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LEGISLATIVE ACTION

Senate	.	House
Comm: RS	.	
03/22/2019	.	
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The Committee on Infrastructure and Security (Brandes) recommended the following:

Senate Amendment (with title amendment)

Delete lines 41 - 228

and insert:

Section 1. Present subsections (48) through (86) of section 316.003, Florida Statutes, are redesignated as subsections (49) through (87), respectively, present subsections (87) through (101) of section 316.003, Florida Statutes, are redesignated as subsections (89) through (103), respectively, new subsections (48) and (88) are added to that section, and subsection (3) and



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11 present subsection (59) of that section are amended, to read:

12 316.003 Definitions.—The following words and phrases, when
13 used in this chapter, shall have the meanings respectively
14 ascribed to them in this section, except where the context
15 otherwise requires:

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

21 (a) “Autonomous vehicle” means any vehicle equipped with an
22 automated driving system.

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

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



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40 ~~any such system alone or in combination with other systems~~
41 ~~enables the vehicle on which the technology is installed to~~
42 ~~drive without active control or monitoring by a human operator.~~

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

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

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

59 (88) TELEOPERATION SYSTEM.—The hardware and software
60 installed in a motor vehicle which allow a remote human operator
61 to supervise or perform aspects of, or the entirety of, the
62 dynamic driving task. The term "remote human operator" means a
63 natural person who is not physically present in a vehicle
64 equipped with an automated driving system who engages or
65 monitors the vehicle from a remote location. A remote human
66 operator may have the ability to perform aspects of, or the
67 entirety of, the dynamic driving task for the vehicle or cause
68 the vehicle to achieve a minimal risk condition.



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

71 316.062 Duty to give information and render aid.—

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

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

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

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

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

92 316.065 Crashes; reports; penalties.—

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



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98 autonomous vehicle has the capability of alerting a law
99 enforcement agency to the crash.

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

102 316.1975 Unattended motor vehicle.—

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

105 Section 6. Section 316.303, Florida Statutes, is amended to
106 read:

107 316.303 Television receivers.—

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

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

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



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

130 Section 7. Paragraph (b) of subsection (3) of section
131 316.305, Florida Statutes, is amended to read:

132 316.305 Wireless communications devices; prohibition.—

133 (3)

134 (b) Paragraph (a) does not apply to a motor vehicle
135 operator who is:

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

140 2. Reporting an emergency or criminal or suspicious
141 activity to law enforcement authorities.

142 3. Receiving messages that are:

143 a. Related to the operation or navigation of the motor
144 vehicle;

145 b. Safety-related information, including emergency,
146 traffic, or weather alerts;

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

148 d. Radio broadcasts.

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

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

154 6. Conducting wireless interpersonal communication that
155 does not require reading text messages, except to activate,



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156 deactivate, or initiate a feature or function.

157 7. Operating an autonomous vehicle, as defined in s.
158 316.003(3) s. 316.003, with the automated driving system engaged
159 in autonomous mode.

160 Section 8. Section 316.85, Florida Statutes, is amended to
161 read:

162 316.85 Autonomous vehicles; operation; compliance with
163 traffic and motor vehicle laws; testing; preemption.-

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

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

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

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

183 1. Prohibit the automated driving system from being deemed
184 the operator of an autonomous vehicle operating with the



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185 automated driving system engaged.

186 2. Require a licensed human operator to operate a fully
187 autonomous vehicle.

188 (4) The Florida Turnpike Enterprise may fund, construct,
189 and operate test facilities and undertake research and
190 development projects for the advancement of autonomous and
191 connected innovative transportation technology solutions for the
192 purposes of improving safety and decreasing congestion for the
193 traveling public and to otherwise advance the objectives of the
194 Florida Turnpike Enterprise as set forth in the Florida
195 Transportation Code.

196 (5) An on-demand autonomous vehicle network may operate
197 pursuant to state laws governing the operation of transportation
198 network companies and transportation network company vehicles as
199 defined in s. 627.748, except that any provision of s. 627.748
200 which reasonably applies only to a human driver does not apply
201 to the operation of a fully autonomous vehicle with the
202 automated driving system engaged in an on-demand autonomous
203 vehicle network.

204 (6) Notwithstanding any other provision of this chapter, an
205 autonomous vehicle or a fully autonomous vehicle equipped with a
206 teleoperation system may operate without a human operator
207 physically present in the vehicle when the teleoperation system
208 is engaged. A vehicle that is subject to this subsection must
209 meet the requirements of s. 319.145 and is considered a vehicle
210 that meets the definition of s. 316.003(3)(c) for purposes of
211 ss. 316.062(5), 316.063(4), 316.065(5), 316.1975(3), and
212 316.303(1).

213 (7) It is the intent of the Legislature to provide for



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

And the title is amended as follows:

Between lines 25 and 26

insert:

authorizing an autonomous vehicle or fully autonomous
vehicle equipped with a teleoperation system to
operate without a human operator physically present in
the vehicle when the teleoperation system is engaged;
providing requirements for such vehicle; providing
construction;