

1                   A bill to be entitled  
2           An act relating to autonomous vehicles; amending s.  
3           316.003, F.S.; revising and providing definitions;  
4           amending ss. 316.062, 316.063, 316.065, and 316.1975,  
5           F.S.; providing applicability; amending s. 316.303,  
6           F.S.; exempting a vehicle being operated with the  
7           automated driving system engaged from a prohibition on  
8           the active display of television or video; amending s.  
9           316.305, F.S.; exempting a motor vehicle operator who  
10          is operating an autonomous vehicle from a prohibition  
11          on the use of wireless communications devices;  
12          amending s. 316.85, F.S.; providing that a licensed  
13          human operator is not required to operate a fully  
14          autonomous vehicle; authorizing a fully autonomous  
15          vehicle to operate in this state regardless of whether  
16          a human operator is physically present in the vehicle;  
17          requiring the automated driving system to be deemed to  
18          be the operator of an autonomous vehicle operating  
19          with the automated driving system engaged; providing  
20          construction; providing requirements for operation of  
21          on-demand autonomous vehicle networks; providing  
22          insurance requirements; providing for uniformity of  
23          laws governing autonomous vehicles; providing that  
24          autonomous vehicles are not exempt from certain taxes  
25          and fees; amending s. 319.145, F.S.; revising

26 requirements for autonomous vehicles registered in  
 27 this state; creating s. 322.015, F.S.; providing  
 28 applicability; amending s. 338.2216, F.S.; authorizing  
 29 the Florida Turnpike Enterprise to enter into  
 30 agreements to fund, construct, and operate certain  
 31 facilities; amending ss. 339.175, 339.64, 339.83, and  
 32 627.0653, F.S.; conforming provisions to changes made  
 33 by the act; amending s. 655.960, F.S.; conforming a  
 34 cross-reference; providing an effective date.

35

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

37

38 Section 1. Subsections (48) through (101) of section  
 39 316.003, Florida Statutes, are renumbered as subsections (49)  
 40 through (102), respectively, present subsections (3) and (59)  
 41 are amended, and a new subsection (48) is added to that section,  
 42 to read:

43 316.003 Definitions.—The following words and phrases, when  
 44 used in this chapter, shall have the meanings respectively  
 45 ascribed to them in this section, except where the context  
 46 otherwise requires:

47 (3) AUTOMATED DRIVING SYSTEM ~~AUTONOMOUS VEHICLE~~.—The  
 48 hardware and software that are collectively capable of  
 49 performing the entire dynamic driving task of an autonomous  
 50 vehicle on a sustained basis, regardless of whether it is

51 limited to a specific operational design domain. The term:

52 (a) "Autonomous vehicle" means any vehicle equipped with  
53 an automated driving system.

54 (b) "Dynamic driving task" means all of the real-time  
55 operational and tactical functions required to operate a vehicle  
56 in on-road traffic within its specific operational design  
57 domain, if any, excluding strategic functions such as trip  
58 scheduling and selection of destinations and waypoints.

59 (c) "Fully autonomous vehicle" means a vehicle equipped  
60 with an automated driving system designed to function without  
61 autonomous technology. The term "autonomous technology" means  
62 technology installed on a motor vehicle that has the capability  
63 to drive the vehicle on which the technology is installed  
64 without the active control or monitoring by a human operator.  
65 The term excludes a motor vehicle enabled with active safety  
66 systems or driver assistance systems, including, without  
67 limitation, a system to provide electronic blind spot  
68 assistance, crash avoidance, emergency braking, parking  
69 assistance, adaptive cruise control, lane keep assistance, lane  
70 departure warning, or traffic jam and queuing assistant, unless  
71 any such system alone or in combination with other systems  
72 enables the vehicle on which the technology is installed to  
73 drive without active control or monitoring by a human operator.

74 (d) "Operational design domain" means a description of the  
75 specific operating domain in which an automated driving system

76 is designed to properly operate, including, but not limited to,  
77 roadway types, speed ranges, environmental conditions such as  
78 weather and time of day, and other domain constraints.

79 (48) ON-DEMAND AUTONOMOUS VEHICLE NETWORK.—A passenger  
80 transportation network that uses a software application or other  
81 digital means to connect passengers to fully autonomous  
82 vehicles, exclusively or in addition to other vehicles, for  
83 transportation, including for-hire transportation and  
84 transportation for compensation.

85 (60)~~(59)~~ PRIVATE ROAD OR DRIVEWAY.—Except as otherwise  
86 provided in paragraph (82) (b) ~~(81) (b)~~, any privately owned way  
87 or place used for vehicular travel by the owner and those having  
88 express or implied permission from the owner, but not by other  
89 persons.

90 Section 2. Subsection (5) is added to section 316.062,  
91 Florida Statutes, to read:

92 316.062 Duty to give information and render aid.—

93 (5) This section does not apply to a fully autonomous  
94 vehicle operating with the automated driving system engaged in  
95 the event of a crash involving the vehicle if the vehicle owner,  
96 or a person on behalf of the vehicle owner, promptly contacts a  
97 law enforcement agency to report the crash or if the fully  
98 autonomous vehicle has the capability of alerting a law  
99 enforcement agency to the crash.

100 Section 3. Subsection (4) is added to section 316.063,

101 Florida Statutes, to read:

102 316.063 Duty upon damaging unattended vehicle or other  
103 property.—

104 (4) This section does not apply to a fully autonomous  
105 vehicle operating with the automated driving system engaged in  
106 the event of a crash involving the vehicle if the vehicle owner,  
107 or a person on behalf of the vehicle owner, promptly contacts a  
108 law enforcement agency to report the crash or if the fully  
109 autonomous vehicle has the capability of alerting a law  
110 enforcement agency to the crash.

111 Section 4. Subsection (5) is added to section 316.065,  
112 Florida Statutes, to read:

113 316.065 Crashes; reports; penalties.—

114 (5) Subsection (1) does not apply to a fully autonomous  
115 vehicle operating with the automated driving system engaged in  
116 the event of a crash involving the vehicle if the vehicle owner,  
117 or a person on behalf of the vehicle owner, promptly contacts a  
118 law enforcement agency to report the crash or if the fully  
119 autonomous vehicle has the capability of alerting a law  
120 enforcement agency to the crash.

121 Section 5. Subsection (3) is added to section 316.1975,  
122 Florida Statutes, to read:

123 316.1975 Unattended motor vehicle.—

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

126 Section 6. Section 316.303, Florida Statutes, is amended  
127 to read:

128 316.303 Television receivers.—

129 (1) A ~~No~~ motor vehicle may not be operated on the highways  
130 of this state if the vehicle is actively displaying moving  
131 television broadcast or pre-recorded video entertainment content  
132 that is visible from the driver's seat while the vehicle is in  
133 motion, unless the vehicle is ~~equipped with autonomous~~  
134 ~~technology, as defined in s. 316.003(3), and is being operated~~  
135 with the automated driving system engaged in autonomous mode, as  
136 ~~provided in s. 316.85(2).~~

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

141 (3) This section does not prohibit the use of an  
142 electronic display used in conjunction with a vehicle navigation  
143 system; an electronic display used by an operator of an  
144 autonomous ~~a vehicle equipped with autonomous technology,~~ as  
145 defined in s. 316.003(3); or an electronic display used by an  
146 operator of a vehicle equipped and operating with driver-  
147 assistive truck platooning technology, as defined in s. 316.003.

148 (4) A violation of this section is a noncriminal traffic  
149 infraction, punishable as a nonmoving violation as provided in  
150 chapter 318.

151 Section 7. Paragraph (b) of subsection (3) of section  
152 316.305, Florida Statutes, is amended to read:

153 316.305 Wireless communications devices; prohibition.—

154 (3)

155 (b) Paragraph (a) does not apply to a motor vehicle  
156 operator who is:

157 1. Performing official duties as an operator of an  
158 authorized emergency vehicle as defined in s. 322.01, a law  
159 enforcement or fire service professional, or an emergency  
160 medical services professional.

161 2. Reporting an emergency or criminal or suspicious  
162 activity to law enforcement authorities.

163 3. Receiving messages that are:

164 a. Related to the operation or navigation of the motor  
165 vehicle;

166 b. Safety-related information, including emergency,  
167 traffic, or weather alerts;

168 c. Data used primarily by the motor vehicle; or

169 d. Radio broadcasts.

170 4. Using a device or system for navigation purposes.

171 5. Conducting wireless interpersonal communication that  
172 does not require manual entry of multiple letters, numbers, or  
173 symbols, except to activate, deactivate, or initiate a feature  
174 or function.

175 6. Conducting wireless interpersonal communication that

176 does not require reading text messages, except to activate,  
 177 deactivate, or initiate a feature or function.

178 7. Operating an autonomous vehicle, as defined in s.  
 179 316.003(3) ~~s. 316.003~~, with the automated driving system engaged  
 180 in autonomous mode.

181 Section 8. Section 316.85, Florida Statutes, is amended to  
 182 read:

183 316.85 Autonomous vehicles; operation; compliance with  
 184 traffic and motor vehicle laws; testing.-

185 (1) Notwithstanding any other law, a licensed human  
 186 operator is not required to operate a fully autonomous vehicle ~~A~~  
 187 ~~person who possesses a valid driver license may operate an~~  
 188 ~~autonomous vehicle in autonomous mode on roads in this state if~~  
 189 ~~the vehicle is equipped with autonomous technology,~~ as defined  
 190 in s. 316.003(3) ~~s. 316.003~~.

191 (2) A fully autonomous vehicle may operate in this state  
 192 regardless of whether a human operator is physically present in  
 193 the vehicle.

194 (3) (a) ~~(2)~~ For purposes of this chapter, unless the context  
 195 otherwise requires, the automated driving system, when engaged,  
 196 ~~a person~~ shall be deemed to be the operator of an autonomous  
 197 vehicle ~~operating in autonomous mode when the person causes the~~  
 198 ~~vehicle's autonomous technology to engage,~~ regardless of whether  
 199 a ~~the~~ person is physically present in the vehicle while the  
 200 vehicle is operating with the automated driving system engaged



201 ~~in autonomous mode.~~

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

204 1. Prohibit the automated driving system from being deemed  
205 the operator of an autonomous vehicle operating with the  
206 automated driving system engaged.

207 2. Require a licensed human operator to operate a fully  
208 autonomous vehicle.

209 (4) (a) An on-demand autonomous vehicle network shall  
210 operate pursuant to state laws governing the operation of  
211 transportation network companies and transportation network  
212 company vehicles as defined in s. 627.748, except that any  
213 provision of s. 627.748 that reasonably applies only to a human  
214 driver does not apply to the operation of a fully autonomous  
215 vehicle with the automated driving system engaged in an on-  
216 demand autonomous vehicle network.

217 (b) A fully autonomous vehicle with the automated driving  
218 system engaged in an on-demand autonomous vehicle network must  
219 be covered by automobile insurance that provides:

220 1. A primary automobile liability coverage of at least \$1  
221 million for death, bodily injury, and property damage.

222 2. Personal injury protection benefits that meet the  
223 minimum coverage amounts required of a limousine under ss.  
224 627.730-627.7405.

225 3. Uninsured and underinsured vehicle coverage as required

226 by s. 627.727.

227 (c) The coverage requirements of paragraph (b) may be  
 228 satisfied by:

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

232 2. Automobile insurance maintained by the on-demand  
 233 autonomous vehicle network; or

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

235 (5) It is the intent of the Legislature to provide for  
 236 uniformity of laws governing autonomous vehicles throughout the  
 237 state. A local government may not impose any tax, fee, for-hire  
 238 vehicle requirement, or other requirement on automated driving  
 239 systems or autonomous vehicles or on a person who operates an  
 240 autonomous vehicle, including, but not limited to, a person who  
 241 operates an autonomous vehicle for purposes of providing  
 242 passenger transportation services. This subsection does not  
 243 exempt an autonomous vehicle from a tax or fee that applies  
 244 equally to motor vehicles that are not autonomous.

245 Section 9. Section 319.145, Florida Statutes, is amended  
 246 to read:

247 319.145 Autonomous vehicles.—

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

250 (a) When required by federal law:

251 1. Have been certified in accordance with federal  
252 regulations in 49 C.F.R. part 567 as being in compliance with  
253 applicable federal motor vehicle safety standards.

254 2. Bear the required certification label or labels  
255 including reference to any exemption granted under applicable  
256 federal law.

257 (b) Be capable of being operated in compliance with the  
258 applicable traffic and motor vehicle laws of this state,  
259 regardless of whether the vehicle is operating with the  
260 automated driving system engaged.

261 (2) If the autonomous vehicle is not fully autonomous,  
262 ~~applicable federal standards and regulations for such motor~~  
263 ~~vehicle.~~ the vehicle must:

264 ~~(a)~~ have a system to safely alert a licensed human ~~the~~  
265 operator physically present in the vehicle if an automated  
266 driving system ~~autonomous technology~~ failure is detected while  
267 the automated driving system ~~autonomous technology~~ is engaged.  
268 When an alert is given, the system must:

269 ~~1.~~ require the licensed human operator to take control of  
270 the autonomous vehicle; ~~or~~ must achieve a minimal risk  
271 condition. The term "minimal risk condition" means a reasonably  
272 safe state, such as bringing the vehicle to a complete stop and  
273 activating the vehicle's hazard lamps.

274 (3) If the autonomous vehicle is fully autonomous, it must  
275 be able to achieve a minimal risk condition if a failure of the

276 automated driving system occurs which renders that system unable  
277 to perform the entire dynamic driving task relevant to its  
278 intended operational design domain.

279 ~~2. If the operator does not, or is not able to, take~~  
280 ~~control of the autonomous vehicle, be capable of bringing the~~  
281 ~~vehicle to a complete stop.~~

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

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

286 ~~(4)(2)~~ Federal regulations promulgated by the National  
287 Highway Traffic Safety Administration shall supersede this  
288 section when found to be in conflict with this section.

289 Section 10. Section 322.015, Florida Statutes, is created  
290 to read:

291 322.015 Exemption.—This chapter does not apply when a  
292 fully autonomous vehicle is operated with the automated driving  
293 system engaged and without a human operator.

294 Section 11. Paragraph (f) is added to subsection (1) of  
295 section 338.2216, Florida Statutes, to read:

296 338.2216 Florida Turnpike Enterprise; powers and  
297 authority.—

298 (1)

299 (f) The Florida Turnpike Enterprise may enter into one or  
300 more agreements to fund, construct, and operate facilities for

301 the advancement of autonomous and connected innovative  
302 transportation technologies for the purposes of improving safety  
303 and decreasing congestion for the traveling public. Such  
304 agreements may include terms that authorize a private entity to  
305 sell or provide products or business opportunities at the  
306 facilities which benefit the traveling public, provide  
307 additional revenue, or otherwise advance the enterprise's  
308 objectives as set forth in the Florida Transportation Code.

309 Section 12. Paragraph (c) of subsection (7) of section  
310 339.175, Florida Statutes, is amended to read:

311 339.175 Metropolitan planning organization.—

312 (7) LONG-RANGE TRANSPORTATION PLAN.—Each M.P.O. must  
313 develop a long-range transportation plan that addresses at least  
314 a 20-year planning horizon. The plan must include both long-  
315 range and short-range strategies and must comply with all other  
316 state and federal requirements. The prevailing principles to be  
317 considered in the long-range transportation plan are: preserving  
318 the existing transportation infrastructure; enhancing Florida's  
319 economic competitiveness; and improving travel choices to ensure  
320 mobility. The long-range transportation plan must be consistent,  
321 to the maximum extent feasible, with future land use elements  
322 and the goals, objectives, and policies of the approved local  
323 government comprehensive plans of the units of local government  
324 located within the jurisdiction of the M.P.O. Each M.P.O. is  
325 encouraged to consider strategies that integrate transportation

326 and land use planning to provide for sustainable development and  
327 reduce greenhouse gas emissions. The approved long-range  
328 transportation plan must be considered by local governments in  
329 the development of the transportation elements in local  
330 government comprehensive plans and any amendments thereto. The  
331 long-range transportation plan must, at a minimum:

332 (c) Assess capital investment and other measures necessary  
333 to:

334 1. Ensure the preservation of the existing metropolitan  
335 transportation system including requirements for the operation,  
336 resurfacing, restoration, and rehabilitation of major roadways  
337 and requirements for the operation, maintenance, modernization,  
338 and rehabilitation of public transportation facilities; and

339 2. Make the most efficient use of existing transportation  
340 facilities to relieve vehicular congestion, improve safety, and  
341 maximize the mobility of people and goods. Such efforts must  
342 include, but are not limited to, consideration of infrastructure  
343 and technological improvements necessary to accommodate advances  
344 in vehicle technology, such as automated driving systems  
345 ~~autonomous technology~~ and other developments.

346

347 In the development of its long-range transportation plan, each  
348 M.P.O. must provide the public, affected public agencies,  
349 representatives of transportation agency employees, freight  
350 shippers, providers of freight transportation services, private

351 providers of transportation, representatives of users of public  
352 transit, and other interested parties with a reasonable  
353 opportunity to comment on the long-range transportation plan.  
354 The long-range transportation plan must be approved by the  
355 M.P.O.

356 Section 13. Paragraph (c) of subsection (3) and paragraph  
357 (a) of subsection (4) of section 339.64, Florida Statutes, are  
358 amended to read:

359 339.64 Strategic Intermodal System Plan.—

360 (3)

361 (c) The department shall coordinate with federal,  
362 regional, and local partners, as well as industry  
363 representatives, to consider infrastructure and technological  
364 improvements necessary to accommodate advances in vehicle  
365 technology, such as automated driving systems ~~autonomous~~  
366 ~~technology~~ and other developments, in Strategic Intermodal  
367 System facilities.

368 (4) The Strategic Intermodal System Plan shall include the  
369 following:

370 (a) A needs assessment that must include, but is not  
371 limited to, consideration of infrastructure and technological  
372 improvements necessary to accommodate advances in vehicle  
373 technology, such as automated driving systems ~~autonomous~~  
374 ~~technology~~ and other developments.

375 Section 14. Section 339.83, Florida Statutes, is amended

376 to read:

377           339.83 Enrollment in federal pilot programs.—The Secretary  
 378 of Transportation may enroll the State of Florida in any federal  
 379 pilot program or project for the collection and study of data  
 380 for the review of federal or state roadway safety,  
 381 infrastructure sustainability, congestion mitigation,  
 382 transportation system efficiency, automated driving systems  
 383 ~~autonomous vehicle technology~~, or capacity challenges.

384           Section 15. Subsection (6) of section 627.0653, Florida  
 385 Statutes, is amended to read:

386           627.0653 Insurance discounts for specified motor vehicle  
 387 equipment.—

388           (6) The Office of Insurance Regulation may approve a  
 389 premium discount to any rates, rating schedules, or rating  
 390 manuals for the liability, personal injury protection, and  
 391 collision coverages of a motor vehicle insurance policy filed  
 392 with the office if the insured vehicle is equipped with an  
 393 automated driving system ~~autonomous driving technology~~ or  
 394 electronic vehicle collision avoidance technology that is  
 395 factory installed or a retrofitted system and that complies with  
 396 National Highway Traffic Safety Administration standards.

397           Section 16. Subsection (1) of section 655.960, Florida  
 398 Statutes, is amended to read:

399           655.960 Definitions; ss. 655.960–655.965.—As used in this  
 400 section and ss. 655.961–655.965, unless the context otherwise



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401 requires:

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

407 Section 17. This act shall take effect July 1, 2019.