

SENATE No. 2069

The Commonwealth of Massachusetts

PRESENTED BY:

Sal N. DiDomenico

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:

Sal N. DiDomenico

DISTRICT/ADDRESS:

Middlesex and Suffolk

SENATE No. 2069

By Mr. DiDomenico, a petition (accompanied by bill, Senate, No. 2069) of Sal N. DiDomenico for legislation relative to mobile carrying devices . 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 XXX.

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 any,
22 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.