

HOUSE No. 3126

The Commonwealth of Massachusetts

PRESENTED BY:

Daniel J. Ryan

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the adoption of the accompanying bill:

An Act relative to mobile carrying devices.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Daniel J. Ryan</i>	<i>2nd Suffolk</i>	<i>1/14/2019</i>
<i>Timothy R. Whelan</i>	<i>1st Barnstable</i>	<i>1/23/2019</i>

HOUSE No. 3126

By Mr. Ryan of Boston, a petition (accompanied by bill, House, No. 3126) of Daniel J. Ryan and Timothy R. Whelan relative to the regulation of mobile carrying devices operated on sidewalks and crosswalks and intended primarily for transporting personal property. Transportation.

The Commonwealth of Massachusetts

**In the One Hundred and Ninety-First General Court
(2019-2020)**

An Act relative to mobile carrying devices.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 SECTION 1. Chapter 90 of the General Laws is hereby amended by inserting in Section
2 1 after the words “in electric-assisted bicycle” the following: mobile carrying devices, as defined
3 in 1J.

4 SECTION 2. Said Section 1 of Chapter 90 is hereby amended by inserting after the words
5 “drawn on a highway, except” the following: “mobile-carrying devices:”

6 SECTION 3. Said Chapter 90 is hereby amended by adding a new Section 1J entitled
7 “mobile carrying devices:”

8 (1) MOBILE CARRYING DEVICE.—An electrically powered device that:

9 (a) Is operated on sidewalks and crosswalks and intended primarily for transporting
10 personal property;

11 (b) Weighs less than 90 pounds, excluding cargo;

12 (c) Has a maximum speed of 12.5 miles per hour; and

13 (d) Is equipped with a technology to transport personal property with the active
14 monitoring of a property owner; and

15 (e) Is primarily designed to remain within twenty-five feet of the personal property
16 owner.

17 (2) A mobile carrying device is not considered a vehicle unless expressly defined by law
18 as a vehicle.

19 (3) A mobile carrying device may be operated on a sidewalk or crosswalk so long as all
20 of the following requirements are met:

21 (a) the mobile carrying device is operated in accordance with the local ordinances, if
22 any, established by the local highway authority governing where the mobile carrying device is
23 operated;

24 (b) a personal property owner is actively monitoring the navigation and operation of the
25 mobile carrying device;

26 (c) the mobile carrying device is equipped with a braking system that enables the mobile
27 carrying device to come to a controlled stop.

28 (3) A personal property owner monitoring the mobile carrying device may not allow a
29 mobile carrying device to do any of the following:

30 (a) fail to comply with traffic or pedestrian control devices and signals;

31 (b) unreasonably interfere with pedestrians or traffic;

32 (c) transport hazardous material; or

33 (d) operate on a street or highway, except when crossing the street or highway within a
34 crosswalk.

35 (4) A mobile carrying device has the rights and obligations applicable to a pedestrian
36 under the same circumstances, except that a mobile carrying device shall yield the right-of-way
37 to a pedestrian on a sidewalk or crosswalk.

38 (5) A personal property owner may not operate a mobile carrying device unless the
39 person complies with this section.

40 (6) A violation of this section is an infraction.