

By Senator Torres

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1 A bill to be entitled
2 An act relating to autonomous vehicles; amending s.
3 316.85, F.S.; requiring a licensed human operator to
4 be physically present in a fully autonomous vehicle
5 with a certain gross vehicle weight which is operating
6 for certain purposes on a public road; requiring the
7 manufacturer of an autonomous vehicle with a certain
8 gross vehicle weight which is operating under certain
9 conditions to report certain information to the
10 Department of Highway Safety and Motor Vehicles at
11 specified times; requiring the department, upon
12 appropriation, to conduct an evaluation of the
13 performance of autonomous vehicle technology in such
14 vehicles; requiring such evaluation to be based on
15 certain factors; requiring a report to certain
16 legislative committees by a specified date; providing
17 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. Section 316.85, Florida Statutes, is amended to
22 read:

23 316.85 Autonomous vehicles; operation; compliance with
24 traffic and motor vehicle laws; testing.—

25 (1) Notwithstanding any other law, a licensed human
26 operator is not required to operate a fully autonomous vehicle
27 as defined in s. 316.003(3) which has a gross vehicle weight of
28 less than 10,001 pounds.

29 (2) (a) A fully autonomous vehicle that has a gross vehicle

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30 weight of less than 10,001 pounds may operate in this state
31 regardless of whether a human operator is physically present in
32 the vehicle.

33 (b) A licensed human operator must be physically present in
34 a fully autonomous vehicle that has a gross vehicle weight of
35 10,001 pounds or more while the vehicle is operating on a public
36 road in this state to transport goods or passengers.

37 (3) (a) For purposes of this chapter, unless the context
38 otherwise requires, the automated driving system, when engaged,
39 shall be deemed to be the operator of an autonomous vehicle,
40 regardless of whether a person is physically present in the
41 vehicle while the vehicle is operating with the automated
42 driving system engaged.

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

45 1. Prohibit the automated driving system from being deemed
46 the operator of an autonomous vehicle operating with the
47 automated driving system engaged.

48 2. Require a licensed human operator to operate a fully
49 autonomous vehicle that has a gross vehicle weight of less than
50 10,001 pounds.

51 (4) An on-demand autonomous vehicle network shall operate
52 pursuant to state laws governing the operation of transportation
53 network companies and transportation network company vehicles as
54 defined in s. 627.748, except that any provision of s. 627.748
55 that reasonably applies only to a human driver does not apply to
56 the operation of a fully autonomous vehicle that has a gross
57 vehicle weight of less than 10,001 pounds with the automated
58 driving system engaged while logged on to an on-demand

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59 autonomous vehicle network. A fully autonomous vehicle with the
60 automated driving system engaged while logged on to an on-demand
61 autonomous vehicle network must meet the insurance requirements
62 in s. 627.749.

63 (5) Notwithstanding any other provision of this chapter, an
64 autonomous vehicle, or a fully autonomous vehicle that has a
65 gross vehicle weight of less than 10,001 pounds, which is
66 equipped with a teleoperation system may operate without a human
67 operator physically present in the vehicle when the
68 teleoperation system is engaged. A vehicle that is subject to
69 this subsection must meet the requirements of s. 319.145 and is
70 considered a vehicle that meets the definition provided in s.
71 316.003(3)(c) for the purposes of ss. 316.062(5), 316.063(4),
72 316.065(5), 316.1975(3), and 316.303(1).

73 (6) It is the intent of the Legislature to provide for
74 uniformity of laws governing autonomous vehicles throughout the
75 state. A local government may not impose any tax, fee, for-hire
76 vehicle requirement, or other requirement on automated driving
77 systems or autonomous vehicles or on a person who operates an
78 autonomous vehicle, including, but not limited to, a person who
79 operates an autonomous vehicle for purposes of providing
80 passenger transportation services. This subsection does not
81 prohibit an airport or a seaport from charging reasonable fees
82 consistent with any fees charged to companies that provide
83 similar services at that airport or seaport for their use of the
84 airport's or seaport's facilities, nor does it prohibit the
85 airport or seaport from designating locations for staging,
86 pickup, or other similar operations at the airport or seaport.

87 Section 2. Evaluation of autonomous vehicle technology.—

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88 (1) Beginning July 1, 2024, for an autonomous vehicle with
89 a gross vehicle weight of 10,001 pounds or more which is
90 operating on a public road in this state with the automated
91 driving system engaged:

92 (a) If the vehicle's automated driving system is
93 disengaged, the manufacturer of such vehicle must annually
94 report to the Department of Highway Safety and Motor Vehicles
95 the following information regarding the disengagement of the
96 automated driving system at the time of such disengagement:

97 1. The location of the vehicle.

98 2. Whether a human operator was physically present in the
99 vehicle.

100 3. Whether a collision occurred.

101 4. The person or entity that initiated the disengagement,
102 such as the vehicle operator, a vehicle passenger, a remote
103 vehicle operator, or the automated driving system itself.

104 5. Any other information specified by the department.

105 (b) If the vehicle is involved in a collision on a public
106 road which results in property damage, bodily injury to a
107 person, or the death of a person, the manufacturer of such
108 vehicle must report such collision to the Department of Highway
109 Safety and Motor Vehicles within 10 days after such collision.

110 (2) Upon appropriation by the Legislature, the Department
111 of Highway Safety and Motor Vehicles must conduct an evaluation
112 of the performance of autonomous vehicle technology in vehicles
113 specified in subsection (1). The evaluation must be based on the
114 information reported under subsection (1), as well as factors
115 including, but not limited to, the impacts of such technology on
116 public safety and on employment in the transportation industry.

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117 The department must report the results of its evaluation to the
118 chairs of the appropriate policy and fiscal committees of the
119 Legislature by January 1, 2030, or 5 years after the
120 commencement of its evaluation, whichever occurs later.

121 Section 3. This act shall take effect July 1, 2024.