

Kansas Senate Committee on Transportation

SB 379 Undermining Innovation for Automated Motor Vehicles

February 9, 2022

Dear Chairman Petersen and Members of the Committee:

We ask that you **not** advance SB 379 as it undermines the growth, innovation, and deployment of automated motor vehicles (AMV) in Kansas. Moreover, an effect of SB 379 is a thumb on the scale of fair-competition that benefits only a select few AMV developers while disproportionately burdening their competitors as only one or two businesses can comply with SB 379 to the exclusion of others.

The potential benefits of AMVs are incredible. “There were over 30,000 car-crash deaths in the U.S. in the first nine months of 2021, a 12% surge that marks the largest increase in fatalities since reporting began nearly half a century ago.”¹ More than 90% of all car crashes are caused by human error.

Today, many different businesses are developing AMV technology to do just this. But SB 379 cripples this life-saving innovation in Kansas.

SB 379 limits AMV operation to “only while traveling the middle mile in this state with the automated driving system engaged regardless of whether a human operator is physically present in the vehicle,” and defining “middle mile” as “the intrastate commercial movement of goods, in a business-to-business capacity, between two or more fixed points on fixed, repeatable routes.” This means that something as simple as testing an AMV becomes illegal as it is not a “commercial movement of goods.”

As you can see this creates a very real chicken-egg problem for development of AMVs. In order to have safe and reliable AMVs there needs to be testing. But under SB 379, the only way to operate an AMV in Kansas is to not engage in testing.

Likewise, SB 379 will undermine some of the most desirable possibilities of AMVs – the empowerment of visually and physically impaired individuals to use AMVs to travel and the reduction of car-crash deaths in Kansas by using AMVs. Likewise SB 379 eviscerates AMVs for delivery of goods in last-mile business to consumers.

We support reasonable regulations around AMVs. Unfortunately SB 379 puts Kansas on the wrong road in a way that limits innovation, competition, and life saving technology.

¹ Stephen Council, *Car Fatalities Rose in 2021 at Fastest Clip in Nearly Half a Century*, Wall. St. Jo. (Feb. 1, 2022).

We welcome the opportunity to speak with you further about this and ask that you **not advance** SB 379.

Sincerely,

Carl Szabo
Vice President & General Counsel
NetChoice

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