Testimony of Ariel Wolf on behalf of the Autonomous Vehicle Industry Association
Kansas Senate Committee on Transportation
February 8, 2022

Chair Petersen, Vice Chair Claeys, and Members of the Committee, good morning, my name is Ariel Wolf, and I serve as General Counsel to the Autonomous Vehicle Industry Association (the "Association"). Thank you for the opportunity to testify in opposition to SB 379.

By way of background, the AV Industry Association was formed in 2016 and includes more than 15 of the world's leading autonomous vehicle companies. Our diverse membership hails from the automotive, technology, trucking, and transportation network sectors. Our mission is to support the safe and swift deployment of autonomous vehicles, also known as SAE Levels 4- and 5-capable vehicles.

The Association's concern with SB 379 is that the bill would prohibit the operation of AV technology outside of a very narrow use case, defined as the "middle mile." Such an approach to AV regulation would make Kansas stand alone among all U.S. states by ***expressly denying an entire technology ecosystem from operating in Kansas***, other than allowing a single company's limited operations. SB 379, as currently written, would deny Kansans the substantial safety, mobility, supply chain efficiency, and environmental benefits that AVs are already providing across the country. We therefore must oppose this bill in its current construction.

To provide members of this Committee with some context, I would like to briefly walk through the key aspects of what AV technology has to offer. AVs offer significant safety, mobility, and efficiency benefits, holding the potential to save lives and to change the way we move. The National Highway Traffic Safety Administration estimates that nearly 39,000 Americans died in motor vehicle crashes in 2020,[1] and the overwhelming majority of these fatalities were due to human error.[2] The numbers released thus far for 2021 appear to be even worse, with fatalities up

[1] Nat'l Traffic Highway Safety Admin., *Early Estimates of Motor Vehicle Traffic Fatalities and Fatality Rate by Sub-Categories in 2020* (June 2021), https://crashstats.nhtsa.dot.gov/Api/Public/ViewPublication/813118.
[2] Nat'l Traffic Highway Safety Admin., *Drunk Driving*, https://www.nhtsa.gov/risky-driving/drunk-driving (last visited Jan. 25, 2022).

12%—the worst fatality rate in 15 years.[3] The ongoing tragedy on our roadways underscores the need to support widespread AV deployment. AVs can reduce fatal traffic crashes because, unlike human drivers, AVs will never drive drunk, drowsy, or distracted—all major contributors to roadway deaths. Moreover, AVs hold tremendous potential to transform mobility, broaden economic participation, and support greater independence for individuals who are frequently excluded from traditional transportation options. In addition to offering these safety and mobility benefits, autonomous driving technology can also help reduce traffic congestion, improve environmental quality, and advance transportation efficiency.

Autonomous heavy-duty vehicles hold the promise of safer and more efficient freight movement while creating jobs for workers. AV trucking also presents an array of environmental benefits, including greater fuel efficiency, more efficient use of physical infrastructure, reduced congestion, and reduced agricultural spoilage and related preservation of soil and water resources. A freight network that includes AV trucking can lower costs and reduce time to market for Kansas's agricultural, manufacturing, retail, and other industries. A recent U.S. Department of Transportation study indicated that adoption of AV trucking will increase total U.S. employment by as many as 35,100 jobs per year on average and raise annual earnings for all U.S. workers.[4]

A regulatory framework that supports the full deployment of AVs will better equip Kansas' transportation system, environment, and law enforcement to take advantage of the benefits presented by this technology. However, by allowing AVs to operate only while traveling on intrastate, middle mile routes, SB 379 would prohibit virtually all AV operation within the state. The bill would prohibit flexible first mile and last mile connections to transit, the ability to service direct trips to workplaces and other endpoints, and food and grocery deliveries directly to consumers. It would also exclude the commercial operating models of the vast majority of AV manufacturing companies, preventing significant investment in Kansas. Further, the Association is concerned that Kansas would stand alone among other states that have passed legislation authorizing AV operation without catering to one business model.

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[3] Nat'l Highway Traffic Safety Admin., U.S. Dep't of Transp., DOT HS 813 240, Early Estimates of Motor Vehicle Traffic Fatalities for the First 9 Months (January-September) of 2021 1 (2021), https://crashstats.nhtsa.dot.gov/Api/Public/ViewPublication/813240.

[4] Robert Waschik et al., John A. Volpe Nat'l Transp. Sys. Ctr., Macroeconomic Impacts of Automated Driving Systems in Long-Haul Trucking (2021), https://rosap.ntl.bts.gov/view/dot/54596.

It is our view that if Kansas chooses to take legislative or regulatory action with respect to AVs, such action should be premised on (i) removing impediments to the safe testing or deployment of such vehicles, and (ii) creating a pro-competitive and level playing field that allows all companies an equal opportunity to bring their technology to Kansas roads.

AVs have the potential to usher in a new era of mobility, with incredible potential to make Kansas's transportation system safer, more efficient, and accessible. While we appreciate efforts by the Legislature to advance legislation addressing AV technology, we must respectfully oppose SB 379 absent modifications to authorize operation of AVs under a broader set of circumstances. We would appreciate the opportunity to work with the Committee to develop a holistic and equitable framework that promotes the safe adoption of AVs in Kansas. Thank you for your time and consideration.