

Motor Vehicle Procedure Manual	
Title and Lien	
Autonomous Vehicles	

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Legal Authority

[Section 316.003\(3\)](#) , Florida Statutes, provides that the Automated Driving System is defined as the hardware and software that are collectively capable of performing the dynamic driving task of an autonomous vehicle on a sustained basis, regardless of whether it is limited to a specific operational design domain.

The term:

“Autonomous vehicle” means any vehicle equipped with an automated driving system.

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

“Fully autonomous vehicle” means a vehicle equipped with an automated driving system designed to function without a human operator.

“Operational design domain” means a description of the specific operating domain in which an automated driving system is designed to properly operate, including, but not limited to, roadway types, speed ranges, environmental conditions such as weather and time of day, and other domain constraints.

[Section 319.145](#), Florida Statutes, provides that:

- (1) An autonomous vehicle registered in this state must meet all of the following requirements:
 - (a) When required by federal law:
 1. Have been certified in accordance with federal regulations in 49 C.F.R part 567 as being in compliance with applicable federal motor vehicle safety standards.
 2. Bear the required certification label or labels including reference to any exemption granted under applicable federal law.
 - (b) Be capable of being operated in compliance with applicable traffic and motor vehicle laws of this state, regardless of whether the vehicle is operating with automated driving system engaged.
- (2) If the autonomous vehicle is not fully autonomous, the vehicle must have a system to safely alert a licensed human operator physically present in the vehicle if an automated driving system failure is detected while the automated driving system is engaged.

When an alert is given, the system must require the licensed human operator to take control of the autonomous vehicle or must achieve a minimal risk condition. The term “minimal risk condition” means a reasonably safe state, such as bringing the vehicle to a complete stop and activating the vehicle’s hazard lamps.

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

[Section 319.145\(4\)](#), Florida Statutes, provides that Federal regulations promulgated by the National Highway Traffic Safety Administration shall supersede this section when found to conflict with this section.

Description and Use.

This procedure provides information and instructions to assist employees of tax collectors, license plate agents, and Florida Highway Safety and Motor Vehicles (FLHSMV) in defining titling and registration information for the operation of an autonomous vehicle on public highways.

As of July 01, 2023, FLHSMV has updated the Form HSMV 82040 Application for Certificate of Title With/Without Registration. HSMV 82040 has been updated into three separate forms:

- HSMV 82040 MV – [Application for Certificate of Motor Vehicle Title - HSMV 82040 MV](#)

HSMV 82040 MV should be used when processing applications for certificate of title for the following vehicle types:

- AU – Auto
- BS – Bus
- MC – Motorcycle
- OH – Off-Highway
- TO – Tools
- TR – Truck
- TT – Travel Trailers
- VT – Vehicle Trailers

- HSMV 82040 VS – [Application for Certificate of Vessel Title – HSMV 82040 VS](#)

HSMV 82040 VS should be used when processing applications for certificate of title for the following vehicle type: VS – Vessel

- HSMV 82040 MH – [Application for Certificate of Mobile Home – HSMV 82040 MH](#)

HSMV 82040 MH should be used when processing applications for certificate of title for the following vehicle type: MH – Mobile Home

Effective July 01, 2023, all certificate of Florida titles issued for Vessels will be required to be processed using Form [Application for Certificate of Vessel Title HSMV 82040 VS](#). The signed Form HSMV 82041 will no longer be accepted in lieu of Form HSMV 82040 VS.

FLHSMV anticipates accepting the current HSMV 82040 – Application for Certificate of Title With/Without Registration for Motor Vehicles and Mobile Homes until December 31, 2023.

Effective January 01, 2024, all certificate of Florida titles issued for Motor Vehicles and Mobile Homes will be required to be processed using Forms HSMV 82040 MV – Application for Certificate of Motor Vehicle Title and HSMV 82040 MH – Application for Certificate of Mobile Home Title.

General Information

- A. A fully autonomous vehicle may operate on public highways in Florida regardless of whether a human operator is physically present in the vehicle.
- B. A licensed human operator is not required to operate a fully autonomous vehicle.
- C. Vehicles equipped with autonomous technology may be operated on Florida roads by employees, contractors, or persons designated by manufacturers of autonomous technology, or by research organizations associated with accredited educational institutions, for testing the technology.
- D. For testing purposes, a human operator shall be present in the autonomous vehicle so that he or she may monitor the vehicle's performance and intervene if necessary unless the vehicle is being tested or demonstrated on a closed course.
- E. Before testing may begin in Florida, the entity performing the testing must submit to the Department an instrument of insurance, surety bond, or proof of self-insurance, which is acceptable to the Department in the amount of \$5 million.

- F. The original manufacturer of a vehicle converted by a third party into an autonomous vehicle shall not be liable in any legal action brought against the original manufacturer by any person injured due to an alleged vehicle defect caused by the conversion of the vehicle or by equipment installed by the converter. The original manufacturer shall have a defense to and be dismissed from any legal action brought against it resulting from autonomous conversion equipment.
1. The original manufacturer will be liable if the alleged defect was present in the vehicle as originally manufactured.

Application Requirements for Operating on Public Highways:

The process for titling and registering autonomous vehicles (AV) has been updated. The documents for autonomous vehicles will be processed at the local tax collector offices and will no longer need to be mailed to FLHSMV for processing.

- A. The brand for autonomous vehicle must be checked on [Application for Certificate of Motor Vehicle Title form - HSMV 82040 MV](#) and entered in Motor Vehicle Issuance System (MVIS) to ensure this brand is placed on the title record.
- B. Verify proof of insurance:

Fully autonomous vehicles with the automated driving system engaged while logged on to an on-demand autonomous vehicle network or engaged in a prearranged ride must be covered by a policy of automobile insurance which provides:

1. Primary liability coverage of at least \$1 million for death, bodily injury, and property damage.
2. Personal injury protection benefits that meet the minimum coverage amounts.
3. Uninsured and underinsured vehicle coverage.

- C. Title fees.

Miscellaneous:

- A. All title and registration transactions (i.e., title transfer, renewals, etc.) involving autonomous vehicles can be processed at the tax collector office or license plate agency.
- B. The following transactions may be processed online using MyDMV Portal:
- Duplicate Registration
 - Print Electronic Title
- C. If the automated driving system is removed from the autonomous vehicle, the owner may apply to the Department to have the autonomous brand removed from the title. However, a “prior autonomous” brand will be added, unless the brand was originally placed in error.
- D. Until the automated driving system is removed (and the PRIOR AUTONOMOUS VEHICLE brand added), any change of ownership must be performed at the Department.
- E. The autonomous brand will be printed on the title. However, NMVTIS will not be updated to show the brand.
- F. “AUTONOMOUS VEHICLE” will print on the registration certificate. Therefore, law enforcement will know they have stopped an autonomous vehicle.
- G. **Autonomous vehicles (AV) will be titled and registered at the tax collector offices or license plate agencies. To process these transactions the following documentation and information is required:**
- **[Application for Certificate of Motor Vehicle Title – 82040 MV](#)**
 - **Proof of insurance, verify the following**
 - **Primary liability coverage of at least \$1 million dollars for death, bodily injury, and property damage.**
 - **Personal injury protection benefits that meet the minimum coverage amounts.**
 - **Uninsured and underinsured vehicle coverage.**

Revision(s) to this procedure:

07/26/24 Added Autonomous vehicles (AV) will be titled and registered at the tax collector offices or license plate agencies. To process these transactions the following documentation and information is required: (G).

02/27/24 Added instructions to reflect updates under application requirements for operating on public highways.

06/26/23: Added instructions for the new Form HSMV 82040.

Implemented 2019 Legislation to reflect revisions to section 316.003(3) and 319.145 F.S. Removed all “note” references and changed applicant to customer. Added links to statutes and procedures