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LEGISLATIVE ACTION

Senate	.	House
Comm: WD	.	
03/20/2019	.	
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	.	

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

Senate Amendment (with title amendment)

Delete lines 136 - 261
and insert:
motion, unless the vehicle is ~~equipped with autonomous~~
~~technology, as defined in s. 316.003(3), and is being operated~~
with the automated driving system engaged in autonomous mode, as
~~provided in s. 316.85(2).~~

(2) This section does not prohibit the use of television-type receiving equipment used exclusively for safety or law



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11 enforcement purposes, provided such use is approved by the
12 department.

13 (3) This section does not prohibit the use of an electronic
14 display used in conjunction with a vehicle navigation system; an
15 electronic display used by an operator of an autonomous a
16 vehicle ~~equipped with autonomous technology~~, as defined in s.
17 316.003(3); or an electronic display used by an operator of a
18 vehicle equipped and operating with driver-assistive truck
19 platooning technology, as defined in s. 316.003.

20 (4) A violation of this section is a noncriminal traffic
21 infraction, punishable as a nonmoving violation as provided in
22 chapter 318.

23 Section 7. Paragraph (b) of subsection (3) of section
24 316.305, Florida Statutes, is amended to read:

25 316.305 Wireless communications devices; prohibition.-

26 (3)

27 (b) Paragraph (a) does not apply to a motor vehicle
28 operator who is:

29 1. Performing official duties as an operator of an
30 authorized emergency vehicle as defined in s. 322.01, a law
31 enforcement or fire service professional, or an emergency
32 medical services professional.

33 2. Reporting an emergency or criminal or suspicious
34 activity to law enforcement authorities.

35 3. Receiving messages that are:

36 a. Related to the operation or navigation of the motor
37 vehicle;

38 b. Safety-related information, including emergency,
39 traffic, or weather alerts;



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40 c. Data used primarily by the motor vehicle; or
41 d. Radio broadcasts.
42 4. Using a device or system for navigation purposes.
43 5. Conducting wireless interpersonal communication that
44 does not require manual entry of multiple letters, numbers, or
45 symbols, except to activate, deactivate, or initiate a feature
46 or function.
47 6. Conducting wireless interpersonal communication that
48 does not require reading text messages, except to activate,
49 deactivate, or initiate a feature or function.
50 7. Operating an autonomous vehicle, as defined in s.
51 316.003(3) ~~s. 316.003~~, with the automated driving system engaged
52 ~~in autonomous mode.~~
53 Section 8. Section 316.85, Florida Statutes, is amended to
54 read:
55 316.85 Autonomous vehicles; operation; compliance with
56 traffic and motor vehicle laws; testing; preemption.-
57 (1) Notwithstanding any other law, a licensed human
58 operator is not required to operate a fully autonomous vehicle ~~A~~
59 ~~person who possesses a valid driver license may operate an~~
60 ~~autonomous vehicle in autonomous mode on roads in this state if~~
61 ~~the vehicle is equipped with autonomous technology, as defined~~
62 ~~in s. 316.003(3) s. 316.003.~~
63 (2) A fully autonomous vehicle may operate in this state
64 regardless of whether a human operator is physically present in
65 the vehicle.
66 (3) (a) ~~(2)~~ For purposes of this chapter, unless the context
67 otherwise requires, the automated driving system, when engaged,
68 ~~a person~~ shall be deemed to be the operator of an autonomous



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69 ~~vehicle operating in autonomous mode when the person causes the~~
70 ~~vehicle's autonomous technology to engage, regardless of whether~~
71 ~~a the person is physically present in the vehicle while the~~
72 ~~vehicle is operating with the automated driving system engaged~~
73 ~~in autonomous mode.~~

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

76 1. Prohibit the automated driving system from being deemed
77 the operator of an autonomous vehicle operating with the
78 automated driving system engaged.

79 2. Require a licensed human operator to operate a fully
80 autonomous vehicle.

81 (4) The Florida Turnpike Enterprise may fund, construct,
82 and operate test facilities and undertake research and
83 development projects for the advancement of autonomous and
84 connected innovative transportation technology solutions for the
85 purposes of improving safety and decreasing congestion for the
86 traveling public and to otherwise advance the objectives of the
87 Florida Turnpike Enterprise as set forth in the Florida
88 Transportation Code.

89 (5) An on-demand autonomous vehicle network may operate
90 pursuant to state laws governing the operation of transportation
91 network companies and transportation network company vehicles as
92 defined in s. 627.748, except that any provision of s. 627.748
93 which reasonably applies only to a human driver does not apply
94 to the operation of a fully autonomous vehicle with the
95 automated driving system engaged in an on-demand autonomous
96 vehicle network.

97 (6) It is the intent of the Legislature to provide for



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98 uniformity of laws governing autonomous vehicles throughout the
99 state. A local government may not impose any tax, fee, for-hire
100 vehicle requirement, or other requirement on automated driving
101 systems or autonomous vehicles or on a person who operates an
102 autonomous vehicle, including, but not limited to, a person who
103 operates an autonomous vehicle for purposes of providing
104 passenger transportation services.

105 Section 9. Section 319.145, Florida Statutes, is amended to
106 read:

107 319.145 Autonomous vehicles.—

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

110 (a) When required by federal law:

111 1. Has been certified in accordance with federal
112 regulations in 49 C.F.R. part 567 as being in compliance with
113 applicable federal motor vehicle safety standards or has been
114 granted an exemption.

115 2. Bear the required certification label or labels,
116 including reference to any exemption granted under applicable
117 federal law.

118 (b) Be capable of being operated in compliance with the
119 applicable traffic and motor vehicle laws of this state,
120 regardless of whether the vehicle is operating with the
121 automated driving system engaged.

122 (2) If the autonomous vehicle is not fully autonomous,
123 ~~applicable federal standards and regulations for such motor~~
124 ~~vehicle.~~ the vehicle must:

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



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127 driving system ~~autonomous technology~~ failure is detected while
128 the automated driving system ~~autonomous technology~~ is engaged.
129 When an alert is given, the system must:

130 ~~1.~~ require the licensed human operator to take control of
131 the autonomous vehicle or must achieve a minimal risk condition~~.~~
132 ~~or~~

133
134 ===== T I T L E A M E N D M E N T =====

135 And the title is amended as follows:

136 Delete lines 6 - 7

137 and insert:

138 F.S.; exempting a vehicle being operated with the
139 automated driving system engaged