

**GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2019**

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**SENATE BILL 739
Commerce and Insurance Committee Substitute Adopted 5/27/20**

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"



1 (3) When operated at night, the lights on the front and rear of the personal delivery
2 device are visible and recognizable under normal atmospheric conditions on
3 all sides of the personal delivery device from 1 to 500 feet from the personal
4 delivery device when directly in front of a motor vehicle projecting lawful
5 low-beam headlights.

6 "**§ 20-280.24. Local regulation.**

7 (a) Following an opportunity for public input from business entities, a local government
8 may reasonably regulate the operation of personal delivery devices on a highway or pedestrian
9 area for reasons relating to public health, safety, or welfare; provided, however, that a local
10 government may not outright ban operation of personal delivery devices.

11 (b) This section does not affect the authority of a law enforcement officer or local
12 government to enforce the laws of this State relating to the operation of a personal delivery
13 device.

14 "**§ 20-280.25. Insurance.**

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

19 "**§ 20-280.26. Liability.**

20 (a) A business entity shall be legally responsible for the operation of a personal delivery
21 device, unless an agent of the business entity operates the personal delivery device in a manner
22 that is outside the scope of the agent's authority.

23 (b) In the absence of criminal intent, willful misconduct, or gross negligence, a person
24 that requests a delivery or service by means of a personal delivery device operated by a business
25 entity shall be immune from criminal and civil liability."

26 **SECTION 3.** There is appropriated from the General Fund to the Secretary of State
27 the sum of five thousand dollars (\$5,000) for the 2019-2020 fiscal year in nonrecurring funds for
28 the purpose of implementing this act.

29 **SECTION 4.** This act is effective when it becomes law.