

Amendment No.

CHAMBER ACTION

Senate

House

.

Representative Brandes offered the following:

**Amendment (with title amendment)**

Between lines 4568 and 4569, insert:

Section 95. Vehicles equipped with autonomous technology; intent.-

(1) As used in this section, the term "autonomous technology" means technology installed on a motor vehicle that has the capability to drive the vehicle on which the technology is installed without the active control or monitoring by a human operator. The term excludes a motor vehicle enabled with active safety systems or driver assistance systems, including, without limitation, a system to provide electronic blind spot assistance, crash avoidance, emergency braking, parking assistance, adaptive cruise control, lane keep assistance, lane departure warning, or traffic jam and queuing assistant, unless

389773

Approved For Filing: 3/1/2012 1:33:09 PM

Amendment No.

17 any such system alone or in combination with other systems  
18 enables the vehicle on which the technology is installed to  
19 drive without the active control or monitoring by a human  
20 operator.

21 (2) It is the intent of the Legislature to encourage the  
22 safe development, testing, and operation of motor vehicles with  
23 autonomous technology on the public roads of the state. The  
24 Legislature finds that the state does not prohibit or  
25 specifically regulate the testing or operation of autonomous  
26 technology in motor vehicles on public roads.

27 Section 96. Subsection (89) is added to section 316.003,  
28 Florida Statutes, to read:

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

33 (89) AUTONOMOUS VEHICLE.—Any vehicle equipped with  
34 autonomous technology. The term "autonomous technology" means  
35 technology installed on a motor vehicle that has the capability  
36 to drive the vehicle on which the technology is installed  
37 without the active control or monitoring by a human operator.  
38 The term excludes a motor vehicle enabled with active safety  
39 systems or driver assistance systems, including, without  
40 limitation, a system to provide electronic blind spot  
41 assistance, crash avoidance, emergency braking, parking  
42 assistance, adaptive cruise control, lane keep assistance, lane  
43 departure warning, or traffic jam and queuing assistant, unless  
44 any such system alone or in combination with other systems

389773

Approved For Filing: 3/1/2012 1:33:09 PM

Amendment No.

45 enables the vehicle on which the technology is installed to  
46 drive without the active control or monitoring by a human  
47 operator.

48 Section 97. Section 316.85, Florida Statutes, is created  
49 to read:

50 316.85 Autonomous vehicles; operation.-

51 (1) A person who possesses a valid driver license may  
52 operate an autonomous vehicle in autonomous mode.

53 (2) For purposes of this chapter, unless the context  
54 otherwise requires, a person shall be deemed to be the operator  
55 of an autonomous vehicle operating in autonomous mode when the  
56 person causes the vehicle's autonomous technology to engage,  
57 regardless of whether the person is physically present in the  
58 vehicle while the vehicle is operating in autonomous mode.

59 Section 98. Section 319.145, Florida Statutes, is created  
60 to read:

61 319.145 Autonomous vehicles.-

62 (1) An autonomous vehicle registered in this state must  
63 continue to meet federal standards and regulations for a motor  
64 vehicle. The vehicle shall:

65 (a) Have a means to engage and disengage the autonomous  
66 technology which is easily accessible to the operator.

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

69 (c) Have a means to alert the operator of the vehicle if a  
70 technology failure affecting the ability of the vehicle to  
71 safely operate autonomously is detected while the vehicle is

389773

Approved For Filing: 3/1/2012 1:33:09 PM

Amendment No.

72 operating autonomously in order to indicate to the operator to  
73 take control of the vehicle.

74 (d) Be capable of being operated in compliance with the  
75 applicable traffic and motor vehicle laws of this state.

76 (2) Federal regulations promulgated by the National  
77 Highway Traffic Safety Administration shall supersede this  
78 section when found to be in conflict with this section.

79 Section 99. (1) Vehicles equipped with autonomous  
80 technology may be operated on roads in this state by employees,  
81 contractors, or other persons designated by manufacturers of  
82 autonomous technology for the purpose of testing the technology.  
83 For testing purposes, a human operator shall be present in the  
84 autonomous vehicle such that he or she has the ability to  
85 monitor the vehicle's performance and intervene, if necessary,  
86 unless the vehicle is being tested or demonstrated on a closed  
87 course. Prior to the start of testing in this state, the entity  
88 performing the testing must submit to the Department of Highway  
89 Safety and Motor Vehicles an instrument of insurance, surety  
90 bond, or proof of self-insurance acceptable to the department in  
91 the amount of \$5 million.

92 (2) The original manufacturer of a vehicle converted by an  
93 unaffiliated third party into an autonomous vehicle shall not be  
94 liable in, and shall have a defense to and be dismissed from,  
95 any legal action brought against the original manufacturer by  
96 any person injured due to a vehicle defect caused by the  
97 conversion of the vehicle, or by equipment installed by the  
98 converter, unless the defect was present in the vehicle as  
99 originally manufactured.

389773

Approved For Filing: 3/1/2012 1:33:09 PM

Amendment No.

100 (3) By February 12, 2014, the Department of Highway Safety  
101 and Motor Vehicles shall submit a report to the President of the  
102 Senate and the Speaker of the House of Representatives  
103 recommending additional legislative or regulatory action that  
104 may be required for the safe testing and operation of motor  
105 vehicles equipped with autonomous technology.

106 -----

107  
108 **T I T L E A M E N D M E N T**

109 Remove line 506 and insert:  
110 made by the act; defining the term "autonomous  
111 technology"; providing legislative intent and  
112 findings; amending s. 316.003, F.S.; defining the  
113 terms "autonomous vehicle" and "autonomous technology"  
114 when used in provisions for traffic control; creating  
115 s. 316.85, F.S.; authorizing a person who possesses a  
116 valid driver license to operate an autonomous vehicle;  
117 specifying that the person who causes the vehicle's  
118 autonomous technology to engage is the operator;  
119 creating s. 319.145, F.S.; requiring an autonomous  
120 vehicle registered in this state to meet federal  
121 standards and regulations for a motor vehicle;  
122 specifying certain requirements for such vehicle;  
123 providing for the application of certain federal  
124 regulations; authorizing the operation of vehicles  
125 equipped with autonomous technology by certain persons  
126 for testing purposes under certain conditions;  
127 requiring an instrument of insurance, surety bond, or

389773

Approved For Filing: 3/1/2012 1:33:09 PM

Amendment No.

128 self-insurance prior to the testing of a vehicle;  
129 limiting liability of the original manufacturer of a  
130 vehicle converted to an autonomous vehicle; directing  
131 the department to prepare a report on the safe testing  
132 and operation of vehicles equipped with autonomous  
133 technology and submit the report to the Legislature by  
134 a certain date; providing effective dates.