

FIRST REGULAR SESSION

[PERFECTED]

SENATE SUBSTITUTE FOR

SENATE BILL NO. 176

101ST GENERAL ASSEMBLY

INTRODUCED BY SENATOR HOUGH.

1068S.02P

ADRIANE D. CROUSE, Secretary

AN ACT

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

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

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

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

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

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

13 (3) "Personal delivery device operator", an entity or
14 its agent that exercises physical control or monitoring over
15 the navigation system and operation of a personal delivery

16 device. A "personal delivery device operator" does not
17 include an entity or person that requests or receives the
18 services of a personal delivery device for the purpose of
19 transporting property or an entity or person who merely
20 arranges for and dispatches the requested services of a
21 personal delivery device.

22 2. Notwithstanding any other provision of law, a
23 personal delivery device is authorized to operate in this
24 state:

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

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

30 3. A personal delivery device shall:

31 (1) Not block public rights-of-way;

32 (2) Obey all traffic and pedestrian control signals
33 and devices;

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

36 (4) Contain a unique identifying number that is
37 displayed on the device;

38 (5) Include a means of identifying the personal
39 delivery device operator; and

40 (6) Be equipped with a system that enables the
41 personal delivery device to come to a controlled stop.

42 4. Subject to the requirements of this section, a
43 personal delivery device operating on a sidewalk or
44 crosswalk shall have all the responsibilities applicable to
45 a pedestrian under the same circumstances.

46 5. A personal delivery device shall be exempt from
47 motor vehicle registration requirements.

48 6. A personal delivery device operator shall maintain
49 an insurance policy that provides general liability coverage
50 of at least one hundred thousand dollars for damages arising
51 from the combined operations of personal delivery devices
52 under a personal delivery device operator's control.

53 7. If the personal delivery device is being operated
54 between sunset and sunrise, it shall be equipped with
55 lighting on both the front and rear of the personal delivery
56 device visible in clear weather from a distance of at least
57 five hundred feet to the front and rear of the personal
58 delivery device.

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

64 9. Nothing in this section shall prohibit a political
65 subdivision from regulating the operation of personal
66 delivery devices on a highway or pedestrian area to insure
67 the welfare and safety of its residents. However, political
68 subdivisions shall not regulate the design, manufacture and
69 maintenance of a personal delivery device nor the types of
70 property that may be transported by a personal delivery
71 device. Additionally, no political subdivision shall treat
72 personal delivery devices differently for the purposes of
73 assessment and taxation or other charges from personal
74 property that is similar in nature.

75 10. A personal delivery device operator may not sell
76 or disclose a personally identifiable likeness to a third
77 party in exchange for monetary compensation. For purposes
78 of this section, a personally identifiable likeness includes
79 photographic images, videos, digital image files, or other

80 digital data that can be used to either directly or
81 indirectly identify an individual. "Personally identifiable
82 likeness" does not include aggregated or anonymized data.
83 The use of any personally identifiable likeness by a
84 personal delivery device operator to improve their products
85 and services is allowed under this section. Information
86 that would otherwise be protected under this section as
87 confidential shall only be provided to a law enforcement
88 entity with a properly executed, lawful subpoena.

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