

IN THE HOUSE OF REPRESENTATIVES

HOUSE JOINT MEMORIAL NO. 12

BY TRANSPORTATION AND DEFENSE COMMITTEE

A JOINT MEMORIAL

1
2 TO THE UNITED STATES SECRETARY OF TRANSPORTATION, THE SENATE AND THE HOUSE
3 OF REPRESENTATIVES OF THE UNITED STATES IN CONGRESS ASSEMBLED, AND TO
4 THE CONGRESSIONAL DELEGATION REPRESENTING THE STATE OF IDAHO IN THE
5 CONGRESS OF THE UNITED STATES.

6 We, your Memorialists, the House of Representatives and the Sen-
7 ate of the State of Idaho assembled in the Second Regular Session of the
8 Sixty-fourth Idaho Legislature, do hereby respectfully represent that:

9 WHEREAS, Congress has delegated authority to the United States Secre-
10 tary of Transportation to prescribe regulations on minimum standards for
11 written and driving tests of an individual operating a motor vehicle; and

12 WHEREAS, Congress granted authority to the United States Secretary of
13 Transportation to prescribe different minimum testing standards for differ-
14 ent classes of commercial motor vehicles; and

15 WHEREAS, Congress provided by law in 49 U.S.C. 31301 that one factor
16 in establishing whether a vehicle is a commercial motor vehicle is whether
17 the vehicle has a gross vehicle weight rating or gross vehicle weight of no
18 more than 26,001 pounds, but made no mention of combination vehicles pulling
19 trailers; and

20 WHEREAS, the United States Secretary of Transportation has prescribed
21 regulations that apply the trigger weight to a combination of vehicles if a
22 vehicle being towed exceeds 10,000 pounds. For example, the operator of a
23 commercial truck weighing 15,500 pounds that tows a trailer weighing 11,000
24 pounds would be required to obtain a Class A commercial driver's license; and

25 WHEREAS, many small businesses use trailers in their work, such as land-
26 scape work and construction or repair work; and

27 WHEREAS, requiring small business owners to obtain commercial driver's
28 licenses in order to pull trailers behind their trucks poses an unnecessary
29 obstacle to the ability of small business owners to earn their living.

30 NOW, THEREFORE, BE IT RESOLVED by the members of the Second Regular
31 Session of the Sixty-fourth Idaho Legislature, the House of Representa-
32 tives and the Senate concurring therein, that the United States Secretary of
33 Transportation is urged to revise regulations to provide that the weight of
34 a trailer being pulled by a commercial motor vehicle may not be included in
35 the trigger weight of 26,001 pounds, requiring the truck's operator to have
36 a commercial driver's license.

37 BE IT FURTHER RESOLVED that the Chief Clerk of the House of Representa-
38 tives be, and she is hereby authorized and directed to forward a copy of this
39 Memorial to the United States Secretary of Transportation, the President of
40 the Senate and the Speaker of the House of Representatives of Congress, and
41 to the congressional delegation representing the State of Idaho in the Con-
42 gress of the United States.