

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 REPORTED FROM COMMITTEE ON TRANSPORTATION, HOUSE OF REPRESENTATIVES, AS AMENDED, SEPTEMBER 17, 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 OPERATION, OR BOTH; AND

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

26 * * *

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

29 SUBCHAPTER A

30 PRELIMINARY PROVISIONS

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

3 § 8501. DEFINITIONS.

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

7 * * *

8 "AUTHORIZED ENTITY". A PERSON HOLDING A PDD AUTHORIZATION.

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

11 SUBCHAPTER B
12 HIGHLY AUTOMATED VEHICLES

13 SECTION 5. SECTION 8503 (H) TITLE 75 IS AMENDED AND
14 SUBSECTION (B) (9) IS AMENDED BY ADDING A SUBPARAGRAPH TO READ:
15 § 8503. HIGHLY AUTOMATED VEHICLE ADVISORY COMMITTEE.

16 * * *

17 (B) COMPOSITION.--THE ADVISORY COMMITTEE SHALL CONSIST OF
18 THE FOLLOWING MEMBERS:

19 * * *

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

22 * * *

23 (XI) ONE MEMBER REPRESENTING AN AUTHORIZED ENTITY.

24 * * *

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

30 (1) DEVELOPING TECHNICAL GUIDANCE.

- 1 (2) EVALUATING BEST PRACTICES.
2 (3) REVIEWING EXISTING LAWS, REGULATIONS AND POLICIES.
3 (4) ENGAGING IN CONTINUED RESEARCH AND EVALUATION OF
4 CONNECTED AND AUTOMATED SYSTEMS TECHNOLOGY NECESSARY TO
5 ENSURE SAFE TESTING, DEPLOYMENT AND CONTINUED INNOVATION IN
6 THIS COMMONWEALTH.

7 * * *

8 SECTION 6. CHAPTER 85 OF TITLE 75 IS AMENDED BY ADDING A
9 SUBCHAPTER TO READ:

10 SUBCHAPTER C

11 PERSONAL DELIVERY DEVICES

12 SEC.

13 8511. DEFINITIONS.

14 8512. GENERAL PROHIBITION.

15 8513. POWERS OF DEPARTMENT.

16 8514. APPLICATION.

17 8515. AUTHORIZATION ISSUANCE AND RENEWAL.

18 8516. OPERATION.

19 8517. LOCAL REGULATION.

20 8518. EQUIPMENT.

21 8519. INSURANCE.

22 8520. ENFORCEMENT.

23 8521. CRIMINAL PENALTIES.

24 8522. APPLICATION OF TITLE.

25 § 8511. DEFINITIONS.

26 THE FOLLOWING WORDS AND PHRASES WHEN USED IN THIS SUBCHAPTER
27 SHALL HAVE THE MEANINGS GIVEN TO THEM IN THIS SECTION UNLESS THE
28 CONTEXT CLEARLY INDICATES OTHERWISE:

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

30 "OPERATIONAL PHASE." PHASE 1 OR PHASE 2.

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

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

12 "PEDESTRIAN AREA." A SIDEWALK, CROSSWALK, SAFETY ZONE,
13 PEDESTRIAN TUNNEL, OVERHEAD PEDESTRIAN CROSSING OR SIMILAR AREA
14 FOR PEDESTRIANS.

15 "PHASE 1." THE OPERATION OF A PERSONAL DELIVERY DEVICE
16 THROUGH AN AUTOMATED DRIVING SYSTEM BY AN AUTHORIZED ENTITY
17 WHERE THE DEVICE IS CONTROLLED REMOTELY AND A PDD OPERATOR IS
18 WITHIN 30 FEET OF THE PDD AND WITHIN THE LINE OF SIGHT OF THE
19 PDD.

20 "PHASE 2." THE OPERATION OF A PERSONAL DELIVERY DEVICE
21 THROUGH AN AUTOMATED DRIVING SYSTEM BY AN AUTHORIZED ENTITY
22 WHERE THE DEVICE IS MONITORED REMOTELY BY A PDD OPERATOR AND THE
23 AUTOMATED SYSTEM IS CAPABLE OF BEING CONTROLLED AND OVERRIDDEN
24 REMOTELY BY THE PDD OPERATOR.

25 § 8512. GENERAL PROHIBITION.

26 NO PERSON MAY OPERATE A PERSONAL DELIVERY DEVICE ON A
27 ROADWAY, OR SHOULDER OR BERM OF A ROADWAY, OR IN A PEDESTRIAN
28 AREA UNLESS:

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

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

3 § 8513. POWERS OF DEPARTMENT.

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

11 (B) SPECIFIC POWERS AND DUTIES.--THE DEPARTMENT SHALL HAVE
12 THE FOLLOWING SPECIFIC POWERS AND DUTIES:

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

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

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

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

24 (II) ANY ORDER ISSUED BY THE SECRETARY UNDER THIS
25 SUBCHAPTER.

26 (III) POLICIES OR GUIDELINES ISSUED BY THE
27 DEPARTMENT CONSISTENT WITH THIS SUBCHAPTER.

28 (4) TO REQUIRE AN AUTHORIZED ENTITY TO SELF-REPORT TO
29 THE DEPARTMENT AND THE LAW ENFORCEMENT AGENCY OF THE
30 MUNICIPALITY GOVERNING THE RIGHT-OF-WAY CONTAINING THE

1 PEDESTRIAN AREA OR ROADWAY, OR SHOULDER OR BERM OF THE
2 ROADWAY, AN ACCIDENT INVOLVING ANY OF THE AUTHORIZED ENTITY'S
3 PERSONAL DELIVERY DEVICES THAT RESULTED IN BODILY INJURY OR
4 DAMAGE TO PROPERTY WITHIN 24 HOURS OF THE ACCIDENT.

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

7 § 8514. APPLICATION.

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

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

13 (1) NAME, ADDRESS AND CONTACT INFORMATION OF THE
14 APPLICANT.

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

17 (I) THE MUNICIPALITIES IN WHICH THE APPLICANT
18 INTENDS TO OPERATE PERSONAL DELIVERY DEVICES.

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

22 (III) A DESCRIPTION OF THE TRAINING PROCEDURES FOR
23 PDD OPERATORS.

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

26 (V) A DESCRIPTION OF HOW A POLICE OFFICER OR OTHER
27 EMERGENCY RESPONDER MAY STOP OR DISABLE A PDD OPERATED BY
28 THE APPLICANT.

29 (VI) A DESCRIPTION OF THE CARGO OR GOODS THE
30 APPLICANT INTENDS TO TRANSPORT.

1 (VII) A PROPOSED SCHEDULE FOR SAFETY AND MAINTENANCE
2 INSPECTIONS OF PDDS.

3 (VIII) INFORMATION REGARDING THE OPERATIONAL PHASES
4 IN WHICH THE APPLICANT'S PERSONAL DELIVERY DEVICES ARE
5 CAPABLE OF OPERATING.

6 (3) ANY INFORMATION OR RECORDS DEEMED REASONABLY
7 NECESSARY TO AID THE DEPARTMENT'S REVIEW OF THE SUBMITTED
8 APPLICATION AND FOR THE ADMINISTRATION, ENFORCEMENT AND
9 ONGOING COMPLIANCE WITH THIS SUBCHAPTER.

10 (4) PROOF OF INSURANCE AS REQUIRED UNDER SECTION 8519
11 (RELATING TO INSURANCE).

12 (5) AN ATTESTATION THAT THE APPLICANT WILL TEMPORARILY
13 CEASE OR RESTRICT THE OPERATION OF PDDS DUE TO A WEATHER
14 EMERGENCY OR OTHER HAZARDOUS EVENT IDENTIFIED BY THE
15 DEPARTMENT OR A MUNICIPALITY.

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

19 (7) INFORMATION REGARDING THE APPLICANT'S ACCIDENT
20 PROCEDURE IN THE EVENT OF AN ACCIDENT INVOLVING INJURY TO A
21 PERSON OR DAMAGE TO PROPERTY OR AN ACCIDENT CAUSING DAMAGE TO
22 THE PERSONAL DELIVERY DEVICE. THE PROCEDURE SHALL INCLUDE:

23 (I) DUTIES OF THE APPLICANT AND ITS PDD OPERATORS
24 WITH RESPECT TO CLEARING ROADWAYS, OR SHOULDERS OR BERMS
25 OF A ROADWAY, AND PEDESTRIAN AREAS OF THE PERSONAL
26 DELIVERY DEVICE SO AS NOT TO IMPEDE TRAFFIC OR
27 PEDESTRIANS IN THE EVENT THAT THE PERSONAL DELIVERY
28 DEVICE IS RENDERED INOPERABLE OR DAMAGED TO THE EXTENT IT
29 CANNOT BE SAFELY OPERATED;

30 (II) THE PROCESS WHERE THE APPLICANT WILL EXCHANGE,

1 IF NECESSARY, INSURANCE INFORMATION TO ALL PARTIES
2 INVOLVED IN THE ACCIDENT WITHIN 24 HOURS OF THE ACCIDENT;
3 AND

4 (III) THE SAFETY INSPECTION AND MAINTENANCE
5 PROTOCOLS FOR PERSONAL DELIVERY DEVICES DAMAGED IN AN
6 ACCIDENT.

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

11 (9) IF THE APPLICATION IS A RENEWAL APPLICATION, THE
12 FOLLOWING INFORMATION:

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

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

20 § 8515. AUTHORIZATION ISSUANCE AND RENEWAL.

21 (A) REVIEW OF APPLICATIONS AND ISSUANCE.--THE DEPARTMENT
22 SHALL REVIEW ALL APPLICATIONS FOR A PDD AUTHORIZATION AND
23 APPLICATIONS FOR THE RENEWAL OF A PDD AUTHORIZATION AND MAY
24 ISSUE AN AUTHORIZATION TO OR RENEW THE AUTHORIZATION OF ANY
25 APPLICANT THAT:

26 (1) HAS SUBMITTED A COMPLETED APPLICATION;

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

29 (3) HAS NOT KNOWINGLY MADE A FALSE STATEMENT OF MATERIAL
30 FACT IN THE APPLICATION OR HAS NOT DELIBERATELY FAILED TO

1 DISCLOSE ANY INFORMATION REQUESTED BY THE DEPARTMENT.

2 (B) AUTHORIZATION PERIOD AND RENEWAL.--

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

5 (2) IF THE PDD APPLICATION IS NOT APPROVED BY THE
6 DEPARTMENT WITHIN 30 DAYS AFTER RECEIPT OF THE APPLICATION,
7 THE APPLICATION SHALL BE DEEMED APPROVED.

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

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

22 (D) APPLICABILITY.--EXCEPT AS PROVIDED IN SUBSECTION (E),
23 THE FOLLOWING SHALL NOT BE SUBJECT TO THE ACT OF FEBRUARY 14,
24 2008 (P.L.6, NO.3), KNOWN AS THE RIGHT-TO-KNOW LAW:

25 (1) INFORMATION CONTAINED IN AN APPLICATION FOR A PDD
26 AUTHORIZATION OR RENEWAL APPLICATION SUBMITTED TO THE
27 DEPARTMENT BY AN APPLICANT UNDER THIS SECTION OR SECTION 8514
28 (RELATING TO APPLICATION).

29 (2) ADDITIONAL INFORMATION REQUESTED BY THE DEPARTMENT
30 AND SUBMITTED BY AN APPLICANT AS PART OF THE REVIEW OF THE

1 APPLICANT'S APPLICATION FOR A PDD AUTHORIZATION OR RENEWAL
2 APPLICATION UNDER THIS SECTION OR SECTION 8514.

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

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

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

10 (2) INFORMATION OR RECORDS REQUIRED TO BE POSTED ON THE
11 DEPARTMENT'S PUBLICLY ACCESSIBLE INTERNET WEBSITE UNDER
12 SECTION 8513 (B) (3) (II) (RELATING TO POWERS OF DEPARTMENT).

13 § 8516. OPERATION.

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

15 (1) UPON THE INITIAL ISSUANCE OF A PDD AUTHORIZATION, AN
16 AUTHORIZED ENTITY SHALL BE LIMITED TO PHASE 1 OPERATION TO
17 DEMONSTRATE SAFE OPERATION OF PERSONAL DELIVERY DEVICES BY
18 THE AUTHORIZED ENTITY AND ITS PDD OPERATORS, SUBJECT TO THE
19 FOLLOWING:

20 (I) EXCEPT AS PERMITTED UNDER SUBPARAGRAPH (II), THE
21 DEPARTMENT MAY NOT LIMIT AN AUTHORIZED ENTITY TO PHASE 1
22 OPERATION FOR LESS THAN 90 DAYS AND NOT MORE THAN 180
23 DAYS FROM THE DATE THE PDD AUTHORIZATION WAS ISSUED, OR
24 LESS THAN 90 DAYS AND NOT MORE THAN 180 DAYS FROM THE
25 DATE THE AUTHORIZED ENTITY'S PHASE 2 OPERATION WAS
26 REVOKED BY THE DEPARTMENT, WHICHEVER IS APPLICABLE.

27 (II) THE DEPARTMENT MAY LIMIT AN AUTHORIZED ENTITY
28 TO PHASE 1 OPERATION FOR LESS THAN 90 DAYS OR MORE THAN
29 180 DAYS FROM THE DATE THE PDD AUTHORIZATION WAS ISSUED,
30 OR LESS THAN 90 DAYS AND NOT MORE THAN 180 DAYS FROM THE

1 DATE THE AUTHORIZED ENTITY'S PHASE 2 OPERATION WAS
2 REVOKED BY THE DEPARTMENT, WHICHEVER IS APPLICABLE, IF
3 AGREED TO BY THE AUTHORIZED ENTITY.

4 (2) THE DEPARTMENT MAY AUTHORIZE, IN WRITING, AN
5 AUTHORIZED ENTITY TO OPERATE PERSONAL DELIVERY DEVICES UNDER
6 PHASE 2 IF THE AUTHORIZED ENTITY AND ITS PDD OPERATORS HAVE
7 DEMONSTRATED THE SAFE OPERATION OF PERSONAL DELIVERY DEVICES
8 UNDER PHASE 1 AND THE DEPARTMENT HAS DETERMINED THE
9 AUTHORIZED ENTITY'S PERSONAL DELIVERY DEVICES CAN BE OPERATED
10 SAFELY UNDER PHASE 2 AND IN ACCORDANCE WITH THIS SUBCHAPTER.

11 (3) FOLLOWING NOTICE AND AN OPPORTUNITY FOR AN
12 ADMINISTRATIVE HEARING, THE DEPARTMENT MAY REVOKE, IN
13 WRITING, AN AUTHORIZED ENTITY'S PHASE 2 AUTHORIZATION AND
14 CHANGE THE AUTHORIZED ENTITY'S AUTHORIZED OPERATIONAL PHASE
15 IF THE DEPARTMENT DETERMINES THE REVOCATION AND CHANGE IS
16 NECESSARY TO ENSURE PUBLIC SAFETY AND COMPLIANCE WITH THIS
17 SUBCHAPTER.

18 (B) GENERAL OPERATION REQUIREMENT.--EXCEPT AS TO SPECIAL
19 OPERATION REQUIREMENTS IN SUBSECTION (C), AN AUTHORIZED ENTITY
20 AND ITS PDD OPERATORS SHALL OPERATE PERSONAL DELIVERY DEVICES IN
21 ACCORDANCE WITH THE PROVISIONS OF CHAPTER 35 (RELATING TO
22 SPECIAL VEHICLES AND PEDESTRIANS) APPLICABLE TO PEDESTRIANS.

23 (C) ADDITIONAL OPERATION REQUIREMENTS.--AN AUTHORIZED ENTITY
24 AND ITS PDD OPERATORS WHEN OPERATING A PERSONAL DELIVERY DEVICE
25 SHALL:

26 (1) ONLY OPERATE A PERSONAL DELIVERY DEVICE ACCORDING TO
27 THE OPERATIONAL PHASE FOR WHICH THE AUTHORIZED ENTITY HAS
28 BEEN AUTHORIZED BY THE DEPARTMENT;

29 (2) UTILIZE A PEDESTRIAN AREA WHEN CROSSING A ROADWAY
30 AND, IF A PEDESTRIAN AREA IS NOT AVAILABLE OR NOT

1 PRACTICABLE, ONLY CROSS THE ROADWAY ACCORDING TO POLICIES OR
2 GUIDELINES ESTABLISHED BY THE DEPARTMENT;

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

6 (4) UTILIZE THE SHOULDER OR BERM OF A ROADWAY AS FAR AS
7 PRACTICABLE FROM THE EDGE OF THE ROADWAY WHENEVER A SHOULDER
8 OR BERM IS AVAILABLE AND ITS USE IS PRACTICABLE;

9 (5) WHERE A SHOULDER OR BERM OF A ROADWAY IS NOT
10 AVAILABLE OR ITS USE IS NOT PRACTICABLE, UTILIZE A PEDESTRIAN
11 AREA, IF AVAILABLE;

12 (6) WHERE NEITHER A PEDESTRIAN AREA NOR A SHOULDER OR
13 BERM OF A ROADWAY IS AVAILABLE, OPERATE THE PERSONAL DELIVERY
14 DEVICE AS NEAR AS PRACTICABLE TO THE OUTSIDE EDGE OF THE
15 ROADWAY;

16 (7) YIELD THE RIGHT-OF-WAY TO ALL PEDESTRIANS AND
17 PEDALCYCLISTS IN A PEDESTRIAN AREA;

18 (8) NOT TRANSPORT HAZARDOUS MATERIALS REGULATED UNDER 49
19 U.S.C. § 5103 (RELATING TO GENERAL REGULATORY AUTHORITY) AND
20 REQUIRED TO BE PLACARDED UNDER 49 CFR PT. 172 SUBPT.
21 F (RELATING TO PLACARDING);

22 (9) WHEN TRAVELING ON A ROADWAY, OR SHOULDER OR BERM OF
23 A ROADWAY, OPERATE THE PERSONAL DELIVERY DEVICE IN THE SAME
24 DIRECTION AS REQUIRED OF OTHER VEHICLES OPERATED ON THE
25 ROADWAY;

26 (10) NOT EXCEED SPEED LIMITS CONTAINED IN SUBSECTION
27 (D);

28 (11) NOT OPERATE ON A ROADWAY, OR SHOULDER OR BERM OF A
29 ROADWAY, UNDER THE JURISDICTION OF THE DEPARTMENT WHERE THE
30 SECRETARY, BY ORDER, HAS DETERMINED THE OPERATION TO BE

1 HAZARDOUS;

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

6 (13) NOT OPERATE ON A LOCAL ROADWAY, OR SHOULDER OR BERM
7 OF A LOCAL ROADWAY, UNDER THE JURISDICTION OF A MUNICIPALITY
8 WHERE THE POSTED SPEED LIMIT IS GREATER THAN 25 MILES PER
9 HOUR, EXCEPT AS PERMITTED IN SECTION 8517 (RELATING TO LOCAL
10 REGULATION);

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

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

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

17 (17) COMPLY WITH ANY OTHER POLICIES OR GUIDELINES
18 ESTABLISHED BY THE DEPARTMENT CONSISTENT WITH THIS
19 SUBCHAPTER.

20 (D) SPEED LIMIT.--A PERSONAL DELIVERY DEVICE MAY NOT EXCEED
21 12 MILES PER HOUR IN A PEDESTRIAN AREA AND MAY NOT EXCEED 25
22 MILES PER HOUR ON A ROADWAY, OR SHOULDER OR BERM OF A ROADWAY.

23 (E) EXCEPTION.--THE DEPARTMENT MAY, BY ORDER OF THE
24 SECRETARY, PERMIT THE USE OF A PERSONAL DELIVERY DEVICE UPON A
25 ROADWAY, OR SHOULDER OR BERM OF A ROADWAY, UNDER THE
26 JURISDICTION OF THE DEPARTMENT WHERE THE POSTED SPEED LIMIT IS
27 GREATER THAN 25 MILES PER HOUR BUT NOT GREATER THAN 35 MILES PER
28 HOUR.

29 (F) PDD OPERATOR REQUIREMENT.--NO PDD OPERATOR MAY OPERATE A
30 PERSONAL DELIVERY DEVICE ON BEHALF OF AN AUTHORIZED ENTITY

1 UNLESS THE INDIVIDUAL POSSESSES A VALID DRIVER'S LICENSE FROM A
2 LICENSING AUTHORITY IN THE UNITED STATES. THE DEPARTMENT MAY NOT
3 IMPOSE ANY ADDITIONAL LICENSING REQUIREMENTS OR ADDITIONAL
4 AUTHORIZATION REQUIREMENTS ON A PDD OPERATOR.

5 § 8517. LOCAL REGULATION.

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

8 (1) PERMIT THE USE OF A PERSONAL DELIVERY DEVICE ON A
9 ROADWAY, OR SHOULDER OR BERM OF A ROADWAY, UNDER THE
10 JURISDICTION OF THE MUNICIPALITY WHERE THE POSTED SPEED LIMIT
11 IS GREATER THAN 25 MILES PER HOUR BUT NOT GREATER THAN 35
12 MILES PER HOUR.

13 (2) PROHIBIT THE USE OF A PERSONAL DELIVERY DEVICE ON
14 ANY ROADWAY, OR SHOULDER OR BERM OF A ROADWAY, OR PEDESTRIAN
15 AREA UNDER THE JURISDICTION OF THE MUNICIPALITY WHERE THE
16 MUNICIPALITY, AFTER CONSULTATION WITH THE AUTHORIZED ENTITY,
17 DETERMINES THAT THE OPERATION OF THE PERSONAL DELIVERY DEVICE
18 WOULD CONSTITUTE A HAZARD.

19 (B) PROHIBITION.--EXCEPT AS PROVIDED IN SUBSECTION (A), A
20 MUNICIPALITY MAY NOT REGULATE THE OPERATION OF A PERSONAL
21 DELIVERY DEVICE OPERATED IN A PEDESTRIAN AREA, ROADWAY, OR
22 SHOULDER OR BERM OF A ROADWAY, UNDER THE JURISDICTION OF THE
23 MUNICIPALITY.

24 (C) CONSTRUCTION.--

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

29 (2) NOTHING IN SUBSECTION (A) MAY BE CONSTRUED TO PERMIT
30 A MUNICIPALITY TO AUTHORIZE THE USE OF A PERSONAL DELIVERY

1 DEVICE ON A ROADWAY, OR SHOULDER OR BERM OF A ROADWAY, UNDER
2 THE JURISDICTION OF THE MUNICIPALITY IN A MANNER THAT
3 CONFLICTS WITH THE OPERATION REQUIREMENTS CONTAINED IN
4 SECTION 8516 (RELATING TO OPERATION).

5 (D) NOTICE REQUIRED.--AN AUTHORIZED ENTITY SHALL NOTIFY THE
6 GOVERNING BODY OF THE MUNICIPALITY OF THE AUTHORIZED ENTITY'S
7 INTENT TO OPERATE PERSONAL DELIVERY DEVICES WITHIN THE
8 MUNICIPALITY NO LESS THAN 30 DAYS PRIOR TO THE DATE ON WHICH THE
9 AUTHORIZED ENTITY COMMENCES PDD OPERATIONS WITHIN THE
10 MUNICIPALITY.

11 § 8518. EQUIPMENT.

12 (A) PROHIBITION.--NO AUTHORIZED ENTITY MAY OPERATE A
13 PERSONAL DELIVERY DEVICE ON A ROADWAY, OR SHOULDER OR BERM OF A
14 ROADWAY, OR PEDESTRIAN AREA THAT DOES NOT MEET THE REQUIREMENTS
15 OF THIS SECTION.

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

18 (1) HAVE A MAXIMUM WIDTH OF 32 INCHES;

19 (2) HAVE A MAXIMUM LENGTH OF 42 INCHES;

20 (3) HAVE A MAXIMUM HEIGHT OF 72 INCHES;

21 (4) BE EQUIPPED WITH A BRAKING SYSTEM THAT BRINGS THE
22 PDD TO A COMPLETE STOP FROM AN INITIAL SPEED OF 25 MILES AN
23 HOUR OR LESS.

24 (5) BE EQUIPPED WITH A LAMP THAT EMITS A BEAM OF WHITE
25 LIGHT INTENDED TO ILLUMINATE THE PERSONAL DELIVERY DEVICE'S
26 PATH AND IS VISIBLE FROM A DISTANCE OF AT LEAST 500 FEET TO
27 THE FRONT AND A LAMP EMITTING A RED FLASHING LIGHT, LIGHT-
28 EMITTING DIODE OR DEVICE VISIBLE FROM A DISTANCE OF 500 FEET
29 TO THE REAR. AN AUTHORIZED ENTITY MAY SUPPLEMENT THE REQUIRED
30 FRONT LAMP WITH A WHITE FLASHING LAMP, LIGHT-EMITTING DIODE

1 OR SIMILAR DEVICE TO ENHANCE ITS VISIBILITY TO OTHER TRAFFIC.

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

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

8 (1) THE NAME OF THE AUTHORIZED ENTITY.

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

11 (3) A TELEPHONE NUMBER OF THE AUTHORIZED ENTITY TO
12 REPORT A VIOLATION OF THIS TITLE, ACCIDENT OR INSURANCE
13 CLAIM.

14 § 8519. INSURANCE.

15 AN AUTHORIZED ENTITY SHALL MAINTAIN AN INSURANCE POLICY THAT
16 INCLUDES GENERAL LIABILITY COVERAGE OF NOT LESS THAN \$100,000
17 PER INCIDENT FOR DAMAGES ARISING FROM THE OPERATION OF THE
18 PERSONAL DELIVERY DEVICE.

19 § 8520. ENFORCEMENT.

20 (A) SUSPENSION OR REVOCATION OF AUTHORIZATION.--FOLLOWING
21 NOTICE AND AN OPPORTUNITY FOR AN ADMINISTRATIVE HEARING, THE
22 DEPARTMENT MAY SUSPEND OR REVOKE A PDD AUTHORIZATION WHERE A
23 KNOWING AND WILLFUL VIOLATION OF THIS SUBCHAPTER OCCURRED THAT
24 RESULTED IN DEATH, SERIOUS BODILY INJURY OR PROPERTY DAMAGE OR
25 WHEN THE AUTHORIZED ENTITY HAS DEMONSTRATED AN INABILITY TO
26 OPERATE SAFELY IN ACCORDANCE WITH THIS SUBCHAPTER.

27 (B) APPEAL.--AN AUTHORIZED ENTITY SHALL HAVE THE RIGHT TO
28 APPEAL PDD AUTHORIZATION SUSPENSIONS OR REVOCATIONS IN
29 ACCORDANCE WITH 2 PA.C.S. CHS. 5 SUBCH. A (RELATING TO PRACTICE
30 AND PROCEDURE OF COMMONWEALTH AGENCIES) AND 7 SUBCH. A (RELATING

1 TO JUDICIAL REVIEW OF COMMONWEALTH AGENCY ACTION).

2 (C) PROHIBITION.--THE DEPARTMENT MAY NOT SUSPEND OR REVOKE
3 THE PDD AUTHORIZATION OF AN AUTHORIZED ENTITY THAT SELF-REPORTS
4 AN ACCIDENT INVOLVING THE AUTHORIZED ENTITY'S PERSONAL DELIVERY
5 DEVICES AS REQUIRED BY SECTION 8513(B)(4) (RELATING TO POWERS OF
6 THE DEPARTMENT) WHERE THE ACCIDENT WAS NOT THE FAULT OF THE
7 AUTHORIZED ENTITY OR THE AUTHORIZED ENTITY'S PDD OPERATOR.
8 § 8521. CRIMINAL PENALTIES.

9 (A) PENALTY.--EXCEPT AS PROVIDED FOR IN SUBSECTIONS (B) AND
10 (C), AN AUTHORIZED ENTITY THAT VIOLATES A PROVISION OF THIS
11 SUBCHAPTER SHALL BE GUILTY OF A SUMMARY OFFENSE AND SHALL, UPON
12 CONVICTION, BE SENTENCED TO PAY A FINE OF NOT LESS THAN \$25 AND
13 NO MORE THAN \$1,000.

14 (B) UNAUTHORIZED OPERATION.--EXCEPT AS PROVIDED FOR IN
15 SUBSECTION (C), A PERSON THAT VIOLATES SECTION 8512 (RELATING TO
16 GENERAL PROHIBITION) SHALL BE GUILTY OF A MISDEMEANOR OF THE
17 THIRD DEGREE AND SHALL, UPON CONVICTION, BE SENTENCED TO PAY A
18 FINE OF NOT LESS THAN \$500.

19 (C) SUSPENDED OR REVOKED AUTHORIZATION.--A PERSON THAT
20 KNOWINGLY VIOLATES SECTION 8512 AND WHOSE AUTHORIZATION WAS
21 SUSPENDED OR REVOKED BY THE DEPARTMENT SHALL BE GUILTY OF A
22 MISDEMEANOR OF THE THIRD DEGREE AND SHALL, UPON CONVICTION, BE
23 SENTENCED TO PAY A FINE OF NOT LESS THAN \$1,000.

24 § 8522. APPLICATION OF TITLE.

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

29 (B) EXEMPTION.--A PERSONAL DELIVERY DEVICE SHALL NOT BE
30 CONSIDERED A VEHICLE OR A MOTOR VEHICLE UNDER SECTION 102

1 (RELATING TO DEFINITIONS).

2 SECTION 7. THIS ACT SHALL TAKE EFFECT IN 90 DAYS.