

**SENATE . . . . . No. 2069**

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**The Commonwealth of Massachusetts**

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PRESENTED BY:

***Sal N. DiDomenico***

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*To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:*

The undersigned legislators and/or citizens respectfully petition for the adoption of the accompanying bill:

An Act relative to mobile carrying devices.

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PETITION OF:

NAME:

*Sal N. DiDomenico*

DISTRICT/ADDRESS:

*Middlesex and Suffolk*

**SENATE . . . . . No. 2069**

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By Mr. DiDomenico, a petition (accompanied by bill, Senate, No. 2069) of Sal N. DiDomenico for legislation relative to mobile carrying devices . Transportation.

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**The Commonwealth of Massachusetts**

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**In the One Hundred and Ninety-First General Court  
(2019-2020)**  
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An Act relative to mobile carrying devices.

*Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:*

1           SECTION 1. Chapter 90 of the General Laws is hereby amended by inserting in Section  
2   1 after the words “in electric-assisted bicycle” the following: mobile carrying devices, as defined  
3   in XXX.

4           SECTION 2. Said Section 1 of Chapter 90 is hereby amended by inserting after the words  
5   “drawn on a highway, except” the following: “mobile-carrying devices:”

6           SECTION 3. Said Chapter 90 is hereby amended by adding a new Section 1J entitled  
7   “mobile carrying devices:”

8           (1) MOBILE CARRYING DEVICE.—An electrically powered device that:

9           (a)   Is operated on sidewalks and crosswalks and intended primarily for transporting  
10   personal property;

11          (b)   Weighs less than 90 pounds, excluding cargo;

12 (c) Has a maximum speed of 12.5 miles per hour; and

13 (d) Is equipped with a technology to transport personal property with the active  
14 monitoring of a property owner; and

15 (e) Is primarily designed to remain within twenty-five feet of the personal property  
16 owner.

17 (2) A mobile carrying device is not considered a vehicle unless expressly defined by law  
18 as a vehicle.

19 (3) A mobile carrying device may be operated on a sidewalk or crosswalk so long as all  
20 of the following requirements are met:

21 (a) the mobile carrying device is operated in accordance with the local ordinances, if any,  
22 established by the local highway authority governing where the mobile carrying device is  
23 operated;

24 (b) a personal property owner is actively monitoring the navigation and operation of the  
25 mobile carrying device;

26 (c) the mobile carrying device is equipped with a braking system that enables the mobile  
27 carrying device to come to a controlled stop.

28 (3) A personal property owner monitoring the mobile carrying device may not allow a  
29 mobile carrying device to do any of the following:

30 (a) fail to comply with traffic or pedestrian control devices and signals;

31 (b) unreasonably interfere with pedestrians or traffic;

32 (c) transport hazardous material; or

33 (d) operate on a street or highway, except when crossing the street or highway within a  
34 crosswalk.

35 (4) A mobile carrying device has the rights and obligations applicable to a pedestrian  
36 under the same circumstances, except that a mobile carrying device shall yield the right-of-way  
37 to a pedestrian on a sidewalk or crosswalk.

38 (5) A personal property owner may not operate a mobile carrying device unless the  
39 person complies with this section.

40 (6) A violation of this section is an infraction.