

MINUTES
SENATE TRANSPORTATION COMMITTEE

DATE: Tuesday, March 08, 2022

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 1:33 P.M.

MINUTES APPROVAL: **Senator Woodward** moved to approve the Minutes of February 22, 2022. **Senator Crabtree** seconded the motion. The motion carried by **voice vote**.
Senator Woodward moved to approve the Minutes of February 24, 2022. **Senator Wintrow** seconded the motion. The motion carried by **voice vote**.

H 527 **TRANSPORTATION – Amends existing law to provide for the addition of a "USA" citizenship designation on driver's licenses and identification cards.** **Representative Mitchell** provided a brief overview of the legislation that allowed for a designation of U.S. Citizen on a driver's license. The addition provided for proof of citizenship as needed. Initial development costs were estimated to be \$24,000 from existing budget funds.
Senators Wintrow and **Nelson** posed questions relating to how the current process and required documentation needs changed. They requested feedback on how the change did not increase barriers for citizens that attempted to obtain a driver's license. **Representative Mitchell** asserted that no substantive changes had been made to the current Department of Motor Vehicles (DMV) process. He stated the addition was completely optional. It did not change the current documentation requirements.
Senator Woodward asked how the license visibly changed with the option and how it tied into a Commercial Driver's License (CDL). **Representative Mitchell** replied that a box was added with a U.S.A. designation. The change did not apply to a CDL.

TESTIMONY: **Antonio Hernandez**, Contamos Idaho, read his submitted testimony in opposition to the bill. He mentioned significant concerns that **H 527** contained unclear changes to existing requirements for Identification Cards (IDs). **Mr. Hernandez** concluded this legislation contradicted **S 1268** that reduced barriers to employment for certain individuals.
Lauren Bramwell, Policy Strategist, ACLU Idaho, testified in opposition to the bill. She cited similar concerns about increased requirements for IDs. She questioned the need to spend taxpayer dollars for an optional designation when current choices already existed for proof of citizenship.
Senator Rice requested clarification on what proof of ID would not be allowed that currently was. **Ms. Bramwell** replied that she felt the language was unclear and left room for misinterpretation by DMV in enforcement.

DISCUSSION: **Senator Wintrow** asked Mr. Goeke if any procedures were changed and what was the intent for the fiscal note of \$24,000. **Brian Goeke**, Policy Program Manager, Idaho Transportation Department (ITD), answered there were no changes to DMV practice. He clarified the funds allowed modifications to the driver's license system for individuals to opt in.

Chair Den Hartog requested that the Committee be walked through the voter verification process and how IDs were used. **Jason Hancock**, Deputy Secretary of the State, reported that voter proof of identification included an Idaho driver's license or ID, a passport, a tribal or student ID with photo, or an Idaho Concealed Weapons License. An alternate option included a signed affidavit swearing to identity.

Senator Winder remarked the current license already listed Idaho, U.S.A. and asked how it was different. Mr. Goeke noted it was like the Star Card designation. He said it was clearly different from anything else on the card

Representative Mitchell reminded the Committee the program was purely optional. He pointed out that the emergency clause date of January 1, 2023, was for implementation. **Representative Mitchell** highlighted that the identifier would be particularly helpful for voter identification. He cited an instance of 79 non-citizens proven to have voted in Canyon County during the last election.

DISCUSSION: **Senator Vick** asked what the proof of citizenship would be used for. **Representative Mitchell** indicated it could be used to obtain Medicare, Medicaid, government assistance, or for voting.

Senator Woodward posed a question on the consequences of a citizen being denied rights because their card did not state U.S.A. on it. **Representative Mitchell** replied that proof of citizenship without the identifier would require alternate forms of ID.

Senator Woodward asked about the reason behind the optional approach. He also inquired how citizenship could be known without proof. **Mr. Goeke** clarified that the proof was not optional. Only the U.S.A. insignia on the ID was optional. Applicants had to prove citizenship and the DMV would retain copies of those documents on file for the record.

MOTION: **Senator Vick** moved to send **H 527** to the floor with a **do pass** recommendation. **Senator Rice** seconded the motion.

DISCUSSION: **Senator Vick** disclosed that when the Real ID was implemented there was concern about permanent storage of birth certificates and hackers' access of that information. He deemed it a good option that fell somewhere between the standard ID and Real ID. He reiterated it did not require any more information than had been supplied in the past.

Senator Wintrow stated that an optional program that changed no processes was not a good use of time or taxpayer funds.

Chair Den Hartog voiced concern over public confusion with multiple types of IDs and what their card could or could not do.

SUBSTITUTE MOTION: **Senator Woodward** moved to hold **H 527** until date certain of March 10, 2022. **Senator Nelson** seconded the motion. The motion carried by **voice vote**.

H 571 **SCHOOL BUSES – Amends existing law to allow school buses to travel up to 70 miles per hour on the interstate.** **Senator Zito** summarized that the legislation increased allowable speed for safety purposes. It would provide busses the opportunity to better match, rather than impede, the flow of traffic.

DISCUSSION: **Senator Rice** stated this seemed to be in the wrong code section. He recommended the legislation be sent to the 14th Order of Business for possible amendment if it moved forward.

TESTIMONY: **Representative Hanks** remarked that her day job was as a Fremont County bus driver. She worked in the position over 15 years and had driven semi-trucks in the past. **Representative Hanks** noted that most of the drivers went 80 miles per hour (mph), and trucks went 70 mph, but school busses only went 65 mph. She judged it was a safety issue to be passed by even the largest trucks which further impeded traffic.

Senators Vick, Nelson, Wintrow, Woodward, and Winder posed multiple questions on the logistics of the increased speed. These included where to find the stated limit of 65 for school busses, and where additional data could be found. Of particular interest was equipment capability and speed differentials. Quick calculations were made that highlighted a 16 percent increase in the busses' kinetic energy with a five mph increase. The speed differentials between the vehicle types within the flow of traffic was also mentioned. A preference for more conclusive data was noted to ensure the increased speed did not counter a defined national standard. **Mr. Goeke** responded that the maximum travel speed was set in the State Department of Education's Standards for Idaho School Busses and Operations.

Senators Rice and Winder discussed the proper place for the proposed change. They concurred on a preference to hold the bill for further review with ITD.

TESTIMONY: **Representative Shepherd** described a personal story in support of the bill. He related that he had driven a school bus carrying the team he was coaching to the state playoff games. He voiced that it was a challenge to stay alert and avoid collision when fellow drivers frequently went above the posted speed limit. He experienced unsafe situations with cars that darted through narrow openings in order to escape traffic backups created by the slow-moving school bus. **Representative Shepherd** mentioned he oversaw annual and 60-day bus inspections in his school district. He stated they were very well put together and governed, or limited, and although capable could not exceed 70 mph.

Senators Woodward, Vick, and Winder discussed the differences between the 65 mph limit and areas of the interstate that allowed for cars to go either 70 or 80 mph. **Representative Shepherd** commented that when a slower speed limit was posted specifically for truck drivers, most school bus drivers would err on the side of the slower limit. The Senators expressed curiosity on the legal definition of a truck for the purposes of the speed restrictions. **Mr. Goeke** answered that a legal definition was not in place. He specified that Idaho Code § 49-654 mandated vehicles with a specific number of axles and gross weight travelled 10 mph slower on an interstate. He perceived that section of code could be modified to include school busses.

MOTION: **Senator Rice** moved to hold **H 571** until March 10, 2022.

DISCUSSION: **Senator Zito** interjected to read sections of code that defined a school bus. It stated a bus could travel up to 70 mph on an interstate provided it did not exceed the posted limit. She argued the rural areas of Idaho were unique in their bussing needs amongst the 50 states and thus the national standards did not fully apply.

MOTION: **Senator Vick** seconded the motion to hold **H 571** until March 10, 2022.

DISCUSSION: **Senator Wintrow** expressed a hope that safety concerns were addressed more than preferential travel speeds when the bill hearing continued. **Senator Nelson** concurred.

SUBSTITUTE MOTION: **Senator Nelson** moved to hold **H 571** in Committee. **Senator Wintrow** seconded the motion.

DISCUSSION: **Senator Rice** stated opposition to the motion and voiced it was appropriate to take a serious look at. **Senator Nelson** explained the answers heard to that point primarily focused on current rules, the locations of those, and the potential to disregard a national standard. He remarked that many Idaho bussing places were unique but that the interstates were much like others across the country. **Senator Nelson** expressed the need for a lot more convincing if the bill came back.

VOICE VOTE: The substitute motion to hold **H 571** in Committee failed by **voice vote**.

VOICE VOTE: The original motion to hold **H 571** until date certain of March 10, 2022, carried by **voice vote**.

ADJOURNED: There being no further business at this time, **Chair Den Hartog** adjourned the meeting at 2:45 P.M.

Senator Den Hartog
Chair

Cara Beyenka
Secretary