

MINUTES
SENATE TRANSPORTATION COMMITTEE

DATE: Tuesday, January 29, 2013

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:**

NOTE: The sign-in sheet, testimonies and other related materials will be retained with the minutes in the Senate Transportation Committee (Committee) 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 1:30 p.m. and the secretary took a silent roll. With a quorum present, the **Chairman** moved to the first item on the agenda.

MINUTES: **Chairman Brackett** asked if there was a motion to approve the minutes of the January 17 Committee meeting.

MOTION: **Senator Bock** moved that the minutes of the January 17 meeting be approved. **Senator Rice** seconded the motion. With no discussion, the motion carried by unanimous **voice vote**.

RS 21705C1: **Chairman Brackett** asked Senator Hagedorn to present **RS 21705C1**. **Senator Hagedorn** said the legislation seeks to honor Idaho veterans and formally recognize their service by allowing the Division of Motor Vehicles (DMV) to add information to state drivers' licenses or identification cards signifying the holder's status as a veteran. The bill will also allow DMV to share demographic data with the Idaho Division of Veterans Services (IDVS), which will help develop a more in-depth understanding of who Idaho veterans are and how IDVS can serve them better, especially by helping veterans receive more of their earned benefits. The fiscal impact of this legislation is a \$50,000 one-time spending authority from IDVS for contractor costs at the DMV to make necessary system changes for the card designation. **Senator Hagedorn** stood for questions.

Senator Bock offered a comment thanking Senator Hagedorn for bringing the legislation forward; he would have introduced it if Senator Hagedorn had not.

As a veteran, **Senator Winder** also thanked Senator Hagedorn, and asked if this would open up the possibility of a specialty license plate. **Senator Hagedorn** said there was already such a plate available. **Senator Winder** clarified by using veteran nurses as an example of possible license plate requests. **Senator Hagedorn** indicated he was not aware of additional request, but thought it would be the right thing to do.

MOTION: With no further questions, **Senator Keough** moved to print **RS 21705C1**. **Senator Bock** seconded the motion. The motion carried by unanimous **voice vote**.

RS 21715 **Chairman Brackett** asked **Senator Hagedorn** to present **RS 21715**, which amends Idaho Code § 49-114, by revising the definition of a "motorcycle" to reflect changing technologies and to make technical corrections. The updated definition will encompass motorbikes that utilize stabilizing wheels. There is no fiscal impact to the general fund. **Senator Hagedorn** reviewed in detail the changes on lines 15 through 18 and explained the rationale behind the revisions; he stood for questions.

MOTION: With no questions, **Senator Bock** moved to print **RS 21715**. **Senator Winder** seconded the motion. The motion carried by unanimous **voice vote**.

RS 21738C1 **Chairman Brackett** asked **Senator Hagedorn** to present **RS 21738C1**, which amends Idaho Code § 65-502, to revise the definition of "veteran." Currently the definition of a veteran, as defined in § 65-502, requires a person to have served on active duty in the armed forces during a war or in a combat zone. The current definition of "veteran" under Idaho Code alienates many who have served, but may not have served in what is considered a war or combat zone as defined by the federal government under U.S. Code. The revision strikes out the requirement to have served in a war or combat zone. The legislation recognizes those who have served at least 180 days in the military and have honorable discharges as being veterans. **Senator Hagedorn** reviewed the revisions beginning with line 41 on page two through page three and stood for questions.

Senator Rice asked if a soldier who went through boot camp, got sent into combat and was wounded, but only served 170 days before being sent home would qualify as a veteran under this legislation. **Senator Hagedorn** said that he would not qualify, but the scenario's possibility is very rare.

Vice Chairman Johnson asked if this new definition would change any other statutes dealing with the responsibility of the state towards veterans. **Senator Hagedorn** responded that the sole purpose of the change is to help veterans find employment.

Senator Bock asked if disabled veteran groups were supportive of this legislation. **Senator Hagedorn** said he had worked with as many veteran groups as he could. The Division of Veteran Affairs has vetted this across the state and have received no negative feedback.

Chairman Brackett asked if serving in the national guard or the reserves would qualify an individual as a veteran. **Senator Hagedorn** answered that it would if the individual had served in active duty and had an honorable discharge. **Chairman Brackett** asked for clarification for someone who had joined the national guard, served in the guard, and returned home. **Senator Hagedorn** said he would get that information for the Chairman. **Chairman Brackett** remarked that the American Legion considers national guard members to be veterans.

Senator Rice wanted to insure that this did not conflict with federal code. **Senator Hagedorn** indicated there is no specific list of combat zones.

Senator Bock said he would like to hear from a broad range of veteran organizations to insure that this change is accepted. **Senator Hagedorn** said it was his intention to send the bill out to all veteran groups for comment.

MOTION: With no further questions, **Senator Rice** moved to print **RS 21738C1**. **Senator Buckner-Webb** seconded the motion. The motion carried by unanimous **voice vote**. **Chairman Brackett** asked **Senator Hagedorn** to be prepared at the bill's hearing with responses to the Committee's questions.

S 1006 **Chairman Brackett** welcomed Mr. Tom Cole, Idaho Transportation Department (ITD) Chief Engineer, who presented **S 1006**. **Mr. Cole** explained that portions of Idaho Code, § 40-310 and § 40-203B, are inconsistent in how they relate to relinquishing state routes to local jurisdictions. He said this legislation deletes the portion of § 40-310 that refers to requirements for notification, public hearing and appeal, because they do not apply when a highway can only be relinquished by consent of the recipient. He also pointed out the public hearing provisions were outdated and would be eliminated. **Mr. Cole** stood for questions.

Senator Keough asked if the public inquiries response time period had been eliminated. **Mr. Cole** said it had been eliminated, but it exists in other policies approved by ITD, like those pertaining to holding public hearings.

Senator Nonini asked what the length of time was before property has to be relinquished. **Mr. Cole** said that it depends on the circumstance. A normal time frame is two to three years, but there are no limitations and, therefore, it could take longer. **Senator Nonini** wanted to know the steps in the process. **Mr. Cole** said it includes negotiations (a very important part) and maintenance issues (i.e., slide areas). Problems with either could prolong the process. **Senator Nonini** offered an example of a court case in Coeur d'Alene that ITD lost; it then went to the Supreme Court. He wanted to know the effect on the owners of the relinquished property. **Mr. Cole** said that ITD only relinquishes what is needed. There were no further questions for Mr. Cole.

Chairman Brackett welcomed the Valley View High School Future Farmers of America to the Committee before inviting and welcoming Mr. Steve Price, General Council for the Ada County Highway District (ACHD), who presented testimony in favor of the bill.

MOTION: With no additional testimony or questions, **Senator Hagedorn** moved that **S 1006** be sent to **14th order** for amendment. **Senator Nonini** seconded the motion. The motion carried by unanimous **voice vote**. **Senator Hagedorn** will carry the bill on the Senate floor.

S 1007 **Chairman Brackett** called Ms. Christine Fisher, ITD Registration Program, to the podium to present **S 1007** relating to Motor Vehicle Registration. The legislation will amend Idaho Code, § 49-402, § 49402A and § 49-434, by adding language relating to staggered registration; and providing an effective date. **Ms. Fisher** explained that when the codes were created, ITD used preprinted expiration date decals to authenticate the license plates. Certain sections of code did not provide for prorating; therefore, the customer would pay for a whole year and receive only the remaining months left in the year (i.e., an applicant files for motorcycle registration in October, pays the full fee, and the registration expires at the end of December of the same year). This system also creates a heavy workload surge at the end of the year for the counties and services for registrations that expire at the same time. With this revision, a vehicle registered on June 1, which would previously have expired December 31, will now remain in effect until May 31 of the following year. **Ms. Fisher** stood for questions.

Senator Nonini asked about the fiscal note that lists a \$40,000 loss to the Skills Training Advantage for Riders (STAR) program, a motorcycle safety program, and wanted to know what the STAR program presently receives annually. **Ms. Fisher** did not have the amount at hand, but indicated the difference lies in the fact that motorcycles will no longer be paying the full annualized registration amount. **Ms. Fisher** deferred Senator Nonini's question to Mollie McCarty, ITD's Government Affairs Program Manager. **Ms. McCarty** offered to provide the data, but thought it was a 15 to 20 percent change. **Senator Nonini** asked if that percentage change represented the \$40,000 loss. **Ms. McCarty** said she thought it did.

Senator Bock asked if the revenue loss was a one-year phenomenon. **Ms. McCarty** said it would be on-going because there are about 20 percent new motorcycle registrations each year.

Senator Hagedorn asked what was the current growth rate in motorcycle registrations in Idaho. **Ms. McCarty** did not have that information with her, but would provide it to the Senator.

Vice Chairman Johnson asked why the effective date was not until July 1, 2014. **Ms. Fisher** said that it coincided with the schedule of the vendor updating ITD's system. **Vice Chairman Johnson** asked if it could be implemented sooner. **Ms. Fisher** responded that there was a set time-line in which new programs were implemented; there are new programs ahead of this one. The date reflects a date that ITD knows they will be able to implement this program. There were no further questions for Ms. Fisher.

Chairman Brackett invited Michelle Adette of the Motorcycle Riders Association to testify on **S 1007**. Her testimony was in support of the bill. There were no questions for Ms. Adette.

Senator Nonini asked that ITD provide him with a breakdown of the amount of dollars the STAR program would lose annually from this legislative change. **Chairman Brackett** asked Ms. McCarty to provide that data to the Committee.

MOTION: With no further questions or testimony, **Senator Bock** moved to send **S 1007** to the floor with a **do pass** recommendation. **Senator Rice** seconded the motion. The motion carried by unanimous **voice vote**. **Senator Bock** will carry the bill on the Senate floor.

S 1008 **Chairman Brackett** welcomed Mr. Barry Takeuchi, ITD Titles Program Specialist, to present **S 1008**. **Mr. Takeuchi** said **S 1008** amends Idaho Code § 49-524, relating to motor vehicle salvage certificates and salvage pools to provide for the submission of applications for salvage certificates by insurance companies and salvage pools. It provides for ITD to issue salvage certificates with the notation, "theft recovery." **Mr. Takeuchi** explained that this legislation will allow the department to gain efficiencies by eliminating usage of the salvage certificate form and utilizing the certificate of title form for salvage vehicle ownership. To accomplish the change, salvage titles will be issued solely by ITD, and they will store and secure all certificates of title. Insurance companies and salvage pools that currently issue salvage certificates will forward the prior ownership document with an application for salvage title to ITD, who will then issue the salvage title.

Mr. Takeuchi said the legislation would: (1) increase security of the stock of blank ownership documents; (2) improve the timeliness of recordation; and (3) improve the quality and consistency of salvage titles. He said the bill would result in a reduction of approximately \$7,000 in annual revenue, because the current salvage certificate fee of \$15.00 for salvage vehicles would be replaced by the certificate of title fee which is \$14.00. **Mr. Takeuchi** stood for questions.

Senator Rice asked where definitions of "salvage" could be found in Idaho Code. **Mr. Takeuchi** said it was located in Section 49-123(o), Idaho Code. There were no further questions for Mr. Takeuchi.

MOTION: With no further questions or testimony, **Senator Bock** moved to send **S 1008** to the floor with a **do pass** recommendation. **Vice Chairman Johnson** seconded the motion. The motion carried by unanimous **voice vote**. **Senator Buckner-Webb** will carry the bill on the Senate floor.

ADJOURNED: With no further business before the Committee, **Chairman Brackett** adjourned the meeting at 2:46 p.m.

Senator Brackett
Chairman

Gaye Bennett
Secretary