**South Carolina General Assembly**

125th Session, 2023-2024

**H. 5329**

**STATUS INFORMATION**

General Bill

Sponsors: Rep. Rutherford

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Introduced in the House on March 26, 2024

Currently residing in the House Committee on **Labor, Commerce and Industry**

Summary: Personal Delivery Devices

**HISTORY OF LEGISLATIVE ACTIONS**

 Date Body Action Description with journal page number

 3/26/2024 House Introduced and read first time (House Journal‑page 22)

 3/26/2024 House Referred to Committee on **Labor, Commerce and Industry** (House Journal‑page 22)

View the latest  [legislative information](https://www.scstatehouse.gov/billsearch.php?billnumbers=5329&session=125&summary=B)  at the website

**VERSIONS OF THIS BILL**

[03/26/2024](https://www.scstatehouse.gov/sess125_2023-2024/prever/5329_20240326.docx)

A bill

TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING article 5 to chapter 2, title 56 SO AS TO PROVIDE definitions and to provide provisions FOR THE OPERATION OF PERSONAL DELIVERY DEvices.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Chapter 2, Title 56 of the S.C. Code is amended by adding:

Article 5

Personal Delivery Devices

 Section 56-2-5000. As contained in this article:

 (1) “Personal delivery device” means an electrically powered device intended for transporting cargo that is equipped with automated driving technology that enables device operation with or without the remote support and supervision of a human and that does not exceed: (a) a weight of one hundred fifty pounds, excluding cargo; (b) a length of thirty-six inches; and (c) a width of thirty inches.

 (2) “Agent” means a director, officer, employee, or other person authorized to act on behalf of a business entity.

 (3) “Business entity” means a corporation, limited liability company, partnership, sole proprietorship, or other legal entity authorized to conduct business under the laws of this State.

 (4) “Operator” means an agent who is at least sixteen years old and is charged with the responsibility of monitoring and operating a personal delivery device.

 (5) “Pedestrian area” means a sidewalk, crosswalk, school crosswalk, school crossing zone, or safety zone.

 Section 56-2-5010. (A) A business entity may operate a personal delivery device in a pedestrian area or on a highway, with the rights and duties applicable to a pedestrian, subject to the requirements and restrictions contained in this article. Except as authorized in this article, a person shall not operate a personal delivery device in a pedestrian area or on a highway in this State.

 (B) Operation of a personal delivery device must:

 (1) be monitored by an operator who is able to exercise remote control over the navigation and operation of the personal delivery device;

 (2) not be operated in a pedestrian area at a speed greater than ten miles an hour; and

 (3) not be operated on a highway except as necessary to cross a highway or along a highway if a sidewalk is not provided or accessible.

 (C) When operating along a highway, the personal delivery device must:

 (1) be operated on the shoulder or as close as practicable to the extreme right of the highway in the direction of authorized traffic movement and shall yield the right-of-way to all vehicles;

 (2) not be operated on a highway at a speed greater than ten miles an hour; and

 (3) must not be operated on a highway with a speed limit greater than thirty-five miles an hour.

 (D) The personal delivery device shall:

 (1) obey all traffic and pedestrian-control devices and signs;

 (2) yield the right-of-way to all human pedestrians;

 (3) not unreasonably interfere with any vehicle or pedestrian; and

 (4) not transport materials regulated under the federal Hazardous Materials Transportation Act.

 (E) A personal delivery device shall be equipped with:

 (1) a marker that clearly states the name and contact information of the owner;

 (2) a braking system that enables the device to come to a controlled stop; and

 (3) when operated at night, lights on the front and rear that are visible and recognizable under normal atmospheric conditions from at least five hundred feet on all sides of the personal delivery device.

 Section 56-2-5020. For the purpose of assuring the safety of persons using highways and

sidewalks, a local government having jurisdiction over public streets, sidewalks, alleys, bridges, and

other ways of public passage may, by ordinance, regulate the time and place of the operation of

a personal delivery device, but shall not prohibit its use.

 Section 56-2-5030. A business entity that operates a personal delivery device shall maintain an insurance policy that includes general liability coverage of not less than five hundred thousand dollars per claim for damages arising from its operation.

SECTION 2. The provisions contained in SECTION 1 of this act are repealed three years after their enactment.

SECTION 3. This act takes effect upon approval by the Governor.

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