

2020 -- S 2772

LC004409

STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2020

A N A C T

RELATING TO MOTOR AND OTHER VEHICLES -- PERSONAL DELIVERY DEVICES

Introduced By: Senators DiPalma, Lombardi, Archambault, McKenney, and Coyne

Date Introduced: March 12, 2020

Referred To: Senate Commerce

It is enacted by the General Assembly as follows:

1 SECTION 1. Title 31 of the General Laws entitled "MOTOR AND OTHER
2 VEHICLES" 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
8 behalf 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;

13 and

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

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

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

19 (i) Is manufactured for transporting cargo and goods in a pedestrian area or

1 supplementary areas as described in § 31-19.6-5.

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

4 **31-19.6-2. Applicable law.**

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

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

11 **31-19.6-3. Operator or personal delivery device.**

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

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

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

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

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

24 (2) Dispatches the device.

25 **31-19.6-4. Operator of mobile carrying device.**

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

28 **31-19.6-5. Device operation.**

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

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

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

33 (3) If operated after dusk, utilize and display sufficient lighting as required in § 31-19.6-
34 7.

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

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

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

7 **31-19.6-6. Speeds of operation.**

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

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

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

13 **31-19.6-7. Personal delivery device equipment.**

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

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

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

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

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

25 **31-19.6-8. Mobile carrying device equipment.**

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

28 **31-19.6-9. Local governmental regulation.**

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

34 **31-19.6-10. Insurance required.**

1 Any business entity that owns or operates a personal delivery device or mobile carrying
2 device shall maintain comprehensive liability insurance to include, but not be limited to, general
3 liability coverage of not less than one hundred thousand dollars (\$100,000) per person per
4 accident for personal injury coverage and property damage coverage in an amount not less than
5 one hundred thousand dollars (\$100,000).

6 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

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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