

MINUTES  
**SENATE TRANSPORTATION COMMITTEE**

**DATE:** Tuesday, March 10, 2015

**TIME:** 1:30 P.M.

**PLACE:** Room WW53

**MEMBERS PRESENT:** Chairman Brackett, Vice Chairman Nonini, Senators Keough, Winder, Hagedorn, Vick, Den Hartog, Buckner-Webb and Lacey

**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 1:32 p.m. and welcomed everyone.

**MINUTES APPROVAL:** **Senator Vick** moved to approve the Minutes of February 26, 2015. **Senator Den Hartog** seconded the motion. The motion passed by **voice vote**.

**RS 23760C1** **Chairman Brackett** welcomed Senator Burgoyne to the Committee and invited him to take the podium to introduce his RS.

**Senator Burgoyne** thanked Chairman Brackett and commented that it was his first time before the Committee. He was asking for unanimous consent to send **RS 23760C1** to a privileged committee to be printed. This RS addresses the impacts of road projects on businesses and communities. It requires local highway districts and other units of government to engage with affected communities and residents within one mile of a proposed road project before any funds are spent on the project. It is difficult to stop a project once funds have been expended if problems are raised by residents and communities. **Senator Burgoyne** stood for questions.

**UNANIMOUS CONSENT REQUEST:** **Chairman Brackett** asked for unanimous consent to send **RS 23760C1** to the Senate State Affairs Committee for printing.

**Senator Keough** asked why this legislation was being brought before the Committee long after the deadline had passed. **Senator Burgoyne** said there has been an issue with a road project in his county. The parties have tried working out their differences, but they have not resolved the problems. He wanted to legislate a mechanism to deal with those types of situations.

**Senator Winder** commented that he thought the idea would create unintended consequences in trying to move transportation projects forward. Road projects generally operate on a five-year plan. He said he would be okay printing the RS, but he would not support it if it came back before the Committee.

**OBJECTION TO UNANIMOUS CONSENT:** **Vice Chairman Nonini** objected to the unanimous consent request stating that Senator Burgoyne is concerned with one specific highway district, and this legislation would affect all highway districts throughout the State.

The unanimous consent request failed.

**Senator Burgoyne** thanked the Committee.

**HJM 8:** **Chairman Brackett** invited Roy Eiguren of Eiguren Fisher Ellis to the podium to present **HJM 8**.

**Mr. Eiguren** said he was representing The Right Truck for Idaho Coalition (Coalition) made up of over 50 organizations throughout Idaho. The Coalition exists to advocate in favor of allowing more efficient trucks to operate on Idaho's highway system. The 129,000 pound truck/trailer combination is the most efficient truck operating today. It has 10 rather than the normal 7 axles, and 20 brakes rather than the normal 14. These combinations are 21st century vehicles. They haul larger loads at the highest level of efficiency without negatively impacting bridges, highway surfaces, or traffic safety.

The Coalition is seeking enactment of **HJM 8** which urges the United States Congress to pass pending federal legislation that would give Idaho the legal authority to establish weight limits up to 129,000 pounds per truck/trailer combination on the federal Interstate Highway System (IHS) in Idaho. Currently, the weight limit on Idaho's portion of IHS is capped at 105,500 pounds because in 1992 Congress enacted legislation that froze into place the weight limits that existed in each state at that time. In other words, Congress took away the ability for a state to set vehicle weights on the IHS. They wanted to begin a process of harmonizing truck weights across the country, but the task was never completed. This is an attempt for Idaho, like other states have done, to convince Congress to return the legal authority to set vehicle weights back to the states. **Mr. Eiguren** said that Idaho's congressional delegation has introduced legislation allowing Idaho to remove the cap, but it has not been seriously considered. The Governor, the Idaho Transportation Department (ITD), and others are on-board with supporting this memorial. **Mr. Eiguren** stood for questions.

**Senator Vick** asked why the weight limit for Idaho was different than surrounding states. **Mr. Eiguren** deferred to Alan Frew, ITD's Department of Motor Vehicle (DMV) Administrator, for a response. **Mr. Frew** said that the criteria for weight limits occurred in the early 1980s. The federal legislation froze the weight limits in place on the IHS that were in existence at that time. The surrounding states had higher weight limits at the time the federal legislation froze all weight limits. Changing those limits has been tried in the past but was unsuccessful.

**Chairman Brackett** realized that Mr. Eiguren had been working on getting this accomplished for some time and wanted to know if he was more optimistic that this effort would be successful. **Mr. Eiguren** said he was more optimistic. Congressman Simpson tried eliminating the freeze in the last federal transportation bill, but that provision did not make it into the omnibus bill. They believe the subcommittee chairman will be able to insert this into the federal transportation bill.

**MOTION:** **Senator Hagedorn** moved to send **HJM 8** to the floor with a **do pass** recommendation. **Senator Den Hartog** seconded the motion. The motion carried by **voice vote**. **Senator Keough** requested to be recorded as voting nay. **Chairman Brackett** offered to carry the memorial on the floor.

**H 15AAS:** **Chairman Brackett** invited Vice Chairman Nonini to present **H 15aaS**.

**Vice Chairman Nonini** reminded the Committee that **H 15aaS** had been sent to the Amending Order at a previous meeting of the Committee. The amendment was approved by a vote of the Senate, but two Senators, who were not members of the Committee, had concerns with other issues brought to them by the Idaho Bankers Association. **Vice Chairman Nonini** said that he, ITD and the Idaho Bankers Association met and had worked out the problems. A new amendment was included in their Committee packets. **Vice Chairman Nonini** referred to it as a "radiator capping" amendment. In the new amendment, the entire bill and the previously approved amendment are stricken in total and replaced with the new amendment which will become the body of the bill. With that explanation, **Vice Chairman Nonini** stood for questions.

**Chairman Brackett** asked if all concerned parties were satisfied with this new amendment. **Vice Chairman Nonini** said that they were satisfied, and he was confident all issues had been worked out.

**Senator Vick** asked what had changed. **Vice Chairman Nonini** said that section 5 on page 1 has been added to correct the risk of lien holders. He read the section. Section 6 adds new wording for evidence of initial filing that requires ITD notify the parties.

**Chairman Brackett** asked if the Idaho Bankers Association wanted to add any additional information. They declined as they were satisfied with Vice Chairman Nonini's presentation.

**Senator Winder** asked a questions of Dawn Justice of the Idaho Bankers Association. He wanted to know if the concerns expressed by the Majority Leader and the banking community had been resolved. **Ms. Justice** said the issue was a lack of protection for the second lender, but that had been satisfied with this new amendment.

**Senator Hagedorn** asked if ITD was involved and if they had signed off on the changes. **Vice Chairman Nonini** said that ITD had worked with Senator Davis, Senator Rice and the bankers.

**Chairman Brackett** asked if Barry Takeuchi of ITD's Title Program had any information to add. **Mr. Takeuchi** said it had been a pleasure to work with the Idaho Bankers Association to come up with a solution. This new amendment was implementable from ITD's perspective.

**Senator Hagedorn** wanted to be assured that Amy Smith, ITD's Vehicle Services Manager, was okay with the changes. **Mr. Takeuchi** said she was fine with the new amendment.

**MOTION:**

**Senator Winder** moved to send **H 15aaS** to the 14th Order for amendment. **Senator Hagedorn** seconded the motion. The motion passed by **voice vote**. **Vice Chairman Nonini** will carry the bill on the floor.

**ADJOURNED:**

With no further business before the Committee, **Chairman Brackett** adjourned the meeting at 2:00 p.m.

---

Senator Brackett  
Chair

---

Gaye Bennett  
Secretary