

MINUTES  
**SENATE TRANSPORTATION COMMITTEE**

**DATE:** Thursday, January 23, 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** call the Senate Transportation Committee (Committee) to order at 1:30 p.m. and asked the secretary to take a silent roll. With a quorum present, **Chairman Brackett** welcomed all in attendance to the meeting.

**MINUTES:** **Chairman Brackett** asked the Committee for a motion on the Minutes of the January 14 Committee meeting.

**MOTION:** **Senator Bock** said he had reviewed the January 14 Minutes and made a motion to approve the January 14 Minutes as presented. **Senator Winder** seconded the motion. The motion passed by a unanimous **voice vote**.

**PRESENTATION:** **Chairman Brackett** welcomed Scott Stokes, Chief Deputy Director of the Idaho Transportation Department (ITD), to the Committee to make a presentation on 'Safety on Idaho Roads' as part of the educational program offered by the Idaho Transportation Coalition. **Mr. Stokes** thanked the Chairman and Committee for the opportunity to present an update on some of ITD's highway safety activities, and the positive results they are showing.

In December of 2011, ITD adopted a new strategic plan that emphasized safety, mobility and economic opportunity. Since then, ITD has had significant success in their focus on safety. They have received national awards on their innovative approach to safety. No matter what needs to be done to maintain Idaho roads, ITD's primary goal is safety. Their efforts also improve mobility and economic opportunity, but this presentation is focused on safety.

All of ITD's infrastructure projects and maintenance activities are designed to reduce crashes and save lives. Simple improvements like adding rumble strips or installing safer guardrails can make big differences. ITD is engaged in improving driver behavior. It is far less expensive to prevent a crash before it happens, than pay for it after it happens.

ITD works closely with local communities and law enforcement to reduce risky driving behaviors. They use a combination of infrastructure-related and behavior-related investments to prevent crashes and achieve their safety goals. Performance is measured. In January 2011, ITD introduced the 'ITD Dashboard' to improve transparency by letting the public track their progress. It has become a highly effective management tool. It allows them to know where they are succeeding, and where they need to place more effort.

**Mr. Stokes** said he was going to provide some statewide numbers on safety and compare them to some project specifics in the Grant Anticipation Revenue Vehicle (GARVEE) corridors. Between 2007 and 2012, statewide total traffic crashes were reduced by 18 percent. In the same period, fatalities and serious injuries were reduced by nearly 25 percent. This reduction is saving the lives of 80 Idahoans per year.

On a statewide basis, miles driven have been virtually flat since 2007, with increased traffic volumes in most of the GARVEE corridors. There have been a randomness of fatal crashes where driver behavior is key, making it clear that when ITD invests in safety, the return on the investment is dramatic. Idaho's GARVEE projects are a prime example of successful transportation investments. On average, the GARVEE corridors have seen a six percent increase in the miles driven on them annually. That is an additional 46 million miles being driven every year, just in these corridors. And, they are experiencing significantly fewer crashes than they did before construction; they are significantly outpacing the State average in crash reductions. **Mr. Stokes** discussed specific examples among the state's GARVEE projects.

ITD is looking at safety more from a corridor perspective than ever before. They are reviewing the State's most important corridors to see what they can do to improve safety, mobility, and the State's overall economy. ITD has pioneered, developed and implemented a 'Highway Safety Corridor Analysis Program' that is gaining attention. It won the 'National Roadway Safety Award' in 2013, presented by the Federal Highway Administration and the Roadway Safety Foundation. The award indicates that ITD is gaining national attention in the highway safety arena.

The highway-safety corridor system looks at each corridor and takes into account the causation of crashes, along with a variety of contributing circumstances. It then recommends specific remedies (from low cost to more aggressive treatments) to specifically align with the needs of that location. The process allows ITD to effectively leverage its limited funds to decrease fatality and crash rates. As funds become available, ITD can make better investments in corridor health that will bring mutual returns in safety, mobility and economic opportunity.

ITD estimates that the total societal cost of motor vehicle crashes in Idaho is \$2.3 billion per year. That amounts to a burden of over \$1,400 each for every man, woman and child in Idaho. If we could increase our transportation investments to reduce crashes by 25 percent, Idahoans could save over \$300 per year. Investing in transportation results in a high return on that investment. Idahoans are living the positive return on their investment in the GARVEE program.

ITD's transportation investments have an immediate and measurable impact on safety. Traffic crashes have been reduced by 18 percent statewide since 2007. Construction projects in the improved GARVEE corridors have reduced crashes up to 76 percent. That is a significant improvement over the statewide average, and it clearly indicates the value of investing in the transportation system. **Mr. Stokes** thanked the Chairman and the Committee and stood for questions.

**Senator Bock** asked if ITD could parse out those crashes that have an alcohol component. **Mr. Stokes** said that 40 percent of crashes involved alcohol.

**Senator Bock** asked if ITD had a position on reducing the blood alcohol level from .08 to .05. **Mr. Stokes** said that ITD was neutral on the issue. He knew that Judge Hicks was involved with a task force charged with studying the issue. **Senator Bock** asked if the task force had reached any conclusions on the impact such a drop would make. **Mr. Stokes** said he was unaware of any such findings.

**Senator Winder** said that learning of these reductions in fatalities help justify the criticism of GARVEE funds that occurred when Idaho began the program ten years ago. **Mr. Stokes** said that the benefits are visible and measurable in many areas, especially in safety and mobility given the increase in traffic volume. **Senator Winder** asked if the same type of information was available for all of Idaho's GARVEE corridors. **Mr. Stokes** said that the information was available but some of the segments were for shorter time periods, as a full 3 years of data is not available for all projects. He said ITD would be happy to share the information they have with the Committee.

**Senator Hagedorn** asked if it was correct that the total miles driven has remained flat except for the GARVEE corridors where there has been a six percent increase. He commented that more fuel taxes were spent on GARVEE projects, and wanted to know if the increase in traffic is only on GARVEE funded roadways. **Mr. Stokes** said that ITD invested funds well, it was thoughtful in establishing its processes and it chose projects correctly. Those choices have been followed by economic activity and growth. **Senator Hagedorn** asked how Idaho was doing with the move to more GIS (Geographic Information System) data and user interface with law enforcement. **Mr. Stokes** said GIS capabilities were downloadable and are in the process of becoming become even more automated. There were no further questions for Mr. Stokes.

## S 1208

**Chairman Brackett** thanked Mr. Stokes for his presentation and welcomed Ed Pemble, ITD's Driver Services Manager, to the Committee and asked him to present **S 1208**. **Mr. Pemble** thanked the Chairman and stated that the primary purpose of this legislation is to implement new Commercial Driver's License (CDL) and Commercial Learner's Permit (CLP) standards, as well as associated knowledge and skills testing standards. The legislation also provides similar standards for noncommercial, Class D, instruction permits and motorcycle instruction permits for consistency across programs.

The specific provisions of the legislation are: (1) it provides definitions for the terms 'commercial learner's permit', 'non-domiciled commercial learner's permit', 'non-domiciled commercial driver's license' and 'tank vehicle'; (2) it provides a maximum validity period of 180 days for a CLP, a Class D instruction permit and a motorcycle endorsement instruction permit; (3) it allows one renewal of the CLP, Class D or motorcycle endorsement instruction permit without having to retake the knowledge test; (4) it provides that a CDL skills test can be scheduled beginning the fifteenth day following issuance of a CLP; (5) non-domiciled CDLs or CLPs may be issued to applicants who are residents of states with CDL programs decertified by the Federal Motor Carrier Safety Administration (FMCSA), which can occur if a state is not compliant with FMCSA regulations; (6) it provides legal presence and/or lawful permanent residency documentation requirements for CDL and CLP applicants (the documentation would only be needed if the person's driving record did not already have this documentation on file); (7) it provides an effective date of July 8, 2014, in keeping with the federal regulations; (8) the fiscal impact if the bill passes is approximately \$20,000 for vendor software development; and, (9) the fiscal impact if the bill fails is considerably more, as it would result in a loss of highway funding for noncompliance with FMCSA CDL program requirements. **Mr. Pemble** said that Captain Reese of the Idaho State Police was present to make a statement about **S 1208**; and that the Idaho Coalition for Motorcycle Safety was also present and available to answer questions from the Committee. With that, **Mr. Pemble** said he would stand for questions. There were no questions for Mr. Pemble.

**Chairman Brackett** welcomed Captain Reese and asked him to introduce himself before presenting his statement. **Captain Reese** said he was the Commander of the Commercial Vehicle Safety Division of the Idaho State Police.

**Captain Reese** distributed a fact sheet on tank enforcement and said that on March 9, 2011, FMCSA published a final rule in the Federal Register that changed the tank endorsement definition. The new definition went into effect on July 8, 2012, when FMCSA began enforcement of the new definition on interstate carriers. Many states adopted this updated definition and began immediate enforcement, while other states have since adopted the new definition and are enforcing it. Idaho needs to change the tank enforcement definition in Idaho Code to be consistent with neighboring states and FMCSA. This legislation will do that. **Captain Reese** then explained the specific changes to the definition, asked the Committee for a do-pass recommendation and stood for questions. There were no questions for Captain Reese.

**MOTION:**

**Chairman Brackett** thanked Mr. Pemble and Captain Reese, and asked if there were others in the audience who wished to make a statement. With no further testimony, **Chairman Brackett** asked the Committee for a vote. **Senator Hagedorn** moved that **S 1208** be sent to the Senate floor with a **do-pass** recommendation. **Vice Chairman Johnson** seconded the motion. The motion passed by a unanimous **voice vote**. **Senator Hagedorn** said he would carry the bill on the Senate floor.

**S 1209:**

**Chairman Brackett** asked Mr. Pemble to present **S 1209**. **Mr. Pemble** said that this legislation offers a number of customer service enhancements. Statutory flexibility has been added allowing ITD to authorize issuance of a Class D driver training permit. If the applicant does not have all required documentation available upon application for the driver training permit, ITD may still approve a permit to be issued so the applicant can enter a driver training course. Any outstanding documentation can be gathered upon completion of the supervised instruction period so as not to delay or interfere with driver training.

Statutory flexibility has been added to allow either a parent or guardian or a person authorized by a parent or guardian to attest to the applicant's fulfillment of requirements and conditions applicable to the supervised instruction period. This will allow ITD to better serve driver's license applicants when parents or guardians have had other adult drivers work with their child through the supervised driving requirements. These persons authorized by the parent or guardian will be allowed to attest to the fulfillment of requirements. Examples of when this may be needed: (1) when neither parent or guardian drives and/or cannot accompany or observe the child during the supervised driving period; and (2) when neither parent or guardian can be present to sign the attestation required.

**S 1209** authorizes driver's license and identification card extensions similar to military extensions, for Idahoans who are working for the United States government in a foreign country. The same provisions are also available to immediate family members who have accompanied the person in the foreign country.

Another provision is that the legislation reduces the waiting period between retaking skills and knowledge tests from three business days to three calendar days.

In conclusion, these changes are primarily procedural in nature and will not require any software changes to the Department of Motor Vehicle's automated systems. Consequently, there are no costs involved in implementing these changes. With that, **Mr. Pemble** said he would stand for questions.

**Chairman Brackett** commented that by changing the 'three business days' to 'three calendar days' ITD was effectively shortening the time period and asked what the consequences of that change would be. **Mr. Pemble** said that it would only simplify scheduling required knowledge tests. There were no further questions for Mr. Pemble.

**MOTION:**

**Chairman Brackett** thanked Mr. Pemble and asked the Committee for a motion. **Vice Chairman Johnson** moved that **S 1209** be sent to the Senate floor with a **do-pass** recommendation. **Senator Keough** seconded the motion. The motion passed by a unanimous **voice vote**. **Vice Chairman Johnson** said he would carry the bill on the Senate floor.

**ADJOURNED:**

With no further business before the Committee, **Chairman Brackett** adjourned the meeting at 2:10 p.m.

---

Senator Brackett  
Chair

---

Gaye Bennett  
Secretary