

# House Bill 3015

Sponsored by Representative NOSSE

## SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure **as introduced**.

Establishes Task Force on Personal Delivery Devices. Directs task force to develop and make recommendations for legislation regarding operation of personal delivery devices in this state. Requires task force to submit recommendations to interim committee of Legislative Assembly no later than September 15, 2022.

Sunset January 2, 2024.

## A BILL FOR AN ACT

1  
2 Relating to personal delivery devices.

3 **Be It Enacted by the People of the State of Oregon:**

4 **SECTION 1. (1) As used in this section:**

5 (a) **"Automated driving system" means the hardware and software installed on a device**  
6 **that are collectively capable of performing the dynamic driving task on a sustained basis for**  
7 **at least part of the device's trip.**

8 (b) **"Personal delivery device" means a device that:**

9 (A) **Is operated by an automated driving system or a driving system that allows remote**  
10 **operation; and**

11 (B) **Transports goods.**

12 (2) **The Task Force on Personal Delivery Devices is established.**

13 (3) **The task force consists of 13 members appointed as follows:**

14 (a) **The President of the Senate shall appoint two members from among members of the**  
15 **Senate who are not members of the same party.**

16 (b) **The Speaker of the House of Representatives shall appoint two members from among**  
17 **members of the House of Representatives who are not members of the same party.**

18 (c) **The Director of Transportation shall appoint nine members, each of whom must rep-**  
19 **resent one of the following:**

20 (A) **Companies that want to operate personal delivery devices in this state;**

21 (B) **Labor organizations representing package delivery workers in this state;**

22 (C) **Public safety advocates;**

23 (D) **The League of Oregon Cities;**

24 (E) **The Association of Oregon Counties;**

25 (F) **The Department of Transportation;**

26 (G) **The Department of Consumer and Business Services;**

27 (H) **The Oregon State Sheriffs' Association; and**

28 (I) **The Oregon Association Chiefs of Police.**

29 (4)(a) **The task force shall develop recommendations for legislation to be introduced**  
30 **during the next odd-numbered year regular session of the Legislative Assembly regarding the**

**NOTE:** Matter in **boldfaced** type in an amended section is new; matter *[italic and bracketed]* is existing law to be omitted. New sections are in **boldfaced** type.

1 **deployment of personal delivery devices in this state.**

2 **(b) The proposed legislation under this subsection must be consistent with federal law**  
3 **and guidelines and address, at a minimum, the following issues:**

4 **(A) Rights-of-way where the devices may be permitted to operate;**

5 **(B) Safety equipment and visibility requirements, including visual or audible alerts for**  
6 **individuals who are hard of hearing or visually impaired;**

7 **(C) Operational requirements;**

8 **(D) Insurance requirements;**

9 **(E) Applicability of the Oregon Vehicle Code and enforcement of traffic infractions;**

10 **(F) Registration of the devices and of the companies deploying or operating the devices;**

11 **(G) Licensing of individual operators;**

12 **(H) State licensing framework and timelines;**

13 **(I) Phases of public testing and operation;**

14 **(J) Ongoing state inspections of the devices; and**

15 **(K) Penalties.**

16 **(5) When developing the recommendations under subsection (4) of this section, the task**  
17 **force shall incorporate the following requirements:**

18 **(a)(A) Personal delivery devices must meet the following minimum safety and community**  
19 **well-being requirements:**

20 **(i) A device may not travel more than 3.5 miles per hour on a sidewalk or 10 miles per**  
21 **hour on the side of a roadway.**

22 **(ii) A device may weigh no more than 200 pounds, including the weight of goods being**  
23 **transported.**

24 **(iii) A device must be equipped with a braking system that can come to a complete stop**  
25 **in any weather condition, at any elevation and in any terrain in which it will be operated.**

26 **(B) The state requirements represent the minimum statewide requirements required for**  
27 **deployment or operation of personal delivery devices.**

28 **(C) Local governments may implement regulations of the devices that are more restric-**  
29 **tive than the state requirements, including banning operation of the devices.**

30 **(D) The state shall create a system by which companies must apply and may receive**  
31 **authority from the state to deploy or operate the devices in this state.**

32 **(b) Companies deploying or operating personal delivery devices in this state must provide**  
33 **details about planned operations, including at a minimum:**

34 **(A) The municipalities and counties in which the company intends to deploy or operate**  
35 **the devices;**

36 **(B) The anticipated highways and pedestrian areas that the company intends to deploy**  
37 **or operate the devices;**

38 **(C) A description of the training procedures for device operators;**

39 **(D) The manufacturer and model of devices that the company intends to deploy;**

40 **(E) A description of how a police officer or other emergency responder may stop or dis-**  
41 **able the devices;**

42 **(F) A description of the goods that the company intends to transport;**

43 **(G) A proposed schedule for safety and maintenance inspections of the devices; and**

44 **(H) Information regarding the operational phases in which the company's devices are**  
45 **capable of operating.**

1 (c) The state may immediately revoke or suspend a company's authority to deploy or  
2 operate personal delivery devices following a safety incident or the company's failure to meet  
3 any applicable operating requirements.

4 (d) The state shall develop and make publicly available a website that allows the public  
5 to:

6 (A) Report and view violations, accidents or other concerns regarding personal delivery  
7 devices;

8 (B) View a list of companies that are authorized to deploy or operate the devices in this  
9 state, including the authorized operational phase of each authorized company;

10 (C) View any order issued by the state relating to the devices; and

11 (D) View policies or guidelines issued by the state consistent with this section.

12 (e)(A) Companies that deploy or operate personal delivery devices must:

13 (i) Provide notice to affected employees not less than 180 days prior to the date of de-  
14 ployment of the personal delivery devices if the deployment will change employment posi-  
15 tions;

16 (ii) Provide notice to affected employees not less than 270 days prior to deployment of  
17 personal delivery devices if the deployment is likely to result in the elimination of positions;

18 (iii) Bargain directly with employees regarding best practices for deployment of the de-  
19 vices; and

20 (iv) Provide, at company expense, on-the-job training to any employee who will be af-  
21 fected by the deployment of the devices.

22 (B) If a company is required to provide notice regarding positions that may be eliminated  
23 following a deployment, the company shall:

24 (i) Give hiring priority to affected employees for any new or open positions for the 12  
25 months immediately following the date of the notice;

26 (ii) Beginning not later than 180 days before the date a position is eliminated, provide  
27 on-the-job training to prepare the affected employee for a different but comparable position  
28 with the company or a different but comparable occupation with a different employer; and

29 (iii) Provide the affected employee with no less than six months of severance pay in an  
30 amount equal to the employee's wages.

31 (f) Personal delivery devices must be inspected with state oversight at regular intervals  
32 to test and review performance of individual machines, including tests to simulate inclement  
33 weather.

34 (g) A company that operates a personal delivery device shall maintain an insurance policy  
35 on each device that includes general liability coverage of not less than \$500,000 for damages  
36 arising from the operation of the device.

37 (h) The operator of a personal delivery device must be an employee of the company that  
38 deploys the device.

39 (i) The company that deploys a personal delivery device is liable for any damages to the  
40 device and any damages caused by the device.

41 (j) A company that deploys personal delivery devices must apply annually for authority  
42 to operate the devices in this state.

43 (6) A majority of the voting members of the task force constitutes a quorum for the  
44 transaction of business.

45 (7) Official action by the task force requires the approval of a majority of the voting

1 **members of the task force.**

2 **(8) The task force shall elect one of its members to serve as chairperson.**

3 **(9) If there is a vacancy for any cause, the appointing authority shall make an appoint-**  
4 **ment to become immediately effective.**

5 **(10) The task force shall meet at times and places specified by the call of the chairperson**  
6 **or of a majority of the voting members of the task force.**

7 **(11) The task force may adopt rules necessary for the operation of the task force.**

8 **(12) The task force shall submit a report in the manner provided by ORS 192.245, and**  
9 **shall include recommendations for legislation described in subsection (4) of this section, to**  
10 **the appropriate interim committee of the Legislative Assembly related to transportation no**  
11 **later than September 15, 2022.**

12 **(13) The Department of Transportation shall provide staff support to the task force.**

13 **(14) Members of the Legislative Assembly appointed to the task force are nonvoting**  
14 **members of the task force and may act in an advisory capacity only.**

15 **(15) Members of the task force who are not members of the Legislative Assembly are not**  
16 **entitled to compensation or reimbursement for expenses and serve as volunteers on the task**  
17 **force.**

18 **(16) All agencies of state government, as defined in ORS 174.111, are directed to assist**  
19 **the task force in the performance of the task force's duties and, to the extent permitted by**  
20 **laws relating to confidentiality, to furnish information and advice the members of the task**  
21 **force consider necessary to perform their duties.**

22 **SECTION 2. Section 1 of this 2021 Act is repealed on January 2, 2024.**

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