

Testimony before Senate Transportation Committee
SB 546 – providing for the use and regulation of autonomous vehicles
Mike O’Neal – Walmart
In-Person testimony in support
mike@onealconsultingks.com

March 10, 2022

Mr. Chairman and members of the Committee

We are pleased to have the opportunity to appear before you today on SB 546, which would establish the framework for Kansas to join the 44 other states which have autonomous vehicle policies.

In today’s environment, meeting the challenges of supply chain availability and the expectations of consumers that the products they need will be available on their local store shelves, Walmart has been a leader in innovation. The American Trucking Associations, Inc. estimated that in 2021 the truck driver shortage hit a historic high of just over 80,000 drivers. Their Oct., 2021 report goes on to estimate that the shortage could very well balloon to 160,000 by 2030. Walmart alone has a critical driver shortage and is currently offering salaries of over \$80,000 + benefits. We have even seen in the news that the trucking industry is considering lowering the standards and age requirement for drivers of the large rigs to address the shortage.

As you know from previous testimony on this subject, Kansas is one of only 6 states that has not addressed autonomous vehicles in law. You’ve been briefed on the successful system Walmart has in place in Arkansas and Louisiana with AV pioneer Gatik.

Over the past several months we conducted numerous conversations with dozens of key individuals, legislative leaders, committee chairs, committee members, KDOT, the Governor’s office, members of labor, and the national AV industry, in an effort to inform stakeholders of what is in place legislatively in other states. In our view, having no policy in place is not wise. Having the state needing to react to the technology if it comes to Kansas because of the absence of any specific laws or regulations regulating the use of AVs, is not prudent. We decided that the best public policy would be to ask the legislature to join the vast majority of states with AV policies in place. SB 546 represents a framework for a workable AV policy in Kansas.

Safety is our number one goal. Although there is no federal law occupying the field for AV use in America, US DOT and the National Traffic Safety Administration (NHTSA) still have authority to protect safety and keep unsafe technologies off roadways through existing frameworks such as

the Motor Vehicle Safety Act, defect and recall authority, investigative authority and civil penalties. NHTSA has also clarified in published guidance that there is a clear federal and state delineation of jurisdiction when it comes to AV regulation. Federal regulation oversees design, construction and performance. The states oversee operation and use.

We know there will be many questions about this new-to-Kansas technology. That is why we have the industry experts here to further explain the plan and the technology.

Again, thank you for the opportunity to testify and I'll be happy to answer any questions I am capable of answering at the appropriate time.

Walmart, the largest retailer in America, serves over 160 million customers each week and is committed to the State of Kansas and its prosperity. Walmart employs more than 22,000 Kansans and operates 83 stores in the state. In FYE 2021, Walmart collected on behalf of the State of Kansas more than \$423.6 million in sales tax and paid more than \$71.6 million in state and local taxes. Walmart also spent over \$634.8 million with local Kansas suppliers and donated \$7.6 million to charitable organizations in communities throughout Kansas in FYE 2021.