

HB0595/380516/1

BY: Environment and Transportation Committee

AMENDMENTS TO HOUSE BILL 595

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 5, strike “highway” and substitute “roadway”; in the same line, after “sidewalk,” insert “shoulder, footpath, bicycle trail,”; in line 8, strike “highways” and substitute “roadways”; in the same line, after “sidewalks,” insert “shoulders,”; in the same line, after “crosswalks;” insert “requiring an operator of a personal delivery device to file a certain emergency response plan with the Administrator of the Motor Vehicle Administration and to give a certain notice to certain counties and municipalities; authorizing the Administrator to adopt certain policies; requiring the Administrator to make emergency response plans available to certain first responder agencies; requiring an operator of a personal delivery device to comply with certain local laws;”; in line 9, after “terms;” insert “requiring the Administrator to develop a pilot process for authorizing the operation of personal delivery devices; requiring the Administrator to report the status and findings of the pilot process for personal delivery devices to certain committees of the General Assembly by a certain date; providing for a delayed effective date for certain provisions of this Act;”; in line 13, after “Section” insert “8-409(e),”; in the same line, strike the first “and”; in the same line, after “(14)” insert “, 21-501.1(a), and 21-1201(c)”; in line 23, after “13-402(c)(15)” insert a comma; in the same line, strike “and”; and in the same line, after “21-104.5” insert “, and 21-1205.1(f)”.

AMENDMENT NO. 2

On page 2, after line 1, insert:

“8-409.”

(Over)

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(e) Unless the Administration or local government specifically approves other uses, as provided in subsection (g) of this section, footpaths and bicycle trails may be used only by [pedestrians, nonmotorized]:

(1) PEDESTRIANS;

(2) NONMOTORIZED vehicles[.]; [and electric]

(3) ELECTRIC personal assistive mobility devices, as defined in § 21–101(j) of this article; AND

(4) PERSONAL DELIVERY DEVICES, AS DEFINED IN § 21–104.5 OF THIS ARTICLE.

AMENDMENT NO. 3

On page 3 in line 20 and on page 4 in lines 16 and 24, in each instance, strike “HIGHWAY” and substitute “ROADWAY”.

AMENDMENT NO. 4

On page 3, in line 20, after “SIDEWALK,” insert “SHOULDER,”; in line 27, after “ON” insert “SHOULDERS,”; in the same line, after “SIDEWALKS” insert a comma; and in line 29, strike “PRIMARILY”.

AMENDMENT NO. 5

On page 4, in line 1, strike “200” and substitute “550”; in line 15, strike “A” and substitute “SUBJECT TO § 21–1205.1(F) OF THIS TITLE, A”; in line 16, after “SIDEWALK,” insert “SHOULDER,”; strike beginning with “IN” in line 20 down through “PROPERTY” in line 21 and substitute “REGULATED UNDER THE HAZARDOUS MATERIALS TRANSPORT ACT AND REQUIRED TO BE PLACARDED UNDER 49”.

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C.F.R. PART 172, SUBPART F"; in line 23, strike "3.5" and substitute "7"; and in line 25, after "SIDEWALK," insert "SHOULDER,".

AMENDMENT NO. 6

On page 5, in line 6, strike "BY AN" and substitute "**BY:**

(I) AN";

in line 7, strike "AND" and substitute "**OR**

(II) ANOTHER FORM OF SECURITY ACCEPTABLE TO THE ADMINISTRATION THAT ADEQUATELY PROVIDES THE BENEFITS REQUIRED BY ITEM (I) OF THIS ITEM;;

in line 9, after "ADMINISTRATION" insert "**AFTER CONSULTATION WITH INDUSTRY STAKEHOLDERS;**

(7) OBEY ALL TRAFFIC AND PEDESTRIAN CONTROL DEVICES; AND

(8) BE SUBJECT TO MUNICIPAL OR COUNTY PERMITTING REQUIREMENTS, WHERE APPLICABLE";

in line 10, strike "SUBSECTION" and substitute "**SECTION**"; after line 12, insert:

(F) (1) PRIOR TO BEGINNING OPERATIONS IN THE STATE, EACH OPERATOR OF A PERSONAL DELIVERY DEVICE SHALL FILE WITH THE ADMINISTRATOR AN EMERGENCY RESPONSE PLAN DESIGNED TO INFORM FIRST RESPONDERS ABOUT THE PERSONAL DELIVERY DEVICE, INCLUDING INFORMATION ON ITS EQUIPMENT AND ATTRIBUTES AND ON HOW TO DEAL WITH THE DEVICE WHEN IT IS ENCOUNTERED ON PUBLIC RIGHTS-OF-WAY.

(Over)

(2) THE ADMINISTRATOR, AFTER CONSULTATION WITH INDUSTRY STAKEHOLDERS, MAY ADOPT POLICES OUTLINING WHAT MUST BE INCLUDED IN AN EMERGENCY RESPONSE PLAN.

(3) THE ADMINISTRATOR SHALL BE RESPONSIBLE FOR MAKING EACH EMERGENCY RESPONSE PLAN FILED WITH THE ADMINISTRATOR AVAILABLE TO THE APPROPRIATE FIRST RESPONDER AGENCIES OF THE STATE.

(G) AN OPERATOR OF A PERSONAL DELIVERY DEVICE SHALL:

(1) NOTIFY THE GOVERNING BODY OF EACH COUNTY AND MUNICIPALITY WITHIN WHICH THE OPERATOR INTENDS TO OPERATE THE PERSONAL DELIVERY DEVICE AT LEAST 30 DAYS BEFORE THE OPERATOR BEGINS OPERATING THE PERSONAL DELIVERY DEVICE IN THE COUNTY OR MUNICIPALITY; AND

(2) COMPLY WITH ALL LOCAL ORDINANCES, REGULATIONS, AND RULES OF EACH COUNTY AND MUNICIPALITY FOR WHICH THE OPERATOR PROVIDES NOTICE OF ITS INTENT TO OPERATE THE PERSONAL DELIVERY DEVICE.

21-501.1.

(a) At an intersection, a person using an EPAMD OR A PERSONAL DELIVERY DEVICE, AS DEFINED IN § 21-104.5 OF THIS TITLE, is subject to all traffic control signals, as provided in §§ 21-202 and 21-203 of this title. However, at any other place, a person using an EPAMD OR A PERSONAL DELIVERY DEVICE has the rights and is subject to the restrictions applicable to pedestrians under this title.

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21-1201.

(c) With the exceptions stated in this subtitle, the provisions of this subtitle that are applicable to bicycles apply whenever a bicycle, an EPAMD, [or] a motor scooter, OR A PERSONAL DELIVERY DEVICE, AS DEFINED IN § 21-104.5 OF THIS TITLE, is operated on any highway or whenever a bicycle or an EPAMD is operated on any path set aside for the exclusive use of bicycles.

21-1205.1.

(F) NOTWITHSTANDING ANY OTHER PROVISION OF THIS TITLE, A PERSONAL DELIVERY DEVICE, AS DEFINED IN § 21-104.5 OF THIS TITLE, MAY NOT TRAVEL ON ANY ROADWAY WHERE THERE ARE SIDEWALKS OR A SHOULDER ADJACENT TO THE ROADWAY OR THE POSTED MAXIMUM SPEED LIMIT IS MORE THAN 35 MILES PER HOUR.

SECTION 2. AND BE IT FURTHER ENACTED, That the Administrator of the Motor Vehicle Administration shall:

(1) develop a pilot process for authorizing the operation of personal delivery devices that conform to the provisions of § 21-104.5 of the Transportation Article, as enacted by Section 1 of this Act, in the State by October 1, 2021;

(2) actively engage stakeholders and consider their input in the development and implementation of the pilot process for authorizing the operation of personal delivery devices under this section; and

(3) in accordance with § 2-1257 of the State Government Article, report to the House Environment and Transportation Committee and the Senate Judicial Proceedings Committee by December 31, 2021, on the status and findings of the pilot process required under this section.

(Over)

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SECTION 3. AND BE IT FURTHER ENACTED, That Section 1 of this Act shall take effect July 1, 2022.”;

in line 13, strike “2.” and substitute “4.”; in the same line, after “That” insert “, except as provided in Section 3 of this Act.”; and in line 14, strike “October” and substitute “July”.