

HOUSE BILL 595

R4, R5
HB 1483/20 – ENT

11r1923
CF SB 726

By: **Delegate Fraser–Hidalgo**

Introduced and read first time: January 20, 2021

Assigned to: Environment and Transportation

Committee Report: Favorable with amendments

House action: Adopted

Read second time: March 24, 2021

CHAPTER _____

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~~ roadway, sidewalk, ~~shoulder, footpath, bicycle trail~~, or crosswalk in the
6 State; prohibiting a personal delivery device from being operated in certain manners;
7 creating certain marking, equipment, and insurance requirements for personal
8 delivery devices being operated on ~~highways~~ roadways, sidewalks, ~~shoulders~~, or
9 crosswalks; requiring an operator of a personal delivery device to file a certain
10 emergency response plan with the Administrator of the Motor Vehicle
11 Administration and to give a certain notice to certain counties and municipalities;
12 authorizing the Administrator to adopt certain policies; requiring the Administrator
13 to make emergency response plans available to certain first responder agencies;
14 requiring an operator of a personal delivery device to comply with certain local laws;
15 excluding personal delivery devices from the defined terms “motor vehicle” and
16 “vehicle”; defining certain terms; requiring the Administrator to develop a pilot
17 process for authorizing the operation of personal delivery devices; requiring the
18 Administrator to report the status and findings of the pilot process for personal
19 delivery devices to certain committees of the General Assembly by a certain date;
20 providing for a delayed effective date for certain provisions of this Act; and generally
21 relating to standards and requirements for personal delivery devices.

22 BY repealing and reenacting, with amendments,
23 Article – Transportation

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



1 Section ~~8-409(e)~~, 11-135, 11-176, ~~and~~ 13-402(c)(13) and (14), 21-501.1(a), and
 2 21-1201(c)
 3 Annotated Code of Maryland
 4 (2020 Replacement Volume)

5 BY repealing and reenacting, without amendments,
 6 Article – Transportation
 7 Section 13-402(a)
 8 Annotated Code of Maryland
 9 (2020 Replacement Volume)

10 BY adding to
 11 Article – Transportation
 12 Section 13-402(c)(15), ~~and~~ 21-104.5, and 21-1205.1(f)
 13 Annotated Code of Maryland
 14 (2020 Replacement Volume)

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

17 **Article – Transportation**

18 8-409.

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

22 **(1) PEDESTRIANS;**

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

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

26 **(4) PERSONAL DELIVERY DEVICES, AS DEFINED IN § 21-104.5 OF**
 27 **THIS ARTICLE.**

28 11-135.

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

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

1 (ii) Is not operated on rails.

2 (2) "Motor vehicle" includes a low speed vehicle.

3 (b) "Motor vehicle" does not include:

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

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

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

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

8 **OR**

9 **(5) A PERSONAL DELIVERY DEVICE, AS DEFINED IN § 21-104.5 OF**
10 **THIS ARTICLE.**

11 11-176.

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

15 (2) "Vehicle" includes a low speed vehicle and an off-highway recreational
16 vehicle.

17 (b) "Vehicle" does not include [an]:

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

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

22 13-402.

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

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

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

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

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

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

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

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

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

21-104.5.

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

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

(I) IS OPERATED PRIMARILY ON SHOULDERS, SIDEWALKS, AND CROSSWALKS;

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

(III) WEIGHS NOT MORE THAN ~~200~~ 550 POUNDS, EXCLUDING CARGO; AND

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

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

1 (II) "PERSONAL DELIVERY DEVICE OPERATOR" DOES NOT
2 INCLUDE A PERSON THAT:

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

5 2. ARRANGES FOR AND DISPATCHES A PERSONAL
6 DELIVERY DEVICE TO PROVIDE SERVICE TO ANOTHER PERSON.

7 (B) ~~A SUBJECT TO § 21-1205.1(F) OF THIS TITLE, A PERSONAL DELIVERY~~
8 ~~DEVICE MAY OPERATE WITHOUT REGISTRATION ON ANY HIGHWAY ROADWAY,~~
9 ~~SIDEWALK, SHOULDER, OR CROSSWALK IN THE STATE.~~

10 (C) A PERSONAL DELIVERY DEVICE MAY NOT:

11 (1) UNREASONABLY INTERFERE WITH TRAFFIC;

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

13 (3) ~~TRANSPORT HAZARDOUS MATERIALS IN A QUANTITY THAT MAY~~
14 ~~POSE AN UNREASONABLE RISK TO HEALTH, SAFETY, OR PROPERTY REGULATED~~
15 ~~UNDER THE HAZARDOUS MATERIALS TRANSPORT ACT AND REQUIRED TO BE~~
16 ~~PLACARDED UNDER 49 C.F.R. PART 172, SUBPART F; OR~~

17 (4) OPERATE ON A SIDEWALK OR CROSSWALK AT A SPEED EXCEEDING
18 ~~3.5~~ 7 MILES PER HOUR.

19 (D) A PERSONAL DELIVERY DEVICE OPERATED ON ANY ~~HIGHWAY ROADWAY,~~
20 ~~SIDEWALK, SHOULDER, OR CROSSWALK IN THE STATE SHALL:~~

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

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

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

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

29 (5) BE COVERED ~~BY AN~~ BY;

1 **(I) AN INSURANCE POLICY THAT PROVIDES GENERAL**
2 **LIABILITY COVERAGE OF AT LEAST \$100,000 FOR DAMAGES; ~~AND OR~~**

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

6 **(6) BE EQUIPPED WITH LIGHTING DEVICES AS REQUIRED BY THE**
7 **ADMINISTRATION AFTER CONSULTATION WITH INDUSTRY STAKEHOLDERS;**

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

9 **(8) BE SUBJECT TO MUNICIPAL OR COUNTY PERMITTING**
10 **REQUIREMENTS, WHERE APPLICABLE.**

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

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

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

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

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

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

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

4 21-501.1.

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

10 21-1201.

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

16 21-1205.1.

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

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

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

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

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

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

1 SECTION ~~2~~ 4. AND BE IT FURTHER ENACTED, That, except as provided in
2 Section 3 of this Act, this Act shall take effect ~~October~~ July 1, 2021.

Approved:

Governor.

Speaker of the House of Delegates.

President of the Senate.