

MINUTES
SENATE TRANSPORTATION COMMITTEE

DATE: Tuesday, March 09, 2021

TIME: 1:30 P.M.

PLACE: Room WW53

MEMBERS PRESENT: Chair Den Hartog, Vice Chairman Woodward, Senators Winder, Lodge, Rice, Vick, Crabtree, Nelson, and Wintrow

ABSENT/ EXCUSED: None

NOTE: The sign-in sheet, testimonies and other related materials will be retained with the minutes in the committee's office until the end of the session and will then be located on file with the minutes in the Legislative Services Library.

CONVENED: **Chair Den Hartog** called the meeting of the Senate Transportation Committee (Committee) to order at 1:30 p.m.

H 86 **Relating to Off-Highway Vehicles and Snowmobiles. Representative Terry Gestrin** presented the bill to the Committee, explaining it would streamline the administration process of the Idaho Department of Parks and Recreation (IDPR) user certificate program for off-highway vehicles (OHV) and snowmobiles. The proposed legislation does not create any fees or raise any costs, it would just make administration of the program simpler and more efficient. It also directs IDPR to begin providing multiyear stickers for OHVs and snowmobiles in an effort to reduce administrative expenses and processing times. **H 86** also clarifies that only accidents involving property damage other than the operator's property need to be reported.

DISCUSSION: **Senator Woodward** inquired where the stickers will be available for purchase. **Representative Terry Gestrin** clarified they will be available through the IDPR and local vendors. He also noted that an online marketplace might materialize. **Senator Woodward** then questioned if stickers will be available through the Idaho Transportation Department (ITD), to which **Representative Gestrin** said he is unable to guarantee they will be.

Senator Wintrow requested further explanation regarding changes to the property damage reporting requirement. **Representative Gestrin** explained accidents only need to be reported if there is damage to someone's property other than the operator's. If there is a single-vehicle accident that doesn't affect another person's property, the operator will not be required to file a report.

TESTIMONY: **David Claiborne**, on behalf of Idaho Recreation Council, Idaho State Snowmobile Association, and Idaho State ATV Association, testified in support of **H 86**. He explained the proposed legislation strikes more code than it adds. He also expressed hope this bill will encourage more Department of Motor Vehicles (DMV) offices to sell IDPR stickers.

Brian Goeke, DMV Policy Manager, ITD, testified in support of **H 86**. He clarified it would be each assessor's individual choice to decide if they would like to be an IDPR vendor.

MOTION: **Senator Woodward** moved to send **H 86** to the floor with a **do pass** recommendation. **Senator Vick** seconded the motion. The motion carried by **voice vote**, with **Senator Crabtree** and **Senator Nelson** requesting they be recorded as voting nay.

H 129 **Relating to Off-Highway Vehicles. Representative Gestrin** explained the proposed legislation allows OHVs to travel on state highways for 5 miles or less, where the speed limit is 60 miles per hour. The update to Idaho Code is intended for restricted purposes only, to include accessing off-road trails or services such as fuel, lodging, food and beverage, or maintenance. OHVs must follow rules of the road with the exception of not exceeding a 45-mile-per-hour speed limit.

DISCUSSION: **Senator Crabtree** requested clarification regarding the 60-mile-per-hour stipulation. **Representative Gestrin** explained OHVs are restricted to 45 miles per hour. ITD engineers recommended the 60-mile-per-hour designation; full size vehicles are permitted to travel at the posted speed as usual.

David Claiborne clarified there are no changes to exemptions listed in Idaho Code and changes occur in subsection three and beyond. There is also an inclusion for local jurisdictions to restrict OHV use if they have concerns it would be unsafe in certain areas. **Senator Wintrow** asked for an explanation on how **H 129** would affect Boise, to which **Mr. Claiborne** replied the local jurisdiction would take precedent over Idaho Code. **Senator Wintrow** questioned if there were any anticipated safety issues. **Mr. Claiborne** explained there were some accidents between OHVs and full-size vehicles, but a history of frequent problems wasn't demonstrated. There is a history of OHV accidents, but they tend to be single-vehicle accidents.

TESTIMONY: **Sheriff Chris Goetz** of Clearwater County testified in opposition to **H 129**. He stated sheriffs are concerned with OHVs operating in zones with a 60 mile per hour posted speed. The requirement for local jurisdictions to notify IDPR of road closures also creates an extra layer of burden.

Senator Nelson questioned if ITD collects any data related to OHV accidents. **Brian Goeke**, DMV Policy Manager, ITD, explained the department does collect information on accidents, but he does not know if it includes OHV data.

MOTION: **Senator Vick** moved to send **H 129** to the floor with a **do pass** recommendation. **Senator Winder** seconded the motion. The motion carried by **voice vote**.

H 229 **Relating to Snowmobile Fees. Representative Gestrin** explained the proposed legislation raises the user fees associated with snowmobile use in the State of Idaho. The fees have not been raised since 2007 and increased revenue will support construction and maintenance of groomed snowmobile trails throughout Idaho. The funds are also used to maintain winter parking lots, toilets, grooming huts, equipment purchases, and labor. The bill will continue to allocate funding to support programs such as search and rescue and the avalanche fund. The Department of Lands will also receive a portion of the fees to support recreation management.

DISCUSSION: **Senator Nelson** inquired if the director of the National Avalanche Center, or his designee, has agreed to chair the avalanche fund, as prescribed in Section 67-7107A, subdivision 2.

Representative Gestrin clarified the director does understand the commitment made in the proposed legislation and would appoint a designee if he was unable to chair the fund.

Ron Platt, on behalf of the Idaho State Snowmobile Association, testified in support of **H 229**. He stated that funding has become tight as the volume of snowmobile practitioners in the State, as well as from out of state, has increased. The proposed fee increase will support the rising demand and make State of Idaho trails safer for all.

MOTION: **Senator Woodward** moved to send **H 229** to the floor with a **do pass** recommendation. **Senator Lodge** seconded the motion. The motion carried by **voice vote**.

H 85 **Relating to Purple Heart License Plates.** **Representative Scott Syme** explained the proposed legislation allows individuals with purple heart designations to have more than two vehicles licensed with purple heart specialty plates.

MOTION: **Senator Winder** moved to send **H 85** to the floor with a **do pass** recommendation. **Senator Woodward** seconded the motion. The motion carried by **voice vote**.

H 132A **Relating to Highways and Bridges.** **Representative Syme** explained the proposed legislation designates U.S. Highway 26, which crosses the State of Idaho, as the Prisoner of War and Missing in Action Memorial. This proposal is part of a national effort to dedicate U.S. Route 26 to provide recognition of prisoners of war and missing soldiers. There is no requirement for ITD to place any signs noting the memorial, but the department may if it would like to do so.

TESTIMONY: **Mark Stephensen**, on behalf of the National League of POW/MIA Families, testified in support of **H 132a**. He expressed it is imperative to keep this topic of POW/MIA in front of the public so they will continue to advocate for funding and support to find missing soldiers.

Ralph Kramer, on behalf of Boise Valley POW/MIA Corporation, testified in support of **H 132a**. He noted this measure is another way to let the public know of the ongoing effort to locate missing soldiers.

MOTION: **Senator Woodward** moved to send **H 132a** to the floor with a **do pass** recommendation. **Senator Winder** seconded the motion. The motion carried by **voice vote**.

ADJOURNED: There being no further business at this time, **Chair Den Hartog** adjourned the meeting at 2:27 p.m.

Senator Den Hartog
Chair

Emily Carlisle
Secretary