

26 Section 1. Section **41-6a-1119** is amended to read:

27 **41-6a-1119. Personal delivery device.**

28 (1) As used in this section:

29 (a) "Eligible entity" means a corporation, partnership, association, firm, sole
30 proprietorship, or other entity engaged in a business[;] that includes the operation of a personal
31 delivery device.

32 [~~(b) "Hazardous material" means any substance defined, regulated, or listed as a~~
33 ~~hazardous substance, hazardous material, hazardous waste, toxic waste, pollutant, contaminant,~~
34 ~~or toxic substance, or identified as hazardous to human health or the environment, under state~~
35 ~~or federal law or regulation.]~~

36 (b) "Main-traveled way" means the same as that term is defined in Section [72-7-502](#).

37 (c) "Pedestrian area" means a sidewalk, crosswalk, school crosswalk, school crossing
38 zone, or safety zone.

39 [~~(e)] (d) (i) "Personal delivery device" means an electrically powered device to which~~
40 ~~all of the following apply:~~

41 (A) the device is [~~intended primarily to transport property on a sidewalk or crosswalk;]~~
42 manufactured for transporting cargo and goods; and

43 [~~(B) the device weighs less than 150 pounds excluding any property being carried in~~
44 ~~the device, except that a local highway authority may allow a device within the local highway~~
45 ~~authority's jurisdiction to exceed this weight limit through a local permit or local ordinance;]~~

46 [~~(C) the device has a maximum speed of 10 miles per hour; and]~~

47 [~~(D)] (B) the device is equipped with automated driving technology, including
48 hardware and software, that enables the operation of the device with or without active control
49 or monitoring by a person.~~

50 (ii) A mobile carrier as defined in Section [41-6a-1120](#) is not a personal delivery device.

50a **§→ (iii) "Personal delivery device" does not include:**

50b **(A) a motor vehicle; or**

50c **(B) an ADS-dedicated vehicle as that term is defined in Section 41-26-102.1. ←§**

51 [~~(d)] (e) (i) "Personal delivery device operator" means an employee or agent of an~~
52 ~~eligible entity who exercises active physical control over, or monitoring of, the navigation and~~
53 ~~operation of a personal delivery device.~~

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

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

88 ~~crosswalk.]~~

89 (i) regulated under 49 U.S.C. Chapter 51, Transportation of Hazardous Material; and

90 (ii) required to be placarded under 49 C.F.R., Part 172, Subpart F, Placarding.

91 (4) (a) When operating on a highway, the personal delivery device:

92 (i) shall operate as close as practicable to the edge of the highway in the direction of
 93 authorized traffic movement; and

94 (ii) except as provided in Subsection (4)(b), may not travel in the main-traveled way.

95 (b) Notwithstanding Subsection (4)(a), a personal delivery device:

96 (i) if practical and with due regard for safety and traffic conditions may temporarily
 97 operate in the main-traveled way to avoid a parked car or other obstacle on the edge of the
 98 highway; and

99 (ii) shall return to the edge of the highway as described in Subsection (4)(a) as soon as
 100 conditions allow.

100a **Ĥ→ (c) Notwithstanding Subsections (4)(a) and (b), a personal delivery device may not operate**
 100b **on a**

100c **(i) highway with a speed limit of 45 miles per hour or higher; or**

100d **(ii) limited access highway. ←Ĥ**

101 ~~[(4)]~~ (5) A personal delivery device has the rights and obligations applicable to a
 102 pedestrian under the same circumstances, except that a personal delivery device shall yield the
 103 right-of-way to a pedestrian ~~[on a sidewalk or crosswalk].~~

104 ~~[(5)]~~ (6) A person may not operate a personal delivery device unless the person
 105 complies with this section.

106 ~~[(6)]~~ (7) An eligible entity is responsible for both of the following:

107 (a) a violation of this section that is committed by a personal delivery device operator
 108 operated for the benefit of the eligible entity; and

109 (b) any other circumstance, including a technological malfunction, in which a personal
 110 delivery device operates in a manner prohibited by Subsection (3).

111 (8) (a) Following discussions with and input from eligible entities, a local authority or
 112 political subdivision may reasonably regulate the operation of personal delivery devices on a
 113 highway or pedestrian area.

114 (b) This section does not affect the authority of a peace officer of a local authority or
 115 political subdivision to enforce the laws of this state relating to the operation of a personal
 116 delivery device.

117 ~~[(7)]~~ (9) A violation of this section is an infraction.