

369 transported or drawn on a highway, except devices used exclusively on stationary rails or  
370 tracks.

371 Section 2. Section **41-6a-1119** is enacted to read:

372 **41-6a-1119. Personal delivery device.**

373 (1) As used in this section:

374 (a) "Eligible entity" means a corporation, partnership, association, firm, sole  
375 proprietorship, or other entity engaged in business.

376 (b) "Hazardous material" means any substance defined, regulated, or listed as a  
377 hazardous substance, hazardous material, hazardous waste, toxic waste, pollutant, contaminant,  
378 or toxic substance, or identified as hazardous to human health or the environment, under state  
379 or federal law or regulation.

380 (c) "Personal delivery device" means an electrically powered device to which all of the  
381 following apply:

382 (i) the device is intended primarily to transport property on a sidewalk or crosswalk;

383 (ii) the device weighs less than ~~§~~ → [90] 150 ← ~~§~~ pounds excluding any property being  
383a carried in the

384 device ~~§~~ → , except that a local highway authority may allow a device within the local highway  
384a authority's jurisdiction to exceed this weight limit through a local permit or local  
384b ordinance ← ~~§~~ ;

385 (iii) the device has a maximum speed of 10 miles per hour; and

386 (iv) the device is equipped with technology that enables the operation of the device:

387 (A) with active control or monitoring by a person;

388 (B) without active control or monitoring by a person; or

389 (C) both with or without active control or monitoring by a person.

390 (d) (i) "Personal delivery device operator" means an employee or agent of an eligible  
391 entity who exercises active physical control over, or monitoring of, the navigation and  
392 operation of a personal delivery device.

393 (ii) "Personal delivery device operator" does not include:

394 (A) with respect to a delivery or other service rendered by a personal delivery device,  
395 the person who requests the delivery or service; or

396 (B) a person who only arranges for and dispatches a personal delivery device for a  
397 delivery or other service.

398 (2) An eligible entity may operate a personal delivery device on a sidewalk or  
399 crosswalk so long as all of the following requirements are met: