

SENATE No. 2308

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. 2308

By Mr. DiDomenico, a petition (accompanied by bill, Senate, No. 2308) of Sal N. DiDomenico for legislation relative to mobile carrying devices. Transportation.

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE SENATE, NO. 2069 OF 2019-2020.]

The Commonwealth of Massachusetts

**In the One Hundred and Ninety-Second General Court
(2021-2022)**

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, as appearing in the 2018 Official Edition,
2 is hereby amended by inserting in Section 1 after the words “shall not include motorized
3 bicycles” the following words:- "or mobile carrying devices, as defined in Section 1J".

4 SECTION 2. Chapter 90 of the General Laws, as appearing in the 2018 Official Edition,
5 is hereby amended by adding after Section 1I, the following section entitled:-

6 "Section 1J. Mobile carrying devices:

- 7 (1) MOBILE CARRYING DEVICE.—An electrically powered device that: (a) Is
8 operated on sidewalks and crosswalks and intended primarily for transporting personal property;
9 (b) Weighs less than 90 pounds, excluding cargo; (c) Has a maximum speed of 12.5 miles per
10 hour; (d) Is equipped with a technology to transport personal property with the active

11 monitoring of a property owner; and (e) Is primarily designed to remain within twenty-five feet
12 of the personal property owner.

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

15 (3) A mobile carrying device may be operated on a sidewalk or crosswalk so long as all
16 of the following requirements are met: (a) the mobile carrying device is operated in accordance
17 with the local ordinances, if any, established by the local highway authority governing where the
18 mobile carrying device is operated; (b) a personal property owner is actively monitoring the
19 navigation and operation of the mobile carrying device; and (c) the mobile carrying device is
20 equipped with a system that enables the mobile carrying device to come to a controlled stop.

21 (4) A personal property owner monitoring the mobile carrying device may not allow a
22 mobile carrying device to do any of the following:(a) fail to comply with traffic or pedestrian
23 control devices and signals; (b) unreasonably interfere with pedestrians or traffic; (c) transport
24 hazardous material; or (d) operate on a street or highway, except when crossing the street or
25 highway within a crosswalk.

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

29 (6) A personal property owner may not operate a mobile carrying device unless the
30 person complies with this section.

31 (7) A violation of this section is an infraction.