

SB0726/448070/1

BY: Judicial Proceedings Committee

AMENDMENTS TO SENATE BILL 726
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 4, after “devices;” insert “authorizing the Motor Vehicle Administration to accept other forms of security in place of certain insurance requirements for personal delivery devices;”; in line 5, after “sidewalk,” insert “footpath, bicycle trail;”; in line 8, after “crosswalks;” insert “requiring an operator of a personal delivery device to file a certain emergency response plan with the Administrator of the 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;”; in line 9, after “terms;” insert “requiring the Administrator to develop a permitting process for personal delivery devices; requiring the Administrator to report the status of the permitting 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 “, 17-103(a), 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.

(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:

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- (1) pedestrians[.];**
- (2) nonmotorized vehicles[.]; [and]**
- (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.”.**

On page 3, after line 21, insert:

“17–103.

(a) (1) Except as provided in paragraph (2) or (3) of this subsection, the form of security required under this subtitle is a vehicle liability insurance policy written by an insurer authorized to write these policies in this State.

(2) The Administration may accept another form of security in place of a vehicle liability insurance policy if it finds that the other form of security adequately provides the benefits required by subsection (b) of this section.

(3) (i) 1. In this paragraph the following words have the meanings indicated.

2. “Affiliate” means any company that controls, is controlled by, or is under common control with another company.

3. “PERSONAL DELIVERY DEVICE” HAS THE MEANING STATED IN § 21–104.5 OF THIS ARTICLE.

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[3.] 4. “Provide taxicab services”, “transportation network company”, and “transportation network operator” have the meanings stated in § 10–101 of the Public Utilities Article.

(ii) The Administration may accept another form of security from a transportation network company **OR THE OPERATOR OF A PERSONAL DELIVERY DEVICE** in place of an insurance policy required by § 10–405 of the Public Utilities Article if:

1. The other form of security adequately provides the benefits required by § 10–405 of the Public Utilities Article; and

2. The transportation network company is an affiliate of a company that provides taxicab services and has no fewer than 26 nor more than 300 transportation network operators.

(4) The Administration shall, by regulation, assess each self-insurer an annual sum which may not exceed \$750, and which shall be used for actuarial studies and audits to determine financial solvency.”;

in line 27, after “ON” insert “**SHOULDERS,**”; in the same line, after “**SIDEWALKS**” insert a comma; and in line 29, strike “**PRIMARILY**”.

On page 4, in line 1, strike “**200**” and substitute “**550**”; 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 C.F.R. PART 172, SUBPART F**”; in line 23, strike “**3.5**” and substitute “**7**”; and in line 25, after “**SIDEWALK,**” insert “**SHOULDER,**”.

On page 5, in line 7, after “**DAMAGES**” insert “**OR MEETS THE REQUIREMENTS OF § 17–103 OF THIS ARTICLE**”; in the same line, strike “**AND**”; in line 9, after

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“ADMINISTRATION” insert “AFTER CONSULTATION WITH INDUSTRY STAKEHOLDERS; AND

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

after line 11, 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.

(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 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.

(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.

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 process for permitting the use of personal delivery devices that conform to the provisions § 21-104.5 of the Transportation Article as enacted by Section 1 of this Act to operate within the State by October 1, 2021;

(2) actively engage stakeholders and consider their input in the development and operation of the process for permitting under this section; and

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(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 of the permit process required under this section.

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

in line 12, strike “2.” and substitute “4”; and in the same line, after “That” insert “, except as provided in Section 3 of this Act,”.