

MINUTES  
**HOUSE TRANSPORTATION & DEFENSE COMMITTEE**

**DATE:** Monday, February 16, 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:** Vice Chairman Shepherd,

**GUESTS:** Edward Pemble, ITD; Jason Kreizenbeck, Lobby Idaho; Bob Wells, Bureau of Homeland Security; Skip Smyser, ITA; Dan Blocksom, ID Assoc. of Counties; Dave Butzier, AECOM; Dave Carlson, AAA; Laura Lantz, IAHD; Jim Lows, Food Producers of ID; Elizabeth Criner, NWFPA/FWAA; Julie Hart, Westerberg & Associates

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

**MOTION:** **Rep. Wintrow** made a motion to approve the minutes from the February 4, 2015 and February 6, 2015, meeting. **Motion carried by voice vote.**

**RS 23584:** **Jason Kreizenbeck**, President for Lobby Idaho, presented **RS 23584**. The purpose of this draft legislation is to provide a specific exemption under the Idaho Employment Security Law regarding owner-operators in the trucking industry in the state. Owner-operators in the trucking industry are in the independent business of leasing trucks to a motor carrier and supplying drivers to operate the leased trucks. Recent court cases that have advanced to the Idaho Supreme Court twice in the last four years have demonstrated the potential misapplication and/or misinterpretation of the current general exemption language in statute when it applies to owner-operators. This legislation would reduce future litigation by providing a clear and concise exemption that can be effectively administered and enforced by the Idaho Department of Labor and reasonably relied upon by motor carriers in the state.

**MOTION:** **Rep. Wills** made a motion to introduce **RS 23584**. **Motion carried by voice vote.**

**UNANIMOUS  
CONSENT  
REQUEST:** **Chairman Palmer** made a unanimous consent request to move **RS 23627C1** up on the agenda, because **Rep. Luker** was in another committee, and could not present **RS 23494C2** and **RS 23581** until later. There being no objection, the request was granted.

**RS 23627C1:** **Julie Hart**, Enterprise Rental Cars, presented **RS 23627C1** regarding rental fleets. This proposed legislation modifies the provision to registration requirements for motor vehicles owned by a rental company. It authorizes an alternative registration card and registration decals for license plates to be issued for a motor vehicle that is owned by a rental company. Ms. Hart explained different colored stickers are an option to help law enforcement identify these vehicles.

**MOTION:** **Rep. Youngblood** made a motion to introduce **RS 23627C1**. **Motion carried by voice vote.**

**Chairman Palmer** turned the gavel over to **Rep. Gestrin**.

- H 96:** **Chairman Palmer** presented **H 96** regarding driver's license and ID cards. This bill allows the state to submit a compliance extension to the Department of Homeland Security. Chairman Palmer explained his hopes for the bill is to give the department more time for this issue to be fixed.
- MOTION:** **Rep. Hixon** made a motion to send **H 96** to the floor with a **DO PASS** recommendation. **Motion carried by voice vote.** **Chairman Palmer** will sponsor the bill on the floor.
- RS 23540:** **Chairman Palmer** presented **RS 23540** regarding road safety, and the Econ Development Act. This proposed legislation is a complete overhaul on the funding mechanism. Idaho Transportation is short of money to take care of transportation needs and upkeep. Some things this legislation would do is add the following; three additional cents on the transfer fee on most petroleum products at the wholesale level, add an initial eight cents to user fees on gasoline and twelve cents on diesel using existing collection methods, provide for one additional cent to both the gasoline and diesel user fee each year and includes a safeguard provision for the Governor to suspend the annual increase when appropriate, and increase vehicle registration fees and truck user fees. Chairman Palmer explained, that is not an easy position to be in, but he hopes more legislation and ideas will come forward after hearing this RS.
- MOTION:** **Rep. Monks** made a motion to introduce **RS 23540.** **Motion carried by voice vote.** **Rep. Gestrin** turned the gavel back over to **Chairman Palmer.**
- RS 23494C2:** **Rep. Luker** presented **RS 23494C2** regarding vehicle sales and use tax exemption. This proposed legislation amends a section to limit the sales tax exemption for out of state purchasers of motor vehicles, trailers, vessels, ATVs, off road motorcycles, and snowmobiles to those purchasers who are from states not having a sales and use tax. A distribution of the additional revenue is made to the state highway account for construction and maintenance of state highways.
- MOTION:** **Rep. Hixon** made a motion to introduce **RS 23494C2.** **Motion carried by voice vote.** **Rep. King** requested she be recorded as voting **NAY.**
- RS 23581:** **Rep. Luker** presented **RS 23581** regarding motor fuels, repeal, and refund. This bill repeals a section allowing rebate for fuels used outside of state or for certain off road uses. Procedures for rebates are moved for special fuels where they still apply, and which includes changes made by **H 42.** Revenues retained will be distributed according to the existing fuel tax distribution formula.
- MOTION:** **Rep. Youngblood** made a motion to introduce **RS 23581.** **Motion carried by voice vote.**
- ADJOURN:** There being no further business to come before the committee, the meeting was adjourned at 2:28 p.m.

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Representative Palmer  
Chair

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Amber Duke  
Secretary