

2020 Regular Session

SENATE BILL NO. 341

BY SENATOR WARD

DRONES/UNMANNED VEHICLES. Provides for personal delivery devices. (gov sig)

1 AN ACT

2 To enact Subpart G-2 of Chapter 1 of Title 32 of the Louisiana Revised Statutes of 1950, to
3 be comprised of R.S. 32:210 through 210.7, relative to autonomous delivery devices;
4 relative to motor vehicles and traffic regulations; to provide for definitions and
5 terms; and to provide for related matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. Subpart G-2 of Chapter 1 of Title 32 of the Louisiana Revised Statutes
8 of 1950, comprised of R.S. 32:210 through 210.7, is hereby enacted to read as follows:

9 **SUBPART G-2. PERSONAL DELIVERY DEVICES**

10 **§210. Definitions**

11 **(1) "Agent" means a director, officer, employee, or other person**
12 **authorized to act on behalf of a business entity.**

13 **(2) "Business entity" means a legal entity, including a corporation,**
14 **association, partnership, or sole proprietorship, that is formed for the purpose**
15 **of making a profit.**

16 **(3) "Pedestrian area" means a sidewalk, crosswalk, school crosswalk,**
17 **school crossing zone, or safety zone.**

1 **(4) "Nonpedestrian area" shall consist of any divided highway, highway,**
2 **roadway, or street where the posted speed limit is thirty-five miles per hour or**
3 **less.**

4 **(5) "Personal delivery device" means a device that is manufactured for**
5 **transporting cargo and goods in a pedestrian area or supplementary areas as**
6 **described in R.S. 32:405.5 and is equipped with automated driving technology,**
7 **including software and hardware, that enables the operation of the device with**
8 **the remote support and supervision of a human.**

9 **§210.1. Applicable law**

10 **A. The operation of a personal delivery devices is governed by this**
11 **Subpart. Personal delivery devices shall not be subject to any additional**
12 **regulation outside of this Subpart.**

13 **B. For the purpose of this Subpart, a personal delivery device operated**
14 **in compliance with this Subpart shall not be considered a vehicle.**

15 **§210.2. Operator of personal delivery device**

16 **A. A person may operate a personal delivery device under this Subpart**
17 **only if the person is a business entity, and an agent of the business entity is**
18 **trained and capable to monitor or exercise physical control over the navigation**
19 **and operation of the device.**

20 **B. Except as provided by Subsection C of this Section, when a personal**
21 **delivery device operated by a business entity is engaged, the business entity is**
22 **considered to be the operator of the device solely for the purpose of assessing**
23 **compliance with applicable traffic laws.**

24 **C. When a personal delivery device operated by a business entity is**
25 **engaged and an agent of the entity controls the device in a manner that is**
26 **outside the scope of the agent's scope of employment, the agent is considered to**
27 **be the operator of the device.**

28 **D. A person is not considered to be the operator of a personal delivery**
29 **device solely because the person requests a delivery or service provided by the**

1 device, or dispatches the device.

2 §210.3. Device operation

3 A personal delivery device operated under this Subpart shall:

4 (1) Operate in a manner that complies with any provision under this
5 Chapter that is applicable to pedestrians, unless the provision cannot apply to
6 the device.

7 (2) Yield to or not obstruct the right of way to all other traffic, including
8 pedestrian traffic.

9 (3) Not unreasonably interfere with other traffic, including pedestrian
10 traffic.

11 (4) Display the lights required by R.S. 32:301 et seq., if the personal
12 delivery device is operated at night.

13 (5) Comply with any applicable regulations adopted by local authority.

14 (6) Not transport hazardous materials regulated under the Hazardous
15 Materials Transportation Act, pursuant to 49 U.S.C. Section 5103 and is
16 required to be placard under Subpart F of C.F.R. Part 172.

17 (7) Be monitored or controlled as provided by R.S. 32:210.2 for personal
18 delivery devices.

19 §210.4. Areas of operation

20 A personal delivery device operated under this Subpart may be operated
21 either:

22 (1) In a pedestrian area at speeds up to twelve miles per hour.

23 (2) At a speed not to exceed twenty miles per hour on a highway in a
24 non-pedestrian area, provided that the personal delivery device shall not cross
25 any divided highway, highway, roadway, or street with a posted speed limit in
26 excess of thirty-five miles per hour at an intersection.

27 §210.5. Personal delivery device equipment

28 A. A personal delivery device operated under this Subpart shall:

29 (1) Be equipped with a marker that clearly states the name and contact

1 information of the owner and a unique identification number that is specific to
2 each individual personal delivery device.

3 (2) Be equipped with a braking system that enables the device to come
4 to a controlled stop.

5 B. A personal delivery device operated under this Subpart at night shall
6 be equipped with lights on the front and rear of the device. The lights affixed to
7 the personal delivery device shall be visible under normal atmospheric
8 conditions for up to five hundred feet away from the device.

9 §210.6. Local authority regulation

10 A. A local authority may not regulate the operation of a personal
11 delivery device on a nonpedestrian area or in a pedestrian area in a manner
12 inconsistent with this Subpart, including but not limited to hours of operation
13 or zones of operation.

14 B. This Subpart does not affect the authority of a peace officer to enforce
15 the laws of this state relating to the operation of a personal delivery device.

16 §210.7. Insurance

17 A business entity that operates a personal delivery device operated under
18 this Subpart shall maintain an insurance policy that includes general liability
19 coverage of not less than one hundred thousand dollars, for damages arising
20 from the operation of the personal delivery device.

21 Section 2. This Act shall become effective upon signature by the governor or, if not
22 signed by the governor, upon expiration of the time for bills to become law without signature
23 of the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If
24 vetoed by the governor and subsequently approved by the legislature, this Act shall become
25 effective on the day following such approval.

The original instrument and the following digest, which constitutes no part
of the legislative instrument, were prepared by Xavier I. Alexander.

Proposed law provides that the operation of a personal delivery device should only be governed by this Subpart.

Proposed law provides that a personal delivery device shall not be considered a vehicle.

Proposed law provides that a business entity may be the operator of a personal delivery device, through an agent of the business entity, that is trained and capable of monitoring or exercising physical control of the personal delivery device.

Proposed law provides that a personal delivery device shall yield to pedestrians and not obstruct right of ways to all other traffic.

Proposed law provides that a personal delivery device shall not transport hazardous materials.

Proposed law provides that a personal delivery device may be operated at speeds up to 12 miles per hour in a pedestrian area or at speeds up to 20 miles per hour in a non-pedestrian area.

Proposed law provides that a personal delivery device shall be equipped with markers and a unique identification number. Further provides that a personal delivery device shall be equipped with a braking system and lights on the front and rear that are visible up to 500 feet.

Proposed law provides that local authority cannot regulate the operation of a personal delivery device in a manner that is inconsistent with this Subpart.

Proposed law provides that a business entity that operates a personal delivery device shall maintain no less than \$100,000 of general liability insurance on the personal delivery device.

Effective upon signature of the governor or lapse of time for gubernatorial action.

(Adds R.S. 32:210-210.7)