

By Senator Brandes

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1 A bill to be entitled
2 An act relating to autonomous vehicles; amending s.
3 316.003, F.S.; defining the term "low-speed autonomous
4 delivery vehicle"; amending s. 316.2122, F.S.;
5 authorizing the operation of a low-speed autonomous
6 delivery vehicle on certain streets and roads;
7 providing construction; authorizing the operation of a
8 low-speed autonomous delivery vehicle on streets or
9 roads with a posted speed limit of up to 45 miles per
10 hour under specified conditions; providing
11 requirements for low-speed autonomous delivery
12 vehicles; amending s. 316.215, F.S.; providing that
13 certain fully autonomous vehicles are not subject to
14 certain provisions of law or regulations; amending ss.
15 316.306 and 655.960, F.S.; conforming cross-
16 references; providing an effective date.

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18 Be It Enacted by the Legislature of the State of Florida:

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20 Section 1. Present subsections (38) through (105) of
21 section 316.003, Florida Statutes, are redesignated as
22 subsections (39) through (106), respectively, a new subsection
23 (38) is added to that section, and present subsection (62) of
24 that section is amended, to read:

25 316.003 Definitions.—The following words and phrases, when
26 used in this chapter, shall have the meanings respectively
27 ascribed to them in this section, except where the context
28 otherwise requires:

29 (38) LOW-SPEED AUTONOMOUS DELIVERY VEHICLE.—A fully

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30 autonomous vehicle that meets the definition of a low-speed
31 vehicle in 49 C.F.R. s. 571.3.

32 (63)~~(62)~~ PRIVATE ROAD OR DRIVEWAY.—Except as otherwise
33 provided in paragraph (85) (b) ~~(84) (b)~~, any privately owned way
34 or place used for vehicular travel by the owner and those having
35 express or implied permission from the owner, but not by other
36 persons.

37 Section 2. Section 316.2122, Florida Statutes, is amended
38 to read:

39 316.2122 Operation of a low-speed vehicle, or mini truck,
40 or low-speed autonomous delivery vehicle on certain roadways.—

41 (1) The operation of a low-speed vehicle as defined in s.
42 320.01 or a mini truck as defined in s. 320.01 on any road is
43 authorized with the following restrictions:

44 (a)~~(1)~~ A low-speed vehicle or mini truck may be operated
45 only on streets where the posted speed limit is 35 miles per
46 hour or less. This does not prohibit a low-speed vehicle or mini
47 truck from crossing a road or street at an intersection where
48 the road or street has a posted speed limit of more than 35
49 miles per hour.

50 (b)~~(2)~~ A low-speed vehicle must be equipped with headlamps,
51 stop lamps, turn signal lamps, taillamps, reflex reflectors,
52 parking brakes, rearview mirrors, windshields, seat belts, and
53 vehicle identification numbers.

54 (c)~~(3)~~ A low-speed vehicle or mini truck must be registered
55 and insured in accordance with s. 320.02 and titled pursuant to
56 chapter 319.

57 (d)~~(4)~~ Any person operating a low-speed vehicle or mini
58 truck must have in his or her possession a valid driver license.

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59 (2) The operation of a low-speed autonomous delivery
60 vehicle on any road is authorized with the following
61 restrictions:

62 (a) A low-speed autonomous delivery vehicle may operate
63 only on streets or roads where the posted speed limit is 35
64 miles per hour or less. This paragraph does not prohibit a low-
65 speed autonomous delivery vehicle from crossing a road or street
66 at an intersection where the road or street has a posted speed
67 limit of more than 35 miles per hour.

68 (b) A low-speed autonomous delivery vehicle may operate on
69 a street or road with a posted speed limit of more than 35 miles
70 per hour, but no more than 45 miles per hour, if:

71 1. The low-speed autonomous delivery vehicle travels no
72 more than 1 continuous mile on such a street or road, except
73 that the vehicle may travel in excess of 1 continuous mile if
74 authorized by the entity with jurisdiction over the street or
75 road;

76 2. The low-speed autonomous delivery vehicle operates
77 exclusively in the right lane, other than for the purpose of
78 completing a turn; and

79 3. On a two-lane street or road where overtaking and
80 passing another vehicle is unsafe because of traffic moving in
81 the opposite direction or because of other unsafe conditions,
82 and five or more vehicles are formed in a line behind the
83 autonomous delivery vehicle, the low-speed autonomous delivery
84 vehicle exits the roadway wherever a sufficient area for a safe
85 turn-out exists, to permit the vehicles following to proceed.

86 (c) A low-speed autonomous delivery vehicle must be
87 equipped with headlamps, stop lamps, turn signal lamps,

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88 taillamps, reflex reflectors, and vehicle identification
89 numbers.

90 (d) Federal regulations adopted by the National Highway
91 Traffic Safety Administration shall supersede this subsection
92 when found to be in conflict with this subsection.

93 (3)~~(5)~~ A county or municipality may prohibit the operation
94 of low-speed vehicles or mini trucks on any road under its
95 jurisdiction if the governing body of the county or municipality
96 determines that such prohibition is necessary in the interest of
97 safety.

98 (4)~~(6)~~ The Department of Transportation may prohibit the
99 operation of low-speed vehicles or mini trucks on any road under
100 its jurisdiction if it determines that such prohibition is
101 necessary in the interest of safety.

102 Section 3. Present subsection (6) of section 316.215,
103 Florida Statutes, is redesignated as subsection (7), a new
104 subsection (6) is added to that section, and present subsection
105 (6) is republished, to read:

106 316.215 Scope and effect of regulations.—

107 (6) The provisions of any motor vehicle equipment laws or
108 regulations of this state which relate to or support motor
109 vehicle operation by a human driver but are not relevant for an
110 automated driving system shall not apply to fully autonomous
111 vehicles that are designed to be operated exclusively by the
112 automated driving system for all trips.

113 (7)~~(6)~~ A violation of this section is a noncriminal traffic
114 infraction, punishable as a nonmoving violation as provided in
115 chapter 318.

116 Section 4. Paragraph (a) of subsection (3) of section

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117 316.306, Florida Statutes, is amended to read:

118 316.306 School and work zones; prohibition on the use of a
119 wireless communications device in a handheld manner.-

120 (3)(a)1. A person may not operate a motor vehicle while
121 using a wireless communications device in a handheld manner in a
122 designated school crossing, school zone, or work zone area as
123 defined in s. 316.003(106) ~~s. 316.003(105)~~. This subparagraph
124 shall only be applicable to work zone areas if construction
125 personnel are present or are operating equipment on the road or
126 immediately adjacent to the work zone area. For the purposes of
127 this paragraph, a motor vehicle that is stationary is not being
128 operated and is not subject to the prohibition in this
129 paragraph.

130 2.a. During the period from October 1, 2019, through
131 December 31, 2019, a law enforcement officer may stop motor
132 vehicles to issue verbal or written warnings to persons who are
133 in violation of subparagraph 1. for the purposes of informing
134 and educating such persons of this section. This sub-
135 subparagraph shall stand repealed on October 1, 2020.

136 b. Effective January 1, 2020, a law enforcement officer may
137 stop motor vehicles and issue citations to persons who are
138 driving while using a wireless communications device in a
139 handheld manner in violation of subparagraph 1.

140 Section 5. Subsection (1) of section 655.960, Florida
141 Statutes, is amended to read:

142 655.960 Definitions; ss. 655.960-655.965.-As used in this
143 section and ss. 655.961-655.965, unless the context otherwise
144 requires:

145 (1) "Access area" means any paved walkway or sidewalk which

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146 is within 50 feet of any automated teller machine. The term does
147 not include any street or highway open to the use of the public,
148 as defined in s. 316.003(85)(a) or (b) ~~s. 316.003(84)(a) or (b)~~,
149 including any adjacent sidewalk, as defined in s. 316.003.

150 Section 6. This act shall take effect July 1, 2021.