

An Act

ENROLLED SENATE
BILL NO. 706

By: Rosino and Bergstrom of the
Senate

and

Echols, Fugate and Phillips
of the House

An Act relating to personal delivery devices; providing definitions; authorizing certain use of personal delivery devices; requiring certain identification; requiring control by operator; providing operational requirements; providing exemptions; requiring liability insurance; limiting certain powers of local jurisdictions; providing certain authority; providing for codification; and providing an effective date.

SUBJECT: Authorizing use and providing operational requirements for personal delivery devices

BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

SECTION 1. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 1800 of Title 47, unless there is created a duplication in numbering, reads as follows:

A. As used in this section:

1. "Agent" means any person charged with the responsibility of navigating and operating the personal delivery device, as defined in this section. Agent does not mean a person who requests or receives the services of a personal delivery device;

2. "Personal delivery device" means an electronically powered device:

- a. primarily operated on sidewalks and crosswalks,
- b. intended primarily for the transport of cargo and goods on public rights-of-way,
- c. whose weight of the device is not greater than five hundred fifty (550) pounds, not including property being transported, and
- d. equipped with automated driving technology, including software and hardware, that enables the operation of the device with remote support and supervision;

Personal delivery device shall not mean a motor vehicle and shall not be classified as such.

3. "Personal delivery device operator" means a person or the person's agent who monitors or exercises physical control over the navigation system and operation of a personal delivery device.

SECTION 2. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 1801 of Title 47, unless there is created a duplication in numbering, reads as follows:

A. Notwithstanding any other law of this state, a personal delivery device may operate on any sidewalk, crosswalk, road or street of any county or municipality in this state.

B. A personal delivery device shall have a unique identifying device number and identifies the name and contact information of the personal device operator.

C. A personal delivery device shall:

1. Not unreasonably interfere with motor vehicles or traffic;
2. Not obstruct public rights of way;
3. Obey all traffic and pedestrian control signals and devices;

4. Not operate at a speed of more than ten (10) miles per hour on the sidewalk;

5. Be equipped with a system that enables the device to come to a controlled stop;

6. Be equipped with lights on the front and rear of the device that are visible and recognizable under normal atmospheric conditions on all sides of the device from at least five hundred (500) feet from the device; and

7. Not transport hazardous material regulated under the Hazardous Materials Transportation Act (49 U.S.C. § 5103) and are required to be placarded under 49 CFR Part 172, Subpart F.

SECTION 3. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 1802 of Title 47, unless there is created a duplication in numbering, reads as follows:

A. A personal delivery device is exempt from motor vehicle licensing and registration requirements under the laws of this state.

B. A personal delivery device operator shall maintain an insurance policy that provides general liability coverage of at least One Hundred Thousand Dollars (\$100,000.00) for damages arising from the operation of the device.

SECTION 4. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 1803 of Title 47, unless there is created a duplication in numbering, reads as follows:

A. Except as otherwise provided by law, a political subdivision shall not enact or enforce an ordinance or resolution relating to any of the following:

1. The design, manufacture, maintenance, certification, licensing, registration, taxation, assessment or insurance requirements of a personal delivery device; and

2. The types of property that may be transported by a personal delivery device.

B. A political subdivision shall have the authority to prohibit the operation of personal delivery devices within certain districts or within their entire jurisdiction.

SECTION 5. This act shall become effective November 1, 2021.

Passed the Senate the 29th day of April, 2021.

Presiding Officer of the Senate

Passed the House of Representatives the 15th day of April, 2021.

Presiding Officer of the House
of Representatives

OFFICE OF THE GOVERNOR

Received by the Office of the Governor this _____

day of _____, 20_____, at _____ o'clock _____ M.

By: _____

Approved by the Governor of the State of Oklahoma this _____

day of _____, 20_____, at _____ o'clock _____ M.

Governor of the State of Oklahoma

OFFICE OF THE SECRETARY OF STATE

Received by the Office of the Secretary of State this _____

day of _____, 20_____, at _____ o'clock _____ M.

By: _____