

MINUTES
SENATE TRANSPORTATION COMMITTEE

DATE: Tuesday, January 19, 2021

TIME: 1:30 P.M.

PLACE: Room WW53

MEMBERS PRESENT: Chair Den Hartog, Vice Chairman Woodward, Senators Winder, Lodge, Rice, Vick, Crabtree, Nelson, and Wintrow

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: **Chair Den Hartog** called the meeting of the Senate Transportation Committee (Committee) to order at 1:30 p.m.

PASSED THE GAVEL: Chair Den Hartog passed the gavel to Vice Chairman Woodward.

MINUTES APPROVAL: **Senator Nelson** moved to approve the Minutes of Tuesday, January 12, 2021. **Senator Wintrow** seconded the motion. The motion carried by **voice vote**.

ADMINISTRATIVE RULES: **Vice Chairman Woodward** introduced Brendan Floyd, Department of Motor Vehicles Policy Specialist, to present the Committee's one traditional pending rule.

DOCKET NO. 39-0271-2001 **Mr. Floyd** opened by noting that this rule covers the driver's license violation point system. He explained the changes were prompted by the passage of H 614, 2020 Session, which repealed Idaho Code §49-1401A, and replaced it with a section regarding distracted driving and the unlawful use of mobile electronic devices while operating a vehicle. He explained the points system as it relates to the suspension of driver's licenses. He pointed out the rule's language was cleaned up and substantive changes were made in section 100.06, which defines distracted driving. The proposed rule identifies the offense as a three-point violation. He noted there were no comments received on the proposal.

DISCUSSION: **Senator Nelson** asked how the Idaho Transportation Department (ITD) determined this offense was a three-point violation. **Mr. Floyd** explained that an increasing number of points are assigned as the offense committed becomes increasingly egregious. He referenced comparable examples of distracted driving, all of which were similar to the examples in the proposed rule. Each of these examples equated to a three-point violation, which the department used as a basis for the proposed rule.

MOTION: **Senator Crabtree** moved to approve **Docket No. 39-0271-2001**. **Senator Lodge** seconded the motion. The motion carried by **voice vote**.

DOCKET NO. 39-0000-2000F **Vice Chairman Woodward** invited Ramón Hobdey-Sánchez, ITD's Government Affairs Project Manager, to present the Committee's one omnibus pending fee rule.

DISCUSSION:

Mr. Hobdey-Sánchez reminded the legislators ITD has been mindful of limiting rules in the past and has tried to keep proposed rules at a minimum. He stated there were no changes made to the proposed rule; it is the same as it was in the 2020 session. There were two different opportunities for industry and stakeholders to participate, but no comments were received.

Senator Woodward asked how the "and/or" language in Rule 39.03.03, which covers special permits, should be interpreted regarding warning flag requirements.

In response to Senator Woodward's question, **Mr. Hobdey-Sánchez** stated ITD recently addressed flags to make sure regulation is consistent. He said he would defer interpretation of the language to subject matter experts and would follow up at a later date.

MOTION:

Senator Nelson motioned to approve **Docket No. 39-0000-2000F**. **Senator Winder** seconded the motion. The motion carried by **voice vote**.

PASSED THE GAVEL:

Senator Woodward passed the gavel back to Chair Den Hartog.

ADJOURNED:

There being no further business at this time, **Chair Den Hartog** adjourned the meeting at 1:46 p.m.

Senator Den Hartog
Chair

Emily Carlisle
Secretary