

SENATE BILL NO. 147

BY SENATOR WARD

Prefiled pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.

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AN ACT

To enact Subpart G-2 of Chapter 1 of Title 32 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 32:210 through 210.7, relative to the operation of personal delivery devices; to provide for the applicability of motor vehicles and traffic regulations; to provide for definitions and terms; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. Subpart G-2 of Chapter 1 of Title 32 of the Louisiana Revised Statutes of 1950, comprised of R.S. 32:210 through 210.7, is hereby enacted to read as follows:

SUBPART G-2. PERSONAL DELIVERY DEVICES

§210. Definitions

(1) "Agent" means a director, officer, employee, or other person authorized to act on behalf of a business entity.

(2) "Business entity" means a legal entity, including a corporation, association, partnership, or sole proprietorship, that is formed for the purpose of making a profit.

(3) "Nonpedestrian area" shall consist of any divided highway, highway, roadway, or street where the posted speed limit is thirty-five miles per hour or less.

(4) "Pedestrian area" means a sidewalk, crosswalk, school crosswalk, school crossing zone, or safety zone.

(5) "Personal delivery device" means a powered device that travels at the speed of twenty miles per hour or less, is less than five hundred pounds, excluding cargo, is manufactured for transporting cargo and goods in a pedestrian area or supplementary areas, and is equipped with automated

1 driving technology, including software and hardware, that enables the operation
2 of the device with the remote support and supervision of a human being.

3 §210.1. Applicable law

4 A. The operation of a personal delivery device is governed by the
5 provisions of this Subpart and Federal Aviation Administration airport
6 regulations.

7 B. For the purpose of this Subpart, a personal delivery device operated
8 in compliance with this Subpart shall not be considered a vehicle.

9 §210.2. Operator of personal delivery device

10 A. A person may operate a personal delivery device under this Subpart
11 only if the person is a business entity, and an agent of the business entity is
12 trained and capable to monitor or exercise physical control over the navigation
13 and operation of the device.

14 B. Except as provided by Subsection C of this Section, when a personal
15 delivery device operated by a business entity is engaged, the business entity is
16 considered to be the operator of the device solely for the purpose of assessing
17 compliance with applicable traffic laws.

18 C. When a personal delivery device operated by a business entity is
19 engaged and an agent of the entity controls the device in a manner that is
20 outside the scope of the agent's scope of employment, the agent is considered to
21 be the operator of the device.

22 D. A person is not considered to be the operator of a personal delivery
23 device solely because the person requests a delivery or service provided by the
24 device, or dispatches the device.

25 §210.3. Device operation

26 A personal delivery device operated under this Subpart shall:

27 (1) Operate in a manner that complies with any provision under this
28 Chapter that is applicable to pedestrians, unless the provision cannot apply to
29 the device.

30 (2) Yield to or not obstruct the right-of-way to all other lawful traffic,

1 including pedestrian traffic.

2 (3) Not unreasonably interfere with other traffic, including pedestrian
 3 traffic.

4 (4) Display the lights required by R.S. 32:301 et seq., if the personal
 5 delivery device is operated at night.

6 (5) Comply with any applicable regulations adopted by local authority.

7 (6) Not transport hazardous materials regulated under the Hazardous
 8 Materials Transportation Act, pursuant to 49 U.S.C. 5103 and required to be
 9 placarded under 49 CFR Part 172, Subpart F.

10 (7) Be monitored or controlled by an agent of the business entity meeting
 11 the requirements of R.S. 32:210.2 (A).

12 §210.4. Areas of operation

13 A personal delivery device operated under this Subpart may be operated
 14 either:

15 (1) In a pedestrian area at speeds up to twelve miles per hour.

16 (2) At a speed not to exceed twenty miles per hour in a nonpedestrian
 17 area, provided that the personal delivery device shall not cross any divided
 18 highway, highway, roadway, or street with a posted speed limit in excess of
 19 thirty-five miles per hour at an intersection.

20 §210.5. Personal delivery device equipment

21 A. A personal delivery device operated under this Subpart shall:

22 (1) Be equipped with a marker that clearly states the name and contact
 23 information of the owner and a unique identification number that is specific to
 24 each individual personal delivery device.

25 (2) Be equipped with a braking system that enables the device to come
 26 to a controlled stop.

27 B. A personal delivery device operated under this Subpart at night shall
 28 be equipped with lights on the front and rear of the device. The lights affixed to
 29 the personal delivery device shall be visible under normal atmospheric
 30 conditions for up to five hundred feet away from the device.

1 **§210.6. Local authority regulation**

2 **A.(1) Personal delivery devices may be prohibited by local resolutions or**
3 **ordinances if the local government determines that the prohibition is in the**
4 **interest of public safety.**

5 **(2) Personal delivery devices may also be prohibited by airport**
6 **authorities by resolution or ordinance in the interest of public safety.**

7 **B. Nothing in this Subpart shall affect the authority of a peace officer to**
8 **enforce the laws of this state relating to the operation of a personal delivery**
9 **device.**

10 **§210.7. Insurance**

11 **A business entity that operates a personal delivery device under this**
12 **Subpart shall maintain an insurance policy that includes general liability**
13 **coverage of not less than one hundred thousand dollars, for damages arising**
14 **from the operation of the personal delivery device.**

15 Section 2. This Act shall become effective upon signature by the governor or, if not
16 signed by the governor, upon expiration of the time for bills to become law without signature
17 of the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If
18 vetoed by the governor and subsequently approved by the legislature, this Act shall become
19 effective on the day following such approval.

PRESIDENT OF THE SENATE

SPEAKER OF THE HOUSE OF REPRESENTATIVES

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____