

AGENDA  
**SENATE TRANSPORTATION COMMITTEE**  
**1:30 P.M.**  
**Room WW53**  
**Thursday, January 09, 2020**

<b>SUBJECT</b>	<b>DESCRIPTION</b>	<b>PRESENTER</b>
<b>Page Introduction</b>	Welcome to <b>Spencer Payne</b> of Eagle, Idaho, who is a senior at Rocky Mountain High School.	<b>Chairman Brackett</b>
<b>Administrative Rules Review</b>	Overview of the omnibus and traditional rules process this Legislative Session.	<b>Dennis Stevenson,</b> Administrative Rules Coordinator
<b>ITD Administrative Rules</b>	An overview of the omnibus and traditional rules being promulgated by the Idaho Transportation Department.	<b>Ramon Hobdey-Sanchez,</b> ITD's Government Affairs Project Manager

***If you have written testimony, please provide a copy of it along with the name of the person or organization responsible to the committee secretary to ensure accuracy of records.***

COMMITTEE MEMBERS

Chairman Brackett

Vice Chairman Crabtree

Sen Winder

Sen Den Hartog

Sen Lodge

Sen Rice

Sen Burtenshaw

Sen Buckner-Webb

Sen Nelson

COMMITTEE SECRETARY

Gaye Bennett

Room: WW33

Phone: 332-1332

Email: [stran@senate.idaho.gov](mailto:stran@senate.idaho.gov)

MINUTES  
**SENATE TRANSPORTATION COMMITTEE**

**DATE:** Thursday, January 09, 2020

**TIME:** 1:30 P.M.

**PLACE:** Room WW53

**MEMBERS PRESENT:** Chairman Brackett, Vice Chairman Crabtree, Senators Winder, Den Hartog, Lodge, Rice, Burtenshaw, and Nelson

**ABSENT/ EXCUSED:** Senator Buckner-Webb

**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:** With a quorum present, **Chairman Brackett** convened the session's first meeting of the Senate Transportation Committee (Committee) at 1:32 p.m.

**PAGE INTRODUCTION:** **Chairman Brackett** asked the Committee page, Spencer Payne of Eagle Idaho, to introduce himself to the Committee. **Mr. Payne** said he was a senior at Rocky Mountain High School in Meridian. He enjoys tennis and skiing, and is also an enthusiastic ant keeper. He wants to study microbiology and chemistry at Brigham Young University in Provo, Utah, and looks forward to serving on a mission for his church.

**Chairman Brackett** stated the Committee would be taking up an overview of the administrative rules review process, and Vice Chairman Crabtree would be overseeing that process for the Committee.

**PASSED THE GAVEL:** Chairman Brackett passed the gavel to Vice Chairman Crabtree.

**ADMINISTRATIVE RULES REVIEW:** **Vice Chairman Crabtree** said he was looking forward to working through the rules process. He envisioned the Committee would first look at the omnibus pending rules and omnibus pending fee rules from the Idaho Transportation Department (ITD). If there are specific concerns within each of those dockets, those rules can be held out to be taken up separately in more detail at a later meeting. The Committee would then move forward with the traditional rules and hear experts from ITD and the State Tax Commission, who would present them to the Committee as has been done in previous legislative sessions.

**Vice Chairman Crabtree** welcomed Dennis Stevenson, Administrative Rules Coordinator for the Division of Financial Management (DFM), and asked him to give an overview of the rules process this session..

**Mr. Stevenson** explained what took place at the end of the 2019 Legislative Session that left all administrative rules expiring on July 1, 2019. The Governor, through an Executive Order, directed DFM, state agencies, and the Legislative Services Office (LSO) to go through the state's administrative rules to clean up language, consolidate duplications, and remove obsolete rules. The result was a single pending omnibus rules docket numbered 1900 and 1900F (for "fee" docket) for each state agency. This Committee has fewer rules because ITD had gone through that process last session. Committee members can address their concerns and issues with the omnibus rules as they have with any docket changes.

In response to Committee questions posed by Senators Nelson and Rice, **Mr. Stevenson** explained the significant undertaking of cleaning up Idaho's existing rules, with instructions from the Governor to "do no harm" to a rule's intent and integrity. In addition to germane agencies reviewing the rules, the process relied on DFM for oversight and LSO to perform analysis and a side-by-side comparison of the original rules and the rules following the wordsmithing and clean up. Some rules were vacated or consolidated to avoid redundancy.

**Senator Winder** stated the Idaho Constitution says the Legislature has the right to review agency rules and reflect upon whether they are following the intent of the law. He asked Mr. Stevenson if there was a way to add a review process that looks at the rule and the actual law to avoid getting into personal biases.

**Mr. Stevenson** explained a rule is rejected because it does not meet legislative intent. Determining legislative intent can be subjective, which is why one house may confirm legislative intent while the other may not. A solution may be to look to the germane joint committee for direction when proposed rules are filed with LSO. LSO's memorandum on a rulemaking is the primary place to identify where there may be problems, but it can also be the place that initially determines whether the rules implement, prescribe, interpret, or enforce legislative intent, which helps stray from personal biases.

**ITD RULES  
REVIEW:**

**Vice Chairman Crabtree** introduced Ramon Hobdey-Sanchez, ITD's Government Affairs Project Manager, to present an overview of ITD's omnibus and traditional rules.

**Mr. Hobdey-Sanchez** thanked Mr. Stevenson for doing a good job in setting the stage for his presentation. There was a lot of work done over the past year in rules. He reminded the Committee that last year ITD's rulemaking process, specifically with its Commercial Motor Vehicle Rules, were reduced from 22 rules to 8. ITD saw the Governor's Red Tape Reduction Act as a perfect opportunity to continue that work within their governing rules.

**Mr. Hobdey-Sanchez** stated that this year there are 35 ITD non-fee omnibus rules. Of those, three were consolidations in the areas of traffic control devices, outdoor advertising, and aeronautics rules. The consolidation was focused on customer service and making the material easy to understand, easy to identify, and easy to interpret. The remaining 32 rules are in their original form with no modifications. There are seven fee omnibus rules. Only two experienced changes; fee Rules 39.02.05 and 39.02.60 were consolidation rules with no changes to the actual fees being charged.

ITD also did their traditional, standard rulemaking in nine separate dockets. They were put through the standard negotiated rulemaking process with stakeholder and industry input. In terms of substantive changes, ITD significantly reduced word count and chapters, with a focus on restrictive words such as "must," "shall," "requires," and "prohibits." ITD went through its chapters to identify those words, get rid of restrictions, and soften language to make it easier for citizens to do business with ITD. They cut 200 regulations in both omnibus and traditional rules, and cut 16 chapters in the consolidation in the omnibus rules.

**Senator Den Hartog** asked if the Legislature needs to consider cutting corresponding outdated Idaho Code. **Mr. Hobdey-Sanchez** said that the majority of the work was merging, omitting duplications, or removing outdated language. The consolidation on the vehicle title rules had stakeholders involved. There is nothing in the other rules that would require revisions to Idaho Code. There were no further questions.

**ADJOURNED:**

With no further business before the Committee, **Vice Chairman Crabtree** adjourned the meeting at 2:04 p.m.

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Senator Brackett  
Chair

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Gaye Bennett  
Secretary

AGENDA  
**SENATE TRANSPORTATION COMMITTEE**  
**1:30 P.M.**  
**Room WW53**  
**Tuesday, January 14, 2020**

SUBJECT	DESCRIPTION	PRESENTER
<b>Welcome</b>		<b>Chairman Brackett</b>
<b>Administrative Rules</b>	Administrative Rule Review to be conducted by the Committee's Vice Chair.	<b>Vice Chairman Crabtree</b>
<b>Docket No.</b> <a href="#"><u>39-0000-1900</u></a>	Idaho Transportation Department's Omnibus Pending Rules	<b>Ramon Hobdey-Sanchez</b> , ITD's Government Affairs Project Manager
<b>Docket No.</b> <a href="#"><u>39-0000-1900F</u></a>	Idaho Transportation Department's Omnibus Pending Fee Rules	<b>Ramon Hobdey-Sanchez</b> , ITD's Government Affairs Project Manager
<b>Docket No.</b> <a href="#"><u>35-0105-1901</u></a>	State Tax Commission Traditional Rules: Idaho Motor Fuels Tax Administrative Rules	<b>Tom Shaner</b> , State Tax Commission's Tax Policy Manager
<a href="#"><u>RS27272</u></a>	<u>PRINT HEARING</u> : Process to reinstate Commercial Drivers Licenses after disqualification period has been served.	<b>Mollie McCarty</b> , ITD's Government Affairs Program Manager
<a href="#"><u>RS27287</u></a>	<u>PRINT HEARING</u> : Provides electronic credentials to the trucking industry.	<b>Mollie McCarty</b> , ITD's Government Affairs Program Manager

***If you have written testimony, please provide a copy of it along with the name of the person or organization responsible to the committee secretary to ensure accuracy of records.***

COMMITTEE MEMBERS

Chairman Brackett  
Vice Chairman Crabtree  
Sen Winder  
Sen Den Hartog

Sen Rice  
Sen Burtenshaw  
Sen Buckner-Webb  
Sen Nelson

COMMITTEE SECRETARY

Gaye Bennett  
Room: WW33  
Phone: 332-1332  
Email: stran@senate.idaho.gov

Sen Lodge

MINUTES  
**SENATE TRANSPORTATION COMMITTEE**

**DATE:** Tuesday, January 14, 2020

**TIME:** 1:30 P.M.

**PLACE:** Room WW53

**MEMBERS PRESENT:** Chairman Brackett, Vice Chairman Crabtree, Senators Winder, Den Hartog, Lodge, Rice, Burtenshaw, Buckner-Webb, and Nelson

**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:** With a quorum present, **Chairman Brackett** convened the Senate Transportation Committee (Committee) at 1:32 p.m. He explained the Committee would be reviewing administrative rules.

**PASSED THE GAVEL:** Chairman Brackett passed the gavel to Vice Chairman Crabtree.

**ADMINISTRATIVE RULES:** **Vice Chairman Crabtree** introduced Ramon Hobdey-Sanchez, ITD's Government Affairs Project Manager, to present ITD's omnibus rules dockets.

**DOCKET NO. 39-0000-1900** **Mr. Hobdey-Sanchez** said this docket contains 37 non-fee rules; three of them are consolidation rules. He referred to ITD's handout (*contained in the official Committee record on file in the legislative library*). The docket represents months of streamlining ITD's rules to be easier to follow and understand, resulting in a simpler format with significant impact. The only rule changes within this omnibus docket since the last Legislative Session are the consolidation rules.

For both this docket and the omnibus fee docket, ITD cut 16 chapters, over 6,000 words, and nearly 175 restrictions. The variety of subject areas relate to traffic signage, right of way signage, and aeronautics (8 chapters consolidated into 1).

He said the vacated rules are represented by one of the three consolidation rules. Although every effort was made to go through this effort flawlessly, he pointed out an error in the non-fee, omnibus pending notice. Two of the listed vacated rules should not be there. It is a technical error done during the proofreading and publishing of the rules; they are Rules 39.02.09 and 39.02.46. ITD suggests the Committee approve the docket as is and ITD will run a correction docket in February moving these two vacated rules into the columns titled "proposed" and "pending."

Since April of 2019, ITD has undertaken consolidating rules that have impacted 21 administrative rules and they also wrote 9 traditional rules. This encompassed having 30 administrative rules in play at the same time, or 50 percent of the Idaho Administrative Procedures Act (IDAPA) rules under Title 39, Idaho Code.

The vacated rules were consolidated and do not require revisiting Idaho Code for comparable changes. The collaborative process undertaken by ITD worked closely with the Department of Financial Management (DFM), the Governor's office, public outreach for comments on drafted rules, and the negotiated rulemaking meetings and process. ITD put together diverse working teams that included veteran employees, new employees, managers, frontline staff, policy specialists, financial specialists, legal specialists, and subject matter experts. The rules were published in the June and November special edition bulletins and were subject to the 21 day comment period. Finally, the ITD Board was also involved in vetting the rules. ITD believes they acted in a thoughtful and transparent manner in their approach to this years administrative rules.

**DISCUSSION:** **Senator Den Hartog** voiced concern about the removal of restricted wording and asked how ITD went about that process. **Mr. Hobdey-Sanchez** responded that four specific words were searched under each chapter, they were: "shall", "must", "prohibit", and "requires". As an example, based on the analysis, many "shall"s were replaced with "will"s. From a legal perspective, the effect any of those words had or changing those words would have on the rule became the defining analysis, while continuing to focus on not changing the rule's original intent.

**MOTION:** **Senator Den Hartog** moved to approve **Docket No. 39-0000-1900**. **Senator Nelson** seconded the motion. The motion passed by **voice vote**.

**DOCKET NO. 39-0000-1900F** **Mr. Hobdey-Sanchez** said that in addition to there being seven fee rules within this docket, two of them are consolidation rules. None of the fees within the fee rules were impacted, it was simply a clean up and consolidation of the language.

**MOTION:** **Senator Burtenshaw** moved to approve **Docket No. 39-0000-1900F**. **Senator Buckner-Webb** seconded the motion. The motion passed by **voice vote**.

**DOCKET NO. 35-0105-1901** **Vice Chairman Crabtree** invited Tom Shaner, Idaho State Tax Commission's Tax Policy Manager, to present the Committee's one traditional fuels tax docket.

**Mr. Shaner** stated this docket went a little beyond the parameters of the omnibus activity. This is Fuel Tax Rule 110, the main purpose of which is to add an equivalent calculation for hydrogen. It has been in statute for a long time and this simply adds it to the rule as hydrogen powered vehicles are discussed more frequently. Although the tax commission is not presently aware of any hydrogen gas being sold retail in Idaho, it is being discussed within the industry. He then went through the specifics of the rule and its accompanying chart. One kilogram weight mass is the national standard to a gallon of gasoline equivalent, with the number of British Thermal Units (BTU) for one kilogram of hydrogen.

**DISCUSSION:** **Senator Rice** asked whether the statute had the definition for special gaseous fuels like hydrogen, or if it was generically inferred. **Mr. Shaner** said statute covers gaseous special fuels in a broad sense.

**Senator Nelson** asked what GGE was. **Mr. Shaner** said it was Gas Gallon Equivalent and represented the number of BTUs in a kilogram of hydrogen at a certain temperature. It is measured as the amount of energy in a gallon of gasoline being equal to a kilogram of hydrogen. **Senator Nelson** thought of hydrogen as having a much higher heating value than gasoline and was therefore confused they are measured as being equal. **Mr. Shaner** said this is only a way to measure the tax rate, but he agreed hydrogen is a more efficient fuel. **Senator Nelson** thought the factor for hydrogen would be higher than the factor for gasoline because more energy comes from combusting hydrogen than gasoline. **Mr. Shaner** agreed with his statement, but in this case it is a way to equivalently assign a tax rate.



**Senator Den Hartog** suggested that this is a new rule and the Committee has no jurisdiction over the tax omnibus rules, so she wondered whether the Committee could vote on this docket. **Dennis Stevenson**, Administrative Rules Coordinator, said if the Committee approved this docket and the omnibus docket was not approved, it would be a moot point because there would be no chapter for this rule to modify. **Senator Winder** suggested this traditional docket be held until the omnibus docket has been approved. **Senator Rice** confirmed the omnibus tax docket had not been taken up by the tax committee. **Mr. Shaner** added that the House Revenue and Taxation Committee had approved the omnibus tax docket.

**MOTION:** **Senator Winder** moved to hold **Docket No. 35-0105-1901** in Committee until the Senate Local Government and Taxation Committee has taken up and approved the omnibus tax dockets. **Senator Rice** seconded the motion. The motion passed by **voice vote**.

**PASSED THE GAVEL:** Vice Chairman Crabtree passed the gavel back to Chairman Brackett.

**RS 27272** **Mollie McCarty**, ITD's Government Affairs Program Manager, said that current law states that when a Commercial Drivers License (CDL) is revoked, the holder of that CDL is banned from reapplying even after their punishment has been satisfied. The federal law was changed so that a former CDL license holder can reapply after ten years have passed. This RS changes Idaho law to match the federal changes.

**MOTION:** **Senator Lodge** moved to send **RS 27272** to print. **Senator Den Hartog** seconded the motion. The motion passed by **voice vote**.

**RS 27287** **Ms. McCarty** explained that this RS was a customer service enhancement for the trucking industry. They will no longer have to wait for the mail to receive licenses and certificates. Although paper versions are still available, they will now be able to access their documents online.

**MOTION:** **Senator Burtenshaw** moved to send **RS 27287** to print. **Senator Buckner-Webb** seconded the motion. The motion passed by **voice vote**.

**ADJOURNED:** With no further business before the Committee, **Chairman Brackett** adjourned the meeting at 2:06 p.m.

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Senator Brackett  
Chair

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Gaye Bennett  
Secretary

AGENDA  
**SENATE TRANSPORTATION COMMITTEE**  
**1:30 P.M.**  
**Room WW53**  
**Thursday, January 16, 2020**

<b>SUBJECT</b>	<b>DESCRIPTION</b>	<b>PRESENTER</b>
<b>Welcome</b>		<b>Chairman Brackett</b>
<b>Administrative Rules</b>	Idaho Transportation Department (ITD) <b>Traditional Pending Rules Review</b>	<b>Vice Chairman Crabtree</b>
<b>Docket No.</b> <a href="#"><u>39-0222-1901</u></a>	Rules Governing Registration and Permit Fee Administration ( <a href="#"><u>page 167</u></a> )	<b>Lance Green</b> , ITD DMV Permits Program Specialist
<b>Docket No.</b> <a href="#"><u>39-0301-1901</u></a>	Rules Governing Definitions Regarding Special Permits ( <a href="#"><u>page 187</u></a> )	<b>Lance Green</b>
<b>Docket No.</b> <a href="#"><u>39-0305-1901</u></a>	Rules Governing Special Permits — Oversize Non-Reducible ( <a href="#"><u>page 193</u></a> )	<b>Lance Green</b>
<b>Docket No.</b> <a href="#"><u>39-0306-1902</u></a>	Rules Governing Special Permits for Extra-Length/Excess Weight, Up to 129,000 Pound Vehicle Combinations ( <a href="#"><u>page 196</u></a> )	<b>Lance Green</b>
<b>Docket No.</b> <a href="#"><u>39-0242-1901</u></a>	Temporary Vehicle Registration When Proof of Ownership Is Insufficient ( <a href="#"><u>page 173</u></a> )	<b>Chris Fisher</b> , ITD DMV Registration Program Specialist
<b>Docket No.</b> <a href="#"><u>39-0203-1901</u></a>	Rules Governing Vehicle Dealer's Principal Place of Business ( <a href="#"><u>page 162</u></a> )	<b>Brendan Floyd</b> , ITD DMV Drivers License Program Specialist
<b>Docket No.</b> <a href="#"><u>39-0275-1901</u></a>	Rules Governing Names on Drivers' Licenses and Identification Cards ( <a href="#"><u>page 177</u></a> )	<b>Brendan Floyd</b>
<b>Docket No.</b> <a href="#"><u>39-0276-1901</u></a>	Rules Governing Driver's License Renewal-By-Mail and Electronic Renewal Process ( <a href="#"><u>page 182</u></a> )	<b>Brendan Floyd</b>
<b>Docket No.</b> <a href="#"><u>39-0349-1901</u></a>	Rules Governing Ignition Interlock Breath Alcohol Devices ( <a href="#"><u>page 200</u></a> )	<b>Ramon Hobdey-Sanchez</b> , ITD Government Affairs Project Manager

***If you have written testimony, please provide a copy of it along with the name of the person or organization responsible to the committee secretary to ensure accuracy of records.***

COMMITTEE MEMBERS

Chairman Brackett	Sen Rice
Vice Chairman Crabtree	Sen Burtenshaw
Sen Winder	Sen Buckner-Webb
Sen Den Hartog	Sen Nelson
Sen Lodge	

COMMITTEE SECRETARY

Gaye Bennett  
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MINUTES  
**SENATE TRANSPORTATION COMMITTEE**

**DATE:** Thursday, January 16, 2020

**TIME:** 1:30 P.M.

**PLACE:** Room WW53

**MEMBERS PRESENT:** Chairman Brackett, Vice Chairman Crabtree, Senators Winder, Den Hartog, Lodge, Burtenshaw, Buckner-Webb, and Nelson

**ABSENT/ EXCUSED:** Senator Rice

**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:** With a quorum present, **Chairman Brackett** convened the Senate Transportation Committee (Committee) meeting at 1:33 p.m. He announced today would be dedicated to the Idaho Transportation Department's (ITD) traditional administrative rule dockets.

**PASSED THE GAVEL:** Chairman Brackett passed the gavel to Vice Chairman Crabtree.

**ADMINISTRATIVE RULES:** **Vice Chairman Crabtree** announced this meeting concludes the Committee's rules review for this Legislative Session. He introduced Ramon Hobdey-Sanchez, ITD's Government Affairs Project Manager, who walked the Committee through the process.

**DOCKET NO. 39-0222-1901** **RULES GOVERNING REGISTRATION AND PERMIT FEE ADMINISTRATION:** **Lance Green**, ITD's Department of Motor Vehicles (DMV) Permits Program Specialist, said this docket helps update DMV's current technological allowances processes. Vouchers can be paid electronically as well as in paper form; Discover and American Express cards can now be accepted. The result is providing better customer service.

**MOTION:** **Senator Burtenshaw** moved to approve **Docket. No. 39-0222-1901**. **Senator Den Hartog** seconded the motion. The motion passed by **voice vote**.

**DOCKET NO. 39-0301-1901** **RULES GOVERNING DEFINITIONS REGARDING SPECIAL PERMITS:** **Mr. Green** said this docket adds several definitions discovered missing following rules consolidation. They are: disabled vehicle, snowplow, and overhang.

**MOTION:** **Senator Lodge** moved to approve **Docket. No. 39-0301-1901**. **Senator Nelson** seconded the motion. The motion passed by **voice vote**.

**DOCKET NO. 39-0305-1901** **RULES GOVERNING SPECIAL PERMITS — OVERSIZE NON-REDUCIBLE:** **Mr. Green** said the change adds the word "multiple" in order to provide greater clarity to the rule's purpose of offering multiple instead of just single loads.

**MOTION:** **Senator Buckner-Webb** moved to approve **Docket. No. 39-0305-1901**. **Senator Den Hartog** seconded the motion. The motion passed by **voice vote**.

**DOCKET NO. 39-0306-1902** **RULES GOVERNING SPECIAL PERMITS FOR EXTRA-LENGTH/EXCESS WEIGHT UP TO 129,000 POUND VEHICLE COMBINATIONS:** **Mr. Green** said this is a consolidation rule. It allows DMV to consolidate the maps and attachments that go with these permits. New maps require adding new colors to the maps. This proposal allows ITD to change route colors as needed.

**MOTION:** **Senator Burtenshaw** moved to approve **Docket. No. 39-0306-1902**. **Senator Winder** seconded the motion. The motion passed by **voice vote**.

**DOCKET NO. 39-0242-1901** **TEMPORARY VEHICLE REGISTRATION WHEN PROOF OF OWNERSHIP IS INSUFFICIENT:** **Chris Fisher**, ITD's DMV Registration Program Specialist, said the rule provides guidelines to allow operating privileges for a vehicle in the event an eligible applicant does not currently possess standard titling documentation but will be able to meet titling requirements in the future. The changes streamline and improve the original rule by eliminating 8 restrictive words, reducing the word count by 43, and by conferring additional benefits to citizens. In response to a question from **Senator Nelson** about why someone needed to title a vehicle who did not have the title, **Ms. Fisher** replied it allows those individuals to have use of the vehicle while they locate the required documents.

**MOTION:** **Senator Nelson** moved to approve **Docket. No. 39-0242-1901**. **Senator Buckner-Webb** seconded the motion. The motion passed by **voice vote**.

**DOCKET NO. 39-0203-1901** **RULES GOVERNING VEHICLE DEALER'S PRINCIPAL PLACE OF BUSINESS:** **Brendan Floyd**, ITD's DMV Drivers License Program Specialist, provided background and purpose for the Idaho Consumer Asset Recovery (ICAR) fund, which this docket changes by adding a new section. The addition defines what constitutes a quorum on the ICAR board, and the term "actual loss."  
**Senator Winder** suggested the wording contained in the definition of a quorum needed to be clarified, and could be done in ITD's technical corrections bill at the end of the Legislative Session.

**MOTION:** **Senator Den Hartog** moved to approve **Docket. No. 39-0203-1901**. **Senator Winder** seconded the motion. The motion passed by **voice vote**.

**DOCKET NO. 39-0275-1901** **RULES GOVERNING NAMES ON DRIVERS' LICENSES AND IDENTIFICATION CARDS:** **Mr. Floyd** said previous language in this rule was confusing. Now it simply allows applicants to use different hyphenated last names as long as they provide supporting documentation. Also, there is no assignment to the order of hyphenated last names. The changes improve readability, decrease name regulations, and reduce the word count by 32.

**DISCUSSION:** The discussion by **Chairman Brackett** and **Senators Den Hartog** and **Winder** focused on the federal Star Card and its required documentation. **Mr. Floyd** said applying for a Star Card is problematic with nicknames, multiple or hyphenated surnames, and those ending with Jr. or Sr., as well as matching up addresses; however, the state has some discretion as long as they consult with Homeland Security. **Senator Winder** suggested that as the October 2020 deadline to acquire the Star Card approaches, DMV and ITD may need to consider opening additional locations in Ada County where citizens can apply.

**MOTION:** **Senator Burtenshaw** moved to approve **Docket. No. 39-0275-1901**. **Senator Lodge** seconded the motion. The motion passed by **voice vote**.

**DOCKET NO. 39-0276-1901** **RULES GOVERNING DRIVER'S LICENSE RENEWAL-BY-MAIL AND ELECTRONIC RENEWAL PROCESS:** **Mr. Floyd** said the docket changes online driver's license and ID card renewals. It modernizes customer DMV options and aids in reducing customer traffic and wait times at county driver's license offices. Since implementing, nearly 12,000 transactions have been completed through this portal.

**DISCUSSION:** **Mr. Floyd** responded to a concern of **Senator Nelson** about which type of driver's license the language referred to in the section on eligibility. He said it was limited to Class C driver's licenses and not the federal Star Card.

**MOTION:** **Senator Den Hartog** moved to approve **Docket. No. 39-0276-1901**. **Senator Winder** seconded the motion. The motion passed by **voice vote**.

**DOCKET NO. 39-0349-1901** **RULES GOVERNING IGNITION INTERLOCK BREATH ALCOHOL DEVICES:** **Mr. Hobdey-Sanchez** said this docket is a result of H 78aa,aaS (2019). This rule adds two concepts within that legislation: 1.) the legislation mandated that all ignition interlock devices have a camera; and 2.) the legislation referenced a diversion program administrator. The added language came from stakeholder and industry input received during the public comment period. There are eight interlock device providers in Idaho and two provided input.

**MOTION:** **Senator Nelson** moved to approve **Docket. No. 39-0349-1901**. **Senator Winder** seconded the motion. The motion passed by **voice vote**.

**ADJOURNED:** With no further business before the Committee, **Vice Chairman Crabtree** adjourned the meeting at 2:00 p.m.

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Senator Brackett  
Chair

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Gaye Bennett  
Secretary

AGENDA  
**SENATE TRANSPORTATION COMMITTEE**  
**1:30 P.M.**  
**Room WW53**  
**Tuesday, January 21, 2020**

<b>SUBJECT</b>	<b>DESCRIPTION</b>	<b>PRESENTER</b>
<b>Welcome</b>		<b>Chairman Brackett</b>
<b>Minutes</b>	Approve Minutes of Thursday, January 9, 2020.	<b>Vice Chairman Crabtree and Senator Winder</b>
<b>Gubernatorial Appointment</b>	<b>Mr. William H Moad II</b> of Caldwell, Idaho, appointed as Chairman of the Idaho Transportation Board commencing May 21, 2019, serving at the pleasure of the Governor.	<b>Chairman Brackett</b>
<a href="#"><u>S 1230</u></a>	Process to reinstate Commercial Drivers Licenses after disqualification period has been served.	<b>Brian Goeke</b> , ITD's DMV Policy Manager
<a href="#"><u>S 1231</u></a>	Provides electronic credentials as an option to the trucking industry.	<b>Brian Goeke</b> , ITD's DMV Policy Manager

***If you have written testimony, please provide a copy of it along with the name of the person or organization responsible to the committee secretary to ensure accuracy of records.***

COMMITTEE MEMBERS

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Vice Chairman Crabtree

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Sen Nelson

COMMITTEE SECRETARY

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MINUTES  
**SENATE TRANSPORTATION COMMITTEE**

**DATE:** Tuesday, January 21, 2020

**TIME:** 1:30 P.M.

**PLACE:** Room WW53

**MEMBERS PRESENT:** Chairman Brackett, Vice Chairman Crabtree, Senators Winder, Den Hartog, Lodge, Rice, Burtenshaw, Buckner-Webb, and Nelson

**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:** With a quorum present, **Chairman Brackett** convened the meeting of the Senate Transportation Committee (Committee) at 1:32 p.m.

**MINUTES APPROVAL:** **Vice Chairman Crabtree** moved to approve the Minutes of January 9, 2020. **Senator Den Hartog** seconded the motion. The motion passed by **voice vote**.

**GUBERNATORIAL APPOINTMENT:** **Chairman Brackett** welcomed William H. Moad II to the Committee; he was appointed as chairman of the Idaho Transportation Board (ITB) commencing May 21, 2019 and serving at the pleasure of the Governor. **Chairman Brackett** asked him to introduce himself, stating the Committee would vote on his appointment at a future meeting.

**Mr. Moad** gave a brief history of himself as being a native Idahoan, raised on a farm in Nampa. His career included working at car dealerships, as a truck driver, and as a heavy equipment operator building roads, before beginning his 37 year career at J.R. Simplot Company. He worked his way up from a member of the cowboy crew to J.R. Simplot's Director of Transportation. He mentioned he had been an Eagle Scout as a youth, and concluded that he looked forward to his assignment as Chairman of ITB as well as having the opportunity to work with the Committee.

**DISCUSSION:** Being also from Caldwell, **Senator Rice** asked when Mr. Moad had been the President of the Caldwell Night Rodeo. **Mr. Moad** said it was in 2008 when he was also chair of the Idaho Trucking Association.

**Senator Winder** asked what Mr. Moad's goals were as ITB chairman. **Mr. Moad** replied the Idaho Transportation Department (ITD) was doing exceptionally great work, but he needs to understand what cities are planning so that highway projects can be better coordinated. With the ITB meeting in each ITD district of the state, it will give him an opportunity to meet with local jurisdictions to develop a master plan in order to save money on coordinated projects.

Given the restraints of never having enough money for transportation, **Senator Den Hartog** asked what Mr. Moad saw as the biggest challenges and opportunities over the next five years. **Mr. Moad** said that employees are the number one issue, but ITD is doing a good job of figuring that out. Great solutions are coming from the innovative ideas of ITD's employees, who need to become comfortable in presenting those ideas to the ITB.

**Senator Lodge** asked about alternate access roads for subdivisions built along Highway 55 that currently have only one main entrance onto the highway. **Mr. Moad** said county planning and zoning commissions are responsible, and ITD only manages the projects. **Senator Lodge** followed-up with asking when Interstate 84's (I-84) extension to Franklin Road would be completed. **Mr. Moad** replied in five to eight years, because two bridges needed to be addressed before completion.

**Vice Chairman Crabtree** and **Mr. Moad** discussed the "cost per mile" model relative to technological advances, which reduce fuel tax collections. **Mr. Moad** concluded that the state may need to consider some different revenue mechanisms like implementing a use tax.

**Mr. Nelson** asked **Mr. Moad's** thoughts on a funding deficit for transportation maintenance and the safety effect it has on rural Idaho for maintaining roads. **Mr. Moad** suggested that local jurisdictions need to work in cooperation with other entities; he used Highway 20/26 as an example of ending up with a better roadway by utilizing cooperative alternatives.

#### **S 1230**

**Brian Goeke**, ITD's Department of Motor Vehicles (DMV) Policy Manager, said that **S 1230** establishes a pathway to reinstatement of a Commercial Driver's License (CDL) for those who have received a lifetime disqualification. Currently, when a CDL holder is convicted of certain offenses, federal statute requires the state to suspend their CDL privileges. After a second offense, this disqualification can be extended to a lifetime removal from holding a CDL. Recently, the Federal Motor Carrier Safety Administration (FMCSA) has adopted rules that allow states the ability to reinstate a CDL after ten years have elapsed for those banned from holding a CDL. This bill helps outline Idaho's path to reinstatement. He explained the conditions that have to be met in order for a driver to apply for reinstatement. If a driver meets all those conditions, then their lifetime disqualification can be lifted. ITD anticipates this legislation will allow 250 drivers to be reinstated currently, and 100 more each subsequent year.

#### **DISCUSSION:**

**Senators Rice, Nelson, and Den Hartog** voiced concern on how ITD would verify the requirement that some sort of rehabilitation had occurred before reinstatement could be considered. They also wanted to understand the causes of a lifetime suspension. **Mr. Goeke** replied the federal government had determined that to be disqualified there needs to have been a major conviction of a serious offense, like driving under the influence (DUI), excessive speeding, or reckless driving. The only verbiage regarding rehabilitation in the FMCSA rules for a former CDL holder after the ten year time period is that the applicant must currently hold a valid driver's license. **Mr. Goeke** also said that the Idaho program was modeled after three other states, making **S 1230** standard legislation for reinstatement of CDLs.

**Chairman Brackett** commented that it appeared to be a reinstatement with a rigorous application process. **Mr. Goeke** agreed and noted that ITD had added other requirements.

#### **TESTIMONY:**

**Matt Conde**, Director of AAA Idaho, recommended that **S 1230** be sent to the 14th Order for amending because the seriousness of the crimes committed should have a bearing on the reinstatement of a CDL. He gave examples of a significant lack of judgement by two operators of 18-wheel trucks. He had talked to ITD and they seemed to agree it would be feasible to fix.

#### **DISCUSSION:**

**Senator Burtenshaw** asked how many years after being disqualified did **Mr. Conde** believe would be appropriate for reinstatement. **Mr. Conde** replied that for a crime such as vehicular manslaughter, the lifetime disqualification should remain in place.



**Senator Rice** commented that he was not comfortable with **S 1230** as it is currently written, especially with regards to certain crimes. He did not see whether being incarcerated during the ten year period had been considered. He could not immediately see a solution to the issues he and others had raised.

**MOTION:** **Senator Rice** moved to hold **S 1230** in Committee subject to the call of the Chair. **Senator Den Hartog** seconded the motion.

**DISCUSSION:** **Mr. Goeke** said that Senator Rice's points were well taken. ITD brought this legislation because there is a shortage of CDL drivers in Idaho and in the country. **Senator Rice** commented he does not intend for this bill to be held permanently.

**VOICE VOTE:** The motion to hold **S 1230** in Committee subject to the call of the Chair passed by **voice vote**.

**S 1231** **Mr. Goeke** said this bill allows commercial vehicle registrations to be carried either electronically or in paper form. It also eliminates the need for a sticker on the license plate of about 55,000 large commercial vehicles. These two changes benefit industry by eliminating a need to mail documents and to apply stickers to each truck that may be in various locations around the state or the country.

**MOTION:** **Vice Chairman Crabtree** moved to send **S 1231** to the floor with a **do pass** recommendation. **Senator Burtenshaw** seconded the motion. The motion passed by **voice vote**. **Senator Crabtree** offered to carry the bill on the Senate floor.

**ADJOURNED:** With no further business before the Committee, **Chairman Brackett** adjourned the meeting at 2:18 p.m.

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Senator Brackett  
Chair

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Gaye Bennett  
Secretary

AGENDA  
**SENATE TRANSPORTATION COMMITTEE**  
**1:30 P.M.**  
**Room WW53**  
**Thursday, January 23, 2020**

<b>SUBJECT</b>	<b>DESCRIPTION</b>	<b>PRESENTER</b>
<b>Welcome</b>		<b>Chairman Brackett</b>
<a href="#"><u>RS27403</u></a>	Allows for a voluntary contribution of up to \$5.00 to organ donation education when registering a vehicle.	<b>Senator Heider</b>
<a href="#"><u>RS27400</u></a>	Creates a "Choose Life" license plate.	<b>Senator Bayer</b>
<a href="#"><u>RS27387</u></a>	Distracted driving legislation that would treat the use of certain electronic devices while behind-the-wheel as an infraction.	<b>Jeff Neumeyer,</b> United Heritage Insurance
<b>Vote on Gubernatorial Appointment</b>	Vote on appointment of <b>William H. Moad II</b> of Caldwell, Idaho, to be Chairman of the Idaho Transportation Board commencing May 21, 2019, and serving at the pleasure of the Governor.	<b>Chairman Brackett</b>

***If you have written testimony, please provide a copy of it along with the name of the person or organization responsible to the committee secretary to ensure accuracy of records.***

COMMITTEE MEMBERS

Chairman Brackett

Vice Chairman Crabtree

Sen Winder

Sen Den Hartog

Sen Lodge

Sen Rice

Sen Burtenshaw

Sen Buckner-Webb

Sen Nelson

COMMITTEE SECRETARY

Gaye Bennett

Room: WW33

Phone: 332-1332

Email: [stran@senate.idaho.gov](mailto:stran@senate.idaho.gov)

MINUTES  
**SENATE TRANSPORTATION COMMITTEE**

**DATE:** Thursday, January 23, 2020

**TIME:** 1:30 P.M.

**PLACE:** Room WW53

**MEMBERS PRESENT:** Chairman Brackett, Vice Chairman Crabtree, Senators Winder, Den Hartog, Rice, Burtenshaw, Buckner-Webb, and Nelson

**ABSENT/ EXCUSED:** Senator Lodge

**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:** With a quorum present, **Chairman Brackett** convened the Senate Transportation Committee (Committee) at 1:30 p.m. He announced the Committee had three RSs before them for consideration.

**MOTION:** **Senator Rice** moved to send **RS 27403** and **RS 27400** to print. **Vice Chairman Crabtree** seconded the motion. The motion passed by **voice vote**. **Senators Buckner-Webb** and **Nelson** asked to be recorded as voting nay.

**RS 27387** **Chairman Brackett** invited Jeff Neumeyer, General Counsel for United Heritage Financial Group, to present **RS 27387**.

**Mr. Neumeyer** explained that distracted driving is a serious life, health, and safety problem in Idaho as it is across the country. Crash data shows that hand-held mobile electronic devices are the most significant cause of distracted driving crashes; numbering nearly 5,000 per year in Idaho, of which 2,200 involve injuries and 50 result in death. Many of those involve pedestrians and bicyclists. With some exceptions, **RS 27387** designates that mobile electronic devices be only used in a hands-free mode while driving, and it preempts existing local ordinances addressing this issue by becoming a uniform, statewide hands-free law.

**MOTION:** **Senator Winder** moved to send **RS 27387** to print. **Senator Rice** seconded the motion. The motion passed by **voice vote**.

**VOTE ON GUBERNATORIAL APPOINTMENT:** **Chairman Brackett** called for a motion on the previously heard appointment of William H. Moad II of Caldwell, Idaho, as the Chairman of the Idaho Transportation Board, commencing May 21, 2019, and serving at the pleasure of the Governor.

**MOTION:** **Senator Rice** moved to send the Gubernatorial appointment of William H. Moad II as the Chairman of the Idaho Transportation Board to the floor with the recommendation that he be confirmed by the Senate. **Senator Winder** seconded the motion. The motion passed by **voice vote**. Chairman Brackett will carry the appointment on the floor.

**ADJOURNED:** With no further business before the Committee, **Chairman Brackett** adjourned the meeting at 1:39 p.m.

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Senator Brackett  
Chair

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Gaye Bennett  
Secretary

AGENDA  
**SENATE TRANSPORTATION COMMITTEE**  
1:30 P.M.  
Room WW53  
Tuesday, January 28, 2020

<b>SUBJECT</b>	<b>DESCRIPTION</b>	<b>PRESENTER</b>
<b>WELCOME</b>		<b>Chairman Brackett</b>
<b>PRESENTATION</b>	ITD's 2020 Senate Transportation Committee Presentation	<b>Brian Ness</b> , Director of the Idaho Transportation Department
<b>PRESENTATION</b>	Pacific NorthWest Economic Region (PNWER) Update 2020	<b>Brandon Hardenbrook</b> , Chief Operating Officer, PNWER  <b>Bruce Agnew</b> , Director of Cascadia Center and PNWER Transportation Co-Chair

***If you have written testimony, please provide a copy of it along with the name of the person or organization responsible to the committee secretary to ensure accuracy of records.***

COMMITTEE MEMBERS

Chairman Brackett

Vice Chairman Crabtree

Sen Winder

Sen Den Hartog

Sen Lodge

Sen Rice

Sen Burtenshaw

Sen Buckner-Webb

Sen Nelson

COMMITTEE SECRETARY

Gaye Bennett

Room: WW33

Phone: 332-1332

Email: [stran@senate.idaho.gov](mailto:stran@senate.idaho.gov)

MINUTES  
**SENATE TRANSPORTATION COMMITTEE**

**DATE:** Tuesday, January 28, 2020

**TIME:** 1:30 P.M.

**PLACE:** Room WW53

**MEMBERS PRESENT:** Chairman Brackett, Vice Chairman Crabtree, Senators Winder, Den Hartog, Lodge, Rice, Burtenshaw, and Nelson

**ABSENT/ EXCUSED:** Senator Buckner-Webb

**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:** With a quorum present, **Chairman Brackett** convened the meeting of the Senate Transportation Committee (Committee) at 1:31 p.m. He welcomed Brian Ness of the Idaho Transportation Department (ITD) and the representatives from the Pacific NorthWest Economic Region (PNWER) to the Committee.

**PRESENTATION:** **Brian Ness**, Director of ITD, shared that this marked the eleventh year he had presented the department's annual report before the Committee, and that there were four focuses to his remarks: 1.) an overview of the Governor's 2021 budget recommendation; 2.) efficiency and innovation within ITD; 3.) transportation needs throughout the state; and 4.) employee hiring and retention.

**Director Ness** said the base amount in the Governor's budget was \$775 million, with 1,651 full-time positions statewide. Including adjustments and 13 line items, the total appropriation would be \$785.4 million, which would enable ITD to meet their mission of "Your Safety. Your Mobility. Your Economic Opportunity."

With regard to efficiency and innovation, ITD accomplishes their mission by outcome-based measuring, that includes: 1.) keeping the roads clear during storms; 2.) delivering projects on time and ahead of schedule; and 3.) saving money by using employee-driven innovation to help achieve performance goals. Over the past 5 years, ITD employees have implemented more than 1,000 innovations that have saved nearly \$11 million and over 200,000 work hours.

**Director Ness** described some employee driven innovations around the state.

**Director Ness** continued that even with the many innovations, the state's transportation needs are increasing. Those needs include: 1.) more than half of the state's 1,800 bridges have aged beyond their design life of 50 to 60 years and need to be improved or replaced; 2.) the safety and congestion-mitigation improvements identified in the Governor's Task Force; 3.) with more drivers on the roads, it's more difficult to get through an intersection in one traffic signal cycle; and 4.) growing traffic volumes, especially in Idaho's critical corridors. Idaho's rapid growth and unmet transportation needs affect safety, mobility, and the movement of goods and services for Idaho's commerce and industry sectors.

Finally, **Director Ness** addressed the internal needs of ITD with regard to employee hiring and retention given Idaho's growth and robust economy. They solved some of their pay issues by cutting 9 layers of management down to 5, which cut their workforce by more than 10 percent. It has become difficult to fill positions like mechanics, electricians, and computer experts, and they are experiencing increasing workloads in the Division of Motor Vehicles (DMV). While ITD has about a 5 percent vacancy rate, it is still much lower than most state transportation departments around the country.

**DISCUSSION:**

**Senator Nelson** commented that in his transportation discussions, the one topic that continues to come up is ITD's flexibility with local jurisdictions. He listed a few examples, but wanted to focus on pedestrian safety. In Moscow, 58 percent of the bicycle and pedestrian safety crashes occur on Moscow's two state highways, and 40 percent of the pedestrian fatalities in Idaho are on state regulated highways. Given that, **Senator Nelson** asked what ITD could do to work better with local jurisdictions. For example, there were two safety projects in Moscow that were stalled. **Director Ness** said this is an ongoing discussion at ITD in deciding how to balance limited funds with so many needs. He believes ITD's districts work well with local agencies. To enhance that, when the Idaho Transportation Board (ITB) meets in each district they invite all the district's local community leaders to meet with them to discuss how they can utilize the benefits of economies of scale so that planned local projects can work in conjunction with ITD planned projects in order to save time and money. **Senator Nelson** asked if Director Ness had any specific thoughts on bike/pedestrian safety statistics. **Director Ness** said ITD knows fatalities are going up cross the board, which he attributed to growth in the volume of vehicles on the roadways. The pedestrian injury rate is also going up which is not unique to Idaho. He attributed that to distractions with cell phones and pedestrians walking in front of vehicles. Other state's attribute it to opioid use because a disproportion of pedestrian fatalities test positive for the drug. He was not as familiar with bicycle fatalities. **Senator Nelson** asked if there was hard data available supporting opioid and texting as significant impediments to pedestrian safety. **Director Ness** said that the Commonwealth of Maryland was looking at that correlation and he had asked ITD to see if that could be a contributing factor in Idaho as well.

**Vice Chairman Crabtree, Senator Den Hartog, and Chairman Brackett** asked Director Ness about the flexibility of ITD regarding: 1.) how needed funding for transportation will be generated as fuel enhancements are increasing efficiencies which reduces the amount of fuels tax being collected; 2.) whether the miles traveled tax is currently in place or if it's just being considered; and, 3.) how Idaho fits into the regional pilot study with Oregon and Washington on the miles traveled tax. **Director Ness** responded with his thoughts on: 1.) balancing limited fund pools so all benefit from economies of scale while becoming more efficient; 2.) looking to other states for new funding opportunities like vehicle miles traveled and fast lane taxes; and 3.) analyzing data collected from an Oregon pilot study on their miles traveled fuels tax.

**Chairman Brackett** thanked Director Ness and recognized Julie DeLorenzo, an Idaho Transportation Board member in the audience.

**PRESENTATION:**

**Chairman Brackett** welcomed Bruce Agnew, Director of the Cascadia Center and PNWER's transportation co-chair with Senator Winder, and Brandon Hardenbrook, PNWER's Chief Operating Officer. They were in Idaho to deliver annual PNWER updates on many issues including transportation and infrastructure.

Following opening remarks by Mr. Agnew, **Mr. Hardenbrook** went through PNWER's 2020 update PowerPoint presentation on transportation and infrastructure throughout the PNWER region. (See Attachment 1 — PNWER Transportation & Infrastructure Briefing.)

**DISCUSSION:**

**Senator Lodge** raised concerns about the cost of crossing guards at railroad crossings and expressed how important they were to rural Idaho. **Mr. Agnew** said that the federal transportation legislation of 2018, Section 130, required consolidating crossings and provided federal match funds for the program. He said this impacts many congressional districts across the country, and added that the next federal transportation funding bill will deal with the need for more funding in this area. He encouraged communicating her concerns with Idaho's Congressional Delegation, as they had with delegations across PNWER's region. He added that the rail corridor from North Dakota to Washington would be a topic of discussion at PNWER's summer conference in Big Sky, Montana. He encouraged Committee members to attend.

**Chairman Brackett** commented that transportation, including short line railroads, was also a priority of Idaho's Governor. Co-chairman of PNWER's Transportation Committee, **Senator Winder**, thanked PNWER for their informative presentation.

**ADJOURNED:**

With no further business before the Committee, **Chairman Brackett** adjourned the meeting at 2:46 p.m.

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Senator Brackett  
Chair

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Gaye Bennett  
Secretary

# ATTACHMENT #1

Idaho Senate Transportation Committee

January 28, 2020 at 1:30 p.m. in WW53, Idaho State Capitol

Presentation by the Pacific NorthWest Economic Region (PNWER)

- Bruce Agnew, PNWER Transportation Co-Chair and
- Brandon Hardenbrook, COO, PNWER

“TRANSPORTATION AND INFRASTRUCTURE BRIEFING”





*Pacific NorthWest  
Economic Region*

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# *Transportation & Infrastructure Briefing*

Idaho Senate Transportation Committee | Jan 28, 2020



## *Pacific NorthWest Economic Region*

PNWER is a statutory, public-private partnership chartered in 1991 by the U.S. States of Alaska, Washington, Idaho, Montana, Oregon and the Canadian Provinces of British Columbia, Alberta, Saskatchewan and the Yukon and Northwest Territories.

The Region has a GDP of over \$1 Trillion, with a population of 24.4 Million people, making it the 13<sup>th</sup> Largest Economy in the world

**Idaho – The crossroad state and gateway to international markets**



# Unmanned Aerial Systems (UAS) Project

- PNWER and Center for Disaster Resilience (CRDR) awarded DHS National Infrastructure Protection Plan (NIPP) Security and Resilience Challenge grants for critical infrastructure in 2017 and 2019.
- 2017 Project
  - Focused on using drones for rapid damage assessment of critical infrastructure. Partnered with Northeastern University to develop and test new technologies for drones.
- 2019 Project
  - Expanded on 2017 project. Focused on using drones for rapid inspection of critical infrastructures to establish better situational awareness and common operating picture post-disaster.
  - Worked with ID, MT, OR, & WA assessing each state's public and private sector use of drones and opportunities to collaborate and better coordinate public-private sector drone use
  - Conducted drill on using drones for damage inspection, with WA National Guard, Olympic Pipeline, and WA state emergency managers simulating a disaster and how to share live video feed and photos to EOC.



# Outcomes and Key Recommendations

- 1) Establish a statewide UAS Coordinator position to help state & local agencies and private sector stakeholders collaborate on policy and UAS use
  - No PNWER state currently has a UAS coordinator. Idaho currently has a bill to fund a new position to help state agencies coordinate with local government and private sector stakeholders on UAS policy and use.
- 2) Develop a standardized process for using drones for situational awareness of critical infrastructures for emergency managers and operations centers during disasters.
- 3) Create UAS users groups in states and the region that includes both public and private sector drone users.



# Transportation & Infrastructure Working Group

Dedicated to improving the infrastructure of our major corridors and gateways, with a special interest on border infrastructure.

*Co-chairs: Senator Chuck Winder, Idaho, & Bruce Agnew, Director, ACES NW Cascadia Center & ACES NW Network*



# Idaho & Producer Economics

- Many commodities from the PNWER region are both fungible and priced on a national or world market.
- Producer pays the freight cost directly, or it is deducted from the proceeds.
- Idaho products require robust trade corridors, including air, marine, road and rail to global markets



# Key Issues

- Market Access & Rail Infrastructure
- Oil Train Safety
- Autonomous, Connected, Electric, Shared Mobility
- Infrastructure Finance
- Permit Reform
- Agriculture Market Access
- Cascadia Innovation Corridor – High Speed Rail & Harbor to Harbor Air Service
- Truck Size & Weight Harmonization

PNWER in Idaho: PNWER has played an active role in addressing transportation issues across Idaho.

## Key Players

- BNSF Railway
- Union Pacific Railroad
- Short haul rail lines
- Sandpoint Connector / Great Northern Corridor
- Port of Lewiston Snake-Columbia River Trade and Tourism





*Pacific NorthWest  
Economic Region*

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# *Truck Size and Weights*

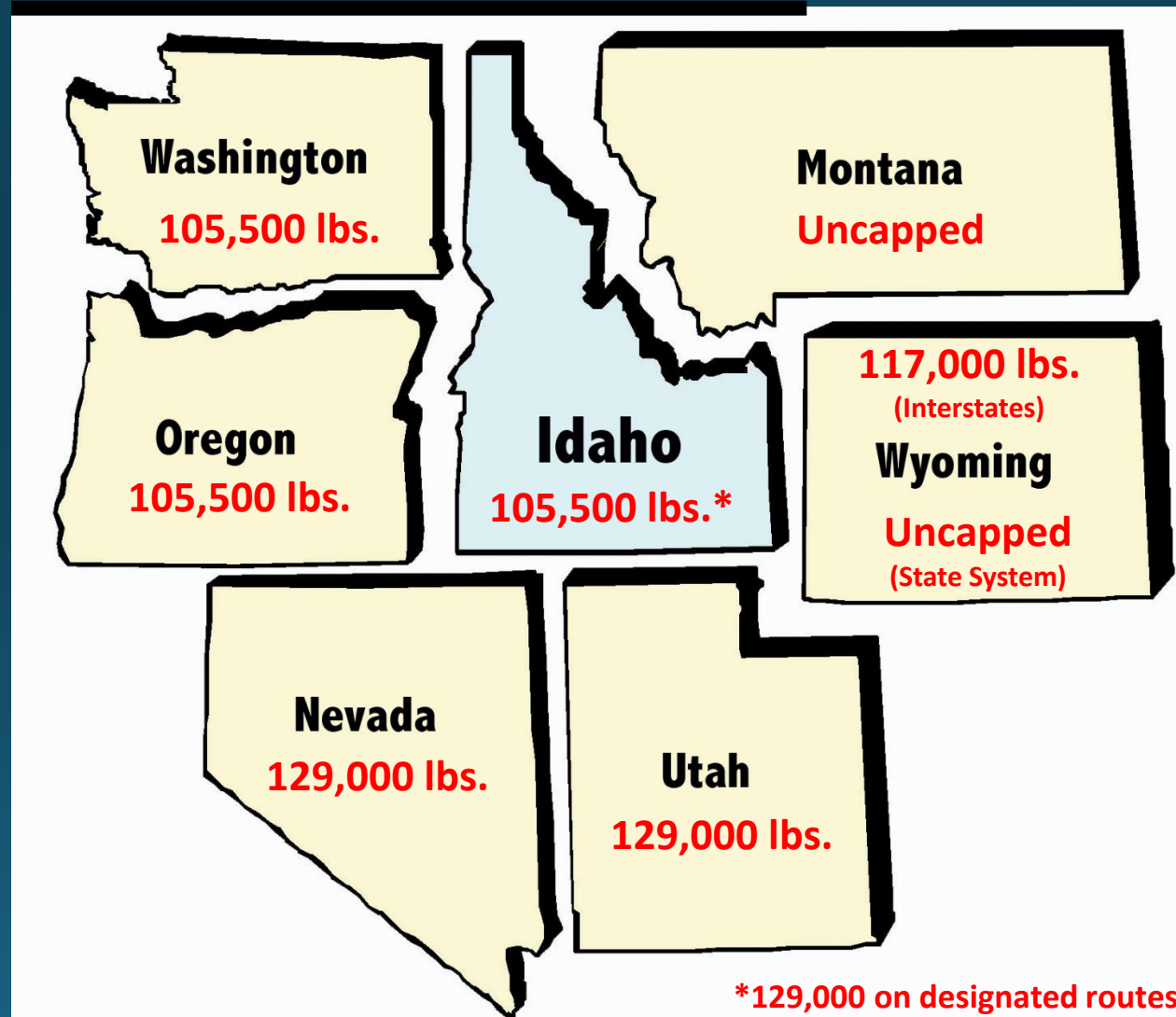
**IDAHO – a leader in western state transportation departments**



# Maximum Truck Size & Weight (lbs)

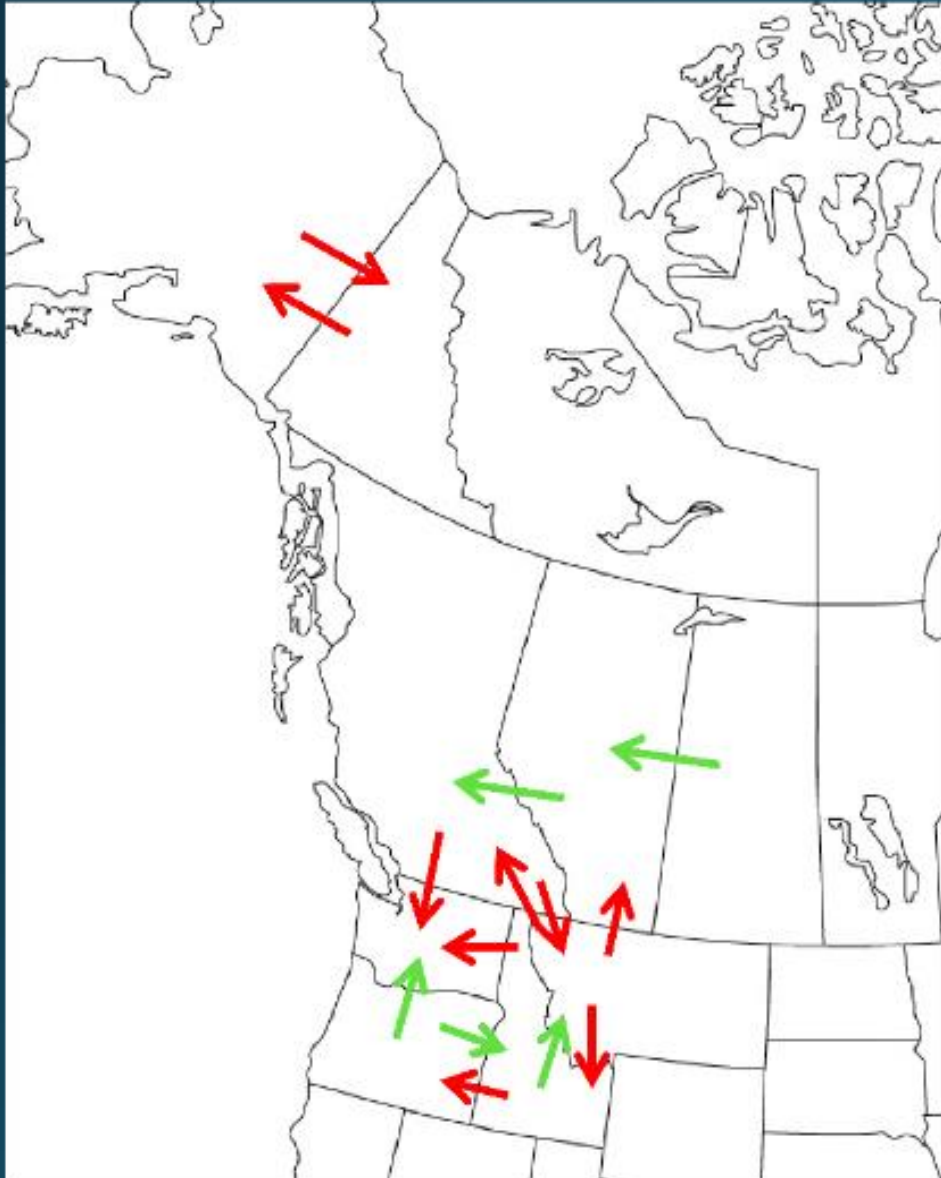
British Columbia **140,000 lbs. (B Train)**

Alberta **140,000 lbs. (B Train)**



Slide Credit:  
Jerry Whitehead, PNWER  
Annual Summit, 2014

# PNWER Barriers



- Not OK to transit
- OK to transit

Differing truck size and weight measures is a significant drag on the potential profits of commodity producers.

This slide addresses the jurisdictions' most efficient vehicles only.

# Why is Highway Transportation so Important?



**All barge and rail loads  
must be hauled by trucks  
at some point.**

Port of Lewiston

Slide Credit:

Jerry Whitehead, PNWER  
Annual Summit, 2014

# Recommendations

- Identify high volume destinations and appropriate routes for harmonization opportunities.
- Address “other” harmonization issues...flags, escorts, lights, signs.

## Next Steps

- Convene discussions and information sharing with NW Transportation Committee Chairs
- Engage private sector
- Seek federal support





# Rail Routes

- No direct container service in Idaho
- No lines connecting North and Southern Idaho
- UP, BNSF, and short haul rail companies key Idaho connectors to international markets

Slide Credit:  
Jerry Whitehead,  
PNWER Annual Summit, 2014



*Pacific NorthWest  
Economic Region*

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*Automated, Electric, Connected,  
Shared Mobility*

# Automated, Electric, Connected, Shared Mobility

(including mining, i.e. Hecla autonomous machines)



ACES: Rapid technological advances with implications on driver workforce, electric grid, productivity, safety



Idaho Autonomous Vehicle working group presented at PNWER in Spokane, WA (2018)



Idaho proposal for session on autonomous vehicles and mining (Hecla project), agriculture, and new trucking technologies at Summit July, 2020



PNWER facilitates information – sharing between innovators, traditional private sector, and legislators



# Agriculture Technology (Precision Farming)







*Pacific NorthWest  
Economic Region*

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# *Let's Build Big Things Together*

PNWER Annual Summit | Big Sky, Montana 2020

# Federal Engagement

FAST Act of 2015 – Sec. 1441 authorized \$12 Million competitive grant program for **Regional Infrastructure Accelerator Demonstration Program**

We did it! PNWER worked with Congressional leadership to secure funding appropriation for the Demonstration Program, which was authorized at \$5 million for 2020. This will help us work to address rural areas and small states infrastructure needs.



## Demonstration Center Objectives:

- Support the streamlining of federal permit reform process
- Assist states and municipalities in accessing existing funding sources
- Provide a 'Center of Excellence' to enable states to assess potential of innovative financing for proposed projects
- Support the alignment of multi-state regulations for cross border infrastructure projects
- Promote bi-lateral, multi-state and multi-use corridors

## Potential Idaho projects:

- Columbia Snake River
- Great Northern Corridor
- Sandpoint Connector & Grade Separation projects
- Interstate Highway Reconstruction Modernization
- Rural Broadband

**More information will be available at our Big Sky, MT Summit in July 2020!**

# PNWER Annual Summit | July 19 – 23, 2020

## Big Sky, MT

USDOT R.O.U.T.E.S (Rural Opportunities to Use Transportation for Economic Success)

- 19% of Americans live in rural areas, but 69% of America's total lane miles are in rural areas

FAST – 41 of Federal '15 Transportation Program

- Federal permitting council to oversee expedited permitting for major infrastructure

One Stop Shop Executive Level Oversight and Dispute Resolution

- Alex Herrgott, Federal Permitting Improvement Steering Council (FPISC) Executive Director, to speak at Big Sky

# Contacts

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Working Group Co-Chair:

Sen. Chuck Winder

Idaho State Senate

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(208) 853-9090



Visit us at [www.pnwer.org](http://www.pnwer.org), join our mailing list, or follow us at @PNWER



PACIFIC NORTHWEST ECONOMIC REGION'S  
**30TH ANNUAL SUMMIT**

**BIG SKY, MONTANA | JULY 19 -23, 2020**

***Promoting U.S. - Canada  
Regional Collaboration***



AGENDA  
**SENATE TRANSPORTATION COMMITTEE**  
**1:30 P.M.**  
**Room WW53**  
**Thursday, January 30, 2020**

<b>SUBJECT</b>	<b>DESCRIPTION</b>	<b>PRESENTER</b>
<b>Welcome</b>		<b>Chairman Brackett</b>
<b>Recognition</b>	Recognizing <b>Mark Bayci</b> of Caldwell, Idaho, owner and operator of Bayci Trucking, Inc., for having driven over 5.125 million miles during the course of his career as a long haul truck driver.	<b>Senator Lodge</b>
<a href="#"><u>RS27405</u></a>	Concurrent Resolution acknowledging the Idaho Transportation Department (ITD) for its exemplary performance in implementing innovation and cost-saving initiatives.	<b>Senator Lent</b>
<a href="#"><u>RS27465</u></a>	Establishes a Children's Walking and Biking Infrastructure Program to make it safer for children to walk and bike to schools, parks, and libraries.	<b>Lance Giles, The Giles Group</b>
<b>Vote on Docket</b> <a href="#"><u>35-0105-1901</u></a>	Idaho Motor Fuels Tax proposed rule heard at the January 14, 2020 Committee meeting and held for a vote pending action by the tax writing committees to review and approve the omnibus tax rules; both houses have approved the omnibus tax rules docket.	<b>Vice Chairman Crabtree</b>
<b>Minutes</b>	Approve the Minutes of January 14, 2020.	<b>Senators Lodge and Burtenshaw</b>
	Approve the Minutes of January 16, 2020.	<b>Senators Den Hartog and Buckner-Webb</b>
	Approve the Minutes of January 23, 2020.	<b>Senators Rice and Nelson</b>
<b>Presentation</b>	FY19 Annual Report of the Local Highway Technical Assistance Council (LHTAC).	<b>Laila Kral, LHTAC Deputy Director</b>

***If you have written testimony, please provide a copy of it along with the name of the person or organization responsible to the committee secretary to ensure accuracy of records.***

COMMITTEE MEMBERS

Chairman Brackett  
Vice Chairman Crabtree  
Sen Winder  
Sen Den Hartog  
Sen Lodge

Sen Rice  
Sen Burtenshaw  
Sen Buckner-Webb  
Sen Nelson

COMMITTEE SECRETARY

Gaye Bennett  
Room: WW33  
Phone: 332-1332  
Email: [stran@senate.idaho.gov](mailto:stran@senate.idaho.gov)

MINUTES  
**SENATE TRANSPORTATION COMMITTEE**

**DATE:** Thursday, January 30, 2020

**TIME:** 1:30 P.M.

**PLACE:** Room WW53

**MEMBERS PRESENT:** Chairman Brackett, Vice Chairman Crabtree, Senators Winder, Den Hartog, Lodge, Rice, Burtenshaw, Buckner-Webb, and Nelson

**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:** With a quorum present, **Chairman Brackett** called the Senate Transportation Committee (Committee) to order at 1:30 p.m.

**RECOGNITION:** **Senator Lodge** recognized Mark Bayci of Caldwell, Idaho, who owns and operates Bayci Trucking, Inc. of Caldwell, for having driven over 5.125 million miles during his career as a long-haul truck driver.

**Mr. Bayci** told the Committee about his 46-year career of driving long-haul trucks. He spoke about different states' transportation regulation laws, minimum age for licensing long-haul drivers, the need for more drivers and better driving schools, concerns about distracted driving, and why the 80 miles per hour speed limit is too high.

**Chairman Brackett** congratulated him for his dedication.

**RS 27405** **Senator Lent** presented **RS 27405**, a concurrent resolution acknowledging the Idaho Transportation Department (ITD) for its exemplary performance in implementing innovation and cost-saving initiatives. He said the interesting thing about regulations is they are put in place to ensure safety. He spoke about the need to ingrain safety in today's work culture and ITD's accomplishments in employee safety measures. He concluded by stating that the proposed concurrent resolution encourages and recognizes safety, servant leadership, and empowerment of ITD employees.

**MOTION:** **Senator Den Hartog** moved to send to **RS 27405** to print. **Senator Rice** seconded the motion. The motion passed by **voice vote**.

**RS 27465** **Lance Giles**, The Giles Group, representing Idaho Walk/Bike Alliance, presented **RS 27564**, to establish the Children's Walking and Biking Infrastructure Program. He said the proposed legislation will make it safer for children to walk and bike to schools, parks, and libraries. He stated that the reason for this legislation is there is an upward trend of collisions between motor vehicles and Idaho children. **Mr. Giles** detailed the conditions of the proposed legislation, which are as follows: 1.) establish an infrastructure program account; 2.) distribute funds through a competitive grant program; 3.) establish criteria for project evaluations; and 4.) cap administrative costs. He stated the proposed legislation does not grow government nor add any new regulations. He listed the several agencies who are in support of the proposed legislation.

**MOTION:** **Senator Winder** moved to send **RS 27465** to print. **Senator Nelson** seconded the motion. The motion passed by **voice vote**.

**DOCKET NO.  
35-0105-1901**

**Chairman Brackett** explained that the Committee had been waiting to act on Docket No. 35-0105-1901, Idaho Motor Fuels Tax Administrative Pending Rules, until the Senate Local Government and Taxation Committee approved their omnibus rules that addressed fuels tax. He announced that had happened, and the House Revenue and Taxation Committee had approved this docket as well.

**MOTION:**

**Senator Nelson** moved to approve **Docket No. 35-0105-1901**. **Senator Den Hartog** seconded the motion. The motion passed by **voice vote**.

**MINUTES  
APPROVAL:**

**Senator Burtenshaw** moved to approve the Minutes of Tuesday, January 14, 2020. **Vice Chairman Crabtree** seconded the motion. The motion passed by **voice vote**.

**Senator Den Hartog** moved to approve the Minutes of Thursday, January 16, 2020. **Senator Rice** seconded the motion. The motion passed by **voice vote**.

**Senator Rice** moved to approve the Minutes of Thursday, January 23, 2020. **Senator Nelson** seconded the motion. The motion passed by **voice vote**.

**PRESENTATION:**

**Laila Kral**, Deputy Director, Local Highway Technical Assistance Council (LHTAC), presented their 2019 annual report. She updated the Committee about the establishment of LHTAC in 1994 under Idaho Code § 24-40 which requires an annual report to the Senate and House transportation committees. She spoke about LHTAC's governance process, detailed membership makeup, and their meeting locations. **Ms. Kral** detailed the work of LHTAC, which included educational programs, tracking revenues and expenditures of local and regional highway districts, pedestrian programs, and the state's bridge predicament. She showed specific projects for which funding was allocated (see attachment 1).

**DISCUSSION:**

In response to Chairman Brackett, **Ms. Kral** said Idaho is falling behind in bridge repairs. She said annually, approximately 24 bridges are posted as being in need of repair, but annual funds only can replace approximately 12 bridges per year. She explained how local highway districts can apply for grants every year and where LHTAC is able to allocate those funds. She stated that there is funding, but it is not able to keep up with growing needs.

Addressing Senator Nelson's question, **Ms. Kral** stated that LHTAC is unaware of the Dig Once Program for Broadband Internet. She said there are federal funds available for helping to lay internet lines along the side of roads.

**ADJOURNED:**

With no further business before the Committee, **Chairman Brackett** adjourned the meeting at 2:23 p.m.

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Senator Brackett  
Chair

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Gaye Bennett  
Secretary

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LeAnn Mohr  
Assistant Secretary



**Pine Road Bridge**  
**Federal-aid Bridge**  
Mountain Home Highway District &  
Glenns Ferry Highway District  
Jeff Werner, T-O Engineers, 1st Place LHTAC Photo Contest

Attachment 1



**Paradise Path Underpass & Multi-Modal Extension**  
**Transportation Alternatives Program**  
City of Moscow  
Zackery Ellis, Computer Systems & Digital Media Specialist

## ***FY19 Annual Report***

*July 2018—June 2019*

### **Local Highway Technical Assistance Council**

As challenges flex and staff changes, LHTAC has shown amazing resilience in shifting to meet every challenge. This is largely from excellent and empowered staff who have fantastic enthusiasm and drive. We focus on quality, communication, and coordination to turn every task from good to great. In looking back over the year, I am always impressed with our service and attention to Local Highway Jurisdictions (LHJs).

LHTAC is striving to enhance the services we provide to LHJs by focusing on bridges, both short and long, new programs, project requests, and expanding into successful federal grants and innovative construction, all while providing great technical assistance wherever possible.

As the Administrator, I look forward to serving the legislature, LHJs, and as always the great people of the State of Idaho in the best manner possible.

Jeff R. Miles, P.E.  
LHTAC Administrator

**Gravel Crushing and Chip Sealing**  
**Local Rural Highway Investment Program**  
Hagerman Highway District  
Steven Yearsley, Forsgren Associates Inc.

**Bottle Bay Intersection and Underpass Tunnel**  
**Local Highway Safety Improvement Program**  
Bonner County Road and Bridge  
Matt Mulder, Bridge Engineer Staff



# Recognition

WTS is an international organization dedicated to building the future of transportation through the global advancement of women. The WTS SW Idaho Chapter met on February 21, 2019 to celebrate those who've made valuable contributions to the transportation industry.

LHTAC took the stage for multiple recognitions.

**Local Highway Technical Assistance Council  
Employer of the Year**

**Susan Kiebert**  
LHTAC Local Communication Coordinator  
**Woman of the Year Award**

**Jeff Miles**  
LHTAC Administrator  
**Secretary Ray LaHood Award**

**Megan Kautz**  
LHTAC Resident Engineer  
**Innovative Transportation Solutions Award**  
Megan was recognized for the \$3.5M Pine Road Bridge project.

## T2 Center

The T2 Center is a Local Technical Assistance Program (LTAP) Center and funded by federal funds through Federal Highway Administration (FHWA) and then matched by the state. We offer classroom training with a focus on safety, professional development, construction and maintenance techniques.

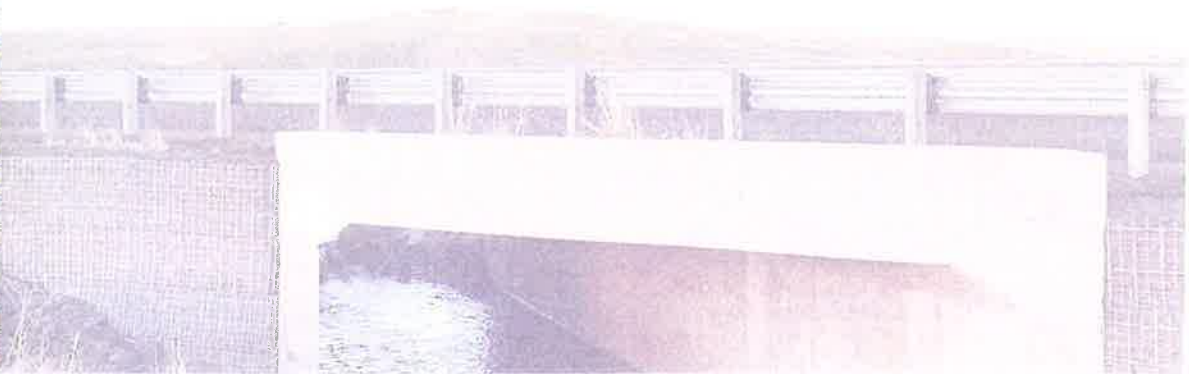
Since 2009, over 1,050 classes have been offered across Idaho. There have been 819 Road Scholars and 413 Road Masters earned by local employees.



**1050**  
Classes since  
2009

**819**  
Road Scholar  
Graduates

**413**  
Road Master  
Graduates



## Small Bridge Inventory

Collecting data on local bridges 10 – 20 ft.

LHTAC developed a tool that LHJs can utilize to collect an inventory of small bridges/culverts that fall below the National Bridge Inventory (NBI) criteria ( $\leq 20$  feet in length). This data will be useful to LHJs to plan for repair or replacement of this critical infrastructure and provide valuable information on the location, type of structure, and overall number of these structures that exist statewide.



# Trucking



## Technical Assistance & Analysis Funding Program

LHTAC provided outreach regarding Idaho Transportation Department's (ITD) opting-in process. ITD can issue over-legal trucking permits on behalf of the LHJ once the local has approved the route.

Outreach efforts included; presentations to regional transportation groups as well as a dedicated portion of the LHTAC Annual Workshop presentations. Emphasis has been made to reflect the benefits of a contiguous freight network as well as the importance of communicating with the trucking community.

LHJs are provided resources to assist them in determining the viability of a proposed route and information about the existence of funding available to assist them with the cost of analyzing the route.

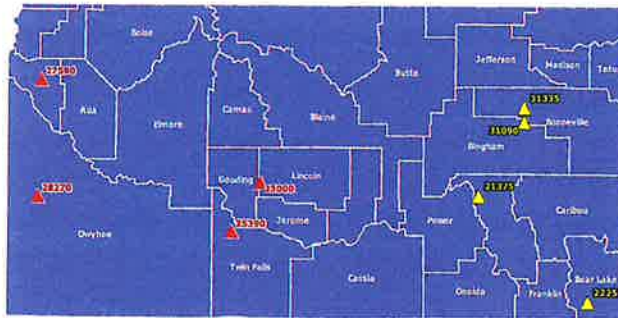
## Competitive Hwy Bridge Program

**Idaho secures grant funding to replace bridges with GRS-IBS innovative technology.**

LHTAC used Technical Assistance funds to help prepare the award winning application, along with a consultant and coordination with eight LHJs.

\$225M was awarded to 18 states, including \$6.2M for Idaho.

These funds will be used to replace eight bridges in poor condition, support economic activity and improve connectivity on local roads in southern Idaho. The consideration of geosynthetic reinforced soil-integrated bridge systems (GRS-IBS) in the construction of these bridges will support early success of this innovative technology in Idaho and continue to improve its cost-effectiveness on future projects. Without LHTAC's efforts, these bridges would remain in poor condition and the \$6.2M of Federal funds would not have come to Idaho to aid these local jurisdictions.



## Local Strategic Initiatives & Children Pedestrian Safety

157

Applications Submitted

During the 2017 Legislative Session, the Surplus Eliminator was approved for two additional years, adding the Local Strategic Initiatives (LSI) Program and the ability to spend money on Children Pedestrian Safety (CPS) projects. LHTAC and ITD jointly funded the CPS Program with \$2M awarded to locals as \$250K grants. The LSI program awards grants, up to \$1M, to local agencies. The projects focus on safety, mobility, and commerce while satisfying a maintenance need. Outreach through 10 funding workshops, presentations at conferences, transportation meetings, and email blasts was extensive. In 2019, LHTAC received:

- 92 applications requesting over **\$69.8M** for the LSI program (29 Awarded \$23.6M)
- 65 applications requesting over **\$12.7M** for the CPS program (11 Awarded \$2M)

# LHTAC Outreach Workshops

Staff traveled to 10 locations throughout Idaho during the month of October. These FREE workshops were open to everyone: sponsors, clerks, consultants, local elected officials, etc. The focus was to educate on who LHTAC is, what services we provide, and communicate any pertinent updates regarding the local transportation community. We covered the upcoming funding applications and had over 200 attendees.

## Bridge Technical Assistance

LHTAC has been working directly with locals to provide an in depth look at the jurisdiction's bridge inventory and help prioritize their bridge needs based on the following:



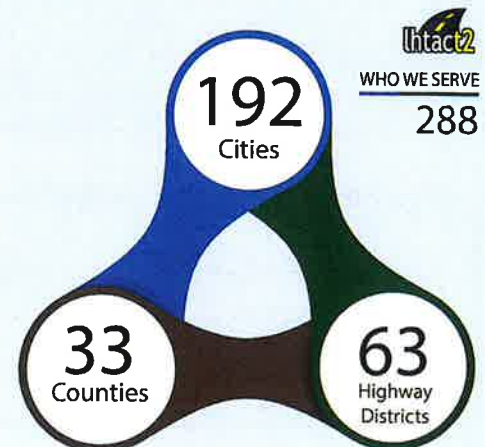
- Bridge Maintenance
- Bridge Preservation
- Bridge Repair
- Bridge Replacement

Rush Creek Bridge  
Washington County

## Who We Serve

There are currently 288\* Local Highway Jurisdictions with road ownership in Idaho. There are nine cities and eleven counties who have roads that are maintained by their local highway district.

\*This number may fluctuate with consolidations.



## LHTAC—Council Members (July 2018—June 2019)

### Cities (Mayors)

\*Diana Thomas—City of Weiser  
Robert Berlin—City of Roberts  
Mac Pooler—City of Kellogg  
\*Chair

### Highway Districts (Commissioners)

\*Gilbert Hofmeister—Power County HD  
Neal Gier—Buhl HD  
Terry Werner—Post Falls HD  
\*Vice Chair

### Counties (Commissioners)

\*Todd Smith—Madison County  
Don Ebert—Clearwater County  
Mark Rekow—Gem County  
\*Secretary/Treasurer

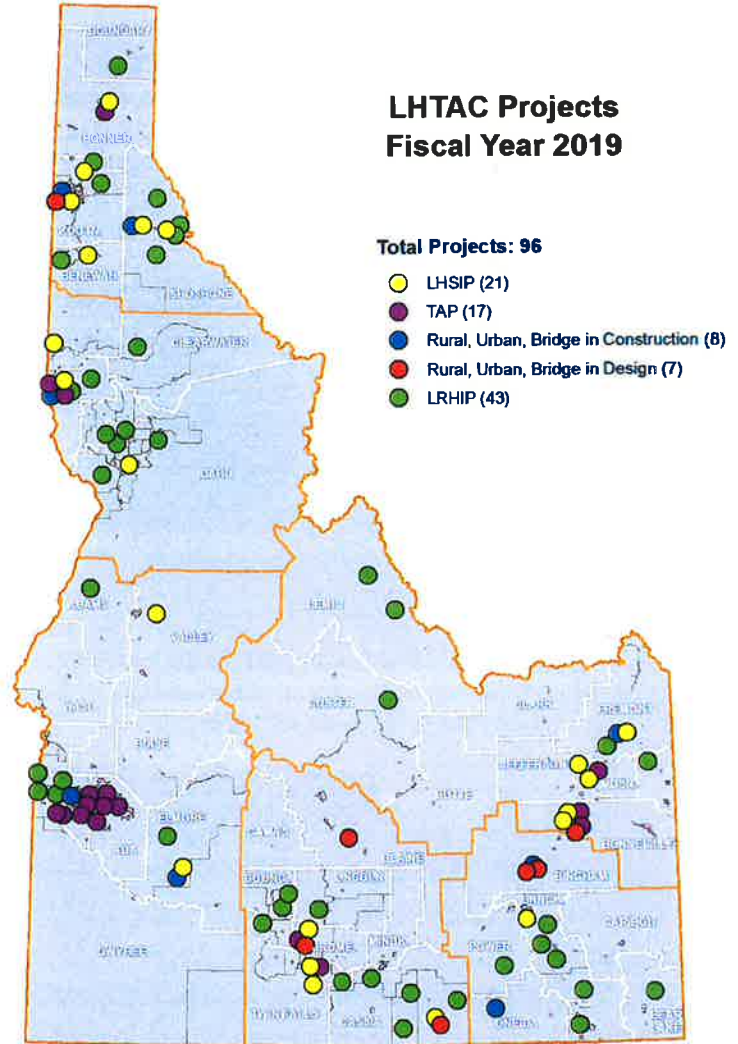
### Ex-Officio Members (Executive Directors)

Seth Grigg, Idaho Association of Counties  
Vacant, Association of Idaho Cities  
Nick Veldhouse, Idaho Association of Highway Districts

## LHTAC Projects Since Inception

Total Projects by ITD District	LRHIP	Federal-aid & Safety
ITD District 1	93	147
ITD District 2	109	86
ITD District 3	127	142
ITD District 4	103	101
ITD District 5	87	52
ITD District 6	96	112

## LHTAC Projects Fiscal Year 2019



## Programs Administered by LHTAC

New projects added this fiscal year:

**Local Rural Highway Investment Program (LRHIP)** (Grant)  
Includes 2019 Emergency Projects

FY19 Projects 43

FY19 Funds \$2.6M

**Local Highway Safety Improvement Program (LHSIP)** (Federal-aid)

FY19 Projects 21

FY19 Funds \$8.8M

### Federal-aid Bridge

New Projects 3  
New Funds \$6M

### Federal-aid Urban Transportation Plans

New Projects 2  
New Funds \$250K

### Federal-aid Rural

New Projects 2  
New Funds \$4M

### Federal-aid Construction

FY19 Projects 8  
FY19 Funds \$22.8M

## Other Projects Administered by LHTAC

### ITD—Transportation Alternative Program

FY19 Projects 17  
FY19 Funds \$6.9M

LHTAC administers other projects as requested. These projects include:

**Federal Lands Access Program**  
Managed by Western Federal Lands  
**Freight**  
Managed by ITD

AGENDA  
**SENATE TRANSPORTATION COMMITTEE**  
1:30 P.M.  
Room WW53  
Tuesday, February 04, 2020

<b>SUBJECT</b>	<b>DESCRIPTION</b>	<b>PRESENTER</b>
Welcome		Chairman Brackett
<a href="#"><u>RS27536</u></a>	Concurrent Resolution to form an interim committee to study intrastate commercial air service.	Senator Johnson
<a href="#"><u>S 1249</u></a>	Creates a "Choose Life" license plate.	Senator Bayer

***If you have written testimony, please provide a copy of it along with the name of the person or organization responsible to the committee secretary to ensure accuracy of records.***

COMMITTEE MEMBERS

Chairman Brackett  
Vice Chairman Crabtree  
Sen Winder  
Sen Den Hartog  
Sen Lodge

Sen Rice  
Sen Burtenshaw  
Sen Mathias(Buckner-Webb)  
Sen Nelson

COMMITTEE SECRETARY

Gaye Bennett  
Room: WW33  
Phone: 332-1332  
Email: stran@senate.idaho.gov

MINUTES  
**SENATE TRANSPORTATION COMMITTEE**

**DATE:** Tuesday, February 04, 2020

**TIME:** 1:30 P.M.

**PLACE:** Room WW53

**MEMBERS PRESENT:** Chairman Brackett, Vice Chairman Crabtree, Senators Winder, Den Hartog, Lodge, Rice, Burtenshaw, Buckner-Webb, and Nelson

**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:** With a quorum present, **Chairman Brackett** convened the meeting of the Senate Transportation Committee (Committee) at 1:30 p.m. He welcomed Senator Mathias who was filling in for Senator Buckner-Webb.

**RS 27536** **Senator Johnson**, District 6, presented **RS 27536** and said that it is a concurrent resolution that forms an interim committee to study and develop a strategy for sustainable intrastate commercial air service in Idaho. The resolution outlines the findings and solutions justifying the study. He talked about losing Alaska Airlines flights in Lewiston, which means he now has to travel north in order to get to Boise in the south. The cost and time involved is a big consideration, and he believes the same can be said with air travel in southeast Idaho. After speaking with many business and airport authorities, there is excitement about reconnecting the state in air travel as it continues to grow. He announced there were representatives of local governments and businesses from around the state in the audience, some of whom would like to share their support of this legislation.

**DISCUSSION:** **Chairman Brackett** said that there was an excellent presentation at the chamber of commerce luncheon earlier where it was clear that what Wyoming had done could be used as a blueprint for Idaho.

**Senator Nelson** agreed there was a need for air service in Idaho, but he was concerned with the makeup of the study committee having only one member of the House and one of the Senate, meaning no minority party representation.

**Senator Johnson** disagreed that it automatically meant a member of the minority party would not be selected. There should be no partisanship on an issue like this one. He said that there are two competing airports represented in Committee, but they understand that everyone needs to work together to get this done. If the committee is too large it tends to be unworkable. The House and Senate members chosen will choose the other members who will represent the entire state. The membership, no matter their political affiliation, will all be voting members.

**Senator Winder** discussed the makeup of the proposed membership with regard to industry, because they are the ones who will make it work. He responded to an inquiry from Senator Rice about the parameters of the working group by explaining this could have also been called a task force because the bill deals with a strategic planning process without expectations of a specific outcome at the end.

**TESTIMONY:** **Tony Bean**, Executive Director of the Moscow/Pullman Regional Airport; **Bill McKown**, Interim Manager of the Lewiston-Nez Perce County Regional Airport Authority; and **Gary Peters**, Board Chairman of the Lewiston-Nez Perce County Regional Airport Authority, all spoke in support of **RS 27536** and expressed the impact that intrastate air service would have on the communities and the economy in their regions.

**MOTION:** **Senator Winder** moved to send **RS 27536** to print. **Senator Den Hartog** seconded the motion.

**DISCUSSION:** **Senator Johnson** closed by stating that those working every day in the air service industry have the pulse of their communities, and if we continue to lose air service, then federal dollars for our airports will also be lost.

**VOICE VOTE:** The motion to send **RS 27536** to print passed by **voice vote**.

**S 1249** **Senator Bayer**, District 21, said that **S 1249** creates a "Choose Life" specialty license plate that will support unborn children, and Choose Life Idaho, Inc. will benefit from the funds raised by the sale of the plates. This organization supports pregnancy care centers in Idaho, as well as the education and support of adoption. It is a positive choice for women searching for an alternative to abortion. **Senator Bayer** read a letter from Ray Shultz, a board member of Choose Life Idaho, Inc., that expressed his personal experience of being born to an unwed mother in San Francisco in 1957 and how grateful he was that his biological mother chose to give him up for adoption rather than abort him. **Senator Bayer** then deferred the rest of her time to David Lange, President of Choose Life Idaho, Inc.

**Mr. Lange** said the plates are available in 32 states and the District of Columbia, with more than a million sold nationwide since 2000. After deciding on the idea, his organization went through the proper legal steps to create a non-profit and develop the plate. They received some counsel and advice from Choose Life America and have decided to use their plate as Idaho's model. They receive no financial support from outside organizations. He closed by asking the Committee to make the plate available as a way to provide a life plan for unborn children.

**DISCUSSION:** **Senator Mathias** asked when Choose Life Idaho received their tax exempt status from the Internal Revenue Service. **Mr. Lange** said the letter is dated July, 2019.

**TESTIMONY:** **Kerry Uhlenkott**, Right to Life of Idaho lobbyist; **Blaine Conzatti** with the Family Policy Alliance; **Christian Welp** of the Roman Catholic Diocese of Boise; and **Linda Thomas** of Stanton Healthcare Clinics all spoke in support of **S 1249** and the supportive message for life it displays.

**DISCUSSION:** **Senator Mathias** commented that according to existing state law, a non-profit organization needs to demonstrate they had been operating for at least two years before a specialty plate could be considered, and Choose Life Idaho did not meet that requirement. Therefore, he could not support the legislation.

**Senator Rice** followed up on Senator Mathias' comment and stated that the first license plate may not be able to be issued for two years, but the Legislature has made exceptions in the past. Therefore, the time the organization has been in existence is arbitrary. He supports the legislation.

**Senator Winder** was concerned that this may open the specialty license plate system to plates with opposing points of view.

**MOTION:** **Senator Rice** moved to send **S 1249** to the floor with a **do pass** recommendation. **Vice Chairman Crabtree** seconded the motion. The motion passed by **voice vote**. **Senators Mathias** and **Nelson** asked that they be recorded as voting nay. **Senator Bayer** will carry **S 1249** on the Senate floor.

**ADJOURNED:** With no further business before the Committee, **Chairman Brackett** adjourned the meeting at 2:15 p.m.

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Senator Brackett  
Chair

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Gaye Bennett  
Secretary



**AMENDED AGENDA #1**  
**SENATE TRANSPORTATION COMMITTEE**  
**1:30 P.M.**  
**Room WW53**  
**Thursday, February 06, 2020**

<b>SUBJECT</b>	<b>DESCRIPTION</b>	<b>PRESENTER</b>
<b>Welcome</b>		<b>Chairman Brackett</b>
<a href="#"><u>RS27591</u></a>	Creates a "Too Great For Hate" specialty license plate.	<b>Senator Buckner-Webb</b>
<a href="#"><u>RS27589C1</u></a>	Defines rules of Transportation Network Company (TNC) services at commercial airports.	<b>Senator Jordan</b>
<a href="#"><u>RS27648</u></a>	Establishes dyed fuel inspection authority.	<b>Jason Kreizenbeck, Lobby Idaho</b>
<a href="#"><u>HCR 25</u></a>	Resolution affirming the historical value of Chicken Dinner Road in Canyon County, Idaho.	<b>Senator Lodge</b>
<a href="#"><u>S 1276</u></a>	Establishes a Children's Walking and Biking Infrastructure Program to make it safer for children to walk and bike to schools, parks, and libraries.	<b>Lance Giles, Idaho Walk/Bike Alliance</b>

***If you have written testimony, please provide a copy of it along with the name of the person or organization responsible to the committee secretary to ensure accuracy of records.***

COMMITTEE MEMBERS

Chairman Brackett	Sen Rice
Vice Chairman Crabtree	Sen Burtenshaw
Sen Winder	Sen Mathias(Buckner-Webb)
Sen Den Hartog	Sen Nelson
Sen Lodge	

COMMITTEE SECRETARY

Gaye Bennett  
Room: WW33  
Phone: 332-1332  
Email: stran@senate.idaho.gov

MINUTES  
**SENATE TRANSPORTATION COMMITTEE**

**DATE:** Thursday, February 06, 2020

**TIME:** 1:30 P.M.

**PLACE:** Room WW53

**MEMBERS PRESENT:** Chairman Brackett, Vice Chairman Crabtree, Senators Den Hartog, Lodge, Rice, Burtenshaw, Buckner-Webb, and Nelson

**ABSENT/ EXCUSED:** Senator Winder

**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:** With a quorum present, **Chairman Brackett** convened the meeting of the Senate Transportation Committee (Committee) at 1:34 p.m.

**MOTION:** **Senator Rice** moved to send **RS 27591**, **RS 27589C1**, and **RS 27648** to print. **Senator Den Hartog** seconded the motion. The motion passed by **voice vote**.

**HCR 25** **Senator Lodge** presented **HCR 25**, a resolution to maintain the historical significance of Chicken Dinner Road in Canyon County. She expressed her surprise with the outcry of support for this 20-mile stretch of road, and added that the community is proud of the history around the naming of the road. With that, she played a video explaining how Chicken Dinner Road got its name as presented by Mary Alger, owner of Huston Vineyards located on Chicken Dinner Road near Highway 55 in Canyon County (see attachment 1).

Following the video, **Senator Lodge** said her co-sponsor in the House was **Representative Scott Syme**, District 11, who shared the reason for this resolution. There was an effort by a well-known, national non-profit organization seeking to change the name of the road to Chicken Road in deference to the suffering of chickens who are found on many dinner tables in America. He ended by stating that the group's request was due to a lack of local historical significance or understanding. Therefore, he and Senator Lodge had proudly brought this concurrent resolution to the Legislature.

**MOTION:** **Senator Rice** moved to send **HCR 25** to the floor with a **do pass** recommendation. **Vice Chairman Crabtree** seconded the motion. The motion passed by **voice vote**. Senator Lodge will carry the resolution on the Senate floor.

**S 1276** **Lance Giles**, representing Idaho Walk/Bike Alliance, presented **S 1276**, a bill that establishes a Children's Walking and Biking Infrastructure Program. **Mr. Giles** said that at its core, **S 1276** makes it safer for children to walk and bike to schools, libraries, and parks. It proactively creates a process to distribute funds to build sidewalks and crosswalks. This is important because state funding for sidewalks and crosswalks was not available every year. It establishes up-front criteria and distributes funding via a competitive grant program. This bill is needed because there are too many crashes between motor vehicles and Idaho children.

**Mr. Giles** continued by stating that **S 1276** requires the Idaho Transportation Department (ITD) to establish and maintain a Children's Walking and Biking Infrastructure Program along with an account to deposit future funds. It also requires the program to distribute funds via a competitive grant program administered by the Local Highway Technical Assistance Council (LHTAC) in which all local units of government and ITD's six transportation districts could apply. There are four criteria for application evaluation: 1.) safety; 2.) mobility; 3.) proximity to a school, park, or library; and 4.) project readiness. The bill does not grow government, add regulations, or mandate state funding. **Mr. Giles** concluded by listing agencies and non-profits supporting the bill.

**DISCUSSION:**

**Senators Burtenshaw, Rice, and Den Hartog** questioned why this bill creates a new program when there were existing programs performing similar purposes. Given no funding is directly allocated into this new program, they suggested the bill was a preconceived notion that only adds statutes to Idaho Code brought at a time that the Governor had implemented two executive orders in an attempt to reduce government red tape. **Mr. Giles, Mollie McCarty** of ITD, and **Laila Kral** of LHTAC responded to their concerns explaining that this program could receive private funds in addition to state funds, and the previous program referred to had expired. Plus, the demand for funding of smaller projects like these were always greater than available funds.

**Chairman Brackett** asked how many applications had been received for the previous program associated with the surplus eliminator. **Mr. Giles** said that in 2018 there were 70 applications statewide requesting \$12 million; in 2019 it was even greater.

**TESTIMONY:**

**Ken Burgess**, representing the Community Planning Association of Southwest Idaho (COMPASS), said their board supports bicycle and residential safety projects. He indicated there may be a House bill that could provide funding for the process that **S 1276** puts in place. He added that in new subdivisions there was more thought going into sidewalks and pathways. In response to an inquiry from Senator Den Hartog, **Mr. Burgess** said that the federal Safe Routes to School Program no longer exists.

**MOTION:**

**Senator Nelson** moved to send **S 1276** to the floor with a **do pass** recommendation. **Senator Burtenshaw** seconded the motion. .

**ROLL CALL VOTE:**

Unable to discern the majority in a voice vote, **Chairman Brackett** called for a roll call vote. **Chairman Brackett, Senators Burtenshaw and Nelson** voted aye. **Vice Chairman Crabtree, Senators Den Hartog, Lodge, and Rice** voted nay. The motion failed.

**ADJOURNED:**

With no further business before the Committee, **Chairman Brackett** adjourned the meeting at 2:20 p.m.

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Senator Brackett  
Chair

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Gaye Bennett  
Secretary

**Attachment 1** to Senate Transportation Committee Minutes of Thursday, February 6, 2020, while discussing HCR 25 —

**The REAL Story Behind Huston Vineyard’s “Chicken Dinner Road” history as shared by Mary Alger:**

<https://youtu.be/FJlCRgl1Cz0>

AGENDA  
**SENATE TRANSPORTATION COMMITTEE**  
1:15 P.M.  
Room WW53  
Monday, February 10, 2020

**SPECIAL PRINT HEARING**

<b>SUBJECT</b>	<b>DESCRIPTION</b>	<b>PRESENTER</b>
Welcome		Chairman Brackett
<a href="#"><u>RS27424</u></a>	Provides the Director of the Idaho Transportation Department with the authority to designate high occupancy vehicle (HOV) lanes on Idaho roadways.	Senator Lodge
<a href="#"><u>RS27667</u></a>	Provides process when determining a right of access to a state highway within a city.	Suzanne Budge, SBS Associates
<a href="#"><u>RS27684</u></a>	Treats the use of certain electronic devices while behind-the-wheel as an infraction.	Senator Winder
<a href="#"><u>RS27691</u></a>	Changes the number of Idaho airport regions from 5 to 6.	Senator Anthon

***If you have written testimony, please provide a copy of it along with the name of the person or organization responsible to the committee secretary to ensure accuracy of records.***

COMMITTEE MEMBERS

Chairman Brackett  
Vice Chairman Crabtree  
Sen Winder  
Sen Den Hartog  
Sen Lodge

Sen Rice  
Sen Burtenshaw  
Sen Buckner-Webb  
Sen Nelson

COMMITTEE SECRETARY

Gaye Bennett  
Room: WW33  
Phone: 332-1332  
Email: stran@senate.idaho.gov

MINUTES  
**SENATE TRANSPORTATION COMMITTEE**

**DATE:** Monday, February 10, 2020

**TIME:** 1:15 P.M.

**PLACE:** Room WW53

**MEMBERS PRESENT:** Chairman Brackett, Vice Chairman Crabtree, Senators Winder, Den Hartog, Lodge, Rice, Burtenshaw, Buckner-Webb, and Nelson

**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:** With a quorum present, **Chairman Brackett** convened the special print hearing of the Senate Transportation Committee (Committee) at 1:15 p.m.

**Chairman Brackett** said this would be a quick meeting to hear four RSs germane to the Committee on this 36th Legislative Day, the final day standing committees have the authority to print RSs.

**MOTION:** **Senator Rice** moved to send **RS 27424, RS 27667, RS 27684, and RS 27691** to print. **Vice Chairman Crabtree** seconded the motion. The motion passed by **voice vote**.

**ADJOURNED:** With no further business before the Committee, **Chairman Brackett** adjourned the meeting at 1:16 p.m.

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Senator Brackett  
Chair

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Gaye Bennett  
Secretary

**AMENDED AGENDA #1**  
**SENATE TRANSPORTATION COMMITTEE**  
**1:30 P.M.**  
**Room WW53**  
**Tuesday, February 11, 2020**

<b>SUBJECT</b>	<b>DESCRIPTION</b>	<b>PRESENTER</b>
<b>Welcome</b>		<b>Chairman Brackett</b>
<b>Presentation</b>	Governor's Task Force on Broadband: <u><b>Broadband Access in Idaho</b></u>	<b>Tom Kealey</b> , Director of the Idaho Department of Commerce
<a href="#"><u>H 332</u></a>	Provides alternative methods for the issuance and renewal of drivers licenses and identification cards, and ensures the fees distribution remain with the issuing entity.	<b>Brian Goeke</b> , ITD DMV Policy Manager
<a href="#"><u>H 333</u></a>	This legislation removes obsolete restrictions with regard to automobile dealers, and distributes fees to the entity providing the service.	<b>Brian Goeke</b> , ITD DMV Policy Manager
<a href="#"><u>H 375</u></a>	Increases the hazardous material endorsement fee from \$10 to \$15.	<b>Captain Scott Hanson</b> , Idaho State Police
<a href="#"><u>S 1296</u></a>	Exempts Idaho commercial service airports from prohibition on municipal regulations for any Transportation Network Company (TNC) services.	<b>Senator Jordan</b>

***If you have written testimony, please provide a copy of it along with the name of the person or organization responsible to the committee secretary to ensure accuracy of records.***

COMMITTEE MEMBERS

Chairman Brackett	Sen Rice
Vice Chairman Crabtree	Sen Burtenshaw
Sen Winder	Sen Buckner-Webb
Sen Den Hartog	Sen Nelson
Sen Lodge	

COMMITTEE SECRETARY

Gaye Bennett  
Room: WW33  
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MINUTES  
**SENATE TRANSPORTATION COMMITTEE**

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**TIME:** 1:30 P.M.

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**MEMBERS PRESENT:** Chairman Brackett, Vice Chairman Crabtree, Senators Winder, Den Hartog, Lodge, Rice, Burtenshaw, Buckner-Webb, and Nelson

**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:** With a quorum present, **Chairman Brackett** convened the meeting of the Senate Transportation Committee (Committee) at 1:34 p.m. He welcomed Tom Kealey, Director of the Idaho Department of Commerce, for his presentation, Governor's Task Force on Broadband: Broadband Access in Idaho.

**PRESENTATION:** **Director Kealey** began by recognizing Vice Chairman Crabtree and Senator Nelson who served on the Governor's Task Force on Broadband, which was made up of 38 people representing the geographic and professional diversity of Idaho. The task force met four times to discuss linking rural Idaho to the global marketplace. This is important because people need access to affordable broadband access. Its an urgent priority in all corners of the state. He concluded by listing the next steps for the Idaho Department of Commerce, which will continue to lead the effort of the Idaho Broadband Plan: 1.) engage Idaho Legislators; 2.) establish smaller, regional working groups; 3.) focus on federal grants and loans; and 4.) focus on a comprehensive plan for North Central Idaho. (see attachment 1)

**DISCUSSION:** **Vice Chairman Crabtree** stressed that North Central Idaho needed to be a high priority and asked how quickly the objectives could be established. **Director Kealey** said they are working with cities around the state, with more structure to come after the budget year begins.

**Senator Den Hartog** asked what did federal grants cover. **Director Kealey** laid out the plan for responding to requests for proposals (RFPs) with the Federal Communications Commission (FCC), the World Connect organization that works directly with local community leaders, among other sources. Successful grants and loans from various sources will be distributed through the task force.

**H 332** **Brian Goeke**, the Idaho Transportation Department's (ITD) Department of Motor Vehicles (DMV) Policy Manager, introduced **H 332** by stating the bill allows fees to be retained by the entity that provides the service. He provided examples of ITD's partnering with the Idaho Department of Corrections (IDOC) to establish a process to issue identification (ID) cards to those incarcerated who are about to be released. In addition, Idahoans can now renew or replace their driver's license and ID cards directly online. It has been successful in reducing long lines and alleviating the pressure for local driver's license offices. **H 332** proposal would allow ITD, as the entity providing the service, the ability to keep a portion of the online fee to recoup their costs on the DMV portal. He concluded that there is no fiscal impact as it just redirects the fees.



**MOTION:** **Vice Chairman Crabtree** moved to send **H 332** to the floor with a **do pass** recommendation. **Senator Buckner-Webb** seconded the motion. The motion passed by **voice vote**. **Senator Den Hartog** offered to carry the bill on the Senate floor.

**H 333** **Mr. Goeke** said **H 333** seeks to do two things: 1.) it distributes fees to the entity issuing dealership and salesperson ID cards without the dealer needing to leave their business to go to a county office for the cards; and 2.) it repeals part of Idaho Code § 49-1635 which requires salespeople to perform a minimum of five sales per year in order to renew their license. Repealing it is consistent with the Governor's Red Tape Reduction Act.

**MOTION:** **Senator Lodge** moved to send **H 333** to the floor with a **do pass** recommendation. **Senator Winder** seconded the motion. The motion passed by **voice vote**. **Senator Lodge** offered to carry the bill on the Senate floor.

**H 375** **Captain Scott Hanson** of the Idaho State Police (ISP) Commercial Vehicle Safety Division said that **H 375** proposes to increase the Hazardous Material Endorsement (or permit) fee from \$10 to \$15. The increase per permit will provide funding to meet the current needs of the Hazardous Material and Hazardous Waste Transportation Fund, pay all the costs for the five ISP Hazardous Materials Specialists for a year, and ensure the fund's ongoing sustainability. ITD administers the permits and retains \$2 per permit, which will remain the same. With this increase, ISP will receive \$13 per permit instead of the \$8 per permit they had received.

**DISCUSSION:** **Vice Chairman Crabtree** wondered what measure had been taken to cut their costs. **Captain Hanson** said they had not renewed the certification on their old equipment. They are now looking to replace the old equipment, which has become a challenge.

**Senator Winder** asked how long it had been since the fee had been increased. **Captain Hanson** said it was last increased in 2010.

**MOTION:** **Senator Winder** moved to send **H 376** to the floor with a **do pass** recommendation. **Senator Burtenshaw** seconded the motion. The motion passed by **voice vote**. **Senator Winder** offered to carry the bill on the Senate floor.

**S 1296** **Senator Jordan**, District 17, said **S 1296** will allow a commercial service airport to adopt reasonable rules and regulations regarding Transportation Network Company (TNC) services. TNCs are rideshares, such as Uber or Lyft, and have become popular transportation options for travelers arriving at airports; however, their use has become a safety issue at airports. This bill will allow airports to regulate TNCs on airport access roads similarly to how they regulate cabs and shuttles. She referred to a letter of support from Idaho airport managers in Idaho Falls, Twin Falls, Pocatello, Lewiston, and Hailey.

**DISCUSSION:** **Senator Rice** pointed out that this bill could be interpreted in a broader sense than intended and recommended sending it to the 14th Order of Business for amendment.

**TESTIMONY:** **Elizabeth Koeckeritz**, Administrator of the Boise Airport, urged the passage of **S 1296**. TNCs currently do not have their own location to wait for their fares, and consequently they are either using the cell phone lane or they travel around and around the airport waiting for their passengers to arrive, thereby becoming a huge safety concern. The Boise Airport is the regional airport for southwest Idaho and had 4.1 million passengers pass through it last year.

**DISCUSSION:** **Senator Jordan** appreciated the input from Senator Rice and agreed the bill needed to be amended. **Senator Rice** commented that this was important legislation and he looked forward to helping with the amendment.

**MOTION:** **Senator Rice** moved to send **S 1296** to the 14th Order of Business for possible amendment. **Senator Buckner-Webb** seconded the motion. The motion passed by **voice vote**. Senator Jordan will carry the bill on the Senate floor.

**ADJOURNED:** With no further business before the Committee, **Chairman Brackett** adjourned the meeting at 2:15 p.m.

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Senator Brackett  
Chair

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Gaye Bennett  
Secretary

# Attachment 1

Presentation before the Senate Transportation Committee on February 11, 2020 at 1:30 p.m. in WW53 of the Idaho State Capitol.

“Governor’s Task Force on Broadband:  
Broadband Access in Idaho”

Presented by Tom Kealey, Director of the Idaho Department of Commerce



# **Broadband Access in Idaho**

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Idaho Commerce



**For: Governor Brad Little**

**By: Idaho Broadband Task Force**

**Presented: October 31, 2019**

**Approved: November 22, 2019**



# BROADBAND ACCESS IS IMPERATIVE FOR IDAHO

RECOMMENDATIONS TO IMPROVE  
IDAHO'S BROADBAND PLAN

# BACKGROUND OF IDAHO BROADBAND PLAN

Like water, electricity and highways, Idaho citizens, communities and businesses, in both urban and rural areas, must have access to secure reliable, affordable broadband internet speeds in order to grow, thrive and connect to the world.

Whether you're a wheat farmer on the rolling Palouse hills, a hotelier at the foot the Tetons, or a student near the Sawtooths, reliable broadband access is essential to send and receive information vital to crop health, to take visitor reservations, process payments, and access the global network of information and learning tools to do your homework.

Access to the broadband and high-speed internet services is an urgent priority for Idahoans in all corners of the state. A robust, comprehensive and dynamic broadband plan for Idaho is imperative in order to identify priorities and secure funding. This report contains recommendations from the Governor's Broadband Task Force aimed at providing reliable broadband access to all residents and businesses in Idaho.



**“To ensure Idaho can adapt to the rapidly evolving digital world, we must actively work to improve Idaho’s broadband access, pursuing all options to increase broadband connectivity.”**

-Governor Brad Little  
State of the State, January 2019

# IDAHO BROADBAND TASK FORCE

Governor Brad Little proclaimed during the 2019 State of the State his priority and intention for an updated broadband plan to increase broadband connectivity for all Idaho communities.

In May 2019, Governor Little issued an executive order to form a task force to make recommendations to the Governor on policies and actions the state should consider to dramatically improve the state in connectivity and service levels.

Governor Little named the Director of the Idaho Department of Commerce, Tom Kealey, to chair the task force and develop a strong, expert team of varied backgrounds, regions and technologies to focus on a statewide approach to ensure all of Idaho is represented, evaluated and all solutions are analyzed.

Director Kealey appointed the task force, containing experts from a variety of industries ranging from hospitality to agriculture, ISPs, carriers and utilities, members of the Idaho Legislature, tribal organizations, and the public sector.

The task force met four times throughout the state to take full inventory of the status of broadband across Idaho. In addition, task force members held committee meetings throughout the process to examine specific topics and make recommendations.

## RURAL A COMMITTEE

Greg Lowe, President & CEO, Syringa\*\*  
Danae Wilson, Dept. of IT, Nez Perce Tribe\*  
Sen. Carl Crabtree, Senator, Idaho Legislature  
Curtis Fryer, CIO, Idaho Forest Group  
Jim Blundell, Government Affairs, T-Mobile  
Mike Fitzgerald, Commissioner, Shoshone County

## RURAL B COMMITTEE

Mike Kennedy, President, Intermax\*\*  
Sen. David Nelson, Idaho Legislature\*  
Dana Basset, Global IT Services Delivery, Glanbia  
Dan Greig, Gen. Manager, Farmers Mutual Tel.  
Steve Ehle, Director Infastr, Simplot  
Paul Desaulniers, Manager Reg. Ops, CenturyLink  
Rep. Megan Blanksma, Idaho Legislature

## URBAN COMMITTEE

Kevin England, Mayor, City of Chubbuck\*\*  
Michael Mattmiller, Gov. Affairs, Microsoft\*  
Rep. Mat Erpelding, Idaho Legislature  
Doug Burnett, Res. Manager, Coeur d'Alene Resort  
Jacob Larsen, CEO, Safelink Internet  
Nancy Cyr, Engineering Lead, Idaho Power  
Pat Felzien, Director, IT Engineering, Micron

## BROADBAND OFFICE COMMITTEE

Tara Thue, President Gov. Affairs, AT&T\*\*  
Jessica Epley, Manager Gov. Affairs, Frontier\*  
Cheryl Goettsche, General Manager, Sparklight  
Will Hart, Exec. Director, Consumer Owned Utilities  
Marian Jackson, State Director Gov. Affairs, Charter

## REPORT COMMITTEE

Jaap Vos, Bioregional Planning, U of I\*\*  
Gordon Jones, Innovation/Design, BSU\*  
Chanel Tewalt, ISDA  
Milt Doumit, Gov. Affairs, Verizon

## INL/UNIVERSITIES COMMITTEE

Jerry Gwynn, Infastr, Operations, INL\*\*  
Randy Gaines, CIO, ISU\*  
Kenneth Smith, Technologist, HP  
Robert Hampton, CIO, Jackson's

## MAPPING COMMITTEE

Guy Cherp, Vice President, Cox Comm.\*\*  
Brad Richey, Director, Office of Emergency Mgt.\*  
Jeff Weak, Administrator, ITS- Office of Gov.  
Jaynie Bentz, Asst. Port Manager, Port of Lewiston  
Kari Saccomanno, City Manager, Ting

Tom Kealey, Director, Idaho Commerce\*\*\*

\*\*\* Task Force Chair

\*\* Committee Chair

\* Committee Co-Chair

# IDAHO BROADBAND PLAN GOALS



## **Link Rural Idaho to a Global Marketplace**

Broadband access is essential to modern industry, including agriculture, food production, farming and ranching.



## **Give Students and Families the Tools to Succeed**

Broadband access is critical for students, parents, and educators to facilitate communication, reach vast sources of research and information, and utilize the most advanced learning tools.



## **Help All Communities Increase Speeds**

Many areas of Idaho, particularly the most rural locations, still lack reliable broadband-level speeds at an affordable price.



## **Connect Health Care and First Responders**

Broadband is an important tool for health care providers to access electronic health records, utilized telemedicine advancements and exchange urgent information.



## **Identify Funding and Partnership Models**

State efforts to fund infrastructure and encourage investment to improve broadband access can take a variety of forms.



## **Convene Partners**

Improving broadband planning requires partnership from a variety of stakeholders including ISPs, carriers, entrepreneurs, utilities, and the public sector, including state agencies.



# APPROACH TO ANALYSIS AND RECOMMENDATIONS

## Governor Objectives

- Affirm State Broadband Plan for Idaho ensures both urban and rural Idaho are well connected and well positioned to attract business and create maximum success for our communities.
- Develop adequate mapping of broadband and high-speed internet infrastructure to progress connectivity throughout the state.
- Analyze existing resource gaps to help advance the state in connectivity, speeds and capacity.

## Task Force Formed

At the State of the State, January 2019, Governor Little announced improving broadband access would be a key economic development initiative in his administration. In May of 2019, a task force of diverse statewide technology experts ranging from ISPs, carriers, utilities, business leaders, tribal organizations, stakeholder associations and state, county and municipal government agencies was formed to fulfill the Governor's directive to focus on a statewide approach, ensuring all of Idaho is properly represented and all options evaluated and analyzed.

## Meetings Held

- Initial meetings focused on introducing task force members, establishing goals and desired outcomes, reviewing of technology capabilities and options, funding mechanisms and solutions currently in place.
- Between the second and third meetings, the task force broke into committees to focus on specific issues of communities across Idaho.
- The final two meetings focused on preliminary recommendations from committees, distilling and refining recommendations and crafting final recommendations in preparation to report to the Governor.

## Committee Assessments

Seven committees were established to evaluate different market segments, users, technologies, and topics:

- Rural (A), Rural (B), Urban, INL/Universities, Mapping, State Broadband Office, Final Report.
- Each committee was tasked to develop ideas and recommendations to put forth to the task force.
- The Final Report committee was tasked with distilling the committee recommendations into final recommendations for improving Idaho's Broadband Plan.

## Broadband Plan

- Addressing solutions for the unserved areas in rural Idaho is the highest priority.
- Importance of maintaining local authority and technology agnostic recommendations.
- Funding remains uncertain; accurate mapping and data remains a challenge.
- Strong support for a state broadband office.
- Affirm Governor support for Broadband Plan and notify federal partners to maximize Idaho funding.
- Urban areas, universities and INL are currently well served but will need to consistently improve.

# CURRENT ASSESSMENT

Broadband access is central to many activities in our day to day lives. Fast, reliable, affordable connectivity is essential for business, education, health care and public safety, and is required for many new services and entertainment options in modern life.

The Idaho Broadband Task Force defines unserved communities as areas that do not have the minimum federal guidelines of broadband service measured as 25 mbps down and 3 mbps up. Idaho has been reported to be below average for broadband connectivity, however, maps containing broadband speed and service are often inadequate and out-of-date. The Federal Government requires reporting by ISP's but the data on maps is limited. More accurate private ISP mapping may be available 2020-Q1. Public sector infrastructure asset maps are unavailable or not aggregated.

ISPs and government programs have invested hundreds of millions of dollars for broadband infrastructure over the past several years. Idaho projects and assistance applications have not scored high by federal agencies that provided funding for rural and unserved communities. Idaho's federal assistance awards have been low, partly due to the lack of a recognized State Broadband Plan. More investment is needed to unserved areas, particularly in rural communities, where poor broadband speed and service poses a significant threat to health and safety, education, and quality of life, and limits economic prosperity in times of economic strength.

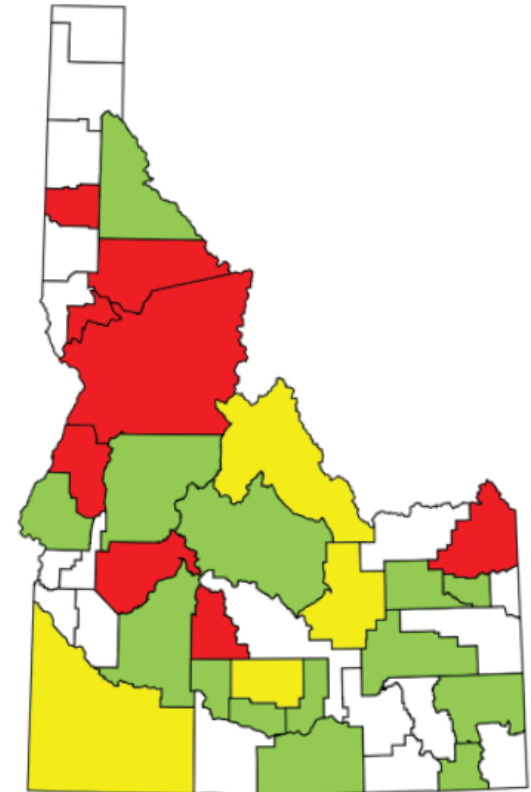
In addition to challenges understanding exactly where speed and service gaps exist, Idaho is challenged addressing unserved areas due to the state's geography, terrain, and lack of population density in many areas. In order to overcome these challenges, public-private partnerships are necessary to better coordinate broadband project communication, funding, and efficiencies to expand broadband connectivity.

Available maps and data depict North Central Idaho as the largest unserved area in the state. Other areas of the state may experience inconsistent speeds and service levels depending on capacity, technology, equipment, and usage. However, public safety agencies, educational institutions, libraries, and hospitals have some level of broadband service across Idaho utilizing proprietary networks created and funded for the respective, sole purpose needs; not developed for the broader community. These beneficiaries received service at varying times since there has not been a "dig once" or "hang once" policy to utilize which may have provided less expensive and more expansive coverage.

Idaho's Broadband Plan addresses unserved areas across the state, however, the plan requires coordination and funding. There are potentially large federal funding sources, but the federal program rules are currently being altered and qualifications are uncertain at this time.

Percent of Housing Units with Fixed Terrestrial Broadband by Idaho County

□ More than 75% ■ 50 - 75% of all houses ■ 35 - 50% of all houses ■ 0 - 35% of all houses



# IDAHO BROADBAND LANDSCAPE

The task force found that it is important to recognize that different market segments require different solutions. Larger and many smaller markets are presently well-served due to significant investments in technology and infrastructure. Solutions that limit regulation, increase efficiency, enable healthy competition and consider new technology options will help speed and service in most areas grow and improve.

Rural communities and remote locales face a different set of challenges. Geography, terrain, and lack of population density require different technology solutions, investment levels, and greater public-private collaboration. Better state coordination and federal scoring for Idaho rural projects may incent providers and entrepreneurs to deploy innovative technology solutions at attractive ROI's for the private sector. Federal funding programs are available to public entities to enable greater efficiencies for rural solutions.

MARKET SEGMENTS	TECHNOLOGIES AND EQUIPMENT	INVESTMENTS
Major Markets	Fiber; Cable; DSL; Cellular; Microwave	Significant investment; Large private sector funding; Government contracts
Smaller Markets	Fiber; Cable; DSL; Cellular; Fixed-Wireless Towers	Cell towers require smaller investment; Portable towers emerging as new technology option
Rural Communities	Middle Mile to Central Town; Satellite; Fixed-wireless; CBRS; New, lower-cost technologies	Investment by public and private entities; Entrepreneurs funding new technology and service options
Remote Locales	Satellite; Line of Sight; Fixed-wireless; CBRS; New technologies	Investment is challenging, singular projects can be costly; Low ROI; Aerial infrastructure is half the cost of digging

# RECOMMENDATIONS AND OUTCOMES

The task force agrees with the Governor that broadband and high-speed internet should be a strategic and economic priority for Idaho. Most importantly, developing solutions to better serve and assist rural Idaho should be the highest priority and thus the focus of most recommendations.

Recommended solutions should remain “technology neutral.” Due to the continuous technological advances in delivery of broadband services and Idaho’s geography challenges and communities’ unique circumstances, all technology options should be considered as solutions to improve connectivity across the state.

Idaho’s urban areas are well served given customer density, access to capital, and existing infrastructure. Idaho’s universities and the Idaho National Laboratory have adequate broadband but should maintain their leading edge with existing resources and could serve as a catalyst for improvements to broadband technologies.

With continued healthy competition among providers, reduced regulation, more awareness of options, and the benefit of policy recommendations noted below, Idaho’s broadband connectivity should improve and thrive.

## **Call For Action #1: Update Broadband Plan**

Affirmation of the Idaho Broadband Plan by the Governor, along with the appropriate notifications to Federal and State agencies will support maximum funding opportunities and coordination to expand broadband service across Idaho. Letters of affirmation allow for maximum scoring for internet service providers and therefore higher probability of securing millions of dollars for reaching unserved communities. When combining the potential for more federal funding and state agency coordination efforts, the investment for ISP’s may be reduced such that their minimum ROI’s may be achieved to consider a successful public-private investment partnership.

# RECOMMENDATIONS AND OUTCOMES

## **Call For Action #2: Establish a State Broadband Office**

As part of its broadband plan, Idaho should create a State Broadband Office within the Department of Commerce, initially recommending one full time staff position. Idaho is not unique in the need for broadband. By establishing a State Broadband Office, Idaho will be better positioned to coordinate efforts across Idaho and to avoid costly errors by learning from what other states have successfully accomplished.

The State Broadband Office could be a resource for a state broadband strategy including consumer education, facilitating opportunities and funding sources, and coordinate where Idaho can leverage existing infrastructure, such as roadways and utility assets, to reach unserved communities in the state.

The task force evaluated many different data sources and mapping options to understand what best illustrates Idaho's available services, speed and infrastructure. The task force identified where gaps exist, and recommends the Idaho Broadband Office should be the repository for all publicly available maps and data sources to create a clear understanding of Idaho's opportunity. As new maps and data sources become publicly available, the State Broadband Office should include this information to enhance Idaho's broadband availability.

Idaho must resolve the gap in funding that is creating a barrier, for needed broadband deployment. The State Broadband Office could assist the state and communities throughout Idaho by leveraging federal funding sources including, but not limited to U.S. Department of Agriculture, Federal Communications Commission and U.S. Department of Commerce programs. The State Broadband Office would also leverage State assets.

While awaiting the establishment of a State Broadband Office, members of the task force should continue to meet periodically and work together with the Department of Commerce as an "interim" state broadband office on the identified projects within Idaho.

# RECOMMENDATIONS AND OUTCOMES

## **Call For Action #3: Consider State Funding Options**

Beyond the available federal programs, funding will continue to be a challenge. Moreover, the State could make a large contribution toward lowering project investment with the coordination of a “dig once” policy and a proactive coordination of potential large installation. The investment could be substantially smaller if several projects were completed with “one dig” or “one hang.” State funding solutions through grants and loans that complement existing programs and projects and reforming the existing State Universal Service Fund to include broadband subscribers should be considered to close the funding gap and deploy broadband infrastructure and service.

## **Call For Action #4: Improve Deployment Efficiency by Formalizing Dig Once and Hang Once Policies**

Establish a state construction registry maintained by the State of Idaho for all upcoming transportation infrastructure projects and of existing available conduit in the public right of way and promote joint projects. Idaho’s most precious asset regarding broadband deployment is its Right of Way along its highways. A significant cost of broadband deployment is in the construction costs for installation in the Right of Way.

With uncertain funding, better communication between agencies and utilities when ground is broken in a public right of way is smart policy to immediately improve deployment efficiency. Broadband deployment incurs many costs and can be a burden to our state if not coordinated properly from the outset of a project.

Proactive and simultaneous broadband infrastructure planning with utility maintenance/expansion, Idaho Department of Transportation, County Highway District highway projects, or municipal road maintenance projects could dramatically change and improve the way our ISP’s view broadband preparation and development.

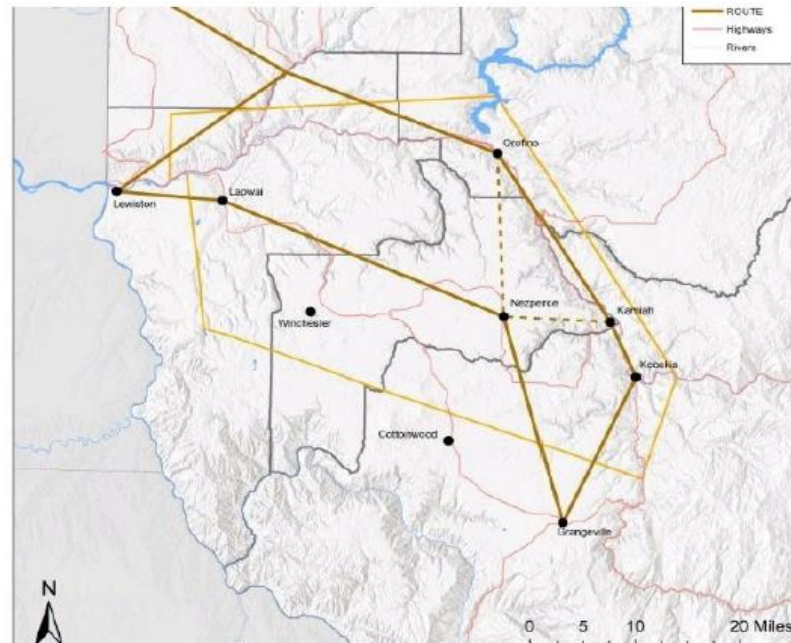
Encourage local communities to work with all applicable public entities and private partners to determine the most effective solutions for deploying broadband. All approaches and policies should support the efficient construction of cost-competitive, reliable broadband services while remaining technology neutral in its delivery.

# RECOMMENDATIONS AND OUTCOMES

## Call For Action #5: Engage on Near Term Projects

The task force recognized that there are current, unfunded projects in unserved areas which are very important for Idaho. These near term projects could have an immediate impact on unserved areas:

- North Central Idaho “open access” fiber network across five counties for the unserved region based on the District 2 Interoperability Governance Board (DIGB2) consulting study.\*
- North-South pathway between Grangeville and Riggins
- I-90 corridor between Cataldo, Idaho and Montana border
- Melba



\* DIGB2 consulting study map

# TASK FORCE RECOMMENDATIONS

Call For Action #1: Update State Broadband Plan

Call For Action #2: Establish a State Broadband Office

Call For Action #3: Consider State Funding Options

Call For Action #4: Formalize Dig Once and Hang Once Policies

Call For Action #5: Engage on Near Term Projects





# BROADBAND OFFICE - EXAMPLE

## **TOPLINE COMMITTEE RECOMMENDATION**

*Create the Idaho Broadband Office within the Idaho Department of Commerce, staffed by one full-time employee.*

## **RECOMMENDED BROADBAND OFFICE RESPONSIBILITIES**

1. Make recommendations to the governor and Legislature regarding policies and initiatives that promote the development of broadband-related infrastructure in the state
2. Promote private sector, public sector and cooperative broadband solutions including engaging with stakeholders representing a wide variety of interests, including but not limited to local, state, federal and tribal government officials, business and other community leaders, to facilitate communications deployment and collaboration
3. Encourage expedited policies for communications infrastructure construction, right of way and permitting that establishes clear and timely processes, reasonable and consistent fees and assistance for providers in deploying communications infrastructure
4. Support local and regional broadband planning including both intra-state and inter-state projects
5. Provide publicly accessible resources on communications technologies available within the state
6. To serve as the State's subject matter expert on communications technologies
7. Generate public awareness and educational materials of the value of broadband technologies and applications
8. Research community broadband adoption barriers, including identifying communities where broadband adoption is undesirable
9. Serve as state repository for broadband mapping information
10. Support and coordinate efforts of the Idaho Broadband Taskforce or other successive committees as may be established
11. Produce an annual report and present findings to the legislature, governor and stakeholders about the state of broadband in Idaho and the annual accomplishments of the Broadband Office to meet its responsibilities

# NEXT STEPS

- Idaho Commerce to continue to lead the Idaho Broadband Plan ongoing effort with an interim broadband office to work on identified near term projects.
  - Engage Idaho legislators.
  - Establish smaller, regional working groups.
  - Focus on “high scoring” for federal grants and loans.
  - Focus on a comprehensive “beta” project in underserved North Central Idaho.

# APPENDIXES & SUPPORTING DOCUMENTS

To view the full report including all appendixes and supporting documents, please go to the following link:  
<http://commerce.idaho.gov/broadbandplan2019>



# NEXT STEPS

ITD Partnership

Direct ISP Engagement

Regional Working Groups

Federal Funding Opportunities

Local Autonomy

Idaho's Rural Telcos

Promoting Broadband – legislature, cities,  
counties, associations

# LET'S CONNECT



[commerce.idaho.gov](https://commerce.idaho.gov)



Idaho Commerce



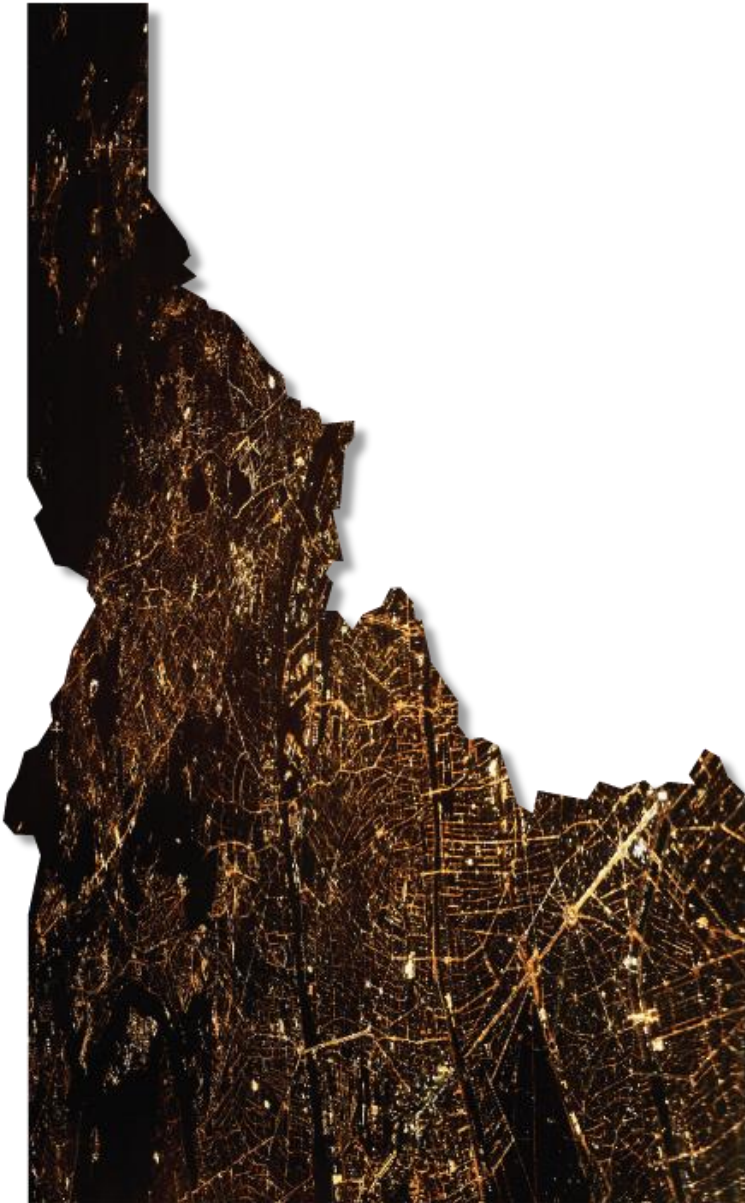
@idahocommerce



Idaho Commerce



Visit Idaho





  
**IDAHO**  
**COMMERCE**

AGENDA  
**SENATE TRANSPORTATION COMMITTEE**  
1:30 P.M.  
Room WW53  
Thursday, February 13, 2020

<b>SUBJECT</b>	<b>DESCRIPTION</b>	<b>PRESENTER</b>
<b>Welcome</b>		<b>Chairman Brackett</b>
<b>Page Recognition</b>	<b>Spencer Payne</b> of Eagle, Idaho, is a senior at Rocky Mountain High School.	<b>Chairman Brackett</b>
<b>Minutes Approval</b>	Approve the Minutes of February 10, 2020.	<b>Vice Chairman Crabtree and Senator Rice</b>

***If you have written testimony, please provide a copy of it along with the name of the person or organization responsible to the committee secretary to ensure accuracy of records.***

COMMITTEE MEMBERS

Chairman Brackett  
Vice Chairman Crabtree  
Sen Winder  
Sen Den Hartog  
Sen Lodge

Sen Rice  
Sen Burtenshaw  
Sen Buckner-Webb  
Sen Nelson

COMMITTEE SECRETARY

Gaye Bennett  
Room: WW33  
Phone: 332-1332  
Email: [stran@senate.idaho.gov](mailto:stran@senate.idaho.gov)

MINUTES  
**SENATE TRANSPORTATION COMMITTEE**

**DATE:** Thursday, February 13, 2020

**TIME:** 1:30 P.M.

**PLACE:** Room WW53

**MEMBERS PRESENT:** Chairman Brackett, Vice Chairman Crabtree, Senators Winder, Den Hartog, Lodge, Burtenshaw, Rohn(Buckner-Webb), and Nelson

**ABSENT/ EXCUSED:** Senator Rice

**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:** With a quorum present, **Chairman Brackett** convened the meeting of the Senate Transportation Committee (Committee) at 1:33 p.m. He welcomed Senator Troy Rohn to the Committee, who was substituting for Senator Buckner-Webb.

**FORMER PAGE RECOGNITION:** **Chairman Brackett** said that the Committee would first be looking to the past for page recognition and asked them to review the flyer in their packets from an article in the Owyhee Avalanche dated January 29, 2020. Fifty years ago on that day, Roy Eiguren, a well known Boise attorney and lobbyist, was the student body president of Homedale High School and was heading to Boise to be a Senate page. **Chairman Brackett** presented Mr. Eiguren with a laminated copy of the article, and asked him if he had comments.

**DISCUSSION:** **Mr. Eiguren** said that 1970 was the first year the Idaho Legislature met annually. He said things moved quickly, and they even held Saturday committee meetings. In the evenings, the pages were responsible for sweeping up the committee hearing rooms. He said becoming a page, both then and now, is the best opportunity for a high school student, and from it he developed his interest in government. It is his real pleasure to serve the State of Idaho. He thanked the Chairman for the article.

**PAGE RECOGNITION:** **Chairman Brackett** introduced the Committee's current page, Spencer Payne of Eagle, Idaho. **Chairman Brackett** shared an experience where Mr. Payne successfully helped him with a technological problem that others were unable to fix. Following that incident, **Chairman Brackett** said he was impressed with Mr. Payne's skills ever since. He then presented Mr. Payne with letters and thank you gifts from the Committee, and asked him to share his impressions from his experiences as a page.

**Mr. Payne** said he, too, was very grateful for the opportunity. Prior to becoming a page, he did not know how the Senate worked, especially the committee system. He just had never learned that in any of his civics classes. **Mr. Payne** enjoyed meeting the other pages serving in both the House and the Senate, and learning about the various regions of Idaho where they live. He has really learned a lot and enjoyed his experience.

**DISCUSSION:** **Senator Winder** asked what he saw as the next chapter in his life. **Mr. Payne** said he was hoping to get into Brigham Young University in Provo, Utah, from which he anticipates getting a letter within the next few weeks. He wants to study microbiology and minor in chemistry. In his second year, he wants to go on a mission for his church.

**Chairman Brackett** commented that those who work the hardest become the best.

**MINUTES  
APPROVAL:**

**Vice Chairman Crabtree** moved to approve the Minutes of Monday, February 10, 2020. **Senator Lodge** seconded the motion. The motion passed by **voice vote**.

**CONVENED:**

With no further business before the Committee, **Chairman Brackett** adjourned the meeting at 1:45 p.m.

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Senator Brackett  
Chair

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Gaye Bennett  
Secretary



AGENDA  
**SENATE TRANSPORTATION COMMITTEE**  
**1:30 P.M.**  
**Room WW53**  
**Tuesday, February 18, 2020**

<b>SUBJECT</b>	<b>DESCRIPTION</b>	<b>PRESENTER</b>
<b>Welcome</b>		<b>Chairman Brackett</b>
<b>Page Introduction</b>	Welcome Committee page <b>Henry Wolthuis</b> of Eagle, Idaho and senior at Rocky Mountain High School.	<b>Chairman Brackett</b>
<a href="#"><b>S 1297</b></a>	Creates "Too Great For Hate" specialty license plate.	<b>Senator Buckner-Webb</b>
<a href="#"><b>H 334</b></a>	Increases funding for the local bridge inspection account.	<b>Mollie McCarty</b> , ITD Government Affairs Program Manager
<a href="#"><b>S 1314</b></a>	Treats the use of certain electronic devices while driving as an infraction.	<b>Jeff Neumeyer</b> , Senior Vice President and General Counsel, United Heritage Insurance

***If you have written testimony, please provide a copy of it along with the name of the person or organization responsible to the committee secretary to ensure accuracy of records.***

COMMITTEE MEMBERS

Chairman Brackett	Sen Rice
Vice Chairman Crabtree	Sen Burtenshaw
Sen Winder	Sen Buckner-Webb
Sen Den Hartog	Sen Nelson
Sen Lodge	

COMMITTEE SECRETARY

Gaye Bennett  
Room: WW33  
Phone: 332-1332  
Email: stran@senate.idaho.gov

MINUTES  
**SENATE TRANSPORTATION COMMITTEE**

**DATE:** Tuesday, February 18, 2020

**TIME:** 1:30 P.M.

**PLACE:** Room WW53

**MEMBERS PRESENT:** Chairman Brackett, Vice Chairman Crabtree, Senators Winder, Lodge, Rice, Burtenshaw, Buckner-Webb, and Nelson

**ABSENT/ EXCUSED:** Senator Den Hartog

**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:** With a quorum present, **Chairman Brackett** called the meeting of the Senate Transportation Committee (Committee) to order at 1:32 p.m. **Chairman Brackett** said Committee Page Henry Wolthuis was unavailable and he would be introduced at the next meeting.

**S 1297** **Senator Buckner-Webb** presented **S 1297** that provides for creating a "Too Great For Hate" license plate. She relayed information about her family's background and their journey to Idaho. **Senator Buckner-Webb** said her family is representative of many folks from many different backgrounds, cultures, religions, countries, and races who took the chance and moved to Idaho for a better quality of life.

The proposed plate was requested by the Wassmuth Center for Human Rights, which founded the Anne Frank Memorial in 1996. This memorial is the only one in the United States where the full Universal Declaration of Human Rights is on public display. **Senator Buckner-Webb** asked Sandra Berenter, Board President of the Wassmuth Center for Human Rights, to share how the proceeds from sale of the license plates would be used. **Ms. Berenter** said one use would be to expand their ADA compliant facilities and audio boxes which would allow self-guided tours of the memorial. They also would allow expanding the use of the portable Anne Frank exhibit in classrooms across the state. Another way would be for a Lunch and Learn series and to develop a young writers program. The memorial's visitors exceed 120,000 people annually.

**DISCUSSION:** **Senator Nelson** inquired about outreach programs, and **Ms. Berenter** replied they have many educational outreach programs with curricula available as well. **Senator Lodge** asked how many license plates they thought might be sold. **Ms. Berenter** deferred that question to Don Murray, Vice President of Wassmuth Human Rights Board. **Mr. Murray** said that from preliminary research, there should be several thousand plates sold. **Senator Lodge** said that \$34 would go to the Wassmuth Center for Human Rights and \$26 would go to the state highway fund and asked if he thought that was fair. **Mr. Murray** said he was not prepared or qualified to answer the question, but did agree that the roads are important. **Senator Rice** inquired about the research regarding the possible number of plates sold. **Mr. Murray** said this legislation was proposed a year ago and they have had the opportunity to talk to many people, with very little negative reaction.

**TESTIMONY:** **Bill Brunell** and **Brandon Taylor**, both with the Anne Frank Human Rights Memorial, and **Ingrid Brunell** testified in support of **S 1297**, because specialty license plates offer a choice that increases awareness of our state's values.

**MOTION:** **Senator Nelson** moved to send **S 1297** to the floor with a **do pass** recommendation. **Senator Burtenshaw** seconded the motion.

**DISCUSSION:** **Senator Winder** recognized how fortunate it is to have this memorial in our community; therefore, he supports **S 1297**.

**VOICE VOTE:** The motion to send **S 1297** to the floor with a **do pass** recommendation passed by **voice vote**. Senator Buckner-Webb will be the floor sponsor.

**H 334** **Molly McCarty**, Government Affairs Manager, Idaho Transportation Department (ITD), presented **H 334** stating the bill increases funding for the local bridge inspection account managed by ITD. Idaho Code § 63-2412 dedicates \$100,000 annually from the state gas tax for the local bridge inspection account, a program that ensures safety to users of Idaho's transportation system. This proposal is not a fee increase, it is fuel tax money intended for roads,

**MOTION:** **Senator Winder** moved to send **H 334** to the floor with a **do pass** recommendation. **Senator Crabtree** seconded the motion. The motion carried by **voice vote**. Senator Nelson will be the floor sponsor.

**S 1314** **Jeff Neumeyer**, Senior Vice President and General Counsel, United Heritage Insurance, presented **S 1314**. This legislation treats the use of certain electronic devices as an infraction while driving. Distracted driving has become a serious life, health, and safety problem across the country and in Idaho. **Mr. Neumeyer** said that crash data consistently shows that handheld mobile electronic devices are the most significant cause of distracted driving crashes. There are about 5,000 crashes a year in Idaho, with 2,200 of those involving injuries and 50 of those crashes involving fatalities. **Mr. Neumeyer** also stated that a high percentage of crashes are occurring on rural roadways and a number of injuries and fatalities caused by distracted drivers are occurring to pedestrians and bicyclists. The Idaho Transportation Department Office of Highway Safety calculates \$1 billion dollars in annual economic cost of distracted driving crashes to Idahoans.

**Mr. Neumeyer** said that **S 1314** has been carefully designed to reduce crashes and save lives, while also being narrowly tailored to minimize the impact on individual freedom. Twenty-one other states already have enacted hands-free laws to protect their citizens from needless tragedies and 19 additional states currently have pending hands-free legislation under consideration. He asked that the Committee send **S 1314** to the floor with a do pass recommendation.

**DISCUSSION:** **Senator Nelson** inquired about exceptions for a government or commercial user in their official duty using devices somewhat like a citizens band (CB) radio. **Senator Burtenshaw** asked how law enforcement can enforce that example. **Mr. Neumeyer** responded that the device needs to be out of one's hand, but there is an exception for "one touch," which is not scrolling.

**TESTIMONY:** **Fred Birnbaum**, Idaho Freedom Foundation (IFF), opposed **S 1314** because the exceptions in this bill make it difficult to equitably enforce. **Mr. Birnbaum** disagreed with the fatality numbers. **Senator Winder** asked Mr. Birnbaum if he had any information on crash rates and injuries. **Mr. Birnbaum** said he did not, but he would research it and provide the information to the Senator.

Testifying in support of **S 1314** were: **Jeff Lavey**, Chief of Police for the City of Meridian; **Duane Justus**, Coordinator, ABATE of North Idaho, a motorcycle rights organization; **Kelly Duren**, Chairman of the Fallen Riders Fund, a nonprofit organization that helps motorcyclists involved in accidents; **Lane Triplett**, Government Relations Officer for the Idaho Coalition for Motorcycle Safety; **Jeff Schroeder**, an associate attorney in a law firm representing himself; **Matthew Conde**, AAA of Idaho; **Cynthia Gibson**, Executive Director of the Idaho Walk/Bike Alliance; **Francois Cleveland**, AARP Idaho; **Sgt. Matthew Smith**, Idaho State Police and Idaho Operation Lifesaver; and **Steve Thomas**, representing Farm Bureau Mutual Insurance of Idaho.

**DISCUSSION:**

**Mr. Neumeyer** wanted to follow-up with the opposition to the bill by Fred Birnbaum of IFF. They had worked together at Boise Cascade Corporation and he values Mr. Birnbaum's judgement. He reviewed this bill and shared some very good ideas about the language. It is a very good bill that will get the phone out of people's hands. **Mr. Neumeyer** said that IFF is not only wrong, their thinking regarding this bill is ignorant, misguided, and callous. This bill protects people's freedoms by saving people's lives.

**MOTION:**

**Senator Lodge** moved to send **S 1314** to the floor with a **do pass** recommendation. **Senator Buckner-Webb** seconded the motion. The motion carried by **voice vote**. Senator Winder will be the floor sponsor.

**ADJOURNED:**

With no further business before the Committee, **Chairman Brackett** adjourned the meeting at 3:03 p.m.

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Senator Brackett  
Chair

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Gaye Bennett  
Secretary

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Juanita Budell  
Assistant Secretary

AGENDA  
**SENATE TRANSPORTATION COMMITTEE**  
1:30 P.M.  
Room WW53  
Thursday, February 20, 2020

<b>SUBJECT</b>	<b>DESCRIPTION</b>	<b>PRESENTER</b>
<b>Welcome</b>		<b>Chairman Brackett</b>
<b>Minutes</b>	Approve the Minutes of Tuesday, January 21, 2020.	<b>Senator Winder and Senator Den Hartog</b>
<b>Page Introduction</b>	Welcome new Committee page <b>Henry Wolthuis</b> of Eagle, Idaho, and a senior at Rocky Mountain High School.	<b>Chairman Brackett</b>
<a href="#"><u>H 411</u></a>	Provides notification to lienholders when a vehicle has been towed.	<b>Ryan Fitzgerald,</b> Northwest Credit Union Association
<a href="#"><u>H 345</u></a>	Disallows booting a car on the sole basis of an expired or improper registration.	<b>Representative Wintrow</b>

***If you have written testimony, please provide a copy of it along with the name of the person or organization responsible to the committee secretary to ensure accuracy of records.***

COMMITTEE MEMBERS

Chairman Brackett

Vice Chairman Crabtree

Sen Winder

Sen Den Hartog

Sen Lodge

Sen Rice

Sen Burtenshaw

Sen Buckner-Webb

Sen Nelson

COMMITTEE SECRETARY

Gaye Bennett

Room: WW33

Phone: 332-1332

Email: [stran@senate.idaho.gov](mailto:stran@senate.idaho.gov)

MINUTES  
**SENATE TRANSPORTATION COMMITTEE**

**DATE:** Thursday, February 20, 2020

**TIME:** 1:30 P.M.

**PLACE:** Room WW53

**MEMBERS PRESENT:** Chairman Brackett, Vice Chairman Crabtree, Senators Winder, Den Hartog, Lodge, Rice, Burtenshaw, Buckner-Webb, and Nelson

**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:** With a quorum present, **Chairman Brackett** convened the meeting of the Senate Transportation Committee (Committee) at 1:32 p.m.

**MINUTES APPROVAL:** **Senator Den Hartog** moved to approve the Minutes of Tuesday, January 21, 2020. **Senator Burtenshaw** seconded the motion. The motion passed by **voice vote**.

**PAGE INTRODUCTION:** **Chairman Brackett** introduced the Committee page, Henry Wolthuis of Eagle, Idaho. **Mr. Wolthuis** told the Committee he was a senior at Rocky Mountain High School. He explained how passionate he was about the United States and his hopes to do Reserve Officers' Training Corps (ROTC) through Utah Valley University. His focus of study would be aviation, military science, and communications with the hope of active duty in the future.

**H 411** **Chairman Brackett** introduced Ryan Fitzgerald, Northwest Credit Union Association, to introduce **H 411**. **Mr. Fitzgerald** explained that **H 411** was simple and narrowly drafted to close a loophole in the towing code. The challenge arises when a vehicle is towed or impounded but not recovered by the owner in a timely fashion. The fees that accumulate before the lienholder is notified are so significant that the owner of the vehicle is often unable to pay. **Mr. Fitzgerald** described how this leaves the lienholder with the fee payment which has negative impacts on the value of the vehicle, potentially resulting in a total loss and eventual write off of the automobile. **H 411** would provide equitable and timely notification to lienholders when a vehicle has been towed and has not be reclaimed within 72 hours, excluding weekends and holidays. **Mr. Fitzgerald** explained how this would allow the system to work equitably for all parties involved.

**DISCUSSION:** **Senator Burtenshaw** asked if the towing industry had been consulted during the drafting of this legislation, **Mr. Fitzgerald** answered how the towing industry was part of the discussion leading to **H 411**'s wording which was the reason the legislation was kept so narrow.

**Senator Nelson** wanted to know what the lienholder's remedy would be if the towing company doesn't obey these rules. **Mr. Fitzgerald** explained how there would be no additional fees, The goal was not to add difficulties for towing companies.

**Senator Den Hartog** asked about the privacy issues that might arise from the request being made to the Idaho Transportation Department (ITD) for the names and addresses of all persons. **Mr. Fitzgerald** answered that law enforcement has instant access to ITD's database to make notification. When a towing company needs that information they must first submit a request to ITD via fax, mail, or in person.

**TESTIMONY:** **T.J. Biggers**, owner of Crossroads Towing and Salvage in Nampa, Idaho, testified to represent himself and his industry. **Mr. Biggers** said that in many ways he was in agreement with the legislation. Informing lienholders faster would be good, however, there are already a lot of requirements on the industry and until ITD fixes the system that gives them the notices, towing companies cannot meet the demand. He described how the process takes time and it can take several days for those requests to be answered.

**DISCUSSION:** **Senators Rice** and **Buckner-Webb** pursued concerns regarding ITD's response time to towing companies and towed vehicles taking up space in a towing company's lots with uncertainty of reimbursement. **Mr. Biggers** responded with frustration for both issues and how they negatively affected a towing operation's financial bottom line.

**Senator Burtenshaw** spoke on his wife's family's towing business and the struggles that occur in that line of work. He explained that in Southeast Idaho when there is a heavy snow day, they're called on to tow vehicles so snow plows can get through. **Senator Burtenshaw** emphasized the difficulty for the companies to collect payment, sometimes they are left taking abandoned vehicles to the salvage yard.

**TESTIMONY:** **Sarah Biggers**, Legal Director of the Idaho Towing Association, introduced herself to the Committee. **Mrs. Biggers** explained to the Committee that the association agrees that timely notices are important because it helps towing companies to release more vehicles to owners and increases their profits by removing the vehicle before the impound bill gets too high. They have made processing of vehicles that go unclaimed in their yard a top priority issue. **Mrs. Biggers** presented four pages of flow charts from ITD and in response to a request from the Committee, explained them in detail. She described a new program put out by ITD called "Know Before You Tow" created for towing companies that would expedite the process involved before the notices go out. **Mrs. Biggers** closed her testimony by describing the process towing companies must go through to receive the necessary information from ITD.

**DISCUSSION:** In response to questions from the Committee, **Mrs. Biggers** clarified that although she and the Idaho Towing Association agree with the spirit of the law, they are not in favor of this piece of legislation. She explained that they do not see the bill accomplishing its intent.

**TESTIMONY:** **John Watts**, representing the Idaho Central Credit Union (ICCU), introduced himself to the Committee. He explained that, as one of the larger lienholders in the state, ICCU is in favor of this legislation. **Mr. Watts** told the Committee how this will aid in identifying towed vehicles and, when said vehicle's title is still in the ownership of the lienholder, would allow financial institutions to recover the vehicle before the fees rise too high. He urged the Committee to support the legislation while expressing that he understood concerns raised by Mr. and Mrs. Biggers.

**DISCUSSION:** In answer to a question from Senator Rice, **Mr. Watts** said that he did not know what in ITD caused a delay on delivery of information to the towing companies.

**Mr. Fitzgerald** was recognized to close his remarks on **H 411**. He explained that the issue this legislation focuses on is that the lienholders are only informed of the vehicles impoundment when the vehicle is about to be sold, at which point the fees are so high that they have eclipsed the vehicle's worth, leaving the lienholder with a loss. **Mr. Fitzgerald** said **H 411** won't correct all the problems with the towing code, but is a necessary fix.

**DISCUSSION:** In response to Committee members' questions, **Mr. Fitzgerald** explained the current Idaho Code with regard to notification of owners and lienholders, and said financial institutions will work with towing companies and ITD to make the process of receiving information better. **Mr. Fitzgerald** said the intent of the legislation is not to place a burden on towing companies, and that lienholders, following notification, will pick up and take possession of towed vehicles in a more timely manner..

**MOTION:** **Senator Rice** moved to send **H 411** to the floor with a **do pass** recommendation. **Senator Lodge** seconded the motion. The motion passed by **voice vote**. **Senator Rice** offered to carry the bill on the Senate floor.

**H 345** **Representative Wintrow**, District 19, explained that she was cosponsoring **H 345** with Representative Ricks, District 34, who helped present the bill in the House Transportation Committee. **Representative Wintrow** explained that the legislation was to amend Idaho Code § 49-1806, to put definition on booting an expired or improper vehicle registration. She referenced legislation from a previous session that went through both the House and Senate dealing with booting vehicles. The original intention of that legislation had not been properly enforced by some. **Representative Wintrow** stated that she and some of her colleagues started receiving complaints from people about being booted for an expired license or registration. She mentioned the Attorney General confirmed that this bill would still allow for towing or booting for any vehicle, but not solely based on expired licenses or registrations.

**MOTION:** **Senator Buckner-Webb** moved to send **H 345** to the floor with a **do pass** recommendation. **Senator Nelson** seconded the motion.

**TESTIMONY:** **Mrs. Biggers** said the wording of **H 345** included the removal of an unregistered vehicle. She specified that towing and booting are two very different things. **Mrs. Biggers** explained that in most cases a property owner who finds a vehicle with an expired registration assumes the vehicle is inoperable. She indicated that it is an infringement on property owners to take away their right to remove an inoperable vehicle.

**DISCUSSION:** In responding to Committee questions, **Mrs. Biggers** explained that as a towing company they are not paid by the city to remove vehicles when they are called upon to do so. In her opinion, she believed the legislation would restrict a property owners' ability to have unregistered vehicles towed when they are on private property. Currently, towing companies are allowed to use an expired registration as a reason for towing.

**TESTIMONY:** **Mr. Biggers** spoke against the legislation stating that **H 345** fails to designate between booting and towing. He concluded that changing the language to specify booting only and leaving the towing aspect out would fix the issue he has with the bill.

**DISCUSSION:** **Senator Winder** stated that he did not understand how the city has the authority to remove cars; this legislation would allow property managers to take advantage of the situation. The issues the Legislature has heard in the past involved both booting and towing.



**Representative Wintrow** closed the discussion by reiterating that the purpose of the bill is to define terms. She shared that the Attorney General's opinion was that the legislation was sound.

**VOICE VOTE:** The motion to send **H 345** to the floor with a **do pass** recommendation passed by **voice vote**. Senator Hill would carry the bill on the Senate floor.

**ADJOURNED:** With no further business before the Committee, **Chairman Brackett** adjourned the meeting at 3:04 p.m.

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Senator Brackett  
Chair

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Gaye Bennett  
Secretary

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Bethany Johnson  
Assistant Secretary

AGENDA  
**SENATE TRANSPORTATION COMMITTEE**  
1:30 P.M.  
Room WW53  
Tuesday, February 25, 2020

<b>SUBJECT</b>	<b>DESCRIPTION</b>	<b>PRESENTER</b>
<b>Welcome</b>		<b>Chairman Brackett</b>
<b>Minutes</b>	Approve the Minutes of Thursday, February 13, 2020.	<b>Senator Lodge and Senator Buckner-Webb</b>
<b><u>S 1349</u></b>	Changes the beneficiary of the proceeds from the sale of specialty license plates, and the minimum number of plates issued per year.	<b>Senator Lodge</b>
<b><u>H 325</u></b>	Increases the distribution to the Transportation Expansion and Congestion Mitigation program from 1% to 2% of sales tax collections.	<b>Representative Palmer</b>

***If you have written testimony, please provide a copy of it along with the name of the person or organization responsible to the committee secretary to ensure accuracy of records.***

COMMITTEE MEMBERS

Chairman Brackett

Vice Chairman Crabtree

Sen Winder

Sen Den Hartog

Sen Lodge

Sen Rice

Sen Burtenshaw

Sen Buckner-Webb

Sen Nelson

COMMITTEE SECRETARY

Gaye Bennett

Room: WW33

Phone: 332-1332

Email: [stran@senate.idaho.gov](mailto:stran@senate.idaho.gov)

MINUTES  
**SENATE TRANSPORTATION COMMITTEE**

**DATE:** Tuesday, February 25, 2020

**TIME:** 1:30 P.M.

**PLACE:** Room WW53

**MEMBERS PRESENT:** Chairman Brackett, Vice Chairman Crabtree, Senators Winder, Den Hartog, Lodge, Rice, Burtenshaw, Buckner-Webb, and Nelson

**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 Brackett** convened the meeting of the Senate Transportation Committee (Committee) at 1:33 p.m.

**MINUTES APPROVAL:** **Senator Lodge** moved to approve the Minutes of Thursday, February 13, 2020. **Senator Rice** seconded the motion. The motion passed by **voice vote**.

**S 1349** **Senator Lodge**, District 11, said that **S 1349** concerns Idaho specialty license plates and how they offer non-profits an opportunity to advertise and promote their cause while they get paid to do so. For every specialty license plate, customers pay an extra \$25. From the total cost for a license plate, the non-profit receives \$36 and the Department of Motor Vehicles (DMV) of the Idaho Transportation Department (ITD) receives \$24. With Idaho's roads and bridges being a top priority with limited funding resources, the Legislature should be reallocating license plate dollars back into Idaho's roads. This bill remedies that by not financially benefitting any entity that is not the State of Idaho or an agency of the State of Idaho after July 1, 2020. Those funds will be directed into ITD's Highway Distribution Account (HDA).

**Senator Lodge** went through the specifics of the bill that included the educational institutions or colleges and universities exceptions, and the requirements for maintaining a specialty license plate based on annual sales. She concluded by saying that there needs to be an amendment to ensure that Idaho's private colleges and universities that already have successful specialty license plates, specifically The College of Idaho, Northwest Nazarene University, and Brigham Young University—Idaho, were also exempted. Finally, personalized and veterans license plates would not be affected.

**MOTION:** **Senator Rice** moved to send **S 1349** to the 14th Order of Business for possible amendment. **Senator Den Hartog** seconded the motion. The motion passed by **voice vote**. Senator Lodge will carry the bill on the Senate floor.

**H 325** **Representative Palmer**, District 20 and Chairman of the House Transportation and Defense Committee, presented **H 325** and said that this bill increases the distribution to the Transportation Expansion and Congestion Mitigation (TECM) program from the current 1 percent of sales tax collected to 2 percent. He said it is similar to legislation brought last session. He concluded by arguing that some of the growing sales tax revenue collected should be used for transportation, especially given the amount of sales tax collected on the sale of vehicles.

**DISCUSSION:** **Senator Den Hartog** asked if redistributing the sales tax collected from the sale of used cars was an easier way to get funds for Idaho's roads than other proposals, like exempting sales tax on items that are used to build and maintain the roads. **Representative Palmer** said he was open to any suggestions that would add revenue to the transportation budget. He said **H 325** was a simpler solution than exempting the sale of specific implements and materials used on roads.

**Senator Winder** commented that this would amount to less than one-half of 1 percent of the total state budget.

**MOTION:** **Senator Nelson** moved to send **H 325** to the 14th Order of Business for possible amendment. **Vice Chairman Crabtree** seconded the motion.

**DISCUSSION:** **Senator Nelson** directed an observation to Representative Palmer that the road projects funded by TECM for the last two years have been located primarily in Canyon County, and he thought the funding needs to be shared across the state, especially targeting bridges. **Senator Den Hartog** asked Senator Nelson if he was suggesting a proposal similar to the HDA distribution. **Senator Nelson** said he could envision a 40/60 percent split, with the 40 percent going to bridge projects. **Senator Den Hartog** followed-up by asking Senator Nelson if he was thinking that 40/60 split should just be on the additional 1 percent, or if he wanted the full 2 percent divided at a 40/60 split. **Senator Nelson** responded to Senator Den Hartog that, like in last year's legislation, he thought the whole 2 percent should be split 40/60.

**VOICE VOTE:** The motion to send **H 325** to the 14th Order of Business for possible amendment passed by **voice vote**. **Chairman Brackett** offered to carry the bill on the Senate floor.

**ADJOURNED:** With no further business before the Committee, **Chairman Brackett** adjourned the meeting at 1:50 p.m.

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Senator Brackett  
Chair

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Gaye Bennett  
Secretary

**AMENDED AGENDA #1**  
**SENATE TRANSPORTATION COMMITTEE**  
**1:30 P.M.**  
**Room WW53**  
**Thursday, February 27, 2020**

<b>SUBJECT</b>	<b>DESCRIPTION</b>	<b>PRESENTER</b>
<b>Welcome</b>		<b>Chairman Brackett</b>
<b>Minutes</b>	Approve the Minutes of Tuesday, January 28, 2020.	<b>Senator Burtenshaw and Senator Nelson</b>
	Approve the Minutes of Tuesday, February 4, 2020.	<b>Vice Chairman Crabtree and Senator Rice</b>
<b><u>S 1312</u></b>	Removes restrictions on the establishment of High Occupancy Vehicle (HOV) lanes on Idaho roadways.	<b>Ken Burgess, COMPASS</b>
<b><u>H 410</u></b>	Changes replacement of license plates from 7 years to 10 years.	<b>Representative Monks</b>

***If you have written testimony, please provide a copy of it along with the name of the person or organization responsible to the committee secretary to ensure accuracy of records.***

COMMITTEE MEMBERS

Chairman Brackett  
Vice Chairman Crabtree  
Sen Winder  
Sen Den Hartog  
Sen Lodge

Sen Rice  
Sen Burtenshaw  
Sen Buckner-Webb  
Sen Nelson

COMMITTEE SECRETARY

Gaye Bennett  
Room: WW33  
Phone: 332-1332  
Email: stran@senate.idaho.gov

MINUTES  
**SENATE TRANSPORTATION COMMITTEE**

**DATE:** Thursday, February 27, 2020

**TIME:** 1:30 P.M.

**PLACE:** Room WW53

**MEMBERS PRESENT:** Chairman Brackett, Vice Chairman Crabtree, Senators Winder, Den Hartog, Lodge, Rice, Burtenshaw, Buckner-Webb, Nelson

**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:** With a quorum present, **Chairman Brackett** convened the meeting of the Senate Transportation Committee (Committee) at 1:32 p.m.

**MINUTES APPROVAL:** **Senator Burtenshaw** moved to approve the Minutes of Tuesday, January 28, 2020. **Senator Nelson** seconded the motion. The motion passed by **voice vote**.

**Vice Chairman Crabtree** moved to approve the Minutes of Tuesday, February 4, 2020. **Senator Rice** seconded the motion. The motion passed by **voice vote**.

**Chairman Brackett** announced **H 410** would be heard first.

**H 410**

**Representative Monks**, District 22, said that currently if you have Idaho license plates, you are required to change those plates every seven years regardless of the condition of those plates. Plates also have to be replaced if they ever become illegible or damaged no matter the amount of time the owner has possessed them. In addition, there are some specialty plates for trailers that can be held longer than seven years under Idaho Code. Some plates available last five years or ten years. There's also some lifetime plates you can purchase for vehicles or for utility trailers. He thought it odd that Idaho allows some ten-year plates or lifetime plates on the one hand, and then on the other hand some plates need to be replaced every seven years. He explained that basically, the manufacturer's warranty on license plates only guarantees them for five years. However, the American Association of Motor Vehicle Administrator's model language for states recommend plates should be replaced within a ten-year period. This bill gets Idaho up to the top of that period. It is very important to note that Idaho is not alone as Florida, Iowa, and Michigan are all at the ten-year limit. Representative Monks yielded some of his time to his co-sponsor, **Representative Gannon**, District 17, who shared some history of license plates in Idaho and actually brought samples of older plates..

**TESTIMONY:**

**Murphy Olmstead**, representing the Idaho Sheriff's Association and 3M Company, said the sheriffs oppose the bill as it is considered a serious safety burden for law enforcement. It may appear to be a cost savings to customers, but it does not fully account for the cost of public safety. Dents and other wear and tear are common in Idaho, including deterioration due to salts placed on roads in the winter. Reflectivity is crucial and after five years, the 3M reflective film quality decreases. He said that Idaho's bordering states require less than ten years renewal; he cited Montana that has a five-year renewal requirement and Wyoming that has a seven-year renewal. The long term effects need to be looked at more closely.

**DISCUSSION:** **Senator Den Hartog** noted that 3M has developed many innovative products relating to roadside signage and roadway strips offering longevity of more than five years—their current warranty on license plates. **Mr. Olmstead** replied warranties vary with specific products.

**Senator Nelson** asked what the manufacturer's warranty covered. **Mr. Olmstead** replied the deterioration of the reflectability of the film on the license plates recede after five years. **Senator Nelson** asked what the terms of the warranty were. **Mr. Olmstead** deferred to the 3M representative in the audience, Kyle Kovar, Government Services for 3M Corporation.

**TESTIMONY:** **Mr. Kovar** said that 3M opposes the bill, saying that license plates are the most effective tool to identify people, both day and night. He said that 50 percent of reflectability is reduced in years one through five of a license plate's life. He said it was important to maintain Idaho's seven year life cycle.

**DISCUSSION:** In response to Senator Nelson's question about the terms of a warranty, **Mr. Kovar** said that the five-year warranty is based on two factors, the reflectability and the adhesive that adheres the film to the plate.

**Senators Den Hartog** and **Winder** asked Mr. Kovar about specific 3M products and the durability, longevity, and warranties associated with those products. **Mr. Kovar** said the marking durable tape has a four-year warranty that takes into consideration winter road salting. He added that the materials used in their products determines the length of warranty, and that reflectability on license plates at nighttime is important.

**Representative Monks** said this bill is not about cost savings to customers, it is about convenience of not having to replace licenses plates every seven years. Plate owners will continue to be required to get their plates replaced if they become damaged or illegible. The majority of states allow their license plates to last until they become damaged. Even Michigan, whose winters are much harsher than Idaho's winters, allow replacement every ten years. There are some issues with the fiscal note that can be addressed separately.

**MOTION:** **Senator Den Hartog** moved to send **H 410** to the floor with a **do pass** recommendation. **Senator Rice** seconded the motion. The motion passed by **voice vote**. **Chairman Brackett** asked the bill's sponsor to fix the language in the fiscal note. **Senator Den Hartog** offered to carry the bill on the Senate floor.

**S 1312** **Ken Burgess**, representing Community Planning Association of Southwest Idaho (COMPASS), introduced **S 1312** by stating that like most metropolitan planning organizations, COMPASS generates a 20-year long-range plan for transportation planning within its region that is updated every four years. This bill seeks to remove some restrictions in current law regarding the consideration of the establishment of high occupancy vehicle (HOV) lanes, also known as carpool lanes, in Idaho. It's one tool to manage and mitigate against congestion and to move traffic through faster. Since 2009, Idaho Code has allowed the ability to designate HOV lanes. The law lays out who can be eligible to utilize HOV lanes. He then read from current Idaho Code: *"The provisions of this section shall apply only in counties with a population less than 25,000 according to the most recent census within the state of Idaho, and where such county includes a resort city authorized to approve certain non-property taxes pursuant to Idaho Code § 54-1044."* He then explained that the current law is very limiting when the state's growth is predicted in counties exceeding 25,000 people, in particular Ada and Canyon Counties. This bill strikes that limiting language and frees up resources to pay for long-term studies that can include the consideration of other possibilities, such as HOV lanes. The Ada County Highway District (ACHD) has

concerns that the bill would allow the Idaho Transportation Department (ITD) to have jurisdiction over local roads, and their concerns need to be addressed.

**DISCUSSION:** **Senators Rice, Burtenshaw, and Den Hartog** were concerned about the liability and cost of a study to determine the viability of HOV lanes in Idaho. It was asked if it wouldn't make more sense to study HOV lanes first and then change Idaho Code if warranted. Another concern was how HOV lanes would work, whether they would add lanes or convert existing lanes. **Mr. Burgess** ultimately deferred to Matt Stoll, Executive Director of COMPASS.

**Mr. Stoll** said that getting required environmental documents from the National Environmental Policy Act (NEPA) is not an option when the tools for congestion mitigation (e.g., HOV lanes) within the project area are not legal in the state. Once a request for environmental documents is made, the engineers and other department staff are going to be looking at all the tools available to mitigate congestion, and if state law prohibits looking at options like HOV lanes, then the project will be evaluated based on what is legally available. Funds for an HOV lane evaluation will not be made available because they are not legal in Idaho in the areas where they could be effective.

**TESTIMONY:** **Lane Triplet**, Government Relations for the Idaho Coalition for Motorcycle Safety, supported the bill from a safety perspective. **Austin Walkins**, with the Idaho Conservation League, supported the bill from an air quality perspective.

**MOTION:** **Senator Burtenshaw** moved to send **S 1312** to the 14th Order of Business for possible amendment. **Senator Buckner-Webb** seconded the motion.

**DISCUSSION:** **Senator Rice** commented that he was not comfortable with just an amendment. He thinks the issue needs to be studied more before the Legislature acts, and will oppose the motion for that reason.

**VOICE VOTE:** The motion to send **S 1312** to the 14th Order of Business for possible amendment passed by **voice vote**. **Senators Den Hartog and Rice** asked to be recorded as voting nay. Senator Lodge will carry the bill on the Senate floor.

**ADJOURNED:** With no further business before the Committee, **Chairman Brackett** adjourned the meeting at 2:36 p.m.

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Senator Brackett  
Chair

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Gaye Bennett  
Secretary



AGENDA  
**SENATE TRANSPORTATION COMMITTEE**  
1:30 P.M.  
Room WW53  
Tuesday, March 03, 2020

SUBJECT	DESCRIPTION	PRESENTER
Welcome		Chairman Brackett
<a href="#">S 1379</a>	Provides a method for using current law to inspect commercial vehicles for dyed fuels.	<b>Jason Kreizenbeck</b> , Lobby Idaho, LLC

***If you have written testimony, please provide a copy of it along with the name of the person or organization responsible to the committee secretary to ensure accuracy of records.***

COMMITTEE MEMBERS

Chairman Brackett

Vice Chairman Crabtree

Sen Winder

Sen Den Hartog

Sen Lodge

Sen Rice

Sen Burtenshaw

Sen Buckner-Webb

Sen Nelson

COMMITTEE SECRETARY

Gaye Bennett

Room: WW33

Phone: 332-1332

Email: [stran@senate.idaho.gov](mailto:stran@senate.idaho.gov)

MINUTES  
**SENATE TRANSPORTATION COMMITTEE**

**DATE:** Tuesday, March 03, 2020

**TIME:** 1:30 P.M.

**PLACE:** Room WW53

**MEMBERS PRESENT:** Chairman Brackett, Vice Chairman Crabtree, Senators Winder, Lodge, Rice, Burtenshaw, Buckner-Webb, and Nelson

**ABSENT/ EXCUSED:** Senator Den Hartog

**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:** With a quorum present, **Chairman Brackett** convened the meeting of the Senate Transportation Committee (Committee) at 1:33 p.m.

**S 1379** **Jason Kreizenbeck**, Lobby Idaho, LLC, presented **S 1379** on behalf of the Idaho Trucking Association (ITA), and added that Allen Hodges, ITA's Executive Director and President, would be available to answer technical questions.

**S 1379** provides a practical method to inspect commercial vehicles for tax-free dyed fuel by using existing law enforcement and Idaho Transportation Department (ITD) resources under specific circumstances as outlined in the bill. The proposal also defines and sets violation penalties, and provides a specific set of exemptions. Currently under Idaho Code § 63-2425, the use of dyed and other untaxed fuels is prohibited on Idaho highways, but code lacks a system of state-based enforcement. Enforcement that does take place in Idaho is done by the federal government through the Internal Revenue Service. **S 1379** sets up a simple state-based inspection and enforcement system for commercial vehicles operating on Idaho highways. ITA worked with ITD and Idaho State Police to develop a way to conduct a sight inspection of commercial vehicle gas tanks for dyed fuel use at weigh stations, ports of entry, safety inspections, or if pulled over for other offenses. **Mr. Kreizenbeck** concluded by going through the bill, section by section, and asking the Committee for a do pass recommendation.

**DISCUSSION:** **Senator Rice** suggested the bill be amended to insert the following language: in excess of 26,000 pounds. **Mr. Kreizenbeck** concurred with the clarifying language and found it favorable to the proposal.

**Senator Burtenshaw** wanted to talk about the penalties listed on page 3, line 40 with regard to when a violation becomes a felony. **Mr. Kreizenbeck** said that language is in existing statute and was not altered for this legislation.

**Senator Nelson** described a scenario in which a farm combine fueled by dyed diesel needed to get to another field, and asked if it would be legal for the combine to drive on the highway to get to the other field. **Mr. Kreizenbeck** confirmed it would be legal, because incidental use is incorporated into this legislation.

**MOTION:** **Senator Rice** moved to send **S 1379** to the 14th Order of Business for possible amendment. **Senator Winder** seconded the motion. The motion passed by **voice vote**. **Senator Rice** offered to carry the bill on the Senate floor.

**ADJOURNED:** With no further business before the Committee, **Chairman Brackett** adjourned the meeting at 1:46 p.m.

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Senator Brackett  
Chair

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Gaye Bennett  
Secretary

AGENDA  
**SENATE TRANSPORTATION COMMITTEE**  
1:30 P.M.  
Room WW53  
Thursday, March 05, 2020

<b>SUBJECT</b>	<b>DESCRIPTION</b>	<b>PRESENTER</b>
<b>Welcome</b>		<b>Chairman Brackett</b>
<b>Presentation</b>	An introduction to the Republic of Azerbaijan.	<b>Nasimi Aghayev,</b> Consul General of Azerbaijan in Los Angeles
<b>Minutes</b>	Approve the Minutes of Thursday, January 30, 2020.	<b>Senator Lodge</b> and <b>Senator Buckner-Webb</b>
	Approve the Minutes of Tuesday, February 25, 2020.	<b>Senator Winder</b> and <b>Senator Den Hartog</b>
<a href="#"><u>S 1230</u></a>	Continue consideration of legislation held at the call of the Chair. The bill deals with reinstating Commercial Driver's Licenses.	<b>Brian Goeke,</b> ITD's DMV Policy Manager
<a href="#"><u>H 486</u></a>	Clarifies and enhances restrictions on the use of drones.	<b>Representative Ricks</b>

***If you have written testimony, please provide a copy of it along with the name of the person or organization responsible to the committee secretary to ensure accuracy of records.***

COMMITTEE MEMBERS

Chairman Brackett  
Vice Chairman Crabtree  
Sen Winder  
Sen Den Hartog  
Sen Lodge

Sen Rice  
Sen Burtenshaw  
Sen Buckner-Webb  
Sen Nelson

COMMITTEE SECRETARY

Gaye Bennett  
Room: WW33  
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Email: stran@senate.idaho.gov

MINUTES  
**SENATE TRANSPORTATION COMMITTEE**

**DATE:** Thursday, March 05, 2020

**TIME:** 1:30 P.M.

**PLACE:** Room WW53

**MEMBERS PRESENT:** Chairman Brackett, Vice Chairman Crabtree, Senators Winder, Den Hartog, Lodge, Rice, Buckner-Webb, and Nelson

**ABSENT/ EXCUSED:** Senator Burtenshaw

**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:** With a quorum present, **Chairman Brackett** convened the meeting of the Senate Transportation Committee (Committee) at 1:36 p.m. He welcomed Nasimi Aghayev, the Consul General of the Republic of Azerbaijan in Los Angeles to the Committee and invited him to tell the Committee about his country.

**PRESENTATION:** **Mr. Aghayev** said he covers 13 states in the western United States, including Idaho which is one of his favorites. He referred to his PowerPoint in describing the geographical boundaries of Azerbaijan. They are bordered by the Caspian Sea, which is the largest lake in the world, and by the countries of Russia, Georgia, Armenia, and Iran. He described the history of his country and explained they are the only country bordering both Russia and Iran. This is Azerbaijan's second independent republic. The first was established in 1918; it became the first secular and parliamentary democracy in the entire Muslim world. In 1919 their republic gave voting rights to women, making them the first Muslim nation to do so, and a year before the United States did. They were invaded by the Bolsheviks in 1920 and were forced to be part of the Soviet Union for 71 years. Since 1991, Azerbaijan has been an independent republic once again (see attachment 1).

Today, hundreds of U.S. companies operate in Azerbaijan in many different areas of our economy. One of their priorities is to develop their transportation capacity. Because Azerbaijan is between Asia and Europe, they try to use this geographic location to the benefit of their economic diversification. They are in the process of implementing projects connecting the continents of Asia and Europe. One project that has already been implemented and is very successful is the Iron Silk Road: a network of railroad tracks connecting far East Asia with Europe through Azerbaijan. Baku, their capitol city, is the largest seaport on the Caspian Sea with great potential to accept and receive cargo.

Another project under development is Connect India, connecting India through Azerbaijan to northern Europe. These are important projects that will enable Azerbaijan to become a major transportation hub for the entire region, and help them diversify their economic development. Their important non-oil sectors are agriculture and technology, which is their greatest potential in partnering with Idaho.

**DISCUSSION:** **Chairman Brackett** asked what the terrain was like in Azerbaijan. **Mr. Aghayev** said the geography is very diverse with variations of flora and fauna, and out of 12 climate zones worldwide, Azerbaijan has 9. From tropical climate along the coast of the Caspian Sea to newly opened snow ski resorts, tourism is a significant economic factor in Azerbaijan.

**Senator Den Hartog** asked why Armenia divided the country. **Mr. Aghayev** said that the small region to the west of Armenia bordered by Iran is an autonomous republic that is part of Azerbaijan. He explained how these types of geographical territories occurred during the occupancy of the Soviet Union. The only way to get to the autonomous region is either by air or by ground travel through Iran or through Georgia and Turkey. It creates certain difficulties for the 300,000 people living there.

**Senator Winder** asked who Azerbaijan's customers were for oil and gas sales. **Mr. Aghayev** said that since signing an agreement with U.S. and European companies in 1994, the question has been how to get oil to markets. Since 2005 the route from the Caspian Sea through Georgia and Turkey has been in play. Ninety percent of oil to Europe and Israel comes from Azerbaijan. The revenue from this important energy source reduces poverty in his country. They are now implementing a \$40 billion project that will take Azerbaijani gas through the same route directly to consumers in Europe. The pipeline to Istanbul, Turkey is completed and the next phase of the pipeline is under construction, which will end in Italy. This will provide natural gas to the European Union members, which will help U.S. European allies diversify their oil supplies.

**MINUTES  
APPROVAL:**

**Senator Lodge** moved to approve the Minutes of Thursday, January 30, 2020. **Senator Buckner-Webb** seconded the motion. The motion passed by **voice vote**.

**Senator Winder** moved to approve the Minutes of Tuesday, February 25, 2020. **Senator Den Hartog** seconded the motion. The motion passed by **voice vote**.

**S 1230**

**Brian Goeke**, Idaho Transportation Department's (ITD) Department of Motor Vehicles (DMV) Policy Manager, said that **S 1230** had been held at a previous Committee meeting to the call of the Chair. Progress had been made on a resolution to the Committee's concerns in the form an amendment. As a reminder, this bill establishes a pathway to reinstatement for commercial driver's license (CDL) holders who have received a lifetime disqualification. The changes the amendment will put in place are that the applicant: 1.) will be required to hold a Class D license for three consecutive years before applying for reinstatement, and during those 3 years they cannot have been incarcerated; 2.) must submit a criminal background check that is free of any drug and alcohol related offenses for the 10 years prior to their application; 3.) must provide proof of completion of an appropriate rehabilitation program if the lifetime disqualification was related to drugs or alcohol; 4.) needs to take the online courses, pass the CDL skills and knowledge tests, maintain a mostly clean driving record for 10 years, and have a substantially clean driving record for three years; and 5.) will be given clear, explicit notice of what would invalidate a reinstatement. He concluded by thanking Chairman Brackett, Senator Rice, and the Trucking Advisory Council for their assistance in revising this legislation.

**MOTION:**

**Senator Rice** moved to send **S 1230** to the 14th Order of Business for possible amendment. **Senator Den Hartog** seconded the motion. The motion passed by **voice vote**. Senator Rice will carry the bill on the Senate floor.

**H 486**

**Representative Ricks**, District 34, said this bill talks about unmanned aircraft systems (UAS), commonly called drones. This bill passed the House with unanimous support. Drones are being used everywhere these days, and he mentioned a number of great uses for drones. He provided an example of a farmer who had a section of his field that didn't look like the other sections. The farmer did some investigation and found by using a drone that they had black bean beetle infestation in their sugar beets. They spread some pesticide on the infected section and got rid of the beetles. It saved them almost \$70,000. This bill could help the police force and firemen use drones as well, because under current law, it's difficult for policemen to use drones without obtaining a warrant from a judge. He yielded time to Holly Cook from the Idaho Public Safety UAS Council.

**Ms. Cook** said that Idaho Code lacked clarity, offering proper use, and explaining the benefit of UASs to the public. **H 486** changes those deficiencies. Currently, law enforcement officers even have to go to judges to get a warrant to fly drones for simple uses. There are some commonsense uses that law enforcement and fire departments need, and that's why these changes are needed. Privacy issues are not being changed. This is a small step bill that will help stop clogging the courts, and this bill only applies to police, fire, and search and rescue efforts. A drone in a fire or police situation can replace two to four uniformed officers.

**TESTIMONY:**

**Steve Thomas**, an attorney testifying on behalf of himself, spoke neither in support nor in opposition, but raised his concern about the section of Idaho Code being revised and suggested it might need to be revisited for the purposes of commercial use next Legislative Session.

**MOTION:**

**Senator Winder** moved to send **H 486** to the floor with a **do pass** recommendation. **Vice Chairman Crabtree** seconded the motion.

**DISCUSSION:**

**Senator Winder** said he had originally brought this legislation, which was the first of its kind in the nation. It is an ever-evolving topic, and he appreciates Representative Ricks bringing it this Legislative Session.

**VOICE VOTE:**

The motion to send **H 486** to the floor with a **do pass** recommendation passed by **voice vote**. Senator Lent will carry the bill on the Senate floor.

**ADJOURNED:**

With no further business before the Committee, **Chairman Brackett** adjourned the meeting at 2:12 p.m.

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Senator Brackett  
Chair

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Gaye Bennett  
Secretary

## **Attachment #1**

Idaho Senate Transportation Committee

Thursday, March 5, 2020 at 1:30 p.m. in the State Capitol WW53

Presentation: An Introduction to the Republic of Azerbaijan

by Nasimi Aghayev, Consul General  
of Azerbaijan in Los Angeles





# Republic of Azerbaijan

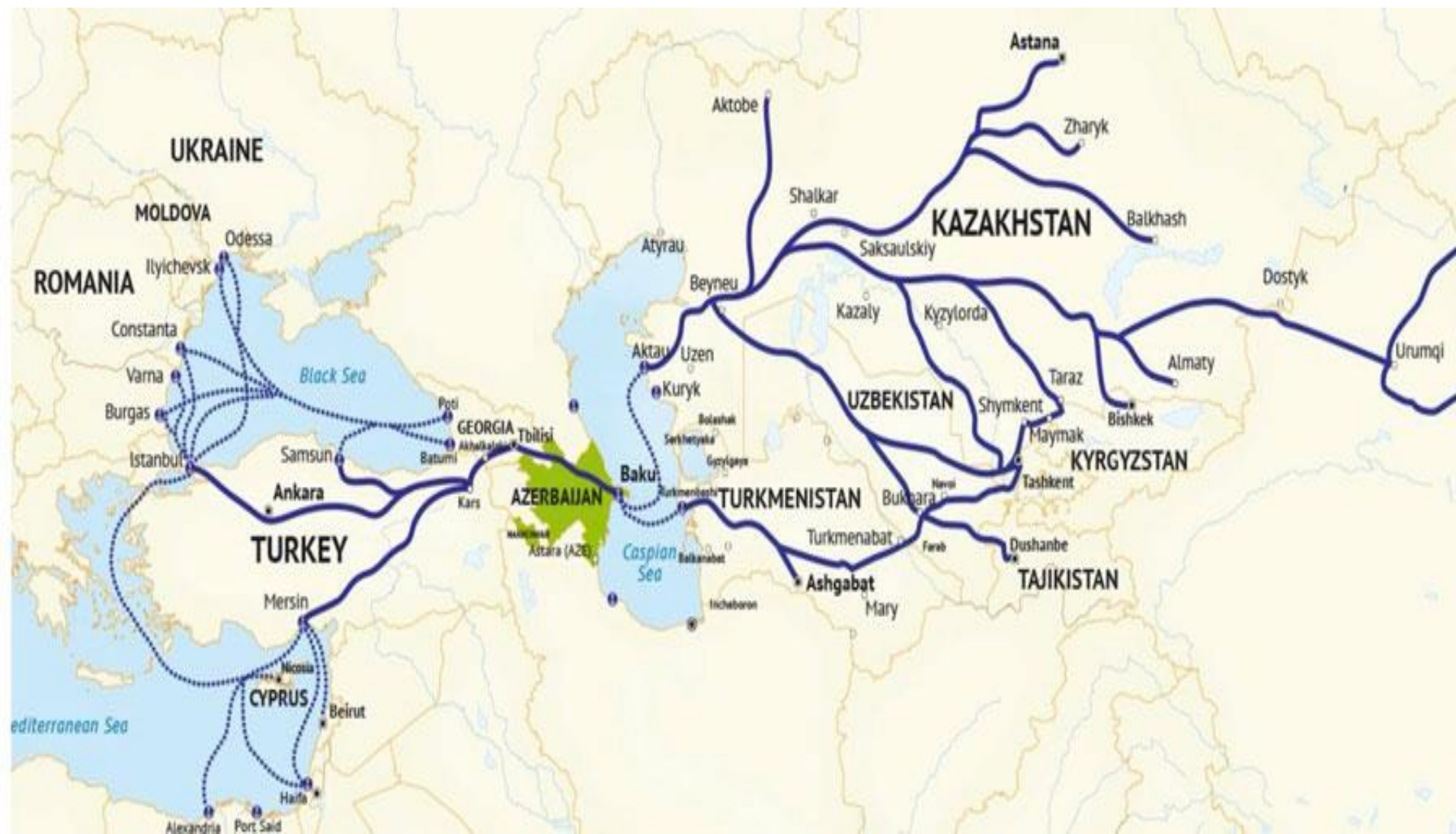
<b>Independence:</b>	<b>18 October 1991</b>
<b>Official Language:</b>	<b>Azerbaijani</b>
<b>Area:</b>	<b>86.6 ths. sq. km.</b>
<b>Population:</b>	<b>9.9 million</b>
<b>Capital:</b>	<b>Baku</b>
<b>Currency:</b>	<b>Manat</b>



# Baku-Tbilisi-Ceyhan Oil Pipeline









AGENDA  
**SENATE TRANSPORTATION COMMITTEE**  
**1:30 P.M.**  
**Room WW53**  
**Tuesday, March 10, 2020**

SUBJECT	DESCRIPTION	PRESENTER
<b>Welcome</b>		<b>Chairman Brackett</b>
<b>Gubernatorial Appointment</b>	Reappointment of <b>Robert Hoff</b> of Idaho Falls, Idaho to the Idaho Transportation Board for a term commencing January 31, 2020 and expiring January 31, 2026.	<b>Robert Hoff</b> , Idaho Falls Businessman
<b>Gubernatorial Appointment</b>	Appointment of <b>Todd Hitchcock</b> of Twin Falls, Idaho to the Aeronautics Advisory Board for a term commencing February 20, 2020 and expiring January 31, 2025.	Introduced by: <b>Jeff Marker</b> , ITD Aeronautics Administrator
<b>Minutes</b>	Approve the Minutes of Tuesday, March 3, 2020.	<b>Senator Burtenshaw</b> and <b>Senator Nelson</b>
<a href="#"><u>S 1401</u></a>	Adds language recognizing train-like "on-track equipment" for rail safety purposes.	<b>David Cameron</b> , Rail Conference, Washington, D.C.

***If you have written testimony, please provide a copy of it along with the name of the person or organization responsible to the committee secretary to ensure accuracy of records.***

COMMITTEE MEMBERS

Chairman Brackett

Vice Chairman Crabtree

Sen Winder

Sen Den Hartog

Sen Lodge

Sen Rice

Sen Burtenshaw

Sen Buckner-Webb

Sen Nelson

COMMITTEE SECRETARY

Gaye Bennett

Room: WW33

Phone: 332-1332

Email: [stran@senate.idaho.gov](mailto:stran@senate.idaho.gov)

MINUTES  
**SENATE TRANSPORTATION COMMITTEE**

**DATE:** Tuesday, March 10, 2020

**TIME:** 1:30 P.M.

**PLACE:** Room WW53

**MEMBERS PRESENT:** Chairman Brackett, Vice Chairman Crabtree, Senators Winder, Den Hartog, Rice, Burtenshaw, Buckner-Webb, and Nelson

**ABSENT/ EXCUSED:** Senator Lodge

**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:** With a quorum present, **Chairman Brackett** convened the meeting of the Senate Transportation Committee (Committee) at 1:32 p.m. He welcomed Scott Stokes, Chief Deputy Director of the Idaho Transportation Department (ITD), to introduce Robert Hoff, who is being reappointed to the Idaho Transportation Board (ITB).

**GUBERNATORIAL REAPPOINTMENT:** **Mr. Stokes** said he had worked with Mr. Hoff since he filled the vacancy left with the resignation of Lee Gagner of Idaho Falls, and that term is now expiring. Mr. Hoff's term commenced January 31, 2020 and expires January 31, 2026. Because Mr. Hoff served on the Aeronautics Advisory Board for 15 years, ITD has been the beneficiary of his wisdom and experience. ITD is pleased to have Mr. Hoff as a member of the ITB.

**Mr. Hoff** said he was a lifetime Idahoan who has farmed and ranched in the Idaho Falls area since his family purchased the property in 1905. It had previously been owned by Sam F. Taylor who was an author and signatory of the Idaho Constitution dated August 6, 1889. In 1984, his family went into the aviation business and created Aero Mark in Idaho Falls, which is essentially a gas station for airplanes and other aviation services. He enjoyed being a member of ITD's Aeronautics Advisory Board. He said that being a member of ITB is somewhat overwhelming with all a board member needs to learn, which has helped him come to understand the responsibility and the trust placed in the board members. He has been very impressed with ITD and its employees, who display enthusiasm at every level.

**DISCUSSION:** **Mr. Hoff** agreed with **Chairman Brackett** and **Senator Winder** as they shared their perspectives on the issues and challenges Mr. Hoff and the entire ITB face with regard to the needs of rural communities versus the more urban community congestion. The fact is that no matter how many years the State is into its transportation plan, there will never be enough money to do all that needs to be done. The Senators suggested ITB needs to become even more creative to keep up with Idaho's continued growth.

**Chairman Brackett** thanked Mr. Hoff and told him the Committee would vote on his reappointment at their next meeting.



**GUBERNATORIAL APPOINTMENT:** **Jeff Marker**, ITD Aeronautics Administrator, introduced Todd Hitchcock who was being appointed to the Aeronautics Advisory Board (Board) commencing on February 20, 2020 and expiring January 31, 2025. The Board has a number of responsibilities including operating 3 state aircraft, 31 back country air strips, providing appropriated funds to community airports, operating a search and rescue function, and providing safety and education programs for the aviation community and youth science, technology, engineering and math (STEM) development. The Board is comprised of five members that each serve a three-year term. Mr. Hitchcock holds one of their at-large Board positions. Mr. Hitchcock flew for the military and saw six deployments, he has flown commercial aircraft, and he owns Spur Aviation in Twin Falls. Spur Aviation under Mr. Hitchcock's leadership operates 12 aircraft focusing on air attack of wildland firefighting and provides charter aircraft services.

**Mr. Hitchcock** said he has lived in Idaho for 46 years. He grew up in McCall where his family was in the timber industry and did a lot of flying. In 2000 he went his own way and served in the military for 24 years, and for the last 19 years he has worked for cargo companies. He started a couple of aviation businesses brokering aircraft in Idaho, then two years ago he bought Spur Aviation where they fight wildland fires throughout the United States, including Alaska.

**DISCUSSION:** **Senator Den Hartog** was impressed with the level of experience for both these appointments, and thanked them both for their willingness to serve the state. **Chairman Brackett**, **Vice Chairman Crabtree**, and **Senator Winder** also offered their thanks and shared their personal experiences with Mr. Hitchcock.

**MINUTES:** **Senator Nelson** moved to approve the Minutes of Tuesday, March 3, 2020. **Senator Burtenshaw** seconded the motion. The motion passed by **voice vote**.

**S 1401** **David Cameron** of the Rail Conference in Washington, D.C., introduced the bill by stating that motorists need to stop so many feet from a railroad crossing when a train approaches. There is no reference in Idaho Code to train-like equipment. This bill simply adds the language "or other on-track equipment" to Idaho Code.

**DISCUSSION:** **Senator Den Hartog** asked why this bill was bringing brought so late in the session. **Mr. Cameron** was not sure but he is involved because someone from Idaho contacted their office in Washington, D.C. to get it going.

**Senator Nelson** asked if railroad crossing signage needed to be changed or if the public needed to be educated about the changes to the equipment being added to Idaho Code. **Mr. Cameron** did not believe anything other than adding the language to Idaho Code was necessary.

**TESTIMONY:** **Mike Brassey**, representing Union Pacific Railroad, and **Steve Thomas**, representing Burlington Northern Santa Fe Railroad, both testified in support of **S 1401**. It is in keeping with national efforts to make the changes in this bill uniform for transportation and maintenance systems.

**MOTION:** **Senator Buckner-Webb** moved to send **S 1401** to the floor with a **do pass** recommendation. **Vice Chairman Crabtree** seconded the motion. The motion passed by **voice vote**. **Chairman Brackett** said he would carry the bill on the Senate floor.

**ADJOURNED:** With no further business before the Committee, **Chairman Brackett** adjourned the meeting at 2:00 p.m.

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Senator Brackett  
Chair

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Gaye Bennett  
Secretary

AGENDA  
**SENATE TRANSPORTATION COMMITTEE**  
**1:00 P.M.**  
**Room WW53**  
**Thursday, March 12, 2020**

SUBJECT	DESCRIPTION	PRESENTER
<b>Welcome</b>		<b>Chairman Brackett</b>
<b>Page Graduation</b>	Graduate committee page <b>Henry Wolthuis</b> of Eagle, Idaho.	<b>Chairman Brackett</b>
<b>Minutes</b>	Approve the Minutes of Thursday, February 6, 2020.	<b>Senator Den Hartog</b> and <b>Senator Lodge</b>
<b>Vote on Gubernatorial Appointment</b>	Reappointment of <b>Robert Hoff</b> of Idaho Falls, Idaho to the Idaho Transportation Board for a term commencing January 31, 2020 and expiring January 31, 2026.	<b>Chairman Brackett</b>
<b>Vote on Gubernatorial Appointment</b>	Appointment of <b>Todd Hitchcock</b> of Twin Falls, Idaho to the Aeronautics Advisory Board for a term commencing February 20, 2020 and expiring January 31, 2025.	<b>Chairman Brackett</b>
<a href="#"><u>H 566</u></a>	Changes the weight of personal delivery devices.	<b>Jeremy Pisca</b> , Risch Pisca, PLLC

***If you have written testimony, please provide a copy of it along with the name of the person or organization responsible to the committee secretary to ensure accuracy of records.***

COMMITTEE MEMBERS

Chairman Brackett	Sen Rice
Vice Chairman Crabtree	Sen Burtenshaw
Sen Winder	Sen Buckner-Webb
Sen Den Hartog	Sen Nelson
Sen Lodge	

COMMITTEE SECRETARY

Gaye Bennett  
Room: WW33  
Phone: 332-1332  
Email: stran@senate.idaho.gov

MINUTES  
**SENATE TRANSPORTATION COMMITTEE**

**DATE:** Thursday, March 12, 2020

**TIME:** 1:00 P.M.

**PLACE:** Room WW53

**MEMBERS PRESENT:** Chairman Brackett, Vice Chairman Crabtree, Senators Winder, Den Hartog, Lodge, Burtenshaw, Buckner-Webb, and Nelson

**ABSENT/ EXCUSED:** Senator Rice

**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:** With a quorum present, **Chairman Brackett** convened the meeting of the Senate Transportation Committee (Committee) at 1:07 p.m.

**PAGE GRADUATION:** **Chairman Brackett** asked Henry Wolthuis, the Committee's page, to take the podium to share the lessons he had learned from his time as a page. **Mr. Wolthuis** suggested that rather than tell the Committee, he would like to show the Committee what he had learned. Mr. Wolthuis then played a brief video portraying the actions of the Idaho Senate when in session with him playing the roles of a Senator and the President of the Senate. Following the video, **Chairman Brackett** asked what else he learned during his time as a page. **Mr. Wolthuis** said before he started working in the Senate, he was asked why he would want to work in such a corrupt environment. He has found that is definitely not the case. His time in the Senate has revealed to him the care each Senator has for their constituents, for the legislative process, and for the State of Idaho. He added that Idaho is the best state in the country.

**DISCUSSION:** **Senator Winder** asked what Mr. Wolthuis' plans were following graduation from high school. **Mr. Wolthuis** said he wants to attend Utah Valley University in Provo, Utah where he will enroll in their Army ROTC program. He wants to serve in the military following college, but first he wants to go on a mission for his church. **Senator Winder** commented that they were all excellent goals.

**MINUTES APPROVAL:** **Senator Den Hartog** moved to approve the Minutes of Thursday, February 6, 2020. **Senator Burtenshaw** seconded the motion. The motion passed by **voice vote**.

**VOTE ON GUBERNATORIAL REAPPOINTMENT:** **Senator Winder** moved to send the Gubernatorial reappointment of Robert Hoff to the Idaho Transportation Board to the floor with recommendation that he be confirmed by the Senate. **Senator Den Hartog** seconded the motion. The motion passed by **voice vote**. **Senator Winder** said that Mr. Hoff was an excellent candidate for the Idaho Transportation Board and offered to carry the appointment on the floor of the Senate.

**VOTE ON GUBERNATORIAL APPOINTMENT:** **Senator Nelson** moved to send the Gubernatorial appointment of Todd Hitchcock to the Aeronautics Advisory Board to the floor with recommendation that he be confirmed by the Senate. **Senator Winder** seconded the motion. The motion passed by **voice vote**. **Senator Nelson** offered to carry the appointment on the floor of the Senate.

**H 566**

**Emily Hunter** of Risch Pisca, PLLC introduced **H 566** by stating the legislation modifies a bill that became law in 2017 (H 204) by increasing the weight limit of personal delivery devices to 200 pounds from 80 pounds. This is in keeping with industry standards. This bill was brought because of the new Amazon Fulfillment Center being built in Nampa where these devices will be used to deliver packaged orders. Amazon's devices weigh 200 pounds.

**DISCUSSION:**

**Chairman Brackett** asked how the delivery process worked and whether the devices were refrigerated or highly insulated. **Ms. Hunter** did not know whether they were refrigerated or insulated, but she said that a delivery truck goes into a neighborhood and releases the devices which move along the sidewalks to the location of the delivery, then they return to the truck. The delivery method is a more economic and efficient way to get merchandise to customers.

**Senator Den Hartog** asked if 200 pounds was the weight of the device before packages were loaded into them. **Ms. Hunter** confirmed it was.

**MOTION:**

**Senator Lodge** moved to send **H 566** to the floor with a **do pass** recommendation. **Senator Buckner-Webb** seconded the motion. The motion passed by **voice vote**. **Chairman Brackett** said he would carry the bill on the Senate floor.

**ADJOURNED:**

With no further business before the Committee, **Chairman Brackett** adjourned the meeting at 1:25 p.m.

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Senator Brackett  
Chair

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Gaye Bennett  
Secretary