

Date of Hearing: April 8, 2019

ASSEMBLY COMMITTEE ON TRANSPORTATION

Jim Frazier, Chair

AB 326 (Muratsuchi) – As Amended March 19, 2019

**SUBJECT:** Vehicles: motorized carrying devices

**SUMMARY:** Defines motorized carrying devices and includes a number of safety requirements for their safe operation. Specifically, **this bill:**

- 1) Defines a motorized carrying device as an electric-powered self-propelled device that transports someone's property but not a person and is controlled by someone in the immediate vicinity by means of wireless electronic tethering.
- 2) Specifies that a motorized carrying device cannot be, nor occupy a space, larger than an average person and cannot weigh more than 85 pounds without any cargo.
- 3) Requires a motorized carrying device to be equipped with a braking system that can be activated by the person operating the device and is automatically activated if it loses contact with its operator.
- 4) Requires a motorized carrying device operated during darkness to be equipped with lights and reflectors similar to those required for a bicycle.
- 5) Specifies that requirements applicable to a pedestrian apply to a motorized carrying device and to a person operating the device, and that a motorized carrying device is not subject to requirements applicable to a motor vehicle.
- 6) Authorizes a motorized carrying device to operate on a sidewalk or crosswalk.
- 7) Requires a person operating a motorized carrying device to be in the immediate vicinity of the device and actively monitor it at all times.
- 8) Requires a person operating a motorized carrying device to ensure the device yields the right of way to any pedestrian, cyclist, or personal assistive mobility device on the sidewalk.
- 9) Restricts a person operating a motorized carrying device from operating the device:
  - a) In violation of any pedestrian signal;
  - b) In ways that unreasonably interfere with any pedestrian or vehicular traffic;
  - c) At a rate of speed in excess of 8 miles per hour;
  - d) Upon a highway or at a distance of more than 10 feet from the operator; or
  - e) Transporting any hazardous material.
- 10) Specifies that any violation of these provisions is punishable as an infraction.

**EXISTING LAW:** Defines a variety of personal mobility devices such as electric bicycles, motorized skateboards, motorized scooters, and segways, and describes the proper equipment and safe operation of each.

**FISCAL EFFECT:** Unknown.

**COMMENTS:** The number of mobility options available to the average consumer is exploding. Not long ago, the only common ways for people to get from one place to another were walking, biking, driving their own vehicle, or hailing a taxi. Now consumers can not own a vehicle and instead choose between traditional taxis and Transportation Network Companies like Lyft and Uber, or can be members of carsharing companies like Zipcar or Gig Car Share. Instead of choosing between walking and using one's personal bicycle, consumers can use motorized skateboards, motorized scooters, electric bicycles, or rent any number of these personal mobility devices by the minute from companies like Jump or Bird.

The mobility revolution has expanded rapidly over the last decade, and appears likely to continue as automated vehicles and various other mobility solutions are developed and become available. At times, government has struggled to keep up with the changes and effectively regulated the safe use of these various technologies as they have become available. According to the author, this bill seeks to get in front of what he thinks may be the next innovation in personal mobility.

A motorized carrying device is an electronic device designed to carry cargo and follow its operator through an electronic connection. For example, Piaggio Fast Forward has created a mobile carrier which is capable of hauling up to 40 pounds of goods while following a human operator or moving autonomously through an environment that has been previously mapped by the device. The device does this by "linking" up to a belt with cameras worn by the user or by the device referring back to a specific map of a path it has already traveled. The device utilizes cameras and an ultrasonic rangefinding system to avoid obstacles in its way.

According to the 2009 U.S. National Household Transportation Survey, car trips of under a mile sum to about 10 billion miles per year. If Americans chose to make half of these short trips on foot instead of in motor vehicles, the US Environmental Protection Agency estimates it could save about \$575 million in fuel costs and about 2 million metric tons of CO2 emissions per year. That is the equivalent of taking about 400,000 cars off the road each year.

The author argues that, while not all trips currently taken by car are made because there is a need for storage or carrying heavy objects, the development of motorized carrying devices can make short trips to the store or other locations more appealing for the pedestrian. In addition, this technology will create options for mobility-challenged persons, including elderly and disabled, or a parent who wants to have a free hand to walk with his or her child instead of pulling a wagon full of items.

Writing in support of the bill, TechNet argues, "These personal carriers, which are designed to carry heavier loads than a person could carry on their own, will provide people with the opportunity to walk and reduce vehicle trips. Given our transportation-focused culture, harnessing new technologies which encourage people to lead healthier, more community based and socially-connected lifestyles, can help meet our environmental goals of the future. TechNet encourages California leaders to adopt smart, adaptive, and long-range strategies that foster innovation, enhance global competitiveness, and provide improved services to constituents with successful, consumer-oriented models. We believe AB 326 does just that."

*Committee comments:* This bill represents one in a series of proposals to ensure the safe operation of a new mobility technology. There are currently large sections of existing law dedicated to the safe operation and use of a wide variety of remarkably similar mobility devices, from electric bicycles, to motorized scooters, to segways, and each article applies various safety rules in slightly different ways. This bill deals with a different type of device, and includes a number of important requirements to ensure these devices are operated safely. For example, this bill limits the size and speed of the device, require lights and reflectors for nighttime operation, and restricts the distance the device can be from the operator when in use. It is also strictly limited to a particular type of mobility device, to ensure that future variations on the theme of independent electronic devices are considered separately by the Legislature, should they become available.

*Prior Legislation:* AB 2989 (Flora), Chapter 552, Statutes of 2018, allowed a local authority to authorize the operation of a motorized scooter on streets with a speed limit of up to 35 miles per hour (mph) and required an operator of a motorized scooter to wear a helmet only if he or she is under the age of 18.

AB 604 (Olsen), Chapter 777, Statutes of 2015, defined “electrically motorized skateboards” and required these devices to meet certain operational requirements.

AB 1096 (Chiu), Chapter 568, Statutes of 2015, defined various classes of electric bicycles and establishes parameters for their operation in California.

## **REGISTERED SUPPORT / OPPOSITION:**

### **Support**

Piaggio Fast Forward  
TechNet

### **Opposition**

None on file.

**Analysis Prepared by:** Eric Thronson / TRANS. / (916) 319-2093