

1 A bill to be entitled
2 An act relating to autonomous vehicles; amending s.
3 316.003, F.S.; revising the definition of the term
4 "autocycle"; defining the term "low-speed autonomous
5 delivery vehicle"; revising the definition of the term
6 "personal delivery device"; authorizing the Department
7 of Transportation to adopt rules; amending s.
8 316.2122, F.S.; authorizing the operation of a low-
9 speed autonomous delivery vehicle on certain streets
10 and roads; providing construction; authorizing the
11 operation of a low-speed autonomous delivery vehicle
12 on streets or roads with a posted speed limit of up to
13 45 miles per hour under specified conditions;
14 providing requirements for low-speed autonomous
15 delivery vehicles; amending s. 316.215, F.S.;
16 providing that certain fully autonomous vehicles are
17 not subject to certain provisions of law or
18 regulations; amending s. 316.2126, F.S.; providing
19 that statutory provisions regarding the authorized use
20 of golf carts, low-speed vehicles, and utility
21 vehicles are not applicable to low-speed autonomous
22 delivery vehicles; amending ss. 316.306 and 655.960,
23 F.S.; conforming cross-references; providing an
24 effective date.
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26 Be It Enacted by the Legislature of the State of Florida:

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Section 1. Subsections (38) through (105) of section 316.003, Florida Statutes, are renumbered as subsections (39) through (106), respectively, subsection (2) and present subsections (56) and (62) are amended, and a new subsection (38) is added to that section, to read:

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

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

(38) LOW-SPEED AUTONOMOUS DELIVERY VEHICLE.—A fully autonomous vehicle that meets the definition of a low-speed vehicle in 49 C.F.R. s. 571.3 and is not designed for, or capable of, human occupancy.

51 (57)~~(56)~~ PERSONAL DELIVERY DEVICE.—An electrically powered
 52 device that:

53 (a) Is operated on sidewalks and crosswalks and intended
 54 primarily for transporting property;

55 (b) Has a weight that does not exceed the maximum weight
 56 established by Department of Transportation rule ~~Weighs less~~
 57 ~~than 80 pounds, excluding cargo;~~

58 (c) Has a maximum speed of 10 miles per hour; and

59 (d) Is equipped with technology to allow for operation of
 60 the device with or without the active control or monitoring of a
 61 natural person.

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 63 A personal delivery device is not considered a vehicle unless
 64 expressly defined by law as a vehicle. A mobile carrier is not
 65 considered a personal delivery device. The Department of
 66 Transportation may adopt rules to implement this subsection.

67 (63)~~(62)~~ PRIVATE ROAD OR DRIVEWAY.—Except as otherwise
 68 provided in paragraph (85) (b) ~~(84) (b)~~, any privately owned way
 69 or place used for vehicular travel by the owner and those having
 70 express or implied permission from the owner, but not by other
 71 persons.

72 Section 2. Section 316.2122, Florida Statutes, is amended
 73 to read:

74 316.2122 Operation of a low-speed vehicle, ~~or mini truck,~~
 75 or low-speed autonomous delivery vehicle on certain roadways.—

76 (1) The operation of a low-speed vehicle as defined in s.
 77 320.01 or a mini truck as defined in s. 320.01 on any road is
 78 authorized with the following restrictions:

79 (a)~~(1)~~ A low-speed vehicle or mini truck may be operated
 80 only on streets where the posted speed limit is 35 miles per
 81 hour or less. This does not prohibit a low-speed vehicle or mini
 82 truck from crossing a road or street at an intersection where
 83 the road or street has a posted speed limit of more than 35
 84 miles per hour.

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

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

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

94 (2) The operation of a low-speed autonomous delivery
 95 vehicle on any road is authorized with the following
 96 restrictions:

97 (a) A low-speed autonomous delivery vehicle may operate
 98 only on streets or roads where the posted speed limit is 35
 99 miles per hour or less. This paragraph does not prohibit a low-
 100 speed autonomous delivery vehicle from crossing a road or street

101 at an intersection where the road or street has a posted speed
102 limit of more than 35 miles per hour.

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

106 1. The low-speed autonomous delivery vehicle travels no
107 more than 1 continuous mile on such a street or road, except
108 that the vehicle may travel in excess of 1 continuous mile if
109 authorized by the entity with jurisdiction over the street or
110 road;

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

114 3. On a two-lane street or road where overtaking and
115 passing another vehicle is unsafe because of traffic moving in
116 the opposite direction or because of other unsafe conditions,
117 and five or more vehicles are formed in a line behind the
118 autonomous delivery vehicle, the low-speed autonomous delivery
119 vehicle exits the roadway wherever a sufficient area for a safe
120 turn-out exists, to permit the vehicles following to proceed.

121 (c) A low-speed autonomous delivery vehicle must be
122 equipped with headlamps, stop lamps, turn signal lamps,
123 taillamps, reflex reflectors, and vehicle identification
124 numbers.

125 (d) Federal regulations adopted by the National Highway

126 Traffic Safety Administration shall supersede this subsection
127 when found to be in conflict with this subsection.

128 (e) A low-speed autonomous delivery vehicle must be
129 covered by a policy of automobile insurance which provides the
130 coverage required by s. 627.749(2)(a)1., 2., and 3. The coverage
131 requirements of this paragraph may be satisfied by automobile
132 insurance maintained by the owner of a low-speed autonomous
133 delivery vehicle, the owner of the teleoperation system, the
134 remote human operator, or a combination thereof.

135 (3)+5) A county or municipality may prohibit the operation
136 of low-speed vehicles or mini trucks on any road under its
137 jurisdiction if the governing body of the county or municipality
138 determines that such prohibition is necessary in the interest of
139 safety.

140 (4)+6) The Department of Transportation may prohibit the
141 operation of low-speed vehicles or mini trucks on any road under
142 its jurisdiction if it determines that such prohibition is
143 necessary in the interest of safety.

144 Section 3. Subsection (6) of section 316.215, Florida
145 Statutes, is renumbered as subsection (7), a new subsection (6)
146 is added to that section, and present subsection (6) is
147 republished, to read:

148 316.215 Scope and effect of regulations.—

149 (6) The provisions of any motor vehicle equipment laws or
150 regulations of this state which relate to or support motor

151 vehicle operation by a human driver but are not relevant for an
152 automated driving system shall not apply to fully autonomous
153 vehicles that are designed to be operated exclusively by the
154 automated driving system for all trips.

155 (7)~~(6)~~ A violation of this section is a noncriminal
156 traffic infraction, punishable as a nonmoving violation as
157 provided in chapter 318.

158 Section 4. Subsection (5) is added to section 316.2126,
159 Florida Statutes, to read:

160 316.2126 Authorized use of golf carts, low-speed vehicles,
161 and utility vehicles.-

162 (5) This section does not apply to the use of low-speed
163 autonomous delivery vehicles.

164 Section 5. Paragraph (a) of subsection (3) of section
165 316.306, Florida Statutes, is amended to read:

166 316.306 School and work zones; prohibition on the use of a
167 wireless communications device in a handheld manner.-

168 (3) (a) 1. A person may not operate a motor vehicle while
169 using a wireless communications device in a handheld manner in a
170 designated school crossing, school zone, or work zone area as
171 defined in s. 316.003(106) ~~s. 316.003(105)~~. This subparagraph
172 shall only be applicable to work zone areas if construction
173 personnel are present or are operating equipment on the road or
174 immediately adjacent to the work zone area. For the purposes of
175 this paragraph, a motor vehicle that is stationary is not being

176 operated and is not subject to the prohibition in this
 177 paragraph.

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

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

188 Section 6. Subsection (1) of section 655.960, Florida
 189 Statutes, is amended to read:

190 655.960 Definitions; ss. 655.960-655.965.—As used in this
 191 section and ss. 655.961-655.965, unless the context otherwise
 192 requires:

193 (1) "Access area" means any paved walkway or sidewalk
 194 which is within 50 feet of any automated teller machine. The
 195 term does not include any street or highway open to the use of
 196 the public, as defined in s. 316.003(85) (a) or (b) ~~s.~~
 197 ~~316.003(84) (a) or (b)~~, including any adjacent sidewalk, as
 198 defined in s. 316.003.

199 Section 7. This act shall take effect July 1, 2021.