

# Pedestrian and Pedalcycle Advisory Committee Minutes

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**Subject:** Minutes for Winter Quarterly Meeting  
**Date and time:** December 7th, 2020 12:30 PM to 3:00 PM  
**Location:** Virtual Meeting

The meeting was called to order at 12:31 PM by Roy Gothie, Statewide Bicycle and Pedestrian Coordinator. Roll was taken, and a quorum was declared.

PPAC members in attendance were Josiah Shelly (alternate for Representative Tim Hennessey), Kyle Wagonseller (alternate for Representative Carroll), Jason Gerard (alternate for Senator Sabatina), Roy Gothie (alternate for Secretary Yassmin Gramian), Diane Kripas (alternate for Secretary Cindy Dunn), Ben Guthrie, Sarah Stuart, Frank Maguire, Yocasta Lora, Julie Fitzpatrick, William Hoffman, Lauri Ahlskog, and Chandra Kannan, Fred Richter, and Scott Bricker.

Additional attendees included Deputy Secretary for Multimodal Transportation, Jenn Granger (PennDOT), Deputy Secretary for Highway Administration, Melissa Batula (PennDOT), Justin Lehman (Department of Health), Sarah Clark (PennDOT Legislative Affairs), Mark Kopko (PennDOT Department of Innovative Technology), Wayne Mears (PennDOT Press Office), Samantha Pearson (Elm Street Commission), Trish Meek (Centre Region MPO), Joe Safford (private citizen), Sam Marshall (PA Insurance Federation), Angela Watson (PennDOT Multimodal Deputate), and Jon Crum (Federal Highway Administration).

Deputy Secretary for Multimodal Transportation, Jenn Granger was welcomed by Sarah Stuart and then spoke briefly about legislative priorities for the 2021-2023 session.

Deputy Secretary Melissa Batula then updated PPAC on the issues with funding related to Covid-19 and the next short and long-term steps to address the growing funding gap.

Mark Kopko then presented on the new Personal Delivery Device legislation and how PennDOT would work with local governments to develop policy for oversight of these fleets (Attachment #1). After the presentation and discussion, Frank Maguire made a motion that the Committee draft a letter listing comments and concerns regarding the policy implementation by PennDOT and send it to the Secretary of Transportation. Motion was seconded by Lauri Ahlskog and

passed without opposition. It was agreed individual members' lists should be sent to the PPAC secretary by December 14, 2020.

Jon Crum, Federal Highway Administration presented the U.S. Department of Transportation's Pedestrian Safety Plan – found here: [https://highways.dot.gov/sites/fhwa.dot.gov/files/2020-11/FHWA\\_PedSafety\\_ActionPlan\\_Nov2020.pdf](https://highways.dot.gov/sites/fhwa.dot.gov/files/2020-11/FHWA_PedSafety_ActionPlan_Nov2020.pdf)

Diane Kripas, Department of Conservation and Natural Resources presented an update on the DCNR's current activities including the 2020-20204 Land and Trail Network Strategic Plan (Attachment 2) – the full plan is found here: [http://www.docs.dcnr.pa.gov/cs/groups/public/documents/document/dcnr\\_20030875.pdf](http://www.docs.dcnr.pa.gov/cs/groups/public/documents/document/dcnr_20030875.pdf)

Justin Lehman, Department of Health, provided an update on the status of the State Physical Activity and Nutrition 5-year grant from CDC for funds from the Walkable Communities initiative and other projects by the DOH (Attachment #3)

Roy Gothie, Pennsylvania Department of Transportation, provided a brief update on the trail mapping work order (Attachment #4).

The minutes from the September 09, 2020 meeting were unanimously approved. (Motion to approve, without changes, by Bill Hoffman, second by Frank Maguire).

The committee voted to hold elections once an in-person meeting could be held. Motion by Bill Hoffman, second by Frank Maguire. approved without opposition. The three officers agreed to serve until the time when an election could be held.

Legislative Updates were provided by Nolan Richie (Attachment #5).

A brief discussion was held about inviting an additional informal member to serve as a non-voting committee member to represent the disability community. Members were asked to submit any nominations within two weeks.

Bill Hoffman raised the question of creating a list of administrative priorities that could be dealt with, without new legislation. It was agreed, without a vote, that anyone interested should send their list to the PPAC secretary by December 21, 2020

The meeting was adjourned at 3:05pm

**Next Meeting**

Date and time: TBD

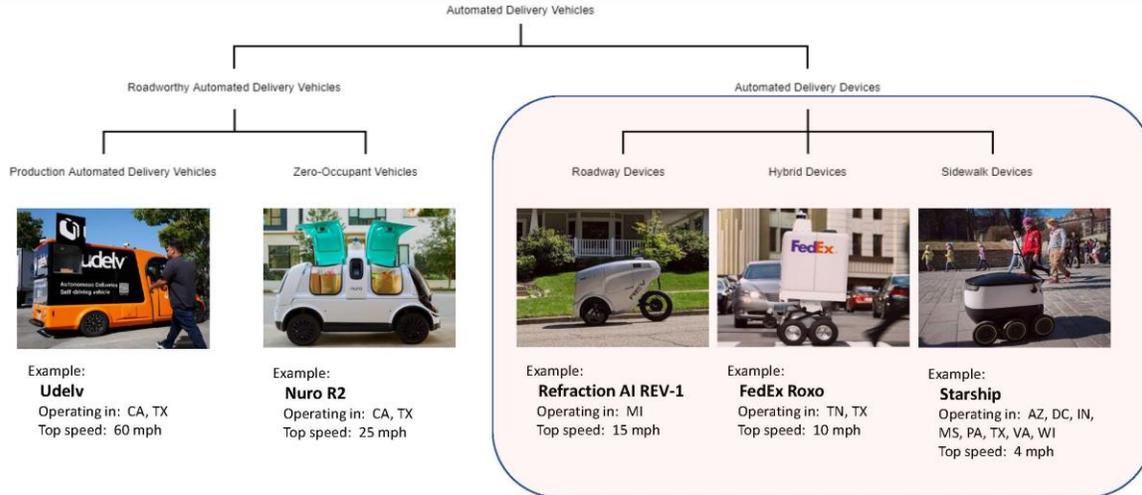
Location: Virtual Meeting (Skype)

Fred Richter \_\_\_\_\_ Secretary

\_\_\_\_\_ Date of Approval

# Attachment #1

## WHAT ARE PDDS



**Production Delivery Vehicle**—a commercially available vehicle equipped with an automated driving system that is operated on public roadways for the sole purpose of delivering goods.  
**Zero-Occupant Vehicle**—a custom vehicle without seating for human occupants that is operated on public roadways for the sole purpose of delivering goods. A NHTSA waiver is required.  
**Roadway Device**—a small automated device that is operated on the shoulder of a roadway for the sole purpose of delivering goods.  
**Hybrid Device**—a small automated device that is operated on both the shoulder of a roadway and a sidewalk for the sole purpose of delivering goods.  
**Sidewalk Device**—a small automated device that is operated on a sidewalk and within crosswalks for the sole purpose of delivering goods.



# WHAT ARE PDDS

Company	Vehicle	Dimensions	Gross Vehicle Weight	Top Speed	Sidewalk, Roadway, or Both	Operating in US
FedEx Flow		-	-	10 mph	Both	Yes
Starship		22 inches high 27 inch long 22 inches wide	44 lbs.	4 mph	Sidewalk	Yes
Robby		-	-	6 mph	Sidewalk	Yes
Marble		-	-	10 mph	sidewalk	Yes
Amazon Scout		-	-	15 mph	Sidewalk	Yes
TeleRetail		2.6 ft wide	-	3 mph	Both	No
		-	80 lbs.	15 mph	Roadway	Yes
Domino's Robotic Unit		-	-	12.4 mph	Both	No



# PDDS



**Starship**  
26.7" long  
22.4" wide  
21.8" High (49.1" flag)



**FedEx Roxo**  
36" long  
30" wide  
58" High



**Amazon Scout**  
30" long  
24" wide  
29" High



# PDDS IN ACT 106

- What do they look like
  - Max dimensions – 32” wide, 42” long, 72” high
  - Max Weight – 550 lbs (not including cargo)
  - Max Speed – 12mph sidewalks, 25mph shoulders
  - Front and rear lighting
  - Identify marker
- Where can they operate
  - Pedestrian areas, shoulder/berm, edge of a roadway
  - Shoulder → Sidewalk → Edge of Roadway
- How are they classified
  - As a pedestrian, but exceptions
    - Must travel in the same direction of traffic
    - Must yield to pedestrians



# PHASES

- Phase 1 – ADS controls the operations, but an operator is within 30 ft and must maintain line of sight
  - Current bill states Phase 1 must last 90 days, but no more than 180 days
  - We opposed the 180 days limit
- Phase 2 – ADS controls the operations, but a teleoperator must be able to monitor and intervene remotely
  - Can be reverted to Phase 1

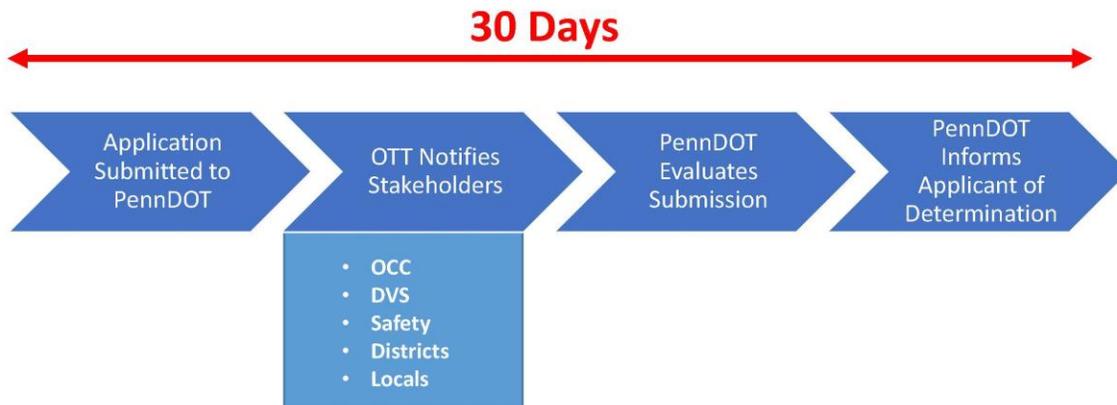


# APPLICATION

- Must include:
  - Contact information
  - Municipalities where the PDD will operate
  - Anticipated roadways/pedestrian areas where it will operate
  - Description of Operator training procedures
  - Manufacturer/model of the PDD
  - Description of how first responders would stop or disable
  - Description of cargo
  - Safety and maintenance inspection schedule
  - Operating phases it is capable of
  - Proof of insurance
  - Details on education campaign for locals, motorists, general public
  - Accident procedures
  - List of unique identifier numbers
  - ANY INFORMATION OR RECORDS DEEMED REASONABLY NECESSARY TO AID THE DEPARTMENT'S REVIEW OF THE SUBMITTED APPLICATION AND FOR THE ADMINISTRATION, ENFORCEMENT AND ONGOING COMPLIANCE WITH THIS SUBCHAPTER.



# AUTHORIZATION PROCESS



Must Notify locals at least 30 days before operating  
Good for 1 year.



# PENNDOT/LOCAL AUTHORITY

- PennDOT
- **TO ISSUE, APPROVE, RENEW, REVOKE, SUSPEND, CONDITION OR DENY ISSUANCE OR RENEWAL OF PDD AUTHORIZATIONS**
  - Prohibit the use of a personal delivery device on any roadway, or shoulder or berm of a roadway where PennDOT would determine the PDD to pose a hazard.
  - Authorize PDDs to operate on 35 mph roadways (shoulder/berm)
  - Authorize PDDs to make a left across traffic (develop policy/guidance)
- **Locals**
  - Prohibit the use of a personal delivery device on any roadway, or shoulder or berm of a roadway, or sidewalk/pedestrian area where locals would determine the PDD to pose a hazard.
  - Authorize PDDs to operate on 35 mph roadways (shoulder/berm)
- **Both**
  - Temporary restrict operations for weather or hazardous events



# QUESTIONS

- Biggest Areas of Concerns?

1. Identify Concern
2. Create Question
3. Develop Justification



## Attachment #2

### **Department of Conservation and Natural Resources Update**

DCNR is finalizing its 2020-2024 PA Land and Water Trail Strategic Plan. That plan should be released in January.

DCNR

RECREATION FOR ALL

2020 - 2024

2020 PENNSYLVANIA STATEWIDE COMPREHENSIVE OUTDOOR RECREATION PLAN

# Pennsylvania's NEW Outdoor Recreation & Trail Network Strategic Plans

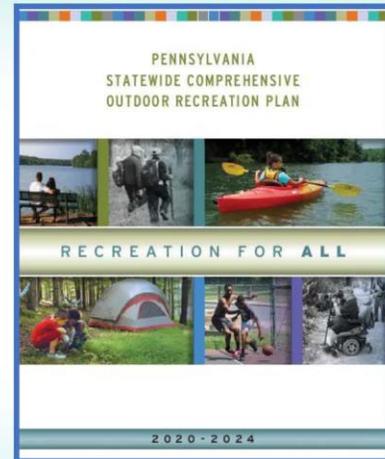
## Pedestrian and Pedalcycle Advisory Committee Meeting December 7, 2020

Diane Kripas, Chief  
Partnerships Division  
Bureau of Recreation and Conservation  
PA DCNR



## PA Outdoor Recreation Plan

- Vision: "Enjoyable outdoor recreation is welcoming to all and accessible in every Pennsylvania community"
- 5 priorities
- 20 recommendations; 70 actions

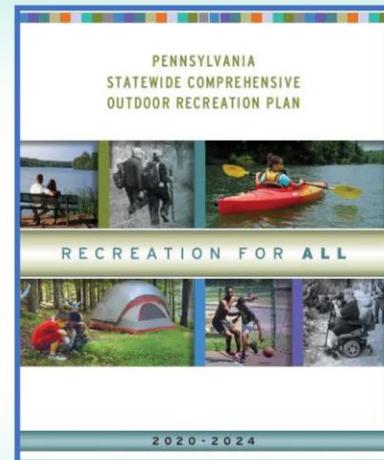


2020 PENNSYLVANIA STATEWIDE COMPREHENSIVE OUTDOOR RECREATION PLAN



## Discover the Plan

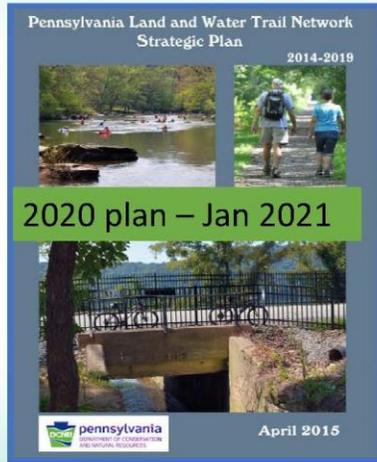
- DCNR Outdoor Rec Plan webpage:  
<https://www.dcnr.pa.gov/Recreation/PAOutdoorRecPlan/Pages/default.aspx>
- Story Map overview:  
<https://maps.dcnr.pa.gov/parecplan/index.html>
- Request a paper copy:  
Email Lori Ross, [loross@pa.gov](mailto:loross@pa.gov)



2020 PENNSYLVANIA STATEWIDE COMPREHENSIVE OUTDOOR RECREATION PLAN



# 2020-2024 PA Land and Water Trail Network Strategic Plan



**Trail Vision**  
*Develop a statewide land and water trail network to facilitate recreation, transportation and healthy lifestyles.*

2020 PENNSYLVANIA STATEWIDE COMPREHENSIVE OUTDOOR RECREATION PLAN



## 12,000 Pennsylvanians responded....

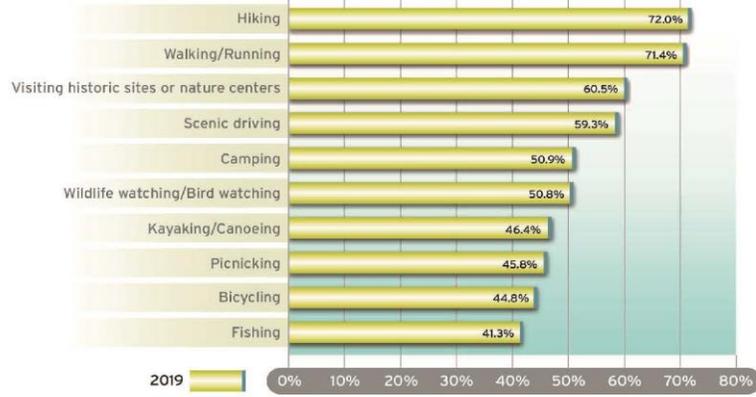
- Lion Polls (fall 2018/spring 2019) –“Pennsylvanians”
- Online Survey (summer 2019) non-random-“8,000+ Outdoor Enthusiasts”
- Local Recreation and Park Provider Survey
- Focus Groups – Blacks & Hispanics
- Access to PA’s Outdoor Areas
- Trail Surveys

***Reports posted on DCNR’s Outdoor Rec Plan  
webpage: [Plan Link](#)***

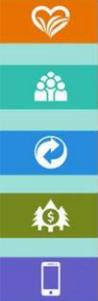
2020 PENNSYLVANIA STATEWIDE COMPREHENSIVE OUTDOOR RECREATION PLAN



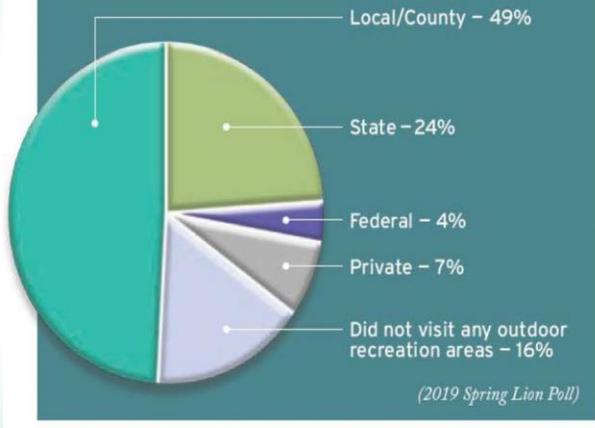
### 2019 Top Ten Activity List of Outdoor Enthusiasts



2019 Public Survey



### WHERE PEOPLE RECREATE



Only a little over half **52%** of Pennsylvanians agree they can safely walk to a public park—males agreed more than females. (2018 Fall Lion Poll)



**Inequality in Trail Access**

- *69% of Pennsylvanians agree they can safely access a trail within 15 minutes of where they live.*
- *Higher income respondents agreed more than lower.*
- *White respondents agreed more than Black Pennsylvanians.*

2019 Spring Lion Poll





## *The healthy choice is the EASY choice*

*“Bring trails closer to my home. I would use a trail daily if it didn’t require me to drive 20 minutes, park, and take snacks and water because it’s such a production. If I could drive 5 minutes or **walk 10 minutes**, I’d be at the trail several times a week.”*

*Public survey respondent*

2020 PENNSYLVANIA STATEWIDE COMPREHENSIVE OUTDOOR RECREATION PLAN

**Why is Pennsylvania a Top Trail State?**

DCNR is working to provide a trail within 10 minutes of every Pennsylvanian

Pennsylvania has 2,111 miles of rail trails and 2,355 miles of water trails

In addition, there are

7,100 mi.	6,221 mi.	2,641 mi.	2,500 mi.	908 mi.
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DCNR awards about \$8M annually to support trail projects and designates a "Trail of the Year" to promote trails in PA

*Increase the distance and number of walking, biking, and running trails connecting communities so outdoor recreation can be an integral part of daily life.*  
Public survey respondent

2020 PENNSYLVANIA STATEWIDE COMPREHENSIVE OUTDOOR RECREATION PLAN

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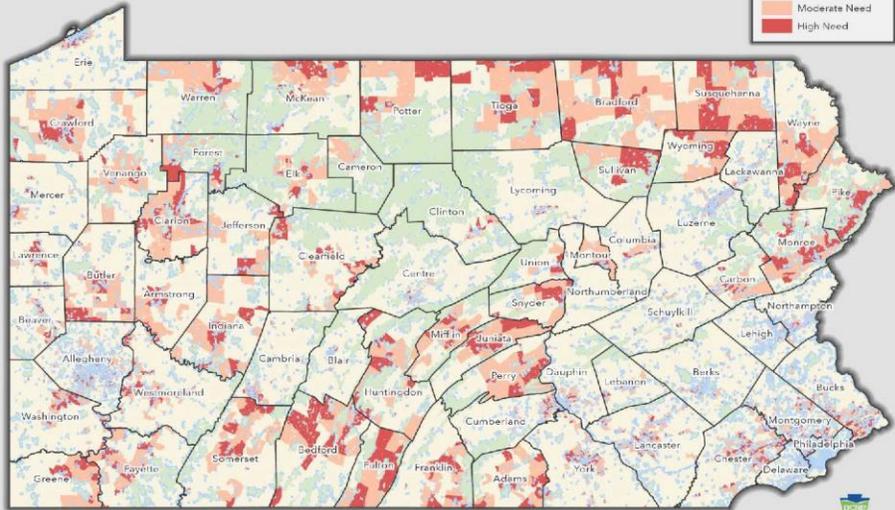
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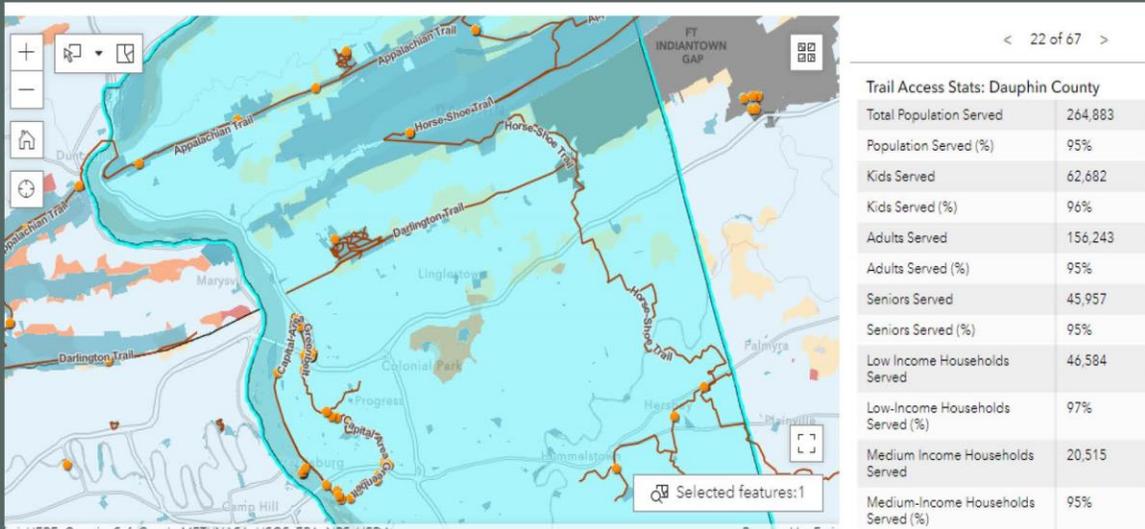
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Public survey respondent

2020 PENNSYLVANIA STATEWIDE COMPREHENSIVE OUTDOOR RECREATION PLAN



# Outdoor Recreation Access and Need in Pennsylvania





**Dauphin – 95% residents can drive to trail w/in 10 minutes**



# Outdoor Recreation Access in Pennsylvania: Pursuing a Goal of Recreation for All



Who in Pennsylvania has access to outdoor recreation **within 10 minutes** of their home?



More importantly, who doesn't?



2020 PENNSYLVANIA STATEWIDE COM



### 10-Minute Walk (County)

Maps and stats based on a 10-minute walk to parks, trails, and public open spaces. Summary stats are at the county level.



### 10-Minute Walk (Muni)

The same analysis as the county 10-minute walk, but with results detailed to individual cities, townships, and boroughs.



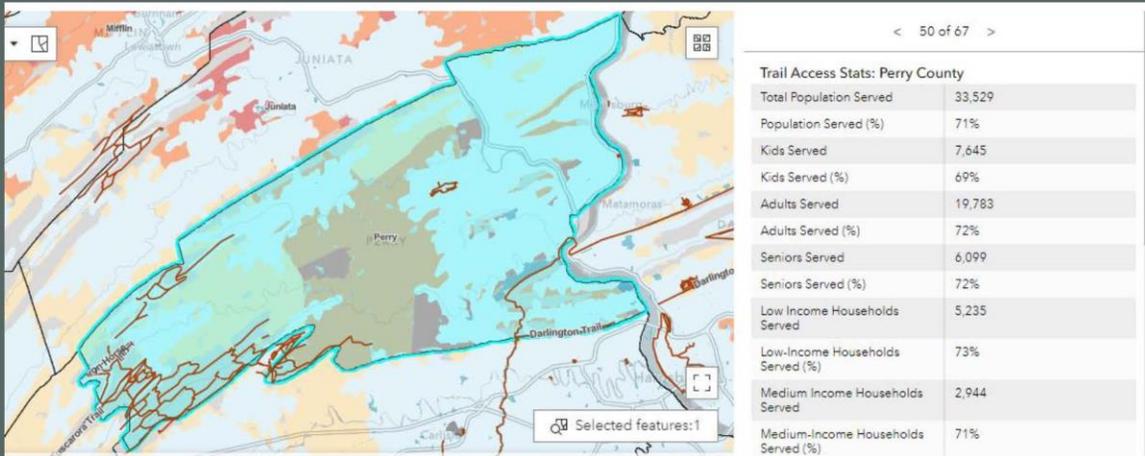
### 10-Minute Drive (Trails)

Maps and stats based on a 10-minute drive to trailheads. Summary stats are at the county level.

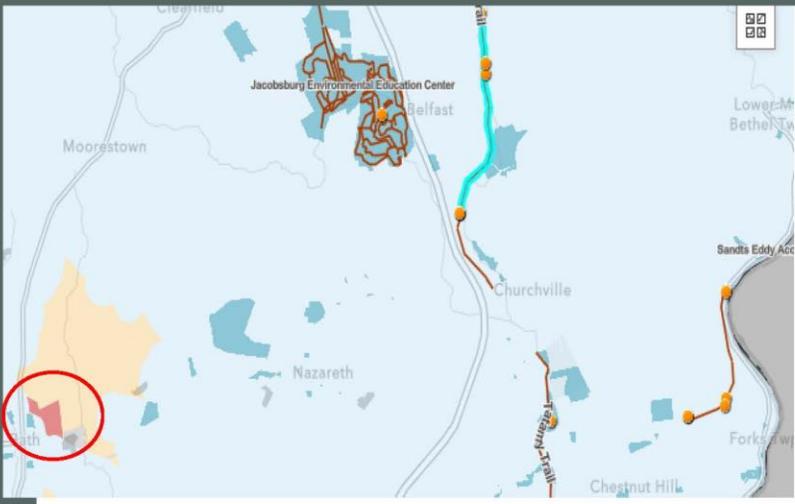


### 10-Minute Drive (Water)

Maps and stats based on a 10-minute drive to fishing and boating access points. Summary stats are at the county level.



**Perry – 71% residents can drive to trail w/in 10 minutes**



Trail Access Stats: Northampton County

Population Served	306,066
Population Served (%)	99%
Kids Served	70,662
Kids Served (%)	99%
Adults Served	177,650
Adults Served (%)	99%
Seniors Served	57,757
Seniors Served (%)	99%
Low-Income Households Served	41,690
Low-Income Households	99%

**Northampton – 99% residents can drive to trail w/in 10 minutes**

**112 Priority Trail Gaps. Represent 200 miles to be built & 62 bridge projects.**  
(46 gaps closed since 2009)

**Pennsylvania's Priority Trail Gaps** <http://www.gis.dcnr.state.pa.us/trailgaps/> **Help**  **pennsylvania**  
DEPARTMENT OF CONSERVATION AND NATURAL RESOURCES

Q Enter a ZIP/City/Address

**Find**

Select query:  
Find Trail Gap by County

Search for:  
Select the County to search

Clear

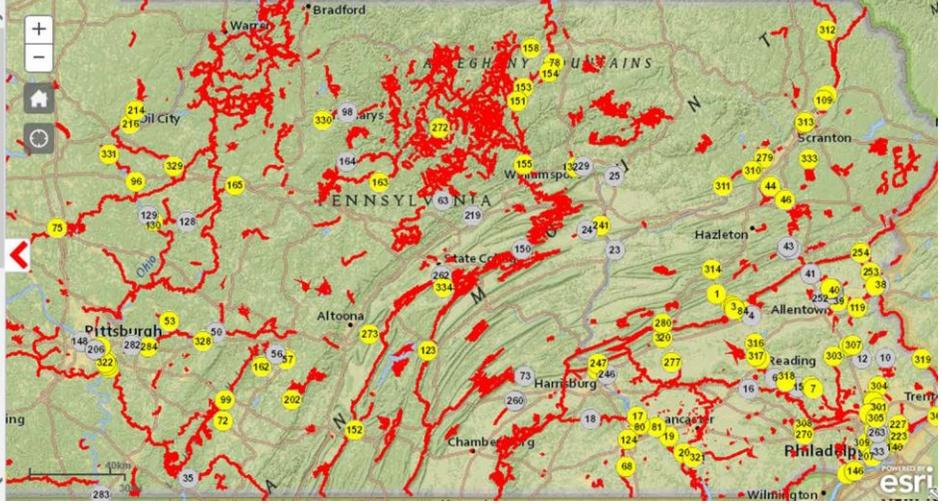
**Legend**

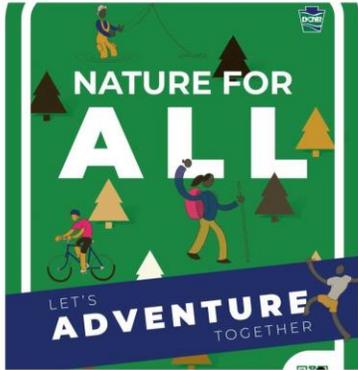
- Trails
- Open Trail Gaps
- Closed Trail Gaps

**Print**

**Further Information**

Priority Trail Gaps are missing sections of trail that are less than 5 miles, are along trails that have been identified in an official planning document and connect existing land-based





Are your trails welcoming  
and accessible for All?

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**The Nexus of OUR Work Together**

- ✓ E-bikes/scooters – guidance to local trail organizations
- ✓ Check out the new interactive mapping, spread the word, ground truth
- ✓ Funding coordination
- ✓ Support/encourage next wave of county planning on ACCESS for ALL through Active Transportation Plans
- ✓ Safer trail crossings
- ✓ Coordination with railroads to close critical gaps
- ✓ **Your ideas – PPAC and PTAC**

2020 PENNSYLVANIA STATEWIDE COMPREHENSIVE OUTDOOR RECREATION PLAN

Attachment #3

**Pennsylvania Department of Health, Division of Nutrition and Physical Activity**

WalkWorks is a program focused on increasing physical activity opportunities through the development of active transportation plans or similar policies, such as Complete Streets policies and the implementation of walking routes in communities. The aim of the plans or similar policies is to facilitate the development of activity-friendly routes to everyday destinations through active transportation and land use plans and policies at the local and regional levels.

1. 10 communities were selected to develop and adopt Active Transportation Plans or related policies between 11/1/19-9/30/20.
  - As of 12/7, six (6) communities have adopted their respective plans or policies; and
  - Remaining communities are on track for adoption within the next month.
  - 4 communities that adopted an active transportation plan last year or this year submitted applications for Multimodal Transportation Funds through PennDOT and DCED.

2. WalkWorks recently selected nine (9) new communities to develop and adopt Active Transportation Plans or related policies in 2021. The names of the recipients have been posted on the WalkWorks website. [www.pawalkworks.com](http://www.pawalkworks.com).
  - DCNR is providing funds to fully support 2 of these plans and policies.
  - These plans align with recommendations and actions in the Outdoor Rec Plan Diane just shared about. Specifically, create walking and biking networks that provide safe, close-to-home access to recreation and encourage healthy behavior in communities.
3. WalkWorks anticipates releasing another Funding Announcement in Spring 2021; consider sharing with your networks and encourage them to begin thinking about the importance of having an active transportation plan or similar policy, consider submitting a joint application with a neighboring municipality, and identifying representatives from the following sectors for the stakeholder group: Health, Education, Economic development, Planning, DCNR, Transportation/PennDOT Bike/Ped Coordinator, Advocacy groups, Community-at-large and the governing body.
4. Find WalkWorks on the map!
  - Go to [www.pawalkworks.com](http://www.pawalkworks.com) and click on the Locations tab.
    - Column 1 lists the 28 counties that have a WalkWorks walking route.
      - Click on county name to view a map of the walking route(s) in the county.
    - Column 2 lists the 14 counties that have a community that has adopted an Active Transportation Plan or similar policy.
      - Click on county name to view the adopted plan(s) or policy.
    - The interactive map below the columns highlights WalkWorks counties and plots the location of every walking route and adopted plan or policy.
      - Links are provided to view all walking routes and adopted plans/policies.
5. The City of Erie is finalizing a master planning process that focuses on building a network of bike and pedestrian facilities throughout the community.
6. The City of Corry in Erie County is finalizing their active transportation plan called “Corry Connects.”
7. The Montgomery County Planning Commission completed a Safe Routes to School Report for Pottstown School District – includes walkability audits for 4 elementary schools and recommendations.
8. York City:
  - Finalizing a Complete Streets Design Guide.
  - Anticipates submitting a Walk Friendly Community application in spring 2021.
  - Has multiple bike/ped projects planned for 2021.

## Attachment #4

### Department of Transportation Update

1. PennDOT staff have been sharing the Active Transportation Plan with our planning partners via conferences and other sister agencies in the coming months, as well as working to advance priority items identified in the plan. Recent presentations include the American Planning Association's annual PA meeting, the AASHTO Joint Policy Conference, PennDOT's Innovation Week and the Pedestrian Bicycle Information Center's Health and Transportation Webinar Series.
2. PennDOT is advancing work on the project to map all trail crossings of state routes. This work will involve developing a data dictionary, piloting the work in District 4, and creating a template that other districts can utilize, and our planning partners can add to – for trail crossings on local roads. The goal is a useable and updatable database that supports local and regional trail connectivity and is incorporated into the PennDOT Connects process.

## Attachment #5

### Bills under Consideration by the General Assembly of Interest to PPAC

#### **Distracted Driving (SB 131-Sabatina and HB 37-Brown):**

• **SB 131:** Creates a cell-phone ban for novice drivers (defined as a driver under 18 years of age) and provides additional measures to mitigate distracted driving such as requiring a question on the driver's license exam and increasing the fine from \$50 to \$100 for 1<sup>st</sup> offense and \$200 for 2<sup>nd</sup> and subsequent offense. ○ **Status:** Reported as committed by Senate Transportation on 4/10/19, and currently on 2<sup>nd</sup> Consideration on the Senate Calendar.

- **HB 37:** Prohibits the use of a hand-held cell phone by any driver. There is a provision excluding a minor (a person under 18 years of age) from using a hands-free accessory or device while operating a vehicle. This bill also increases the fine from \$50 to \$200 for any offense and establishes the Distracted Driver Awareness Fund. ○ **Status:** Reported as amended by House Transportation on 6/10/19, reported as committed by House Rules on 9/17/19, amended on the House Floor (117-79) on 2<sup>nd</sup> Consideration on 1/14/20, passed the House (120-74) on 1/15/20 and referred to Senate Transportation on 1/23/20. ▪ *Note: The House Floor amendment adopted a secondary offense (117-79).*

**e-Scooters (SB 542-Laughlin and HB 631-Rothman):**

- Both bills currently contain identical provisions including a definition of an “electric low-speed scooter”, adding it to the definition of “motor vehicle”, exempting it from titling and registration, granting it the same rights as a pedalcycle, excluding a person under 16 years of age from operating it, setting the maximum speed at 15 MPH, requiring equipment standards such as lights and reflectors, and allowing local authorities to regulate it. ○ **Status:** Both bills were referred to Senate and House Transportation on 4/10/19 and 2/28/19, respectively. House Transportation held a public hearing on 4/18/19 and also an informational meeting on 6/17/19.

**Protected Bike Lanes (SB 565-Farnese and HB 792-Maloney):**

- **SB 565:** Authorizes a vehicle to be parked within 12 inches of the outside line of the buffer area between a pedestrian plaza or pedalcycle lane and parking. ○ **Status:** Referred to Senate Transportation on 4/18/19, reported as amended by Senate Transportation on 2/5/20, reported as committed by Senate Appropriations on 6/30/20 and currently on 3<sup>rd</sup> Consideration. ▪ *Note: The Senate Transportation amendment provided technical changes in alignment with the House-passed version.*

- **HB 792:** Authorizes a vehicle to be parked within 12 inches of the outside line of the buffer area between a pedestrian plaza or pedalcycle lane and parking. This bill also allows local authorities to adopt alternative parking regulations and imposes a \$15 fine for a violation by a vehicle owner. ○ **Status:** Passed the House (200-1) on 6/26/19 and referred to Senate Transportation on 7/8/19.

**Radar for Local Police (SB 607-Scavello and HB 74-Rothman):**

• **SB 607:** Allows full-time law enforcement officers employed by full-service police departments to use radar or lidar for speed enforcement. This bill includes other measures such as operating radar or lidar from a clearly marked vehicle, issuing tickets if speed is over 6 MPH, directing a municipality to adopt an ordinance prior to using radar or lidar, erecting warning signs within 500 feet of the border of the municipality that allows radar or lidar, dedicating excess revenue to the Motor License Fund, etc. ○ **Status:** Passed the Senate (49-1) on 6/25/19, referred to House Transportation on 6/26/19, reported as amended by House Transportation on 11/18/19, and currently on 2<sup>nd</sup> Consideration on the House Calendar.

• **HB 74:** Creates a pilot program through December 31, 2024, for full-time police officers in full-service police departments to use radar for speed enforcement after receiving training. This bill includes other measures such as operating radar from a clearly marked vehicle, issuing tickets if speed is over 10 MPH, directing a municipality to adopt an ordinance prior to using radar, certifying speed limits on roadways, submitting annual reports to the Local Government Commission, and dedicating excess revenue to the Transportation Enhancements Grant Program (or ARLE). ○ **Status:** Referred to House Transportation on 1/28/19.

**Vulnerable Highway Users (HB 1536-B. Miller):**

• **HB 1536:** Defines a “vulnerable highway user” as a pedestrian, an individual on a pedalcycle, an individual on a motorized pedalcycle, an individual on an animal, an individual on an animal-drawn vehicle, an individual on an electric personal assistive mobility device, an individual on a non-motorized self-propelled transportation device, and an individual on a motor-driven cycle who is lawfully on a highway. This legislation also updates the definition of a “pedestrian” to include an individual on a wheelchair or electrical mobility device for the exclusive use of an individual with a mobility-related disability. Next, a motorist who unintentionally causes the death or injury to a vulnerable highway user will be subject to a careless driving citation along with a license suspension and an enhanced fine. (Other penalties in the Criminal Code may apply as well, dependent on an intentional cause of the accident.) Updates the “4-foot rule” to include vulnerable highway users. Finally, any person violating the laws for the operation of pedalcycles is increased from \$10 to \$25. ○ **Status:** Referred to House Transportation on 6/3/19, reported as amended by House Transportation on 11/18/19, amended on the House Floor on 2<sup>nd</sup> Consideration on 1/22/20, passed the House (191-4) on 2/3/20, referred to Senate Transportation on 2/19/20. ▪ *Note: An e-scooter amendment failed on the House Floor.*

**e-Bikes (SB 1240-Street and HB 2646-Wentling):**

• **SB 1240: (Similar to HB 2646)** Amends the definition of “motor vehicle” to exclude a “pedalcycle with electric assist” (“e-bike”), and also amends the definition of “motorized pedalcycle” to exclude “electric motor-driven cycle”. Re-defines an e-bike as not weighing more than 100 pounds with 2 or 3 wheels more than 11” in diameter; manufactured with an electric motor system at not more than 750 watts; equipped with operable pedals; and meets a class requirement in Section 3514 (relating to operation of e-bikes). Exempts an e-bike from titling and registration. Creates 3 classes of e-bikes, and the highest maximum speed of a Class 3 e-bike is 28 MPH. (A speedometer is required for a Class 3 under this proposal.) Allows for Classes 1 and 2 on paths where “pedalcycles” are permitted, except a local authority may restrict them. Exempts a Class 3 on paths, except a local authority

- **Status:** Referred to Senate Transportation on 7/27/20. may permit them. Requires an individual to be 16 years old to operate a Class 3, unless the e-bike is designed for accommodating a passenger.

- **HB 2646:** Amends the definition of “motor vehicle” to exclude a “pedalcycle with electric assist” (“e-bike”), and also amends the definition of “motorized pedalcycle” to exclude “electric motor-driven cycle”. Re-defines an e-bike as not weighing more than 100 pounds with 2 or 3 wheels more than 11” in diameter; manufactured with an electric motor system at not more than 750 watts; equipped with operable pedals; and meets a class requirement in Section 3514 (relating to operation of e-bikes). Exempts an e-bike from titling and registration. Creates 3 classes of e-bikes, and the highest maximum speed of a Class 3 e-bike is 28 MPH. (A speedometer is required for a Class 3 under this proposal.) Allows for Classes 1 and 2 on paths where “pedalcycles” are permitted, except a local authority may restrict them. Exempts a Class 3 on paths, except a local authority may permit them. Requires an individual to be 16 years old to operate a Class 3, unless the e-bike is designed for accommodating a passenger. ○ **Status:** Referred to House Transportation on 6/30/2020 and public hearing held on 7/22/20.

**Personal Delivery Devices (SB 1199-Aument and HB 2699-Schroeder):**

- **Act 106 of 2020 (SB 1199):** Defines a “personal delivery device” (PDD) as a ground delivery device that is manufactured to transport cargo and goods; operated by a driving system that allows remote or autonomous operation; and weighs 550 pounds or less without cargo and goods. Requires an authorized entity (i.e. business, educational institution, etc.) to apply to PennDOT for a one-year PDD authorization with the option to renew. The contents required in the application were itemized in law, including but not limited to, the operational phase (i.e. PDD operator nearby or remote), a description on how a police officer or emergency responder may stop or disable the PDD, details of an educational campaign, etc. Includes a PDD in the definition of “pedestrian” (along with an individual with a motility-related disability on a wheelchair or electric mobility device) and requires the PDD to utilize the shoulder or berm of a roadway. A PDD may also use a pedestrian area (i.e. sidewalks, crosswalks, etc.) where the shoulder or berm of a roadway is unavailable or not practical. A PDD is also required to yield the right-of-way to all pedestrians and pedalcyclists in a pedestrian area. A PDD may not exceed 12 MPH in a pedestrian area or 25 MPH on a roadway. Besides reviewing, approving, revoking, suspending, conditioning, etc. a PDD authorization, PennDOT is also responsible for prohibiting a PDD on any roadway that would constitute a hazard, posting authorized entities on their website and establishing policies or guidelines consistent with Act 106. A municipality may also prohibit a PDD from a local roadway or pedestrian area if it constitutes a hazard, following consultation with the authorized entity. PennDOT and the municipality may also permit a PDD on a roadway where the posted speed limit is more than 25 MPH but less than 35 MPH. Act 106 includes various equipment standards regarding the PDD’s size, braking system, lighting and

identifying markers. Requires the authorized entity to maintain insurance coverage of not less than \$100,000. Criminal penalties may also be imposed and may not exceed \$1,000. ○ **Status:** Referred to Senate Transportation on 6/15/20, passed Senate Transportation (9-5) on 6/22/20, passed the Senate (31-19) on 6/30/20, referred to House Transportation on 7/8/20, public hearing held on 7/21/20, passed House Transportation (15-10) on 9/17/20, passed the House (105-97) as amended, passed the Senate (29-19) on concurrence on 10/20/20, and became Act 106 on 10/31/20 without the Governor's signature. Earliest effective date is 1/29/21.

• **HB 2699: (Similar to SB 1199)** Defines a “personal delivery device” (“PDD”) as a device that is manufactured to transport cargo and goods in a pedestrian area, trafficway or on the berm or shoulder of a highway; equipped with an automated driving system; not capable of exceeding 12 MPH in a pedestrian area or trafficway nor 25 MPH on the berm or shoulder of a highway; and weighs less than 550 pounds without cargo and goods. Allows a business entity to submit an annual plan for general operation to PennDOT, which is designated as the lead Commonwealth agency. Allows for remote operation after 1/1/22 without a business agent physically present. Regulates a PDD as a pedestrian for purposes of access to sidewalks, shoulder of a highway, etc. Permits local authorities to prohibit PDDs, after consultation with a business entity, if the PDD constitutes a hazard. Provides certain equipment requirements such as ID markers, certified braking systems and lighting (consistent with a “pedalcycle”). Requires the business entity to maintain insurance coverage of not less than \$100,000. Designates a PDD business entity on the Highly Automated Vehicle Advisory Committee. ○ **Status:** Referred to House Transportation on 7/20/20.

### **Notable Hearings:**

*Senate Transportation Committee:* <https://transportation.pasenategop.com/>

- “COVID-19 Impacts to Pennsylvania’s Transportation System”, 5/12/20
- “Nomination of Yassmin Gramian as PennDOT Secretary”, 5/26/20
- “Lay-offs and All-Electronic Tolling at the PA Turnpike Commission”, 6/15/20
- “PennDOT’s 2020-21 Highway and Bridge Budget Issues”, 11/23/20

*House Transportation Committee:* <http://www.pahousegop.com/Video/Transportation>

- “PennDOT and PA Turnpike Commission’s Response to the Current COVID-19 Pandemic”, 6/4/20
- “PA Turnpike Toll Collectors”, 7/14/20
- “SB 1199 Personal Delivery Devices”, 7/21/20
- “HB 2646 Bicycles with Electric Pedal Assistance”, 7/22/20
- “Transportation Task Force Bill Package”, 8/18/20 and 8/19/20

Updated: 12/2/2020