

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2019

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SENATE BILL 739
Commerce and Insurance Committee Substitute Adopted 5/27/20
PROPOSED COMMITTEE SUBSTITUTE S739-PCS45479-SUa-53

Short Title: Personal Delivery Device/PDD/Delivery Robots.

(Public)

Sponsors:

Referred to:

May 18, 2020

1 A BILL TO BE ENTITLED
2 AN ACT TO DEFINE AND REGULATE PERSONAL DELIVERY DEVICES.
3 The General Assembly of North Carolina enacts:

4 **SECTION 1.** G.S. 20-4.01 reads as rewritten:

5 "**§ 20-4.01. Definitions.**

6 Unless the context requires otherwise, the following definitions apply throughout this
7 Chapter to the defined words and phrases and their cognates:

8 ...

9 (28a) Personal delivery device. – An electrically powered device intended for
10 transporting cargo that is equipped with automated driving technology that
11 enables device operation with or without the remote support and supervision
12 of a human and that does not exceed (i) a weight of 500 pounds, excluding
13 cargo, (ii) a length of 40 inches, and (iii) a width of 30 inches.

14 ~~(28a)~~(28b) Plug-in electric vehicle. – A four-wheeled motor vehicle that meets each
15 of the following requirements:

16 ...

17 (49) Vehicle. – Every device in, upon, or by which any person or property is or
18 may be transported or drawn upon a highway, excepting devices moved by
19 human power or used exclusively upon fixed rails or tracks; provided, that for
20 the purposes of this Chapter bicycles and electric assisted bicycles shall be
21 deemed vehicles and every rider of a bicycle or an electric assisted bicycle
22 upon a highway shall be subject to the provisions of this Chapter applicable
23 to the driver of a vehicle except those which by their nature can have no
24 application. This term shall not include a device which is designed for and
25 intended to be used as a means of transportation for a person with a mobility
26 impairment, or who uses the device for mobility enhancement, is suitable for
27 use both inside and outside a building, including on sidewalks, and is limited
28 by design to 15 miles per hour when the device is being operated by a person
29 with a mobility impairment, or who uses the device for mobility enhancement.
30 This term shall not include (i) an electric personal assistive mobility device as
31 defined in subdivision (7b) of this ~~section~~-section or (ii) a personal delivery
32 device as defined by this section. Unless the context requires otherwise, and
33 except as provided under G.S. 20-109.2, 47-20.6, or 47-20.7, a manufactured
34 home shall be deemed a vehicle.

35"



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1 (2) A braking system that enables the device to come to a controlled stop.

2 (3) When operated at night, lights on the front and rear of the personal delivery
3 device that are visible and recognizable under normal atmospheric conditions
4 from at least 500 feet on all sides of the personal delivery device.

5 (d) A violation of this section is an infraction.

6 **"§ 20-175.9. Local regulation.**

7 For the purpose of assuring the safety of persons using highways and sidewalks, a local
8 government having jurisdiction over public streets, sidewalks, alleys, bridges, and other ways of
9 public passage may by ordinance regulate time and place of the operation of personal delivery
10 devices, but shall not prohibit their use.

11 **"§ 20-175.10. Insurance.**

12 A business entity that operates a personal delivery device under this Part shall maintain an
13 insurance policy that includes general liability coverage of not less than one hundred thousand
14 dollars (\$100,000) per claim for damages arising from the operation of the personal delivery
15 device."

16 **SECTION 3.(a)** G.S. 20-175.9, as enacted by Section 2 of this act, reads as rewritten:

17 **"§ 20-175.9. Local regulation.**

18 For the purpose of assuring the safety of persons using highways and sidewalks, a local
19 government having jurisdiction over public streets, sidewalks, alleys, bridges, and other ways of
20 public passage may by ordinance regulate the time and place of the operation of personal delivery
21 devices, but shall not prohibit their use. prohibit operation of personal delivery devices within its
22 jurisdiction if the local government determines that the prohibition is necessary."

23 **SECTION 3.(b)** This section becomes effective December 1, 2022. Any ordinance
24 regulating time and place of operation of personal delivery devices adopted by a local
25 government in accordance with G.S. 20-175.9 before the effective date of this section shall
26 remain in effect until repealed by that local government.

27 **SECTION 4.** G.S. 20-146.2(a)(4) reads as rewritten:

28 "(4) Plug-in electric vehicles as defined in ~~G.S. 20-4.01(28a)~~, G.S. 20-4.01(28b),
29 regardless of the number of passengers in the vehicle. These vehicles must be
30 able to travel at the posted speed limit while operating in the HOV lane."

31 **SECTION 5.** G.S. 20-183.2(b)(9) reads as rewritten:

32 "(9) It is not a plug-in electric vehicle as defined in
33 ~~G.S. 20-4.01(28a)~~; G.S. 20-4.01(28b)."

34 **SECTION 6.** G.S. 20-286(10) is amended by adding a new sub-subdivision to read:

35 "c. The term "motor vehicle" does not include an electrically powered
36 device that is equipped with automated driving technology that
37 enables device operation with or without remote support and
38 supervision of a human, and to which all of the following apply: (i) the
39 device does not exceed a weight of 750 pounds, excluding cargo, (ii)
40 the device does not exceed a length of 40 inches when not linked with
41 other devices, and (iii) the device does not exceed a width of 36 inches.
42 An electrically powered device that is equipped with automated
43 driving technology that enables device operation with or without
44 remote support and supervision of a human and that exceeds any of
45 the dimensions set out in this sub-subdivision is included in the term
46 "motor vehicle" under this Article, and the device is subject to the
47 provisions of Article 18 of this Chapter if it falls within the definition
48 of "fully autonomous vehicle" under G.S. 20-400(3)."

49 **SECTION 7.** There is appropriated from the General Fund to the Department of
50 Public Safety the sum of five thousand dollars (\$5,000) for the 2020-2021 fiscal year in

1 nonrecurring funds for the purpose of educating the public on safely interacting with personal
2 delivery devices operating in vehicular and pedestrian traffic, as authorized by this act.
3 **SECTION 8.** Except as otherwise provided, this act becomes effective December 1,
4 2020, and applies to offenses committed on or after that date.