

To: Senate Commerce Committee
From: Erik Sartorius, Executive Director
Date: February 24, 2021
RE: Neutral Testimony for SB 161

The League of Kansas Municipalities appreciates the opportunity to offer neutral testimony on Senate Bill 161. In 2020, this committee heard SB 435, a substantially similar bill. We opposed that legislation at the initial hearing as it removed any ability for communities to consider the impact of personal delivery devices. Working with the proponents, we agreed to language seen in Section 3 of Senate Bill 161 and moved to a neutral position on the legislation. While not perfect, this legislation does ensure cities' elected officials can consider whether personal delivery devices can work in their city.

Many of the elements in SB 161 are already at the limits of safety. The devices would weigh up to 150 pounds and travel at up to six miles an hour. There has been some talk of an amendment to raise those limits to 550 pounds for the device and a speed of up to 10 miles per hour. Making those changes, with no cargo in the vehicle, would see the force from a collision with the devices with no cargo in them increase over 600%.

No maximum exists for the weight of cargo that could be carried. Cargo weight is a huge component of the force a personal delivery device will inflict on any persons, vehicles, or other objects it hits. While these devices will be required to have a system to detect people, pets, and vehicles, whether stationary or in motion, any failure of those systems resulting in a crash will have significant effect on who or what is hit.

The devices would operate on sidewalks. If in a neighborhood without sidewalks, they are allowed unlimited access to public highways until they can regain access to a sidewalk. Another possible amendment allowing personal delivery devices to remain on the street with no requirement to move back onto a sidewalk is strongly opposed by us.

As this committee reviews SB 161, you may wish to consider some of the elements not included in the legislation. First, no penalties exist for violating provisions of this statute. As such, they are merely guidelines which may be ignored. Further, no provision exists to require reporting of any damage or require reporting if the device gets stuck in the public right of way or on individuals' property.

On behalf of the cities of Kansas, thank you for the opportunity to appear before the committee regarding Senate Bill 161.