

## **BILL ANALYSIS**

C.S.H.B. 2301  
By: Landgraf  
Transportation  
Committee Report (Substituted)

### **BACKGROUND AND PURPOSE**

Concerns have been raised regarding the lack of regulation for some cargo transportation devices that are gaining in popularity and share pedestrian spaces near roadways. C.S.H.B. 2301 seeks to address this issue by regulating the operation of personal delivery and mobile carrying devices.

### **CRIMINAL JUSTICE IMPACT**

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

### **RULEMAKING AUTHORITY**

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

### **ANALYSIS**

C.S.H.B. 2301 amends the Transportation Code to provide for the regulation of personal delivery devices and mobile carrying devices, which are devices that transport cargo and meet other specified criteria. The bill authorizes a person to operate a personal delivery device, as defined by the bill, only if the person is a business entity and if a human who is an agent of the entity has the capability to monitor or exercise physical control over the navigation and operation of the device. The bill requires a mobile carrying device, as defined by the bill, to remain within 25 feet of a human operator while the device is in motion. The bill sets out provisions for determining who is the operator of a personal delivery or mobile carrying device for the purpose of assessing compliance with applicable traffic laws.

C.S.H.B. 2301 sets out provisions governing the operation and equipment of a personal delivery or mobile carrying device, including provisions regarding the manner of operation, authorized areas of operation, required brake and light equipment, and maximum speed. The bill requires a personal delivery device to be equipped with a marker that clearly states the name and contact information of the owner and a unique identification number.

C.S.H.B. 2301 authorizes a local authority to regulate the operation of a personal delivery or mobile carrying device on a highway or in a pedestrian area in a manner not inconsistent with the bill's provisions and establishes that such regulatory authority does not affect the authority of a local authority's peace officers to enforce state law relating to the operation of those devices. The bill requires a business entity that operates a personal delivery device to maintain an insurance policy that includes general liability coverage of not less than \$100,000 for damages arising from the operation of the device.

C.S.H.B. 2301 establishes that the operation of a personal delivery or mobile carrying device in a pedestrian area is governed exclusively by the bill's provisions and any applicable regulations

adopted by a local authority. A personal delivery or mobile carrying device operated in compliance with the bill's provisions is not considered to be a vehicle for purposes of provisions relating to vehicles and traffic.

#### **EFFECTIVE DATE**

On passage, or, if the bill does not receive the necessary vote, September 1, 2019.

#### **COMPARISON OF ORIGINAL AND SUBSTITUTE**

While C.S.H.B. 2301 may differ from the original in minor or nonsubstantive ways, the following summarizes the substantial differences between the introduced and committee substitute versions of the bill.

The substitute does not include maximum weight limits for a personal delivery or mobile carrying device. The substitute revises the areas in which such devices may be operated and the definitions of each device.

The substitute changes the bill's effective date.