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LEGISLATIVE ACTION

Senate

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House

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Senator Brandes moved the following:

Senate Amendment (with title amendment)

Between lines 191 and 192

insert:

Section 3. Present subsections (38) through (105) of section 316.003, Florida Statutes, are redesignated as subsections (39) through (106), respectively, a new subsection (38) is added to that section, and subsection (2) and present subsection (62) of that section are amended, to read:

316.003 Definitions.—The following words and phrases, when used in this chapter, shall have the meanings respectively



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12 ascribed to them in this section, except where the context
13 otherwise requires:

14 (2) AUTOCYCLE.—A three-wheeled motorcycle that has two
15 wheels in the front and one wheel in the back; is equipped with
16 a roll cage or roll hoops, a seat belt for each occupant,
17 ~~antilock~~ brakes that meet the requirements of Federal Motor
18 Vehicle Safety Standard No. 122, a steering mechanism wheel, and
19 seating that does not require the operator to straddle or sit
20 astride it; and is manufactured in accordance with the
21 applicable federal motorcycle safety standards in 49 C.F.R. part
22 571 by a manufacturer registered with the National Highway
23 Traffic Safety Administration.

24 (38) LOW-SPEED AUTONOMOUS DELIVERY VEHICLE.—A fully
25 autonomous vehicle that meets the definition of a low-speed
26 vehicle in 49 C.F.R. s. 571.3.

27 (63)~~(62)~~ PRIVATE ROAD OR DRIVEWAY.—Except as otherwise
28 provided in paragraph (85) (b) ~~(84) (b)~~, any privately owned way
29 or place used for vehicular travel by the owner and those having
30 express or implied permission from the owner, but not by other
31 persons.

32 Section 4. Section 316.2122, Florida Statutes, is amended
33 to read:

34 316.2122 Operation of a low-speed vehicle, or mini truck,
35 or low-speed autonomous delivery vehicle on certain roadways.—

36 (1) The operation of a low-speed vehicle as defined in s.
37 320.01 or a mini truck as defined in s. 320.01 on any road is
38 authorized with the following restrictions:

39 (a)~~(1)~~ A low-speed vehicle or mini truck may be operated
40 only on streets where the posted speed limit is 35 miles per



41 hour or less. This does not prohibit a low-speed vehicle or mini
42 truck from crossing a road or street at an intersection where
43 the road or street has a posted speed limit of more than 35
44 miles per hour.

45 (b) ~~(2)~~ A low-speed vehicle must be equipped with headlamps,
46 stop lamps, turn signal lamps, taillamps, reflex reflectors,
47 parking brakes, rearview mirrors, windshields, seat belts, and
48 vehicle identification numbers.

49 (c) ~~(3)~~ A low-speed vehicle or mini truck must be registered
50 and insured in accordance with s. 320.02 and titled pursuant to
51 chapter 319.

52 (d) ~~(4)~~ Any person operating a low-speed vehicle or mini
53 truck must have in his or her possession a valid driver license.

54 (2) The operation of a low-speed autonomous delivery
55 vehicle on any road is authorized with the following
56 restrictions:

57 (a) A low-speed autonomous delivery vehicle may operate
58 only on streets or roads where the posted speed limit is 35
59 miles per hour or less. This paragraph does not prohibit a low-
60 speed autonomous delivery vehicle from crossing a road or street
61 at an intersection where the road or street has a posted speed
62 limit of more than 35 miles per hour.

63 (b) A low-speed autonomous delivery vehicle may operate on
64 a street or road with a posted speed limit of more than 35 miles
65 per hour, but no more than 45 miles per hour, if:

66 1. The low-speed autonomous delivery vehicle travels no
67 more than 1 continuous mile on such a street or road, except
68 that the vehicle may travel in excess of 1 continuous mile if
69 authorized by the entity with jurisdiction over the street or



70 road;

71 2. The low-speed autonomous delivery vehicle operates
72 exclusively in the right lane, other than for the purpose of
73 completing a turn; and

74 3. On a two-lane street or road where overtaking and
75 passing another vehicle is unsafe because of traffic moving in
76 the opposite direction or because of other unsafe conditions,
77 and five or more vehicles are formed in a line behind the
78 autonomous delivery vehicle, the low-speed autonomous delivery
79 vehicle exits the roadway wherever a sufficient area for a safe
80 turn-out exists, to permit the vehicles following to proceed.

81 (c) A low-speed autonomous delivery vehicle must be
82 equipped with headlamps, stop lamps, turn signal lamps,
83 taillamps, reflex reflectors, and vehicle identification
84 numbers.

85 (d) Federal regulations adopted by the National Highway
86 Traffic Safety Administration shall supersede this subsection
87 when found to be in conflict with this subsection.

88 (e) A low-speed autonomous delivery vehicle must be covered
89 by a policy of automobile insurance which provides the coverage
90 required by s. 627.749(2)(a)1., 2., and 3. The coverage
91 requirements of this paragraph may be satisfied by automobile
92 insurance maintained by the owner of a low-speed autonomous
93 delivery vehicle, the owner of the teleoperation system, the
94 remote human operator, or a combination thereof.

95 (3)~~(5)~~ A county or municipality may prohibit the operation
96 of low-speed vehicles or mini trucks on any road under its
97 jurisdiction if the governing body of the county or municipality
98 determines that such prohibition is necessary in the interest of



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99 safety.

100 ~~(4)(6)~~ The Department of Transportation may prohibit the
101 operation of low-speed vehicles or mini trucks on any road under
102 its jurisdiction if it determines that such prohibition is
103 necessary in the interest of safety.

104 Section 5. Present subsection (6) of section 316.215,
105 Florida Statutes, is redesignated as subsection (7), a new
106 subsection (6) is added to that section, and present subsection
107 (6) is republished, to read:

108 316.215 Scope and effect of regulations.—

109 (6) The provisions of any motor vehicle equipment laws or
110 regulations of this state which relate to or support motor
111 vehicle operation by a human driver but are not relevant for an
112 automated driving system shall not apply to fully autonomous
113 vehicles that are designed to be operated exclusively by the
114 automated driving system for all trips.

115 ~~(7)(6)~~ A violation of this section is a noncriminal traffic
116 infraction, punishable as a nonmoving violation as provided in
117 chapter 318.

118 Section 6. Paragraph (a) of subsection (3) of section
119 316.306, Florida Statutes, is amended to read:

120 316.306 School and work zones; prohibition on the use of a
121 wireless communications device in a handheld manner.—

122 (3) (a) 1. A person may not operate a motor vehicle while
123 using a wireless communications device in a handheld manner in a
124 designated school crossing, school zone, or work zone area as
125 defined in s. 316.003(106) ~~s. 316.003(105)~~. This subparagraph
126 shall only be applicable to work zone areas if construction
127 personnel are present or are operating equipment on the road or



128 immediately adjacent to the work zone area. For the purposes of
129 this paragraph, a motor vehicle that is stationary is not being
130 operated and is not subject to the prohibition in this
131 paragraph.

132 2.a. During the period from October 1, 2019, through
133 December 31, 2019, a law enforcement officer may stop motor
134 vehicles to issue verbal or written warnings to persons who are
135 in violation of subparagraph 1. for the purposes of informing
136 and educating such persons of this section. This sub-
137 subparagraph shall stand repealed on October 1, 2020.

138 b. Effective January 1, 2020, a law enforcement officer may
139 stop motor vehicles and issue citations to persons who are
140 driving while using a wireless communications device in a
141 handheld manner in violation of subparagraph 1.

142 Section 7. Subsection (1) of section 655.960, Florida
143 Statutes, is amended to read:

144 655.960 Definitions; ss. 655.960-655.965.—As used in this
145 section and ss. 655.961-655.965, unless the context otherwise
146 requires:

147 (1) "Access area" means any paved walkway or sidewalk which
148 is within 50 feet of any automated teller machine. The term does
149 not include any street or highway open to the use of the public,
150 as defined in s. 316.003(85) (a) or (b) ~~s. 316.003(84) (a) or (b)~~,
151 including any adjacent sidewalk, as defined in s. 316.003.

152
153 ===== T I T L E A M E N D M E N T =====

154 And the title is amended as follows:

155 Between lines 20 and 21
156 insert:



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157 amending s. 316.003, F.S.; revising the definition of
158 the term "autocycle"; defining the term "low-speed
159 autonomous delivery vehicle"; amending s. 316.2122,
160 F.S.; authorizing the operation of a low-speed
161 autonomous delivery vehicle on certain streets and
162 roads; providing construction; authorizing the
163 operation of a low-speed autonomous delivery vehicle
164 on streets or roads with a posted speed limit of up to
165 45 miles per hour under specified conditions;
166 providing requirements for low-speed autonomous
167 delivery vehicles; amending s. 316.215, F.S.;
168 providing that certain fully autonomous vehicles are
169 not subject to certain provisions of law or
170 regulations; amending ss. 316.306 and 655.960, F.S.;
171 conforming cross-references;