

MINUTES
SENATE TRANSPORTATION COMMITTEE

DATE: Tuesday, February 04, 2014

TIME: 1:30 P.M.

PLACE: Room WW53

MEMBERS PRESENT: Chairman Brackett, Vice Chairman Johnson, Senators Keough, Winder, Rice, Nonini, Hagedorn, Bock and Buckner-Webb

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: **Chairman Brackett** called the meeting to order at 1:32 p.m. and asked the secretary to take a silent roll. With a quorum present, **Chairman Brackett** welcomed everyone to this meeting of the Senate Transportation Committee (Committee); and he asked Senator Davis to take the podium in order to present **RS 22729**.

RS 22729: **Senator Davis** introduced himself and said that this legislation grants the Idaho Transportation Department (ITD) and the Idaho Transportation Board (Board) the right, in keeping with their regular review process, to increase speed limits on any identified stretch of Idaho's state and interstate highways. The maximum speed limit on any interstate highway can not exceed 80 miles per hour. **Senator Davis** went through the sections of the legislation explaining changes to existing law.

Senator Davis said that although it is not stated in the legislation, ITD does a periodic review of stretches of roadway they think might qualify to be remarked with signs changing speed limits. Nothing keeps ITD from performing this due-diligence, and this legislation allows them to continue their business practices as part of their normal course of responsibility. Therefore, this legislation does not impact ITD's budget. Given ITD's normal practices, changes to speed limits on Idaho roadways will not be immediately or predictably impacted by passage of this legislation. **Senator Davis** thanked the Chairman and the Committee and said he would stand for questions.

Senator Hagedorn asked whether ITD's roadway and traffic review would affect speed limit changes for the the 129,000 pound truck loads. He said that truck speeds are currently set at 65 miles per hour which falls within the differential for heavy trucks. He asked if this legislation would enable changes to heavy truck speed limits given the facts about differential speed limits for these trucks. **Senator Davis** said that the legislation does not set minimum speed limits. If a speed limit is already designated for safety reasons for heavy trucks, then nothing will change. This legislation allows ITD to present their roadway speed limit review to their board who will then make a final decision. Safety studies will help ITD make these decisions. Utah, where there is no differential for heavy trucks, still has trucks that are regulated with maximum speeds by their companies even if the roadway speed limit is higher. There has been no negative impact in the Utah case. There were no further questions for Senator Davis.

MOTION: **Senator Rice** moved that **RS 22729** be sent to the Senate floor for printing. **Senator Winder** seconded the motion. The motion passed by unanimous **voice vote**.

RS 22680: **Chairman Brackett** thanked Senator Davis and welcomed **Seth Grigg** of the Idaho Association of Counties who thanked the Chairman and said he was there to present **RS 22680**. **Mr. Grigg** said that this legislation deals with vacating public highway right-of-ways in platted subdivisions. Most highways are vacated using Title 40, Idaho Code, with the exception of platted subdivisions which are vacated under Title 50, Idaho Code. The Idaho Association of Counties is bringing this legislation forward at the request of the Bonner County Commissioners because they were having a problem with the process under Title 50, Idaho Code. That process is different than the process under Title 40, Idaho Code. The Idaho Attorney General's office said that there were conflicts within Title 50, Idaho Code, and that if Bonner County wanted to make these changes they needed to work through their governing association, which is the Idaho Association of Counties. **RS 22680** amends Idaho Code §40-204, Idaho Code, to allow a county or local highway district to be able to vacate roadways that are part of a subdivision under this section in Title 40, Idaho Code. Vacated roadways by private entities would continue to occur as specified in Title 50, Idaho Code. Sections 2 and 3 change Idaho Code references between Title 50 and Title 40. The legislation also adds 'Board of County Commissioners' as they had previously and erroneously been left off. With that, **Mr. Grigg** said he would stand for questions. There were no questions for Mr. Grigg.

MOTION: **Senator Hagedorn** moved that **RS 22680** be sent to the Senate floor for printing. **Senator Buckner-Webb** seconded the motion. The motion passed by unanimous **voice vote**.

RS 22750: **Chairman Brackett** thanked Mr. Grigg and welcomed **Stuart Davis** of the Idaho Association of Highway Districts to the Committee who thanked the Chairman and said he was there to present **RS 22750**. **Mr. Davis** asked the Committee to print this legislation in order to have the debate over whether to extend highway commissioners' term of office to six years at a full hearing of the printed bill. He said the legislation also contained a provision for an optional alternate election cycle. There are several highway districts where all three commissioners will be up for election in 2016. This legislation will change the term of office to six (6) years for each commissioner and those terms will be staggered. With that, **Mr. Davis** said he would stand for questions.

Senator Bock said that he was willing to wait until a full hearing for a response to his concerns with changing a highway commissioner's term of office from four years to six. He would like to hear the justification for the change.

MOTION: Because he wanted to hear the debate at a full hearing, **Senator Winder** moved that **RS 22750** be sent to the Senate floor for printing. **Senator Hagedorn** seconded the motion. The motion passed by unanimous **voice vote**.

RS 22765 **Chairman Brackett** thank Mr. Davis and asked Vice Chairman Johnson to present **RS 22765**. **Vice Chairman Johnson** said that **RS 22765** addresses a similar issue the Committee took up during last year's legislative session when it heard H 290. It was passed in both houses of the Legislature and was signed into law by the Governor. The issue in H 290 was an allowance for shifting axle weight loads on trucks carrying agricultural products. **RS 22765** would allow a 2,000 pound axle or gross weight allowance to trucks carrying solid waste. Solid waste contractors can travel over 100 miles in one day and go through various weather patterns that can change the weight load these trucks carry because refuse material is compacted within the truck. This legislation requests the same flexibility for this service that was given the agricultural industry last year. With that, **Vice Chairman Johnson** said he would stand for questions. There were no questions for Vice Chairman Johnson.

- MOTION:** **Senator Nonini** moved that **RS 22765** be sent to the Senate floor for printing. **Senator Keough** seconded the motion. The motion passed by unanimous **voice vote**.
- MINUTES:** **Chairman Brackett** thanked Vice Chairman Johnson. **Chairman Brackett** asked for motions on the Minutes presented to the Committee for review.
- MOTION:** **Senator Nonini** said he had read and reviewed the Minutes of the January 21 meeting of the Committee and moved that they be approved as presented. **Senator Winder** seconded the motion. The motion passed by unanimous **voice vote**.
- Vice Chairman Johnson** said he had read and reviewed the Minutes of the January 23 meeting of the Committee and moved that they be approved as presented. **Senator Keough** seconded the motion. The motion passed by unanimous **voice vote**.
- ADJOURNED:** With no further business before the Committee, **Chairman Brackett** adjourned the meeting at 1:52 p.m.

Senator Brackett
Chair

Gaye Bennett
Secretary