

TRANSPORTATION CODE
TITLE 7. VEHICLES AND TRAFFIC
SUBTITLE C. RULES OF THE ROAD
CHAPTER 552A. DEVICES SUBJECT TO PEDESTRIAN LAWS

SUBCHAPTER A. PERSONAL DELIVERY AND MOBILE CARRYING DEVICES

Sec. 552A.0001. DEFINITIONS. In this subchapter:

- (1) "Agent" has the meaning assigned by Section [7.21](#), Penal Code.
- (2) "Business entity" means a legal entity, including a corporation, partnership, or sole proprietorship, that is formed for the purpose of making a profit.
- (3) "Mobile carrying device" means a device that:
 - (A) transports cargo while remaining within 25 feet of a human operator; and
 - (B) is equipped with technology that allows the operator to actively monitor the device.
- (4) "Pedestrian area" includes a sidewalk, crosswalk, school crosswalk, school crossing zone, or safety zone.
- (5) "Personal delivery device" means a device that:
 - (A) is manufactured primarily for transporting cargo in a pedestrian area or on the side or shoulder of a highway; and
 - (B) is equipped with automated driving technology, including software and hardware, that enables the operation of the device with the remote support and supervision of a human.

Added by Acts 2019, 86th Leg., R.S., Ch. 612 (S.B. [969](#)), Sec. 2, eff. June 10, 2019.

Sec. 552A.0002. APPLICABLE LAW. (a) The operation of a personal delivery or mobile carrying device in a pedestrian area or on the side or shoulder of a highway is governed exclusively by:

- (1) this subchapter; and
- (2) any applicable regulations adopted by a local authority that are not inconsistent with this subchapter, as

authorized under Section [552A.0009](#).

(b) For the purposes of this title, including Section [545.422](#), a personal delivery or mobile carrying device operated in compliance with this subchapter is not considered to be a vehicle. Added by Acts 2019, 86th Leg., R.S., Ch. 612 (S.B. [969](#)), Sec. 2, eff. June 10, 2019.

Sec. 552A.0003. OPERATOR OF PERSONAL DELIVERY DEVICE. (a) A person may operate a personal delivery device under this subchapter only if:

- (1) the person is a business entity; and
- (2) a human who is an agent of the business entity has the capability to monitor or exercise physical control over the navigation and operation of the device.

(b) Except as provided by Subsection (c), when a personal delivery device operated by a business entity is engaged, the business entity is considered to be the operator of the device solely for the purpose of assessing compliance with applicable traffic laws.

(c) When a personal delivery device operated by a business entity is engaged and an agent of the entity controls the device in a manner that is outside the scope of the agent's office or employment, the agent is considered to be the operator of the device.

(d) A person is not considered to be the operator of a personal delivery device solely because the person:

- (1) requests a delivery or service provided by the device; or
- (2) dispatches the device.

Added by Acts 2019, 86th Leg., R.S., Ch. 612 (S.B. [969](#)), Sec. 2, eff. June 10, 2019.

Sec. 552A.0004. OPERATOR OF MOBILE CARRYING DEVICE. A person operating a mobile carrying device is considered to be the operator of the device for the purpose of assessing compliance with applicable traffic laws.

Added by Acts 2019, 86th Leg., R.S., Ch. 612 (S.B. [969](#)), Sec. 2,

eff. June 10, 2019.

Sec. 552A.0005. DEVICE OPERATION. (a) A personal delivery or mobile carrying device operated under this subchapter must:

(1) operate in a manner that complies with the provisions of this subtitle applicable to pedestrians, unless the provision cannot by its nature apply to the device;

(2) yield the right-of-way to all other traffic, including pedestrians;

(3) not unreasonably interfere with or obstruct other traffic, including pedestrians;

(4) if operated at nighttime, display the lights required by Section 552A.0007 or 552A.0008, as applicable;

(5) comply with any applicable regulations adopted by a local authority under Section 552A.0009;

(6) not transport hazardous materials in a quantity requiring placarding by a regulation issued under the Hazardous Materials Transportation Act (49 U.S.C. Section 5101 et seq.); and

(7) be monitored or controlled as provided by Section 552A.0003(a) for a personal delivery device or by the operator for a mobile carrying device.

(b) A mobile carrying device operated under this subchapter must remain within 25 feet of the operator while the device is in motion.

Added by Acts 2019, 86th Leg., R.S., Ch. 612 (S.B. 969), Sec. 2, eff. June 10, 2019.

Sec. 552A.0006. AREAS AND SPEEDS OF OPERATION. (a) A personal delivery or mobile carrying device operated under this subchapter may be operated only:

(1) in a pedestrian area at a speed of not more than 10 miles per hour; or

(2) on the side of a roadway or the shoulder of a highway at a speed of not more than 20 miles per hour.

(b) Notwithstanding Subsection (a)(1), a local authority may establish a maximum speed of less than 10 miles per hour in a pedestrian area in the jurisdiction of the local authority if the

local authority determines that a maximum speed of 10 miles per hour is unreasonable or unsafe for that area. A maximum speed established under this subsection may not be less than seven miles per hour.

Added by Acts 2019, 86th Leg., R.S., Ch. 612 (S.B. 969), Sec. 2, eff. June 10, 2019.

Sec. 552A.0007. PERSONAL DELIVERY DEVICE EQUIPMENT. (a) A personal delivery device operated under this subchapter must:

(1) be equipped with a marker that clearly states the name and contact information of the owner and a unique identification number; and

(2) be equipped with a braking system that enables the device to come to a controlled stop.

(b) A personal delivery device operated under this subchapter at nighttime must be equipped with lights on the front and rear of the device that are visible and recognizable under normal atmospheric conditions on all sides of the device from 1 to 500 feet from the device when the light is directly in front of lawful lower beams of headlamps.

Added by Acts 2019, 86th Leg., R.S., Ch. 612 (S.B. 969), Sec. 2, eff. June 10, 2019.

Sec. 552A.0008. MOBILE CARRYING DEVICE EQUIPMENT. (a) A mobile carrying device operated under this subchapter must be equipped with a braking system that enables the device to come to a controlled stop.

(b) A mobile carrying device operated under this subchapter at nighttime must be equipped with lights that are visible and recognizable under normal atmospheric conditions from 1 to 50 feet from the device when the light is directly in front of lawful lower beams of headlamps.

Added by Acts 2019, 86th Leg., R.S., Ch. 612 (S.B. 969), Sec. 2, eff. June 10, 2019.

Sec. 552A.0009. LOCAL AUTHORITY REGULATION. (a) A local authority may 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 this subchapter.

(b) This section does not affect the authority of a local authority's peace officers to enforce the laws of this state relating to the operation of a personal delivery or mobile carrying device.

Added by Acts 2019, 86th Leg., R.S., Ch. 612 (S.B. 969), Sec. 2, eff. June 10, 2019.

Sec. 552A.0010. INSURANCE. A business entity that operates a personal delivery device operated under this subchapter must maintain an insurance policy that includes general liability coverage of not less than \$100,000 for damages arising from the operation of the device.

Added by Acts 2019, 86th Leg., R.S., Ch. 612 (S.B. 969), Sec. 2, eff. June 10, 2019.

SUBCHAPTER B. MOBILITY DEVICES

Sec. 552A.0101. OPERATORS OF CERTAIN MOBILITY DEVICES.

(a) In this section, "motorized mobility device" means a device designed for transportation of persons with physical disabilities that:

- (1) has three or more wheels;
- (2) is propelled by a battery-powered motor;
- (3) has not more than one forward gear; and
- (4) is not capable of speeds exceeding eight miles per hour.

(b) For the purposes of this subtitle, a person operating a nonmotorized wheelchair or motorized mobility device is considered to be a pedestrian.

Added by Acts 2001, 77th Leg., ch. 497, Sec. 2, eff. June 11, 2001. Renumbered from Transportation Code Sec. 542.008 by Acts 2003, 78th Leg., ch. 1275, Sec. 2(135), eff. Sept. 1, 2003.

Transferred and redesignated from Transportation Code, Section 542.009 by Acts 2019, 86th Leg., R.S., Ch. 612 (S.B. 969), Sec. 4, eff. June 10, 2019.