



**Kansas Association of
Chiefs of Police**

PO Box 2163
Hutchinson, KS 67504
(620)899-4122



**Kansas Sheriffs
Association**

PO Box 1122
Pittsburg, KS 66762
(620)230-0864



**Kansas Peace Officers
Association**

PO Box 2592
Wichita, KS 67201
(316)722-8433

**Testimony to the Senate Transportation Committee
Neutral on SB379**

February 1, 2022

Chairman Petersen and Committee Members:

We are presenting this testimony in a neutral position in order to point out areas of the bill we believe needs close scrutiny. We admit autonomous vehicles are outside our area of expertise, however there are things in this bill we believe have the potential to be problematic in our transportation safety function.

We would like to point you to Section 2 of the bill on page 2 lines 3-5. We believe we understand the intent of this provision. However, we are concerned that prohibiting regulation by ordinance may impede any enforcement action if traffic ordinances are violated. Ordinances such as fail to stop for a red light or stop sign, speeding, driving left of center, etc. We also draw your attention to the provision in Section 4 subsection (b)(1) on page 2, lines 29-32. In that section it states the owner is considered the operator “solely for the purpose of assessing compliance with applicable traffic laws. . .” We are not clear what that phrase means. Does it mean the owner is responsible for any traffic violations? Or does it mean only the owner can “assess” whether a violation has occurred and assessing a fine.¹ Or is it intended to completely alleviate any legal responsibility for violations of the traffic laws other vehicle operators are held to?

If someone is going to be legally accountable for any violations of the traffic laws, several questions also arise:

1. If the autonomous vehicle does not have a person in the vehicle, how do we serve the owner a citation. (see section 4(b)(1) “whether the person is physically present in the vehicle while the vehicle is operated.”)
2. Does this make any violation of the traffic laws by an autonomous vehicle a civil penalty instead of a criminal penalty under the traffic code? If so, where is the civil process for doing this in the law. If not, under the existing law and the provisions in SB379 wouldn't we need to identify the individual responsible for the operation of the vehicle whether they were in the vehicle or operating it remotely? (See Section 4, subsection (b)(2) referencing a “remote operator.”)

We recognize our knowledge about autonomous vehicles is not near that of the proponents of this bill. However, these appear to be significant gaps in accountability of unsafe operation of these vehicles and a process for holding those responsible accountable. If that is true, a serious public safety gap exists.

We respectfully request the Committee to examine these issues closely.

We also take this opportunity to point out we believe the statute reference on page 1, line 13 is incorrect.

Ed Klumpp
Legislative Liaison

¹ The Merriam-Webster Dictionary defines “assess” as 1) to make a judgement about something; 2) to tax or charge someone; to require a person or business, etc. to pay a particular amount of money.”