

MINUTES  
**SENATE TRANSPORTATION COMMITTEE**

**DATE:** Tuesday, February 16, 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.

**H 5** **Relating to Distracted Driving. Jeff Neumeyer**, Chief Executive Vice President, United Heritage, opened by referencing H 614, which prevents drivers from using cell phones in-hand while driving. The bill had a Geographic Positioning System (GPS) exception that made enforcement difficult, since it was written to allow hands-on cell phone use for GPS purposes. The intent of **H 5** is to clarify the explanation of appropriate GPS usage, Mr. Neumeyer said. The bill will require drivers to mount their cell phone on the dashboard or in a cup holder. The new requirement will allow for single-touch activation and deactivation of applications while mounted. The passage of this bill will support clearer enforcement of hands free cell phone use.

**TESTIMONY:** **Dell Chapel**, a Nampa resident, stated he was in support of this bill since it provides better clarification for workers who use cell phones while driving, such as delivery and rideshare drivers.

**Cynthia Gibson**, a Boise resident, stated she represents all those who use roadways outside of a car, such as bikers, walkers, and runners. She stressed it is hard to feel confident and safe as someone traveling on the street, unaware of distracted drivers. She expressed her support for this bill in hopes that it will keep drivers more focused and aware while they are driving.

**DISCUSSION:** In his closing remarks, **Mr. Neumeyer** said the proposed clarification will help police officers avoid a legal loophole in the current law.

**Senator Vick** asked if the single-touch exception allows for applications such as audio books to be activated. **Mr. Neumeyer** affirmed that it applies to activation and deactivation of all applications as long as the cell phone is mounted and not handheld.

**MOTION:** **Senator Winder** moved to send **H 5** to the floor with a **do pass** recommendation. **Senator Lodge** seconded the motion. The motion carried by **voice vote**.

**S 1104** **Relating to Rules of the Road. David Cameron**, Teamsters Rail Conference, opened by explaining current rail law does not mention on-track equipment, nor does it distinguish between on-track equipment and trains. Current on-track equipment is comparable to trains and presents similar dangers when a motorist is involved in an on-track accident. More than 30 states have supported an effort to distinguish between on-track equipment and trains has been supported in over 30 states, with pending legislation in seven states.

**MOTION:** **Senator Rice** moved to send **S 1104** to the floor with a **do pass** recommendation. **Senator Nelson** seconded the motion. The motion carried by **voice vote**.

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

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Senator Den Hartog  
Chair

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Emily Carlisle  
Secretary