

Chapter 10.55

PERSONAL DELIVERY DEVICES

Sections:

- 10.55.010 Definitions.
- 10.55.020 Operating Regulations

10.55.010 Definitions.

The following words and phrases when used in this chapter shall, for the purpose of this chapter, have the meanings respectively ascribed to them in this section.

- A. “Personal delivery device” is as defined by RCW 46.75.010.
- B. “Personal delivery device operator”, also referred to herein as “Operator” is as defined by RCW 46.75.010.
- C. “Eligible Entity.” As used in this Code, the term “Eligible Entity” shall have the same meaning as RCW 46.75.010(2).
- D. “Roadway construction zone” is as defined by RCW 46.61.527.
- E. “Personal delivery device train” is defined as two to three personal delivery devices operating in the same direction of travel with three feet or less of space in between each device.

10.55.020 Operating Regulations

- A. Personal Delivery Device Operators shall obey all rules of the road applicable to pedestrian traffic, as well as the instructions of official traffic-control signals, signs and other traffic control devices applicable to pedestrians, unless otherwise directed by a traffic control device or sign, a police officer, or a traffic control flagger. Personal delivery devices shall be capable of allowing an Operator to control the device in accordance with such rules, instructions and directions.
 - B. Additionally, it shall be unlawful to operate a personal delivery device in or on the following:
 - 1. A class II bikeway, as defined by the Engineering Design Standards as adopted in ACC 12.04.
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2. A sidewalk with a width, excluding curb, of less than 5 feet.
3. A roadway within a vehicular travel lane.
4. A roadway shoulder with a paved width of less than 5 feet as measured from the center of the fog line to the edge of shoulder pavement
5. An area where vehicle parking is not restricted
6. Roadway construction zone

C. No personal delivery device shall be operated in such a manner as to endanger or be likely to endanger any person or property. Examples of operating in such a manner include, but are not limited to, failure to obey all traffic-control devices, failure to yield right-of-way to pedestrians, bicycles, and/or vehicular traffic.

D. No personal delivery device shall be operated within a school zone while children are present or while flashing school zone beacons are active.

E. The deployment and operation of a Personal delivery device requires a minimum 50 feet of separation between the device and another personal delivery device or personal delivery device train operating in the same crosswalk or on the same side of a roadway.

E. No personal delivery device shall cross roadways at crosswalks with pedestrian traffic signals or beacons that require push-button activation except those personal delivery devices that are capable of pushing the push-buttons or following the directions of the signal indicators (traffic control devices) to know when to cross the street.

F. No personal delivery device shall cross roadways at crosswalks with furnished hand held pedestrian crossing flags except those personal delivery devices that are capable of using the hand held pedestrian crossing flags or that are equipped with a flag that provides equal or greater visibility than would have been provided by the hand held flag.

G. No personal delivery device shall operate without the Operator providing written notification to all property owners and residents in the area which the personal delivery device intends to operate, and to the Washington State Department of Services for the Blind. Written notification shall include, at a minimum, the following elements: an illustration of the personal delivery device, Operator contact name, title, phone number, and e-mail address, and a summary of local and state laws and regulations governing the personal delivery device operations. Written notification shall be provided on no less than an annual basis. As an alternative to written notification to property owners and residents, the Operator or Eligible Entity may conduct public outreach events that provide the minimum required information to the property owners and residents.

H. No personal delivery device shall operate without the Operator providing written notification to the City Engineer. Written notification shall include, at a minimum, the following elements: an illustration of the personal delivery device, Operator contact name, title, phone number, and e-mail address, device storage

location, planned routes and delivery area, identified roadway crossings, hours of operation, a summary of planned and completed property owner and resident notification per ACC 10.55.020 G, and number of deliveries planned per day. Written notification shall be provided on no less than an annual basis.

I. The Eligible Entity must obtain a business license per ACC Title 5.

J. The Operator of a personal delivery device is responsible for retrieving the personal delivery device at such time as it has been damaged, malfunctions, is vandalized, or otherwise cannot or does not return to the personal delivery device storage location. The Operator shall retrieve the device within 48-hours of receiving notice or otherwise becoming aware that the device did not return to its storage location.

K. Within one hour of being notified or becoming aware, an Operator shall retrieve any personal delivery devices that creates a hazard to other roadway or sidewalk users or blocks a roadway or sidewalk.

L. If a personal delivery device is involved in or present for an incident resulting in any personal injury or property damage of \$1,000 or more (whether involving vehicles, bicycles, pedestrians or otherwise), the Operator shall within 24 hours after the incident provide the City's police department with all video recordings and logs of the device's activities pertaining to the incident that the device has recorded, collected or created.

M. Personal delivery devices shall not operate during the following adverse weather conditions: 1-inch or more of snowfall accumulation present on, or along, the Personal Delivery Device route, lightning storms, dense fog, raining, or snowing conditions that limits the visibility of the device being seen to 100 feet or less, heavy rainfall (1-inch or more in an hour), wind storms (20 mile per hour sustained winds or 30 mile per hour or higher gusts), and freezing temperatures.

N. The Operator shall be insured in accordance with the Engineering Construction Standards of ACC 12.04.

O. Personal delivery devices shall be clearly marked with phone number and e-mail contact information for the Operator and the Operator shall actively monitor the phone number and e-mail continuously while any unit is deployed, including while a unit is missing, malfunctioned, stuck, or stolen.

P. By choosing to operate in the City, Operators and eligible entities acknowledge that emergency responders shall incur no liability or responsibility for damages, replacement, or repairs to a personal delivery device that must be disabled, blocked or de-activated to protect against injury, property damage, or to otherwise provide for public safety.

Q. Pursuant to RCW 46.75.050, the registered agent for an Eligible Entity operating a Personal Delivery Device shall be responsible for any traffic infractions committed by a personal delivery device. The registered agent information is required to be part of the Auburn Business License. Any such infraction committed by a Personal Delivery Device is punishable by a \$200 fine.
