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LEGISLATIVE ACTION

Senate	.	House
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Floor: 2/AD/2R	.	Floor: SENAT/C
03/04/2016 12:36 PM	.	03/11/2016 05:16 PM
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Senator Brandes moved the following:

**Senate Amendment (with title amendment)**

Delete lines 105 - 161

and insert:

Section 3. Subsections (94) and (95) are added to section 316.003, Florida Statutes, 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:

(94) DRIVER-ASSISTIVE TRUCK PLATOONING TECHNOLOGY.—Vehicle



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12 automation and safety technology that integrates sensor array,  
13 wireless vehicle-to-vehicle communications, active safety  
14 systems, and specialized software to link safety systems and  
15 synchronize acceleration and braking between two vehicles while  
16 leaving each vehicle's steering control and systems command in  
17 the control of the vehicle's driver in compliance with the  
18 National Highway Traffic Safety Administration rules regarding  
19 vehicle-to-vehicle communications.

20 (95) PORT OF ENTRY.—A designated location that allows  
21 drivers of commercial motor vehicles to purchase temporary  
22 registration permits necessary to operate legally within the  
23 state. The locations and the designated routes to such locations  
24 shall be determined by the Department of Transportation.

25 Section 4. The Department of Transportation, in  
26 consultation with the Department of Highway Safety and Motor  
27 Vehicles, shall study the use and safe operation of driver-  
28 assistive truck platooning technology, as defined in s. 316.003,  
29 Florida Statutes, for the purpose of developing a pilot project  
30 to test vehicles that are equipped to operate using driver-  
31 assistive truck platooning technology.

32 (1) Upon conclusion of the study, the Department of  
33 Transportation, in consultation with the Department of Highway  
34 Safety and Motor Vehicles, may conduct a pilot project to test  
35 the use and safe operation of vehicles equipped with driver-  
36 assistive truck platooning technology.

37 (2) Notwithstanding ss. 316.0895 and 316.303, Florida  
38 Statutes, the Department of Transportation may conduct the pilot  
39 project in such a manner and at such locations as determined by  
40 the Department of Transportation based on the study.



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41 (3) Before the start of the pilot project, manufacturers of  
42 driver-assistive truck platooning technology being tested in the  
43 pilot project must submit to the Department of Highway Safety  
44 and Motor Vehicles an instrument of insurance, surety bond, or  
45 proof of self-insurance acceptable to the department in the  
46 amount of \$5 million.

47 (4) Upon conclusion of the pilot project, the Department of  
48 Transportation, in consultation with the Department of Highway  
49 Safety and Motor Vehicles, shall submit the results of the study  
50 and any findings or recommendations from the pilot project to  
51 the Governor, the President of the Senate, and the Speaker of  
52 the House of Representatives.

53 Section 5. Subsections (1) and (3) of section 316.303,  
54 Florida Statutes, are amended to read:

55 316.303 Television receivers.—

56 (1) No motor vehicle may be operated on the highways of  
57 this state if the vehicle is actively displaying moving  
58 television broadcast or pre-recorded video entertainment content  
59 that is ~~shall be equipped with television-type receiving~~  
60 equipment so located that the viewer or screen is visible from  
61 the driver's seat while the vehicle is in motion, unless the  
62 vehicle is equipped with autonomous technology, as defined in s.  
63 316.003(90), and is being operated in autonomous mode, as  
64 provided in s. 316.85(2).

65 (3) This section does not prohibit the use of an electronic  
66 display used in conjunction with a vehicle navigation system; an  
67 electronic display used by an operator of a vehicle equipped  
68 with autonomous technology, as defined in s. 316.003; or an  
69 electronic display used by an operator of a vehicle equipped and



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70 operating with driver-assistive truck platooning technology, as  
71 defined in s. 316.003.

72 Section 6. Paragraph (b) of subsection (2) of section  
73 316.545, Florida Statutes, is amended to read:

74 316.545 Weight and load unlawful; special fuel and motor  
75 fuel tax enforcement; inspection; penalty; review.—

76 (2)

77 (b) The officer or inspector shall inspect the license  
78 plate or registration certificate of the commercial vehicle, as  
79 defined in s. 316.003(66), to determine if its gross weight is  
80 in compliance with the declared gross vehicle weight. If its  
81 gross weight exceeds the declared weight, the penalty shall be 5  
82 cents per pound on the difference between such weights. In those  
83 cases when the commercial vehicle, as defined in s. 316.003(66),  
84 is being operated over the highways of the state with an expired  
85 registration or with no registration from this or any other  
86 jurisdiction or is not registered under the applicable  
87 provisions of chapter 320, the penalty herein shall apply on the  
88 basis of 5 cents per pound on that scaled weight which exceeds  
89 35,000 pounds on laden truck tractor-semitrailer combinations or  
90 tandem trailer truck combinations, 10,000 pounds on laden  
91 straight trucks or straight truck-trailer combinations, or  
92 10,000 pounds on any unladen commercial motor vehicle. A driver  
93 of a commercial motor vehicle entering the state at a designated  
94 port-of-entry location, as defined in s. 316.003(94), or  
95 operating on designated routes to a port-of-entry location, who  
96 obtains a temporary registration permit shall be assessed a  
97 penalty limited to the difference between its gross weight and  
98 the declared gross vehicle weight at 5 cents per pound. If the



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99 license plate or registration has not been expired for more than  
100 90 days, the penalty imposed under this paragraph may not exceed  
101 \$1,000. In the case of special mobile equipment as defined in s.  
102 316.003(48), which qualifies for the license tax provided for in  
103 s. 320.08(5)(b), being operated on the highways of the state  
104 with an expired registration or otherwise not properly  
105 registered under the applicable provisions of chapter 320, a  
106 penalty of \$75 shall apply in addition to any other penalty  
107 which may apply in accordance with this chapter. A vehicle found  
108 in violation of this section may be detained until the owner or  
109 operator produces evidence that the vehicle has been properly  
110 registered. Any costs incurred by the retention of the vehicle  
111 shall be the sole responsibility of the owner. A person who has  
112 been assessed a penalty pursuant to this paragraph for failure  
113 to have a valid vehicle registration certificate pursuant to the  
114 provisions of chapter 320 is not subject to the delinquent fee  
115 authorized in s. 320.07 if such person obtains a valid  
116 registration certificate within 10 working days after such  
117 penalty was assessed.

118 Section 7. Subsection (1) of section 316.85, Florida  
119 Statutes, is amended to read:

120 316.85 Autonomous vehicles; operation.—

121 (1) A person who possesses a valid driver license may  
122 operate an autonomous vehicle in autonomous mode on roads in  
123 this state if the vehicle is equipped with autonomous  
124 technology, as defined in s. 316.003.

125 Section 8. Section 316.86, Florida Statutes, is amended to  
126 read:

127 316.86 ~~Operation of vehicles equipped with autonomous~~



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128 ~~technology on roads for testing purposes; financial~~  
129 ~~responsibility;~~ Exemption from liability for manufacturer when  
130 third party converts vehicle.—

131 ~~(1) Vehicles equipped with autonomous technology may be~~  
132 ~~operated on roads in this state by employees, contractors, or~~  
133 ~~other persons designated by manufacturers of autonomous~~  
134 ~~technology, or by research organizations associated with~~  
135 ~~accredited educational institutions, for the purpose of testing~~  
136 ~~the technology. For testing purposes, a human operator shall be~~  
137 ~~present in the autonomous vehicle such that he or she has the~~  
138 ~~ability to monitor the vehicle's performance and intervene, if~~  
139 ~~necessary, unless the vehicle is being tested or demonstrated on~~  
140 ~~a closed course. Before the start of testing in this state, the~~  
141 ~~entity performing the testing must submit to the department an~~  
142 ~~instrument of insurance, surety bond, or proof of self-insurance~~  
143 ~~acceptable to the department in the amount of \$5 million.~~

144 ~~(2) The original manufacturer of a vehicle converted by a~~  
145 ~~third party into an autonomous vehicle is ~~shall~~ not be liable~~  
146 ~~in, and shall have a defense to and be dismissed from, any legal~~  
147 ~~action brought against the original manufacturer by any person~~  
148 ~~injured due to an alleged vehicle defect caused by the~~  
149 ~~conversion of the vehicle, or by equipment installed by the~~  
150 ~~converter, unless the alleged defect was present in the vehicle~~  
151 ~~as originally manufactured.~~

152 Section 9. Subsection (1) of section 319.145, Florida  
153 Statutes, is amended to read:

154 319.145 Autonomous vehicles.—

155 (1) An autonomous vehicle registered in this state must  
156 continue to meet applicable federal standards and regulations



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157 for such a motor vehicle. The vehicle must ~~shall~~:

158 (a) Have a system to safely alert the operator if an  
159 autonomous technology failure is detected while the autonomous  
160 technology is engaged. When an alert is given, the system must:

161 1. Require the operator to take control of the autonomous  
162 vehicle; or

163 2. If the operator does not, or is not able to, take  
164 control of the autonomous vehicle, be capable of bringing the  
165 vehicle to a complete stop ~~Have a means to engage and disengage~~  
166 ~~the autonomous technology which is easily accessible to the~~  
167 ~~operator.~~

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

170 ~~(c) Have a means to alert the operator of the vehicle if a~~  
171 ~~technology failure affecting the ability of the vehicle to~~  
172 ~~safely operate autonomously is detected while the vehicle is~~  
173 ~~operating autonomously in order to indicate to the operator to~~  
174 ~~take control of the vehicle.~~

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

177  
178

179 ===== T I T L E A M E N D M E N T =====

180 And the title is amended as follows:

181 Delete lines 6 - 11

182 and insert:

183 Economic Development Program; amending s. 316.003,  
184 F.S.; defining the terms "driver-assistive truck  
185 platooning technology" and "port of entry"; directing



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186 the Department of Transportation to study the  
187 operation of driver-assistive truck platooning  
188 technology; authorizing the department to conduct a  
189 pilot project to test such operation; providing  
190 security requirements; requiring a report to the  
191 Governor and Legislature; amending s. 316.303, F.S.;  
192 revising the prohibition from operating, under certain  
193 circumstances, a motor vehicle that is equipped with  
194 television-type receiving equipment; providing  
195 exceptions to the prohibition against displaying  
196 moving television broadcast or pre-recorded video  
197 entertainment content in vehicles; amending s.  
198 316.545, F.S.; providing a specified penalty for  
199 drivers of commercial motor vehicles who obtain  
200 temporary registration permits entering the state at,  
201 or operating on designated routes to, a port-of-entry  
202 location; amending s. 316.85, F.S.; revising the  
203 circumstances under which a licensed driver is  
204 authorized to operate an autonomous vehicle in  
205 autonomous mode; amending s. 316.86, F.S.; deleting a  
206 provision authorizing the operation of vehicles  
207 equipped with autonomous technology on roads in this  
208 state for testing purposes by certain persons or  
209 research organizations; deleting a requirement that a  
210 human operator be present in an autonomous vehicle for  
211 testing purposes; deleting certain financial  
212 responsibility requirements for entities performing  
213 such testing; amending s. 319.145, F.S.; revising  
214 provisions relating to required equipment and





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operation of autonomous vehicles; amending s. 334.044,