

MINUTES  
**SENATE TRANSPORTATION COMMITTEE**

**DATE:** Thursday, March 04, 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 1:34 p.m.

**NOTES:** **Chair Den Hartog** noted the meeting's agenda should read **RS 28762**, rather than RS 28758, and requested a correction.

**RS 28762** **Relating to Highways and Bridges.** **Vice Chairman Woodward** noted the proposed legislation's verbiage was sufficiently corrected from a previous version.

**MOTION:** **Chair Den Hartog** asked for unanimous consent to send **RS 28762** to a privileged committee for printing. There were no objections.

**S 1132** **Relating to Motor Vehicles.** **Senator Guthrie** opened discussion by clarifying the proposed legislation had some formatting changes, but substantive changes totaled less than a page and a half. He commented that being unlicensed or unauthorized to drive affects many of his constituents. In order to obtain a driver's license, an individual is required to provide proof of residency and a Social Security Card. Undocumented immigrants are unable to provide all the required documents and are therefore unable to obtain a license. Not being a licensed driver makes it difficult for the affected individuals to travel back and forth from work, thus impacting their ability to provide for their family. The bill focuses on supporting their workforce needs by allowing undocumented immigrants to apply for a driver authorization card.

**Senator Guthrie** stressed that undocumented immigrants contribute greatly to the State of Idaho by working in various industries; they also pay state and local taxes, and are established as an integral part of the workforce. Although federal immigration policy is outside the policymaking authority of states, many of them have developed some form of driving authorization card program. Benefits in those states include safer roads, higher attendance in driver education classes, reduced burden on criminal justice systems, and higher rates of insured drivers.

**Senator Guthrie** specifically noted the proposed driver authorization card is not a driver's license but requires cardholders to attend driver education classes and provide proof of insurance. He further clarified the driving authorization card is not intended to be used as proof of lawful entry to the United States, nor would it be valid for voting or purchasing firearms. It would also not grant privileges reserved for citizens of the U.S. The driver authorization card program would be revenue positive for Idaho Transportation Department (ITD) and local jurisdictions since the authorization card costs a nominal fee.

**TESTIMONY:** The following testified in opposition to **S 1132**: Sheriff Kieran Donahue, Idaho Sheriffs Association; Captain Curt Shankel, Idaho Chiefs of Police Association; Sheriff Craig Rowland, Bingham County; and Sheriff Chris Goetz, Clearwater County.

Their issues and concerns included:

- Whether issuing a legal document to an undocumented immigrant violates federal law.
- Confusion could arise over whether someone has suspended or revoked driving privileges, who they are, and what related information could be shared with other jurisdictions.
- A moral dilemma could arise for sheriffs who swore an oath to protect the Idaho Constitution and Constitution of the United States of America.
- There are already long lines for citizens to obtain driver's licenses. Adding the issuance of authorization cards could create an additional burden.
- There could be concern regarding whether drivers with an authorization card would continue to purchase motor vehicle insurance.
- It will be necessary and possibly difficult to certify the required legal documents that have been translated from a foreign language into English.

**TESTIMONY IN FAVOR:** The following testified in favor of **S 1132**: Fernando Montelongo, National FFA Organization; Arianna Hernandez, National FFA Organization; Jeff Neumeyer, General Counsel for United Heritage Insurance; Rick Naerebout, Idaho Dairymen's Association; Ivan Castillo, who represented himself; Daniel Liera-Huchim, Administrator, Idaho Community College; Ruby Mendez-Mota, American Civil Liberties Union of Idaho; Christian Welp, Roman Catholic Diocese, Boise; and Rosseli Guerrero, who represented herself.

**DISCUSSION:** **Senator Wintrow** inquired whether ITD could take over the issuance of authorization cards to remedy the moral dilemma experienced by State Sheriffs. **Brian Goeke**, Department of Motor Vehicles (DMV) Policy Manager, ITD, answered that if the bill were to pass and sheriff's would prefer not to issue the authorization cards, there could be discussion on allowing ITD to authorize the cards.

**Senator Wintrow** asked if the DMV has the resources to potentially support the additional work of issuing driver authorization cards, to which **Mr. Goeke** clarified that it is an ongoing discussion. Whoever processes the authorization cards retains the fee, which could potentially support additional resources required to issue the authorization cards. He expressed the cards may not be as widely available if ITD handles the issuance; sheriffs are strategically placed across the state to provide coverage, whereas ITD offices are not.

In his closing remarks, **Senator Guthrie** affirmed there is data to support safer roads and the bill authorizes sheriffs to issue driver authorization cards, as well as retain the fee for the transaction.

**MOTION:** **Senator Vick** moved to hold **S 1132** in Committee subject to the call of the Chair. **Senator Crabtree** seconded the motion.

**SUBSTITUTE MOTION:** **Senator Wintrow** moved to send **S 1132** to the floor **without** recommendation. **Senator Nelson** seconded the motion. The motion failed.

**CONFLICT:** **Senator Rice** declared a conflict under Rules of the Senate, Rule 39(H), and stated that he is concerned about insurance underwriting if someone files a claim for an accident involving an individual with a driver authorization card.

**VOICE VOTE:** The original motion carried by **voice vote**.

**ADJOURNED:** There being no further business at this time, **Chair Den Hartog** adjourned the meeting at 3:04 p.m.

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Senator Den Hartog  
Chair

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Emily Carlisle  
Secretary