

**SENATE
STATE OF MINNESOTA
NINETY-THIRD SESSION**

S.F. No. 363

(SENATE AUTHORS: JASINSKI)

DATE
01/17/2023

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205 Introduction and first reading
Referred to Transportation

OFFICIAL STATUS

1.1 A bill for an act
1.2 relating to transportation; regulating personal delivery devices; amending Minnesota
1.3 Statutes 2022, section 169.011, by adding a subdivision; proposing coding for new
1.4 law in Minnesota Statutes, chapter 169.

1.5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.6 Section 1. Minnesota Statutes 2022, section 169.011, is amended by adding a subdivision
1.7 to read:

1.8 Subd. 54c. Personal delivery device. "Personal delivery device" means a device that
1.9 is (1) manufactured for transporting cargo and goods in a pedestrian area or other areas as
1.10 described in section 169.976 and (2) equipped with automated driving technology, including
1.11 software and hardware, that enables the operation of the device with the remote support and
1.12 supervision of a human.

1.13 EFFECTIVE DATE. This section is effective the day following final enactment.

1.14 Sec. 2. [169.976] PERSONAL DELIVERY DEVICES.

1.15 Subdivision 1. Definitions. (a) For purposes of this section, the following terms have
1.16 the meanings given.

1.17 (b) "Agent" means a director, officer, employee, or other person authorized to act on
1.18 behalf of a business entity.

1.19 (c) "Business entity" means a legal entity, including a corporation, partnership, or sole
1.20 proprietorship, that is formed for the purpose of making a profit.

2.1 (d) "Pedestrian area" means a sidewalk, crosswalk, school crosswalk, school crossing
2.2 zone, or safety zone.

2.3 (e) "Personal delivery device" means a device that is (1) manufactured for transporting
2.4 cargo and goods in a pedestrian area or other areas as described in this section and (2)
2.5 equipped with automated driving technology, including software and hardware, that enables
2.6 the operation of the device with the remote support and supervision of a human.

2.7 Subd. 2. **Applicable law.** (a) The operation of a personal delivery device is governed
2.8 exclusively by this section and any applicable regulation adopted by a local authority that
2.9 is not inconsistent with this section.

2.10 (b) For purposes of this section, a personal delivery device operated in compliance with
2.11 this section is not considered a vehicle.

2.12 Subd. 3. **Operator of personal delivery device.** (a) A person may operate a personal
2.13 delivery device under this section only if the person is:

2.14 (1) a business entity; and

2.15 (2) a human who is an agent of the business entity with the capability to monitor or
2.16 exercise physical control over the navigation and operation of the device.

2.17 (b) Except as provided under paragraph (c), when a personal delivery device operated
2.18 by a business entity is engaged, the business entity is considered to be the operator of the
2.19 device solely for the purpose of assessing compliance with applicable traffic laws.

2.20 (c) When a personal delivery device operated by a business entity is engaged and an
2.21 agent controls the device in a manner outside the scope of the agent's office or employment,
2.22 the agent is considered to be the operator of the device.

2.23 (d) A person is not considered to be the operator of a personal delivery device solely
2.24 because the person:

2.25 (1) requests a delivery or service provided by the device; or

2.26 (2) dispatches the device.

2.27 Subd. 4. **Device operation.** A personal delivery device operated under this section must:

2.28 (1) operate in a manner that complies with the provisions of this chapter applicable to
2.29 pedestrians unless the provision cannot by its nature apply to the device;

2.30 (2) yield or not obstruct the right-of-way to all other traffic, including pedestrians;

2.31 (3) not unreasonably interfere with other traffic, including pedestrians;

3.1 (4) display the lights required by section 169.48 if operated at night;

3.2 (5) comply with any applicable regulations adopted by a local authority;

3.3 (6) not transport hazardous materials regulated under the Hazardous Materials

3.4 Transportation Act, United States Code, title 49, section 5103, and be required to be placarded

3.5 under Code of Federal Regulations, title 49, part 172, subpart F; and

3.6 (7) be monitored or controlled as provided in subdivision 5.

3.7 Subd. 5. **Areas of operation.** A personal delivery device may be operated:

3.8 (1) in a pedestrian area at speeds up to 12 miles per hour; or

3.9 (2) at speeds not to exceed 20 miles per hour on a roadway in an area that is not a

3.10 pedestrian area.

3.11 Subd. 6. **Personal delivery device equipment.** (a) A personal delivery device operated

3.12 under this section must be equipped with:

3.13 (1) a label that clearly states the name and contact information of the owner of the device

3.14 and a unique identification number; and

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

3.16 (b) A personal delivery device operated under this section at night must be equipped

3.17 with one or more lighted lamps or lanterns projecting a white light visible from a distance

3.18 of 500 feet to the front of the device and with a lamp or lantern exhibiting a red light visible

3.19 from a distance of 500 feet to the rear.

3.20 Subd. 7. **Local authority regulation.** (a) A local authority may not regulate the operation

3.21 of a personal delivery device on a roadway or in a pedestrian area in a manner inconsistent

3.22 with this section, including but not limited to limiting the hours of operation or zones of

3.23 operation.

3.24 (b) This section does not affect the authority of a local authority's peace officers to

3.25 enforce the laws of this state relating to the operation of a personal delivery device.

3.26 Subd. 8. **Insurance requirements.** A business entity that operates a personal delivery

3.27 device under this section must maintain an insurance policy that includes general liability

3.28 coverage of not less than \$100,000 for damages arising from the operation of the device.

3.29 **EFFECTIVE DATE.** This section is effective the day following final enactment.