

SENATE BILL 726

R4, R5
SB 874/20 – JPR

11r2494
CF HB 595

By: **Senators Feldman, Smith, and Hough**

Introduced and read first time: February 5, 2021

Assigned to: Judicial Proceedings

A BILL ENTITLED

1 AN ACT concerning

2 **Vehicle Laws – Personal Delivery Devices – Standards and Requirements**

3 FOR the purpose of establishing an exception to motor vehicle registration requirements
4 for personal delivery devices; authorizing a personal delivery device to operate on
5 any highway, sidewalk, or crosswalk in the State; prohibiting a personal delivery
6 device from being operated in certain manners; creating certain marking,
7 equipment, and insurance requirements for personal delivery devices being operated
8 on highways, sidewalks, or crosswalks; excluding personal delivery devices from the
9 defined terms “motor vehicle” and “vehicle”; defining certain terms; and generally
10 relating to standards and requirements for personal delivery devices.

11 BY repealing and reenacting, with amendments,
12 Article – Transportation
13 Section 11–135, 11–176, and 13–402(c)(13) and (14)
14 Annotated Code of Maryland
15 (2020 Replacement Volume)

16 BY repealing and reenacting, without amendments,
17 Article – Transportation
18 Section 13–402(a)
19 Annotated Code of Maryland
20 (2020 Replacement Volume)

21 BY adding to
22 Article – Transportation
23 Section 13–402(c)(15) and 21–104.5
24 Annotated Code of Maryland
25 (2020 Replacement Volume)

26 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
27 That the Laws of Maryland read as follows:

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



Article – Transportation

11–135.

(a) (1) “Motor vehicle” means, except as provided in subsection (b) of this section, a vehicle that:

(i) Is self-propelled or propelled by electric power obtained from overhead electrical wires; and

(ii) Is not operated on rails.

(2) “Motor vehicle” includes a low speed vehicle.

(b) “Motor vehicle” does not include:

(1) A moped, as defined in § 11–134.1 of this subtitle;

(2) A motor scooter, as defined in § 11–134.5 of this subtitle;

(3) An electric bicycle, as defined in § 11–117.1 of this subtitle; [or]

(4) An electric low speed scooter, as defined in § 11–117.2 of this subtitle;

OR

(5) A PERSONAL DELIVERY DEVICE, AS DEFINED IN § 21–104.5 OF THIS ARTICLE.

11–176.

(a) (1) “Vehicle” means, except as provided in subsection (b) of this section, any device in, on, or by which any individual or property is or might be transported or towed on a highway.

(2) “Vehicle” includes a low speed vehicle and an off-highway recreational vehicle.

(b) “Vehicle” does not include [an]:

(1) AN electric personal assistive mobility device, as defined in § 21–101(j) of this article; OR

(2) A PERSONAL DELIVERY DEVICE, AS DEFINED IN § 21–104.5 OF THIS ARTICLE.

1 13-402.

2 (a) (1) Except as otherwise provided in this section or elsewhere in the
3 Maryland Vehicle Law, each motor vehicle, trailer, semitrailer, and pole trailer driven on
4 a highway shall be registered under this subtitle.

5 (2) If a motor vehicle required to be registered under this subtitle is not
6 registered, a person may not park the unregistered motor vehicle on any:

7 (i) Public alley, street, or highway; or

8 (ii) Private property used by the public in general, including parking
9 lots of shopping centers, condominiums, apartments, or town house developments.

10 (3) The provisions of paragraph (2) of this subsection do not apply to a
11 motor vehicle that is exempt from registration under this section or § 13-402.1 of this
12 subtitle.

13 (c) Registration under this subtitle is not required for:

14 (13) A golf cart that is operated on an Allegany County highway as allowed
15 by the county under § 25-102(a)(16) of this article; [or]

16 (14) A vehicle owned by an accredited consular or diplomatic officer of a
17 foreign government and operated for official or personal purposes when the vehicle displays
18 a valid diplomatic license plate issued by the United States government; OR

19 **(15) A PERSONAL DELIVERY DEVICE THAT IS OPERATED ON A**
20 **HIGHWAY, SIDEWALK, OR CROSSWALK IN ACCORDANCE WITH § 21-104.5 OF THIS**
21 **ARTICLE.**

22 **21-104.5.**

23 **(A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS**
24 **INDICATED.**

25 **(2) "PERSONAL DELIVERY DEVICE" MEANS A POWERED DEVICE**
26 **THAT:**

27 **(I) IS OPERATED PRIMARILY ON SIDEWALKS AND**
28 **CROSSWALKS;**

29 **(II) IS INTENDED PRIMARILY FOR THE TRANSPORT OF**
30 **PROPERTY ON PUBLIC RIGHTS-OF-WAY;**

1 (III) WEIGHS NOT MORE THAN 200 POUNDS, EXCLUDING CARGO;
2 AND

3 (IV) IS CAPABLE OF NAVIGATING WITH OR WITHOUT THE ACTIVE
4 CONTROL OR MONITORING OF AN INDIVIDUAL.

5 (3) (I) "PERSONAL DELIVERY DEVICE OPERATOR" MEANS AN
6 ENTITY OR ITS AGENT THAT EXERCISES ACTIVE OR PASSIVE PHYSICAL CONTROL OR
7 MONITORING OVER THE NAVIGATION SYSTEM AND OPERATION OF A PERSONAL
8 DELIVERY DEVICE.

9 (II) "PERSONAL DELIVERY DEVICE OPERATOR" DOES NOT
10 INCLUDE A PERSON THAT:

11 1. REQUESTS OR RECEIVES THE SERVICES OF A
12 PERSONAL DELIVERY DEVICE TO TRANSPORT PROPERTY; OR

13 2. ARRANGES FOR AND DISPATCHES A PERSONAL
14 DELIVERY DEVICE TO PROVIDE SERVICE TO ANOTHER PERSON.

15 (B) A PERSONAL DELIVERY DEVICE MAY OPERATE WITHOUT REGISTRATION
16 ON ANY HIGHWAY, SIDEWALK, OR CROSSWALK IN THE STATE.

17 (C) A PERSONAL DELIVERY DEVICE MAY NOT:

18 (1) UNREASONABLY INTERFERE WITH TRAFFIC;

19 (2) BLOCK PUBLIC RIGHTS-OF-WAY;

20 (3) TRANSPORT HAZARDOUS MATERIALS IN A QUANTITY THAT MAY
21 POSE AN UNREASONABLE RISK TO HEALTH, SAFETY, OR PROPERTY; OR

22 (4) OPERATE ON A SIDEWALK OR CROSSWALK AT A SPEED EXCEEDING
23 3.5 MILES PER HOUR.

24 (D) A PERSONAL DELIVERY DEVICE OPERATED ON ANY HIGHWAY,
25 SIDEWALK, OR CROSSWALK IN THE STATE SHALL:

26 (1) BE VISIBLY MARKED WITH A UNIQUE IDENTIFYING NUMBER;

27 (2) BE VISIBLY MARKED WITH A MEANS OF IDENTIFYING THE
28 PERSONAL DELIVERY DEVICE OPERATOR;

1 **(3) IF THE PERSONAL DELIVERY DEVICE OPERATOR IS ACTING ON**
2 **BEHALF OF A CORPORATE ENTITY, BE VISIBLY MARKED WITH CONTACT**
3 **INFORMATION FOR THAT ENTITY;**

4 **(4) BE EQUIPPED WITH A SYSTEM THAT ENABLES THE PERSONAL**
5 **DELIVERY DEVICE TO COME TO A CONTROLLED STOP;**

6 **(5) BE COVERED BY AN INSURANCE POLICY THAT PROVIDES**
7 **GENERAL LIABILITY COVERAGE OF AT LEAST \$100,000 FOR DAMAGES; AND**

8 **(6) BE EQUIPPED WITH LIGHTING DEVICES AS REQUIRED BY THE**
9 **ADMINISTRATION.**

10 **(E) ANY INFORMATION REQUIRED BY THIS SECTION TO BE VISIBLY MARKED**
11 **ON A PERSONAL DELIVERY DEVICE SHALL ALSO BE MARKED IN BRAILLE LETTERING.**

12 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
13 October 1, 2021.