

**SENATE . . . . . No. 2308**

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**The Commonwealth of Massachusetts**

PRESENTED BY:

***Sal N. DiDomenico***

*To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:*

The undersigned legislators and/or citizens respectfully petition for the adoption of the accompanying bill:

An Act relative to mobile carrying devices.

PETITION OF:

NAME:

*Sal N. DiDomenico*

DISTRICT/ADDRESS:

*Middlesex and Suffolk*

**SENATE . . . . . No. 2308**

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By Mr. DiDomenico, a petition (accompanied by bill, Senate, No. 2308) of Sal N. DiDomenico for legislation relative to mobile carrying devices. Transportation.

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[SIMILAR MATTER FILED IN PREVIOUS SESSION  
SEE SENATE, NO. 2069 OF 2019-2020.]

**The Commonwealth of Massachusetts**

\_\_\_\_\_  
**In the One Hundred and Ninety-Second General Court  
(2021-2022)**  
\_\_\_\_\_

An Act relative to mobile carrying devices.

*Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:*

1           SECTION 1. Chapter 90 of the General Laws, as appearing in the 2018 Official Edition,  
2 is hereby amended by inserting in Section 1 after the words “shall not include motorized  
3 bicycles” the following words:- "or mobile carrying devices, as defined in Section 1J".

4           SECTION 2. Chapter 90 of the General Laws, as appearing in the 2018 Official Edition,  
5 is hereby amended by adding after Section II, the following section entitled:-

6           "Section 1J. Mobile carrying devices:

- 7           (1) MOBILE CARRYING DEVICE.—An electrically powered device that: (a) Is  
8 operated on sidewalks and crosswalks and intended primarily for transporting personal property;  
9 (b) Weighs less than 90 pounds, excluding cargo; (c) Has a maximum speed of 12.5 miles per  
10 hour; (d) Is equipped with a technology to transport personal property with the active

11 monitoring of a property owner; and (e) Is primarily designed to remain within twenty-five feet  
12 of the personal property owner.

13 (2) A mobile carrying device is not considered a vehicle unless expressly defined by law  
14 as a vehicle.

15 (3) A mobile carrying device may be operated on a sidewalk or crosswalk so long as all  
16 of the following requirements are met: (a) the mobile carrying device is operated in accordance  
17 with the local ordinances, if any, established by the local highway authority governing where the  
18 mobile carrying device is operated; (b) a personal property owner is actively monitoring the  
19 navigation and operation of the mobile carrying device; and (c) the mobile carrying device is  
20 equipped with a system that enables the mobile carrying device to come to a controlled stop.

21 (4) A personal property owner monitoring the mobile carrying device may not allow a  
22 mobile carrying device to do any of the following:(a) fail to comply with traffic or pedestrian  
23 control devices and signals; (b) unreasonably interfere with pedestrians or traffic; (c) transport  
24 hazardous material; or (d) operate on a street or highway, except when crossing the street or  
25 highway within a crosswalk.

26 (5) A mobile carrying device has the rights and obligations applicable to a pedestrian  
27 under the same circumstances, except that a mobile carrying device shall yield the right-of-way  
28 to a pedestrian on a sidewalk or crosswalk.

29 (6) A personal property owner may not operate a mobile carrying device unless the  
30 person complies with this section.

31 (7) A violation of this section is an infraction.