

2021 -- H 5899

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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2021

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A N A C T

RELATING TO MOTOR AND OTHER VEHICLES -- PERSONAL DELIVERY DEVICES

Introduced By: Representative Patricia A. Serpa

Date Introduced: February 24, 2021

Referred To: House Corporations

It is enacted by the General Assembly as follows:

1 SECTION 1. Title 31 of the General Laws entitled "MOTOR AND OTHER VEHICLES"

2 is hereby amended by adding thereto the following chapter:

3 CHAPTER 19.6

4 PERSONAL DELIVERY DEVICES

5 **31-19.6-1. Definitions.**

6 As used in this chapter:

7 (1) "Agent" means a director, officer, employee, or other person authorized to act on behalf  
8 of a corporation or association.

9 (2) "Business entity" means a legal entity, including, but not limited to, a corporation,  
10 partnership, or sole proprietorship, that is formed for the purpose of making a profit.

11 (3) "Mobile carrying device" means a device that:

12 (i) Transports cargo while remaining within twenty-five feet (25') of a human operator; and

13 (ii) Is equipped with technology that allows the operator to actively or remotely control the  
14 device.

15 (4) "Pedestrian area" means and includes a sidewalk, crosswalk, school crosswalk, school  
16 crossing zone, or safety zone.

17 (5) "Personal delivery device" means a device that:

18 (i) Is manufactured for transporting cargo and goods in a pedestrian area or supplementary  
19 areas as described in § 31-19.6-5;

1 (ii) Is equipped with automated driving technology, including software and hardware, that  
2 enables the operation of the device with the remote support and supervision of a human.

3 **31-19.6-2. Applicable law.**

4 (a) The operation of a personal delivery device or mobile carrying device shall be governed  
5 exclusively by the provisions of this chapter and any applicable regulation adopted by any local  
6 governmental agency, provided that any such regulation is not inconsistent with the provisions of  
7 this chapter.

8 (b) A personal delivery device or mobile carrying device as defined herein, shall not  
9 include a motor or other vehicle.

10 **31-19.6-3. Operator or personal delivery device.**

11 (a) A person may operate a personal delivery device if that person is a sole proprietor of a  
12 business entity as defined in § 31-19.6-1 or is an agent of a business entity and has the capability  
13 to monitor or exercise physical control over the navigation and operation of the device.

14 (b) Except as provided in subsection (c) of this section, when a personal delivery device is  
15 being operated by a business entity, the business entity shall be considered the operator of the  
16 device solely for the purpose of assessing compliance with applicable traffic laws.

17 (c) When a personal delivery device is being operated, any agent having control over the  
18 device that acts outside the scope of their employment or authority, shall be considered the operator  
19 of the device for purposes of assessing compliance with applicable traffic laws.

20 (d) A person shall not be considered the operator of a personal delivery device solely  
21 because the person:

22 (1) Requests a delivery or service provided by the device; or

23 (2) Dispatches the device.

24 **31-19.6-4. Operator of mobile carrying device.**

25 A person operating a mobile carrying device shall be considered to be the operator of the  
26 device for the purpose of assessing compliance with applicable traffic laws.

27 **31-19.6-5. Device operation.**

28 (a) A personal delivery device or mobile carrying device must:

29 (1) Be operated in a manner consistent with the provisions of this chapter;

30 (2) Yield the right-of-way to all other traffic and pedestrians and not otherwise obstruct,  
31 block or impede the flow of traffic or pedestrians;

32 (3) If operated after dusk, utilize and display sufficient lighting as required in § 31-19.6-7;

33 (4) Comply with all applicable regulations adopted by any local governmental agency that  
34 are not inconsistent with the provisions of this chapter;

1 (5) Not transport hazardous materials regulated under the Hazardous Materials  
2 Transportation Act (49 U.S.C. Section 5103) and that is required to be placarded under subpart F  
3 of C.F.R. Part 172; and,

4 (6) Be monitored or controlled pursuant to the provisions of this chapter.

5 **31-19.6-6. Speeds of operation.**

6 (a) A personal delivery device or mobile carrying device shall be operated at the following  
7 speeds:

8 (1) At a speed not to exceed twelve miles per hour (12 mph) in a pedestrian area; or

9 (2) At a speed not to exceed twenty miles per hour (20 mph) on a highway or other area  
10 not considered to be a pedestrian area.

11 **31-19.6-7. Personal delivery device equipment.**

12 (a) A personal delivery device operated under this chapter must:

13 (1) Be registered with the division of motor vehicles (DMV) on a form approved by the  
14 DMV, which shall assign an identification number to each such device;

15 (2) Be equipped with a sign, individually attached thereto or painted on the device, that  
16 clearly identifies the name, address and contact information of the entity and the identification  
17 number assigned by the DMV;

18 (3) Be equipped with a braking system that enables the device to come to a controlled stop.

19 (b) A personal delivery device must be equipped with lights at the front and rear of the  
20 device that are visible and recognizable under normal atmospheric conditions on all sides of the  
21 device for a distance of up to five hundred feet (500').

22 **31-19.6-8. Mobile carrying device equipment.**

23 A mobile carrying device operated under this chapter must be equipped with a braking  
24 system that enables the device to come to a controlled stop.

25 **31-19.6-9. Local governmental regulation.**

26 A local governmental authority may not promulgate any regulations that are inconsistent  
27 with the provisions of this chapter, including, but not limited to, the hours of operation or zones of  
28 operation of any personal delivery device or mobile carrying device; provided, however, that  
29 nothing contained in this section shall prohibit or limit any local governmental authority from  
30 enforcing the provisions of this chapter.

31 **31-19.6-10. Insurance required.**

32 Any business entity that owns or operates a personal delivery device or mobile carrying  
33 device shall maintain comprehensive liability insurance to include, but not be limited to, general  
34 liability coverage of not less than one hundred thousand dollars (\$100,000) per person per accident

1 [for personal injury coverage and property damage coverage in an amount not less than one hundred](#)  
2 [thousand dollars \(\\$100,000\).](#)

3 SECTION 2. This act shall take effect upon passage.

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EXPLANATION  
BY THE LEGISLATIVE COUNCIL  
OF  
A N A C T  
RELATING TO MOTOR AND OTHER VEHICLES -- PERSONAL DELIVERY DEVICES

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1           This act would establish rules and regulations concerning the use and registration of  
2 personal delivery devices and mobile carrying devices.

3           This act would take effect upon passage.

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