

MINUTES
HOUSE TRANSPORTATION & DEFENSE COMMITTEE

DATE: Tuesday, February 12, 2013

TIME: 1:32 P.M.

PLACE: Room EW40

MEMBERS: Chairman Palmer, Vice Chairman Shepherd, Representatives Wood(35), Wills, Bateman, Henderson, Denney, Gestrin, Gibbs, Hixon, Kauffman, Packer, Patterson, Youngblood, Ringo, King, Gannon

**ABSENT/
EXCUSED:** None

GUESTS: Trent Wright, IADA, Russell Westerberg, LAMAR, Amy Smith, ITD, Jason Kreizenbeck, Lobby Idaho/ITA, Norm Semanki, Idaho Water Users Assoc., Dennis Tanikuni, Idaho Farm Bureau, Roger Seiber, ACHD, Steve Price, ACHD, Miguel Legarreta, Realtors, Mollie McCarty, ITD.

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

MOTION: **Rep. Ringo** made a motion to approve the minutes of the February 6, 2013 meeting. **Motion carried by voice vote.**

RS 21778C1 **Trent Wright**, ITA, discussed the Consumer Asset Recovery Fund. He said currently Idaho Code provides that all licensed vehicle and vessel dealerships have a surety bond as a part of their licensing requirements. He also said the current bonding levels have been in place for more than 15 years, at \$20,000 for vehicle dealers, and \$10,000 for motorcycles, off-road vehicles and trailer dealers. The surety bond levels have not kept pace with the rising increase in vehicle prices.

Rep. Gannon invoked Rule 38 citing a possible conflict of interest.

MOTION: **Rep. Wills** made a motion to introduce **RS 21778C1**. **Motion carried by voice vote.**

RS 21917: **Jason Kreizenbeck**, Idaho Trucking Association, proposed that **RS 21917** legislation would void contractual provisions in motor carrier transportation contract that indemnify a promisee for their own negligent or intentional acts or omissions that lead to claims. He said it would also clarify that both parties to a motor carrier transportation contract (meaning the shipper and the carrier) can each only be held responsible for activities under their control.

MOTION: **Rep. Wills** made a motion to introduce **RS 21917**. **Motion carried by voice vote.**

RS 21850: Relating to Rules Governing License Plate Provisions.

RS 21940: Regarding Specialty License Plates.

RS 21975: For any public construction work, the current law requires that the applicable governmental entity retain a professional engineer to develop plans, specifications, and estimates for all public work involving public health and safety.

RS 21930: Limit a county or highway district's liability resulting from an unauthorized encroachment in the public right-of-way.

RS 21935: Water on a public right-of-way is a nuisance.

RS 21932: Penalties for flooding public highways with irrigation water.

MOTION: **Rep. Gibbs** made a motion to introduce **RS 21850, RS 21940, RS 21975, RS 21930, RS 21935, RS 21932**. **Motion carried by voice vote.**

RS 21883C1: **Rep. Palmer** proposed a Resolution of Recognition to ITD for the accomplishments of the Idaho Transportation Department.

MOTION: **Rep. Gibbs** made a motion to introduce **RS 21883C1. Motion carried by voice vote.**

ADJOURN: There being no further business to come before the committee, the meeting was adjourned at 1:41 p.m.

Representative Palmer
Chair

Leah Kent
Secretary