

MINUTES
SENATE TRANSPORTATION COMMITTEE

DATE: Thursday, February 11, 2016

TIME: 1:30 P.M.

PLACE: Room WW53

MEMBERS PRESENT: Chairman Brackett, Vice Chairman Hagedorn, Senators Keough, Winder, Nonini, Vick, Den Hartog, Buckner-Webb and Lacey

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 1:32 p.m.

H 385 **Chairman Brackett** welcomed Representative Chaney to the Committee and asked him to present **H 385**.

Representative Chaney said that the bill expands the veteran specialty license plate under Idaho Code § 49-418 by allowing a surviving spouse to continue displaying the license plate following the death of the veteran owner of the plate. Currently, a surviving spouse must relinquish the plate upon the death of the plate owner. This opens up the opportunity to honor the service of their spouse as long as they meet the federal definition of a surviving spouse.

Representative Chaney shared the story of a disabled veteran whose spouse was heartbroken that she would lose the license plate after her husband died. This bill will help acknowledge the trauma many families have gone through and allow them to honor their spouses. **Representative Chaney** stood for questions, but there were none.

TESTIMONY: **Chairman Brackett** thanked Representative Chaney and noted that Daniel D. Pugmire, of the Idaho Veterans Council, had signed up to testify. He welcomed Mr. Pugmire to the Committee.

Mr. Pugmire said he was from Caldwell, Idaho, and that this legislation was very important to him and his wife. He said he was a struggling veteran who came back from the service with a lot of issues. He was able to get the help and resources that he needed from his community and has gotten back on his feet. However, he suffers from seizures and traumatic brain injury (TBI), which have resulted in a prognosis of a significantly reduced life expectancy. This bill is very important to him; it will allow his wife to honor his service to our country after his death. It is also important to his extended family, some of whom were also present in the Committee meeting. **Mr. Pugmire** ended his testimony by thanking the Committee for considering this legislation.

Vice Chairman Hagedorn said that Mr. Pugmire and his family are a great example of the support networks that help service members and their families during deployment and when service members return home. **Vice Chairman Hagedorn** thanked Representatives Chaney and Youngblood for bringing this legislation forward.

MOTION: **Senator Nonini** moved to send **H 385** to the floor with a **do pass** recommendation. **Vice Chairman Hagedorn** seconded the motion. The motion passed by **voice vote**. **Vice Chairman Hagedorn** said he would be honored to carry the bill on the floor.

S 1262 **Chairman Brackett** thanked Mr. Pugmire for his service and for his testimony; he welcomed Roy Eiguren, of Ellis Eiguren Public Policy Firm, to the Committee and asked him to present **S 1262**.

Mr. Eiguren said he was appearing before the Committee on behalf of his client, Reimbursement Services Company, that operates in 50 states providing motor vehicle fleet management services to clients throughout the country, including in Idaho. He said that Jim Burlison, a regulatory law attorney with the Meenan Law Firm of Tallahassee, Florida, was present to testify on **S 1262**.

This legislation deals with the protection of consumers, which in this case are employees using the company's new program involving maintenance, repairs and depreciation on managing their fleet of vehicles. Because they are employees, the program does not need to be regulated as it is based on a consensual contract relationship between an employer and its employees. In Idaho, potential regulation falls within either the insurance code or the motor vehicle service contract act. The Attorney General's (AG) office has determined it does not fall under the insurance code; **Mr. Eiguren** referenced a letter from the AG's office in each Committee member's packet. It is unclear whether the program would come within the scope of the Idaho Motor Vehicle Service Contract Law. **S 1262** deals with clarifying those concerns. **Mr. Eiguren** thanked the Committee and yielded to Mr. Burlison.

TESTIMONY: **Mr. Burlison** described Reimbursement Services Company's new program as fleet management for companies who need a service to keep their fleets of vehicles maintained and repaired. Their clients are Fortune 1,000 Companies who own commodity-type vehicles; 90 percent of the vehicles are corporate trucks and sedans. There is an Internal Revenue Service (IRS) tax break component covering depreciation and reimbursement. The program is optional to employees who get reimbursement at lower rates and complimentary maintenance. **Mr. Burlison** reiterated what Mr. Eiguren had stated about this program not being subject to the Idaho insurance code and stood for questions, but there were none

MOTION: **Vice Chairman Hagedorn** moved to send **S 1262** to the floor with a **do pass** recommendation. **Senator Lacey** seconded the motion. The motion passed by **voice vote**. **Senator Lacey** volunteered to carry the bill on the floor.

RS 24444 **Chairman Brackett** thanked Mr. Eiguren and Mr. Burlison and invited Senator Keough to present the next RS.

Senator Keough said after last year's challenge of trying to find funding for roads at the local level, she did not think the topic would be revisited so soon. **RS 24444** removes the hybrid vehicle registration fee and clarifies the Neighborhood Electric Vehicles (NEV) registration fee. She said she and many other legislators had heard from their constituents who own these vehicles; they were concerned about the extra fee charged when they went to register their vehicles this year. **Senator Keough** said that the findings from the Governor's Task Force had been that hybrids ran more miles on less gas, which justified raising the registration fees on these vehicles to pay the cost of running the vehicles down the roads—a cost that is also paid in fuel taxes. After reviewing new data, the conclusion was that the mileage these vehicles get per gallon of gasoline does not justify the increase in the registration fees. This legislation remedies that. **Senator Keough** thanked the Committee and stood for questions.

Senator Vick asked if golf carts are considered neighborhood vehicles. **Senator Keough** was uncertain but thought those requiring license plates were neighborhood vehicles. **Senator Vick** asked if there was a definition of NEFs. **Senator Keough** said there was and it was included in the RS.

Vice Chairman Hagedorn explained that NEFs were defined long ago and since then the vehicles have been identified under restricted vehicle code with annual fees ranging from \$3 to \$10. He suggested that removing the electric vehicle code could be an option worth considering in the future.

MOTION: **Senator Nonini** moved to send **RS 24444** to print. **Senator Vick** seconded the motion.

Chairman Brackett recalled that 2015 H 312aaS,aaS placed the fiscal impact for hybrid and electric vehicles around \$120,000. The fiscal note on this RS has the net loss at approximately \$1 million. He wanted to know why there was such a significant difference. **Senator Keough** said she was also surprised, but according to the Idaho Transportation Department (ITD), the amount had grown that much just in the last ten months since last year's bill was passed.

The motion passed by **voice vote**.

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

RS 24483C1 **Vice Chairman Hagedorn** asked Chairman Brackett to present his RS.

Chairman Brackett said this legislation allows diesel-powered motor vehicles in the State of Idaho to be subject to inspection for dyed diesel fuel under the following circumstances: 1. when requested by any law enforcement officer at a fixed or portable check station; and 2. when requested by any law enforcement officer as a secondary action when the operator of the motor vehicle has been detained for a suspected violation of another law. **Chairman Brackett** further stated that this RS does not create a dyed-diesel enforcement program, and any costs associated with it would be dependent on the size and scope of a program that may be developed if this legislation became law. **Chairman Brackett** said he would stand for questions from the Committee, but there were none.

MOTION: **Senator Winder** moved to send **RS 24483C1** to print. **Senator Nonini** seconded the motion. The motion passed by **voice vote**.

PASSED THE GAVEL: Vice Chairman Hagedorn returned the gavel to Chairman Brackett.

RS 24498 **Chairman Brackett** thanked Vice Chairman Hagedorn. **Chairman Brackett** said that the sponsor of **RS 24498**, Stuart Davis, Executive Director of the Idaho Association of Highway Districts, came to him right before the Committee convened, stating that he was pulling the RS from consideration at this time.

RS 24375 **Chairman Brackett** asked Senator Winder to present **RS 24375**.

Senator Winder said he brought this legislation on behalf of the Mayor's Youth Advisory Council for the City of Meridian. The texting issue brought before the Committee a few years ago was a prime example of the supportive nature of this group towards issues facing today's youth. Another issue of interest to these youths, and the focus of this RS, is the use of safety restraints while driving. **RS 24375** deals with a three-year program beginning July 1, 2016, and continuing through June 30, 2019, initiating requirements for wearing safety restraints for drivers and passengers under the age of 18. The first year is a test program where warnings rather than citations will be issued. **Senator Winder** said he would stand for questions, but there were none.

MOTION: Vice Chairman Hagedorn moved to send **RS 24375** to print. **Senator Den Hartog** seconded the motion. The motion passed by **voice vote**.

MINUTES APPROVAL: **Senator Keough** moved that the Minutes of January 21, 2016, be approved. **Senator Buckner-Webb** seconded the motion. The motion passed by **voice vote**.

Senator Vick moved that the Minutes of January 26, 2016, be approved. **Senator Winder** seconded the motion. The motion passed by **voice vote**.

ADJOURNED: With no further business before the Committee, **Chairman Brackett** adjourned the meeting at 2:09 p.m.

Senator Brackett
Chair

Gaye Bennett
Secretary