

Amendment to HB 116

1 Amend the bill by replacing sections 2-3 with the following:

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3 2 New Sections; Motor Vehicles; Definitions; Personal Delivery Device. Amend RSA 259 by
4 inserting after section 75 the following new sections:

5 259:75-a Personal Delivery Device. "Personal delivery device" means an electrically powered
6 device that:

7 I. Is operated on sidewalks, crosswalks, and roadways and is intended primarily for
8 transporting goods and cargo.

9 II. Is equipped with technology to allow for operation of the device with or without the active
10 control or monitoring of a natural person.

11 III. When operated in compliance with this section is not a vehicle.

12 259:75-b Roadway. For purposes of RSA 259:75-b and RSA 265:163, "roadway" means that
13 portion of a way improved, designed, or ordinarily used for vehicular travel, including the berm or
14 shoulder where such berm or shoulder is used by persons riding bicycles or other human powered
15 vehicles.

16 3 New Subdivision; Special Rules for Personal Delivery Devices and Mobile Carriers. Amend
17 RSA 265 by inserting after section 162 the following new subdivision:

18 Special Rules for Personal Delivery Devices and Mobile Carriers

19 265:163 Personal Delivery Devices and Mobile Carriers.

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

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

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

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

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

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1 III. Mobile carriers shall not:

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

3 (b) Operate on a sidewalk or crosswalk unless the mobile carrier owner remains within
4 25 feet of the mobile carrier.

5 (c) Transport hazardous materials that are regulated under the Hazardous Materials
6 Transportation Authorization Act of 1994 and must be placarded under 49 CFR 172.500 through
7 172.560.

8 (d) Transport persons or animals.

9 IV. Personal delivery devices shall not:

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

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

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

14 (d) Transport hazardous materials that are regulated under the Hazardous Materials
15 Transportation Authorization Act of 1994 and must be placarded under 49 CFR 172.500 through
16 172.560.

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

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