

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 1199 Session of 2020

INTRODUCED BY AUMENT, PHILLIPS-HILL, MENSCH, SCAVELLO, STEFANO AND PITTMAN, JUNE 15, 2020

AS AMENDED ON SECOND CONSIDERATION, HOUSE OF REPRESENTATIVES, SEPTEMBER 30, 2020

AN ACT

~~1 Amending Title 75 (Vehicles) of the Pennsylvania Consolidated <--~~
~~2 Statutes, in general provisions, further providing for~~
~~3 definitions; and, in highly automated vehicles, further~~
~~4 providing for Highly Automated Vehicle Advisory Committee and~~
~~5 providing for personal delivery devices.~~
6 AMENDING TITLE 75 (VEHICLES) OF THE PENNSYLVANIA CONSOLIDATED <--
7 STATUTES, IN GENERAL PROVISIONS, FURTHER PROVIDING FOR
8 DEFINITIONS; IN HIGHLY AUTOMATED VEHICLES, FURTHER PROVIDING <--
9 FOR DEFINITIONS AND FOR HIGHLY AUTOMATED VEHICLE ADVISORY
10 COMMITTEE AND PROVIDING FOR PERSONAL DELIVERY DEVICES; AND
11 MAKING EDITORIAL CHANGES.
12 The General Assembly of the Commonwealth of Pennsylvania
13 hereby enacts as follows:
14 Section 1. ~~The definition of "pedestrian" in section 102 of <--~~
15 ~~Title 75 of the Pennsylvania Consolidated Statutes is amended to~~
16 ~~read:~~
17 ~~§ 102. Definitions.~~
18 ~~Subject to additional definitions contained in subsequent~~
19 ~~provisions of this title which are applicable to specific~~
20 ~~provisions of this title, the following words and phrases when~~
21 ~~used in this title shall have, unless the context clearly~~

1 ~~indicates otherwise, the meanings given to them in this section:~~

2 ~~* * *~~

3 ~~"Pedestrian." [A natural person afoot.] Any of the~~
4 ~~following:~~

5 ~~(1) An individual afoot.~~

6 ~~(2) An individual with a mobility related disability on~~
7 ~~a self propelled wheelchair or an electrical mobility device~~
8 ~~operated by and designated for the exclusive use of an~~
9 ~~individual with a mobility related disability.~~

10 ~~* * *~~

11 ~~Section 2. Section 8503(h) of Title 75 is amended and~~
12 ~~subsection (b) (9) is amended by adding a subparagraph to read:~~
13 ~~§ 8503. Highly Automated Vehicle Advisory Committee.~~

14 ~~* * *~~

15 ~~(b) Composition. The advisory committee shall consist of~~
16 ~~the following members:~~

17 ~~* * *~~

18 ~~(9) The following members to be appointed by the~~
19 ~~Governor:~~

20 ~~* * *~~

21 ~~(xi) One member representing a business entity that~~
22 ~~operates personal delivery devices.~~

23 ~~* * *~~

24 ~~(h) Powers. The advisory committee shall have the power to~~
25 ~~advise and consult the secretary on each aspect of highly~~
26 ~~automated vehicles [and], platooning and personal delivery~~
27 ~~devices in this Commonwealth and may undertake any of the~~
28 ~~following:~~

29 ~~(1) Developing technical guidance.~~

30 ~~(2) Evaluating best practices.~~

1 ~~(3) Reviewing existing laws, regulations and policies.~~

2 ~~(4) Engaging in continued research and evaluation of~~
3 ~~connected and automated systems technology necessary to~~
4 ~~ensure safe testing, deployment and continued innovation in~~
5 ~~this Commonwealth.~~

6 ~~* * *~~

7 ~~Section 3. Title 75 is amended by adding a section to read:~~

8 ~~§ 8504. Personal delivery devices.~~

9 ~~(a) Authorized operators. The following persons may operate~~
10 ~~a personal delivery device:~~

11 ~~(1) a business entity or an agent of a business entity~~
12 ~~that exercises physical control over the navigation and~~
13 ~~operation of the personal delivery device and is within 30-~~
14 ~~feet of the personal delivery device; or~~

15 ~~(2) beginning January 1, 2022, a business entity or an~~
16 ~~agent of a business entity that enables the operation of the~~
17 ~~personal delivery device with remote support if the agent~~
18 ~~possesses a valid driver's license from a licensing authority~~
19 ~~in the United States.~~

20 ~~(b) Operator designation. The following shall apply:~~

21 ~~(1) When a personal delivery device operated by a~~
22 ~~business entity is engaged, the business entity is the~~
23 ~~operator of the device solely for the purpose of assessing~~
24 ~~compliance with applicable traffic laws.~~

25 ~~(2) When a personal delivery device operated by a~~
26 ~~business entity is in operation and an agent of the entity~~
27 ~~controls the personal delivery device in a manner that is~~
28 ~~outside the scope of the agent's office or employment, the~~
29 ~~agent shall be considered the operator of the personal~~
30 ~~delivery device for the purpose of assessing compliance with~~

1 ~~applicable traffic laws.~~

2 ~~(3) An individual is not considered to be an agent of a~~
3 ~~personal delivery device solely on the basis that the~~
4 ~~individual:~~

5 ~~(i) requests a delivery or service provided by the~~
6 ~~personal delivery device; or~~

7 ~~(ii) dispatches the personal delivery device.~~

8 ~~(c) Operation requirements. A personal delivery device~~
9 ~~operated under this section shall:~~

10 ~~(1) operate in a manner that complies with the~~
11 ~~provisions of Chapter 35 (relating to special vehicles and~~
12 ~~pedestrians), as applicable;~~

13 ~~(2) yield or clear the right of way to all other~~
14 ~~traffic, including pedestrians;~~

15 ~~(3) refrain from unreasonably interfering with traffic,~~
16 ~~including pedestrians;~~

17 ~~(4) comply with all municipal codes and ordinances~~
18 ~~consistent with this act;~~

19 ~~(5) refrain from transporting hazardous materials~~
20 ~~regulated under section 5103 of the Hazardous Materials~~
21 ~~Transportation Act (Public Law 93-633 § 112(a), 88 Stat.~~
22 ~~2161) and required to be placarded under 49 CFR Pt. 172-~~
23 ~~Subpt. F (relating to placarding); and~~

24 ~~(6) remain monitored or controlled as provided under~~
25 ~~subsection (a).~~

26 ~~(d) Areas of operation. A personal delivery device may be~~
27 ~~operated:~~

28 ~~(1) In a pedestrian area.~~

29 ~~(2) On the berm or shoulder of a highway or roadway~~
30 ~~under the jurisdiction of the department with a posted speed-~~

1 ~~limit not in excess of 25 miles per hour. The following shall~~
2 ~~apply:~~

3 ~~(i) The secretary may, by order, permit the use of a~~
4 ~~personal delivery device upon a highway under the~~
5 ~~jurisdiction of the department where the posted speed~~
6 ~~limit is greater than 25 miles per hour but not greater~~
7 ~~than 35 miles per hour.~~

8 ~~(ii) The secretary may, by order, prohibit the use~~
9 ~~of a personal delivery device on any highway under the~~
10 ~~jurisdiction of the department where the secretary~~
11 ~~determines that the operation of the personal delivery~~
12 ~~device would constitute a hazard.~~

13 ~~(iii) Any order issued by the secretary under~~
14 ~~subparagraph (i) or (ii) shall be transmitted to the~~
15 ~~Legislative Reference Bureau for publication in the~~
16 ~~Pennsylvania Bulletin.~~

17 ~~(3) On local roadways under the jurisdiction of local~~
18 ~~authorities with a posted speed limit not greater than 25~~
19 ~~miles per hour. The following shall apply:~~

20 ~~(i) Local authorities may, by ordinance or~~
21 ~~resolution, as appropriate, in the case of any roadway~~
22 ~~under its jurisdiction, permit the use of a personal~~
23 ~~delivery device where the posted speed limit is greater~~
24 ~~than 25 miles per hour but not greater than 35 miles per~~
25 ~~hour.~~

26 ~~(ii) Local authorities may, by ordinance or~~
27 ~~resolution, as appropriate, prohibit the use of a~~
28 ~~personal delivery device on any roadway or pedestrian~~
29 ~~area under their jurisdiction where the local~~
30 ~~authorities, after consultation with a business entity~~

1 ~~operating a personal delivery device, determine that the~~
2 ~~operation of a personal delivery device would constitute~~
3 ~~a hazard.~~

4 ~~(4) A personal delivery device is not permitted to~~
5 ~~operate on an interstate highway or freeway.~~

6 ~~(c) Personal delivery device equipment. A personal delivery~~
7 ~~device operated under this act must be equipped with:~~

8 ~~(1) clearly identifiable markers approved by the~~
9 ~~department that state the name, contact information and~~
10 ~~unique identification number of the owner of the personal~~
11 ~~delivery device;~~

12 ~~(2) braking systems certified by a third party that~~
13 ~~enable the personal delivery device to come to a controlled~~
14 ~~stop from an initial speed of 25 miles per hour or less on a~~
15 ~~dry, level and clean thoroughfare; and~~

16 ~~(3) a lamp that emits a beam of white light intended to~~
17 ~~illuminate the personal delivery device's path and is visible~~
18 ~~from a distance of at least 500 feet to the front and a red~~
19 ~~reflector facing to the rear that is visible at least 500~~
20 ~~feet to the rear. A personal delivery device operator may~~
21 ~~supplement the required front lamp with a white flashing~~
22 ~~lamp, light emitting diode or similar device to enhance its~~
23 ~~visibility to other traffic and with a lamp emitting a red~~
24 ~~flashing light, light emitting diode or device visible from a~~
25 ~~distance of 500 feet to the rear.~~

26 ~~(f) Local regulation. The following shall apply:~~

27 ~~(1) Notwithstanding subsection (d) (3) (ii), local~~
28 ~~authorities may not regulate the operation of a personal~~
29 ~~delivery device operated in a pedestrian area, highway or~~
30 ~~local roadway in a manner that is inconsistent with this act,~~

1 ~~including, but not limited to, limiting the hours of~~
2 ~~operation or restricting areas of operation.~~

3 ~~(2) Nothing in this act may be construed to affect the~~
4 ~~ability of local authorities to enforce any law, rule or~~
5 ~~regulation as it relates to the operation of a personal~~
6 ~~delivery device in this Commonwealth.~~

7 ~~(g) Insurance. A business entity and an agent of a business~~
8 ~~entity shall maintain an insurance policy that includes general~~
9 ~~liability coverage of not less than \$100,000 for damages arising~~
10 ~~from the operation of the personal delivery device.~~

11 ~~(h) Applicability. The operation of a personal delivery~~
12 ~~device shall be governed exclusively by:~~

13 ~~(1) this act; and~~

14 ~~(2) municipal codes and ordinances consistent with the~~
15 ~~provisions of this act.~~

16 ~~(i) Violations. Any person operating a personal delivery~~
17 ~~device upon a highway or roadway or crossing a highway or~~
18 ~~roadway in violation of this act shall be subject to the~~
19 ~~penalties under section 6502 (relating to summary offenses).~~

20 ~~(j) Plan for general operations for personal delivery~~
21 ~~devices. The following apply:~~

22 ~~(1) The department shall be the lead Commonwealth agency~~
23 ~~on personal delivery devices.~~

24 ~~(2) A business entity may operate a personal delivery~~
25 ~~device if the business entity files an annual plan for~~
26 ~~general operation with the department. The department shall~~
27 ~~review the plan in consultation with local authorities, as~~
28 ~~applicable. If the plan is not rejected by the department~~
29 ~~within 30 days after receipt of the plan, the business entity~~
30 ~~may operate the personal delivery device.~~

1 ~~(k) Exemption. A personal delivery device shall be~~
2 ~~regulated as a pedestrian and shall not be deemed a vehicle~~
3 ~~under section 102 (relating to definitions).~~

4 ~~(l) Definitions. As used in this section, the following~~
5 ~~words and phrases shall have the meanings given to them in this~~
6 ~~subsection unless the context clearly indicates otherwise:~~

7 ~~"Agent." A director, officer, employee or other person~~
8 ~~authorized to act on behalf of a business entity.~~

9 ~~"Business entity." A legal entity, including a for profit~~
10 ~~corporation, nonprofit corporation, partnership or sole~~
11 ~~proprietorship, registered with the Department of State or an~~
12 ~~educational institution.~~

13 ~~"Department." The Department of Transportation of the~~
14 ~~Commonwealth.~~

15 ~~"Pedestrian area." A sidewalk, crosswalk, safety zone or~~
16 ~~similar area for pedestrians.~~

17 ~~"Personal delivery device." A device that:~~

18 ~~(1) is manufactured for transporting cargo and goods in~~
19 ~~a pedestrian area, trafficway or on the berm or shoulder of a~~
20 ~~highway or roadway;~~

21 ~~(2) is equipped with an automated driving system,~~
22 ~~including software and hardware;~~

23 ~~(3) is not capable of exceeding a speed of 12 miles per~~
24 ~~hour in a pedestrian area or trafficway;~~

25 ~~(4) is not capable of exceeding a speed of 25 miles per~~
26 ~~hour on the berm or shoulder of a highway or roadway; and~~

27 ~~(5) weighs less than 550 pounds without cargo and goods.~~

28 ~~"Secretary." The Secretary of Transportation of the~~
29 ~~Commonwealth.~~

30 ~~Section 4. This act shall take effect in 60 days.~~

1 SECTION 1. THE DEFINITION OF "PEDESTRIAN" IN SECTION 102 OF <--
2 TITLE 75 OF THE PENNSYLVANIA CONSOLIDATED STATUTES IS AMENDED
3 AND THE SECTION IS AMENDED BY ADDING A DEFINITION TO READ:

4 § 102. DEFINITIONS.

5 SUBJECT TO ADDITIONAL DEFINITIONS CONTAINED IN SUBSEQUENT
6 PROVISIONS OF THIS TITLE WHICH ARE APPLICABLE TO SPECIFIC
7 PROVISIONS OF THIS TITLE, THE FOLLOWING WORDS AND PHRASES WHEN
8 USED IN THIS TITLE SHALL HAVE, UNLESS THE CONTEXT CLEARLY
9 INDICATES OTHERWISE, THE MEANINGS GIVEN TO THEM IN THIS SECTION:

10 * * *

11 "PEDESTRIAN." [A NATURAL PERSON AFOOT.] ANY OF THE
12 FOLLOWING:

13 (1) AN INDIVIDUAL AFOOT.

14 (2) AN INDIVIDUAL WITH A MOBILITY-RELATED DISABILITY ON
15 A SELF-PROPELLED WHEELCHAIR OR AN ELECTRICAL MOBILITY DEVICE
16 OPERATED BY AND DESIGNATED FOR THE EXCLUSIVE USE OF AN
17 INDIVIDUAL WITH A MOBILITY-RELATED DISABILITY.

18 (3) A PERSONAL DELIVERY DEVICE.

19 * * *

20 "PERSONAL DELIVERY DEVICE" OR "PDD." A GROUND DELIVERY
21 DEVICE THAT:

22 (1) IS MANUFACTURED FOR TRANSPORTING CARGO OR GOODS;

23 (2) IS OPERATED BY ~~AN AUTOMATED DRIVING SYSTEM OR A~~ <--
24 DRIVING SYSTEM THAT ALLOWS REMOTE OR AUTONOMOUS OPERATION, OR <--
25 BOTH; AND

26 (3) WEIGHS 550 POUNDS OR LESS WITHOUT CARGO OR GOODS.

27 * * *

28 SECTION 2. CHAPTER 85 OF TITLE 75 IS AMENDED BY ADDING A
29 SUBCHAPTER HEADING TO READ:

30 SUBCHAPTER A

1 PRELIMINARY PROVISIONS

2 ~~SECTION 3. SECTION 8501 OF TITLE 75 IS AMENDED BY ADDING A~~ <--
3 ~~DEFINITION TO READ:~~

4 ~~§ 8501. DEFINITIONS.~~

5 ~~THE FOLLOWING WORDS AND PHRASES WHEN USED IN THIS CHAPTER~~
6 ~~SHALL HAVE THE MEANINGS GIVEN TO THEM IN THIS SECTION UNLESS THE~~
7 ~~CONTEXT CLEARLY INDICATES OTHERWISE:~~

8 * * *

9 ~~"AUTHORIZED ENTITY". A PERSON HOLDING A PDD AUTHORIZATION.~~

10 SECTION 4 3. CHAPTER 85 OF TITLE 75 IS AMENDED BY ADDING A <--
11 SUBCHAPTER HEADING IMMEDIATELY PRECEDING SECTION 8502 TO READ:

12 SUBCHAPTER B

13 HIGHLY AUTOMATED VEHICLES

14 ~~SECTION 5. SECTION 8503 (H) TITLE 75 IS AMENDED AND~~ <--
15 ~~SUBSECTION (B) (9) IS AMENDED BY ADDING A SUBPARAGRAPH TO READ:~~

16 ~~§ 8503. HIGHLY AUTOMATED VEHICLE ADVISORY COMMITTEE.~~

17 * * *

18 ~~(B) COMPOSITION. THE ADVISORY COMMITTEE SHALL CONSIST OF~~
19 ~~THE FOLLOWING MEMBERS:~~

20 * * *

21 ~~(9) THE FOLLOWING MEMBERS TO BE APPOINTED BY THE~~
22 ~~GOVERNOR:~~

23 * * *

24 ~~(XI) ONE MEMBER REPRESENTING AN AUTHORIZED ENTITY.~~

25 * * *

26 ~~(H) POWERS. THE ADVISORY COMMITTEE SHALL HAVE THE POWER TO~~
27 ~~ADVISE AND CONSULT THE SECRETARY ON EACH ASPECT OF HIGHLY~~
28 ~~AUTOMATED VEHICLES [AND], PLATOONING AND PERSONAL DELIVERY~~
29 ~~DEVICES IN THIS COMMONWEALTH AND MAY UNDERTAKE ANY OF THE~~
30 ~~FOLLOWING:~~

1 HOLDING A PDD AUTHORIZATION.

2 "MUNICIPALITY." THE TERM DOES NOT INCLUDE A COUNTY.

3 "OPERATIONAL PHASE." PHASE 1 OR PHASE 2.

4 "PDD AUTHORIZATION." AN AUTHORIZATION ISSUED BY THE
5 DEPARTMENT UNDER SECTION 8515 (RELATING TO APPLICATION ISSUANCE
6 AND RENEWAL) PERMITTING THE OPERATION OF A PERSONAL DELIVERY
7 DEVICE IN ACCORDANCE WITH THIS SUBCHAPTER.

8 "PDD OPERATOR." AN EMPLOYEE OF AN AUTHORIZED ENTITY
9 PERMITTED BY THE AUTHORIZED ENTITY TO REMOTELY CONTROL, MONITOR
10 OR OTHERWISE OPERATE A PERSONAL DELIVERY DEVICE ON BEHALF OF THE
11 AUTHORIZED ENTITY AS PROVIDED UNDER THIS SUBCHAPTER. THE TERM
12 DOES NOT INCLUDE AN INDIVIDUAL WHO REQUESTS A DELIVERY OR
13 SERVICE PROVIDED BY THE PERSONAL DELIVERY DEVICE OR DISPATCHES
14 THE PERSONAL DELIVERY DEVICE.

15 "PEDESTRIAN AREA." A SIDEWALK, CROSSWALK, SAFETY ZONE,
16 PEDESTRIAN TUNNEL, OVERHEAD PEDESTRIAN CROSSING OR SIMILAR AREA
17 FOR PEDESTRIANS.

18 "PHASE 1." THE OPERATION OF A PERSONAL DELIVERY DEVICE
19 THROUGH ~~AN AUTOMATED~~ A DRIVING SYSTEM THAT ALLOWS REMOTE OR <--
20 AUTONOMOUS OPERATION BY AN AUTHORIZED ENTITY WHERE THE DEVICE IS
21 CONTROLLED REMOTELY AND A PDD OPERATOR IS WITHIN 30 FEET OF THE
22 PDD AND WITHIN THE LINE OF SIGHT OF THE PDD.

23 "PHASE 2." THE OPERATION OF A PERSONAL DELIVERY DEVICE
24 THROUGH ~~AN AUTOMATED~~ A DRIVING SYSTEM THAT ALLOWS REMOTE OR <--
25 AUTONOMOUS OPERATION BY AN AUTHORIZED ENTITY WHERE THE DEVICE IS
26 MONITORED REMOTELY BY A PDD OPERATOR AND THE ~~AUTOMATED~~ DRIVING <--
27 SYSTEM IS CAPABLE OF BEING CONTROLLED AND OVERRIDDEN REMOTELY BY
28 THE PDD OPERATOR.

29 § 8512. GENERAL PROHIBITION.

30 NO PERSON MAY OPERATE A PERSONAL DELIVERY DEVICE ON A

1 ROADWAY, OR SHOULDER OR BERM OF A ROADWAY, OR IN A PEDESTRIAN
2 AREA UNLESS:

3 (1) THE PERSON HOLDS A PDD AUTHORIZATION FROM THE
4 DEPARTMENT OR IS A PDD OPERATOR; AND

5 (2) THE PERSONAL DELIVERY DEVICE IS OPERATED IN
6 ACCORDANCE WITH THIS SUBCHAPTER.

7 § 8513. POWERS OF DEPARTMENT.

8 (A) GENERAL POWERS.--EXCEPT AS PERMITTED UNDER SECTION 8517
9 (RELATING TO LOCAL REGULATION), THE DEPARTMENT SHALL HAVE
10 GENERAL AND SOLE REGULATORY AUTHORITY OVER THE OPERATION OF
11 PERSONAL DELIVERY DEVICES AND AUTHORIZED ENTITIES AS DESCRIBED
12 IN THIS SUBCHAPTER TO ENSURE THE SAFE OPERATION OF PERSONAL
13 DELIVERY DEVICES ON ROADWAYS, OR SHOULDERS OR BERMS OF ROADWAYS,
14 AND IN PEDESTRIAN AREAS.

15 (B) SPECIFIC POWERS AND DUTIES.--THE DEPARTMENT SHALL HAVE
16 THE FOLLOWING SPECIFIC POWERS AND DUTIES:

17 (1) TO ISSUE, APPROVE, RENEW, REVOKE, SUSPEND, CONDITION
18 OR DENY ISSUANCE OR RENEWAL OF PDD AUTHORIZATIONS.

19 (2) BY ORDER OF THE SECRETARY, TO PROHIBIT THE USE OF A
20 PERSONAL DELIVERY DEVICE ON ANY ROADWAY, OR SHOULDER OR BERM
21 OF A ROADWAY, UNDER THE JURISDICTION OF THE DEPARTMENT WHERE
22 THE SECRETARY DETERMINES THAT THE OPERATION OF THE PERSONAL
23 DELIVERY DEVICE WOULD CONSTITUTE A HAZARD.

24 (3) TO DISPLAY, ON THE DEPARTMENT'S PUBLICLY ACCESSIBLE
25 INTERNET WEBSITE, THE FOLLOWING:

26 (I) A LIST OF AUTHORIZED ENTITIES THAT INCLUDES THE
27 AUTHORIZED OPERATIONAL PHASE OF EACH AUTHORIZED ENTITY.

28 (II) ANY ORDER ISSUED BY THE SECRETARY UNDER THIS
29 SUBCHAPTER.

30 (III) POLICIES OR GUIDELINES ISSUED BY THE

1 DEPARTMENT CONSISTENT WITH THIS SUBCHAPTER.

2 (4) TO REQUIRE AN AUTHORIZED ENTITY TO SELF-REPORT TO
3 THE DEPARTMENT AND THE LAW ENFORCEMENT AGENCY OF THE
4 MUNICIPALITY GOVERNING THE RIGHT-OF-WAY CONTAINING THE
5 PEDESTRIAN AREA OR ROADWAY, OR SHOULDER OR BERM OF THE
6 ROADWAY, AN ACCIDENT INVOLVING ANY OF THE AUTHORIZED ENTITY'S
7 PERSONAL DELIVERY DEVICES THAT RESULTED IN BODILY INJURY, <--
8 DEATH OR DAMAGE TO PROPERTY WITHIN 24 HOURS OF THE ACCIDENT.

9 (5) TO ESTABLISH POLICIES OR GUIDELINES CONSISTENT WITH
10 THIS SUBCHAPTER.

11 § 8514. APPLICATION.

12 (A) APPLICATION.--AN APPLICATION FOR A PDD AUTHORIZATION OR
13 RENEWAL APPLICATION FOR A PDD AUTHORIZATION SHALL BE ON A FORM
14 AND SUBMITTED IN A MANNER AS DETERMINED BY THE DEPARTMENT.

15 (B) CONTENTS OF APPLICATION.--AN APPLICATION SUBMITTED TO
16 THE DEPARTMENT UNDER SUBSECTION (A) SHALL INCLUDE THE FOLLOWING:

17 (1) NAME, ADDRESS AND CONTACT INFORMATION OF THE
18 APPLICANT.

19 (2) A GENERAL OPERATIONAL PLAN THAT INCLUDES, BUT IS NOT
20 LIMITED TO, THE FOLLOWING:

21 (I) THE MUNICIPALITIES IN WHICH THE APPLICANT
22 INTENDS TO OPERATE PERSONAL DELIVERY DEVICES.

23 (II) THE ANTICIPATED HIGHWAYS AND PEDESTRIAN AREAS
24 THAT THE APPLICANT'S PERSONAL DELIVERY DEVICES WILL BE
25 UTILIZED TO TRANSPORT GOODS AND CARGO.

26 (III) A DESCRIPTION OF THE TRAINING PROCEDURES FOR
27 PDD OPERATORS.

28 (IV) THE MANUFACTURER AND MODEL OF PERSONAL DELIVERY
29 DEVICES THE APPLICANT INTENDS TO DEPLOY.

30 (V) A DESCRIPTION OF HOW A POLICE OFFICER OR OTHER

1 EMERGENCY RESPONDER MAY STOP OR DISABLE A PDD OPERATED BY
2 THE APPLICANT.

3 (VI) A DESCRIPTION OF THE CARGO OR GOODS THE
4 APPLICANT INTENDS TO TRANSPORT.

5 (VII) A PROPOSED SCHEDULE FOR SAFETY AND MAINTENANCE
6 INSPECTIONS OF PDDS.

7 (VIII) INFORMATION REGARDING THE OPERATIONAL PHASES
8 IN WHICH THE APPLICANT'S PERSONAL DELIVERY DEVICES ARE
9 CAPABLE OF OPERATING.

10 (3) ANY INFORMATION OR RECORDS DEEMED REASONABLY
11 NECESSARY TO AID THE DEPARTMENT'S REVIEW OF THE SUBMITTED
12 APPLICATION AND FOR THE ADMINISTRATION, ENFORCEMENT AND
13 ONGOING COMPLIANCE WITH THIS SUBCHAPTER.

14 (4) PROOF OF INSURANCE AS REQUIRED UNDER SECTION 8519
15 (RELATING TO INSURANCE AND LIABILITY). <--

16 (5) AN ATTESTATION THAT THE APPLICANT WILL TEMPORARILY
17 CEASE OR RESTRICT THE OPERATION OF PDDS DUE TO A WEATHER
18 EMERGENCY OR OTHER HAZARDOUS EVENT IDENTIFIED BY THE
19 DEPARTMENT OR A MUNICIPALITY.

20 (6) THE DETAILS OF AN EDUCATIONAL CAMPAIGN TO BE
21 EMPLOYED BY THE APPLICANT TO EDUCATE AND BRING AWARENESS OF
22 PDDS TO MUNICIPALITIES, MOTORISTS AND THE GENERAL PUBLIC.

23 (7) INFORMATION REGARDING THE APPLICANT'S ACCIDENT
24 PROCEDURE IN THE EVENT OF AN ACCIDENT INVOLVING INJURY TO A
25 PERSON OR DAMAGE TO PROPERTY OR AN ACCIDENT CAUSING DAMAGE TO
26 THE PERSONAL DELIVERY DEVICE. THE PROCEDURE SHALL INCLUDE:

27 (I) DUTIES OF THE APPLICANT AND ITS PDD OPERATORS
28 WITH RESPECT TO CLEARING REMOVING THE PDD OR ACCIDENT <--
29 DEBRIS FROM ROADWAYS, OR SHOULDERS OR BERMS OF A ROADWAY,
30 AND PEDESTRIAN AREAS OF THE PERSONAL DELIVERY DEVICE SO

1 AS NOT TO IMPEDE TRAFFIC OR PEDESTRIANS IN THE EVENT THAT
2 THE PERSONAL DELIVERY DEVICE IS RENDERED INOPERABLE OR
3 DAMAGED TO THE EXTENT IT CANNOT BE SAFELY OPERATED;

4 (II) THE PROCESS WHERE THE APPLICANT WILL EXCHANGE,
5 IF NECESSARY, INSURANCE INFORMATION TO ALL PARTIES
6 INVOLVED IN THE ACCIDENT WITHIN 24 HOURS OF THE ACCIDENT;
7 AND

8 (III) THE SAFETY INSPECTION AND MAINTENANCE
9 PROTOCOLS FOR PERSONAL DELIVERY DEVICES DAMAGED IN AN
10 ACCIDENT.

11 (8) A LIST OF UNIQUE IDENTIFICATION NUMBERS ASSIGNED TO
12 EACH OF THE APPLICANT'S PERSONAL DELIVERY DEVICES, WHICH
13 SHALL BE UPDATED PRIOR TO AN AUTHORIZED ENTITY OPERATING A
14 PDD NOT LISTED IN THE APPLICATION.

15 (9) IF THE APPLICATION IS A RENEWAL APPLICATION, THE
16 FOLLOWING INFORMATION:

17 (I) THE TOTAL NUMBER OF TRIPS EACH PERSONAL DELIVERY
18 DEVICE PERFORMED WITHIN THE PREVIOUS 12 MONTHS; AND

19 (II) A LIST OF ACCIDENTS RESULTING IN PERSONAL
20 INJURY OR PROPERTY DAMAGE AND ANY VIOLATIONS OF THIS
21 SUBCHAPTER ISSUED TO THE AUTHORIZED ENTITY FOR A PERSONAL
22 DELIVERY DEVICE OPERATED BY THE AUTHORIZED ENTITY WITHIN
23 THIS COMMONWEALTH IN THE PREVIOUS 12 MONTHS.

24 § 8515. AUTHORIZATION ISSUANCE AND RENEWAL.

25 (A) REVIEW OF APPLICATIONS AND ISSUANCE.--THE DEPARTMENT
26 SHALL REVIEW ALL APPLICATIONS FOR A PDD AUTHORIZATION AND
27 APPLICATIONS FOR THE RENEWAL OF A PDD AUTHORIZATION AND MAY
28 ISSUE AN AUTHORIZATION TO OR RENEW THE AUTHORIZATION OF ANY
29 APPLICANT THAT:

30 (1) HAS SUBMITTED A COMPLETED APPLICATION;

1 (2) HAS THE ABILITY TO COMPLY WITH THE PROVISIONS OF
2 THIS SUBCHAPTER; AND

3 (3) HAS NOT KNOWINGLY MADE A FALSE STATEMENT OF MATERIAL
4 FACT IN THE APPLICATION OR HAS NOT DELIBERATELY FAILED TO
5 DISCLOSE ANY INFORMATION REQUESTED BY THE DEPARTMENT.

6 (B) AUTHORIZATION PERIOD AND RENEWAL.--

7 (1) A PDD AUTHORIZATION ISSUED UNDER THIS SUBCHAPTER
8 SHALL BE VALID FOR A PERIOD OF ONE YEAR.

9 (2) IF THE PDD APPLICATION IS NOT APPROVED BY THE
10 DEPARTMENT WITHIN 30 DAYS AFTER RECEIPT OF THE APPLICATION,
11 THE APPLICATION SHALL BE DEEMED APPROVED.

12 (3) AN APPLICATION FOR THE RENEWAL OF A PDD
13 AUTHORIZATION SHALL BE SUBMITTED AT LEAST 45 DAYS PRIOR TO
14 THE EXPIRATION OF THE PDD AUTHORIZATION AND INCLUDE AN UPDATE
15 OF THE INFORMATION CONTAINED IN THE INITIAL APPLICATION FOR
16 THE PDD AUTHORIZATION. A PDD AUTHORIZATION FOR WHICH A
17 COMPLETED RENEWAL APPLICATION HAS BEEN RECEIVED BY THE
18 DEPARTMENT SHALL CONTINUE IN EFFECT UNLESS THE DEPARTMENT
19 SENDS A WRITTEN NOTIFICATION TO THE AUTHORIZED ENTITY THAT
20 THE DEPARTMENT HAS DENIED THE RENEWAL OF THE PDD
21 AUTHORIZATION.

22 (C) DUTY OF AUTHORIZED ENTITIES.--AN AUTHORIZED ENTITY SHALL
23 HAVE AN ONGOING DUTY TO PROVIDE ANY INFORMATION OR RECORDS THAT
24 MAY BE REQUIRED BY THE DEPARTMENT AND IS REASONABLY NECESSARY
25 FOR THE ADMINISTRATION AND ENFORCEMENT OF THIS SUBCHAPTER.

26 (D) APPLICABILITY.--EXCEPT AS PROVIDED IN SUBSECTION (E),
27 THE FOLLOWING SHALL NOT BE SUBJECT TO THE ACT OF FEBRUARY 14,
28 2008 (P.L.6, NO.3), KNOWN AS THE RIGHT-TO-KNOW LAW:

29 (1) INFORMATION CONTAINED IN AN APPLICATION FOR A PDD
30 AUTHORIZATION OR RENEWAL APPLICATION SUBMITTED TO THE

1 DEPARTMENT BY AN APPLICANT UNDER THIS SECTION OR SECTION 8514
2 (RELATING TO APPLICATION).

3 (2) ADDITIONAL INFORMATION REQUESTED BY THE DEPARTMENT
4 AND SUBMITTED BY AN APPLICANT AS PART OF THE REVIEW OF THE
5 APPLICANT'S APPLICATION FOR A PDD AUTHORIZATION OR RENEWAL
6 APPLICATION UNDER THIS SECTION OR SECTION 8514.

7 (3) INFORMATION AND RECORDS SUBMITTED BY AN AUTHORIZED
8 ENTITY TO THE DEPARTMENT UNDER THIS SECTION OR SECTION 8514.

9 (E) APPLICABILITY EXCEPTION.--SUBSECTION (D) SHALL NOT APPLY
10 TO THE FOLLOWING:

11 (1) INFORMATION OR RECORDS SUBMITTED TO THE DEPARTMENT
12 UNDER SECTION 8514(B) (2) (I), (II) OR (IV), (4), (8) OR (9)
13 (II).

14 (2) INFORMATION OR RECORDS REQUIRED TO BE POSTED ON THE
15 DEPARTMENT'S PUBLICLY ACCESSIBLE INTERNET WEBSITE UNDER
16 SECTION 8513 (B) (3) (II) (RELATING TO POWERS OF DEPARTMENT).
17 § 8516. OPERATION.

18 (A) OPERATIONAL PHASES.--THE FOLLOWING SHALL APPLY:

19 (1) UPON EXCEPT AS PERMITTED UNDER SUBPARAGRAPH (III), <--
20 UPON THE INITIAL ISSUANCE OF A PDD AUTHORIZATION, AN
21 AUTHORIZED ENTITY SHALL BE LIMITED TO PHASE 1 OPERATION TO
22 DEMONSTRATE SAFE OPERATION OF PERSONAL DELIVERY DEVICES BY
23 THE AUTHORIZED ENTITY AND ITS PDD OPERATORS, SUBJECT TO THE
24 FOLLOWING:

25 (I) EXCEPT AS PERMITTED UNDER SUBPARAGRAPH (II), THE
26 DEPARTMENT MAY NOT LIMIT AN AUTHORIZED ENTITY TO PHASE 1
27 OPERATION FOR LESS THAN 90 DAYS AND NOT MORE THAN 180
28 DAYS FROM THE DATE THE PDD AUTHORIZATION WAS ISSUED, OR
29 LESS THAN 90 DAYS AND NOT MORE THAN 180 DAYS FROM THE
30 DATE THE AUTHORIZED ENTITY'S PHASE 2 OPERATION WAS

1 REVOKED BY THE DEPARTMENT, WHICHEVER IS APPLICABLE.

2 (II) THE DEPARTMENT MAY LIMIT AN AUTHORIZED ENTITY
3 TO PHASE 1 OPERATION FOR LESS THAN 90 DAYS OR MORE THAN
4 180 DAYS FROM THE DATE THE PDD AUTHORIZATION WAS ISSUED,
5 OR LESS THAN 90 DAYS AND NOT MORE THAN 180 DAYS FROM THE
6 DATE THE AUTHORIZED ENTITY'S PHASE 2 OPERATION WAS
7 REVOKED BY THE DEPARTMENT, WHICHEVER IS APPLICABLE, IF
8 AGREED TO BY THE AUTHORIZED ENTITY.

9 (III) THE DEPARTMENT MAY EXEMPT AN AUTHORIZED ENTITY <--
10 FROM PHASE 1 OPERATIONS UPON INITIAL ISSUANCE OF A PDD
11 AUTHORIZATION IF THE AUTHORIZED ENTITY CAN CERTIFY, TO
12 THE DEPARTMENT'S SATISFACTION, SAFE PDD OPERATIONS IN THE
13 COMMONWEALTH OR OTHER JURISDICTIONS.

14 (2) THE DEPARTMENT MAY AUTHORIZE, IN WRITING, AN
15 AUTHORIZED ENTITY TO OPERATE PERSONAL DELIVERY DEVICES UNDER
16 PHASE 2 IF THE AUTHORIZED ENTITY AND ITS PDD OPERATORS HAVE
17 DEMONSTRATED THE SAFE OPERATION OF PERSONAL DELIVERY DEVICES
18 UNDER PHASE 1 AND THE DEPARTMENT HAS DETERMINED THE
19 AUTHORIZED ENTITY'S PERSONAL DELIVERY DEVICES CAN BE OPERATED
20 SAFELY UNDER PHASE 2 AND IN ACCORDANCE WITH THIS SUBCHAPTER.

21 (3) FOLLOWING NOTICE AND AN OPPORTUNITY FOR AN
22 ADMINISTRATIVE HEARING, THE DEPARTMENT MAY REVOKE, IN
23 WRITING, AN AUTHORIZED ENTITY'S PHASE 2 AUTHORIZATION AND
24 CHANGE THE AUTHORIZED ENTITY'S AUTHORIZED OPERATIONAL PHASE
25 IF THE DEPARTMENT DETERMINES THE REVOCATION AND CHANGE IS
26 NECESSARY TO ENSURE PUBLIC SAFETY AND COMPLIANCE WITH THIS
27 SUBCHAPTER.

28 (B) GENERAL OPERATION REQUIREMENT.--EXCEPT AS TO SPECIAL
29 OPERATION REQUIREMENTS IN SUBSECTION (C), AN AUTHORIZED ENTITY
30 AND ITS PDD OPERATORS SHALL OPERATE PERSONAL DELIVERY DEVICES IN

1 ACCORDANCE WITH THE PROVISIONS OF CHAPTER 35 (RELATING TO
2 SPECIAL VEHICLES AND PEDESTRIANS) APPLICABLE TO PEDESTRIANS.

3 (C) ADDITIONAL OPERATION REQUIREMENTS.--AN AUTHORIZED ENTITY
4 AND ITS PDD OPERATORS WHEN OPERATING A PERSONAL DELIVERY DEVICE
5 SHALL:

6 (1) ONLY OPERATE A PERSONAL DELIVERY DEVICE ACCORDING TO
7 THE OPERATIONAL PHASE FOR WHICH THE AUTHORIZED ENTITY HAS
8 BEEN AUTHORIZED BY THE DEPARTMENT;

9 (2) UTILIZE A PEDESTRIAN AREA WHEN CROSSING A ROADWAY
10 AND, IF A PEDESTRIAN AREA IS NOT AVAILABLE OR NOT
11 PRACTICABLE, ONLY CROSS THE ROADWAY ACCORDING TO POLICIES OR
12 GUIDELINES ESTABLISHED BY THE DEPARTMENT;

13 (3) BE PROHIBITED FROM MAKING A LEFT TURN ACROSS ONE OR
14 MORE LANES OF ONCOMING TRAFFIC ON A ROADWAY UNTIL OR UNLESS
15 GUIDELINES OR POLICIES ARE ESTABLISHED BY THE DEPARTMENT;

16 (4) UTILIZE THE SHOULDER OR BERM OF A ROADWAY AS FAR AS
17 PRACTICABLE FROM THE EDGE OF THE ROADWAY WHENEVER A SHOULDER
18 OR BERM IS AVAILABLE AND ITS USE IS PRACTICABLE;

19 (5) WHERE A SHOULDER OR BERM OF A ROADWAY IS NOT
20 AVAILABLE OR ITS USE IS NOT PRACTICABLE, UTILIZE A PEDESTRIAN
21 AREA, IF AVAILABLE;

22 (6) WHERE NEITHER A PEDESTRIAN AREA NOR A SHOULDER OR
23 BERM OF A ROADWAY IS AVAILABLE, OPERATE THE PERSONAL DELIVERY
24 DEVICE AS NEAR AS PRACTICABLE TO THE OUTSIDE EDGE OF THE
25 ROADWAY;

26 (7) YIELD THE RIGHT-OF-WAY, OR SAFELY NAVIGATE AROUND, <--
27 TO ALL PEDESTRIANS AND PEDALCYCLISTS IN A PEDESTRIAN AREA;

28 (8) NOT TRANSPORT HAZARDOUS MATERIALS REGULATED UNDER 49
29 U.S.C. § 5103 (RELATING TO GENERAL REGULATORY AUTHORITY) AND
30 REQUIRED TO BE PLACARDED UNDER 49 CFR PT. 172 SUBPT.

1 F (RELATING TO PLACARDING) ;

2 (9) WHEN TRAVELING ON A ROADWAY, OR SHOULDER OR BERM OF
3 A ROADWAY, OPERATE THE PERSONAL DELIVERY DEVICE IN THE SAME
4 DIRECTION AS REQUIRED OF OTHER VEHICLES OPERATED ON THE
5 ROADWAY;

6 (10) NOT EXCEED SPEED LIMITS CONTAINED IN SUBSECTION
7 (D);

8 (11) NOT OPERATE ON A ROADWAY, OR SHOULDER OR BERM OF A
9 ROADWAY, UNDER THE JURISDICTION OF THE DEPARTMENT WHERE THE
10 SECRETARY, BY ORDER, HAS DETERMINED THE OPERATION TO BE
11 HAZARDOUS;

12 (12) NOT OPERATE ON A ROADWAY, OR SHOULDER OR BERM OF A
13 ROADWAY, UNDER THE JURISDICTION OF THE DEPARTMENT WHERE THE
14 POSTED SPEED LIMIT IS GREATER THAN 25 MILES PER HOUR, EXCEPT
15 AS PERMITTED IN SUBSECTION (E);

16 (13) NOT OPERATE ON A LOCAL ROADWAY, OR SHOULDER OR BERM
17 OF A LOCAL ROADWAY, UNDER THE JURISDICTION OF A MUNICIPALITY
18 WHERE THE POSTED SPEED LIMIT IS GREATER THAN 25 MILES PER
19 HOURLY, EXCEPT AS PERMITTED IN SECTION 8517 (RELATING TO LOCAL
20 REGULATION);

21 (14) NOT OPERATE ON AN INTERSTATE HIGHWAY OR FREEWAY;

22 (15) COMPLY WITH ORDINANCES OR RESOLUTIONS ADOPTED BY
23 LOCAL AUTHORITIES UNDER SECTION 8517;

24 (16) ONLY OPERATE PERSONAL DELIVERY DEVICES THAT COMPLY
25 WITH EQUIPMENT STANDARDS ESTABLISHED UNDER SECTION 8518
26 (RELATING TO EQUIPMENT); AND

27 (17) COMPLY WITH ANY OTHER POLICIES OR GUIDELINES
28 ESTABLISHED BY THE DEPARTMENT CONSISTENT WITH THIS
29 SUBCHAPTER.

30 (D) SPEED LIMIT.--A PERSONAL DELIVERY DEVICE MAY NOT EXCEED

1 12 MILES PER HOUR IN A PEDESTRIAN AREA AND MAY NOT EXCEED 25
2 MILES PER HOUR ON A ROADWAY, OR SHOULDER OR BERM OF A ROADWAY.

3 (E) EXCEPTION.--THE DEPARTMENT MAY, BY ORDER OF THE
4 SECRETARY, PERMIT THE USE OF A PERSONAL DELIVERY DEVICE UPON A
5 ROADWAY, OR SHOULDER OR BERM OF A ROADWAY, UNDER THE
6 JURISDICTION OF THE DEPARTMENT WHERE THE POSTED SPEED LIMIT IS
7 GREATER THAN 25 MILES PER HOUR BUT NOT GREATER THAN 35 MILES PER
8 HOUR.

9 (F) PDD OPERATOR REQUIREMENT.--NO PDD OPERATOR MAY OPERATE A
10 PERSONAL DELIVERY DEVICE ON BEHALF OF AN AUTHORIZED ENTITY
11 UNLESS THE INDIVIDUAL POSSESSES A VALID DRIVER'S LICENSE FROM A
12 LICENSING AUTHORITY IN THE UNITED STATES. THE DEPARTMENT MAY NOT
13 IMPOSE ANY ADDITIONAL LICENSING REQUIREMENTS OR ADDITIONAL
14 AUTHORIZATION REQUIREMENTS ON A PDD OPERATOR.
15 § 8517. LOCAL REGULATION.

16 (A) AUTHORIZATION.--A MUNICIPALITY MAY, BY ORDINANCE OR
17 RESOLUTION, DO THE FOLLOWING:

18 (1) PERMIT THE USE OF A PERSONAL DELIVERY DEVICE ON A
19 ROADWAY, OR SHOULDER OR BERM OF A ROADWAY, UNDER THE
20 JURISDICTION OF THE MUNICIPALITY WHERE THE POSTED SPEED LIMIT
21 IS GREATER THAN 25 MILES PER HOUR BUT NOT GREATER THAN 35
22 MILES PER HOUR.

23 (2) PROHIBIT THE USE OF A PERSONAL DELIVERY DEVICE ON
24 ANY ROADWAY, OR SHOULDER OR BERM OF A ROADWAY, OR PEDESTRIAN
25 AREA UNDER THE JURISDICTION OF THE MUNICIPALITY WHERE THE
26 MUNICIPALITY, AFTER CONSULTATION WITH THE AUTHORIZED ENTITY,
27 DETERMINES THAT THE OPERATION OF THE PERSONAL DELIVERY DEVICE
28 WOULD CONSTITUTE A HAZARD.

29 (B) PROHIBITION.--EXCEPT AS PROVIDED IN SUBSECTION (A), A
30 MUNICIPALITY MAY NOT REGULATE THE OPERATION OF A PERSONAL

1 DELIVERY DEVICE OPERATED IN A PEDESTRIAN AREA, ROADWAY, OR
2 SHOULDER OR BERM OF A ROADWAY, UNDER THE JURISDICTION OF THE
3 MUNICIPALITY.

4 (C) CONSTRUCTION.--

5 (1) NOTHING IN THIS SECTION MAY BE CONSTRUED TO AFFECT
6 THE ABILITY OF A MUNICIPALITY TO ENFORCE ANY LAW, RULE OR
7 REGULATION AS IT RELATES TO THE OPERATION OF A PERSONAL
8 DELIVERY DEVICE IN THIS COMMONWEALTH.

9 (2) NOTHING IN SUBSECTION (A) MAY BE CONSTRUED TO PERMIT
10 A MUNICIPALITY TO AUTHORIZE THE USE OF A PERSONAL DELIVERY
11 DEVICE ON A ROADWAY, OR SHOULDER OR BERM OF A ROADWAY, UNDER
12 THE JURISDICTION OF THE MUNICIPALITY IN A MANNER THAT
13 CONFLICTS WITH THE OPERATION REQUIREMENTS CONTAINED IN
14 SECTION 8516 (RELATING TO OPERATION).

15 (D) NOTICE REQUIRED.--AN AUTHORIZED ENTITY SHALL NOTIFY THE
16 GOVERNING BODY OF THE MUNICIPALITY OF THE AUTHORIZED ENTITY'S
17 INTENT TO OPERATE PERSONAL DELIVERY DEVICES WITHIN THE
18 MUNICIPALITY NO LESS THAN 30 DAYS PRIOR TO THE DATE ON WHICH THE
19 AUTHORIZED ENTITY COMMENCES PDD OPERATIONS WITHIN THE
20 MUNICIPALITY.

21 § 8518. EQUIPMENT.

22 (A) PROHIBITION.--NO AUTHORIZED ENTITY MAY OPERATE A
23 PERSONAL DELIVERY DEVICE ON A ROADWAY, OR SHOULDER OR BERM OF A
24 ROADWAY, OR PEDESTRIAN AREA THAT DOES NOT MEET THE REQUIREMENTS
25 OF THIS SECTION.

26 (B) MINIMUM EQUIPMENT STANDARDS.--A PDD OPERATED BY AN
27 AUTHORIZED ENTITY SHALL:

- 28 (1) HAVE A MAXIMUM WIDTH OF 32 INCHES;
29 (2) HAVE A MAXIMUM LENGTH OF 42 INCHES;
30 (3) HAVE A MAXIMUM HEIGHT OF 72 INCHES;

1 (4) BE EQUIPPED WITH A BRAKING SYSTEM THAT BRINGS THE
2 PDD TO A COMPLETE STOP FROM AN INITIAL SPEED OF 25 MILES AN
3 HOOR OR LESS.

4 (5) BE EQUIPPED WITH A LAMP THAT EMITS A BEAM OF WHITE
5 LIGHT INTENDED TO ILLUMINATE THE PERSONAL DELIVERY DEVICE'S
6 PATH AND IS VISIBLE FROM A DISTANCE OF AT LEAST 500 FEET TO
7 THE FRONT AND A LAMP EMITTING A RED FLASHING LIGHT, LIGHT-
8 EMITTING DIODE OR DEVICE VISIBLE FROM A DISTANCE OF 500 FEET
9 TO THE REAR. AN AUTHORIZED ENTITY MAY SUPPLEMENT THE REQUIRED
10 FRONT LAMP WITH A WHITE FLASHING LAMP, LIGHT-EMITTING DIODE
11 OR SIMILAR DEVICE TO ENHANCE ITS VISIBILITY TO OTHER TRAFFIC.

12 (6) BE EQUIPPED WITH SOFTWARE, EQUIPMENT OR TECHNOLOGIES
13 TO COMPLY WITH SECTION 8514(B)(2)(V) (RELATING TO
14 APPLICATION).

15 (C) IDENTIFYING MARKINGS.--A PERSONAL DELIVERY DEVICE SHALL
16 PROMINENTLY DISPLAY, IN A SIZE AND MANNER DETERMINED BY THE
17 DEPARTMENT, THE FOLLOWING INFORMATION:

18 (1) THE NAME OF THE AUTHORIZED ENTITY.

19 (2) THE UNIQUE IDENTIFICATION NUMBER ASSIGNED TO THE PDD
20 AND SUBMITTED TO THE DEPARTMENT UNDER SECTION 8514(B)(8).

21 (3) A TELEPHONE NUMBER OF THE AUTHORIZED ENTITY TO
22 REPORT A VIOLATION OF THIS TITLE, ACCIDENT OR INSURANCE
23 CLAIM.

24 § 8519. INSURANCE AND LIABILITY. <--

25 (A) REQUIRED COVERAGE.--AN AUTHORIZED ENTITY SHALL MAINTAIN <--
26 AN INSURANCE POLICY THAT INCLUDES GENERAL LIABILITY COVERAGE OF
27 NOT LESS THAN \$100,000 PER INCIDENT FOR DAMAGES ARISING FROM THE
28 OPERATION OF THE PERSONAL DELIVERY DEVICE.

29 (B) SOVEREIGN IMMUNITY AND GOVERNMENTAL IMMUNITY.-- <--
30 COMMONWEALTH AGENCIES AND MUNICIPALITIES SHALL HAVE NO DUTY TO

1 MAKE STREETS, HIGHWAYS OR REAL ESTATE SAFE FOR USE BY PERSONAL
2 DELIVERY DEVICES. COMMONWEALTH AGENCIES AND MUNICIPALITIES SHALL
3 BE IMMUNE FROM SUIT BY AUTHORIZED ENTITIES AND OWNERS OF CARGO
4 AND OTHER ITEMS CARRIED ON OR WITHIN A PERSONAL DELIVERY DEVICE
5 FOR PROPERTY DAMAGES.

6 § 8520. ENFORCEMENT.

7 (A) ~~SUSPENSION OR REVOCATION~~ REVOCATION OF AUTHORIZATION.-- <--
8 FOLLOWING NOTICE AND AN OPPORTUNITY FOR AN ADMINISTRATIVE
9 HEARING, THE DEPARTMENT MAY ~~SUSPEND OR~~ REVOKE A PDD <--
10 AUTHORIZATION WHERE A KNOWING AND WILLFUL VIOLATION OF THIS
11 SUBCHAPTER OCCURRED THAT RESULTED IN DEATH, SERIOUS BODILY
12 INJURY OR PROPERTY DAMAGE OR WHEN THE AUTHORIZED ENTITY HAS
13 DEMONSTRATED AN INABILITY TO OPERATE SAFELY IN ACCORDANCE WITH
14 THIS SUBCHAPTER.

15 (B) APPEAL.--AN AUTHORIZED ENTITY SHALL HAVE THE RIGHT TO
16 APPEAL PDD AUTHORIZATION SUSPENSIONS OR REVOCATIONS IN
17 ACCORDANCE WITH 2 PA.C.S. CHS. 5 SUBCH. A (RELATING TO PRACTICE
18 AND PROCEDURE OF COMMONWEALTH AGENCIES) AND 7 SUBCH. A (RELATING
19 TO JUDICIAL REVIEW OF COMMONWEALTH AGENCY ACTION).

20 (C) PROHIBITION.--THE DEPARTMENT MAY NOT SUSPEND OR REVOKE
21 THE PDD AUTHORIZATION OF AN AUTHORIZED ENTITY THAT SELF-REPORTS
22 AN ACCIDENT INVOLVING THE AUTHORIZED ENTITY'S PERSONAL DELIVERY
23 DEVICES AS REQUIRED BY SECTION 8513(B)(4) (RELATING TO POWERS OF
24 THE DEPARTMENT) WHERE THE ACCIDENT WAS NOT THE FAULT OF THE
25 AUTHORIZED ENTITY OR THE AUTHORIZED ENTITY'S PDD OPERATOR.
26 § 8521. CRIMINAL PENALTIES.

27 (A) PENALTY.--EXCEPT AS PROVIDED FOR IN SUBSECTIONS (B) AND
28 (C), AN AUTHORIZED ENTITY THAT VIOLATES A PROVISION OF THIS
29 SUBCHAPTER SHALL BE GUILTY OF A SUMMARY OFFENSE AND SHALL, UPON
30 CONVICTION, BE SENTENCED TO PAY A FINE OF NOT LESS THAN \$25 AND

1 NO MORE THAN \$1,000.

2 (B) UNAUTHORIZED OPERATION.--EXCEPT AS PROVIDED FOR IN
3 SUBSECTION (C), A PERSON THAT VIOLATES SECTION 8512 (RELATING TO
4 GENERAL PROHIBITION) SHALL BE GUILTY OF A MISDEMEANOR OF THE <--
5 THIRD DEGREE SUMMARY OFFENSE AND SHALL, UPON CONVICTION, BE <--
6 SENTENCED TO PAY A FINE OF NOT LESS THAN \$500.

7 (C) SUSPENDED OR REVOKED AUTHORIZATION.--A PERSON THAT
8 KNOWINGLY VIOLATES SECTION 8512 AND WHOSE AUTHORIZATION WAS
9 SUSPENDED OR REVOKED BY THE DEPARTMENT SHALL BE GUILTY OF A
10 MISDEMEANOR OF THE THIRD DEGREE SUMMARY OFFENSE AND SHALL, UPON <--
11 CONVICTION, BE SENTENCED TO PAY A FINE OF NOT LESS THAN \$1,000.
12 § 8522. APPLICATION OF TITLE.

13 (A) APPLICABILITY.--THE REGULATION OF PERSONAL DELIVERY
14 DEVICES AND AUTHORIZED ENTITIES SHALL BE GOVERNED EXCLUSIVELY BY
15 THIS SUBCHAPTER OR AN ORDINANCE OR RESOLUTION ADOPTED BY A
16 MUNICIPALITY UNDER SECTION 8517 (RELATING TO LOCAL REGULATION).

17 (B) EXEMPTION.--A PERSONAL DELIVERY DEVICE SHALL NOT BE
18 CONSIDERED A VEHICLE OR A MOTOR VEHICLE UNDER SECTION 102
19 (RELATING TO DEFINITIONS).

20 SECTION 7 5. THIS ACT SHALL TAKE EFFECT IN 90 DAYS. <--