

SENATE BILL 2836

By Watson

AN ACT to amend Tennessee Code Annotated, Title 55, Chapter 1; Title 55, Chapter 10; Title 55, Chapter 12 and Title 55, Chapter 8, relative to personal delivery devices.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 55-1-103, is amended by deleting subsection (c) and substituting instead the following:

(c) "Motor vehicle" means every vehicle that is self-propelled, excluding electric scooters, motorized bicycles, personal delivery devices, and every vehicle that is propelled by electric power obtained from overhead trolley wires. "Motor vehicle" means any low speed vehicle or medium speed vehicle as defined in this chapter. "Motor vehicle" means any mobile home or house trailer as defined in § 55-1-105.

SECTION 2. Tennessee Code Annotated, Section 55-8-101, is amended by adding the following as new, appropriately designated subdivisions:

( ) "Pedestrian area" includes a sidewalk, crosswalk, school crosswalk, school crossing zone, or safety zone;

( ) "Personal delivery device" means a device that:

(A) Is solely powered by an electric motor;

(B) Is operated primarily on sidewalks and crosswalks;

(C) Is intended primarily for the transport of property on public rights-of-way; and

(D) Is capable of navigating with or without the active control or monitoring of a natural person; and

( ) "Personal delivery device operator" means an entity that exercises physical control or monitoring over the navigation system and operation of a personal delivery device.

SECTION 3. Tennessee Code Annotated, Section 55-8-101, is amended by deleting subdivision (41) and substituting instead the following:

(41) "Motor vehicle" means every vehicle, including a low speed vehicle or a medium speed vehicle that is self-propelled, excluding electric scooters, electric bicycles as defined in § 55-8-301, motorized bicycles, personal delivery devices, and every vehicle, including a low speed vehicle or a medium speed vehicle that is propelled by electric power obtained from overhead trolley wires, but not operated upon rails;

SECTION 4. Tennessee Code Annotated, Section 55-8-101, is amended by deleting subdivision (43) and substituting instead the following:

(43) "Motor-driven cycle" means every motorcycle, including every motor scooter, with a motor that produces no more than five (5) brake horsepower, or with a motor with a cylinder capacity not exceeding one hundred twenty-five cubic centimeters (125cc). "Motor-driven cycle" does not include an electric scooter or personal delivery device;

SECTION 5. Tennessee Code Annotated, Title 55, Chapter 8, Part 2, is amended by adding the following as a new section:

(a) A personal delivery device must:

(1) Yield or not obstruct the right-of-way to all other traffic, including pedestrians;

(2) Not unreasonably interfere with other traffic, including pedestrians;

(3) If the personal delivery device is being operated between sunset and sunrise, be equipped with lighting on both the front and rear of the personal delivery device visible in clear weather from a distance of at least five hundred feet (500') to the front and rear of the personal delivery device;

(4) Not transport hazardous materials regulated under the Hazardous Materials Transportation Act (49 U.S.C. § 5103); and

(5) Have affixed to the device a placard issued pursuant to the United States department of transportation regulations for hazardous materials, compiled in 49 CFR Part 172 Subpart F.

(b) A personal delivery device may be operated in a pedestrian area at speeds up to ten (10) miles per hour.

(c) A personal delivery device must:

(1) Be equipped with a marker that clearly states the name and contact information of the owner and a unique identification number; and

(2) Be equipped with a braking system that enables the device to come to a controlled stop.

(d) A personal delivery device and any entity that operates a personal delivery device is not subject to any requirements or laws applicable to motor vehicles, including the Tennessee Financial Responsibility Law of 1977, compiled in chapter 12, part 1 of this title; the Uniform Classified and Commercial Driver License Act of 1988, compiled in chapter 50 of this title; and chapters 3 and 4 of this title, relating to titling and registration.

(e) Personal delivery devices may be prohibited by local resolutions or ordinances if the local government determines that the prohibition is necessary, in the interest of public safety. This section does not affect the authority of a local authority's law enforcement officers to enforce the laws of this state relating to the operation of a personal delivery device.

(f) An entity that operates a personal delivery device must maintain an insurance policy that includes general liability coverage of not less than one hundred thousand

dollars (\$100,000) for damages arising from the combined operations of personal delivery devices under a personal delivery device operator's control.

SECTION 6. This act shall take effect July 1, 2020, the public welfare requiring it.