

MINUTES
SENATE TRANSPORTATION COMMITTEE

DATE: Thursday, February 23, 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 1:31 p.m.

H 133 **MOTOR VEHICLES - Amends existing law to allow private parental driver's education.** **Representative Mendive** stated **H 133** allowed qualifying parents and legal guardians to be the instructor for those under the age of 17. The bill would authorize the parent or legal guardian discretion as to the classroom training. A total of 92 hours over a period of 6 months would be required, including no less than 50 hours of street or highway driving, and no less than 10 hours of driving after sunset or before sunrise. The parent or legal guardian must maintain a log and submit the log to the Department of Motor Vehicles (DMV). He stated the student driver must successfully pass all the written and driving tests. He concluded that this bill provided an additional tool for people in rural areas where finding driver's education training could be difficult and costly.

In response to Committee questions, **Representative Mendive** relayed the only change to the statute was allowing parents or legal guardians over the age of 21 to be the driving instructor. Students were still required to participate in 30 hours of instruction, which was basically the time necessary to go through the training handbook. They were already required to participate in 50 hours of driving time plus another 10 hours at night time before taking the written and driving test through the DMV. **Representative Mendive** contacted his insurance provider and was told the student driver would be covered under the parent or legal guardians insurance. He relayed that there were no statistics that compared drivers in states that did not require drivers education to those that did nor those that learned on the farm verses drivers education that he was aware of.

TESTIMONY IN OPPOSITION: The following testified in opposition to **H 133**: Dean Erickson; Lane Triplett, Idaho Coalition for Motorcycle Safety; Allison Tilden, Rocky Road Driving School, LLC; Tonya Haustveit, Phillips Driving School; Nichole Flores, Rocky Road Driving School; Lois Willie, R&R Driving School; Phyllis Easteppe. Issues and concerns that were addressed included:

- Parents did not have a passenger brake or rearview mirror in their cars.
- No driver's education signs on cars.
- Parents were often unaware of driving laws that were taught in class.
- Driver's education instructors were trained and certified to teach.

TESTIMONY IN FAVOR:

The following testified in favor of **H 133**: Bonnie Voves; Harry Voves; Jennifer Taber; and Andrea Collins.

- The cost of class had become unaffordable.
- Rural areas did not offer drivers training classes.
- Most parents had several decades of driving experience.

Vice Chair Den Hartog asked Nichole Flores if she felt the driving test and written test were a reflection of what the student had learned. **Ms. Flores** stated yes.

Representative Mendive followed up explaining age 21 and up was already law. He also encouraged everyone to read the handbook occasionally.

MOTION:

Senator Toews moved to sent **H 133** to the floor with a **do pass** recommendation. **Senator Trakel** seconded the motion.

DISCUSSION:

Senator Just expressed concern and would vote no but may change vote on the floor. **Senator Trakel** relayed that as a parent he was definitely going to do his due diligence when driving with his child. **Senator Den Hartog** stated that if we believed the test took into account a student's readiness and their knowledge and their skills, then the test was an appropriate measure of the training that they had received, no matter where they receive that training. She relayed that she would be supporting the bill. **Senator Hart** felt the parent knows their ability to teach their child or not and would be supporting the bill. **Senator Rabe** relayed she would vote for the bill in committee but may change for the floor vote. **Senator Carlson** explained she lived in a rural area and had taught her children. She believed this was a good way to let kids in rural areas get their license.

VOICE VOTE:

The motion passed by **voice vote**. **Senator Just** asked to be recorded as voting nay.

GUBERNATORIAL APPOINTMENT VOTE:

GUBERNATORIAL APPOINTMENT VOTE: Committee Consideration of the Gubernatorial Appointment of John Bulger of Pocatello, Idaho, to the Idaho Transportation Board, term commencing February 2, 2023 and expiring January 31, 2029.

MOTION:

Senator Hart moved to send the gubernatorial appointment of John Bulger to the Idaho Transportation Board to the floor with the recommendation that he not be confirmed by the Senate. **Senator Carlson** seconded the motion.

DISCUSSION:

Senator Hart explained he had some unanswered questions and didn't feel Mr. Bulger was pro growth, which was important for a transportation board member. **Senator Carlson** relayed that she had some ethics issues with Mr. Bulger. **Chairman Okuniewicz** cautioned the committee from faulting a lawyer for representing a client and that it may not be representative of his personal position on things. He felt the Governor should be able to surround himself with the team he prefers. **Vice Chair Den Hartog** stated she did not see anything personally that would stop her from supporting the candidate.

SUBSTITUTE MOTION:

Vice Chair Den Hartog moved to send the gubernatorial appointment of John Bulger to the Idaho Transportation Board to the floor with the recommendation that he be confirmed by the Senate. **Senator Rabe** seconded the motion.

DISCUSSION:

Senator Rabe relayed she also looked into Mr. Bulger's background and did not find anything concerning for the board he was being appointed to.

ROLL CALL VOTE:

Chairman Okuniewicz called for a roll call vote on the substitute motion. **Vice Chair Den Hartog, Senators Toews, Rabe, Just,** and **Chairman Okuniewicz** voted aye. **Senators Hart, Carlson,** and **Trakel** voted nay. The motion carried.

ADJOURNED: There being no further business at this time, **Chairman Okuniewicz** adjourned the meeting at 2:42 p.m.

Senator Okuniewicz
Chair

Lena Amoah
Secretary