

MINUTES  
**HOUSE TRANSPORTATION & DEFENSE COMMITTEE**

**DATE:** Wednesday, February 28, 2018

**TIME:** 1:30 P.M.

**PLACE:** Room EW40

**MEMBERS:** Chairman Palmer, Vice Chairman Shepherd, Representatives Gestrin (Walton), Kauffman, Packer, Youngblood, McDonald, Dixon, Harris, Holtzclaw, Monks, DeMordaunt, Syme, Blanksma, King, Wintrow, Gannon(17)

**ABSENT/  
EXCUSED:** Rep. Wintrow

**GUESTS:** Austin Hopkins, Idaho Conservation League, Sheriff Vaughn Killeen, Executive Director, Idaho Sheriff's Association, John Taylor, TRT Emissions Testing, Roger Jensen, Air Quality Board, Lynn Green, M & L Emissions Testing, Savannah Renslow, IAHD, Nick Veldhouse, IAHD, Kent Goldthorpe, AQB, Ramon Hobdey-Sanchez, ITD, Pat Carr, ITD, Jonathan Parker, IAHD, Alex LaBeau, LACL, and Tiffany Floyd, IDEQ

**Chairman Palmer** called the meeting to order at 1:32 p.m.

**MOTION:** **Rep. Kauffman** made a motion to approve the minutes of the February 16, 2018 meeting. **Motion carried by voice vote.**

**MOTION:** **Rep. Kauffman** made a motion to approve the minutes of the February 22, 2018 meeting. **Motion carried by voice vote.**

**H 470:** **Sen. Hagedorn** presented **H 470**. Sen. Hagedorn stated the purpose of this bill is to exempt vehicles built from 2007 to the present from emissions testing. Sen. Hagedorn said these newer vehicles are more efficient and cleaner, but are exempt from emissions testing because they are designed to meet EPA standards. Sen. Hagedorn stated, currently, there is no specific plan for the future of emissions testing. Sen. Hagedorn also said automobile dealers are selling more hybrids than electric cars. Sen Hagedorn stated Ada County is overseen by the EPA, and Canyon County is managed by the DEQ. Sen. Hagedorn said when Ada County comes out of non-attainment oversight by the EPA and becomes one with Canyon County, DEQ needs to have a five-year rolling plan in place, as well as provide direction on how emissions testing will proceed. Sen. Hagedorn further stated that our most important objective is to make sure our air is clean and continues to be clean. Sen. Hagedorn said the DEQ needs to understand what diagnostic test codes are and have those codes be directly related to the emission systems. Sen. Hagedorn stated, as vehicles evolve, we are putting more and more sensors on the power train of vehicles. He further stated if any of the power train sensors fail, the vehicle will fail the emissions testing. Sen. Hagedorn recommended that the committee send **H 470** to General Orders to be amended.

**Austin Hopkins**, Idaho Conservation League, testified in **opposition** to **H 470**. Mr. Hopkins stated the Idaho Conservation League (ICL) is concerned about air quality, the environment, and public health. Currently, there is a five-year window for cars to be exempt from emissions testing. Once cars become five years old, they go into the emissions testing cycle. The ICL is concerned about and wants emissions testing to be performed on all vehicles, regardless of their age. New cars are becoming cleaner, but that cleanliness relies on the engineering of the car to be working properly. Unless regular emission testing is being performed, things that are not working on the car may not be detected. The ICL is concerned about the

changes in emissions testing that could result from no longer testing any vehicles. If vehicles were no longer tested for some period of time and the air quality got worse, the blame would likely fall on non-vehicles. For example, businesses who have permits and agriculture entitles rely on ozone thresholds to burn their fields, which is a common practice throughout Idaho. Those businesses may be effected by this decision, even though it may not be the intent of this bill. Mr. Hopkins urges this bill to be rewritten.

In response to committee questions, **Mr. Hopkins** stated he conservatively estimates that between 10,000 to 15,000 miles are put on vehicles each year. Mr. Hopkins also explained the term, "non-attainment," and how it applies to the air quality. Mr. Hopkins said the federal government, through the EPA, sets national ambient air quality standards (thresholds) for a number of pollutants, including the ozone. Those thresholds are based on public health. When a specific air shed or region within a state exceeds those thresholds, it goes into non-attainment status.

**John Taylor**, TRT Emission Testing, testified **in opposition to H 470**. Mr. Taylor stated that DEQ makes recommendations for emissions testing every five years. He also stated hybrid vehicles do not require emissions testing. Mr. Taylor stated that he wonders if enough vehicles are being tested for emissions.

In answer to committee questions, **Mr. Taylor** stated that they cannot necessarily catch people who have tampered with their vehicles. Mr. Taylor said tampering occurs when people alter the computer settings on their vehicles, and this especially happens with diesels. Mr. Taylor said they are also now performing visual tests physically on vehicles. Mr. Taylor also stated when hybrid vehicles are purchased, emissions testing is not required.

**Roger Jensen**, Air Quality Board, testified **in opposition to H 470**. Mr. Jensen stated that emissions testing began in 2002. Mr. Jensen said they have been working on P (power transmission) codes since 1990, and they are commonly misunderstood. When a transmission code is detected twice, it will turn off all other emission systems. Mr. Jensen said vehicles need to be taken care of and maintained. Mr. Jensen said a lot of people ignore the check engine light when it lights up in their vehicles. Mr. Jensen further stated when testing vehicles for emissions they also look for tampering of the emission systems, and over 250 vehicles have been revoked for tampering.

**Keith Goldthorpe**, Director, Air Quality Board, testified **in opposition to H 470**. Mr. Goldthorpe stated that this bill is premature, and he believes this bill needs to be drafted correctly, because major changes are needed. Mr. Goldthorpe also stated that the Air Quality Board is very generous in granting waivers, and that practice will continue.

In answer to committee questions, **Mr. Goldthorpe** stated there were 129,000 emissions tests performed in 2017, and he projects that approximately 140,000 tests will be performed in 2018. He also stated there is a real problem, and more scientific data is needed.

**Alex LaBeau**, President LACL, testified **in opposition to H 470**, stating he does not support this bill as it is currently written, but does support amending the bill. He also stated that the Commerce & Industry Program has worked and has been successful. In addition, he stated Idaho needs to create a plan that will work and move us forward. Mr. LaBeau also said Idaho needs to be prepared for changes that are coming in the future.

**Elizabeth Criner**, Owner, Veritas, testified in **opposition** to **H 470**. Ms. Criner represents Food NW/NW Food Processors Association, and the J.R. Simplot Co. Ms. Criner also stated that an emissions testing program is needed that is scientifically based. Ms. Criner further stated that Idaho is close to being in non-attainment status, and when non-attainment is reached, the federal government will step in and tell the state what to do.

**Sen. Hagedorn** stated that this is a very complicated issue, but it really only pertains to Canyon County, because Ada County is currently under the oversight of the EPA. Sen. Hagedorn stated that air shed protection needs to be the first priority, and Idaho cannot risk the quality of the air shed and going into non-attainment. Sen. Hagedorn also stated that a low battery code will cause a vehicle to fail an emissions test. Sen. Hagedorn further stated that extending the exemption window from five to eight years would only add a little more than 2% emissions into the air shed. Sen. Hagedorn also said the use of hybrid and electric cars has grown by seventeen percent (17%) in the last ten years. If Idaho continues down that path, it will allow more room for the other vehicles. Sen. Hagedorn then stated having a five-year rolling plan will also help educate the public about the importance of emissions and taking care of their vehicles.

**ORIGINAL MOTION:**

**Rep. Blanksma** made a motion to send **H 470** to General Orders.

**SUBSTITUTE MOTION:**

**Rep. King** made a substitute motion to **HOLD H 470** in committee.

**ROLL CALL VOTE ON SUBSTITUTE MOTION:**

**Chairman Palmer** requested a roll call vote on **H 470**. **Substitute motion failed by a vote of 4 AYE, 12 NAY and 1 absent/excused. Voting in support of the motion: Reps. Kauffman, Packer, King, and Gannon(17). Voting in opposition to the motion: Reps. Shepherd, Gestrin, Youngblood, McDonald, Dixon, Harris, Holtzclaw, Monks, DeMordaunt, Syme, Blanksma, and Chairman Palmer. Rep. Wintrow was absent/excused.**

**VOTE ON ORIGINAL MOTION:**

**Original motion carried by voice vote. Rep. Palmer** will sponsor the bill on the floor.

**S 1282:**

**Sen. Crabtree** presented **S 1282**, and stated the purpose of this bill is to correct terminology. The Sheriff's "Department" will be changed to Sheriff's "Office." It will also change the letter designation on license plates from "SD" to "SO." Sen. Crabtree also stated the fiscal impact for these new license plates will be \$12,500, which is half the renewal rate.

In response to committee questions, **Ramon Hobdey-Sanchez**, ITD, stated there are approximately 1,300 county sheriff vehicles in the fleet. Of that amount, approximately 750 are standard and 600 are personalized/specialty license plates.

**Sheriff Vaughn Killeen**, Executive Director, Idaho Sheriffs Association, testified in **support** of **S 1282**, and stated that this bill corrects the issue of making reference to the Sheriff's "Office" instead of Sheriff's "Department."

In answer to committee questions. **Sheriff Killeen** stated that to protect the Sheriff's undercover officers, they drive vehicles with out-of-state license plates or "cold" license plates, which are untraceable.

**MOTION:**

**Rep. McDonald** made a motion to send **S 1282** to the floor with a **DO PASS** recommendation. **Motion carried by voice vote. Rep. Shepherd** will sponsor the bill on the floor.

**ADJOURN:** There being no further business to come before the committee, the meeting was adjourned at 2:34 p.m.

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Representative Palmer  
Chair

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Kimberly Lowder  
Secretary