

CHAPTER 13
HB 116 - FINAL VERSION

6Jan2022... 2199h

2022 SESSION

21-0104
11/06

HOUSE BILL ***116***

AN ACT relative to personal delivery devices and mobile carriers.

SPONSORS: Rep. Steven Smith, Sull. 11; Rep. Packard, Rock. 5; Rep. Walsh, Merr. 24

COMMITTEE: Transportation

ANALYSIS

This bill defines and regulates personal delivery devices and mobile carriers.

Explanation: Matter added to current law appears in ***bold italics***.
 Matter removed from current law appears ~~[in brackets and struck through.]~~
 Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

CHAPTER 13
HB 116 - FINAL VERSION

6Jan2022... 2199h

21-0104
11/06

STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Twenty Two

AN ACT relative to personal delivery devices and mobile carriers.

Be it Enacted by the Senate and House of Representatives in General Court convened:

1 13:1 New Section; Motor Vehicles; Definitions; Mobile Carrier. Amend RSA 259 by inserting after
2 section 56 the following new section:

3 259:56-a Mobile Carrier. "Mobile carrier" means an electrically powered device that:

- 4 I. Is operated on sidewalks and crosswalks and is intended primarily for transporting property.
5 II. Weighs less than 80 pounds, excluding cargo.
6 III. Has a maximum speed of 12.5 miles per hour.
7 IV. Is equipped with a technology to transport personal property with the active monitoring of a
8 property owner and primarily designed to remain within 25 feet of the property owner.

9 13:2 New Sections; Motor Vehicles; Definitions; Personal Delivery Device. Amend RSA 259 by
10 inserting after section 75 the following new sections:

11 259:75-a Personal Delivery Device. "Personal delivery device" means an electrically powered device
12 that:

- 13 I. Is operated on sidewalks, crosswalks, and roadways and is intended primarily for transporting
14 goods and cargo.
15 II. Is equipped with technology to allow for operation of the device with or without the active
16 control or monitoring of a natural person.
17 III. When operated in compliance with this section, is not a vehicle.

18 259:75-b Roadway. For purposes of RSA 259:75-b and RSA 265:163, "roadway" means that portion
19 of a way improved, designed, or ordinarily used for vehicular travel, including the berm or shoulder where
20 such berm or shoulder is used by persons riding bicycles or other human powered vehicles.

21 13:3 New Subdivision; Special Rules for Personal Delivery Devices and Mobile Carriers. Amend
22 RSA 265 by inserting after section 162 the following new subdivision:

23 Special Rules for Personal Delivery Devices and Mobile Carriers

24 265:163 Personal Delivery Devices and Mobile Carriers.

25 I. A personal delivery device or mobile carrier may operate on sidewalks and crosswalks. A
26 personal delivery device or mobile carrier operating on a sidewalk or crosswalk has all the rights and
27 duties applicable to a pedestrian under the same circumstances, except that the personal delivery device
28 or mobile carrier shall not unreasonably interfere with pedestrians or traffic and shall yield the right-of-way
29 to pedestrians on the sidewalk or crosswalk. State and local law enforcement shall have the authority to
30 enforce state and local traffic laws.

31 II. Personal delivery devices and a mobile carriers shall:

32 (a) Obey all official traffic and pedestrian control signals and devices.

CHAPTER 13
HB 116 - FINAL VERSION
- Page 2 -

1 (b) For personal delivery devices, include a plate or marker that has a unique identifying
2 device number and identifies the name and contact information of the personal delivery device operator.

3 (c) Be equipped with a braking system that, when active or engaged, enables the personal
4 delivery device or mobile carrier to come to a controlled stop.

5 III. Mobile carriers shall not:

6 (a) Operate on a roadway except to the extent necessary to cross a crosswalk.

7 (b) Operate on a sidewalk or crosswalk unless the mobile carrier owner remains within 25
8 feet of the mobile carrier.

9 (c) Transport hazardous materials that are regulated under the Hazardous Materials
10 Transportation Authorization Act of 1994 and must be placarded under 49 C.F.R. 172.500 through
11 172.560.

12 (d) Transport persons or animals.

13 IV. Personal delivery devices shall not:

14 (a) Operate at speeds in excess of 10 miles per hour on sidewalks;

15 (b) Operate at speeds in excess of 20 miles per hour on roadways;

16 (c) Operate unless the navigation and operation is being monitored or controlled by an
17 operator;

18 (d) Transport hazardous materials that are regulated under the Hazardous Materials
19 Transportation Authorization Act of 1994 and must be placarded under 49 C.F.R. 172.500 through
20 172.560.

21 V. A local authority may not ban the operation of a personal delivery device but may reasonably
22 restrict the operation of a personal delivery device on a roadway or in a pedestrian area in a manner
23 consistent with this subdivision following an opportunity for input from stakeholders.

24 VI. A person who owns and operates a personal delivery device in this state shall maintain an
25 insurance policy, on behalf of himself or herself and his or her agents, which provides general liability
26 coverage of at least \$100,000 for damages arising from the combined operations of personal delivery
27 devices under the entity's or agent's control.

13:4 Effective Date. This act shall take effect 60 days after its passage.

Approved: April 11, 2022
Effective Date: June 10, 2022