

By the Committees on Rules; and Transportation; and Senator Brandes

595-04572-21

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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"; amending s. 316.2122, F.S.;
6 authorizing the operation of a low-speed autonomous
7 delivery vehicle on certain streets and roads;
8 providing construction; authorizing the operation of a
9 low-speed autonomous delivery vehicle on streets or
10 roads with a posted speed limit of up to 45 miles per
11 hour under specified conditions; providing
12 requirements for low-speed autonomous delivery
13 vehicles; amending s. 316.215, F.S.; providing that
14 certain fully autonomous vehicles are not subject to
15 certain provisions of law or regulations; amending ss.
16 316.306 and 655.960, F.S.; conforming cross-
17 references; providing an effective date.

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

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21 Section 1. Present subsections (38) through (105) of
22 section 316.003, Florida Statutes, are redesignated as
23 subsections (39) through (106), respectively, a new subsection
24 (38) is added to that section, and subsection (2) and present
25 subsection (62) of that section are amended, to read:

26 316.003 Definitions.—The following words and phrases, when
27 used in this chapter, shall have the meanings respectively
28 ascribed to them in this section, except where the context
29 otherwise requires:

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30 (2) AUTOCYCLE.—A three-wheeled motorcycle that has two
 31 wheels in the front and one wheel in the back; is equipped with
 32 a roll cage or roll hoops, a seat belt for each occupant,
 33 ~~antilock~~ brakes that meet the requirements of Federal Motor
 34 Vehicle Safety Standard No. 122, a steering mechanism ~~wheel~~, and
 35 seating that does not require the operator to straddle or sit
 36 astride it; and is manufactured in accordance with the
 37 applicable federal motorcycle safety standards in 49 C.F.R. part
 38 571 by a manufacturer registered with the National Highway
 39 Traffic Safety Administration.

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

43 (63)~~(62)~~ PRIVATE ROAD OR DRIVEWAY.—Except as otherwise
 44 provided in paragraph (85) (b) ~~(84) (b)~~, any privately owned way
 45 or place used for vehicular travel by the owner and those having
 46 express or implied permission from the owner, but not by other
 47 persons.

48 Section 2. Section 316.2122, Florida Statutes, is amended
 49 to read:

50 316.2122 Operation of a low-speed vehicle, or mini truck,
 51 or low-speed autonomous delivery vehicle on certain roadways.—

52 (1) The operation of a low-speed vehicle as defined in s.
 53 320.01 or a mini truck as defined in s. 320.01 on any road is
 54 authorized with the following restrictions:

55 (a)~~(1)~~ A low-speed vehicle or mini truck may be operated
 56 only on streets where the posted speed limit is 35 miles per
 57 hour or less. This does not prohibit a low-speed vehicle or mini
 58 truck from crossing a road or street at an intersection where

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59 the road or street has a posted speed limit of more than 35
60 miles per hour.

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

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

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

70 (2) The operation of a low-speed autonomous delivery
71 vehicle on any road is authorized with the following
72 restrictions:

73 (a) A low-speed autonomous delivery vehicle may operate
74 only on streets or roads where the posted speed limit is 35
75 miles per hour or less. This paragraph does not prohibit a low-
76 speed autonomous delivery vehicle from crossing a road or street
77 at an intersection where the road or street has a posted speed
78 limit of more than 35 miles per hour.

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

82 1. The low-speed autonomous delivery vehicle travels no
83 more than 1 continuous mile on such a street or road, except
84 that the vehicle may travel in excess of 1 continuous mile if
85 authorized by the entity with jurisdiction over the street or
86 road;

87 2. The low-speed autonomous delivery vehicle operates

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88 exclusively in the right lane, other than for the purpose of
89 completing a turn; and

90 3. On a two-lane street or road where overtaking and
91 passing another vehicle is unsafe because of traffic moving in
92 the opposite direction or because of other unsafe conditions,
93 and five or more vehicles are formed in a line behind the
94 autonomous delivery vehicle, the low-speed autonomous delivery
95 vehicle exits the roadway wherever a sufficient area for a safe
96 turn-out exists, to permit the vehicles following to proceed.

97 (c) A low-speed autonomous delivery vehicle must be
98 equipped with headlamps, stop lamps, turn signal lamps,
99 taillamps, reflex reflectors, and vehicle identification
100 numbers.

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

104 (e) A low-speed autonomous delivery vehicle must be covered
105 by a policy of automobile insurance which provides the coverage
106 required by s. 627.749(2)(a)1., 2., and 3. The coverage
107 requirements of this paragraph may be satisfied by automobile
108 insurance maintained by the owner of a low-speed autonomous
109 delivery vehicle, the owner of the teleoperation system, the
110 remote human operator, or a combination thereof.

111 (3)-(5) A county or municipality may prohibit the operation
112 of low-speed vehicles or mini trucks on any road under its
113 jurisdiction if the governing body of the county or municipality
114 determines that such prohibition is necessary in the interest of
115 safety.

116 (4)-(6) The Department of Transportation may prohibit the

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117 operation of low-speed vehicles or mini trucks on any road under
118 its jurisdiction if it determines that such prohibition is
119 necessary in the interest of safety.

120 Section 3. Present subsection (6) of section 316.215,
121 Florida Statutes, is redesignated as subsection (7), a new
122 subsection (6) is added to that section, and present subsection
123 (6) is republished, to read:

124 316.215 Scope and effect of regulations.—

125 (6) The provisions of any motor vehicle equipment laws or
126 regulations of this state which relate to or support motor
127 vehicle operation by a human driver but are not relevant for an
128 automated driving system shall not apply to fully autonomous
129 vehicles that are designed to be operated exclusively by the
130 automated driving system for all trips.

131 (7)~~(6)~~ A violation of this section is a noncriminal traffic
132 infraction, punishable as a nonmoving violation as provided in
133 chapter 318.

134 Section 4. Paragraph (a) of subsection (3) of section
135 316.306, Florida Statutes, is amended to read:

136 316.306 School and work zones; prohibition on the use of a
137 wireless communications device in a handheld manner.—

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

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146 operated and is not subject to the prohibition in this
147 paragraph.

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

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

158 Section 5. Subsection (1) of section 655.960, Florida
159 Statutes, is amended to read:

160 655.960 Definitions; ss. 655.960-655.965.—As used in this
161 section and ss. 655.961-655.965, unless the context otherwise
162 requires:

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

168 Section 6. This act shall take effect July 1, 2021.