

# Kansas State Legislative Board

## International Association of Sheet Metal, Air, Rail, and Transportation Workers

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The Honorable Robert Olson  
Chairman of Standing Committee on Commerce  
Distinguished Members of the Committee  
Kansas State Legislature - Senate  
State Capitol, Room 546-S  
Topeka, KS 66612

February 23<sup>rd</sup>, 2021

**Re: SB 161—Providing for the use of personal package delivery devices on sidewalks and crosswalks**

Dear Sen. Olson and Members of the Committee:

The Sheet Metal Air Rail and Transportation Workers (SMART) is an opponent of SB166 as we have many concerns about this legislation and feel it will cause many issues with the citizens of Kansas. There are concerns with safety, liability, and impact to the workforce in this legislation.

Let's be clear about what this legislation does. It allows for autonomous unmanned delivery devices to operate on our sidewalks weighing up to 150 pounds plus unlimited cargo and moving up to 6 mph (this is double the average human walking speed). While doing this the legislation gives robots the same right-of-way rights as human pedestrians. Also while the bill allows for "monitoring and navigation" over a device, it does not clarify how many devices any one individual or "agent" monitors at the same time.

With respect to safety, this legislation does not require testing or development of this new technology. It is our strong position that all new technology should be thoroughly tested, (including for performance in inclement weather,) and those results are made public before these devices are given access to daily interactions with the general population. We also strongly believe that there must be regular state inspection of these devices to ensure safety. As this technology will have an impact on community safety, we have concerns that this bill does not have any mechanism to record incidents and accidents of these

devices and allow for public reporting of these incidents. In other states, (Pennsylvania), it has been made mandatory that a company must self-report accidents to the state and proper law enforcement within 24 hours. We believe there is a need to address and explore the safety concerns of unmanned robots on our public sidewalks that there should be an official workgroup assembled to first discuss any potential developments of this Technology.

Under this bill, clarification is needed on who is liable for damages if the devices injure, kill, or causes a traffic or other accident resulting in damage, injury, or death. Also, under the insurance section, it only identifies the “business entity” as needed to maintain at least \$100,000 coverage. We have not seen any evidence or study that shows that \$100,000 is an appropriate amount. Any dollar amount must take into consideration the additional risk of potential pedestrian collisions and/or traffic accidents. Also, on the question of liability, the bill begs the question of who is responsible for the additional wear and tear of sidewalks that these devices will cause.

Under Kansas state law and certain municipalities’ rules

property owners are responsible for maintaining and replacing sidewalks. Sidewalks are not designed nor meant to have commercial-grade delivery devices with unlimited cargo weight operate on them day in and day out as this bill allows for.

Finally, with regards to the workforce, there are questions about the impact and well-being on our communities if these devices replace good-paying jobs for workers that contribute into state and local government.

Sincerely,



Ty E Drago  
SMART-TD on behalf of SMART-SM  
Kansas State Legislative Board  
Director/Chairman