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1
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; authorizing an autonomous or
23 fully autonomous vehicle equipped with a teleoperation
24 system to operate without a human operator physically
25 present in the vehicle when the system is engaged;

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26 providing application to certain statutory provisions;
 27 providing for uniformity of laws governing autonomous
 28 vehicles; providing construction with respect to
 29 certain fees charged and staging or pickup locations
 30 designated by an airport or seaport; amending s.
 31 319.145, F.S.; revising requirements for autonomous
 32 vehicles registered in this state; creating s.
 33 322.015, F.S.; providing applicability; amending s.
 34 338.2216, F.S.; authorizing the Florida Turnpike
 35 Enterprise to enter into agreements to fund,
 36 construct, and operate certain facilities; amending
 37 ss. 339.175, 339.64, 339.83, and 627.0653, F.S.;
 38 conforming provisions to changes made by the act;
 39 creating s. 627.749, F.S.; providing definitions;
 40 providing insurance requirements for autonomous
 41 vehicles; amending s. 655.960, F.S.; conforming a
 42 cross-reference; providing an effective date.

43
 44 Be It Enacted by the Legislature of the State of Florida:

45
 46 Section 1. Subsections (48) through (86) and (87) through
 47 (101) of section 316.003, Florida Statutes, are renumbered as
 48 subsections (49) through (87) and (89) through (103),
 49 respectively, present subsections (3) and (59) are amended, and
 50 new subsections (48) and (88) are added to that section, to

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51 read:

52 316.003 Definitions.—The following words and phrases, when
 53 used in this chapter, shall have the meanings respectively
 54 ascribed to them in this section, except where the context
 55 otherwise requires:

56 (3) AUTOMATED DRIVING SYSTEM ~~AUTONOMOUS VEHICLE~~.—The
 57 hardware and software that are collectively capable of
 58 performing the entire dynamic driving task of an autonomous
 59 vehicle on a sustained basis, regardless of whether it is
 60 limited to a specific operational design domain. The term:

61 (a) "Autonomous vehicle" means any vehicle equipped with
 62 an automated driving system.

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

68 (c) "Fully autonomous vehicle" means a vehicle equipped
 69 with an automated driving system designed to function without
 70 ~~autonomous technology. The term "autonomous technology" means~~
 71 ~~technology installed on a motor vehicle that has the capability~~
 72 ~~to drive the vehicle on which the technology is installed~~
 73 ~~without the active control or monitoring by a human operator.~~
 74 ~~The term excludes a motor vehicle enabled with active safety~~
 75 ~~systems or driver assistance systems, including, without~~

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76 | ~~limitation, a system to provide electronic blind spot~~
 77 | ~~assistance, crash avoidance, emergency braking, parking~~
 78 | ~~assistance, adaptive cruise control, lane keep assistance, lane~~
 79 | ~~departure warning, or traffic jam and queuing assistant, unless~~
 80 | ~~any such system alone or in combination with other systems~~
 81 | ~~enables the vehicle on which the technology is installed to~~
 82 | ~~drive without active control or monitoring by a human operator.~~

83 | (d) "Operational design domain" means a description of the
 84 | specific operating domain in which an automated driving system
 85 | is designed to properly operate, including, but not limited to,
 86 | roadway types, speed ranges, environmental conditions such as
 87 | weather and time of day, and other domain constraints.

88 | (48) ON-DEMAND AUTONOMOUS VEHICLE NETWORK.—A passenger
 89 | transportation network that uses a software application or other
 90 | digital means to connect passengers to fully autonomous
 91 | vehicles, exclusively or in addition to other vehicles, for
 92 | transportation, including for-hire transportation and
 93 | transportation for compensation.

94 | ~~(60)(59)~~ PRIVATE ROAD OR DRIVEWAY.—Except as otherwise
 95 | provided in paragraph (82)(b) ~~(81)(b)~~, any privately owned way
 96 | or place used for vehicular travel by the owner and those having
 97 | express or implied permission from the owner, but not by other
 98 | persons.

99 | (88) TELEOPERATION SYSTEM.—The hardware and software
 100 | installed in a motor vehicle which allow a remote human operator

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101 to supervise or perform aspects of, or the entirety of, the
 102 dynamic driving task. The term "remote human operator" means a
 103 natural person who is not physically present in a vehicle
 104 equipped with an automated driving system who engages or
 105 monitors the vehicle from a remote location. A remote human
 106 operator may have the ability to perform aspects of, or the
 107 entirety of, the dynamic driving task for the vehicle or cause
 108 the vehicle to achieve a minimal risk condition as defined in s.
 109 319.145(2). A remote human operator must be physically present
 110 in the United States and be licensed to operate a motor vehicle
 111 by a United States jurisdiction.

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

114 316.062 Duty to give information and render aid.—

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

122 Section 3. Subsection (4) is added to section 316.063,
 123 Florida Statutes, to read:

124 316.063 Duty upon damaging unattended vehicle or other
 125 property.—

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126 (4) This section does not apply to a fully autonomous
 127 vehicle operating with the automated driving system engaged in
 128 the event of a crash involving the vehicle if the vehicle owner,
 129 or a person on behalf of the vehicle owner, promptly contacts a
 130 law enforcement agency to report the crash or if the fully
 131 autonomous vehicle has the capability of alerting a law
 132 enforcement agency to the crash.

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

135 316.065 Crashes; reports; penalties.—

136 (5) Subsection (1) does not apply to a fully autonomous
 137 vehicle operating with the automated driving system engaged in
 138 the event of a crash involving the vehicle if the vehicle owner,
 139 or a person on behalf of the vehicle owner, promptly contacts a
 140 law enforcement agency to report the crash or if the fully
 141 autonomous vehicle has the capability of alerting a law
 142 enforcement agency to the crash.

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

145 316.1975 Unattended motor vehicle.—

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

148 Section 6. Section 316.303, Florida Statutes, is amended
 149 to read:

150 316.303 Television receivers.—

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151 (1) A ~~No~~ motor vehicle may not be operated on the highways
 152 of this state if the vehicle is actively displaying moving
 153 television broadcast or pre-recorded video entertainment content
 154 that is visible from the driver's seat while the vehicle is in
 155 motion, unless the vehicle is ~~equipped with autonomous~~
 156 ~~technology, as defined in s. 316.003(3), and is being operated~~
 157 with the automated driving system engaged in autonomous mode, as
 158 provided in s. 316.85(2).

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

163 (3) This section does not prohibit the use of an
 164 electronic display used in conjunction with a vehicle navigation
 165 system; an electronic display used by an operator of an
 166 autonomous ~~a vehicle equipped with autonomous technology,~~ as
 167 defined in s. 316.003(3); or an electronic display used by an
 168 operator of a vehicle equipped and operating with driver-
 169 assistive truck platooning technology, as defined in s. 316.003.

170 (4) A violation of this section is a noncriminal traffic
 171 infraction, punishable as a nonmoving violation as provided in
 172 chapter 318.

173 Section 7. Paragraph (b) of subsection (3) of section
 174 316.305, Florida Statutes, is amended to read:

175 316.305 Wireless communications devices; prohibition.—

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- 176 (3)
- 177 (b) Paragraph (a) does not apply to a motor vehicle
- 178 operator who is:
- 179 1. Performing official duties as an operator of an
- 180 authorized emergency vehicle as defined in s. 322.01, a law
- 181 enforcement or fire service professional, or an emergency
- 182 medical services professional.
- 183 2. Reporting an emergency or criminal or suspicious
- 184 activity to law enforcement authorities.
- 185 3. Receiving messages that are:
- 186 a. Related to the operation or navigation of the motor
- 187 vehicle;
- 188 b. Safety-related information, including emergency,
- 189 traffic, or weather alerts;
- 190 c. Data used primarily by the motor vehicle; or
- 191 d. Radio broadcasts.
- 192 4. Using a device or system for navigation purposes.
- 193 5. Conducting wireless interpersonal communication that
- 194 does not require manual entry of multiple letters, numbers, or
- 195 symbols, except to activate, deactivate, or initiate a feature
- 196 or function.
- 197 6. Conducting wireless interpersonal communication that
- 198 does not require reading text messages, except to activate,
- 199 deactivate, or initiate a feature or function.
- 200 7. Operating an autonomous vehicle, as defined in s.

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201 316.003(3) s. ~~316.003~~, with the automated driving system engaged
 202 in autonomous mode.

203 Section 8. Section 316.85, Florida Statutes, is amended to
 204 read:

205 316.85 Autonomous vehicles; operation; compliance with
 206 traffic and motor vehicle laws; testing.-

207 (1) Notwithstanding any other law, a licensed human
 208 operator is not required to operate a fully autonomous vehicle A
 209 ~~person who possesses a valid driver license may operate an~~
 210 ~~autonomous vehicle in autonomous mode on roads in this state if~~
 211 ~~the vehicle is equipped with autonomous technology,~~ as defined
 212 in s. 316.003(3) s. ~~316.003~~.

213 (2) A fully autonomous vehicle may operate in this state
 214 regardless of whether a human operator is physically present in
 215 the vehicle.

216 (3) (a) ~~(2)~~ For purposes of this chapter, unless the context
 217 otherwise requires, the automated driving system, when engaged,
 218 ~~a person~~ shall be deemed to be the operator of an autonomous
 219 ~~vehicle operating in autonomous mode when the person causes the~~
 220 ~~vehicle's autonomous technology to engage,~~ regardless of whether
 221 a ~~the~~ person is physically present in the vehicle while the
 222 vehicle is operating with the automated driving system engaged
 223 ~~in autonomous mode.~~

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

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226 1. Prohibit the automated driving system from being deemed
227 the operator of an autonomous vehicle operating with the
228 automated driving system engaged.

229 2. Require a licensed human operator to operate a fully
230 autonomous vehicle.

231 (4) An on-demand autonomous vehicle network shall operate
232 pursuant to state laws governing the operation of transportation
233 network companies and transportation network company vehicles as
234 defined in s. 627.748, except that any provision of s. 627.748
235 that reasonably applies only to a human driver does not apply to
236 the operation of a fully autonomous vehicle with the automated
237 driving system engaged while logged on to an on-demand
238 autonomous vehicle network. A fully autonomous vehicle with the
239 automated driving system engaged while logged on to an on-demand
240 autonomous vehicle network must meet the insurance requirements
241 in s. 627.749.

242 (5) Notwithstanding any other provision of this chapter,
243 an autonomous vehicle or a fully autonomous vehicle equipped
244 with a teleoperation system may operate without a human operator
245 physically present in the vehicle when the teleoperation system
246 is engaged. A vehicle that is subject to this subsection must
247 meet the requirements of s. 319.145 and is considered a vehicle
248 that meets the definition provided in s. 316.003(3)(c) for the
249 purposes of ss. 316.062(5), 316.063(4), 316.065(5), 316.1975(3),
250 and 316.303(1).

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251 (6) It is the intent of the Legislature to provide for
 252 uniformity of laws governing autonomous vehicles throughout the
 253 state. A local government may not impose any tax, fee, for-hire
 254 vehicle requirement, or other requirement on automated driving
 255 systems or autonomous vehicles or on a person who operates an
 256 autonomous vehicle, including, but not limited to, a person who
 257 operates an autonomous vehicle for purposes of providing
 258 passenger transportation services. This subsection does not
 259 prohibit an airport or a seaport from charging reasonable fees
 260 consistent with any fees charged to companies that provide
 261 similar services at that airport or seaport for their use of the
 262 airport's or seaport's facilities, nor does it prohibit the
 263 airport or seaport from designating locations for staging,
 264 pickup, or other similar operations at the airport or seaport.

265 Section 9. Section 319.145, Florida Statutes, is amended
 266 to read:

267 319.145 Autonomous vehicles.—

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

270 (a) When required by federal law:

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

274 2. Bear the required certification label or labels
 275 including reference to any exemption granted under applicable

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276 federal law.

277 (b) Be capable of being operated in compliance with the
 278 applicable traffic and motor vehicle laws of this state,
 279 regardless of whether the vehicle is operating with the
 280 automated driving system engaged.

281 (2) If the autonomous vehicle is not fully autonomous,
 282 ~~applicable federal standards and regulations for such motor~~
 283 ~~vehicle.~~ the vehicle must:

284 ~~(a)~~ have a system to safely alert a licensed human ~~the~~
 285 operator physically present in the vehicle if an automated
 286 driving system ~~autonomous technology~~ failure is detected while
 287 the automated driving system ~~autonomous technology~~ is engaged.
 288 When an alert is given, the system must:

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

294 (3) If the autonomous vehicle is fully autonomous, it must
 295 be able to achieve a minimal risk condition if a failure of the
 296 automated driving system occurs which renders that system unable
 297 to perform the entire dynamic driving task relevant to its
 298 intended operational design domain.

299 ~~2.~~ ~~If the operator does not, or is not able to, take~~
 300 ~~control of the autonomous vehicle, be capable of bringing the~~

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301 ~~vehicle to a complete stop.~~

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

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

306 (4)~~(2)~~ Federal regulations promulgated by the National
 307 Highway Traffic Safety Administration shall supersede this
 308 section when found to be in conflict with this section.

309 Section 10. Section 322.015, Florida Statutes, is created
 310 to read:

311 322.015 Exemption.—This chapter does not apply when a
 312 fully autonomous vehicle is operated with the automated driving
 313 system engaged and without a human operator.

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

316 338.2216 Florida Turnpike Enterprise; powers and
 317 authority.—

318 (1)

319 (f) The Florida Turnpike Enterprise may enter into one or
 320 more agreements to fund, construct, and operate facilities for
 321 the advancement of autonomous and connected innovative
 322 transportation technologies for the purposes of improving safety
 323 and decreasing congestion for the traveling public. Such
 324 agreements may include terms that authorize a private entity to
 325 sell or provide products or business opportunities at the

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326 facilities which benefit the traveling public, provide
 327 additional revenue, or otherwise advance the enterprise's
 328 objectives as set forth in the Florida Transportation Code.

329 Section 12. Paragraph (c) of subsection (7) of section
 330 339.175, Florida Statutes, is amended to read:

331 339.175 Metropolitan planning organization.—

332 (7) LONG-RANGE TRANSPORTATION PLAN.—Each M.P.O. must
 333 develop a long-range transportation plan that addresses at least
 334 a 20-year planning horizon. The plan must include both long-
 335 range and short-range strategies and must comply with all other
 336 state and federal requirements. The prevailing principles to be
 337 considered in the long-range transportation plan are: preserving
 338 the existing transportation infrastructure; enhancing Florida's
 339 economic competitiveness; and improving travel choices to ensure
 340 mobility. The long-range transportation plan must be consistent,
 341 to the maximum extent feasible, with future land use elements
 342 and the goals, objectives, and policies of the approved local
 343 government comprehensive plans of the units of local government
 344 located within the jurisdiction of the M.P.O. Each M.P.O. is
 345 encouraged to consider strategies that integrate transportation
 346 and land use planning to provide for sustainable development and
 347 reduce greenhouse gas emissions. The approved long-range
 348 transportation plan must be considered by local governments in
 349 the development of the transportation elements in local
 350 government comprehensive plans and any amendments thereto. The

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351 long-range transportation plan must, at a minimum:

352 (c) Assess capital investment and other measures necessary
353 to:

354 1. Ensure the preservation of the existing metropolitan
355 transportation system including requirements for the operation,
356 resurfacing, restoration, and rehabilitation of major roadways
357 and requirements for the operation, maintenance, modernization,
358 and rehabilitation of public transportation facilities; and

359 2. Make the most efficient use of existing transportation
360 facilities to relieve vehicular congestion, improve safety, and
361 maximize the mobility of people and goods. Such efforts must
362 include, but are not limited to, consideration of infrastructure
363 and technological improvements necessary to accommodate advances
364 in vehicle technology, such as automated driving systems
365 ~~autonomous technology~~ and other developments.

366
367 In the development of its long-range transportation plan, each
368 M.P.O. must provide the public, affected public agencies,
369 representatives of transportation agency employees, freight
370 shippers, providers of freight transportation services, private
371 providers of transportation, representatives of users of public
372 transit, and other interested parties with a reasonable
373 opportunity to comment on the long-range transportation plan.

374 The long-range transportation plan must be approved by the
375 M.P.O.

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

379 339.64 Strategic Intermodal System Plan.—

380 (3)

381 (c) The department shall coordinate with federal,
 382 regional, and local partners, as well as industry
 383 representatives, to consider infrastructure and technological
 384 improvements necessary to accommodate advances in vehicle
 385 technology, such as automated driving systems ~~autonomous~~
 386 ~~technology~~ and other developments, in Strategic Intermodal
 387 System facilities.

388 (4) The Strategic Intermodal System Plan shall include the
 389 following:

390 (a) A needs assessment that must include, but is not
 391 limited to, consideration of infrastructure and technological
 392 improvements necessary to accommodate advances in vehicle
 393 technology, such as automated driving systems ~~autonomous~~
 394 ~~technology~~ and other developments.

395 Section 14. Section 339.83, Florida Statutes, is amended
 396 to read:

397 339.83 Enrollment in federal pilot programs.—The Secretary
 398 of Transportation may enroll the State of Florida in any federal
 399 pilot program or project for the collection and study of data
 400 for the review of federal or state roadway safety,

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401 infrastructure sustainability, congestion mitigation,
 402 transportation system efficiency, automated driving systems
 403 ~~autonomous vehicle technology~~, or capacity challenges.

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

406 627.0653 Insurance discounts for specified motor vehicle
 407 equipment.—

408 (6) The Office of Insurance Regulation may approve a
 409 premium discount to any rates, rating schedules, or rating
 410 manuals for the liability, personal injury protection, and
 411 collision coverages of a motor vehicle insurance policy filed
 412 with the office if the insured vehicle is equipped with an
 413 automated driving system ~~autonomous driving technology~~ or
 414 electronic vehicle collision avoidance technology that is
 415 factory installed or a retrofitted system and that complies with
 416 National Highway Traffic Safety Administration standards.

417 Section 16. Section 627.749, Florida Statutes, is created
 418 to read:

419 627.749 Autonomous vehicles; insurance requirements.—

420 (1) DEFINITIONS.—As used in this section, the term:

421 (a) "Automated driving system" has the same meaning as
 422 provided in s. 316.003.

423 (b) "Autonomous vehicle" has the same meaning as provided
 424 in s. 316.003(3).

425 (c) "Fully autonomous vehicle" has the same meaning as

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426 provided in s. 316.003(3).

427 (d) "On-demand autonomous vehicle network" has the same
 428 meaning as provided in s. 316.003.

429 (2) INSURANCE REQUIREMENTS.—

430 (a) A fully autonomous vehicle with the automated driving
 431 system engaged while logged on to an on-demand autonomous
 432 vehicle network or engaged in a prearranged ride must be covered
 433 by a policy of automobile insurance which provides:

434 1. Primary liability coverage of at least \$1 million for
 435 death, bodily injury, and property damage.

436 2. Personal injury protection benefits that meet the
 437 minimum coverage amounts required under ss. 627.730-627.7405.

438 3. Uninsured and underinsured vehicle coverage as required
 439 by s. 627.727.

440 (b) The coverage requirements of paragraph (a) may be
 441 satisfied by:

442 1. Automobile insurance maintained by the owner of a fully
 443 autonomous vehicle with the automated driving system engaged
 444 while logged on to an on-demand autonomous vehicle network or
 445 engaged in a prearranged ride;

446 2. Automobile insurance maintained by the on-demand
 447 autonomous vehicle network; or

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

449 (3) ADDITIONAL COVERAGE REQUIREMENTS.—

450 (a) For purposes of compliance with chapter 324, the owner

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451 or registrant of a fully autonomous vehicle, when the vehicle is
 452 not subject to subsection (2), must furnish proof of ability to
 453 respond in damages for the owner's or registrant's liability on
 454 account of crashes arising out of the use of a motor vehicle:

455 1. In the amount of \$1 million because of bodily injury
 456 to, or death of, one person in any one crash.

457 2. Subject to such limits for one person, in the amount of
 458 \$1 million because of bodily injury to, or death of, two or more
 459 persons in any one crash.

460 3. In the amount of \$1 million because of injury to, or
 461 destruction of, property of others in any one crash.

462 4. With respect to commercial motor vehicles and nonpublic
 463 sector buses that are fully autonomous vehicles, in the amounts
 464 specified in ss. 627.7415 and 627.742, respectively.

465 (b) This subsection is repealed on January 1, 2024.

466 Section 17. Subsection (1) of section 655.960, Florida
 467 Statutes, is amended to read:

468 655.960 Definitions; ss. 655.960-655.965.—As used in this
 469 section and ss. 655.961-655.965, unless the context otherwise
 470 requires:

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

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476 | Section 18. This act shall take effect July 1, 2019. |