

By Senator Brandes

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1 A bill to be entitled
 2 An act relating to autonomous vehicles; amending s.
 3 316.85, F.S.; authorizing a person to engage
 4 autonomous technology to operate an autonomous vehicle
 5 in autonomous mode; providing that autonomous
 6 technology is deemed to be the operator of an
 7 autonomous vehicle operating in autonomous mode for
 8 purposes of determining compliance with traffic and
 9 motor vehicle laws; providing construction and
 10 applicability with respect to specific statutory
 11 provisions; amending s. 319.145, F.S.; conforming
 12 provisions to changes made by the act; providing an
 13 effective date.

14
 15 Be It Enacted by the Legislature of the State of Florida:

16
 17 Section 1. Section 316.85, Florida Statutes, is amended to
 18 read:

19 316.85 Autonomous vehicles; operation; compliance with
 20 traffic and motor vehicle laws.—

21 (1) A person ~~who possesses a valid driver license~~ may
 22 operate an autonomous vehicle, or may engage autonomous
 23 technology to operate an autonomous vehicle in autonomous mode,
 24 on roads in this state if the vehicle is equipped with
 25 autonomous technology, as defined in s. 316.003.

26 (2) For purposes of determining compliance with all
 27 applicable traffic and motor vehicle laws of this state chapter,
 28 unless the context otherwise requires, autonomous technology a
 29 ~~person~~ shall be deemed to be the operator of an autonomous

24-00603A-17

20171066__

30 vehicle operating in autonomous mode ~~when the person causes the~~
31 ~~vehicle's autonomous technology to engage~~, regardless of whether
32 a human ~~the~~ person is physically present in the vehicle while
33 the vehicle is operating in autonomous mode.

34 (a) A traffic or motor vehicle law of this state does not
35 prohibit autonomous technology from being deemed the operator of
36 an autonomous vehicle operating in autonomous mode and does not
37 require a licensed human operator to operate an autonomous
38 vehicle when in autonomous mode, except as provided in s.
39 319.145(1).

40 (b) The requirements of chapter 322 do not apply if an
41 autonomous vehicle is operated in autonomous mode without a
42 human operator physically present in the vehicle.

43 (c) Sections 316.062, 316.063, and 316.065 do not apply to
44 an autonomous vehicle operating in autonomous mode in the event
45 of a crash involving the vehicle if the vehicle owner, or a
46 person on behalf of the vehicle owner, promptly contacts a law
47 enforcement agency to report the crash or if the autonomous
48 vehicle has the capability of alerting a law enforcement agency
49 to the crash.

50 (d) Section 316.1975 does not apply to an autonomous
51 vehicle operating in autonomous mode.

52 (e) Sections 316.613 and 316.614 apply only to a human
53 person physically present in a motor vehicle.

54 Section 2. Subsection (1) of section 319.145, Florida
55 Statutes, is amended to read:

56 319.145 Autonomous vehicles.—

57 (1) An autonomous vehicle registered in this state must
58 ~~continue to~~ meet applicable federal standards and regulations

24-00603A-17

20171066__

59 for such motor vehicle. Regardless of whether a human operator
60 is physically present in the vehicle, the vehicle must:

61 (a) Have a system to safely alert a human ~~the~~ operator
62 physically present in the vehicle if an autonomous technology
63 failure is detected while the autonomous technology is engaged.
64 When an alert is given, the system must:

65 1. If a human operator is physically present in the
66 vehicle, require the human operator to take control of the
67 autonomous vehicle; or

68 2. If a human ~~the~~ operator does not, or is not able to,
69 take control of the autonomous vehicle or if a human operator is
70 not physically present in the vehicle, be capable of bringing
71 the vehicle to a complete stop.

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

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

76 Section 3. This act shall take effect July 1, 2017.