



Pennsylvania Municipal League
President – Matthew Pacifico, Mayor, City of Altoona



Pennsylvania State Association of Township Commissioners
President – Dave Zarnick, Commissioner, Butler Township

July 17, 2020

The Honorable Tim Hennessey
Chairman
House Transportation Committee
313 Main Capitol
Harrisburg PA 17120

The Honorable Mike Carroll
Minority Chairman
House Transportation Committee
300 Main Capitol
Harrisburg PA 17120

Re: Senate Bill 1199 – Personal Delivery Devices

Dear Chairman Hennessey and Chairman Carroll:

On behalf of the members of the PA Municipal League and PA State Association of Township Commissioners, I write to express concerns with Senate Bill 1199. Please accept this letter for inclusion in the July 21 hearing record.

While we can appreciate and see the benefit of personal delivery devices as the future unfolds, PML and PSATC are opposed to the local preemption in Senate Bill 1199. Local governments are being denied the ability to make the ultimate decision as to whether these devices are used on their roads and sidewalks.

This technology is new. Local streets and sidewalks, where these devices would primarily be used, may not be ready for this technology. Only a municipality knows the answer to its level of preparedness. Therefore, it must be the exclusive decision of each local governing body, not the General Assembly, to decide if a municipality is prepared for this technology to be roaming its sidewalks and streets.

In addition to our opposition to the preemption of local decision making, we have a number of unanswered questions and concerns:

- How will these devices navigate a road or sidewalk that is under construction or repair? Would it be up to the municipality to notify a business entity that a normal route of these devices is “out of service?” Sometimes roads and sidewalks are closed for utility work apart from the local government, how would notification be handled?
- What will be the impact of the weight of these devices on sidewalks? A maximum of 550 pounds, not including its freight, is not small or light weight.
- What will happen if the device meets a group of kids or a person in a wheelchair on a sidewalk and there is not enough room for both to safely pass? Will these devices pull off onto a yard to let on-coming pedestrians pass? If so, how will property owners feel about this?
- How many devices will an operator be allowed to control remotely at one time?
- The braking requirements in the bill do not appear to address braking on a sidewalk and they do not account for Pennsylvania’s winter weather, including the fact that road and sidewalk surfaces are not likely to always be “dry, level, and clean.”
- A business entities’ annual plan is only submitted to PennDOT and it is up to PennDOT to share with the municipality impacted. Furthermore, if PennDOT does not deny the plan in 30 days, a plan is deemed approved. This leaves local governments with no recourse at all. Furthermore, 30 days is not enough time to provide proper study and input, especially for the initial annual plan.
- How does the annual plan to PennDOT fit with a municipality’s ability to deny use of a device on *a specific* road or sidewalk because use is deemed a hazard? Is a municipality supposed to speculate where these devices are contemplated and designate hazardous areas in advance?
- We do not view the minimum insurance set at \$100,000 as enough to adequately insure against incidents with these devices.

Ultimately, municipalities will be responsible to residents and businesses concerning the use or misuse of these devices. Therefore, local governments must be partners with the Commonwealth in the roll out of all new technologies, including personal delivery devices. Local government must be consulted and its concerns addressed.

We are opposed to further movement of SB 1199 until the local preemption is removed and our concerns outlined above are answered. Thank you for your consideration of our position.

Sincerely,



Amy Sturges
Director of Governmental Affairs
PA Municipal League
PA State Association of Township Commissioners