

MINUTES  
**HOUSE TRANSPORTATION & DEFENSE COMMITTEE**

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| <b>DATE:</b>                | Wednesday, February 20, 2013  |
| <b>TIME:</b>                | 1:30 P.M.   |
| <b>PLACE:</b>               | Room EW40   |
| <b>MEMBERS:</b>             | Chairman Palmer, Vice Chairman Shepherd, Representatives Wood (Hall)(35), Wills, Bateman, Henderson, Denney, Gestrin, Gibbs, Hixon, Kauffman, Packer, Patterson, Youngblood, Ringo, King, Gannon  |
| <b>ABSENT/<br/>EXCUSED:</b> | None  |
| <b>GUESTS:</b>              | The sign-in sheet will be retained with the minutes in the committee secretary's office until the end of session. Following the end of session, the sign-in sheet will be filed with the minutes in the Legislative Services Library.   |
| <b>MOTION:</b>              | <b>Chairman Palmer</b> called the meeting to order at 1:32 p.m.   |
| <b>H 168:</b>               | <b>Rep. Hixon</b> made a motion to approve the minutes of the February 18, 2013 meeting. <b>Motion carried by voice vote.</b><br><b>Jason Kreizenbeck</b> , Idaho Trucking Association, said this legislation would void contractual provisions in motor carrier transportation contracts that indemnify a promisee (or shipper) for their own negligent or intentional acts or omissions that lead to claims. It states that such provisions would be against the public policy of the state of Idaho and are unenforceable. There are 37 states that have passed this type of legislation.<br><b>Jason Andrus</b> , Andrus Trucking, testified that the supplier loads the truck and the drivers are not allowed to see how the product is handled. They are invited to either wait inside the building or in their truck. The supplier seals the door and the driver leaves. The drivers are not allowed to open the doors. The receiver is the only one allowed to break the seal on the trailer door and unload the product. |
| <b>MOTION:</b>              | <b>Rep. Wills</b> made a motion to send <b>H 168</b> to the floor with a <b>DO PASS</b> recommendation. <b>Motion carried by voice vote.</b> <b>Rep. Youngblood</b> will sponsor the bill on the floor.   |
| <b>H 117:</b>               | <b>Mike Pape</b> , ITD Aeronautics, said the pilot registration fee is currently \$6.00 per year. He said the fee has not increased since 1990, so current revenue does not cover even the cost of pilot safety training which has stalled the volunteer search pilot network. The existing statute requires pilot registration but provides no enforcement mechanism.<br><b>Rep. Gibbs</b> invoked <b>Rule 38</b> stating a possible conflict of interest but that he would be voting on the legislation.  |
| <b>MOTION:</b>              | <b>Rep. Gestrin</b> made a motion to send <b>H 117</b> to the floor with a <b>DO PASS</b> recommendation. <b>Motion carried by voice vote.</b> <b>Rep. Gibbs</b> will sponsor the bill on the floor.  |
| <b>H 118:</b>               | <b>Mike Pape</b> , ITD aeronautics, said that increasing the aircraft registration fees from one cent per pound of aircraft to three cents per pound of aircraft would recoup part of the lost revenue value since the statue was last modified in 1990. He said the existing cap on registration fees would be increased from \$200 to \$600 per craft. A new minimum \$20 fee would be imposed to cover the administrative cost of registering very light aircraft and those experimental aircraft with no manufacturer's certified maximum weight. He also said that any increased revenue would be used to fund aeronautics programs authorized under Title 21.   |

- MOTION:** **Rep. Gibbs** made a motion to send **H 118** to the floor with a **DO PASS** recommendation. **Motion carried by voice vote.** **Rep. Gibbs** will sponsor the bill on the floor.
- S 1044:** **Senator Hagedorn** said this bill amends Idaho Code 49-114 by updating the definition of a "Motorbike" to keep up to date with the changing technologies. The updated definition will encompass motorbikes that utilize stabilizing wheels.
- Marieann Christman**, Motorbike Group, explained the safety of the three wheeled motorbike. She went into detail on the purchasing of the motorbike kits and explained the stability of the three wheel technology.
- MOTION:** **Rep. Bateman** made a motion to send **S 1044** to the floor with a **DO PASS** recommendation. **Motion carried by voice vote.** **Rep. Patterson** will sponsor the bill on the floor.
- H 116:** **Nancy Merrill**, Idaho Department of Parks and Recreation, said this legislation will shift the recreational registration process for boats, off-highway vehicles, and resident snowmobiles from the Idaho Department of Parks and Recreation (IDPR) to the Idaho Transportation Department (ITD). ITD is upgrading their motor vehicle registration system. The system will require a unique identifier number such as a social security, driver's license, or tax identification number to show proof of registration and ownership. Director Merrill said that because of the age of the computer system at IDPR and with no funds to upgrade the system, Parks and Recreation is not able to input social security, diver's license, or tax identification numbers to show these vehicles are registered. She said if a person sells a recreation vehicle to another person there is no way to show that Idaho Sales Tax was collected. Director Merrill said ITD will administer the on-going costs of the program by retaining the 15% administrative fees identified in the legislation.
- Director Merrill** said the biggest impact for passing this bill will be to the vendors of small businesses who have for several years collected the registrations for these vehicles. This has brought increased business to the vendors particularly from out of state visitors who not only registered their vehicles, but also purchased other things while in their place of business. She said with the passage of this bill vendor services will cease.
- Director Merrill** said the sticker program will still be available to the vendors. ITD already takes care of the titling of the recreational vehicles and registration and titling should go together. She explained the titling program and the sticker program are two different programs. If this bill passes, law enforcement will be able to trace a reported stolen vehicle whereas right now they are not able to if the owner has not registered it.
- David Claiborne**, ISATVA, **Sandra Mitchell**, IRC, **Tamara Cikaitoga**, Fremont County Parks and Recreation, **Gordon Cruickshank**, Valley County Commissioner, **Jason Smear**, Valley County Sheriff, **Tom Glass**, citizen and **Jim Klum**, IRC spoke in opposition to the legislation, saying they didn't agree with the impact this would have on small businesses and the vendor program.
- MOTION:** **Rep. Gestrin** made a motion to **HOLD H 116** in committee.
- ROLL CALL VOTE:** **Chairman Palmer** requested a roll call vote. **Motion carried by a vote of 9 AYE, 6 NAY, 2 absent/excused.** Voting in favor of the motion: **Chairman Palmer**, Vice Chairman Shepherd, Reps. Wood(35) (Hall), Bateman, Denney, Gestrin, Hixon, Patterson and Youngblood. Voting in opposition to the motion: Reps. Gibbs, Kauffman, Packer, Ringo, King and Gannon. Reps. Wills and Henderson were absent/excused.

**ADJOURN:** There being no further business to come before the committee, the meeting was adjourned at 3:45 p.m.

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Representative Palmer  
Chair

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Leah Kent  
Secretary