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Proposed Committee Substitute by the Committee on Appropriations
(Appropriations Subcommittee on Transportation, Tourism, and
Economic Development)

1 A bill to be entitled
2 An act relating to autonomous vehicles; creating s.
3 316.0899, F.S.; authorizing the Department of
4 Transportation, in consultation with the Department of
5 Highway Safety and Motor Vehicles, to conduct pilot or
6 demonstration programs to explore the efficient
7 implementation of innovative transportation
8 technologies; requiring the Department of
9 Transportation to submit a certain annual report to
10 the Governor and the Legislature; amending s.
11 338.2216, F.S.; authorizing the Florida Turnpike
12 Enterprise to enter into one or more agreements to
13 fund, construct, and operate facilities for the
14 advancement of autonomous and connected innovative
15 transportation technologies for certain purposes;
16 amending s. 316.003, F.S.; revising and providing
17 definitions; amending ss. 316.062, 316.063, 316.065,
18 and 316.1975, F.S.; providing applicability; amending
19 s. 316.303, F.S.; exempting a vehicle being operated
20 with the automated driving system engaged from a
21 prohibition on the active display of television or
22 video; amending s. 316.305, F.S.; exempting a motor
23 vehicle operator who is operating an autonomous
24 vehicle from a prohibition on the use of wireless
25 communications devices; amending s. 316.85, F.S.;
26 providing that a licensed human operator is not



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27 required to operate a fully autonomous vehicle;
28 authorizing a fully autonomous vehicle to operate in
29 this state regardless of whether a human operator is
30 physically present in the vehicle; requiring the
31 automated driving system to be deemed to be the
32 operator of an autonomous vehicle operating with the
33 automated driving system engaged; providing
34 construction; providing requirements for operation of
35 on-demand autonomous vehicle networks; authorizing an
36 autonomous vehicle or fully autonomous vehicle
37 equipped with a teleoperation system to operate
38 without a human operator physically present in the
39 vehicle when the teleoperation system is engaged;
40 providing requirements for such vehicles; providing
41 construction; providing legislative intent;
42 prohibiting a local government from imposing any tax,
43 fee, for-hire vehicle requirement, or other
44 requirement on automated driving systems or autonomous
45 vehicles or on a person who operates an autonomous
46 vehicle; amending s. 319.145, F.S.; revising
47 requirements for autonomous vehicles registered in
48 this state; creating s. 322.015, F.S.; providing
49 applicability; creating s. 627.749, F.S.; defining
50 terms; providing insurance requirements for a fully
51 autonomous vehicle with the automated driving system
52 engaged in an on-demand autonomous vehicle network;
53 amending ss. 339.175, 339.64, 339.83, and 627.0653,
54 F.S.; conforming provisions to changes made by the
55 act; amending s. 655.960, F.S.; conforming a cross-



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56 reference; providing an effective date.

57

58 Be It Enacted by the Legislature of the State of Florida:

59

60 Section 1. Section 316.0899, Florida Statutes, is created
61 to read:

62 316.0899 Innovative transportation technology pilot or
63 demonstration programs.—The Department of Transportation, in
64 consultation with the department, may conduct pilot or
65 demonstration programs to explore the efficient implementation
66 of innovative transportation technologies, including, but not
67 limited to, vehicle electrification, shared vehicle use,
68 automated vehicles, and other mobility technologies that provide
69 transportation options intended to increase personal mobility,
70 to facilitate shorter urban trips, or to provide connections to
71 other modes of transportation. Such pilot or demonstration
72 programs may also include innovative transportation technologies
73 that improve the delivery of transportation disadvantaged
74 services. The Department of Transportation shall prepare an
75 annual report outlining the programs undertaken pursuant to this
76 section. The report may include any findings or recommendations
77 the department deems necessary for future implementation. The
78 report must be submitted to the Governor, the President of the
79 Senate, and the Speaker of the House of Representatives.

80 Section 2. Paragraph (f) is added to subsection (1) of
81 section 338.2216, Florida Statutes, to read:

82 338.2216 Florida Turnpike Enterprise; powers and
83 authority.—

84 (1)



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85 (f) The Florida Turnpike Enterprise may enter into one or
86 more agreements to fund, construct, and operate facilities for
87 the advancement of autonomous and connected innovative
88 transportation technologies for the purposes of improving safety
89 and decreasing congestion for the traveling public. Such
90 agreements may include terms that authorize a private entity to
91 sell or provide products or business opportunities at the
92 facilities which benefit the traveling public, provide
93 additional revenue, or otherwise advance the enterprise's
94 objectives as provided in the Florida Transportation Code.

95 Section 3. Present subsections (48) through (86) of section
96 316.003, Florida Statutes, are redesignated as subsections (49)
97 through (87), respectively, present subsections (87) through
98 (101) of section 316.003, Florida Statutes, are redesignated as
99 subsections (89) through (103), respectively, new subsections
100 (48) and (88) are added to that section, and subsection (3) and
101 present subsection (59) of that section are amended, to read:

102 316.003 Definitions.—The following words and phrases, when
103 used in this chapter, shall have the meanings respectively
104 ascribed to them in this section, except where the context
105 otherwise requires:

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

111 (a) "Autonomous vehicle" means any vehicle equipped with an
112 automated driving system.

113 (b) "Dynamic driving task" means all of the real-time



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114 operational and tactical functions required to operate a vehicle
115 in on-road traffic within its specific operational design
116 domain, if any, excluding strategic functions such as trip
117 scheduling and selection of destinations and waypoints.

118 (c) "Fully autonomous vehicle" means a vehicle equipped
119 with an automated driving system designed to function without
120 autonomous technology. The term "autonomous technology" means
121 technology installed on a motor vehicle that has the capability
122 to drive the vehicle on which the technology is installed
123 without the active control or monitoring by a human operator.
124 The term excludes a motor vehicle enabled with active safety
125 systems or driver assistance systems, including, without
126 limitation, a system to provide electronic blind spot
127 assistance, crash avoidance, emergency braking, parking
128 assistance, adaptive cruise control, lane keep assistance, lane
129 departure warning, or traffic jam and queuing assistant, unless
130 any such system alone or in combination with other systems
131 enables the vehicle on which the technology is installed to
132 drive without active control or monitoring by a human operator.

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

138 (48) ON-DEMAND AUTONOMOUS VEHICLE NETWORK.—A passenger
139 transportation network that uses a software application or other
140 digital means to connect passengers to fully autonomous
141 vehicles, exclusively or in addition to other vehicles, for
142 transportation, including for-hire transportation and



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143 transportation for compensation.

144 (60)~~(59)~~ PRIVATE ROAD OR DRIVEWAY.—Except as otherwise
145 provided in paragraph (82) (b) ~~(81) (b)~~, any privately owned way
146 or place used for vehicular travel by the owner and those having
147 express or implied permission from the owner, but not by other
148 persons.

149 (88) TELEOPERATION SYSTEM.—The hardware and software
150 installed in a motor vehicle which allow a remote human operator
151 to supervise or perform aspects of, or the entirety of, the
152 dynamic driving task. The term “remote human operator” means a
153 natural person who is not physically present in a vehicle
154 equipped with an automated driving system who engages or
155 monitors the vehicle from a remote location. A remote human
156 operator may have the ability to perform aspects of, or the
157 entirety of, the dynamic driving task for the vehicle or cause
158 the vehicle to achieve a minimal risk condition.

159 Section 4. Subsection (5) is added to section 316.062,
160 Florida Statutes, to read:

161 316.062 Duty to give information and render aid.—

162 (5) This section does not apply to a fully autonomous
163 vehicle, operating with the automated driving system engaged, in
164 the event of a crash involving the vehicle if the vehicle owner,
165 or a person on behalf of the vehicle owner, promptly contacts a
166 law enforcement agency to report the crash or if the fully
167 autonomous vehicle has the capability of alerting a law
168 enforcement agency to the crash.

169 Section 5. Subsection (4) is added to section 316.063,
170 Florida Statutes, to read:

171 316.063 Duty upon damaging unattended vehicle or other



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172 property.-

173 (4) This section does not apply to a fully autonomous
174 vehicle, operating with the automated driving system engaged, in
175 the event of a crash involving the vehicle if the vehicle owner,
176 or a person on behalf of the vehicle owner, promptly contacts a
177 law enforcement agency to report the crash or if the fully
178 autonomous vehicle has the capability of alerting a law
179 enforcement agency to the crash.

180 Section 6. Subsection (5) is added to section 316.065,
181 Florida Statutes, to read:

182 316.065 Crashes; reports; penalties.-

183 (5) Subsection (1) does not apply to a fully autonomous
184 vehicle, operating with the automated driving system engaged, in
185 the event of a crash involving the vehicle if the vehicle owner,
186 or a person on behalf of the vehicle owner, promptly contacts a
187 law enforcement agency to report the crash or if the fully
188 autonomous vehicle has the capability of alerting a law
189 enforcement agency to the crash.

190 Section 7. Subsection (3) is added to section 316.1975,
191 Florida Statutes, to read:

192 316.1975 Unattended motor vehicle.-

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

195 Section 8. Section 316.303, Florida Statutes, is amended to
196 read:

197 316.303 Television receivers.-

198 (1) A ~~No~~ motor vehicle may not be operated on the highways
199 of this state if the vehicle is actively displaying moving
200 television broadcast or pre-recorded video entertainment content



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201 that is visible from the driver's seat while the vehicle is in
202 motion, unless the vehicle is ~~equipped with autonomous~~
203 ~~technology, as defined in s. 316.003(3), and is being operated~~
204 ~~with the automated driving system engaged in autonomous mode, as~~
205 ~~provided in s. 316.85(2).~~

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

210 (3) This section does not prohibit the use of an electronic
211 display used in conjunction with a vehicle navigation system; an
212 electronic display used by an operator of an autonomous a
213 ~~vehicle equipped with autonomous technology~~, as defined in s.
214 316.003(3); or an electronic display used by an operator of a
215 vehicle equipped and operating with driver-assistive truck
216 platooning technology, as defined in s. 316.003.

217 (4) A violation of this section is a noncriminal traffic
218 infraction, punishable as a nonmoving violation as provided in
219 chapter 318.

220 Section 9. Paragraph (b) of subsection (3) of section
221 316.305, Florida Statutes, is amended to read:

222 316.305 Wireless communications devices; prohibition.-

223 (3)

224 (b) Paragraph (a) does not apply to a motor vehicle
225 operator who is:

226 1. Performing official duties as an operator of an
227 authorized emergency vehicle as defined in s. 322.01, a law
228 enforcement or fire service professional, or an emergency
229 medical services professional.



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- 230 2. Reporting an emergency or criminal or suspicious
231 activity to law enforcement authorities.
- 232 3. Receiving messages that are:
- 233 a. Related to the operation or navigation of the motor
234 vehicle;
- 235 b. Safety-related information, including emergency,
236 traffic, or weather alerts;
- 237 c. Data used primarily by the motor vehicle; or
- 238 d. Radio broadcasts.
- 239 4. Using a device or system for navigation purposes.
- 240 5. Conducting wireless interpersonal communication that
241 does not require manual entry of multiple letters, numbers, or
242 symbols, except to activate, deactivate, or initiate a feature
243 or function.
- 244 6. Conducting wireless interpersonal communication that
245 does not require reading text messages, except to activate,
246 deactivate, or initiate a feature or function.
- 247 7. Operating an autonomous vehicle, as defined in s.
248 316.003(3) s. 316.003, with the automated driving system engaged
249 in autonomous mode.
- 250 Section 10. Section 316.85, Florida Statutes, is amended to
251 read:
- 252 316.85 Autonomous vehicles; operation; compliance with
253 traffic and motor vehicle laws; preemption.-
- 254 (1) Notwithstanding any other law, a licensed human
255 operator is not required to operate a fully autonomous vehicle A
256 person who possesses a valid driver license may operate an
257 autonomous vehicle in autonomous mode on roads in this state if
258 the vehicle is equipped with autonomous technology, as defined



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259 in s. 316.003(3) ~~s. 316.003~~.

260 (2) A fully autonomous vehicle may operate in this state,
261 regardless of whether a human operator is physically present in
262 the vehicle.

263 (3) (a) ~~(2)~~ For purposes of this chapter, unless the context
264 otherwise requires, the automated driving system, when engaged,
265 a person shall be deemed to be the operator of an autonomous
266 vehicle operating in autonomous mode when the person causes the
267 vehicle's autonomous technology to engage, regardless of whether
268 a the person is physically present in the vehicle while the
269 vehicle is operating with the automated driving system engaged
270 in autonomous mode.

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

273 1. Prohibit the automated driving system from being deemed
274 the operator of an autonomous vehicle operating with the
275 automated driving system engaged.

276 2. Require a licensed human operator to operate a fully
277 autonomous vehicle.

278 (4) An on-demand autonomous vehicle network must operate
279 pursuant to state laws governing the operation of transportation
280 network companies and transportation network company vehicles as
281 those terms are defined in s. 627.748, except that any provision
282 of s. 627.748 which reasonably applies only to a human driver
283 does not apply to the operation of a fully autonomous vehicle
284 with the automated driving system engaged in an on-demand
285 autonomous vehicle network. A fully autonomous vehicle with the
286 automated driving system engaged in an on-demand autonomous
287 vehicle network must meet the insurance requirements in s.



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288 627.749.

289 (5) Notwithstanding any other provision of this chapter, an
290 autonomous vehicle or a fully autonomous vehicle equipped with a
291 teleoperation system may operate without a human operator
292 physically present in the vehicle when the teleoperation system
293 is engaged. A vehicle that is subject to this subsection must
294 meet the requirements of s. 319.145 and is considered a vehicle
295 that meets the definition of s. 316.003(3)(c) for the purposes
296 of ss. 316.062(5), 316.063(4), 316.065(5), 316.1975(3), and
297 316.303(1).

298 (6) It is the intent of the Legislature to provide for
299 uniformity of laws governing autonomous vehicles throughout the
300 state. A local government may not impose any tax, fee, for-hire
301 vehicle requirement, or other requirement on automated driving
302 systems or autonomous vehicles or on a person who operates an
303 autonomous vehicle, including, but not limited to, a person who
304 operates an autonomous vehicle for purposes of providing
305 passenger transportation services.

306 Section 11. Section 319.145, Florida Statutes, is amended
307 to read:

308 319.145 Autonomous vehicles.—

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

311 (a) When required by federal law:

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

315 2. Bear the required certification label or labels,
316 including reference to any exemption granted under applicable



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317 federal law.

318 (b) Be capable of being operated in compliance with the
319 applicable traffic and motor vehicle laws of this state,
320 regardless of whether the vehicle is operating with the
321 automated driving system engaged.

322 (2) If the autonomous vehicle is not fully autonomous,
323 applicable federal standards and regulations for such motor
324 vehicle, the vehicle must:

325 (a) have a system to safely alert a licensed human the
326 operator physically present in the vehicle if an automated
327 driving system autonomous technology failure is detected while
328 the automated driving system autonomous technology is engaged.
329 When an alert is given, the system must:

330 1. require the licensed human operator to take control of
331 the autonomous vehicle or must achieve a minimal risk condition;
332 or

333 2. If the operator does not, or is not able to, take
334 control of the autonomous vehicle, be capable of bringing the
335 vehicle to a complete stop.

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

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

340 (3) If the autonomous vehicle is fully autonomous, it must
341 be able to achieve a minimal risk condition if a failure of the
342 automated driving system occurs which renders that system unable
343 to perform the entire dynamic driving task relevant to its
344 intended operational design domain. The term "minimal risk
345 condition" means a reasonably safe state, such as bringing the



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346 vehicle to a complete stop and activating the vehicle's hazard
347 lamps.

348 (4) ~~(2)~~ Federal regulations promulgated by the National
349 Highway Traffic Safety Administration shall supersede this
350 section when found to be in conflict with this section.

351 Section 12. Section 322.015, Florida Statutes, is created
352 to read:

353 322.015 Exemption.—This chapter does not apply when a fully
354 autonomous vehicle is operated with the automated driving system
355 engaged and without a human operator.

356 Section 13. Section 627.749, Florida Statutes, is created
357 to read:

358 627.749 On-demand autonomous vehicle networks.—

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

360 (a) "Automated driving system" has the same meaning as in
361 s. 316.003.

362 (b) "Fully autonomous vehicle" has the same meaning as
363 provided in s. 316.003(3).

364 (c) "On-demand autonomous vehicle network" has the same
365 meaning as provided in s. 316.003.

366 (2) INSURANCE REQUIREMENTS.—

367 (a) A fully autonomous vehicle with the automated driving
368 system engaged in an on-demand autonomous vehicle network must
369 be covered by a policy of automobile insurance which provides:

370 1. Primary liability coverage of at least \$1 million for
371 death, bodily injury, and property damage;

372 2. Personal injury protection benefits that meet the
373 minimum coverage amounts required under ss. 627.730-627.7405;

374 and



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375 3. Uninsured and underinsured vehicle coverage as required
376 by s. 627.727.

377 (b) The coverage requirements of paragraph (a) may be
378 satisfied by any of the following:

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

382 2. Automobile insurance maintained by the on-demand
383 autonomous vehicle network; or

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

385 Section 14. Paragraph (c) of subsection (7) of section
386 339.175, Florida Statutes, is amended to read:

387 339.175 Metropolitan planning organization.—

388 (7) LONG-RANGE TRANSPORTATION PLAN.—Each M.P.O. must
389 develop a long-range transportation plan that addresses at least
390 a 20-year planning horizon. The plan must include both long-
391 range and short-range strategies and must comply with all other
392 state and federal requirements. The prevailing principles to be
393 considered in the long-range transportation plan are: preserving
394 the existing transportation infrastructure; enhancing Florida's
395 economic competitiveness; and improving travel choices to ensure
396 mobility. The long-range transportation plan must be consistent,
397 to the maximum extent feasible, with future land use elements
398 and the goals, objectives, and policies of the approved local
399 government comprehensive plans of the units of local government
400 located within the jurisdiction of the M.P.O. Each M.P.O. is
401 encouraged to consider strategies that integrate transportation
402 and land use planning to provide for sustainable development and
403 reduce greenhouse gas emissions. The approved long-range



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404 transportation plan must be considered by local governments in
405 the development of the transportation elements in local
406 government comprehensive plans and any amendments thereto. The
407 long-range transportation plan must, at a minimum:

408 (c) Assess capital investment and other measures necessary
409 to:

410 1. Ensure the preservation of the existing metropolitan
411 transportation system including requirements for the operation,
412 resurfacing, restoration, and rehabilitation of major roadways
413 and requirements for the operation, maintenance, modernization,
414 and rehabilitation of public transportation facilities; and

415 2. Make the most efficient use of existing transportation
416 facilities to relieve vehicular congestion, improve safety, and
417 maximize the mobility of people and goods. Such efforts must
418 include, but are not limited to, consideration of infrastructure
419 and technological improvements necessary to accommodate advances
420 in vehicle technology, such as automated driving systems
421 ~~autonomous technology~~ and other developments.

422
423 In the development of its long-range transportation plan, each
424 M.P.O. must provide the public, affected public agencies,
425 representatives of transportation agency employees, freight
426 shippers, providers of freight transportation services, private
427 providers of transportation, representatives of users of public
428 transit, and other interested parties with a reasonable
429 opportunity to comment on the long-range transportation plan.
430 The long-range transportation plan must be approved by the
431 M.P.O.

432 Section 15. Paragraph (c) of subsection (3) and paragraph



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433 (a) of subsection (4) of section 339.64, Florida Statutes, are
434 amended to read:

435 339.64 Strategic Intermodal System Plan.—

436 (3)

437 (c) The department shall coordinate with federal, regional,
438 and local partners, as well as industry representatives, to
439 consider infrastructure and technological improvements necessary
440 to accommodate advances in vehicle technology, such as automated
441 driving systems ~~autonomous technology~~ and other developments, in
442 Strategic Intermodal System facilities.

443 (4) The Strategic Intermodal System Plan shall include the
444 following:

445 (a) A needs assessment that must include, but is not
446 limited to, consideration of infrastructure and technological
447 improvements necessary to accommodate advances in vehicle
448 technology, such as automated driving systems ~~autonomous~~
449 ~~technology~~ and other developments.

450 Section 16. Section 339.83, Florida Statutes, is amended to
451 read:

452 339.83 Enrollment in federal pilot programs.—The Secretary
453 of Transportation may enroll the State of Florida in any federal
454 pilot program or project for the collection and study of data
455 for the review of federal or state roadway safety,
456 infrastructure sustainability, congestion mitigation,
457 transportation system efficiency, automated driving systems
458 ~~autonomous vehicle technology~~, or capacity challenges.

459 Section 17. Subsection (6) of section 627.0653, Florida
460 Statutes, is amended to read:

461 627.0653 Insurance discounts for specified motor vehicle



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462 equipment.-

463 (6) The Office of Insurance Regulation may approve a
464 premium discount to any rates, rating schedules, or rating
465 manuals for the liability, personal injury protection, and
466 collision coverages of a motor vehicle insurance policy filed
467 with the office if the insured vehicle is equipped with an
468 automated driving system ~~autonomous driving technology~~ or
469 electronic vehicle collision avoidance technology that is
470 factory installed or a retrofitted system and that complies with
471 National Highway Traffic Safety Administration standards.

472 Section 18. Subsection (1) of section 655.960, Florida
473 Statutes, is amended to read:

474 655.960 Definitions; ss. 655.960-655.965.-As used in this
475 section and ss. 655.961-655.965, unless the context otherwise
476 requires:

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

482 Section 19. This act shall take effect July 1, 2019.