

MINUTES  
**HOUSE TRANSPORTATION & DEFENSE COMMITTEE**

**DATE:** Monday, March 18, 2013  
**TIME:** 1:30 or Upon Adjournment of the House  
**PLACE:** 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:** The sign-in sheet will be retained with the minutes in the committee secretary's office until the end of the session. Following the end of the session, the sign-in sheet will be filed with the minutes of the Legislative Services Library.

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

**S 1117:** A continuation of the March 14, 2013 hearing on **S 1117** was conducted. Individuals signed up at the original hearing and who were unable to be accommodated due to time constraints, were afforded the opportunity to testify, however, new requests to testify were not permitted.

**Dave Carlson**, AAA Idaho, spoke **in opposition** to **S 1117**. He stated AAA concludes this bill tips the balance of public policy, putting economic benefits to business ahead of local decision making, safety, cost and citizen input.

**Mike Kane**, Idaho Association of Counties, spoke **in opposition** to **S 1117**. He explained they have to comply with requirements of the vehicle. He expressed the need to have quick action on this legislation.

The committee discussed the possibility of road damage. Committee members thought it may be necessary to have wording regarding emergencies in the legislation.

**Mike Brassey**, representing Union Pacific Railroad, spoke **in opposition** to **S 1117**. He said this legislation would delegate authority to the Idaho Department of Transportation and economic benefits are not considered for the community.

**Steve Price**, representing the Ada County Highway Commission, spoke **in opposition** to **S 1117**. He stated that amendments are critical to cover several issues. He said this bill is ambiguous to local control and most of our highways are in urban environments.

The committee expressed concern for situations when two trucks may cross over a bridge at the same time. This could be over the weight limitations for certain bridges.

**Benjamin Kelly**, Food Producers of Idaho, spoke in support of **S 1117**. He said their membership consists of agriculture groups and farm organizations in Idaho. He said this legislation would improve the transportation of agricultural commodities and would benefit farmers across the entire state.

**Ken McClure**, representing the Idaho Forest Group and Mile Producers of Idaho, spoke **in support** of **S 1117**. He suggested adding a trailer bill to this legislation. He clarified that structural integrity and public safety engineering standards all determine whether the road can carry the load and if it is safe for these vehicles to drive on.

**Jane Whittmeyer**, representing Clearwater Paper Corporation, spoke **in support** of **S 1117**. She stated they handle 274 trucks per day which makes transportation costs extremely important to the corporation. She explained the trucks travel in a 350 mile radius and the roads have been determined to be safe for 129,000 pounds.

**Dick Harwood**, citizen and former Representative, stated bridges are a concern, especially if trucks have another trailer, making the load longer. He expressed concern regarding the economic impact.

**Chairman Palmer** asked **Stuart Davis**, Idaho Association of Highway Districts, to come forward for a question. Mr. Davis clarified he was fine with a trailer bill or an amendment. He stated the new amendment would give exclusive jurisdiction to local authority in its discretion.

**Jerry Deckard**, Capitol West Public Policy Group on behalf of The Associated Logging Contractors of Idaho, said their members operate over 400 trucks in Northern Idaho. He stated this legislation prohibits the operation of a 129,000 pound truck with a 53 foot trailer on the St. Maries to Plummer Highway due to Idaho's 6 1/2 foot off-track rule. He said the requirement to meet that rule is to have a 48 foot trailer. He explained changing weight limits is no simple matter and a significant investment would be needed to meet these loads. He said there are training costs to operate multiple trailer units. He asked the committee to consider the restrictions on the length of the work day for a truck driver. He stated he would support amendments that would make clear who supports what.

**Chairman Palmer** asked **Jim Riley**, Riley and Associates, to close. Mr. Riley said this legislation is brought by many businesses throughout the State. They are asking for the opportunity to maintain the local discretion jurisdiction to the local population. He said their view is that this legislation accomplishes these goals but is willing to work on a trailer bill to bring clarity.

The committee discussed the bill and the possibility of adding amendments as well as a trailer bill to bring clarity of language to the legislation.

**MOTION:**

**Rep. Bateman** made a motion to send **S 1117** to the floor with a **DO PASS** recommendation.

**Rep. Bateman** stated many safety concerns are already addressed by state law. He said there would be fewer trucks going through the smaller communities. He believes this legislation brings progress and supports a trailer bill for clarity.

**Rep. Kauffman** addressed the committee, stating the same or related subjects must be read together and harmonized. He said this legislation does not change the ability of the Highway Department's jurisdiction to exercise their discretion in Idaho Code when issuing permits for those routes. He encouraged the committee to vote yes and send the bill forward.

**SUBSTITUTE MOTION:**

**Rep. Gestrin** made a substitute motion to send **S1117** to **General Orders**.

**Rep. Wood(35)** asked if the Substitute Motion could be amended to send **S 1117** to General Orders with amendments attached. There were no objections.

**Rep. Ringo** said studies were inconclusive and less than convincing. She said she is concerned about federal law and inconsistencies in the Idaho Law. Idaho has funding issues to solve with requiring trucks to pay their share to remediate pavement damage before approving the 129,000 trucks. There will be no local control on routes under the jurisdiction of ITD. She urged the committee to wait a year to resolve issues before moving forward.

**Rep. Bateman** spoke in opposition to the **Substitute Motion**. He explained if it is sent to General Orders, it allows for other amendments. He encouraged the committee to vote no on the Substitute Motion.

**ROLL CALL  
VOTE ON  
SUBSTITUTE  
MOTION:**

Roll call vote was requested on the substitute motion to send **S 1117** to General Orders with amendments attached. **Motion failed by a vote of 6 AYE and 11 NAY.** **Voting in favor** of the motion: **Reps. Wood(35), Wills, Henderson, Gestrin, Hixon and Gannon.** **Voting in opposition** to the motion: **Reps. Shepherd, Bateman, Denney, Gibbs, Kauffman, Packer, Patterson, Youngblood, Ringo, King and Palmer.**

**VOTE ON  
ORIGINAL  
MOTION:**

**Chairman Palmer** called for a vote on the original motion to send **S 1117** to the floor with a **DO PASS** recommendation. **Motion carried by voice vote.** **Reps. Henderson, Gestrin, King, Ringo and Gannon** requested they be recorded as voting **NAY.** **Rep. Gibbs** will sponsor the bill on the floor.

**ADJOURN:**

There being no further business to come before the committee, the meeting was adjourned at 3:31 p.m.

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Representative Palmer  
Chair

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Rosee Winder  
Secretary