

# SENATE AMENDMENT NO. \_\_\_\_\_

Offered by \_\_\_\_\_ of \_\_\_\_\_

Amend SS/SCS/HCS/House Bill No. 271, Page 7, Section 59.100, Line 15,

2 by inserting after all of said line the following:

3 "304.900. 1. As used in this section, the following  
4 terms mean:

5 (1) "Agent", a person given the responsibility, by an  
6 entity, of navigating and operating a personal delivery  
7 device;

8 (2) "Personal delivery device", a powered device  
9 operated primarily on sidewalks and crosswalks, intended  
10 primarily for the transport of property on public rights-of-  
11 way, and capable of navigating with or without the active  
12 control or monitoring of a natural person. Notwithstanding  
13 any other provision of law, a "personal delivery device"  
14 shall not be defined as a motor vehicle or a vehicle;

15 (3) "Personal delivery device operator", an entity or  
16 its agent that exercises physical control or monitoring over  
17 the navigation system and operation of a personal delivery  
18 device. A "personal delivery device operator" does not  
19 include an entity or person that requests or receives the  
20 services of a personal delivery device for the purpose of  
21 transporting property or an entity or person who merely  
22 arranges for and dispatches the requested services of a  
23 personal delivery device.

24 2. Notwithstanding any other provision of law, a  
25 personal delivery device is authorized to operate in this  
26 state:

27           (1) On any sidewalk or crosswalk of any county or  
28 municipality in the state; and

29           (2) On any roadway of any county or municipality in  
30 the state, provided that the personal delivery device shall  
31 not unreasonably interfere with motor vehicles or traffic.

32           3. A personal delivery device shall:

33           (1) Not block public rights-of-way;

34           (2) Obey all traffic and pedestrian control signals  
35 and devices;

36           (3) Operate at a speed that does not exceed a maximum  
37 speed of ten miles per hour on a sidewalk or crosswalk;

38           (4) Contain a unique identifying number that is  
39 displayed on the device;

40           (5) Include a means of identifying the personal  
41 delivery device operator; and

42           (6) Be equipped with a system that enables the  
43 personal delivery device to come to a controlled stop.

44           4. Subject to the requirements of this section, a  
45 personal delivery device operating on a sidewalk or  
46 crosswalk shall have all the responsibilities applicable to  
47 a pedestrian under the same circumstances.

48           5. A personal delivery device shall be exempt from  
49 motor vehicle registration requirements.

50           6. A personal delivery device operator shall maintain  
51 an insurance policy that provides general liability coverage  
52 of at least one hundred thousand dollars for damages arising  
53 from the combined operations of personal delivery devices  
54 under a personal delivery device operator's control.

55           7. If the personal delivery device is being operated  
56 between sunset and sunrise, it shall be equipped with  
57 lighting on both the front and rear of the personal delivery  
58 device visible in clear weather from a distance of at least

59 five hundred feet to the front and rear of the personal  
60 delivery device.

61 8. A personal delivery device shall not be used for  
62 the transportation of hazardous material regulated under the  
63 Hazardous Materials Transportation Act, 49 USC Section 5103,  
64 and required to be placarded under 49 CFR Part 172, Subpart  
65 F.

66 9. Nothing in this section shall prohibit a political  
67 subdivision from regulating the operation of personal  
68 delivery devices on a highway or pedestrian area to insure  
69 the welfare and safety of its residents. However, political  
70 subdivisions shall not regulate the design, manufacture and  
71 maintenance of a personal delivery device nor the types of  
72 property that may be transported by a personal delivery  
73 device. Additionally, no political subdivision shall treat  
74 personal delivery devices differently for the purposes of  
75 assessment and taxation or other charges from personal  
76 property that is similar in nature.

77 10. A personal delivery device operator may not sell  
78 or disclose a personally identifiable likeness to a third  
79 party in exchange for monetary compensation. For purposes  
80 of this section, a personally identifiable likeness includes  
81 photographic images, videos, digital image files, or other  
82 digital data that can be used to either directly or  
83 indirectly identify an individual. "Personally identifiable  
84 likeness" does not include aggregated or anonymized data.  
85 The use of any personally identifiable likeness by a  
86 personal delivery device operator to improve their products  
87 and services is allowed under this section. Information  
88 that would otherwise be protected under this section as  
89 confidential shall only be provided to a law enforcement  
90 entity with a properly executed, lawful subpoena."; and

91 Further amend the title and enacting clause accordingly.