

## Personal Package Delivery Devices; SB 161

**SB 161** creates law related to personal delivery devices.

The bill defines “personal delivery device” as a powered device operated primarily on sidewalks and crosswalks and intended primarily for the transport of property on public rights-of-way that does not exceed 550 pounds, excluding cargo, and is capable of navigating with or without the active control or monitoring by a person. The bill excludes personal delivery devices from the definitions of “motor vehicle” and “vehicle” in Kansas vehicle registration law.

**Operations.** The bill authorizes personal delivery devices to operate on any sidewalk, crosswalk, or the shoulder or right side of any public highway of any municipality.

Personal delivery devices are required to:

- Yield to all vehicles and not unreasonably interfere with traffic;
- Not block public rights-of-way;
- Obey all traffic signals;
- Operate at a maximum speed of ten miles per hour on sidewalks;
- Prominently display a unique identifying number;
- Prominently display the identification and contact information of the entity operating the personal delivery device; and
- Be equipped with a system that enables the device to come to a controlled stop and be actively controlled by an operator of the device.

The bill assigns personal delivery devices the right-of-way obligations and responsibilities of pedestrians when such devices are operating on sidewalks or crosswalks. The bill requires any personal delivery device operating between sunset and sunrise or on any public highway to be equipped with both front and rear lighting visible on all sides in clear weather from a distance of at least 500 feet.

**Insurance.** The bill requires any entity operating a personal delivery device to maintain general liability insurance coverage of at least \$500,000 for damages arising from the operation of the device.

**Additional restrictions.** The bill requires personal delivery devices to be able to determine the proximity of other objects and have an audible warning system capable of notifying blind persons of the presence of the device. Personal delivery devices are not permitted to transport hazardous materials, as that term is defined under federal law.

**Annual fee.** The bill requires each entity operating a personal delivery device to pay an annual fee of \$50 for each personal delivery device to the Division of Vehicles, Kansas Department of Revenue, and to submit an annual certification form providing information, including information on the entity and the entity's registered agent; acknowledgment of certain operating requirements and liability; a list of traffic incidents or infractions involving any personal delivery device operated by the entity in Kansas in the previous year; and a list identifying each such device. A new fee and updated certification is required for any new personal delivery device. The bill directs the fees to the State Highway Fund.

**Local regulation.** The bill authorizes local units of government to prohibit personal delivery devices by resolution or ordinance if such government determines prohibition is necessary in the interest of public safety. The bill requires a public hearing before enacting an ordinance or resolution to restrict personal delivery devices and specifies requirements for notice of that hearing. The bill prohibits a political subdivision from regulating the design, manufacture, and maintenance of a personal delivery device or the types of property the device may transport. The bill states these provisions will not prohibit a political subdivision from regulating personal delivery device operation to ensure the welfare and safety of the political subdivision's residents. The bill also prohibits a political subdivision from treating personal delivery devices differently from similar personal property.

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