

FIRST REGULAR SESSION

[PERFECTED]

HOUSE COMMITTEE SUBSTITUTE FOR

# HOUSE BILL NO. 592

101ST GENERAL ASSEMBLY

1104H.03P

DANA RADEMAN MILLER, Chief Clerk

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## AN ACT

To amend chapter 304, RSMo, by adding thereto one new section relating to personal delivery devices.

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*Be it enacted by the General Assembly of the state of Missouri, as follows:*

Section A. Chapter 304, RSMo, is amended by adding thereto one new section, to be  
2 known as section 304.900, to read as follows:

**304.900. 1. As used in this section, the following terms mean:**

2       **(1) "Agent", a person given the responsibility, by an entity, of navigating and**  
3 **operating a personal delivery device;**

4       **(2) "Personal delivery device", a powered device operated primarily on sidewalks**  
5 **and crosswalks, intended primarily for the transport of property on public rights-of-way,**  
6 **and capable of navigating with or without the active control or monitoring of a natural**  
7 **person. Notwithstanding any other provision of law, a "personal delivery device" shall not**  
8 **be defined as a motor vehicle or a vehicle;**

9       **(3) "Personal delivery device operator", an entity or its agent that exercises**  
10 **physical control or monitoring over the navigation system and operation of a personal**  
11 **delivery device. A "personal delivery device operator" does not include an entity or person**  
12 **that requests or receives the services of a personal delivery device for the purpose of**  
13 **transporting property or an entity or person who merely arranges for and dispatches the**  
14 **requested services of a personal delivery device.**

15       **2. Notwithstanding any other provision of law, a personal delivery device is**  
16 **authorized to operate in this state:**

17       **(1) On any sidewalk or crosswalk of any county or municipality in the state; and**

EXPLANATION — Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

18           **(2) On any roadway of any county or municipality in the state, provided that the**  
19 **personal delivery device shall not unreasonably interfere with motor vehicles or traffic.**

20           **3. A personal delivery device shall:**

21           **(1) Not block public rights-of-way;**

22           **(2) Obey all traffic and pedestrian control signals and devices;**

23           **(3) Operate at a speed that does not exceed a maximum speed of ten miles per hour**  
24 **on a sidewalk or crosswalk;**

25           **(4) Contain a unique identifying number that is displayed on the device;**

26           **(5) Include a means of identifying the personal delivery device operator; and**

27           **(6) Be equipped with a system that enables the personal delivery device to come to**  
28 **a controlled stop.**

29           **4. Subject to the requirements of this section, a personal delivery device operating**  
30 **on a sidewalk or crosswalk shall have all the rights and responsibilities applicable to a**  
31 **pedestrian under the same circumstances.**

32           **5. A personal delivery device shall be exempt from motor vehicle registration**  
33 **requirements.**

34           **6. A personal delivery device operator shall maintain an insurance policy that**  
35 **provides general liability coverage of at least one hundred thousand dollars for damages**  
36 **arising from the combined operations of personal delivery devices under a personal**  
37 **delivery device operator's control.**

38           **7. If the personal delivery device is being operated between sunset and sunrise, it**  
39 **shall be equipped with lighting on both the front and rear of the personal delivery device**  
40 **visible in clear weather from a distance of at least five hundred feet to the front and rear**  
41 **of the personal delivery device.**

42           **8. A personal delivery device shall not be used for the transportation of hazardous**  
43 **material regulated under the Hazardous Materials Transportation Act, 49 USC Section**  
44 **5103, and required to be placarded under 49 CFR Part 172, Subpart F.**

45           **9. Nothing in this section shall prohibit a political subdivision from regulating the**  
46 **operation of personal delivery devices on a highway or pedestrian area to insure the**  
47 **welfare and safety of its residents. However, political subdivisions shall not regulate the**  
48 **design, manufacture and maintenance of a personal delivery device nor the types of**  
49 **property that may be transported by a personal delivery device. Additionally, no political**  
50 **subdivision shall treat personal delivery devices differently for the purposes of assessment**  
51 **and taxation or other charges from personal property that is similar in nature.**

52           **10. A personal delivery device operator may not sell or disclose a personally**  
53 **identifiable likeness to a third party in exchange for monetary compensation. For purposes**

54 of this section, a personally identifiable likeness includes photographic images, videos,  
55 digital image files, or other digital data that can be used to either directly or indirectly  
56 identify an individual. "Personally identifiable likeness" does not include aggregated or  
57 anonymized data. The use of any personally identifiable likeness by a personal delivery  
58 device operator to improve their products and services is allowed under this section.  
59 Information that would otherwise be protected under this section as confidential shall only  
60 be provided to a law enforcement entity with a properly executed, lawful subpoena.

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