

MINUTES
HOUSE TRANSPORTATION & DEFENSE COMMITTEE

DATE: Wednesday, February 24, 2021

TIME: 1:30 P.M.

PLACE: Room EW40

MEMBERS: Chairman Palmer, Vice Chairman DeMordaunt, Representatives Gestrin, Youngblood, Dixon, Harris, Holtzclaw, Monks, Syme, Blanksma, Addis, Manwaring, Mitchell, Okuniewicz, Shepherd, Gannon, Rubel, McCrostie

**ABSENT/
EXCUSED:** Representative(s) Dixon, Holtzclaw

GUESTS: Kelley Packer, AIC; Jake Cluff, AIC/BB&A; Murphy Olmstead, ID Sheriffs Assoc; Brian Goeke, ITD; Nick Veldhouse, IAHD; Jason Kreisenbeck, ACHD; Steve Price, ACHD; David Claiborn, ISATVA; Cynthia Gibson, Idaho Walk Bike Association

Chairman Palmer called the meeting to order at 1:30 p.m.

H 131: **Jason Kreisenbeck**, representing Ada County Highway District, presented **H 131**, legislation giving local highway jurisdictions the authority to develop uniform width sidewalks and side paths within a project and/or within a transportation corridor. The governing board of the local highway jurisdiction will make a written finding for the public necessity of any sidewalk or side path that is greater than eight feet.

Cynthia Gibson, Executive Director, Idaho Walk Bike Alliance, spoke **in support** of **H 131**.

MOTION: **Rep. Gannon** made a motion to send **H 131** to the floor with a **DO PASS** recommendation. **Motion carried by voice vote.** **Rep. DeMordaunt** will sponsor the bill on the floor.

H 129: **Rep. Gestrin** presented **H 129**. This bill is intended to generate greater economic activity in Idaho's rural communities by allowing OHVs (off highway vehicles) to safely travel on portions of state highways to connect to trails and access needed services in rural areas. The legislation restates Code to provide that off-highway vehicles may operate on all public roads, including state highways, so long as the road is not a controlled access highway, and the speed limit is 60 miles per hour or less.

David Claiborn, Idaho State ATV Association, spoke **in support** of the bill.

Rep. Gestrin responded to committee questions. He said OHVs must carry liability insurance and follow the rules of the road. He added, the driver of the off highway vehicle must have a valid driver's license, with a restricted license plate and recreation sticker on the OHV.

MOTION: **Rep. Addis** made a motion to send **H 129** to the floor will a **DO PASS** recommendation. **Motion carried by voice vote.** **Rep. Gestrin** will sponsor the bill on the floor.

H 164: **Rep. Gestrin** presented **H 164**. The purpose of this bill is to eliminate the option now in law for local jurisdictions to limit or prohibit the use of off-highway vehicles on public roads.

MOTION: **Rep. Addis** made a motion to send **H 164** to the floor with a **DO PASS** recommendation

During discussion on the motion, **Rep. McCrostie** said he would vote no, but reserved the option to change his vote on the floor. **Rep. Syme** said he would vote no because he supports local control.

Kelley Packer, representing the Association of Idaho Cities, spoke **in opposition** to the bill. In her opinion, this bill strips local control away from the cities.

David Claiborn stated, the user community is not asking for this legislation. He added, ISATV has no position on this bill.

**SUBSTITUTE
MOTION:**

Rep. Monks made a substitute motion to hold **H 164** for time certain, March 2, 2021.

Reps. Gannon and Harris spoke **in support** of the substitute motion.

**VOTE ON
SUBSTITUTE
MOTION:**

Chairman Palmer called for a vote on the substitute motion to hold **H 164** for time certain, March 2, 2021. **Motion carried by voice vote.**

ADJOURN:

There being no further business to come before the committee, the meeting adjourned at 2:03 p.m.

Representative Palmer
Chair

Joyce McKenzie
Secretary