

MINUTES
HOUSE TRANSPORTATION & DEFENSE COMMITTEE

DATE: Wednesday, February 18, 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, Rep. Kauffman

GUESTS: Michael Henderson, Supreme Court; Daryl Marler, ITD; Steve Richardson, ISP

Chairman Palmer called the meeting to order at 1:33 p.m.

MOTION: **Rep. Wintrow** made a motion to approve the minutes of the February 10, 2015, meeting. **Motion carried by voice vote.**

S 1028: **Michael Henderson**, Legal Counsel Idaho Supreme Court, presented **S 1028** regarding speed limits. This bill has been submitted by the Idaho Supreme Court to correct an omission regarding speed limits. The Idaho Transportation Board has the authority to set reasonable and safe speed limits on interstate highways and state highways. The maximum speed limit on interstate highways is 75 mph, unless the Idaho Transportation Department has concluded on the basis of an engineering and traffic study that an increase to 80 mph is in the public interest. Reasonable and safe speed limits less than the maximum can be set by the Board on interstate and state highways, and in addition, the Board can set differing limits for different times of day, different types of vehicles, and varying weather conditions, as well as other factors bearing on safe speeds. The elements of any offense must be defined by statute. There are 3 sections that allow local authorities to set speed limits in residential, urban, and business districts. There is no "unless otherwise posted" provision in these subsections that defines exceeding a low limit set by the Idaho Transportation Board as an infraction. This bill would remove any confusion and permit enforcement of the legislative intent, which was to allow the Idaho Transportation Board to set reasonable and safe speed limits and to permit the enforcement of those limits by defining exceeding those limits as an infraction.

MOTION: **Rep. Bateman** made a motion to send **S 1028** to the floor with a **DO PASS** recommendation. **Motion carried by voice vote.** **Rep. McDonald** will sponsor the bill on the floor.

H 131: **Rep. Packer** presented **H 131**. This bill would allow a motor vehicle dealership to post a phone number on their building instead of maintaining a certain set of hours each week. This would allow for free market to still reign in Idaho. Recently there was a rule passed that would require used car dealers to be open for at least 20 hours a week. They can eliminate that requirement by simply stating because this phone number is posted, they are accessible to the public.

MOTION: **Rep. Wills** made a motion to send **H 131** to the floor with a **DO PASS** recommendation. **Motion carried by voice vote.** **Rep. Wintrow** requested that she be recorded as voting **NAY.** **Rep. Packer** will sponsor the bill on the floor.

ADJOURN: There being no further business to come before the committee, the meeting was adjourned at 1:46 p.m.

Representative Palmer
Chair

Amber Duke
Secretary