WEST VIRGINIA CODE CHAPTER 17c ARTICLE 24

WV Legislature

§17C-24-1. Definitions.

“Mobile carrier’ means an electrically powered device that:

(1) Is operated on sidewalks and crosswalks and is intended primarily for transporting

Property;

(2) Weighs less than 100 pounds, excluding cargo;

(3) Has a maximum speed of 12.5 miles per hour; and

(4) Is equipped with a technology to transport personal property with the active monitoring

of a property owner and primarily designed to remain within 25 feet of the property owner.

“Personal delivery device” means an electrically powered device that:

(1) Is operated on sidewalks, and crosswalks and roadways and is intended primarily for transporting goods and cargo;

(2) Is equipped with technology to allow for operation of the device with or without the

active control or monitoring of a natural person;

(3) A personal delivery device is not considered a vehicle unless expressly defined by law as a vehicle; and

(4) A mobile carrier is not considered a personal delivery device.

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§17C-24-2. Rules for personal delivery devices and mobile carriers.

(a) A personal delivery device or mobile carrier may operate on sidewalks and crosswalks. A personal delivery device or mobile carrier operating on a sidewalk or crosswalk has all the rights and duties applicable to a pedestrian under the same circumstances, except that the personal delivery device or mobile carrier shall not unreasonably interfere with pedestrians or traffic, and shall yield the right-of-way to pedestrians on the sidewalk or crosswalk.

(b) Personal delivery devices and mobile carriers shall:

(1) Obey all official traffic and pedestrian control signals and devices;

(2) For personal delivery devices, include a plate or marker that has a unique identifying device number and identifies the name and contact information of the personal delivery device operator; and

(3) Be equipped with a braking system that, when active or engaged, enables the personal delivery device or mobile carrier to come to a controlled stop.

(c) Mobile carriers shall not:

(1) Operate on a public highway except to the extent necessary to cross a crosswalk;

(2) Operate on a sidewalk or crosswalk unless the mobile carrier owner is actively controlling or monitoring the navigation and remains within 25 feet of the mobile carrier;

(3) Transport hazardous materials as defined in RSA 259:40; or

(4) Transport persons or animals.

(d) Personal delivery devices shall not:

(1) Operate at speeds in excess of 12 mph on sidewalks;

(2) Operate at speeds in excess of 20 mph on roadways;

(3) Operate unless the navigation and operation is being monitored or controlled by an operator; or

(4) Transport hazardous materials that are regulated under the Hazardous Materials Transportation Authorization Act of 1994 (49 United States Code Sections 5101 through 5128) and must be placarded under 49 Code of Federal Regulations Sections 172.500 through 172.560.

(e) A local authority may not regulate the operation of a personal delivery device on a highway or sidewalk in a manner that is inconsistent with this article, including, but not limited to, restricting the hours or zones of operation.

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(f) A person who owns and operates a personal delivery device in this state shall maintain an insurance policy, on behalf of himself or herself and his or her agents, which provides general liability coverage of at least $100,000 for damages arising from the combined operations of personal delivery devices under the entity's or agent's control.

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