

MINUTES
SENATE TRANSPORTATION COMMITTEE

DATE: Tuesday, January 31, 2023

TIME: 1:30 P.M.

PLACE: Room WW53

MEMBERS PRESENT: Chairman Okuniewicz, Vice Chair Den Hartog, Senators Winder, Hart, Carlson, Toews, Trakel, Rabe, and Just

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: **Chairman Okuniewicz** called the meeting of the Senate Transportation Committee (Committee) to order at 1:30 p.m.

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

Brian Goeke, Department of Motor Vehicles (DMV) Policy Manager, Idaho Transportation Department (ITD), provided details on the rules review process ITD went through as part of the Zero Based Regulation Chapter Review cycle. He stated 8 rules were reviewed. The department repealed two individual chapters and combined the remaining still relevant content into two related chapters. **Mr. Goeke** stated the vast majority of the edits in the rules were to eliminate sections redundant with statute and to remove unnecessarily prescriptive sections. ITD held a negotiation session on the proposed changes in May with several interested stakeholders attending but ultimately received no comments on the proposed changes.

39-0202-2201 **Rules Governing Vehicle and Vessel Dealer License Requirements – Motor Vehicles (ZBR Chapter Rewrite) - Proposed Rule.** **Mr. Goeke** stated the edits to this rule were exclusively the removal of overly prescriptive sections and sections redundant with Idaho Code.

Vice Chair Den Hartog asked the committee for a motion. **Senator Carlson** asked to delay voting to allow time for the Committee to further review the changes.

Vice Chair Den Hartog asked to move 39-0226-2201 up on the Agenda. She stated Administrative Rule 39-0226-2201 was being repealed because the docket had been combined with 39-0222-2201.

39-0226-2201 **Rules Governing Temporary Vehicle Clearance for Carriers (ZBR Chapter Repeal) - Proposed Rule.** **Mr. Goeke** relayed that this docket was repealed with pertinent parts being incorporated into 39-0222-2201.

39-0222-2201 **Rules Governing Registration and Permit Fee Administration and Temporary Vehicle Clearance for Carriers (ZBR Chapter Rewrite, Fee Rule) - Proposed Rule.** **Mr. Goeke** stated the changes in this docket were to eliminate unused definitions and remove unnecessarily prescriptive language. A portion of 39-0226-2201 was added to this rule.

39-0270-2201 Rules Governing Restricted Driving Permits (ZBR Chapter Rewrite) - Proposed Rule. Mr. Goeke stated the substance of the edits were to remove a permit specific to Administrative License Suspension, which in practice was no different from a standard Restricted Driving Permit. Sections redundant with statute and overly prescriptive sections were also removed.

Vice Chair Den Hartog asked to move 39-0273-2201 up on the Agenda. She stated Administrative Rule 39-0273-2201 was repealed because it had been combined with 39-0271-2201.

39-0273-2201 Rules Governing Accident Prevention Course (ZBR Chapter Repeal) - Proposed Rule. Mr. Goeke stated this chapter was repealed but significant portions were incorporated into 39-0271-2201.

39-0271-2201 Rules Governing Driver's License Violation Point System and Accident Prevention Courses (ZBR Chapter Rewrite) - Proposed Rule. Mr. Goeke relayed redundant language was removed and part of 39-0273-2201 was added.

Chairman Okuniewicz inquired about the 2 points for starting parked car on the list of Traffic Convictions and Violation Point Count. **Mr. Goeke** stated he was not sure but would follow up and provide a response.

39-0272-2201 Rules Governing Administrative License Suspensions (ZBR Chapter Rewrite) - Proposed Rule. Mr. Goeke relayed they added business days in section 100-02. He stated the remainder of the edits were removal of overly prescriptive or unnecessary rules.

39-0344-2201 Rules Governing Highway Relocation Assistance for Persons Displaced by Public Programs (ZBR Chapter Rewrite) - Proposed Rule. Mr. Goeke explained that this rule had no substantive edits and remained essentially the same since was created in 1997.

39-0343-2201 Rules Governing Utilities on State Highway Right-of-Way - Proposed Rule. **Colby Cameron**, ITD Government Affairs Manager, explained that the 2022 Idaho Legislature passed the Idaho Broadband Dig Once and Right-of-way act. The Act required ITD to develop rules, standards, and policies. He stated this was done in docket 39-0343-2201 which referenced the ITD manual/guide for locating broadband. The guide was called Utility Accommodation Policy.

TESTIFIERS: **Benjamin Aron**, representative for CTIA, a trade association for the wireless industry, testified in support. **Peyton Nunes**, representative for Benn Brocksome & Associates, testified in support.

Vice Chair Den Hartog announced the Committee would take up voting on the Administrative Rules in 1 week with the Committee's consent. The vote would be held one week from today.

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

PRESENTATION: PNWER Presentation. **Matt Morrison**, Executive Director of the Pacific Northwest Economic Region (PNWER) introduced himself and the rest of those present. He explained PNWER was a statutory entity created in 1991 with five states, Idaho, Alaska, Washington, Oregon, and Montana, and five Canadian Provinces, British Columbia, Alberta, Saskatchewan, and the Yukon and Northwest Territories. He stated the leadership were all elected legislators from the states and provinces. **Mr. Morrison** relayed that President, PNWER, Chuck Winder, asked them to focus on developing a framework for Canada and the U.S. to look at energy security and sustainability, food security and supply chain resilience, and critical minerals. **Bruce Agnew**, Director, Regional Infrastructure Accelerator (RIA) provided details of the \$1.3 million grant they received from the US Department of Transportation. **Betz Mayer**, Assistant Director, RIA explained the 3 areas of work they were moving towards in the next 2 years (see Attachment 1).

ADJOURNED: There being no further business at this time, **Chairman Okuniewicz** adjourned the meeting at 2:20 p.m.

Senator Okuniewicz
Chair

Lena Amoah
Secretary