

SENATE No. 2355

The Commonwealth of Massachusetts

PRESENTED BY:

Brendan P. Crighton

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 third party delivery data reporting.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	
<i>Brendan P. Crighton</i>	<i>Third Essex</i>	
<i>James B. Eldridge</i>	<i>Middlesex and Worcester</i>	<i>6/12/2025</i>

SENATE No. 2355

By Mr. Crighton, a petition (accompanied by bill, Senate, No. 2355) of Brendan P. Crighton for legislation relative to third party delivery data reporting. Transportation.

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE SENATE, NO. 2367 OF 2023-2024.]

The Commonwealth of Massachusetts

**In the One Hundred and Ninety-Fourth General Court
(2025-2026)**

An Act relative to third party delivery data reporting.

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. Section 1 of Mass General Laws Chapter 159B is amended by adding the
2 following definitions:

3 "Third-party delivery service company", a corporation, partnership, sole proprietorship or
4 other entity qualified to do business in the commonwealth that is engaged in facilitating same-
5 day delivery or pickup of food and beverages through a third-party delivery service platform for
6 20 or more separately owned and operated covered establishments.

7 "Third Party Delivery Driver", any person employed by or contracted by a third party
8 delivery service company, for compensation, to deliver goods over irregular routes, to and from
9 various points within the commonwealth, not based upon a predetermined schedule, and from
10 different establishments.

11 SECTION 2. Said chapter 159B is hereby further amended by adding the following
12 section:-

13 Section 23. (a) On the first day of each month, each third party delivery provider shall
14 submit to the division, in a format approved by the division, data related to each delivery
15 provided in the month prior to the previous month and shall include:

16 (i) (A) the mode of transportation for each delivery order, including but not limited to,
17 motorcycle, electric motorcycle, moped, electric moped, bicycle, electric bicycle, micro-
18 mobility, or other vehicle. If the delivery order is completed by a vehicle, they shall include
19 whether the vehicle is propelled by internal combustion, battery-sourced electricity or a hybrid;
20 (B) the latitude and longitude for the points of the delivery order origination and delivery order
21 termination, calculated to 0.001 decimal degrees; (C) the date and time of the origination and
22 termination, calculated to the nearest minute; (D) the total cost paid by the buyer for the delivery
23 order; (E) the total cost paid by the restaurant or retail establishment for the delivery order; (F)
24 the customer service fee ; (G) the delivery fee; (H) the universally-unique identifier associated
25 with the third party delivery driver; (I) the third party delivery driver's city or town of residence
26 as appearing on the driver's license; (J) whether there were any driver or buyer-initiated
27 cancellations; (K) the total time that the third party delivery driver spent on the way to pick up
28 the delivery order by increments of 60 seconds; (L) the total time that the third party delivery
29 driver spent stopped to pick up the delivery order by increments of 60 seconds; (M) the total time
30 that the third party delivery driver spent driving to deliver the order by increments of 60 seconds;
31 (N) the total time that the third party delivery driver spent delivering the order by increments of
32 60 seconds;

33 (ii) for all vehicles, third party delivery providers shall include (A) the vehicle license
34 plate; (B) the vehicle make, model, year and, if available, trim; (C) the vehicle identification
35 number; (D) the total number of minutes and miles while the vehicle was driving to pick up third
36 party delivery orders; (D) the total number of minutes parked while picking up third party
37 delivery orders; (E) the total number of minutes and miles while the vehicle was engaged in third
38 party deliveries; (G) the total number of minutes while parked delivering third party delivery
39 orders; (F) the total number of minutes and miles while the vehicle was logged into the third
40 party delivery provider's digital network for purposes of accepting a delivery order; (G) the
41 geographic position of the vehicle while logged into the third party delivery network, provided at
42 intervals of not less than every 60 seconds;

43 (iv) for each accident or crash involving a third party delivery driver while logged into
44 the third party delivery vehicle's digital network: (A) the latitude and longitude of the location of
45 the accident or crash, calculated to 0.001 decimal degrees; (B) the date and time of the accident
46 or crash, calculated to the nearest minute; and (C) the universally-unique identifier associated
47 with the third party delivery driver.

48 (b) The division shall obtain additional data from third party delivery providers for the
49 purposes of congestion management, which may include, but shall not be limited to: (i) the total
50 number of third party delivery drivers that utilized the third party delivery vehicle's digital
51 network within specified geographic areas and time periods as determined by the division; (ii)
52 the total time spent and total miles driven by third party delivery drivers in such geographic
53 areas or time periods as determined by the division: (A) while engaged in driving on the way to
54 pick up a delivery order; (B) while picking up a delivery order from a restaurant or retail

55 establishment; (C) while engaged in driving to deliver a delivery order; or (D) while delivering
56 an order to the buyer.

57 The division shall promulgate regulations relative to data collection pursuant to this
58 subsection prior to obtaining the data.

59 (c) Annually, not later than June 30, the division shall post on its website, in aggregate
60 form, the total number of deliveries provided by all third party delivery providers that originated
61 in each city or town, each city or town where the deliveries originating in each city or town
62 terminated and the average miles and minutes of the deliveries that originated in each city or
63 town and terminated in each other respective city or town.

64 (d) For the purposes of congestion management, transportation planning, or emissions
65 tracking, the division may enter into confidential data-sharing agreements to share de-identified,
66 trip-level data received by the division pursuant to this section with the executive office of
67 technology services and security, the executive office of energy and environmental affairs, the
68 Massachusetts Department of Transportation, the Massachusetts Port Authority, the
69 Massachusetts Bay Transportation Authority, the department of environmental protection, a
70 Massachusetts regional transit authority established under section 3 of chapter 161B, a
71 Massachusetts regional planning agency and a Massachusetts metropolitan planning
72 organization. The division shall prescribe the form and content of a confidential data-sharing
73 agreement, the manner of transmitting the information and the information security measures
74 that must be employed by any entity receiving the data. Any confidential data-sharing agreement
75 shall specify that the information provided by the division shall be aggregated and de-identified
76 and may be used only for the purposes set forth in the agreement. Any data received by an entity

77 from the division through a confidential data-sharing agreement under this subsection shall not
78 be considered a public record under clause Twenty-sixth of section 7 of chapter 4 or chapter 66
79 and shall not be disclosed to any person or entity other than those listed or described in the
80 confidential data-sharing agreement; provided, however, that a state or municipal government
81 agency or transportation planning entity may disclose conclusions and analyses derived from the
82 information and data received pursuant to a confidential data-sharing agreement.

83 (e) A violation of the terms of a confidential data-sharing agreement by an entity listed in
84 subsection (d) may result in the division declining to enter into future confidential data-sharing
85 agreements with the violating entity and in the termination of any existing data-sharing
86 agreement with the entity. The division shall notify each third party delivery providers whose
87 data was shared in violation of the terms of a confidential data-sharing agreement of the violating
88 entity and what data was shared. An entity listed in subsection (d) that violates the terms of a
89 confidential data-sharing agreement shall delete all data received as a result of the confidential
90 data-sharing agreement.