

HOUSE BILL No. 1072

DIGEST OF INTRODUCED BILL

Citations Affected: IC 9-21-11.5.

Synopsis: Personal delivery devices. Provides for a personal delivery device to operate in Indiana under certain circumstances. Requires a personal delivery device operator to maintain certain levels of insurance coverage. Provides that a personal delivery device is exempt from motor vehicle licensing and registration requirements. Provides that a political subdivision may participate in the regulation of personal delivery devices. Provides that a political subdivision may not enact or enforce an ordinance or resolution relating to: (1) the design, manufacture, maintenance, certification, licensing, registration, taxation, assessment, or insurance of a personal delivery device; or (2) the types of property that may be transported by a personal delivery device.

Effective: July 1, 2021.

Sullivan, Pressel

January 4, 2021, read first time and referred to Committee on Roads and Transportation.



First Regular Session of the 122nd General Assembly (2021)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2020 Regular Session of the General Assembly.

HOUSE BILL No. 1072

A BILL FOR AN ACT to amend the Indiana Code concerning motor vehicles.

Be it enacted by the General Assembly of the State of Indiana:

1 SECTION 1. IC 9-21-11.5 IS ADDED TO THE INDIANA CODE
2 AS A **NEW** CHAPTER TO READ AS FOLLOWS [EFFECTIVE
3 JULY 1, 2021]:

4 **Chapter 11.5. Personal Delivery Devices**

5 **Sec. 1. As used in this chapter, "agent" refers to a person who**
6 **is charged with the responsibility of navigating and operating a**
7 **personal delivery device. The term does not include:**

8 (1) A person who requests or receives the services of a
9 personal delivery device for the purpose of transporting
10 property.

11 (2) A person who only arranges for and dispatches the
12 requested services of a personal delivery device.

13 **Sec. 2. As used in this chapter, "personal delivery device" means**
14 **a powered device that satisfies the following:**

15 (1) The device is operated primarily on sidewalks and
16 crosswalks.

17 (2) The device is intended primarily for the transport of



1 property on public rights-of-way.

2 (3) The weight of the device is not greater than five hundred
3 (500) pounds, excluding cargo.

4 (4) The device is capable of navigating with or without the
5 active control or monitoring of an individual.

6 Sec. 3. As used in this chapter, "personal delivery device
7 operator" means a person or the person's agent who exercises
8 physical control or monitoring over the navigation system and
9 operation of a personal delivery device.

10 Sec. 4. A personal delivery device may operate in Indiana on any
11 sidewalk, crosswalk, road, or street of any county or municipality
12 in Indiana.

13 Sec. 5. A personal delivery device must satisfy all of the
14 following:

15 (1) The personal delivery device must include a unique
16 identifying device number.

17 (2) The personal delivery device must include a means of
18 identifying the personal delivery device operator.

19 (3) The personal delivery device must not unreasonably
20 interfere with motor vehicles or traffic.

21 (4) The personal delivery device must not block public rights-
22 of-way.

23 (5) The personal delivery device must obey all traffic and
24 pedestrian control signals and devices.

25 (6) The personal delivery device may not operate on a
26 sidewalk or crosswalk at a speed that is greater than ten (10)
27 miles per hour.

28 (7) The personal delivery device must be equipped with a
29 system that enables the personal delivery device to come to a
30 controlled stop.

31 (8) If the personal delivery device is being operated between
32 sunset and sunrise, it must be equipped with lighting on both
33 its front and rear that is visible in clear weather from a
34 distance of at least five hundred (500) feet to its front and
35 rear.

36 (9) The personal delivery device shall not be used for the
37 transportation of hazardous material regulated under the
38 Hazardous Materials Transportation Act (49 U.S.C. 5103) and
39 is required to be placarded under 49 CFR Part 172, Subpart
40 F.

41 Sec. 6. A personal delivery device operating on a sidewalk or
42 crosswalk shall have all the rights and responsibilities applicable



1 to a pedestrian under the same circumstances.

2 **Sec. 7. A personal delivery device is exempt from motor vehicle**
3 **licensing and registration requirements under Indiana law.**

4 **Sec. 8. A personal delivery device operator shall maintain an**
5 **insurance policy that provides general liability coverage of at least**
6 **one hundred thousand dollars (\$100,000) for damages arising from**
7 **the combined operations of personal delivery devices under a**
8 **personal delivery device operator's control.**

9 **Sec. 9. A political subdivision may adopt by ordinance or**
10 **resolution restrictions on personal delivery devices. A political**
11 **subdivision shall:**

12 (1) **hold a public meeting before enacting an ordinance or**
13 **resolution to restrict personal delivery devices; and**

14 (2) **notify all companies determined to be affected by the**
15 **ordinance or resolution restricting personal delivery devices.**

16 **Sec. 10. A political subdivision may not enact or enforce an**
17 **ordinance or resolution relating to any of the following:**

18 (1) **The design, manufacture, maintenance, certification,**
19 **licensing, registration, taxation, assessment, or insurance of**
20 **a personal delivery device.**

21 (2) **The types of property that may be transported by a**
22 **personal delivery device.**

