

KANSAS OFFICE *of*  
**REVISOR *of* STATUTES**

LEGISLATURE *of* THE STATE *of* KANSAS  
*Legislative Attorneys transforming ideas into legislation.*

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**MEMORANDUM**

To: House Committee on Transportation  
From: Office of Revisor of Statutes  
Date: March 15, 2022  
Subject: Bill Brief – SB 161

SB 161 provides for the use of personal package delivery devices on sidewalks and crosswalks, exempts such devices from motor vehicle requirements and allows local governments the ability to prohibit such devices.

Section 1 provides definitions for terms used throughout the bill. The term personal delivery device means a powered device that weighs 150 pounds or less, excluding cargo, that is operated primarily on sidewalks and crosswalks and intended primarily for the transport of property and is capable of navigating with or without the active control or monitoring by a person. A personal delivery device operator means an employee or agent of an entity that exercises control or monitoring over the navigation system and operation of the device and can actively control the device during operation.

Section 2 contains requirements for the operation and implementation of personal delivery devices by an entity. Personal delivery devices are authorized to operate on any sidewalk or crosswalk of a municipality, the public highway of a municipality for the limited purpose of gaining or regaining access to a sidewalk or crosswalk and would require the devices to yield to all vehicles and not unreasonably interfere with traffic. A personal delivery device cannot block public rights-of-way, shall obey all traffic and pedestrian signals, not operate more than six miles per hour, prominently display a unique identification number and contact information for the controlling entity. These devices shall also be equipped with a system that enables the device to be actively controlled and operated to avoid pedestrians, pets, vehicles, bicycles, and other objects with or without such active control. Personal delivery devices will have the same rights and obligations that are applicable to pedestrians. Personal delivery devices are exempt from motor vehicle registration requirements, however the Senate Committee of the

Whole inserted language that would subject these devices to annual commercial vehicle fees for vehicles that are 10,000-12,000 pounds. Entities that operate personal delivery devices are required to maintain an insurance policy that includes general liability coverage of at least \$1,000,000. The bill also requires personal delivery devices to be equipped with lighting when operated at night or on any public highway. The device also must be equipped with an audible warning system capable of detecting and warning blind persons of the device's proximity. Finally, a personal delivery device cannot transport hazardous materials.

Section 3 allows local units of government to prohibit personal delivery devices if that local government determines that the prohibition is necessary in the interest of public safety.

Section 4 excludes personal delivery device from the definitions of vehicle and motor vehicle.