

MINUTES
HOUSE TRANSPORTATION & DEFENSE COMMITTEE

DATE: Tuesday, February 10, 2015

TIME: 1:30 P.M.

PLACE: Room EW40

MEMBERS: Chairman Palmer, Vice Chairman Shepherd, Representatives Wills, Bateman, Gestrin, Hixon, Kauffman, Packer, Youngblood, McDonald, Dixon, Harris, Holtzclaw, Monks, King, Rudolph, Wintrow

**ABSENT/
EXCUSED:** None

GUESTS:

Chairman Palmer called the meeting to order 1:31 p.m.

H 17: **Joel Sheltroun**, Vice President of Governmental Affairs, presented **H 17** regarding Autocycles. Currently the law would certify this three wheel vehicle as a motorcycle, and requires someone to wear a helmet under the age of 18. There are many safety issues with wearing a helmet inside this vehicle. Wearing a helmet in an enclosed vehicle makes it difficult to hear emergency vehicle sirens, and other warning horns, bells, etc. It also reduces vision and can create blind spots. The Elio is completely enclosed with a roll cage, front and side airbags, three point safety restraints, and is engineered and designed to the highest of automotive safety standards.

Mr. Sheltroun stated the National Highway Traffic Safety Administration (NHTSA) would require anyone travelling through Idaho and Idaho residents driving this autocycle to have a motorcycle endorsement on their driver's license. Many states do not require motorcycle endorsements for a three wheel enclosed vehicle. People without a motorcycle endorsements traveling in or through Idaho from other states could receive a traffic citation and have their vehicle impounded. Autocycles handle like automobiles, not motorcycles so only an automobile driver's license should be required to operate.

Mr. Sheltroun defined what he believed should be considered the definition of autocycle: a three wheeled motorcycle on which the drivers and passengers ride in a completely enclosed, tandem seating area that is equipped with a roll cage, airbag protection, safety belts for each occupant, anti-lock brakes and is controlled with a steering wheel and pedals.

MOTION: **Rep. King** made a motion to send **H 17** to the floor with a **DO PASS** recommendation. **Motion carried by voice vote.** **Rep. Monks** requested that he be recorded as voting **NAY**. **Chairman Palmer** will sponsor the bill on the floor.

H 52: **Richard Turner**, Military Division, presented **H 52** regarding the Youth Challenge Program and to repeal sunset. The Idaho Youth Challenge Academy (IDYCA) is a volunteer program for 16-18 year old teens that are at risk of dropping out or have already dropped out of high school. The goal of this program is to give these kids a second chance. Mr. Turner requested the committee remove the sunset from this legislation.

MOTION: **Rep. Wintrow** made a motion to send **H 52** to the floor with a **DO PASS** recommendation. **Motion carried by voice vote.** **Rep. Harris** requested that he be recorded as voting **NAY**. **Rep. Wintrow** will sponsor the bill on the floor.

H 53: **Captain Stephen Stokes** and **Major Paul Boice** from the Idaho National Guard and the Office of the Staff Judge Advocate, presented **H 53** regarding the Military Justice Code. They explained to the committee the purpose of **H 53** and the three fold parts. 1) It updates the current Idaho Code of Military Justice, which has not been updated since 1975; 2) It brings consistency and uniformity by adopting the Model State Code of Military Justice to Idaho; 3) It resolves several gaps within the current Idaho Code of Military Justice. They explained the difference between Active Duty and National Guard, and that the National Guard is not the same as it was when the ICMJ was enacted in 1975. Lack of uniformity between state codes of military justice has led to inconsistency and frustration by commanders and military personnel. State codes of military justice were designed for a strategic reserve and do not meet the needs of an operational National Guard. Varying codes of military justice cause a lack of parity between National Guard and Active Duty Judge Advocates. The Idaho Code of Military Justice departs significantly from the UCMJ on a number of critical provisions. Some of the key provisions in **H 53** are that it provides 24 hour jurisdiction over Idaho military personnel, but defers to the civilian criminal justice system for civilian offense. It rectifies and updates the non judicial punishment procedure and provides for turn down procedure in all cases.

MOTION: **Rep. Holtzclaw** made a motion to send **H 53** to the floor with a **DO PASS** recommendation. **Motion carried by voice vote.** **Rep. Holtzclaw** will sponsor the bill on the floor.

Chairman Palmer turned the gavel over to **Vice Chairman Shepherd.**

RS 23474: **Rep. Palmer** presented **RS 23474** regarding highway and bridge vehicle fees. This proposed legislation would allow voters in a county to authorize a temporary increase in vehicle registration, to pay for a specific project. He explained any funds left over on a project would be saved to maintain that project in the future.

MOTION: **Rep. Youngblood** made a motion to introduce **RS 23474.** **Motion carried by voice vote.** **Rep. King** requested that she be recorded as voting **NAY.**

Vice Chairman Shepherd turned the gavel over to **Chairman Palmer.**

ADJOURN: There being no further business to come before the committee, the meeting was adjourned at 2:53 p.m.

Representative Palmer
Chair

Amber Duke
Secretary