

MINUTES
SENATE TRANSPORTATION COMMITTEE

DATE: Thursday, March 13, 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** called the meeting of the Senate Transportation Committee (Committee) to order at 1:33 p.m. and asked the secretary to take a silent role. **Chairman Brackett** welcomed all in attendance to the Committee.

SENATE PAGE: **Chairman Brackett** invited the Committee's Senate Page, Jayden Hjorth of Boise, to come to the front so he could present her with gifts from the Committee for her good work as the Committee's Senate Page. Following the presentation of gifts and letters of appreciation and recommendation, **Chairman Brackett** asked Ms. Hjorth to take the podium to talk about her experience and to answer a few questions. He asked her what she had learned from her Page experience and what her plans were for the future.

Ms. Hjorth said she had learned a lot during her weeks at the Legislature. She learned that creating and moving legislation is very stressful, something that people outside the Legislature do not see. She learned a lot about the Capitol building. As for her future plans, she will be 19 when she graduates from high school and plans on going on an LDS mission. Following that she will begin her college career at Boise State University where she will focus on core classes before moving on to Hawaii Pacific University where she will pursue a career in athletic training. **Ms. Hjorth** said she would stand for questions.

Senator Buckner-Webb commented that she hoped Ms. Hjorth would come back to Idaho when her education was completed.

Senator Rice asked if she had taken the quiz on United State history offered by Jack Lyman with the Idaho Mining Association. **Ms. Hjorth** said she had not. **Senator Rice** encouraged her to do so. There were no further questions for Ms. Hjorth.

H 492: **Chairman Brackett** thanked Ms. Hjorth and asked David Claiborne, President of the Idaho State ATV Association, to present **H 492**. **Mr. Claiborne** said that **H 492** had passed the House. He referred to a handout in the Committee's packets describing the 'pay to play' concept of licensing and tagging requirements when purchasing off-highway vehicles (OHV). The bill clarifies Idaho Code making it consistent on documents for owners of OHVs. He listed the various items they receive which includes a license, a sticker and a brochure. The 'Certificate of Number' sticker is required in order to use trails and roads. The fees go to maintain and groom the trails. The 'Certificate of Title' is also listed as 'title.' With boats, the fee is not prorated, but an owner pays for a full year license no matter when the certificate is purchased. All the stakeholders agreed on this issue. **Mr. Claiborne** said he would stand for questions.

Senator Bock said he supported the bill but asked if there were amendments. **Mr. Claiborne** said he understood there were some amendments.

Vice Chairman Johnson asked where in the legislation does it refer to the fee and the fine. **Mr. Claiborne** said it was on page 9, line 18. There were no further questions for Mr. Claiborne.

DISCUSSION:

Chairman Brackett said that he wanted to thank all involved – constituents, outdoor recreationists and the Idaho Department of Parks and Recreation (IDP&R) – for all their hard work to try to work through this issue. Last summer's task force made a lot of progress, but still came up a little bit short. **H 492** was presented, but there are still two concerns: (1) it is not consistent throughout the different sections of Idaho Code; and (2) it is incomplete in some areas.

Chairman Brackett said he is preparing an amendment that will address the inconsistent and incomplete issues, which he hopes will take care of the concerns. He believes these amendments will just further the recreationist effort and, at-the-end-of-the-day, can be a win-win for everyone. With this amendment, he believes the bill can move forward addressing some of the real challenges. He asked the Committee to send **H 492** to the 14th Order for possible amendment.

To address the inconsistent issue, the amendment uses the term 'Certificate of Number' across the board for boats, ATVs and snowmobiles which provides consistency. Currently, the terms 'Certificate of Number,' 'Certificate of Registrations' and 'Registration Number' are used in different Idaho Code sections. By using 'Certificate of Number' it does provide consistency and uniformity and should help eliminate confusion. 'Certificate of Number' was chosen because it is the term used in federal statute in the United State Coast Guard Code.

To address the incomplete issue, there were seven code sections that were not included in the original bill and they will be amended in a similar fashion to those that are in the original bill. **Chairman Brackett** said he would stand for questions, but there were none.

Senator Hagedorn thanked the members of the task force who met over the past summer to study this issue and worked together to find a solution.

MOTION:

Senator Hagedorn made a motion to send **H 492** to the 14th Order for amendment. **Senator Buckner-Webb** seconded the motion.

DISCUSSION:

Senator Rice said he had one additional concern with changing the prorated boat fee to an annual fee. He said that in the last Legislative Session they had enacted the exact opposite ruling and he was concerned. **Senator Hagedorn** said that was for on-road motorcycles and it did not address ATVs or UTVs. They are registered in January. The advocates for this bill agreed on this fee structure for boats.

Chairman Brackett asked if they did agree on this. **Senator Hagedorn** said they wanted them all to be consistent.

Senator Rice said that if they want to be consistent, they should pay for what they use. He said they did it for RVs and he thinks it is the right thing to do. **Senator Hagedorn** said he agreed, but that the users want this. They are working with two data systems, that of the IDP&R and that of the Idaho Transportation Department (ITD). It is much easier when the same task is being entered in the same way in each. Until the two systems are merged, they do not allow inconsistencies. To upgrade the systems would be costly.

Senator Bock said these are separate policy issues than what this bill addresses. He suggested it should be an issue for the next Legislative Session. He has received many emails about this issue, and the Committee needs to move forward.

Senator Hagedorn said that the task force did not address how to move forward in making the software system utilize stickers. IDP&R's software has limitations. This will be an ongoing issue over the summer that can be addressed in the future.

Senator Winder said that the Senate would be going to the Amending Order in the morning and asked if there was enough time to prepare the amendment.

Chairman Brackett confirmed the amendment would be ready in time.

VOTE ON THE MOTION:

With no further discussion, **Chairman Brackett** called for a vote on the motion to send **H 492** to the 14th Order for amendment. The motion passed with a unanimous **voice vote**. **Chairman Brackett** said he would carry the bill on the Senate floor.

ADJOURNED:

With no further business before the Committee, **Chairman Brackett** adjourned the meeting at 1:50 p.m.

Senator Brackett
Chair

Gaye Bennett
Secretary