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LEGISLATIVE ACTION

Senate

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House

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The Committee on Infrastructure and Security (Brandes)  
recommended the following:

1           **Senate Substitute for Amendment (491470) (with title**  
2 **amendment)**

3  
4           Delete lines 41 - 261  
5 and insert:

6           Section 1. Present subsections (48) through (86) of section  
7 316.003, Florida Statutes, are redesignated as subsections (49)  
8 through (87), respectively, present subsections (87) through  
9 (101) of section 316.003, Florida Statutes, are redesignated as  
10 subsections (89) through (103), respectively, new subsections



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11 (48) and (88) are added to that section, and subsection (3) and  
12 present subsection (59) of that section are amended, to read:

13 316.003 Definitions.—The following words and phrases, when  
14 used in this chapter, shall have the meanings respectively  
15 ascribed to them in this section, except where the context  
16 otherwise requires:

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

22 (a) “Autonomous vehicle” means any vehicle equipped with an  
23 automated driving system.

24 (b) “Dynamic driving task” means all of the real-time  
25 operational and tactical functions required to operate a vehicle  
26 in on-road traffic within its specific operational design  
27 domain, if any, excluding strategic functions such as trip  
28 scheduling and selection of destinations and waypoints.

29 (c) “Fully autonomous vehicle” means a vehicle equipped  
30 with an automated driving system designed to function without  
31 autonomous technology. The term “autonomous technology” means  
32 technology installed on a motor vehicle that has the capability  
33 to drive the vehicle on which the technology is installed  
34 without the active control or monitoring by a human operator.  
35 The term excludes a motor vehicle enabled with active safety  
36 systems or driver assistance systems, including, without  
37 limitation, a system to provide electronic blind spot  
38 assistance, crash avoidance, emergency braking, parking  
39 assistance, adaptive cruise control, lane keep assistance, lane



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40 ~~departure warning, or traffic jam and queuing assistant, unless~~  
41 ~~any such system alone or in combination with other systems~~  
42 ~~enables the vehicle on which the technology is installed to~~  
43 ~~drive without active control or monitoring by a human operator.~~

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

49 (48) ON-DEMAND AUTONOMOUS VEHICLE NETWORK.—A passenger  
50 transportation network that uses a software application or other  
51 digital means to connect passengers to fully autonomous  
52 vehicles, exclusively or in addition to other vehicles, for  
53 transportation, including for-hire transportation and  
54 transportation for compensation.

55 (60) ~~(59)~~ PRIVATE ROAD OR DRIVEWAY.—Except as otherwise  
56 provided in paragraph (82) (b) ~~(81) (b)~~, any privately owned way  
57 or place used for vehicular travel by the owner and those having  
58 express or implied permission from the owner, but not by other  
59 persons.

60 (88) TELEOPERATION SYSTEM.—The hardware and software  
61 installed in a motor vehicle which allow a remote human operator  
62 to supervise or perform aspects of, or the entirety of, the  
63 dynamic driving task. The term "remote human operator" means a  
64 natural person who is not physically present in a vehicle  
65 equipped with an automated driving system who engages or  
66 monitors the vehicle from a remote location. A remote human  
67 operator may have the ability to perform aspects of, or the  
68 entirety of, the dynamic driving task for the vehicle or cause



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69 the vehicle to achieve a minimal risk condition.

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

72 316.062 Duty to give information and render aid.—

73 (5) This section does not apply to a fully autonomous  
74 vehicle, operating with the automated driving system engaged, in  
75 the event of a crash involving the vehicle if the vehicle owner,  
76 or a person on behalf of the vehicle owner, promptly contacts a  
77 law enforcement agency to report the crash or if the fully  
78 autonomous vehicle has the capability of alerting a law  
79 enforcement agency to the crash.

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

82 316.063 Duty upon damaging unattended vehicle or other  
83 property.—

84 (4) This section does not apply to a fully autonomous  
85 vehicle, operating with the automated driving system engaged, in  
86 the event of a crash involving the vehicle if the vehicle owner,  
87 or a person on behalf of the vehicle owner, promptly contacts a  
88 law enforcement agency to report the crash or if the fully  
89 autonomous vehicle has the capability of alerting a law  
90 enforcement agency to the crash.

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

93 316.065 Crashes; reports; penalties.—

94 (5) Subsection (1) does not apply to a fully autonomous  
95 vehicle, operating with the automated driving system engaged, in  
96 the event of a crash involving the vehicle if the vehicle owner,  
97 or a person on behalf of the vehicle owner, promptly contacts a



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98 law enforcement agency to report the crash or if the fully  
99 autonomous vehicle has the capability of alerting a law  
100 enforcement agency to the crash.

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

103 316.1975 Unattended motor vehicle.—

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

106 Section 6. Section 316.303, Florida Statutes, is amended to  
107 read:

108 316.303 Television receivers.—

109 (1) A ~~Ne~~ motor vehicle may not be operated on the highways  
110 of this state if the vehicle is actively displaying moving  
111 television broadcast or pre-recorded video entertainment content  
112 that is visible from the driver's seat while the vehicle is in  
113 motion, unless the vehicle is ~~equipped with autonomous~~  
114 ~~technology, as defined in s. 316.003(3), and is being operated~~  
115 with the automated driving system engaged in autonomous mode, as  
116 provided in s. 316.85(2).

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

121 (3) This section does not prohibit the use of an electronic  
122 display used in conjunction with a vehicle navigation system; an  
123 electronic display used by an operator of an autonomous a  
124 ~~vehicle equipped with autonomous technology~~, as defined in s.  
125 316.003(3); or an electronic display used by an operator of a  
126 vehicle equipped and operating with driver-assistive truck



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127 platooning technology, as defined in s. 316.003.

128 (4) A violation of this section is a noncriminal traffic  
129 infraction, punishable as a nonmoving violation as provided in  
130 chapter 318.

131 Section 7. Paragraph (b) of subsection (3) of section  
132 316.305, Florida Statutes, is amended to read:

133 316.305 Wireless communications devices; prohibition.-

134 (3)

135 (b) Paragraph (a) does not apply to a motor vehicle  
136 operator who is:

137 1. Performing official duties as an operator of an  
138 authorized emergency vehicle as defined in s. 322.01, a law  
139 enforcement or fire service professional, or an emergency  
140 medical services professional.

141 2. Reporting an emergency or criminal or suspicious  
142 activity to law enforcement authorities.

143 3. Receiving messages that are:

144 a. Related to the operation or navigation of the motor  
145 vehicle;

146 b. Safety-related information, including emergency,  
147 traffic, or weather alerts;

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

149 d. Radio broadcasts.

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

151 5. Conducting wireless interpersonal communication that  
152 does not require manual entry of multiple letters, numbers, or  
153 symbols, except to activate, deactivate, or initiate a feature  
154 or function.

155 6. Conducting wireless interpersonal communication that



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

158 7. Operating an autonomous vehicle, as defined in s.  
159 316.003(3) ~~s. 316.003~~, with the automated driving system engaged  
160 ~~in autonomous mode.~~

161 Section 8. Section 316.85, Florida Statutes, is amended to  
162 read:

163 316.85 Autonomous vehicles; operation; compliance with  
164 traffic and motor vehicle laws; testing; preemption.—

165 (1) Notwithstanding any other law, a licensed human  
166 operator is not required to operate a fully autonomous vehicle ~~A~~  
167 ~~person who possesses a valid driver license may operate an~~  
168 ~~autonomous vehicle in autonomous mode on roads in this state if~~  
169 ~~the vehicle is equipped with autonomous technology,~~ as defined  
170 in s. 316.003(3) ~~s. 316.003~~.

171 (2) A fully autonomous vehicle may operate in this state  
172 regardless of whether a human operator is physically present in  
173 the vehicle.

174 (3) (a) ~~(2)~~ For purposes of this chapter, unless the context  
175 otherwise requires, the automated driving system, when engaged,  
176 ~~a person~~ shall be deemed to be the operator of an autonomous  
177 vehicle ~~operating in autonomous mode when the person causes the~~  
178 ~~vehicle's autonomous technology to engage,~~ regardless of whether  
179 a ~~the~~ person is physically present in the vehicle while the  
180 vehicle is operating with the automated driving system engaged  
181 ~~in autonomous mode.~~

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

184 1. Prohibit the automated driving system from being deemed



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185 the operator of an autonomous vehicle operating with the  
186 automated driving system engaged.

187 2. Require a licensed human operator to operate a fully  
188 autonomous vehicle.

189 (4) The Florida Turnpike Enterprise may fund, construct,  
190 and operate test facilities and undertake research and  
191 development projects for the advancement of autonomous and  
192 connected innovative transportation technology solutions for the  
193 purposes of improving safety and decreasing congestion for the  
194 traveling public and to otherwise advance the objectives of the  
195 Florida Turnpike Enterprise as set forth in the Florida  
196 Transportation Code.

197 (5) An on-demand autonomous vehicle network may operate  
198 pursuant to state laws governing the operation of transportation  
199 network companies and transportation network company vehicles as  
200 defined in s. 627.748, except that any provision of s. 627.748  
201 which reasonably applies only to a human driver does not apply  
202 to the operation of a fully autonomous vehicle with the  
203 automated driving system engaged in an on-demand autonomous  
204 vehicle network.

205 (6) Notwithstanding any other provision of this chapter, an  
206 autonomous vehicle or a fully autonomous vehicle equipped with a  
207 teleoperation system may operate without a human operator  
208 physically present in the vehicle when the teleoperation system  
209 is engaged. A vehicle that is subject to this subsection must  
210 meet the requirements of s. 319.145 and is considered a vehicle  
211 that meets the definition of s. 316.003(3)(c) for the purposes  
212 of ss. 316.062(5), 316.063(4), 316.065(5), 316.1975(3), and  
213 316.303(1).





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214 (7) It is the intent of the Legislature to provide for  
215 uniformity of laws governing autonomous vehicles throughout the  
216 state. A local government may not impose any tax, fee, for-hire  
217 vehicle requirement, or other requirement on automated driving  
218 systems or autonomous vehicles or on a person who operates an  
219 autonomous vehicle, including, but not limited to, a person who  
220 operates an autonomous vehicle for purposes of providing  
221 passenger transportation services.

222 Section 9. Section 319.145, Florida Statutes, is amended to  
223 read:

224 319.145 Autonomous vehicles.—

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

227 (a) When required by federal law:

228 1. Has been certified in accordance with federal  
229 regulations in 49 C.F.R. part 567 as being in compliance with  
230 applicable federal motor vehicle safety standards.

231 2. Bear the required certification label or labels,  
232 including reference to any exemption granted under applicable  
233 federal law.

234 (b) Be capable of being operated in compliance with the  
235 applicable traffic and motor vehicle laws of this state,  
236 regardless of whether the vehicle is operating with the  
237 automated driving system engaged.

238 (2) If the autonomous vehicle is not fully autonomous,  
239 ~~applicable federal standards and regulations for such motor~~  
240 ~~vehicle.~~ the vehicle must:

241 ~~(a)~~ have a system to safely alert a licensed human ~~the~~  
242 operator physically present in the vehicle if an automated



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243 ~~driving system autonomous technology~~ failure is detected while  
244 the automated driving system ~~autonomous technology~~ is engaged.  
245 When an alert is given, the system must:

246 ~~1.~~ require the licensed human operator to take control of  
247 the autonomous vehicle or must achieve a minimal risk condition;  
248 ~~or~~

249  
250 ===== T I T L E A M E N D M E N T =====

251 And the title is amended as follows:

252 Delete lines 6 - 25

253 and insert:

254 F.S.; exempting a vehicle being operated with the  
255 automated driving system engaged from a prohibition on  
256 the active display of television or video; amending s.  
257 316.305, F.S.; exempting a motor vehicle operator who  
258 is operating an autonomous vehicle from a prohibition  
259 on the use of wireless communications devices;  
260 amending s. 316.85, F.S.; providing that a licensed  
261 human operator is not required to operate a fully  
262 autonomous vehicle; authorizing a fully autonomous  
263 vehicle to operate in this state regardless of whether  
264 a human operator is physically present in the vehicle;  
265 requiring the automated driving system to be deemed to  
266 be the operator of an autonomous vehicle operating  
267 with the automated driving system engaged; providing  
268 construction; authorizing the Florida Turnpike  
269 Enterprise to fund, construct, and operate certain  
270 test facilities and undertake certain research and  
271 development projects; providing requirements for



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272 operation of on-demand autonomous vehicle networks;  
273 authorizing an autonomous vehicle or fully autonomous  
274 vehicle equipped with a teleoperation system to  
275 operate without a human operator physically present in  
276 the vehicle when the teleoperation system is engaged;  
277 providing requirements for such vehicles; providing  
278 construction;