

AGENDA
SENATE TRANSPORTATION COMMITTEE
1:30 P.M.
Room WW53
Tuesday, January 12, 2021

Limited public seating will be available in the committee room. For members of the public to observe the meeting, please click on the following link:

<https://www.idahoptv.org/shows/idahoinsession/>

SUBJECT	DESCRIPTION	PRESENTER
WELCOME	Opening Remarks	Chairwoman Den Hartog
INTRODUCTIONS	New Members of the Senate Page Introduction	

COMMITTEE MEMBERS

Chairwoman Den Hartog

Vice Chairman Woodward

Sen Winder

Sen Lodge

Sen Rice

Sen Vick

Sen Crabtree

Sen Nelson

Sen Wintrow

COMMITTEE SECRETARY

Emily Carlisle

Room: WW33

Phone: 332-1332

Email: stran@senate.idaho.gov

MINUTES
SENATE TRANSPORTATION COMMITTEE

DATE: Tuesday, January 12, 2021

TIME: 1:30 P.M.

PLACE: Room WW53

MEMBERS PRESENT: Chair Den Hartog, Vice Chairman Woodward, Senators Winder, Rice, Vick, Crabtree, Nelson, and Wintrow

ABSENT/ EXCUSED: Senator Lodge

NOTE: The sign-in sheet, testimonies and other related materials will be retained with the minutes in the committee's office until the end of the session and will then be located on file with the minutes in the Legislative Services Library.

CONVENED: **Chair Den Hartog** called the meeting of the Senate Transportation Committee (Committee) to order at 1:30 p.m. She welcomed committee members and expressed gratitude for their attendance.

PAGE INTRODUCTION: **Chair Den Hartog** asked the Committee page, Sophia Lind, of Meridian, to introduce herself to the committee. **Miss Lind** said she is a senior at Rocky Mountain High School in Meridian. She is interested in counseling and wishes to pursue a degree in Psychology at Brigham Young University in Rexburg, Idaho, and looks forward to serving on a mission for her church.

Senator Winder welcomed Miss Lind and emphasized the critical role she and her group of pages serve at the legislature. He encouraged her goals of attending Brigham Young University and wished her luck in her endeavors.

INTRODUCTIONS: **Chair Den Hartog** asked members of the committee introduce themselves.

Senator Wintrow expressed what an honor it is to be on the committee and she appreciated the email sent from the chair regarding the administrative rules review. She noted her previous experience in the House of Representatives.

Senator Nelson congratulated the Chair on her appointment and highlighted his previous experience on the committee.

Senator Rice stated he had previously served on the Committee and appreciated remaining a member. He emphasized the importance of transportation in his community and throughout the State.

Senator Woodward introduced himself and asserted his commitment to looking at solutions for the backlog of problems in the transportation system.

Senator Winder thanked the Chair and noted his previous experience as a member of the Committee, and as Chairman of the Transportation Board. He said he is eager to respond to the Governor's transportation proposal. He specified the key to safety is dividing the highways and eliminating two-lane highways. **Senator Winder** pointed out the State is growing rapidly and has needs that must be addressed.

Senator Vick thanked the Chair and voiced his appreciation for continuing to serve on the Committee. He expressed having realistic goals of catching up on the backlog and that he looked forward to doing so, as well as working with the Chair.

Senator Crabtree noted his district is one of the largest in Idaho and reaffirmed the critical nature of transportation within it. He detailed the role transportation plays by helping export resources derived from his district and said he is committed to helping the committee.

Senator Den Hartog detailed the growth in many parts of the state and emphasized she will cooperate with eastern Idaho representation to discuss regional issues.

ADJOURNED: There being no further business at this time, **Chair Den Hartog** adjourned the meeting at 1:42 p.m.

Senator Den Hartog
Chair

Emily Carlisle
Secretary

AMENDED AGENDA #1
SENATE TRANSPORTATION COMMITTEE
1:30 P.M.
Room WW53
Tuesday, January 19, 2021

Limited public seating will be available in the committee room. For members of the public to observe the meeting, please click on the following link:

<https://www.idahoptv.org/shows/idahoinsession/>

SUBJECT	DESCRIPTION	PRESENTER
Welcome		Chair Den Hartog
Minutes	Approve the minutes of January 12, 2021.	Senators Nelson and Wintrow
Docket No.:		
<u>39-0271-2001</u>	Idaho Transportation Department's Traditional Pending Rules	Brendan Floyd DMV Policy Specialist
<u>39-0000-2000F</u>	Idaho Transportation Department's Omnibus Pending Fee Rules	Ramon Hobdey-Sanchez ITD's Government Affairs Project Manager

If you have written testimony, please provide a copy of it along with the name of the person or organization responsible to the committee secretary to ensure accuracy of records.

COMMITTEE MEMBERS

Chair Den Hartog

Vice Chairman Woodward

Sen Winder

Sen Lodge

Sen Rice

Sen Vick

Sen Crabtree

Sen Nelson

Sen Wintrow

COMMITTEE SECRETARY

Emily Carlisle

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MINUTES
SENATE TRANSPORTATION COMMITTEE

DATE: Tuesday, January 19, 2021

TIME: 1:30 P.M.

PLACE: Room WW53

MEMBERS PRESENT: Chair Den Hartog, Vice Chairman Woodward, Senators Winder, Lodge, Rice, Vick, Crabtree, Nelson, and Wintrow

ABSENT/ EXCUSED: None

NOTE: The sign-in sheet, testimonies and other related materials will be retained with the minutes in the committee's office until the end of the session and will then be located on file with the minutes in the Legislative Services Library.

CONVENED: **Chair Den Hartog** called the meeting of the Senate Transportation Committee (Committee) to order at 1:30 p.m.

PASSED THE GAVEL: Chair Den Hartog passed the gavel to Vice Chairman Woodward.

MINUTES APPROVAL: **Senator Nelson** moved to approve the Minutes of Tuesday, January 12, 2021. **Senator Wintrow** seconded the motion. The motion carried by **voice vote**.

ADMINISTRATIVE RULES: **Vice Chairman Woodward** introduced Brendan Floyd, Department of Motor Vehicles Policy Specialist, to present the Committee's one traditional pending rule.

DOCKET NO. 39-0271-2001 **Mr. Floyd** opened by noting that this rule covers the driver's license violation point system. He explained the changes were prompted by the passage of H 614, 2020 Session, which repealed Idaho Code §49-1401A, and replaced it with a section regarding distracted driving and the unlawful use of mobile electronic devices while operating a vehicle. He explained the points system as it relates to the suspension of driver's licenses. He pointed out the rule's language was cleaned up and substantive changes were made in section 100.06, which defines distracted driving. The proposed rule identifies the offense as a three-point violation. He noted there were no comments received on the proposal.

DISCUSSION: **Senator Nelson** asked how the Idaho Transportation Department (ITD) determined this offense was a three-point violation. **Mr. Floyd** explained that an increasing number of points are assigned as the offense committed becomes increasingly egregious. He referenced comparable examples of distracted driving, all of which were similar to the examples in the proposed rule. Each of these examples equated to a three-point violation, which the department used as a basis for the proposed rule.

MOTION: **Senator Crabtree** moved to approve **Docket No. 39-0271-2001**. **Senator Lodge** seconded the motion. The motion carried by **voice vote**.

DOCKET NO. 39-0000-2000F **Vice Chairman Woodward** invited Ramón Hobdey-Sánchez, ITD's Government Affairs Project Manager, to present the Committee's one omnibus pending fee rule.

DISCUSSION: **Mr. Hobdey-Sánchez** reminded the legislators ITD has been mindful of limiting rules in the past and has tried to keep proposed rules at a minimum. He stated there were no changes made to the proposed rule; it is the same as it was in the 2020 session. There were two different opportunities for industry and stakeholders to participate, but no comments were received.

Senator Woodward asked how the "and/or" language in Rule 39.03.03, which covers special permits, should be interpreted regarding warning flag requirements.

In response to Senator Woodward's question, **Mr. Hobdey-Sánchez** stated ITD recently addressed flags to make sure regulation is consistent. He said he would defer interpretation of the language to subject matter experts and would follow up at a later date.

MOTION: **Senator Nelson** motioned to approve **Docket No. 39-0000-2000F**. **Senator Winder** seconded the motion. The motion carried by **voice vote**.

PASSED THE GAVEL: Senator Woodward passed the gavel back to Chair Den Hartog.

ADJOURNED: There being no further business at this time, **Chair Den Hartog** adjourned the meeting at 1:46 p.m.

Senator Den Hartog
Chair

Emily Carlisle
Secretary

AGENDA
SENATE TRANSPORTATION COMMITTEE
1:30 P.M.
Room WW53
Tuesday, January 26, 2021

Limited public seating will be available in the committee room. For members of the public to observe the meeting, please click on the following link:

<https://www.idahoptv.org/shows/idahoinsession/>

SUBJECT	DESCRIPTION	PRESENTER
Welcome		Chair Den Hartog
Minutes	Approve Minutes of January 19, 2021.	Senators Rice and Vick
<u>RS28234</u>	Relating to Veteran's Plates	Senator Bayer

COMMITTEE MEMBERS

Chair Den Hartog

Vice Chairman Woodward

Sen Winder

Sen Lodge

Sen Rice

Sen Vick

Sen Crabtree

Sen Nelson

Sen Wintrow

COMMITTEE SECRETARY

Emily Carlisle

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MINUTES
SENATE TRANSPORTATION COMMITTEE

DATE: Tuesday, January 26, 2021

TIME: 1:30 P.M.

PLACE: Room WW53

MEMBERS PRESENT: Chair Den Hartog, Vice Chairman Woodward, Senators Winder, Lodge, Rice, Vick, Crabtree, Nelson, and Wintrow

ABSENT/ EXCUSED: None

NOTE: The sign-in sheet, testimonies and other related materials will be retained with the minutes in the committee's office until the end of the session and will then be located on file with the minutes in the Legislative Services Library.

CONVENED: **Chair Den Hartog** called the meeting of the Senate Transportation Committee (Committee) to order at 1:30 p.m.

MINUTES APPROVAL: **Senator Vick** moved to approve the Minutes of Tuesday, January 19, 2021. **Senator Nelson** seconded the motion. The motion carried by **voice vote**.

RS 28234 **Relating to Veteran's Plates.** **Senator Bayer** presented **RS 28234** and stated the legislation is not intended to be another license plate bill. The legislation amends Idaho Code § 49-418 to allow veterans to designate their American Legion or Veterans of Foreign Wars membership on special veterans plates. She explained it is intended to provide more exposure to veterans and give them an opportunity to express their membership in these organizations. All revenue will continue going to the Idaho State Veterans Cemeteries as under current law, and there is no impact on the general fund.

MOTION: **Senator Rice** moved to send **RS 28234** to print. **Senator Winder** seconded the motion.

VOICE VOTE: The motion to send **RS 28234** to print passed by **voice vote**.

ADJOURNED: There being no further business at this time, **Chair Den Hartog** adjourned the meeting at 1:33 p.m.

Senator Den Hartog
Chair

Emily Carlisle
Secretary

AGENDA
SENATE TRANSPORTATION COMMITTEE
1:30 P.M.
Room WW53
Tuesday, February 02, 2021

Limited public seating will be available in the committee room. For members of the public to observe the meeting, please click on the following link:

<https://www.idahoptv.org/shows/idahoinsession/>

SUBJECT	DESCRIPTION	PRESENTER
Minutes	Approve the Minutes for January 26, 2021.	Senators Crabtree and Vick
Presentation	Idaho Transportation Department Supplemental Budget	Mollie McCarty , Gov't Affairs Manager, ITD

If you have written testimony, please provide a copy of it along with the name of the person or organization responsible to the committee secretary to ensure accuracy of records.

COMMITTEE MEMBERS

Chairman Den Hartog

Vice Chairman Woodward

Sen Winder

Sen Lodge

Sen Rice

Sen Vick

Sen Crabtree

Sen Nelson

Sen Wintrow

COMMITTEE SECRETARY

Emily Carlisle

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MINUTES
SENATE TRANSPORTATION COMMITTEE

DATE: Tuesday, February 02, 2021

TIME: 1:30 P.M.

PLACE: Room WW53

MEMBERS PRESENT: Chair Den Hartog, Vice Chairman Woodward, Senators Winder, Lodge, Rice, Vick, Crabtree, Nelson, and Wintrow

ABSENT/ EXCUSED: None

NOTE: The sign-in sheet, testimonies and other related materials will be retained with the minutes in the committee's office until the end of the session and will then be located on file with the minutes in the Legislative Services Library.

CONVENED: **Chair Den Hartog** called the meeting of the Senate Transportation Committee (Committee) to order at 1:30 p.m.

MINUTES APPROVAL: **Senator Crabtree** moved to approve the Minutes of Tuesday, January 26, 2021. **Senator Winder** seconded the motion. The motion carried by **voice vote**.

PRESENTATION: **Mollie McCarty**, Governmental Affairs Manager, Idaho Transportation Department (ITD), presented its supplemental budget. She updated the Committee on bid-ready projects that will help the department update various transportation systems. The benefits will be long term with improvements to safety, work, and recreation. It will also support Idaho's economy. ITD has worked to accelerate project development and engineering to ensure they are available ahead of schedule. She clarified the monies will be a reinvestment of spending reductions that Governor Brad Little made over the past year. She reminded the Committee they are both State and Federal monies, that they are one-time funds. She outlined ITD's five state supplementals for fiscal year 2021. The federal monies contributed to December's omnibus COVID-19 relief act. She closed by noting how critical the projects are for citizens and she thanked the Committee for its continued support.

DISCUSSION: **Senator Winder** asked if the department has the ability to spend the money within the next 12 months. **Mrs. McCarty** clarified the most expeditious way to spend the money will be for ITD to distribute monies into the community through contracts. She also acknowledged the payout of contracts will take some time to accomplish.

Senator Rice questioned if the supplemental budget enabled the department to move up projects that were previously unfunded. **Mrs. McCarty** affirmed the funding helps move smaller project timelines forward. She noted it is still difficult to fund large projects from one source of funding, but incorporation of additional funding sources may help to move up larger projects.

Senator Winder asked if ITD had looked at its priority list of projects and where the issue in Senator Rice's area was on that list. **Mrs. McCarty** clarified the project in Senator Rice's area would most likely benefit from a bonding program to secure funding.

Senator Lodge questioned if there are any requirements for new subdivisions to support roadway development in their area of impact. **Mrs. McCarty** explained there is a process where ITD supports the subdivision developers complete a traffic study to determine if and what alterations should be completed.

Senator Lodge requested clarification on whose responsibility it is to complete work on rough railroad crossings. **Mrs. McCarty** explained it is the responsibility of each jurisdiction to complete repairs on crossings within its area of responsibility.

Senator Nelson expressed concerns regarding one of the projects in his district that has not been funded. He then asked if ITD has been able to support pedestrian safety projects within the State. **Mrs. McCarty** described the difficulties of living in a rural state without ample crossings and affirmed the department's concern with pedestrian fatalities. She detailed the department's efforts to leverage partners and opportunities in order to make significant safety improvements in problem areas. She also clarified the department enjoys collaborating with the community to accomplish requests, traffic enhancements, or strategic planning for larger projects.

Senator Nelson requested clarification regarding where the money for state programs comes from. **Mrs. McCarty** explained the money comes from holdbacks that were executed last year and specified all the holdbacks are included in the current supplemental. She then deferred to David Hahn for specification on the holdbacks. **David Hahn**, Financial Management Analyst, Budget Bureau, clarified the holdback is temporary and it is within the Legislature's jurisdiction to make the holdback permanent or not.

Senator Woodward asked if it is possible to identify the source of various monies in the General Fund since there are notable surpluses this fiscal year. **Mr. Hahn** affirmed the holdback was only one component of the reinvested monies in ITD's supplemental budget.

Chair Den Hartog questioned if there was a timeline or restrictions on the expenditure of the federal funds contributed to the supplemental budget. **Mrs. McCarty** specified there is a four-year period in which the State is obligated to pay out the projects. She further explained there are no other specific restrictions for the funds, they are intended to be put toward general roadway improvements.

ADJOURNED: There being no further business at this time, **Chair Den Hartog** adjourned the meeting at 2:07 p.m.

Senator Den Hartog
Chair

Emily Carlisle
Secretary

AGENDA
SENATE TRANSPORTATION COMMITTEE
1:30 P.M.
Room WW53
Thursday, February 11, 2021

Limited public seating will be available in the committee room. For members of the public to observe the meeting, please click on the following link:

<https://www.idahoptv.org/shows/idahoinsession/>

SUBJECT	DESCRIPTION	PRESENTER
Minutes	Approve Minutes of February 2, 2021.	Senators Winder and Woodward
HCR003	Relating to Naval Fleet	Representative Syme
RS28429	Relating to Rules of the Road	David Cameron, Assistant to the Director, Teamsters Rail Conference
RS28440	Relating to Motor Vehicles	Jason Kreizenbeck, Lobby Idaho LLC
RS28442	Relating to Highways and Bridges	Jason Kreizenbeck, Lobby Idaho LLC
RS28446	Relating to Highways and Bridges	Jason Kreizenbeck, Lobby Idaho LLC
RS28498	Relating to Electronic Motor Vehicle Registration	Brody Aston, VITU
RS28510	Relating to the Idaho Air Travel Enhancement Program	Senator Johnson & Gary Peters, Intrastate Commercial Air Service Committee
Presentation	Idaho Intrastate Passenger Air Service Study from the Intrastate Commercial Air Service Committee	Senator Johnson

If you have written testimony, please provide a copy of it along with the name of the person or organization responsible to the committee secretary to ensure accuracy of records.

COMMITTEE MEMBERS

Chair Den Hartog

Vice Chairman Woodward

Sen Winder

Sen Lodge

Sen Rice

Sen Vick

Sen Crabtree

Sen Nelson

Sen Wintrow

COMMITTEE SECRETARY

Emily Carlisle

Room: WW33

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MINUTES
SENATE TRANSPORTATION COMMITTEE

- DATE:** Thursday, February 11, 2021
- TIME:** 1:30 P.M.
- PLACE:** Room WW53
- MEMBERS PRESENT:** Chair Den Hartog, Vice Chairman Woodward, Senators Winder, Lodge, Rice, Vick, Crabtree, Nelson, and Wintrow
- ABSENT/ EXCUSED:** None
- NOTE:** The sign-in sheet, testimonies and other related materials will be retained with the minutes in the committee's office until the end of the session and will then be located on file with the minutes in the Legislative Services Library.
- CONVENED:** **Chair Den Hartog** called the meeting of the Senate Transportation Committee (Committee) to order at 1:32 p.m.
- MINUTES APPROVAL:** **Senator Woodward** moved to approve the Minutes of February 2, 2021. **Senator Rice** seconded the motion. The motion carried by **voice vote**.
- MOTION:** **Senator Rice** moved to send **RS 28429, RS 28440, RS 28442, RS 28446, RS 28498, and RS 28510** to print. **Senator Crabtree** seconded the motion. The motion carried by **voice vote**.
- PRESENTATION:** **Gary Peters**, Chairman, Lewiston-Nez Perce County Regional Airport, presented findings from the Idaho Intrastate Passenger Air Service Study. He briefed the Senate on the demonstrated need for additional air service routes in northern and eastern Idaho. Historically, there were profitable flight routes connecting northern and eastern regions of Idaho to Boise, but they became unprofitable and services were discontinued. He cited the lack of marketing as the main reason for operational shortfalls and asked for funding from the State to offset minimum revenue guarantee losses. These funds would support the developing routes as they are established and until they become profitable. The discontinuance of the regional flight routes has negatively impacted rural communities due to a lack of access to health care, education, and additional supportive resources. These resources remain more readily available to residents in the urban setting of Boise, but remain a several hours drive away for rural communities. In order to secure additional flight services from the airlines, he stressed, it is imperative to have the State's support.
- DISCUSSION:** **Senator Crabtree** asked how the airports will overcome a shortage of people filling seats on new flight routes. **Mr. Peters** discussed the influence of marketing and its impact on maintaining an appropriate load factor. He further expanded on the importance of informing regional residents about the value of these additional flight routes. He also stressed the importance of informing regional residents of the need to utilize these additional routes to ensure their continuation.
- Senator Nelson** questioned when the best time would be to approach airlines to discuss additional routes. **Mr. Peters** clarified the time is soon, if not now, since airlines are reacting to COVID-19 shortages. He noted airlines are seeking new ways to create revenue, and establishing new services may be an option they are willing to consider as they change their mindset from traditional, or pre-COVID-19, operations.

Senator Woodward requested clarification on the last occurrence of a flight scheduled between Lewiston and Boise. **Mr. Peters** noted it was several years ago and confirmed the discontinuance can be attributed to the change toward larger aircraft with lower load capacities, which ultimately created a low-performance route. This low-performance route became unprofitable for airlines, and they discontinued the service.

Jeff Marker, Administrator, Idaho Division of Aeronautics, presented an overview of the division and discussed the various critical functions it serves. He noted grants are a portion of the division's work and emphasized the importance grants have on facilitating infrastructure and planning for community airports.

Senator Vick requested information on how detrimental it is to the State for residents to fly out of Spokane, Washington, for regional flights, rather than departing from Idaho. **Mr. Marker** said he was unable to quantify the losses but confirmed residents departing out of Spokane does have a negative effect on the State.

HCR 003

Relating to Naval Fleet. **Senator Winder** opened discussion by noting that while the State has had several surface ships named after it, the naming of a submarine is an additional unique honor. He further discussed the funds being raised to support sailors serving onboard USS Idaho, and noted former Governor Dirk Kempthorne is involved in this process. He noted this resolution sets forth the State's approval, encouragement, and acknowledgment of the project.

Senator Rice said he appreciated the inclusion of support and protection for all those who will sail the USS Idaho, and he expressed the State's wishes of protection for all those who serve in the armed forces.

MOTION:

Senator Woodward moved to send **HCR 003** to the floor with a **do pass** recommendation. **Senator Rice** seconded the motion. The motion carried by **voice vote**.

ADJOURNED:

There being no further business at this time, **Chair Den Hartog** adjourned the meeting at 2:00 p.m.

Senator Den Hartog
Chair

Emily Carlisle
Secretary

AMENDED AGENDA #1
SENATE TRANSPORTATION COMMITTEE
1:00 P.M.
Room WW53
Monday, February 15, 2021

Limited public seating will be available in the committee room. For members of the public to observe the meeting, please click on the following link:

<https://www.idahoptv.org/shows/idahoinsession/>

SUBJECT	DESCRIPTION	PRESENTER
<u>RS28561</u>	Relating to Highways and Bridges.	Senator Woodward

COMMITTEE MEMBERS

Chair Den Hartog

Vice Chairman Woodward

Sen Winder

Sen Lodge

Sen Rice

Sen Vick

Sen Crabtree

Sen Nelson

Sen Wintrow

COMMITTEE SECRETARY

Emily Carlisle

Room: WW33

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MINUTES
SENATE TRANSPORTATION COMMITTEE

DATE: Monday, February 15, 2021
TIME: 1:00 P.M.
PLACE: Room WW53
MEMBERS PRESENT: Chair Den Hartog, Vice Chairman Woodward, Senators Winder, Lodge, Vick, and Nelson
ABSENT/ EXCUSED: Senators Rice, Crabtree, and Wintrow
NOTE: The sign-in sheet, testimonies and other related materials will be retained with the minutes in the committee's office until the end of the session and will then be located on file with the minutes in the Legislative Services Library.
CONVENED: **Chair Den Hartog** called the meeting of the Senate Transportation Committee (Committee) to order at 1:00 p.m.
RS 28561 **Relating to Highways and Bridges.** **Senator Woodward** presented **RS 28561** and stated it is related to Idaho Code § 40-511. He noted the proposed legislation would clarify that noncommercial vehicles are not required to stop at check stations.
MOTION: **Senator Vick** moved to send **RS 28561** to print. **Senator Winder** seconded the motion. The motion to send **RS 28561** passed by **voice vote**.
ADJOURNED: There being no further business at this time, **Chair Den Hartog** adjourned the meeting 1:03 p.m.

Senator Den Hartog
Chair

Emily Carlisle
Secretary

AGENDA
SENATE TRANSPORTATION COMMITTEE
1:30 P.M.
Room WW53
Tuesday, February 16, 2021

Limited public seating will be available in the committee room. For members of the public to observe the meeting, please click on the following link:

<https://www.idahoptv.org/shows/idahoinsession/>

SUBJECT	DESCRIPTION	PRESENTER
<u>H 5</u>	Relating to Distracted Driving	Jeff Neumeyer, United Heritage
<u>S 1104</u>	Relating to Rules of the Road	David Cameron, Assistant to the Director, Teamsters Rail Conference

Public Testimony Will Be Taken by Registering Through the Following Link:
[Registry to Testify](#)

If you have written testimony, please provide a copy to the committee secretary.

COMMITTEE MEMBERS

Chair Den Hartog

Vice Chairman Woodward

Sen Winder

Sen Lodge

Sen Rice

Sen Vick

Sen Crabtree

Sen Nelson

Sen Wintrow

COMMITTEE SECRETARY

Emily Carlisle

Room: WW33

Phone: 332-1332

Email: stran@senate.idaho.gov

MINUTES
SENATE TRANSPORTATION COMMITTEE

DATE: Tuesday, February 16, 2021

TIME: 1:30 P.M.

PLACE: Room WW53

MEMBERS PRESENT: Chair Den Hartog, Vice Chairman Woodward, Senators Winder, Lodge, Rice, Vick, Crabtree, Nelson, and Wintrow

ABSENT/ EXCUSED: None

NOTE: The sign-in sheet, testimonies and other related materials will be retained with the minutes in the committee's office until the end of the session and will then be located on file with the minutes in the Legislative Services Library.

CONVENED: **Chair Den Hartog** called the meeting of the Senate Transportation Committee (Committee) to order at 1:30 p.m.

H 5 **Relating to Distracted Driving.** **Jeff Neumeyer**, Chief Executive Vice President, United Heritage, opened by referencing H 614, which prevents drivers from using cell phones in-hand while driving. The bill had a Geographic Positioning System (GPS) exception that made enforcement difficult, since it was written to allow hands-on cell phone use for GPS purposes. The intent of **H 5** is to clarify the explanation of appropriate GPS usage, Mr. Neumeyer said. The bill will require drivers to mount their cell phone on the dashboard or in a cup holder. The new requirement will allow for single-touch activation and deactivation of applications while mounted. The passage of this bill will support clearer enforcement of hands free cell phone use.

TESTIMONY: **Dell Chapel**, a Nampa resident, stated he was in support of this bill since it provides better clarification for workers who use cell phones while driving, such as delivery and rideshare drivers.

Cynthia Gibson, a Boise resident, stated she represents all those who use roadways outside of a car, such as bikers, walkers, and runners. She stressed it is hard to feel confident and safe as someone traveling on the street, unaware of distracted drivers. She expressed her support for this bill in hopes that it will keep drivers more focused and aware while they are driving.

DISCUSSION: In his closing remarks, **Mr. Neumeyer** said the proposed clarification will help police officers avoid a legal loophole in the current law.

Senator Vick asked if the single-touch exception allows for applications such as audio books to be activated. **Mr. Neumeyer** affirmed that it applies to activation and deactivation of all applications as long as the cell phone is mounted and not handheld.

MOTION: **Senator Winder** moved to send **H 5** to the floor with a **do pass** recommendation. **Senator Lodge** seconded the motion. The motion carried by **voice vote**.

S 1104 **Relating to Rules of the Road.** **David Cameron**, Teamsters Rail Conference, opened by explaining current rail law does not mention on-track equipment, nor does it distinguish between on-track equipment and trains. Current on-track equipment is comparable to trains and presents similar dangers when a motorist is involved in an on-track accident. More than 30 states have supported an effort to distinguish between on-track equipment and trains has been supported in over 30 states, with pending legislation in seven states.

MOTION: **Senator Rice** moved to send **S 1104** to the floor with a **do pass** recommendation. **Senator Nelson** seconded the motion. The motion carried by **voice vote**.

ADJOURNED: There being no further business at this time, **Chair Den Hartog** adjourned the meeting at 1:46 p.m.

Senator Den Hartog
Chair

Emily Carlisle
Secretary

AGENDA
SENATE TRANSPORTATION COMMITTEE
1:30 P.M.
Room WW53
Thursday, February 18, 2021

Limited public seating will be available in the committee room. For members of the public to observe the meeting, please click on the following link:

<https://www.idahoptv.org/shows/idahoinsession/>

SUBJECT	DESCRIPTION	PRESENTER
<u>H 49</u>	Relating to Vehicle Titles	Representative Gestrin
<u>S 1100</u>	Relating to Highways and Bridges	Jason Kreizenbeck, Ada County Highway District
<u>S 1101</u>	Relating to Highways and Bridges	Jason Kreizenbeck, Ada County Highway District
Page Farewell		Chair Den Hartog

Public Testimony Will Be Taken by Registering Through the Following Link:
[Registry to Testify](#)

If you have written testimony, please provide a copy to the committee secretary.

COMMITTEE MEMBERS

Chair Den Hartog

Vice Chairman Woodward

Sen Winder

Sen Lodge

Sen Rice

Sen Vick

Sen Crabtree

Sen Nelson

Sen Wintrow

COMMITTEE SECRETARY

Emily Carlisle

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MINUTES
SENATE TRANSPORTATION COMMITTEE

- DATE:** Thursday, February 18, 2021
- TIME:** 1:30 P.M.
- PLACE:** Room WW53
- MEMBERS PRESENT:** Chair Den Hartog, Vice Chairman Woodward, Senators Winder, Lodge, Rice, Vick, Crabtree, Nelson, and Wintrow
- ABSENT/ EXCUSED:** None
- NOTE:** The sign-in sheet, testimonies and other related materials will be retained with the minutes in the committee's office until the end of the session and will then be located on file with the minutes in the Legislative Services Library.
- CONVENED:** **Chair Den Hartog** called the meeting of the Senate Transportation Committee (Committee) to order at 1:30 p.m.
- H 49** **Relating to Vehicle Titles. Representative Terry Gestrin** opened by describing the need for a letter to supplement as lien protection when a driver tries to obtain a title. The proposed bill, which will create a new section that enables Idaho Transportation Department (ITD) to issue a letter stating a lien, filed properly with ITD, is considered perfected when the department is unable to issue a title in a timely manner. The bill has a sunset date of July 1, 2022.
- Senator Den Hartog** asked what language the letter will include and how people will be able to tell if it is fraudulent. **Alberto Gonzalez**, Division of Motor Vehicles Administrator, ITD, clarified the letter will be on ITD letterhead and will include vehicle-specific information to validate its authenticity.
- Senator Vick** inquired if the DMV's delay issuing titles is the same delay that is affecting licenses and tags. **Mr. Gonzalez** noted that while counties have lagged in processing, they are catching up and the delay should be remedied soon. In the near future, ITD will receive additional help to sort through any remaining backlogs, Mr. Gonzalez said.
- MOTION:** **Senator Crabtree** moved to send **H 49** to the floor with a **do pass** recommendation. **Senator Winder** seconded the motion. The motion carried by **voice vote**.
- S 1100** **Relating to Highways and Bridges. Jason Kreizenbeck**, presenting on behalf of Ada County Highway District, spoke on the importance of adding to the definition of "highway." The proposed legislation will include "warranted public transportation" and "bicycle" facilities, so it reflects current practices of other modes of transportation in some roadway designs.
- Senator Vick** requested clarification regarding the inclusion of maintenance and construction of proper draining mechanisms as it would apply to the expanded definition of "highway." **Mr. Kreizenbeck** affirmed expenditures on highways will remain possible, if required. The statute is written to allow inclusion of additional facilities and all roadway standards provide for drainage and collateral facilities.
- MOTION:** **Senator Nelson** moved to send **S 1100** to the floor with a **do pass** recommendation. **Senator Winder** seconded the motion. The motion carried by **voice vote**.

S 1101 **Relating to Highways and Bridges.** **Steve Price**, General Counsel, Ada County Highway District, said the proposed legislation addresses a narrow exception to the vacation petition process. He explained the change would provide recognition for the vacation or abandonment of unimproved or undeveloped platted public right-of-way in exchange for the dedication of new public right-of-way without compensation, as otherwise would be required by law. With these changes implemented, if a development doesn't go forward as planned, then a new development would be able to exchange the old right-of-way with the new right-of-way through a simplified process.

MOTION: **Senator Rice** moved to send **S 1101** to the floor with a **do pass** recommendation. **Senator Winder** seconded the motion. The motion carried by **voice vote**.

PAGE GRADUATION: **Senator Den Hartog** expressed how well Sophia Lind served the Committee during her time at the Legislature and congratulated her on completing her time as a page. The Committee presented a small gift and letters of appreciation to Ms. Lind; **Senator Rice** then asked what she learned during her time with the Committee. **Ms. Lind** answered that she admired how respectful and kind everyone has been. She stated the behavior she observed at the Legislature sets a great example for others to follow.

NOTES: **Chair Den Hartog** also recognized County Highway Commissioners in attendance at the Committee meeting and thanked them for joining.

ADJOURNED: There being no further business at this time, **Chair Den Hartog** adjourned the meeting at 1:57 p.m.

Senator Den Hartog
Chair

Emily Carlisle
Secretary

AGENDA
SENATE TRANSPORTATION COMMITTEE
1:30 P.M.
Room WW53
Tuesday, February 23, 2021

Limited public seating will be available in the committee room. For members of the public to observe the meeting, please click on the following link:

<https://www.idahoptv.org/shows/idahoinsession/>

SUBJECT	DESCRIPTION	PRESENTER
Page Introduction:	Ella Luekenga	Chair Den Hartog
Presentation:	Idaho Transportation Department Annual Update	Brian Ness, Director of Idaho Transportation Department
Gubernatorial Appointment:	Committee Consideration of the Gubernatorial Appointment of Julie DeLorenzo, Idaho Transportation Board	Brian Ness, Director of Idaho Transportation Department
Gubernatorial Appointment:	Committee Consideration of the Gubernatorial Appointment of Chris Pomeroy, Aeronautics Advisory Board	Jeff Marker, Aeronautics Division Administrator
<u>S 1102</u>	Relating to Electronic Motor Vehicle Registration	Brody Aston, Westerberg and Associates

Public Testimony Will Be Taken by Registering Through the Following Link:
[Registry to Testify](#)

COMMITTEE MEMBERS

Chair Den Hartog

Vice Chairman Woodward

Sen Winder

Sen Lodge

Sen Rice

Sen Vick

Sen Crabtree

Sen Nelson

Sen Wintrow

COMMITTEE SECRETARY

Emily Carlisle

Room: WW33

Phone: 332-1332

Email: stran@senate.idaho.gov

MINUTES
SENATE TRANSPORTATION COMMITTEE

DATE: Tuesday, February 23, 2021

TIME: 1:30 P.M.

PLACE: Room WW53

MEMBERS PRESENT: Chairman Den Hartog, Vice Chairman Woodward, Senators Winder, Lodge, Rice, Vick, Crabtree, and Nelson

ABSENT/ EXCUSED: Senator Wintrow

NOTE: The sign-in sheet, testimonies and other related materials will be retained with the minutes in the committee's office until the end of the session and will then be located on file with the minutes in the Legislative Services Library.

CONVENED: **Chair Den Hartog** called the meeting of the Senate Transportation Committee (Committee) to order at 1:30 p.m.

PAGE INTRODUCTION: **Chair Den Hartog** asked the new Committee page, Ella Luekenga, of Nampa, to introduce herself to the Committee. **Ms. Luekenga** said she recently graduated from Nampa High School and is looking forward to serving a mission for her church in June. After she completes her mission, she would like to attend the University of Nevada, Las Vegas. **Senator Winder** inquired about her short- and long-term goals, to which **Ms. Luekenga** replied she would like to complete a degree in Journalism, then begin attending law school.

PRESENTATION: **Idaho Transportation Department Annual Update.** **Brian Ness**, Director, Idaho Transportation Department (ITD), opened with comments regarding recent transformations the department underwent. He emphasized that ITD's presentation would showcase three topics, each of which was implemented to improve services and operate in a more businesslike manner. These topics include an overview of changes at the department; how it is improving safety, mobility and economic mobility; and a look ahead at the department's future needs. **Mr. Ness** emphasized the department's focus is on citizens' safety and reducing crashes that cause injuries and fatalities. The Grant Anticipation Revenue Vehicles program has had a major influence on expediting and completing major projects across the State. One of the department's challenges is keeping up with the State's rapidly expanding population. This population growth creates congestion on roadways and requires additional modernization of transportation systems. It will take a collaboration between ITD, the executive branch, and the Idaho Legislature to identify and act upon solutions.

DISCUSSION: **Senator Woodward** questioned if fatality numbers were staying the same but going down in relation to the increased congestion and total number of miles traveled in the State. **Mr. Ness** clarified there was a decrease in fatalities, but the number remains above 200 fatalities a year. He expressed any number of fatalities is too many, but he is happy the total number is down about 11 percent. He attributes this to safety messages geared toward positive behaviors, as well as the investments made to improve safety in corridors.

Senator Lodge asked for an update regarding the freeway between Meridian and Caldwell, as well as between Franklin Road and Karcher Road in Nampa. **Mr. Ness** confirmed improvements to those areas should be done in spring 2021 and late 2022, respectively.

GUBERNATORIAL REAPPOINTMENT: **Mr. Ness** introduced Julie DeLorenzo of Boise, Idaho, for her reappointment and confirmation to the Idaho Board of Transportation for a six-year term. She is the second woman Statewide to serve on a nonpartisan board and represents District 3, which covers 2,000 lane miles and is ITD's most populous district.

GUBERNATORIAL APPOINTMENT: **Jeff Marker**, Administrator, Idaho Division of Aeronautics, introduced Chris Pomeroy of Hailey, Idaho, for his appointment and confirmation to ITD's Aeronautics Advisory Board for a term of five years. Mr. Marker said he anticipates Mr. Pomeroy's experience as airport manager at Friedman Memorial Airport will enable him to bring a unique and valuable perspective to the board.

DISCUSSION: **Chris Pomeroy** shared his experience in Idaho's aviation community and expressed excitement about working with ITD to accomplish its goals for the State of Idaho. **Senator Woodward** inquired on the relationships between the Friedman Memorial Airport and organizations that use back-country airstrips. **Mr. Pomeroy** described the Friedman Memorial Airport as a launching point for back-country airstrips; pilots often transit through the airport on their flight path across the State.

S 1102 **Relating to Electronic Motor Vehicle Registration.** **Brody Aston**, Westerberg and Associates, opened by explaining the proposed legislation creates a digital marketplace for the business community and public to conduct their interactions with ITD electronically. Once providers have met the qualification requirements set by ITD to participate, they will be able to electronically file vehicle titling and registration transactions with ITD's Electronic Vehicle Credential (EVC) program. This legislation will modernize code to allow for electronic integration, Mr. Aston said. If passed, the proposed legislation would expedite processing times and also contribute to reduced costs, paperwork, and pressure on Department of Motor Vehicles (DMV) offices while dramatically improving customer service.

DISCUSSION: **Senator Nelson** inquired if auto dealers will be required to use the EVC. **Mr. Aston** responded that there is not a requirement to use the EVC; it is up to the provider's discretion. He did note that of the states that passed similar legislation, there is about a 90-95 percent rate of adoption.

TESTIMONY: **Justin Baldwin**, Assessor, Gooding County, and representing himself, testified in opposition to the bill. He cited his concern regarding the likelihood that DMVs will be left with less staff as a result of the modernization. He also expressed concern that DMV offices will be left with difficult or abnormal transactions that take longer to process. Processing these more laborious transactions requires more time, and short staffing would create an undesirable situation at the taxpayers' expense.

In his closing remarks, **Mr. Aston** asserted the EVC providers are incentivized to serve as many customers as possible to improve the ITD's titling and registration processes. He also clarified county DMV offices could experience varied impacts depending on their patron volume before and after the launch of the EVC program.

MOTION: **Senator Crabtree** moved to send **S 1102** to the floor with a **do pass** recommendation. **Senator Vick** seconded the motion. The motion carried by **voice vote**.

ADJOURN: There being no further business at this time, **Chair Den Hartog** adjourned the meeting at 1:57 p.m.

Senator Den Hartog
Chair

Emily Carlisle
Secretary

AGENDA
SENATE TRANSPORTATION COMMITTEE
1:30 P.M.
Room WW53
Thursday, February 25, 2021

Limited public seating will be available in the committee room. For members of the public to observe the meeting, please click on the following link:

<https://www.idahoptv.org/shows/idahoinsession/>

SUBJECT	DESCRIPTION	PRESENTER
MINUTES:	Minutes of February 11, 2021	Senators Nelson and Wintrow
	Minutes of February 15, 2021	Senators Vick and Nelson
	Minutes of February 16, 2021	Senators Lodge and Crabtree
VOTE ON GUBERNATORIAL REAPPOINTMENT:	Vote on the Gubernatorial Appointment of Julie DeLorenzo to the Idaho Transportation Board.	
VOTE ON GUBERNATORIAL APPOINTMENT:	Vote on the Gubernatorial Appointment of Chris Pomeroy to the Aeronautics Advisory Board.	
<u>H 128</u>	Relating to Vehicle Titles	Brian Goeke, DMV Policy Manager, Idaho Transportation Department
<u>S 1113</u>	Relating to Highways and Bridges	Senator Woodward

Public Testimony Will Be Taken by Registering Through the Following Link:
[Registry to Testify](#)

If you have written testimony, please provide a copy to the committee secretary.

COMMITTEE MEMBERS

Chair Den Hartog

Vice Chairman Woodward

Sen Winder

Sen Lodge

Sen Rice

Sen Vick

Sen Crabtree

Sen Nelson

Sen Wintrow

COMMITTEE SECRETARY

Emily Carlisle

Room: WW33

Phone: 332-1332

Email: stran@senate.idaho.gov

MINUTES
SENATE TRANSPORTATION COMMITTEE

DATE: Thursday, February 25, 2021

TIME: 1:30 P.M.

PLACE: Room WW53

MEMBERS PRESENT: Chair Den Hartog, Vice Chairman Woodward, Senators Winder, Lodge, Rice, Vick, Crabtree, Nelson, Wintrow

ABSENT/ EXCUSED: None

NOTE: The sign-in sheet, testimonies and other related materials will be retained with the minutes in the committee's office until the end of the session and will then be located on file with the minutes in the Legislative Services Library.

CONVENED: **Chair Den Hartog** called the meeting of the Senate Transportation Committee (Committee) to order at 1:34 p.m.

MINUTES APPROVAL: **Senator Nelson** moved to approve the Minutes of Thursday, February 11, 2021. **Senator Wintrow** seconded the motion. The motion carried by **voice vote**.

Senator Winder moved to approve the Minutes of Monday, February 15, 2021. **Senator Nelson** seconded the motion. The motion carried by **voice vote**.

Senator Lodge moved to approve the Minutes of Tuesday, February 16, 2021. **Senator Crabtree** seconded the motion. The motion carried by **voice vote**.

VOTE ON GUBERNATORIAL REAPPOINTMENT: **The Reappointment of Julie DeLorenzo to the Idaho Transportation Board.** **Senator Winder** moved to send the Gubernatorial Reappointment of Julie DeLorenzo to the Senate floor with the recommendation that she be confirmed. **Senator Wintrow** seconded the motion. The motion carried by **voice vote**.

VOTE ON GUBERNATORIAL APPOINTMENT: **The Appointment of Chris Pomeroy to the Idaho Aeronautics Advisory Board.** **Senator Rice** moved to send the Gubernatorial Appointment of Chris Pomeroy to the Senate floor with the recommendation that he be confirmed. **Senator Winder** seconded the motion. The motion carried by **voice vote**.

H 128 **Relating to Vehicle Titles.** **Brian Goeke**, Policy Manager, Department of Motor Vehicles, opened by explaining changes made to the federal odometer law on January 1, 2021. The mileage disclosure exemption changed from 10 to 20 years. The proposed legislation also modifies the duplicate title and transfer process in Idaho Code to align with federal odometer law changes. It changes the 10-year exemption to 20 years, beginning with the 2011 vehicle model year. The federal change was necessitated by prevalent odometer rollback issues throughout the nation, and this federal law is intended to alleviate its problems. As a result, the change to Idaho Code was also necessitated for Idaho Code to remain current.

DISCUSSION: **Senator Woodward** inquired if the definition of "temporary use" in paragraph three is defined anywhere **H 128**. **Mr. Goeke** replied that it was, and clarified that anyone in the State or passing through for less than 30 days does not need to get a title.

MOTION: **Senator Nelson** moved to send **H 128** to the floor with a **do pass** recommendation. **Senator Wintrow** seconded the motion. The motion carried by **voice vote**.

NOTES: **S 1113** was tabled, with discussion to be held at a later time.

ADJOURNED: There being no further business at this time, **Chair Den Hartog** adjourned the meeting at 1:46 p.m.

Senator Den Hartog
Chair

Emily Carlisle
Secretary

AGENDA
SENATE TRANSPORTATION COMMITTEE
1:30 P.M.
Room WW53
Tuesday, March 02, 2021

Limited public seating will be available in the committee room. For members of the public to observe the meeting, please click on the following link:

<https://www.idahoptv.org/shows/idahoinsession/>

SUBJECT	DESCRIPTION	PRESENTER
MINUTES:	Approve the Minutes for February 18, 2021	Senators Woodward and Rice
<u>S 1103</u>	Relating to the Idaho Air Travel Enhancement Program	Senator Johnson
PRESENTATION:	Idaho National Laboratory Road Weather Forecasting	Scott Wold, Director, Mission Support Services Idaho National Laboratory Sarah Lightbody, Managing Consultant, IBM Watson IoT Ira Pray Manager, Fleet and Supply Operations Idaho National Laboratory

Public Testimony Will Be Taken by Registering Through the Following Link:
[Registry to Testify](#)

If you have written testimony, please provide a copy to the committee secretary.

COMMITTEE MEMBERS

Chair Den Hartog

Vice Chairman Woodward

Sen Winder

Sen Lodge

Sen Rice

Sen Vick

Sen Crabtree

Sen Nelson

Sen Wintrow

COMMITTEE SECRETARY

Emily Carlisle

Room: WW33

Phone: 332-1332

Email: stran@senate.idaho.gov

MINUTES
SENATE TRANSPORTATION COMMITTEE

DATE: Tuesday, March 02, 2021

TIME: 1:30 P.M.

PLACE: Room WW53

MEMBERS PRESENT: Chair Den Hartog, Vice Chairman Woodward, Senators Winder, Lodge, Rice, Vick, Crabtree, Nelson, and Wintrow

ABSENT/ EXCUSED: None

NOTE: The sign-in sheet, testimonies and other related materials will be retained with the minutes in the committee's office until the end of the session and will then be located on file with the minutes in the Legislative Services Library.

CONVENED: **Chair Den Hartog** called the meeting of the Senate Transportation Committee (Committee) to order at 1:30 p.m.

MINUTES APPROVAL: **Vice Chairman Woodward** moved to approve the Minutes of Thursday, February 18, 2021. **Senator Winder** seconded the motion. The motion carried by **voice vote**.

S 1103 **Relating to the Idaho Air Travel Enhancement Program.** In opening remarks, **Senator Johnson** spoke on the importance of establishing a fund to support new air routes between airports in the State of Idaho. He explained the Idaho Air Travel Enhancement Program Fund will provide incentives for airlines to develop and expand intrastate commercial air travel between communities located in Idaho. There is financial risk involved whenever airlines develop new routes, and the proposed fund will offset the monetary risks involved.

DISCUSSION: **Senator Crabtree** questioned how conflicts between stakeholders will be resolved. **Senator Johnson** clarified that while there were management challenges in the past, they were resolved. He stressed that community and airports are working very hard to establish and support new routes.

Senator Wintrow asked Senator Johnson to explain the role of government in the proposed fund and to clarify what the return would be on such an investment. **Senator Johnson** explained it is difficult for an airline to establish new routes on capital alone, and a dedicated State fund would show support for the effort. An expansion of air service routes could be profitable to the State since it is forecasted to support increases in business as well as inter- and intra-state tourism.

Senator Vick requested clarification on where the \$1 million appropriation and transfer, as specified in the fiscal note, would be derived. He also inquired if the fund will be spent on solely on air service support. **Senator Johnson** acknowledged the Joint Finance-Appropriations Committee will be responsible for identifying where the money would come from, and confirmed the fund would only be used to support air service. **Senator Vick** then questioned if the timing is appropriate for an air travel fund to be established. He cited the airlines' recent difficulties due to COVID-19 and the resulting drastic decrease in air travel. **Senator Johnson** expressed the State needs to be proactive in contacting airlines and approaching them with proposals, rather than waiting. The current air travel landscape provides opportunity for new ventures, and airlines are willing to consider them if potential for profit is demonstrated.

TESTIMONY IN FAVOR: Testifying in favor of **S 1103** were John Watts, Idaho Central Credit Union; Caroline Merritt, Idaho Chamber Alliance; Pam Eaton, Idaho Retailers Association and Idaho Restaurant and Lodging Association; and Joe Stegner, University of Idaho.

MOTION: **Senator Nelson** moved to send **S 1103** to the floor with a **do pass** recommendation. **Senator Lodge** seconded the motion. The motion carried by **voice vote**.

PRESENTATION: **Scott Wold**, Idaho National Laboratory (INL), informed the Committee about the use of artificial intelligence in INL's daily function. Previously, INL would deploy scouts to assess the weather impact on roadway conditions. The scouts would then provide appropriate notifications and recommendations to stakeholders. This reporting process drove the decision-making regarding bus safety and transit routes into INL's purview. It proved difficult to continually assess roadway conditions as they changed frequently and quickly, sometimes quicker than the reporting process could handle. INL decided to integrate a weather sensor network to provide more reliable and accurate near-real time reports of roadway conditions. This change improved the process and provided better forecasting to support safe bus operations.

ADJOURNED: There being no further business at this time, **Chair Den Hartog** adjourned the meeting at 2:38 p.m.

Senator Den Hartog
Chair

Emily Carlisle
Secretary

AGENDA
SENATE TRANSPORTATION COMMITTEE
1:30 P.M.
Room WW53
Thursday, March 04, 2021

Limited public seating will be available in the committee room. For members of the public to observe the meeting, please click on the following link:

<https://www.idahoptv.org/shows/idahoinsession/>

SUBJECT	DESCRIPTION	PRESENTER
<u>RS28762</u>	Relating to Highways and Bridges - Unanimous Consent Request for Referral to a Privileged Committee for Printing	Senator Woodward
<u>S 1132</u>	Relating to Motor Vehicles	Senator Guthrie

Public Testimony Will Be Taken by Registering Through the Following Link:
[Registry to Testify](#)

If you have written testimony, please provide a copy to the committee secretary.

COMMITTEE MEMBERS

Chair Den Hartog

Vice Chairman Woodward

Sen Winder

Sen Lodge

Sen Rice

Sen Vick(Vick)

Sen Crabtree

Sen Nelson

Sen Wintrow

COMMITTEE SECRETARY

Emily Carlisle

Room: WW33

Phone: 332-1332

Email: stran@senate.idaho.gov

MINUTES
SENATE TRANSPORTATION COMMITTEE

DATE: Thursday, March 04, 2021

TIME: 1:30 P.M.

PLACE: Room WW53

MEMBERS PRESENT: Chair Den Hartog, Vice Chairman Woodward, Senators Winder, Lodge, Rice, Vick, Crabtree, Nelson, and Wintrow

ABSENT/ EXCUSED: None

NOTE: The sign-in sheet, testimonies and other related materials will be retained with the minutes in the committee's office until the end of the session and will then be located on file with the minutes in the Legislative Services Library.

CONVENED: **Chair Den Hartog** called the meeting of the Senate Transportation Committee (Committee) to order at 1:34 p.m.

NOTES: **Chair Den Hartog** noted the meeting's agenda should read **RS 28762**, rather than RS 28758, and requested a correction.

RS 28762 **Relating to Highways and Bridges.** **Vice Chairman Woodward** noted the proposed legislation's verbiage was sufficiently corrected from a previous version.

MOTION: **Chair Den Hartog** asked for unanimous consent to send **RS 28762** to a privileged committee for printing. There were no objections.

S 1132 **Relating to Motor Vehicles.** **Senator Guthrie** opened discussion by clarifying the proposed legislation had some formatting changes, but substantive changes totaled less than a page and a half. He commented that being unlicensed or unauthorized to drive affects many of his constituents. In order to obtain a driver's license, an individual is required to provide proof of residency and a Social Security Card. Undocumented immigrants are unable to provide all the required documents and are therefore unable to obtain a license. Not being a licensed driver makes it difficult for the affected individuals to travel back and forth from work, thus impacting their ability to provide for their family. The bill focuses on supporting their workforce needs by allowing undocumented immigrants to apply for a driver authorization card.

Senator Guthrie stressed that undocumented immigrants contribute greatly to the State of Idaho by working in various industries; they also pay state and local taxes, and are established as an integral part of the workforce. Although federal immigration policy is outside the policymaking authority of states, many of them have developed some form of driving authorization card program. Benefits in those states include safer roads, higher attendance in driver education classes, reduced burden on criminal justice systems, and higher rates of insured drivers.

Senator Guthrie specifically noted the proposed driver authorization card is not a driver's license but requires cardholders to attend driver education classes and provide proof of insurance. He further clarified the driving authorization card is not intended to be used as proof of lawful entry to the United States, nor would it be valid for voting or purchasing firearms. It would also not grant privileges reserved for citizens of the U.S. The driver authorization card program would be revenue positive for Idaho Transportation Department (ITD) and local jurisdictions since the authorization card costs a nominal fee.

TESTIMONY: The following testified in opposition to **S 1132**: Sheriff Kieran Donahue, Idaho Sheriffs Association; Captain Curt Shankel, Idaho Chiefs of Police Association; Sheriff Craig Rowland, Bingham County; and Sheriff Chris Goetz, Clearwater County.

Their issues and concerns included:

- Whether issuing a legal document to an undocumented immigrant violates federal law.
- Confusion could arise over whether someone has suspended or revoked driving privileges, who they are, and what related information could be shared with other jurisdictions.
- A moral dilemma could arise for sheriffs who swore an oath to protect the Idaho Constitution and Constitution of the United States of America.
- There are already long lines for citizens to obtain driver's licenses. Adding the issuance of authorization cards could create an additional burden.
- There could be concern regarding whether drivers with an authorization card would continue to purchase motor vehicle insurance.
- It will be necessary and possibly difficult to certify the required legal documents that have been translated from a foreign language into English.

TESTIMONY IN FAVOR: The following testified in favor of **S 1132**: Fernando Montelongo, National FFA Organization; Arianna Hernandez, National FFA Organization; Jeff Neumeyer, General Counsel for United Heritage Insurance; Rick Naerebout, Idaho Dairymen's Association; Ivan Castillo, who represented himself; Daniel Liera-Huchim, Administrator, Idaho Community College; Ruby Mendez-Mota, American Civil Liberties Union of Idaho; Christian Welp, Roman Catholic Diocese, Boise; and Rosseli Guerrero, who represented herself.

DISCUSSION: **Senator Wintrow** inquired whether ITD could take over the issuance of authorization cards to remedy the moral dilemma experienced by State Sheriffs. **Brian Goeke**, Department of Motor Vehicles (DMV) Policy Manager, ITD, answered that if the bill were to pass and sheriff's would prefer not to issue the authorization cards, there could be discussion on allowing ITD to authorize the cards.

Senator Wintrow asked if the DMV has the resources to potentially support the additional work of issuing driver authorization cards, to which **Mr. Goeke** clarified that it is an ongoing discussion. Whoever processes the authorization cards retains the fee, which could potentially support additional resources required to issue the authorization cards. He expressed the cards may not be as widely available if ITD handles the issuance; sheriffs are strategically placed across the state to provide coverage, whereas ITD offices are not.

In his closing remarks, **Senator Guthrie** affirmed there is data to support safer roads and the bill authorizes sheriffs to issue driver authorization cards, as well as retain the fee for the transaction.

MOTION: **Senator Vick** moved to hold **S 1132** in Committee subject to the call of the Chair. **Senator Crabtree** seconded the motion.

SUBSTITUTE MOTION: **Senator Wintrow** moved to send **S 1132** to the floor **without** recommendation. **Senator Nelson** seconded the motion. The motion failed.

CONFLICT: **Senator Rice** declared a conflict under Rules of the Senate, Rule 39(H), and stated that he is concerned about insurance underwriting if someone files a claim for an accident involving an individual with a driver authorization card.

VOICE VOTE: The original motion carried by **voice vote**.

ADJOURNED: There being no further business at this time, **Chair Den Hartog** adjourned the meeting at 3:04 p.m.

Senator Den Hartog
Chair

Emily Carlisle
Secretary

AGENDA
SENATE TRANSPORTATION COMMITTEE
1:30 P.M.
Room WW53
Tuesday, March 09, 2021

Limited public seating will be available in the committee room. For members of the public to observe the meeting, please click on the following link:

<https://www.idahoptv.org/shows/idahoinsession/>

SUBJECT	DESCRIPTION	PRESENTER
<u>H 86</u>	Relating to Off-Highway Vehicles and Snowmobiles	Representative Gestrin
<u>H 129</u>	Relating to Off-Highway Vehicles	Representative Gestrin
<u>H 229</u>	Relating to Snowmobile Fees	Representative Gestrin
<u>H 85</u>	Relating To Purple Heart License Plates	Representative Syme
<u>H 132a</u>	Relating to Highways and Bridges	Representative Syme

Public Testimony Will Be Taken by Registering Through the Following Link:
[Registry to Testify](#)

If you have written testimony, please provide a copy to the committee secretary.

COMMITTEE MEMBERS

Chair Den Hartog

Vice Chairman Woodward

Sen Winder

Sen Lodge

Sen Rice

Sen Vick

Sen Crabtree

Sen Nelson

Sen Wintrow

COMMITTEE SECRETARY

Emily Carlisle

Room: WW33

Phone: 332-1332

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MINUTES
SENATE TRANSPORTATION COMMITTEE

DATE: Tuesday, March 09, 2021

TIME: 1:30 P.M.

PLACE: Room WW53

MEMBERS PRESENT: Chair Den Hartog, Vice Chairman Woodward, Senators Winder, Lodge, Rice, Vick, Crabtree, Nelson, and Wintrow

ABSENT/ EXCUSED: None

NOTE: The sign-in sheet, testimonies and other related materials will be retained with the minutes in the committee's office until the end of the session and will then be located on file with the minutes in the Legislative Services Library.

CONVENED: **Chair Den Hartog** called the meeting of the Senate Transportation Committee (Committee) to order at 1:30 p.m.

H 86 **Relating to Off-Highway Vehicles and Snowmobiles. Representative Terry Gestrin** presented the bill to the Committee, explaining it would streamline the administration process of the Idaho Department of Parks and Recreation (IDPR) user certificate program for off-highway vehicles (OHV) and snowmobiles. The proposed legislation does not create any fees or raise any costs, it would just make administration of the program simpler and more efficient. It also directs IDPR to begin providing multiyear stickers for OHVs and snowmobiles in an effort to reduce administrative expenses and processing times. **H 86** also clarifies that only accidents involving property damage other than the operator's property need to be reported.

DISCUSSION: **Senator Woodward** inquired where the stickers will be available for purchase. **Representative Terry Gestrin** clarified they will be available through the IDPR and local vendors. He also noted that an online marketplace might materialize. **Senator Woodward** then questioned if stickers will be available through the Idaho Transportation Department (ITD), to which **Representative Gestrin** said he is unable to guarantee they will be.

Senator Wintrow requested further explanation regarding changes to the property damage reporting requirement. **Representative Gestrin** explained accidents only need to be reported if there is damage to someone's property other than the operator's. If there is a single-vehicle accident that doesn't affect another person's property, the operator will not be required to file a report.

TESTIMONY: **David Claiborne**, on behalf of Idaho Recreation Council, Idaho State Snowmobile Association, and Idaho State ATV Association, testified in support of **H 86**. He explained the proposed legislation strikes more code than it adds. He also expressed hope this bill will encourage more Department of Motor Vehicles (DMV) offices to sell IDPR stickers.

Brian Goeke, DMV Policy Manager, ITD, testified in support of **H 86**. He clarified it would be each assessor's individual choice to decide if they would like to be an IDPR vendor.

MOTION: **Senator Woodward** moved to send **H 86** to the floor with a **do pass** recommendation. **Senator Vick** seconded the motion. The motion carried by **voice vote**, with **Senator Crabtree** and **Senator Nelson** requesting they be recorded as voting nay.

H 129 **Relating to Off-Highway Vehicles. Representative Gestrin** explained the proposed legislation allows OHVs to travel on state highways for 5 miles or less, where the speed limit is 60 miles per hour. The update to Idaho Code is intended for restricted purposes only, to include accessing off-road trails or services such as fuel, lodging, food and beverage, or maintenance. OHVs must follow rules of the road with the exception of not exceeding a 45-mile-per-hour speed limit.

DISCUSSION: **Senator Crabtree** requested clarification regarding the 60-mile-per-hour stipulation. **Representative Gestrin** explained OHVs are restricted to 45 miles per hour. ITD engineers recommended the 60-mile-per-hour designation; full size vehicles are permitted to travel at the posted speed as usual.

David Claiborne clarified there are no changes to exemptions listed in Idaho Code and changes occur in subsection three and beyond. There is also an inclusion for local jurisdictions to restrict OHV use if they have concerns it would be unsafe in certain areas. **Senator Wintrow** asked for an explanation on how **H 129** would affect Boise, to which **Mr. Claiborne** replied the local jurisdiction would take precedent over Idaho Code. **Senator Wintrow** questioned if there were any anticipated safety issues. **Mr. Claiborne** explained there were some accidents between OHVs and full-size vehicles, but a history of frequent problems wasn't demonstrated. There is a history of OHV accidents, but they tend to be single-vehicle accidents.

TESTIMONY: **Sheriff Chris Goetz** of Clearwater County testified in opposition to **H 129**. He stated sheriffs are concerned with OHVs operating in zones with a 60 mile per hour posted speed. The requirement for local jurisdictions to notify IDPR of road closures also creates an extra layer of burden.

Senator Nelson questioned if ITD collects any data related to OHV accidents. **Brian Goeke**, DMV Policy Manager, ITD, explained the department does collect information on accidents, but he does not know if it includes OHV data.

MOTION: **Senator Vick** moved to send **H 129** to the floor with a **do pass** recommendation. **Senator Winder** seconded the motion. The motion carried by **voice vote**.

H 229 **Relating to Snowmobile Fees. Representative Gestrin** explained the proposed legislation raises the user fees associated with snowmobile use in the State of Idaho. The fees have not been raised since 2007 and increased revenue will support construction and maintenance of groomed snowmobile trails throughout Idaho. The funds are also used to maintain winter parking lots, toilets, grooming huts, equipment purchases, and labor. The bill will continue to allocate funding to support programs such as search and rescue and the avalanche fund. The Department of Lands will also receive a portion of the fees to support recreation management.

DISCUSSION: **Senator Nelson** inquired if the director of the National Avalanche Center, or his designee, has agreed to chair the avalanche fund, as prescribed in Section 67-7107A, subdivision 2.

Representative Gestrin clarified the director does understand the commitment made in the proposed legislation and would appoint a designee if he was unable to chair the fund.

Ron Platt, on behalf of the Idaho State Snowmobile Association, testified in support of **H 229**. He stated that funding has become tight as the volume of snowmobile practitioners in the State, as well as from out of state, has increased. The proposed fee increase will support the rising demand and make State of Idaho trails safer for all.

MOTION: **Senator Woodward** moved to send **H 229** to the floor with a **do pass** recommendation. **Senator Lodge** seconded the motion. The motion carried by **voice vote**.

H 85 **Relating to Purple Heart License Plates.** **Representative Scott Syme** explained the proposed legislation allows individuals with purple heart designations to have more than two vehicles licensed with purple heart specialty plates.

MOTION: **Senator Winder** moved to send **H 85** to the floor with a **do pass** recommendation. **Senator Woodward** seconded the motion. The motion carried by **voice vote**.

H 132A **Relating to Highways and Bridges.** **Representative Syme** explained the proposed legislation designates U.S. Highway 26, which crosses the State of Idaho, as the Prisoner of War and Missing in Action Memorial. This proposal is part of a national effort to dedicate U.S. Route 26 to provide recognition of prisoners of war and missing soldiers. There is no requirement for ITD to place any signs noting the memorial, but the department may if it would like to do so.

TESTIMONY: **Mark Stephensen**, on behalf of the National League of POW/MIA Families, testified in support of **H 132a**. He expressed it is imperative to keep this topic of POW/MIA in front of the public so they will continue to advocate for funding and support to find missing soldiers.

Ralph Kramer, on behalf of Boise Valley POW/MIA Corporation, testified in support of **H 132a**. He noted this measure is another way to let the public know of the ongoing effort to locate missing soldiers.

MOTION: **Senator Woodward** moved to send **H 132a** to the floor with a **do pass** recommendation. **Senator Winder** seconded the motion. The motion carried by **voice vote**.

ADJOURNED: There being no further business at this time, **Chair Den Hartog** adjourned the meeting at 2:27 p.m.

Senator Den Hartog
Chair

Emily Carlisle
Secretary

AGENDA
SENATE TRANSPORTATION COMMITTEE
1:30 P.M.
Room WW53
Thursday, March 11, 2021

Limited public seating will be available in the committee room. For members of the public to observe the meeting, please click on the following link:

<https://www.idahoptv.org/shows/idahoinsession/>

SUBJECT	DESCRIPTION	PRESENTER
MINUTES APPROVAL:	Approve the Minutes for February 23, 2021.	Senators Crabtree & Nelson
	Approve the Minutes for February 25, 2021.	Senators Lodge & Wintrow
	Approve the Minutes for March 2, 2021.	Senators Woodward & Vick
<u>S 1169</u>	Relating to Highways and Bridges	Senator Woodward
<u>H 131</u>	Relating to County Commissioners and Highway Officers	Jason Kreizenbeck, Ada County Highway District
<u>H 165</u>	Relating to Custom Vehicle License Plates	Representative Manwaring

Public Testimony Will Be Taken by Registering Through the Following Link:
[Registry to Testify](#)

If you have written testimony, please provide a copy to the committee secretary.

COMMITTEE MEMBERS

Chair Den Hartog

Vice Chairman Woodward

Sen Winder

Sen Lodge

Sen Rice

Sen Vick

Sen Crabtree

Sen Nelson

Sen Wintrow

COMMITTEE SECRETARY

Emily Carlisle

Room: WW33

Phone: 332-1332

Email: stran@senate.idaho.gov

MINUTES
SENATE TRANSPORTATION COMMITTEE

DATE: Thursday, March 11, 2021

TIME: 1:30 P.M.

PLACE: Room WW53

MEMBERS PRESENT: Chairman Den Hartog, Vice Chairman Woodward, Senators Winder, Rice, Vick, Crabtree, Nelson, and Wintrow

ABSENT/ EXCUSED: Senator Lodge

NOTE: The sign-in sheet, testimonies and other related materials will be retained with the minutes in the committee's office until the end of the session and will then be located on file with the minutes in the Legislative Services Library.

CONVENED: **Chair Den Hartog** called the meeting of the Senate Transportation Committee (Committee) to order at 1:33 p.m. She noted certain agenda items would be reordered to accommodate presentations in other committees.

MINUTES APPROVAL: **Senator Crabtree** moved to approve the Minutes of Tuesday, February 23, 2021. **Senator Nelson** seconded the motion. The motion carried by **voice vote**.

Senator Wintrow moved to approve the Minutes of Thursday, February 25, 2021. **Senator Winder** seconded the motion. The motion carried by **voice vote**.

Senator Woodward moved to approve the Minutes of Tuesday, March 2, 2021. **Senator Vick** seconded the motion. The motion carried by **voice vote**.

H 165 **Relating to Custom Vehicle License Plates. Representative Dustin Manwaring** presented the bill to the Committee, explaining it would create a custom vehicle license plate for replica vehicles that don't qualify for an Idaho classic license plate. Custom vehicles would pay the regular registration fees, including the initial program fee and the annual program fee. There would be a one-time cost of \$4,000 to pay for Idaho Transportation Department's (ITD) development of the program.

TESTIMONY: **Harlingen Van Hes**, a resident of Pocatello and representing himself, testified in support of **H 165**. He explained there is an increasing number of custom vehicles that do not qualify for the Idaho classic plate, and the proposed legislation would create a program to meet the growing demand.

DISCUSSION: **Senator Vick** inquired how much the fees would be for each applicant. **Representative Manwaring** clarified the program fee would be approximately \$15-\$25 each. **Senator Vick** then questioned who would pay the \$4,000 for program development. **Representative Manwaring** explained the funds would come from the State.

Senator Rice asked who would qualify for a custom plate. **Representative Manwaring** said vehicles that do not qualify for a classic plate, because they have major modifications, would qualify for the custom plate.

MOTION: **Senator Vick** moved to send **H 165** to the floor with a **do pass** recommendation. **Senator Rice** seconded the motion. The motion carried by **voice vote**.

S 1169 **Relating to Highways and Bridges.** **Senator Woodward** presented the bill to the Committee and explained its purpose is to make clear delineations between commercial and noncommercial vehicles in regard to stopping at check stations. The way the current legislation is written, it unintentionally requires some noncommercial vehicles that are not the State's primary concern to stop at check stations he said. The proposed legislation also clarifies when vehicles carrying livestock are and are not required to stop at check stations.

DISCUSSION: **Senator Wintrow** asked for clarification regarding the purpose of check stations. **Senator Woodward** explained they have several purposes and the two largest are promoting roadway safety and preventing theft.

TESTIMONY: **Elizabeth Criner**, on behalf of J.R. Simplot Company, testified in opposition of **S 1169** as it is currently written. She said they have concerns regarding the stopping of vehicles that are transporting livestock, because brand inspection is critical and needs to be clearly addressed in the proposed legislation.

Wyatt Prescott, on behalf of Idaho Cattle Association (ICA), testified in opposition of **S 1169** as it is currently written. He stated ICA would like to ensure the theft of livestock is adequately addressed in the proposed language. **Mr. Prescott** explained that by removing the stop requirement for noncommercial vehicles under 26,000 pounds, it could be possible for stolen livestock to be transported and not caught at a check station.

Bob Naerebout, on behalf of Idaho Dairymen's Association (IDA), testified in opposition of **S 1169** as it is currently written. He stated IDA shares the same concerns as ICA.

MOTION: **Senator Crabtree** moved to send **S 1169** to the 14th Order of Business for possible amendment. **Senator Rice** seconded the motion. The motion carried by **voice vote**.

H 131 **Relating to County Commissioners and Highway Officers.** **Jason Kreizenbeck**, on behalf of Ada County Highway District, presented the bill to the Committee. He explained how population growth in the State has created a greater number of individuals walking and biking on sidewalks. The proposed legislation would allow governing boards the ability to develop sidewalks greater than 8 feet to accommodate the higher volume of sidewalk traffic.

MOTION: **Senator Rice** moved to send **H 131** to the floor with a **do pass** recommendation. **Senator Woodward** seconded the motion. The motion carried by **voice vote**.

ADJOURNMENT: There being no further business at this time, **Chair Den Hartog** adjourned the meeting at 2:17 p.m.

Senator Den Hartog
Chair

Emily Carlisle
Secretary

AGENDA
SENATE TRANSPORTATION COMMITTEE
1:30 P.M.
Room WW53
Tuesday, March 16, 2021

Limited public seating will be available in the committee room. For members of the public to observe the meeting, please click on the following link:

<https://www.idahoptv.org/shows/idahoinsession/>

SUBJECT	DESCRIPTION	PRESENTER
<u>H 158</u>	Relating to Motor Vehicles	Representative von Ehlinger
<u>H 160</u>	Relating to Motor Vehicles	Roy Eiguren, Amalgamated Sugar
<u>H 161a</u>	Relating to Motor Vehicles	Murphy Olmstead, Idaho Sheriffs Association
<u>H 162</u>	Relating to Highways and Bridges	Senator Nelson, Representatives Troy & Mitchell

Public Testimony Will Be Taken by Registering Through the Following Link:
[Registry to Testify](#)

If you have written testimony, please provide a copy to the committee secretary.

COMMITTEE MEMBERS

Chair Den Hartog

Vice Chairman Woodward

Sen Winder

Sen Lodge

Sen Rice

Sen Vick

Sen Crabtree

Sen Nelson

Sen Wintrow

COMMITTEE SECRETARY

Emily Carlisle

Room: WW33

Phone: 332-1332

Email: stran@senate.idaho.gov

MINUTES
SENATE TRANSPORTATION COMMITTEE

DATE: Tuesday, March 16, 2021

TIME: 1:30 P.M.

PLACE: Room WW53

MEMBERS PRESENT: Chairman Den Hartog, Vice Chairman Woodward, Senators Winder, Lodge, Rice, Vick, Crabtree, Nelson, and Wintrow

ABSENT/ EXCUSED: None

NOTE: The sign-in sheet, testimonies and other related materials will be retained with the minutes in the committee's office until the end of the session and will then be located on file with the minutes in the Legislative Services Library.

CONVENED: **Chair Den Hartog** called the meeting of the Senate Transportation Committee (Committee) to order at 1:35 p.m.

H 158 **Relating to Motor Vehicles.**
Representative Aaron von Ehlinger (District 6) presented the bill to the Committee, explaining the suggested changes. The changes would not be an all out repeal of Idaho's requirement for every vehicle to have front and rear license plates, they would only create an exception in Idaho Code for vehicles not manufactured with front license plate holders. He concluded by asking for a do pass recommendation.

DISCUSSION: **Senator Nelson** inquired if dealerships can add license plate holders to vehicles manufactured without them if the vehicle is sold in states where front and back plates are required. **Representative von Ehlinger** said they may, but to bring a vehicle into compliance often results in property damage to the vehicle. This bill will not affect the vast majority of vehicles in Idaho.

TESTIMONY: **Lt. Col. Sheldon Kelley** of the Idaho State Police (ISP) testified against the bill. He stated that this bill will make front license plate requirements virtually impossible to enforce in Idaho. It is difficult to tell if a vehicle was manufactured for a front license plate or if a plate is missing when a vehicle passes at high speed. Also, if a vehicle is pulled over for no front plate and it was manufactured with no front plate, any criminal activity observed by the officer would be dismissed.

DISCUSSION: **Senator Wintrow** asked about safety issues. **Lt. Col. Kelley** said patrol officers watch the front plate for ATLS (Attempts to Locate), like Amber Alerts. Having a front plate with a registration attached to it is an important safety factor.

Senator Lodge wondered if there was a way to attach a front plate without damaging the vehicle. **Lt. Col. Kelley** said manufacturers are suppose to identify this issue with vehicles being sent to States requiring front license plates. For some models, there are kits a new vehicle owner can purchase at the dealership to attach a plate. **Senator Lodge** asked what is causing the many vehicles on the interstate with no license plate and no copy in the back window. **Lt. Col. Kelley** speculated there are large wait lists at DMVs (Department of Motor Vehicles) due to the pandemic and Idaho's population growth.

Senator Vick asked if it is possible to see a front license plate coming the opposite direction while on the interstate. **Lt. Col. Kelley** said it depends on the location, interstate highways in urban areas are not as easy to detect front license plates as they are in rural areas on the interstate because of the volume of traffic. **Senator Vick** asked if he has spoken with officers from States not requiring front plates. **Lt. Col. Kelley** said he had and that most officers in those States wished their State required both plates, mainly because there was a greater opportunity to identify vehicles, especially for an ATL.

TESTIMONY: **Senator Patrick** (District 25) discussed the problems caused by adding brackets to front bumpers. He believes stopping cars for not having a front plate is not practical.

Cynthia Gibson, Executive Director of Idaho Bike/Walk Alliance, spoke in favor of the bill.

Chris Goetz, Clearwater County Sheriff, testified against **H 158**. He said that currently a customer can order a front license plate holder when a new vehicle is ordered. He agreed with Lt. Col. Kelley. He asked the Committee to hold the bill.

Bryan Lovell, President of the Idaho Fraternal Order of Police and a sergeant with the Bonneville County Sheriff's Office, stated the way the bill was written takes away the requirement to have a front plate and would decrease the effectiveness and efficiency in the duties of law enforcement.

CLOSING STATEMENT: **Representative von Ehlinger** stated that he had called all 20 States that do not require front license plates. States like Florida, Pennsylvania, Ohio, and Arizona all have larger populations than Idaho. They did not voice the same urgency or concern that has been mentioned in testimony today. If it was a vital public safety issue he believes their governors and legislatures would require a front license plate. He concluded by asking the Committee send **H 158** to the floor with a do pass recommendation.

DISCUSSION: **Senator Lodge** said that since Idaho requires a front license plate, she asked if Representative von Ehlinger had done any research about vehicles sold in Idaho without a place for a front license plate. **Representative von Ehlinger** estimated that 95 percent of vehicles sold in Idaho have a front license plate bracket. **Senator Lodge** asked if he had considered exempting models that don't have brackets rather than taking away license plates from all vehicles. **Representative von Ehlinger** said he felt an exemption would be difficult to keep up given new models come out each year and some are discontinued.

Senator Wintrow questioned when Idaho enacted a two-plate requirement for vehicles and if it was for safety issues; further she asked the extent that law enforcement, emergency agencies, first responders, and/or firefighters were consulted. **Representative von Ehlinger** said he had consulted with law enforcement, local police, and sheriffs from mostly North Central Idaho.

MOTION: **Vice Chairman Woodward** moved to hold **H 158** in Committee. **Senator Wintrow** seconded the motion. The motion carried by **voice vote**.

H 160**Relating to Motor Vehicles.**

Roy Eiguren, representing Amalgamated Sugar Company, presented **H 160**. The company has sugar beet processing plants in Nampa, Twin Falls, and Paul, Idaho. The 129,000 carry weight, highly efficient trucks are key to transporting sugar beets. By actions of the Idaho Legislature and in Congress over a period of several decades, these trucks now operate on many miles of state highways and on the interstate freeway system in Idaho. Representatives of the Idaho Association of Cities, the Association of Idaho Counties, the Idaho Association of Highway Districts, Vital Trucking Association, and Amalgamated Sugar Company crafted the language in **H 160**, which has been in statute for the past two years. The organizations mentioned wanted a two year sunset clause in the original legislation to see if the fees and processes associated with the trucking industry would work for all parties. He reported to the Committee that the trucking industry is thriving and all parties are amenable to continuing operating 129,000 carry weight trucks in Idaho. This bill eliminates the sunset clause in the original language. **Mr. Eiguren** asked that **H 160** be sent to the floor with a do pass recommendation.

MOTION:

Senator Crabtree moved to send **H 160** to the floor with a **do pass** recommendation. **Senator Rice** seconded the motion. The motion carried by **voice vote**.

H 161AA**Relating to Motor Vehicles.**

Murphy Olmstead, representing the Idaho Sheriff's Association, presented **H 161aa**. Idaho is the only State in the Union where Sheriffs are mandated to be the vendor for driver's licenses and identification cards on behalf of the State's transportation department. A portion of the fees collected for this service are distributed to Idaho's counties to offset costs of operating driver's license offices. The intent was to cover the full cost of providing the service, but those fees have not been adjusted in more than 30 years while the cost of providing the service has continued to climb. Consequently, many counties are spending property tax dollars to subsidize a responsibility of the the Idaho Transportation Department (ITD). He went through a three-page chart showing the various classes of licenses and their associated fees, costs, and losses. **H 161aa** increases the current fee structure to offset the cost to the counties of providing this State service of issuing driver's licenses.

DISCUSSION:

Senator Wintrow asked Mr. Olmstead to explain the changes to the fee structure and if the distribution percent changes. **Mr. Olmstead** stated that the \$5 increase is intended to go directly to the county since there has not been an increase since 1985. This will allow the counties to break even, or come close to breaking even, in providing this service. Losses have increased each year as the State's population continued to grow, in fiscal year 2020 there was a \$3.7 million loss paid by Idaho's counties.

Senator Rice asked if the loss is coming out of property tax. **Mr. Olmstead** said that the fee shortfall for this service must be paid by the counties and property taxes are where the counties get their revenue.

Senator Vick asked if other options for providing the service had been explored. **Mr. Olmstead** said they had sat down with ITD to find alternatives, as not all county sheriffs like providing this service, but county sheriff offices processing driver's licenses has been in Idaho Code since 1950. Most states provide this service through their transportation department and it has been discussed that ITD take on this service for all of Idaho, or just in the larger counties. This bill stops the bleeding of revenue. **Senator Vick** asked what was the main opposition from ITD to taking over this service. **Mr. Olmstead** said he could not speak for ITD, but he speculated it could be from a broad operations perspective, like the cost of setting up offices around rural Idaho.

Vice Chair Woodward asked why some license fees increased and others did not. **Mr. Olmstead** said it was somewhat arbitrary with the goal of counties breaking even on the cost of offering the service.

TESTIMONY: **Sara Westbrook**, representing the Idaho Association of Counties, spoke in support of **H 161aa**.

DISCUSSION: **Senator Rice** asked Ms. Westbrook to confirm that this revenue shortfall was being paid out of property taxes. **Ms. Westbrook** said the cost needed to be budgeted, so from that perspective it is being paid through property tax revenue. **Senator Rice** asked why driver's licenses were not being paid in the same manner as vehicle registration. **Ms. Westbrook** said the Sheriff's have been working to resolve this problem for a few Legislative Sessions, and this is the farthest this bill has gotten. She believed it should be reviewed in a future Session. **Senator Rice** said he would support this bill, but the issue needs to be fixed in a more permanent manner because property taxes are not intended to pay for a fee-for-service product.

TESTIMONY: **Sheriff Kieran Donahue**, Canyon County Sheriff and representing the Idaho Sheriff's Association, spoke in support of **H 161aa**.

DISCUSSION: **Senator Rice** thanked Sheriff Donahue for his testimony and said he would work with him to get this off the property tax rolls.

TESTIMONY: **Bryan Lovell**, representing the Idaho Fraternal Order of Police, spoke in support of this bill.

DISCUSSION: **Senator Nelson** asked Mr. Olmstead to clarify the the class of licenses that were being increased. **Mr. Olmstead** said he did not have his notes with him, but he would go through the numbers and the classes with Senator Nelson following the hearing.

MOTION: **Senator Rice** moved to send **H 161aa** to the floor with a **do pass** recommendation. **Senator Winder** seconded the motion. The motion carried by **voice vote**.

H 162 **Relating to Highways and Bridges.**

Senator David Nelson (District 5), on behalf of himself and Representative Caroline Nilsson Troy (District 5), presented **H 162** to the Committee. Both legislators had been approached by constituents in Potlatch, Idaho, but it was Representative Troy who worked to get this bill before the Legislature. **H 162** establishes the Bobby Chambers Memorial Highway honoring Robert "Bobby" Chambers of Potlatch and a Vietnam War veteran who earned the Silver Star and Purple Heart for his actions on the same day that he lost his life in 1967. This is a short section of State Highway 6 in Latah County as it turns into the City of Potlatch off Highway 95. The Chambers family has been raising money to place signs memorializing this designation. He concluded by reading a letter from Bobby Chambers' younger sister.

MOTION: **Senator Lodge** moved to send **H 162** to the floor with a **do pass** recommendation. **Vice Chair Woodward** seconded the motion. The motion carried by **voice vote**.

ADJOURN: With no further business at this time, **Chair Den Hartog** adjourned the meeting at 2:43 p.m.

Senator Den Hartog
Chair

Gaye Bennett for Emily Carlisle
Secretary

AGENDA
SENATE TRANSPORTATION COMMITTEE
2:00 P.M.
Room WW53
Monday, April 12, 2021

Limited public seating will be available in the committee room. For members of the public to observe the meeting, please click on the following link:

<https://www.idahoptv.org/shows/idahoinsession/>

SUBJECT	DESCRIPTION	PRESENTER
Page Recognition	Ms. Ella Luekenga, graduate of Nampa High School	Chair Den Hartog
Approve Minutes	Thursday, March 4, 2021	Senator Lodge and Senator Crabtree
	Tuesday, March 9, 2021	Senator Rice and Senator Nelson
	Thursday, March 11, 2021	Senator Vick and Senator Wintrow
<u>H 362</u>	Relating to Transportation Funding	Chair Den Hartog Chair Palmer

Public Testimony Will Be Taken by Registering Through the Following Link:
[Registry to Testify](#)

If you have written testimony, please provide a copy to the committee secretary.

COMMITTEE MEMBERS

Chairman Den Hartog

Vice Chairman Woodward

Sen Winder

Sen Lodge

Sen Rice

Sen Vick

Sen Crabtree

Sen Nelson

Sen Wintrow

COMMITTEE SECRETARY

Gaye Bennett

Room: W435

Phone: 332-1332

Email: stran@senate.idaho.gov

MINUTES
SENATE TRANSPORTATION COMMITTEE

DATE: Monday, April 12, 2021

TIME: 2:00 P.M.

PLACE: Room WW53

MEMBERS PRESENT: Chairman Den Hartog, Vice Chairman Woodward, Senators Winder, Lodge, Rice, Vick, Crabtree, Nelson, and Wintrow

ABSENT/ EXCUSED: None

NOTE: The sign-in sheet, testimonies and other related materials will be retained with the minutes in the committee's office until the end of the session and will then be located on file with the minutes in the Legislative Services Library.

CONVENE: **Chair Den Hartog** convened the meeting of the Senate Transportation Committee (Committee) at 2:04 p.m.

PAGE RECOGNITION: **Chair Den Hartog** asked Ms. Ella Luekenga to take the podium and share how serving as a page had impacted her. **Ms. Luekenga** said the experience offered her far more than she had expected. In response to a question from Senator Winder, **Ms. Luekenga** said her future plans were to go on a mission for her church and then attend the University of Nevada, Las Vegas where she would study journalism.

MINUTES APPROVAL: **Senator Lodge** moved to approve the Minutes of March 4, 2021. **Senator Crabtree** seconded the motion. The motion carried by **voice vote**.

Senator Rice moved to approve the Minutes of March 9, 2021. **Senator Nelson** seconded the motion. The motion carried by **voice vote**.

Senator Vick moved to approve the Minutes of March 11, 2021. **Senator Wintrow** seconded the motion, The motion carried by **voice vote**.

H 362 **Relating to Transportation Funding.**
Chair Den Hartog invited Representative Palmer (District 20), Chair of the House Transportation and Defense Committee, to present **H 362**.

Representative Palmer stated he and Chair Den Hartog had cosponsored this legislation. This bill will help all components of transportation — transportation local jurisdictions and the Idaho Transportation Department (ITD) — everywhere in the State, not just specific areas. After working through four transportation funding bills this Session, **H 362** has parts that make the House, the Senate, and the Governor happy, and the bill works well for all participants. The basics of the bill are that it takes 4.5 percent of sales tax at a certain point. There will be \$80 million flowing continuously to ITD through deposits into their TECM (Transportation Expansion and Congestion Mitigation) program fund which they will be able to use as needed. The remainder of funds above \$80 million will go to local jurisdictions. The funds accumulate slowly at about \$4 million in the first year, but it will grow very fast over time and it is new money to transportation local jurisdictions. Transportation funding has been identified as the number one need across the State and he cited a Boise State University study indicating that need.

TESTIMONY: The following individual voiced opposition to **H 362**:
Lorna Mitson, representing herself, stated she was against spending tomorrow's money today through bonding.

The following individuals voiced support of **H 362**:

Bobbi-Jo Meulman, Deputy Chief of Staff to the Governor; **Wayne Hammon**, CEO of the Idaho Associated General Contractors; **Seth Grigg**, Executive Director of the Idaho Association of Counties; **Kelly Packard**, Executive Director of the Association of Idaho Cities; **Elizabeth Criner** representing Food Northwest, J.R. Simplot Company, and the Food Producers of Idaho (she noted there was a letter from the Food Producers in their packets); and **Jeremy Chou** representing both the American Council of Engineering Companies of Idaho (ACEC) and the counties.

Senator Jeff Agenbroad (District 13) testified in support of **H 362**. He also offered a solution that would improve the bill, provide protection against an inadvertent misstep while allowing flexibility, and would build certainty into the bill's funding plan. He continued that when fully funded the bonds will require pledging \$80 million annually to service the bond debt. Because it will take four to six years to issue the bonds, there is an opportunity to only pledge sales tax revenue in an amount necessary to service the bonds as the funding increases over time. As an example, the State could pledge \$20 million in the first year from sales tax revenue and appropriates \$60 million thereby maintaining the annual funding of \$80 million; the second year the State commits \$40 million from sales tax revenue and appropriates \$40 million; the third year the State commits \$60 million from sales tax and appropriates \$20 million; and in the fourth year and thereafter the entire \$80 million would be committed from State sales tax revenue. This structure allows the Legislature the flexibility to appropriate the \$120 million over the first four years. **Senator Agenbroad** concluded by requesting the bill be sent to the 14th Order of Business for amendment.

DISCUSSION:

Senator Crabtree said many think it is too late in the Legislative Session to make changes to this bill, but the change that Senator Agenbroad suggested is an easy improvement to a good bill.

Senator Rice said the section of the Idaho Constitution (Article XIII, Section 1) referenced by Mr. Chou in his testimony, authorizes legislation like **H 362**.

**CLOSING
REMARKS:**

Representative Palmer concluded by stating that laws are moving targets that change every year. Legislators are responsible for spending Idaho citizens' money wisely. This legislation deals with a critical issue affecting all Idahoans, and this bill is a responsible solution. He urged the Committee to send **H 362** to the floor with a do pass recommendation.

MOTION:

Senator Rice moved to send **H 362** to the floor with a **do pass** recommendation. **Senator Vick** seconded the motion.

DISCUSSION:

Senator Winder commented that in the 13 Legislative Sessions he has served in the Legislature, transportation bills always are heard near the end of the Session. He believes it's because of the tremendous collaborative effort it takes to find remedies to satisfy transportation funding needs each year. He had invited Senator Agenbroad to present his proposal because the cash flow aspect needs to be considered and it has merit. **Senator Winder** believes it should be looked at during the next Legislative Session.

Senator Crabtree agreed that Senator Agenbroad's proposal is an important conversation to undertake. He did not think an amendment had been considered until recently. He knows timing is a problem, but believes Senator Agenbroad's ideas are good and would allow local jurisdictions to receive funding earlier. **Senator Crabtree** said his Legislative District has many local highway districts.

**SUBSTITUTE
MOTION:**

Senator Crabtree moved to send **H 362** to the **14th Order of Business** for possible amendment. **Vice Chair Woodward** seconded the motion.

DISCUSSION: **Chair Den Hartog** said the financing aspect had been part of the original discussion with the House and the Governor in February. It was flatly rejected at the time, but she agrees with Senator Winder and it should be revisited next Legislative Session. As **H 362** is written, funds can be used as they transfer into the account.

ROLL CALL VOTE ON SUBSTITUTE MOTION: **Vice Chair Woodward** and **Senators Crabtree, Nelson, and Wintrow** voted aye; **Chair Den Hartog** and **Senators Winder, Lodge, Rice, and Vick** voted nay. The motion failed.

ROLL CALL VOTE ON ORIGINAL MOTION: **Chair Den Hartog, Vice Chair Woodward, and Senators Winder, Lodge, Rice, Vick, Crabtree, Nelson, and Wintrow** all voted aye. The motion carried unanimously.

ADJOURN: There being no further business at this time, **Chair Den Hartog** adjourned the meeting at 2:43 p.m.

Senator Den Hartog
Chair

Gaye Bennett
Secretary

AMENDED AGENDA #1
SENATE TRANSPORTATION COMMITTEE
9:30 A.M.
Room WW53
Monday, May 03, 2021

Limited public seating will be available in the committee room. For members of the public to observe the meeting, please click on the following link:

<https://www.idahoptv.org/shows/idahoinsession/>

SUBJECT	DESCRIPTION	PRESENTER
<u>H 381</u>	Relating to Motor Vehicles to make technical corrections to H 160, 2021 Session.	Chair Den Hartog

Public Testimony Will Be Taken by Registering Through the Following Link:
[Registry to Testify](#)

If you have written testimony, please provide a copy to the committee secretary.

COMMITTEE MEMBERS

Chairman Den Hartog

Vice Chairman Woodward

Sen Winder

Sen Lodge

Sen Rice

Sen Vick

Sen Crabtree

Sen Nelson

Sen Wintrow

COMMITTEE SECRETARY

Gaye Bennett

Room: W435

Phone: 332-1332

Email: stran@senate.idaho.gov

MINUTES
SENATE TRANSPORTATION COMMITTEE

DATE: Monday, May 03, 2021

TIME: 9:30 A.M.

PLACE: Room WW53

MEMBERS PRESENT: Chair Den Hartog, Senators Winder, Lodge, Rice, Vick, Lamar (Nelson), and Wintrow

ABSENT/ EXCUSED: Vice Chair Woodward and Senator Crabtree

NOTE: The sign-in sheet, testimonies and other related materials will be retained with the minutes in the committee's office until the end of the session and will then be located on file with the minutes in the Legislative Services Library.

CONVENE: With a quorum present, **Chair Den Hartog** called the meeting of the Senate Transportation Committee (Committee) to order at 9:31 a.m.

INTRODUCTION: **Chair Den Hartog** welcomed Senator Tom Lamar, substituting for Senator Nelson, to the Committee.

H 381 **Relating to Motor Vehicles to Make Technical Corrections to H 160, 2021 Session**

Chair Den Hartog said this is a technical correction bill for **H 160**, a bill heard by the Committee earlier in the Legislative Session. The correction lies in the repeal of the sunset clause from 2019 Session Law. **H 160** removed the sunset clause from statute, but did not remove it from 2019 Session Law. **H 381** completes the repeal of the sunset clause.

MOTION: **Senator Rice** moved to send **H 381** to the floor with a **do pass** recommendation. **Senator Winder** seconded the motion.

DISCUSSION: **Senator Winder** thanked Chair Den Hartog for resolving the issue of whether **H 381** corrected **H 160** in this Legislative Session or H 168 in the 2019 Legislative Session.

Senator Wintrow asked Chair Den Hartog to explain what a technical correction bill does. **Chair Den Hartog** said that **H 381** completes the legislative intent of **H 160** to remove a sunset clause. Had the sunset clause not been repealed, the purpose of the legislation enacted in 2019 would have ended. However, **H 160** only addressed the sunset clause in Idaho Code and did not address its place in 2019 Session Law. **H 381** repeals the sunset clause from 2019 Session Law, thereby accomplishing the intended purpose of **H 160**.

VOICE VOTE: The motion carried by **voice vote**.

ADJOURN: There being no further business at this time, **Chair Den Hartog** adjourned the meeting at 9:33 a.m.

Senator Den Hartog
Chair

Gaye Bennett
Secretary