316.003, with the automated driving system engaged  
 202 ~~in autonomous mode.~~

203 Section 8. Section 316.85, Florida Statutes, is amended to  
 204 read:

205 316.85 Autonomous vehicles; operation; compliance with  
 206 traffic and motor vehicle laws; testing.-

207 (1) Notwithstanding any other law, a licensed human  
 208 operator is not required to operate a fully autonomous vehicle A  
 209 ~~person who possesses a valid driver license may operate an~~  
 210 ~~autonomous vehicle in autonomous mode on roads in this state if~~  
 211 ~~the vehicle is equipped with autonomous technology,~~ as defined  
 212 in s. 316.003(3) s. 316.003.

213 (2) A fully autonomous vehicle may operate in this state  
 214 regardless of whether a human operator is physically present in  
 215 the vehicle.

216 (3) (a) ~~(2)~~ For purposes of this chapter, unless the context  
 217 otherwise requires, the automated driving system, when engaged,  
 218 ~~a person~~ shall be deemed to be the operator of an autonomous  
 219 ~~vehicle operating in autonomous mode when the person causes the~~  
 220 ~~vehicle's autonomous technology to engage,~~ regardless of whether  
 221 a ~~the~~ person is physically present in the vehicle while the  
 222 vehicle is operating with the automated driving system engaged  
 223 ~~in autonomous mode.~~

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

226 1. Prohibit the automated driving system from being deemed  
227 the operator of an autonomous vehicle operating with the  
228 automated driving system engaged.

229 2. Require a licensed human operator to operate a fully  
230 autonomous vehicle.

231 (4) An on-demand autonomous vehicle network shall operate  
232 pursuant to state laws governing the operation of transportation  
233 network companies and transportation network company vehicles as  
234 defined in s. 627.748, except that any provision of s. 627.748  
235 that reasonably applies only to a human driver does not apply to  
236 the operation of a fully autonomous vehicle with the automated  
237 driving system engaged while logged on to an on-demand  
238 autonomous vehicle network. A fully autonomous vehicle with the  
239 automated driving system engaged while logged on to an on-demand  
240 autonomous vehicle network must meet the insurance requirements  
241 in s. 627.749.

242 (5) Notwithstanding any other provision of this chapter,  
243 an autonomous vehicle or a fully autonomous vehicle equipped  
244 with a teleoperation system may operate without a human operator  
245 physically present in the vehicle when the teleoperation system  
246 is engaged. A vehicle that is subject to this subsection must  
247 meet the requirements of s. 319.145 and is considered a vehicle  
248 that meets the definition provided in s. 316.003(3)(c) for the  
249 purposes of ss. 316.062(5), 316.063(4), 316.065(5), 316.1975(3),  
250 and 316.303(1).

251       (6) It is the intent of the Legislature to provide for  
252 uniformity of laws governing autonomous vehicles throughout the  
253 state. A local government may not impose any tax, fee, for-hire  
254 vehicle requirement, or other requirement on automated driving  
255 systems or autonomous vehicles or on a person who operates an  
256 autonomous vehicle, including, but not limited to, a person who  
257 operates an autonomous vehicle for purposes of providing  
258 passenger transportation services. This subsection does not  
259 prohibit an airport or a seaport from charging reasonable fees  
260 consistent with any fees charged to companies that provide  
261 similar services at that airport or seaport for their use of the  
262 airport's or seaport's facilities, nor does it prohibit the  
263 airport or seaport from designating locations for staging,  
264 pickup, or other similar operations at the airport or seaport.

265       Section 9. Section 319.145, Florida Statutes, is amended  
266 to read:

267       319.145 Autonomous vehicles.—

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

270       (a) When required by federal law:

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

274       2. Bear the required certification label or labels  
275 including reference to any exemption granted under applicable

276 federal law.

277 (b) Be capable of being operated in compliance with the  
278 applicable traffic and motor vehicle laws of this state,  
279 regardless of whether the vehicle is operating with the  
280 automated driving system engaged.

281 (2) If the autonomous vehicle is not fully autonomous,  
282 ~~applicable federal standards and regulations for such motor~~  
283 ~~vehicle.~~ the vehicle must:

284 ~~(a)~~ have a system to safely alert a licensed human ~~the~~  
285 operator physically present in the vehicle if an automated  
286 driving system ~~autonomous technology~~ failure is detected while  
287 the automated driving system ~~autonomous technology~~ is engaged.  
288 When an alert is given, the system must:

289 ~~1.~~ require the licensed human operator to take control of  
290 the autonomous vehicle; ~~or~~ must achieve a minimal risk  
291 condition. The term "minimal risk condition" means a reasonably  
292 safe state, such as bringing the vehicle to a complete stop and  
293 activating the vehicle's hazard lamps.

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

299 ~~2. If the operator does not, or is not able to, take~~  
300 ~~control of the autonomous vehicle, be capable of bringing the~~

301 ~~vehicle to a complete stop.~~

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

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

306 ~~(4)-(2)~~ Federal regulations promulgated by the National  
307 Highway Traffic Safety Administration shall supersede this  
308 section when found to be in conflict with this section.

309 Section 10. Section 322.015, Florida Statutes, is created  
310 to read:

311 322.015 Exemption.—This chapter does not apply when a  
312 fully autonomous vehicle is operated with the automated driving  
313 system engaged and without a human operator.

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

316 338.2216 Florida Turnpike Enterprise; powers and  
317 authority.—

318 (1)

319 (f) The Florida Turnpike Enterprise may enter into one or  
320 more agreements to fund, construct, and operate facilities for  
321 the advancement of autonomous and connected innovative  
322 transportation technologies for the purposes of improving safety  
323 and decreasing congestion for the traveling public. Such  
324 agreements may include terms that authorize a private entity to  
325 sell or provide products or business opportunities at the

326 facilities which benefit the traveling public, provide  
327 additional revenue, or otherwise advance the enterprise's  
328 objectives as set forth in the Florida Transportation Code.

329 Section 12. Paragraph (c) of subsection (7) of section  
330 339.175, Florida Statutes, is amended to read:

331 339.175 Metropolitan planning organization.—

332 (7) LONG-RANGE TRANSPORTATION PLAN.—Each M.P.O. must  
333 develop a long-range transportation plan that addresses at least  
334 a 20-year planning horizon. The plan must include both long-  
335 range and short-range strategies and must comply with all other  
336 state and federal requirements. The prevailing principles to be  
337 considered in the long-range transportation plan are: preserving  
338 the existing transportation infrastructure; enhancing Florida's  
339 economic competitiveness; and improving travel choices to ensure  
340 mobility. The long-range transportation plan must be consistent,  
341 to the maximum extent feasible, with future land use elements  
342 and the goals, objectives, and policies of the approved local  
343 government comprehensive plans of the units of local government  
344 located within the jurisdiction of the M.P.O. Each M.P.O. is  
345 encouraged to consider strategies that integrate transportation  
346 and land use planning to provide for sustainable development and  
347 reduce greenhouse gas emissions. The approved long-range  
348 transportation plan must be considered by local governments in  
349 the development of the transportation elements in local  
350 government comprehensive plans and any amendments thereto. The

351 long-range transportation plan must, at a minimum:

352 (c) Assess capital investment and other measures necessary  
353 to:

354 1. Ensure the preservation of the existing metropolitan  
355 transportation system including requirements for the operation,  
356 resurfacing, restoration, and rehabilitation of major roadways  
357 and requirements for the operation, maintenance, modernization,  
358 and rehabilitation of public transportation facilities; and

359 2. Make the most efficient use of existing transportation  
360 facilities to relieve vehicular congestion, improve safety, and  
361 maximize the mobility of people and goods. Such efforts must  
362 include, but are not limited to, consideration of infrastructure  
363 and technological improvements necessary to accommodate advances  
364 in vehicle technology, such as automated driving systems  
365 ~~autonomous technology~~ and other developments.

366  
367 In the development of its long-range transportation plan, each  
368 M.P.O. must provide the public, affected public agencies,  
369 representatives of transportation agency employees, freight  
370 shippers, providers of freight transportation services, private  
371 providers of transportation, representatives of users of public  
372 transit, and other interested parties with a reasonable  
373 opportunity to comment on the long-range transportation plan.

374 The long-range transportation plan must be approved by the  
375 M.P.O.

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

379 339.64 Strategic Intermodal System Plan.—

380 (3)

381 (c) The department shall coordinate with federal,  
382 regional, and local partners, as well as industry  
383 representatives, to consider infrastructure and technological  
384 improvements necessary to accommodate advances in vehicle  
385 technology, such as automated driving systems ~~autonomous~~  
386 ~~technology~~ and other developments, in Strategic Intermodal  
387 System facilities.

388 (4) The Strategic Intermodal System Plan shall include the  
389 following:

390 (a) A needs assessment that must include, but is not  
391 limited to, consideration of infrastructure and technological  
392 improvements necessary to accommodate advances in vehicle  
393 technology, such as automated driving systems ~~autonomous~~  
394 ~~technology~~ and other developments.

395 Section 14. Section 339.83, Florida Statutes, is amended  
396 to read:

397 339.83 Enrollment in federal pilot programs.—The Secretary  
398 of Transportation may enroll the State of Florida in any federal  
399 pilot program or project for the collection and study of data  
400 for the review of federal or state roadway safety,



401 infrastructure sustainability, congestion mitigation,  
 402 transportation system efficiency, automated driving systems  
 403 ~~autonomous vehicle technology~~, or capacity challenges.

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

406 627.0653 Insurance discounts for specified motor vehicle  
 407 equipment.—

408 (6) The Office of Insurance Regulation may approve a  
 409 premium discount to any rates, rating schedules, or rating  
 410 manuals for the liability, personal injury protection, and  
 411 collision coverages of a motor vehicle insurance policy filed  
 412 with the office if the insured vehicle is equipped with an  
 413 automated driving system ~~autonomous driving technology~~ or  
 414 electronic vehicle collision avoidance technology that is  
 415 factory installed or a retrofitted system and that complies with  
 416 National Highway Traffic Safety Administration standards.

417 Section 16. Section 627.749, Florida Statutes, is created  
 418 to read:

419 627.749 Autonomous vehicles; insurance requirements.—

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

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

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

425 (c) "Fully autonomous vehicle" has the same meaning as

426 provided in s. 316.003(3).

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

429 (2) INSURANCE REQUIREMENTS.—

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

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

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

438 3. Uninsured and underinsured vehicle coverage as required  
439 by s. 627.727.

440 (b) The coverage requirements of paragraph (a) may be  
441 satisfied by:

442 1. Automobile insurance maintained by the owner of a fully  
443 autonomous vehicle with the automated driving system engaged  
444 while logged on to an on-demand autonomous vehicle network or  
445 engaged in a prearranged ride;

446 2. Automobile insurance maintained by the on-demand  
447 autonomous vehicle network; or

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

449 (3) ADDITIONAL COVERAGE REQUIREMENTS.—

450 (a) For purposes of compliance with chapter 324, the owner

451 or registrant of a fully autonomous vehicle, when the vehicle is  
452 not subject to subsection (2), must furnish proof of ability to  
453 respond in damages for the owner's or registrant's liability on  
454 account of crashes arising out of the use of a motor vehicle:

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

457 2. Subject to such limits for one person, in the amount of  
458 \$1 million because of bodily injury to, or death of, two or more  
459 persons in any one crash.

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

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

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

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

468 655.960 Definitions; ss. 655.960-655.965.—As used in this  
469 section and ss. 655.961-655.965, unless the context otherwise  
470 requires:

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

476 | Section 18. This act shall take effect July 1, 2019. |