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LEGISLATIVE ACTION

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

1 **Senate Substitute for Amendment (491470) (with title**
2 **amendment)**

3
4 Delete lines 41 - 261
5 and insert:

6 Section 1. Present subsections (48) through (86) of section
7 316.003, Florida Statutes, are redesignated as subsections (49)
8 through (87), respectively, present subsections (87) through
9 (101) of section 316.003, Florida Statutes, are redesignated as
10 subsections (89) through (103), respectively, new subsections



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11 (48) and (88) are added to that section, and subsection (3) and
12 present subsection (59) of that section are amended, to read:

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

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

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

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

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



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

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

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

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

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



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69 the vehicle to achieve a minimal risk condition.

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

72 316.062 Duty to give information and render aid.—

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

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

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

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

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

93 316.065 Crashes; reports; penalties.—

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



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98 law enforcement agency to report the crash or if the fully
99 autonomous vehicle has the capability of alerting a law
100 enforcement agency to the crash.

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

103 316.1975 Unattended motor vehicle.—

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

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

108 316.303 Television receivers.—

109 (1) A ~~Ne~~ motor vehicle may not be operated on the highways
110 of this state if the vehicle is actively displaying moving
111 television broadcast or pre-recorded video entertainment content
112 that is visible from the driver's seat while the vehicle is in
113 motion, unless the vehicle is ~~equipped with autonomous~~
114 ~~technology, as defined in s. 316.003(3), and is being operated~~
115 with the automated driving system engaged in autonomous mode, as
116 ~~provided in s. 316.85(2).~~

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

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



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127 platooning technology, as defined in s. 316.003.

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

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

133 316.305 Wireless communications devices; prohibition.-

134 (3)

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

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

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

143 3. Receiving messages that are:

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

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

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

149 d. Radio broadcasts.

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

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

155 6. Conducting wireless interpersonal communication that



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156 does not require reading text messages, except to activate,
157 deactivate, or initiate a feature or function.

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

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

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

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

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

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

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

184 1. Prohibit the automated driving system from being deemed



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185 the operator of an autonomous vehicle operating with the
186 automated driving system engaged.

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

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

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

205 (6) Notwithstanding any other provision of this chapter, an
206 autonomous vehicle or a fully autonomous vehicle equipped with a
207 teleoperation system may operate without a human operator
208 physically present in the vehicle when the teleoperation system
209 is engaged. A vehicle that is subject to this subsection must
210 meet the requirements of s. 319.145 and is considered a vehicle
211 that meets the definition of s. 316.003(3)(c) for the purposes
212 of ss. 316.062(5), 316.063(4), 316.065(5), 316.1975(3), and
213 316.303(1).



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214 (7) It is the intent of the Legislature to provide for
215 uniformity of laws governing autonomous vehicles throughout the
216 state. A local government may not impose any tax, fee, for-hire
217 vehicle requirement, or other requirement on automated driving
218 systems or autonomous vehicles or on a person who operates an
219 autonomous vehicle, including, but not limited to, a person who
220 operates an autonomous vehicle for purposes of providing
221 passenger transportation services.

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

224 319.145 Autonomous vehicles.—

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

227 (a) When required by federal law:

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

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

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

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

241 ~~(a)~~ have a system to safely alert a licensed human ~~the~~
242 operator physically present in the vehicle if an automated



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243 ~~driving system autonomous technology~~ failure is detected while
244 the automated driving system ~~autonomous technology~~ is engaged.
245 When an alert is given, the system must:

246 ~~1.~~ require the licensed human operator to take control of
247 the autonomous vehicle or must achieve a minimal risk condition;
248 ~~or~~

249
250 ===== T I T L E A M E N D M E N T =====

251 And the title is amended as follows:

252 Delete lines 6 - 25

253 and insert:

254 F.S.; exempting a vehicle being operated with the
255 automated driving system engaged from a prohibition on
256 the active display of television or video; amending s.
257 316.305, F.S.; exempting a motor vehicle operator who
258 is operating an autonomous vehicle from a prohibition
259 on the use of wireless communications devices;
260 amending s. 316.85, F.S.; providing that a licensed
261 human operator is not required to operate a fully
262 autonomous vehicle; authorizing a fully autonomous
263 vehicle to operate in this state regardless of whether
264 a human operator is physically present in the vehicle;
265 requiring the automated driving system to be deemed to
266 be the operator of an autonomous vehicle operating
267 with the automated driving system engaged; providing
268 construction; authorizing the Florida Turnpike
269 Enterprise to fund, construct, and operate certain
270 test facilities and undertake certain research and
271 development projects; providing requirements for



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272 operation of on-demand autonomous vehicle networks;
273 authorizing an autonomous vehicle or fully autonomous
274 vehicle equipped with a teleoperation system to
275 operate without a human operator physically present in
276 the vehicle when the teleoperation system is engaged;
277 providing requirements for such vehicles; providing
278 construction;