

AMENDED AGENDA #1
HOUSE TRANSPORTATION & DEFENSE COMMITTEE
1:30 P.M.
Room EW40
Monday, January 18, 2016

SUBJECT	DESCRIPTION	PRESENTER
<u>RS24094</u>	Organizational Meeting Distribution of Tax Revenue from Tax on Special Fuels	Chairman Palmer

COMMITTEE MEMBERS

Chairman Palmer
Vice Chairman Shepherd
Rep Wills
Rep Bateman
Rep Gestrin
Rep Hixon

Rep Kauffman
Rep Packer
Rep Youngblood
Rep McDonald
Rep Dixon
Rep Harris

Rep Holtzclaw
Rep Monks
Rep King
Rep Rudolph
Rep Wintrow

COMMITTEE SECRETARY

Vicky Davies
Room: EW60
Phone: 332-1146
email: htran@house.idaho.gov

MINUTES
HOUSE TRANSPORTATION & DEFENSE COMMITTEE

DATE: Monday, January 18, 2016
TIME: 1:33 P.M.
PLACE: Room EW40
MEMBERS: Chairman Palmer, Vice Chairman Shepherd, Representatives Wills, Bateman, Gestrin, Hixon, Kauffman, Packer, Youngblood, McDonald, Dixon, Harris, Holtzclaw, Monks, King, Rudolph, Wintrow
**ABSENT/
EXCUSED:** Representative Holtzclaw
GUESTS: Caitlin Rusche, IAC, Wayne Hammon, Idaho AGC, Jonathan Parker, Holland & Hart, Jason Kreizenbeck, Lobby Idaho, LLC
Chairman Palmer called the meeting to order 1:33 p.m.
Chairman Palmer introduced **Vicky Davies**, Secretary, **TJ Ruiz**, Page, and **Matthew Reiber**, Intern.
Chairman Palmer assigned **Representative Dixon** as the Subcommittee Chairman for all the Administrative Rules
Chairman Palmer turned the gavel over to **Vice Chairman Shepherd**.
RS 24094: **Chairman Palmer** presented the **RS 24094**. The purpose of this proposed legislation is to revise the statements section to distribute the seven cents. Once this legislation has been updated, the Joint Finance Appropriation Committee will be able to distribute the seven cents to the appropriate account.
MOTION: **Representative Wills** made a motion to introduce the **RS 24094**. **Motion carried by voice vote.**
Vice Chairman Shepherd turned the gavel over to **Chairman Palmer**.
ADJOURN: There being no further business to come before the Committee, the meeting was adjourned at 1:36 p.m.

Representative Palmer
Chair

Vicky Davies
Secretary

AGENDA
HOUSE TRANSPORTATION & DEFENSE COMMITTEE
1:30 P.M.
Room EW40
Wednesday, January 20, 2016

SUBJECT	DESCRIPTION	PRESENTER
<u>RS24050C1</u>	Idaho Bureau of Homeland Security: Name Change	Major Steve Stokes
<u>RS24010</u>	Military Division: Amend and Update duties of Adjutant General	Lt. Colonel Paul Boice

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 Palmer Rep Kauffman
Vice Chairman Shepherd Rep Packer
Rep Wills Rep Youngblood
Rep Bateman Rep McDonald
Rep Gestrin Rep Dixon
Rep Hixon Rep Harris

Rep Holtzclaw
Rep Monks
Rep King
Rep Rudolph
Rep Wintrow

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MINUTES
HOUSE TRANSPORTATION & DEFENSE COMMITTEE

DATE: Wednesday, January 20, 2016

TIME: 1:30 P.M.

PLACE: Room EW40

MEMBERS: Chairman Palmer, Vice Chairman Shepherd, Representatives Wills, Bateman, Gestrin, Hixon, Kauffman, Packer, Youngblood, McDonald, Dixon, Harris, Holtzclaw, Monks, King, Rudolph, Wintrow

**ABSENT/
EXCUSED:** Representative(s) Gestrin, Hixon, King, Packer

GUESTS: Matthew Reiber, Intern, Lt. Colonel Paul Boice, Idaho National Guard, Captain Steve Stokes, Idaho National Guard, Captain Steve Stokes, Idaho National Guard, Reymundo Rodriguez, Idaho Transportation Department, Ramon Hobdey-Sanchez, Kevin Hanigan, Idaho Automobile Dealer Association, Amy Smith, Idaho Transportation Department

Chairman Palmer called the meeting to order at 1:30 p.m.

RS 24050C1: **Captain Stephen A. Stokes**, Attorney Advisor to The Adjutant General, presented **RS 24050C1**. The purpose of this legislation proposal is to change the name of the Idaho Bureau of Homeland Security to the Idaho Office of Emergency Management. Captain Stokes gave a brief summary of the function and purpose of the agency. He requests the **RS 24050C1** be introduced.

MOTION: **Representative Monks** made a motion to introduce **RS 24050C1**. **Motion carried by voice vote.**

RS 24010: **Lieutenant Colonel Paul Boice**, Staff Adjutant to General, presented **RS 24010**. The purpose of this legislative proposal is to amend and update the duties of the Adjutant General as Military Chief of Staff, Director of the Idaho Military Division and to provide the Adjutant General with certain additional duties.

MOTION: **Representative Wills** made a motion to introduce **RS 24010**. **Motion carried by voice vote.**

MOTION: **Representative Kauffman** made a motion to approve the minutes of the January 18, 2016 meeting. **Motion carried by voice vote.**

ADJOURN: There being no further business to come before the Committee, the meeting was adjourned at 1:37 p.m.

Representative Palmer
Chair

Vicky Davies
Secretary

AGENDA
HOUSE TRANSPORTATION & DEFENSE COMMITTEE
DIXON SUBCOMMITTEE
 Idaho Transportation Department Rules
Upon Adjournment of the Full Committee
Room EW40
Wednesday, January 20, 2016

DOCKET NO.	DESCRIPTION	PRESENTER
<u>39-0203-1501</u>	Rules Governing Vehicle Dealer's Principal Place of Business	Amy Smith, Vehicle Services Manager
<u>39-0222-1501</u>	Rules Governing Registration and Permit Fee Administration	Reymundo Rodriguez, Motor Carrier Services Manager
<u>39-0226-1501</u>	Rules Governing Temporary Vehicle Clearance for Carriers	Reymundo Rodriguez
<u>39-0301-1501</u>	Rules Governing Definitions Regarding Overlegal Permits	Reymundo Rodriguez
<u>39-0313-1501</u>	Rules Governing Overweight Permits	Reymundo Rodriguez
<u>39-0316-1501</u>	Rules Governing Oversize Permits for Non-Reducible Vehicles and/or Loads	Reymundo Rodriguez
<u>39-0317-1501</u>	Rules Governing Permits for Manufactured Homes, Modular Buildings, and Office Trailers	Reymundo Rodriguez
<u>39-0319-1501</u>	Rules Governing Annual Overlegal Permits	Reymundo Rodriguez
<u>39-0321-1501</u>	Rules Governing Overlegal Permit Fees	Reymundo Rodriguez
<u>39-0322-1501</u>	Rules Governing Overlegal Permits for Extra-Length, Excess Weight, and Up to 12,000 Pound Vehicle Combinations	Reymundo Rodriguez

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 Dixon
 Rep. Shepherd
 Rep. Kauffman
 Rep. Harris
 Rep. Rudolph

COMMITTEE SECRETARY

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MINUTES
HOUSE TRANSPORTATION & DEFENSE COMMITTEE
DIXON SUBCOMMITTEE
Idaho Transportation Department Rules

DATE: Wednesday, January 20, 2016
TIME: Upon Adjournment of the Full Committee
PLACE: Room EW40
MEMBERS: Chairman Dixon, Representatives Shepherd, Kauffman, Harris, Rudolph
**ABSENT/
EXCUSED:** None
GUESTS: Matthew Reiber, Intern, Reymundo Rodriguez, Idaho Transportation Department, Ramon Hobdey-Sanchez, Idaho Transportation Department, Kevin Hanigan, IADA, and Amy Smith, Idaho Transportation Department

Chairman Dixon called the meeting to order 1:38 p.m.

**DOCKET NO.:
39-0203-1501** **Amy Smith**, Vehicle Services Manager, presented **Docket No. 39-0203-1501**, Rules Governing Vehicle Dealer's Principal Place of Business starts on page 26, Section 6 of the Administrative Rules. This Rule removes the minimum number of hours that a licensed dealer or wholesale dealer must be opened for licensing purposes. In addition, the Rule will still require the dealer to report business hours to the Idaho Transportation Department on the Dealer's License Application. This Rule proposal will allow the Idaho Transportation Department to be in compliance with the Idaho Code 49-117.

MOTION: **Rep. Harris** made a motion to recommend approval of **Docket No. 39-0203-1501** to the full committee. **Motion carried by voice vote.**

**DOCKET NO.
39-0222-1501:** **Reymundo Rodriguez**, Motor Carrier Services Manager, presented **Docket No. 39-0222-1501**, Rules Governing Registration and Permit Fee Administration starts on page 29 of the Administrative Rules. This Rule proposal utilizes the new system by allowing customers to access an escrow account. This Rule proposal has five modifications; 1) accordance with Section 49-439 (7) of the Idaho Code, 2) refund funds for temporary permits and registration fees, if eligible, 3) eliminate delinquent billing before credentials are sent, 4) implement the new point-of-sale system, and 5) accounts owed to the Department will possibly be sent to a Collection Agency. The Idaho Transportation Department approved these modifications and the Trucking Advisory Council supports this Rule change.

MOTION: **Rep. Rudolph** made a motion to recommend approval of **Docket No. 39-0222-1501** to the full committee. **Motion carried by voice vote.**

**DOCKET NO.
39-0226-1501:** **Reymundo Rodriguez**, Motor Carrier Services Manager, presented **Docket No. 39-0226-1501**, Rules Governing Temporary Vehicle Clearance for Carriers starts on pages 3 and the modifications are on page 6 of the Administrative Rules. The purpose of the Rule proposal is in compliance with the Idaho Code 49-202(m) with Administrative Rules. The Rule amended 49-202(m), Idaho Code which clarified the fees Idaho Transportation Department (ITD) can collect. The Idaho Code, Section 49-202(m), has been amended as follows: "For issuing letters of temporary vehicle clearance to Idaho-based motor carrier" from 10 dollars to 18 dollars. The Idaho Transportation Department approved these modifications and the Trucking Advisory Council supports this Rule.

- MOTION:** **Rep. Kauffman** made a motion to recommend approval of **Docket No. 39-0226-1501** to the full committee. **Motion carried by voice vote.**
- DOCKET NO. 39-0301-1501:** **Reymundo Rodriguez**, Motor Carrier Services Manager, presented **Docket No. 39-0301-1501**, Rules Governing Definitions Regarding Overlegal Permits covered in pages 35-40 of the Administrative Rules. This Rule proposal provides the definition of excess weight and changes the rule to the steer axles tire limit restrictions to be compliant with **H 70**. This Rule allows more flexibility in the amount of weight carried on the steer axles only. In addition, this Rule limits the steer axle weight to manufacturer's load rating per tire or load rating of the axle or 20,000 pounds per axle whichever is less. The Idaho Transportation Department approved these modifications and the Trucking Advisory Council supports this Rule change.
- MOTION:** **Rep. Harris** made a motion to recommend approval of **Docket No. 39-0301-1501** to the full committee. **Motion carried by voice vote.**
- DOCKET NO. 39-0313-1501:** **Reymundo Rodriguez**, Motor Carrier Services Manager, presented **Docket No. 39-0313-1501** pertaining to Rules Governing Overweight Permits covered in pages 41-45 of the Administrative Rules. This Rule proposal is necessary for Idaho Transportation Department to provide the guidelines set in bridge analysis is antiquated and inadequate. The bridge analysis is required to ensure the safety of the public community and protects our infrastructure. The Idaho Transportation Department approved these modifications and the Trucking Advisory Council supports this Rule change.
- MOTION:** **Rep. Kauffman** made a motion to recommend approval of **Docket No. 39-0313-1501** to the full committee. **Motion carried by voice vote.**
- DOCKET NO. 39-0316-1501:** **Reymundo Rodriguez**, Motor Carrier Services Manager, presented **Docket No. 39-0316-1501**, Rules Governing Oversize Permits for Non-Reducible Vehicles and/or Loads starts on page 46 and ends on page 49 of the Administrative Rules. The purpose of this Rule is to improve efficiency for motor carriers by allowing them to haul more than one non-reducible item on a 53-foot trailer on certain routes. This Rule will clarify sections 100 and 200 and remove redundant language and language pertaining to self-issuance of permits for customer with fee accounts. The Idaho Transportation Department approved the modifications and the Trucking Advisory Council supports this Rule change.
- MOTION:** **Rep. Kauffman** made a motion to recommend approval of **Docket No. 39-0316-1501** to the full committee. **Motion carried by voice vote.**
- DOCKET NO. 39-0317-1501:** **Reymundo Rodriguez**, Motor Carrier Services Manager, presented **Docket No. 39-0317-1501**, Rules Governing Permits for Manufactured Homes, Modular Buildings, and Office Trailers on pages 50-55 in the Administrative Rules. Idaho Transportation Department was approached by industry representatives to request an increase from 14'6 to 16' in load width when transporting manufactured homes, modular buildings, and office trailers along with allowing anyone to purchase an annual permit instead of single trip permit. The purpose of this Rule allows anyone transporting a 16' wide load to purchase an Annual Permit rather than a single permit. The Idaho Transportation Department approved the modifications and the Trucking Advisory Council supports this Rule change.
- MOTION:** **Rep. Kauffman** made a motion to recommend approval of **Docket No. 39-0317-1501** to the full committee. **Motion carried by voice vote.**

DOCKET NO. 39-0319-1501: **Reymundo Rodriguez**, Motor Carrier Services Manager, presented **Docket No. 39-0319-1501**, Rules Governing Annual Overlegal Permits on pages 56 to 60 in the Administrative Rules. Idaho Transportation Department was approached by industry representatives to request transportation loads be increased to 16' width by annual permit rather a single trip permit. The purpose of this Rule proposal is to increase the load width for equipment under an annual oversize permit from 14' 6" to 16' wide for transporting overlegal loads of equipment. The Idaho Transportation Department approved the modifications and the Trucking Advisory Council supports this Rule change.

MOTION: **Rep. Harris** made a motion to recommend approval of **Docket No. 39-0319-1501** to the full committee. **Motion carried by voice vote.**

DOCKET NO. 39-0321-1501: **Reymundo Rodriguez**, Motor Carrier Services Manager, presented **Docket No. 39-0321-1501**, Rules Governing Overlegal Permit Fees on pages 61 to 64 in the Administrative Rules Book. This Rule proposal will remove the option of "fee accounts" for the monthly charges and payments of overlegal permit fees. This Rule proposal will allow Idaho Transportation Department to be consistent with the process under the new cash drawer system. The Idaho Transportation Department approved the modifications and the Trucking Advisory Council supports this Rule change.

MOTION: **Rep. Shepherd** made a motion to recommend approval of **Docket No. 39-0321-1501** to the full committee. **Motion carried by voice vote.**

DOCKET NO. 39-0322-1501: **Reymundo Rodriguez**, Motor Carrier Services Manager, presented **Docket No. 39-0322-1501**, Rules Governing Overlegal Permits for Extra-Length, Excess Weight, and up to 129,000 Pound Vehicle Combinations on pages 65 to 69 in the Administrative Rules. This Rule proposal will adopt the **H 70** so the rules and statutes affecting Idaho Transportation Department will be consistent. The purpose of this Rule proposal puts steer axle tire limitation restrictions to match those now currently under Idaho Code.

MOTION: **Rep. Kauffman** made a motion to recommend approval of **Docket No. 39-0322-1501** to the full committee. **Motion carried by voice vote.**

ADJOURN: There being no further business to come before the committee, the meeting was adjourned at 2:19 pm.

Representative Dixon
Subcommittee Chairman

Vicky Davies
Secretary

AGENDA
HOUSE TRANSPORTATION & DEFENSE COMMITTEE
DIXON SUBCOMMITTEE
2:30 or Upon Adjournment of Resources Committee
Room EW40
Monday, January 25, 2016

DOCKET NO.	DESCRIPTION	PRESENTER
<u>11-1301-1501</u>	Motor Carriers Rules	Major Bill Reese
<u>35-0105-1501</u>	Idaho Motor Fuels Fax Administrative Rules	Michael J. Chakarun
<u>35-0105-1502</u>	Idaho Motor Fuels Tax Administrative Rules	Michael J. Chakarun
<u>35-0105-1503</u>	Idaho Motor Fuels Fax Administrative Rules	Michael J. Chakarun

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 Dixon
Rep. Shepherd
Rep. Kauffman
Rep. Harris
Rep. Rudolph

COMMITTEE SECRETARY

Vicky Davies
Room: EW60
Phone: 332-1146
email: htran@house.idaho.gov

MINUTES
**HOUSE TRANSPORTATION & DEFENSE COMMITTEE
DIXON SUBCOMMITTEE**

DATE: Monday, January 25, 2016
TIME: 2:30 or Upon Adjournment of Resources Committee
PLACE: Room EW40
MEMBERS: Chairman Dixon, Representatives Shepherd, Kauffman, Harris, Rudolph
**ABSENT/
EXCUSED:** None
GUESTS: Mike Chakarun, Idaho State Tax Commission, Don Williams, Idaho State Tax Commission, Major Bill Reese, Idaho State Police, Scott Hanson, Idaho State Police.

Chairman Dixon called the meeting to order at 2:33 p.m.

MOTION: **Rep. Kauffman** made a motion to approve the minutes of the January 20, 2016, meeting. **Motion carried by voice vote.**

DOCKET NO. 11-1301-1501: **Major Bill Reese**, Idaho State Police, presented **Docket No. 11-1301-1501**, The Motor Carrier Rules on pages 3 to 11 of the Administrative Rules. The purpose of this Rule proposal is to include the version of the Federal Motor Carrier Safety Regulations found in the Code of Federal Regulations adopted by Idaho, indicated by the date of the Federal Rule. This Rule revises the formatting for the reference of the Code of Federal regulations. This Rule is without any new rules and regulations.

MOTION: **Rep. Harris** made a motion to recommend approval of **Docket No. 11-1301-1501** to the full committee. **Motion carried by voice vote.**

DOCKET NO. 35-0105-1501: **Michael J. Chakarun**, Tax Policy Manager, presented **Docket No. 35-0105-1501**, Idaho Motor Fuels Tax on pages 12 to 14 of the Administrative Rules. This Rule proposal allows the implementation of the State Tax Commission to apply the motor fuel tax rate to gaseous special fuels. This Rule Proposal will include the formula to compute the fuel tax on gaseous special fuels.

MOTION: **Rep. Kauffman** made a motion to recommend approval of **Docket No. 35-0105-1501** to the full committee. **Motion carried by voice vote.**

DOCKET NO. 35-0105-1502: **Michael J. Chakarun**, Tax Policy Manager, presented **Docket No. 35-0105-1502**, Idaho Motor Fuels Tax on pages 15 to 19 of the Administrative Rules. The Motor Fuels Tax Rule 280 will be deleted. As a result, the Motor Fuels Tax Rule 422 has been revised. This Rule states that The International Fuel Tax Agreement (IFTA) licensees are required to complete the Form 75, Idaho Fuels Use Report, to claim refunds on tax-paid special fuels on nontaxable Idaho roads. In addition, The Motor Fuels Tax Rule 422.01 has been updated to omit the two recordkeeping sources. In addition, the Rule 422 has been updated to specify who is mandated to follow these Rules.

MOTION: **Rep. Harris** made a motion to recommend approval of **Docket No. 35-0105-1502** to the full committee. **Motion carried by voice vote.**

DOCKET NO. 35-0105-1503: **Michael J. Chakarun**, Tax Policy Manager. presented **Docket No. 35-0105-1503**, Idaho Motor Fuels Tax on pages 18 to 25 of the Administrative Rules. The purpose of this Rule proposal is to make changes to the Motor Fuels Tax Rule 004, Rule 115, Rule 132, Rule 410, and Rule 510. The Rule 004 has been revised to include some requirements from the Rule 115 and Rule 410 which was omitted from this section. The Rule 132 has been updated to reflect changes pertaining to Gaseous Fuels. In addition, there were changes pertaining to Motor Fuel Distributors License and Limited Distributor Licenses and Incorporation of other relevant Rules.

MOTION: **Rep. Rudolph** made a motion to recommend approval of **Docket No. 35-0105-1503** to the full committee. **Motion carried by voice vote.**

ADJOURN: There being no further business to come before the committee, the meeting was adjourned at 3:00 p.m.

Representative Dixon
Subcommittee Chairman

Vicky Davies
Secretary

AGENDA
HOUSE TRANSPORTATION & DEFENSE COMMITTEE
1:30 P.M.
Room EW40
Tuesday, January 26, 2016

SUBJECT	DESCRIPTION	PRESENTER
RS24215	Veterans plates, surviving spouse	Representative Greg Chaney
RS24200	Military families, recognized	Colonel Bruce Wong
Presentation	ACHD	Director Bruce Wong

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 Palmer	Rep Kauffman	Rep Holtzclaw
Vice Chairman Shepherd	Rep Packer	Rep Monks
Rep Wills	Rep Youngblood	Rep King
Rep Bateman	Rep McDonald	Rep Rudolph
Rep Gestrin	Rep Dixon	Rep Wintrow
Rep Hixon	Rep Harris	

COMMITTEE SECRETARY

Vicky Davies
Room: EW60
Phone: 332-1146
email: htran@house.idaho.gov

MINUTES
HOUSE TRANSPORTATION & DEFENSE COMMITTEE

DATE: Tuesday, January 26, 2016

TIME: 1:30 P.M.

PLACE: Room EW40

MEMBERS: Chairman Palmer, Vice Chairman Shepherd, Representatives Wills, Bateman, Gestrin, Hixon, Kauffman, Packer, Youngblood, McDonald, Dixon, Harris, Holtzclaw, Monks, King, Rudolph, Wintrow

**ABSENT/
EXCUSED:** None

GUESTS: Stacey Spencer, Tim Morgan, Sara Baker, Craig Quintana, Shari Khauss, Bruce Kelly, Kent Goldthorpe, Bruce Way, Roger Seiber, Steve Prila, Matt Reiber, ACHD; Amber Pence, City of Boise; Jaycon Ronk, Micron; Laura Lantz, IAHD; Jonathan Parker, Holland & Hart, LLP

Chairman Palmer called the meeting to order at 1:33 p.m.

MOTION: **Rep. Wintrow** made a motion to approve the minutes of the January 20, 2016, meeting. **Motion carried by voice vote.**

RS 24215: **Rep. Chaney**, District 10: Caldwell, presented **RS 24215** regarding surviving spouse veteran plates. This proposed legislation allows surviving spouses to display a Veteran's license plate in honor of their loved one.

MOTION: **Rep. Monks** made a motion to introduce **RS 24215**. **Motion carried by voice vote.**

RS 24200: **Colonel Bruce Wong** presented **RS 24200** which recognizes and honors the families of Idaho Military Members for their loved ones that serve in our Armed Forces.

MOTION: **Rep. Packer** made a motion to introduce **RS 24200**. **Motion carried by voice vote.**

ACHD: **Bruce Wong**, Director of Ada County Highway District (ACHD), presented the "Ada County Highway District: "Building on our Past... Looking Toward the Future". He highlighted the mission statement and purpose of the agency. Mr. Wong shared with the committee a synopsis of ACHD history. He went on to say ACHD is governed by a five member elected commission. This agency has over a billion in assets, 331.5 full-time team members and over 436,000 customers. In addition, ACHD maintains a "Road Network" of 4,783 lane miles, 70 miles were added for the Fiscal Year of 2015 due to the State System growing 49 miles in 5 years. In addition, this agency performs surveys every year to check customer satisfaction by performing public opinion polls. For example, the current poll showed a customer satisfaction increase of 20% and the budget is being distributed to appropriate accounts.

For the Fiscal Year of 2015, **Mr. Wong** announced the fact that ACHD "kept their commitments". Some of their commitments that were accomplished during the year include safety funds which were at an all time low of \$15,000. The insurance strategy saved \$300,000 which was reinvested in operations, commuteride business participation was 16%, and they implemented \$1 million in safe sidewalk improvements. In addition, their employees participated in a fundraiser event which raised \$125,000. This agency received numerous awards such as, the Government Financial Officers Association's Award for Excellence for the 7th year in a row.

For the Fiscal Year of 2016, **Mr. Wong** discussed ACHD's operation focus. He reviewed the ACHD 2016 revenue highlights and expenditure summary. The revenue highlights focused on **H 312**. This bill will provide the Agency with additional funds for transportation roadway and bridge maintenance for an estimated \$5.5 million in revenue for FY16. However, there are challenges for this Fiscal Year: Ada County population growth, system growth, and increased congestion.. As a result, the Ada County Plan submittals are up 25%, Pre construction meetings have increased 40%, development applications increased 55%, impact fee assessment increased 100% over the 1st in Qtr 2015, and increased \$1.5 million over this point last year. Mr. Wong went on to say the FY16 expenditures will finance 51 projects encompassing maintenance, capital, and community projects. Mr. Wong introduced **Commissioner Goldthorpe**. Commissioner Goldthorpe reviewed two recommendations for the Committee to consider which are Eminent Domain, "Pathways" and 129,000 pound trucks on the roads.

ADJOURN: There being no further business to come before the committee, the meeting was adjourned at 2:19 p.m.

Representative Palmer
Chair

Vicky Davies
Secretary

AGENDA
HOUSE TRANSPORTATION & DEFENSE COMMITTEE
1:30 P.M.
Room EW40
Thursday, January 28, 2016

SUBJECT	DESCRIPTION	PRESENTER
RS24159	License Plates, Orofino Schools	Representative Shepherd
Introduction	Idaho Transportation Department	Jerry Whitehead, Chairman of Idaho Transportation Board
Presentation	Idaho Transportation Department	Brian Ness, Director of the Idaho Transportation Department

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 Palmer	Rep Kauffman	Rep Holtzclaw
Vice Chairman Shepherd	Rep Packer	Rep Monks
Rep Wills	Rep Youngblood	Rep King
Rep Bateman	Rep McDonald	Rep Rudolph
Rep Gestrin	Rep Dixon	Rep Wintrow
Rep Hixon	Rep Harris	

COMMITTEE SECRETARY

Vicky Davies
Room: EW60
Phone: 332-1146
email: htran@house.idaho.gov

MINUTES
HOUSE TRANSPORTATION & DEFENSE COMMITTEE

DATE: Thursday, January 28, 2016

TIME: 1:30 P.M.

PLACE: Room EW40

MEMBERS: Chairman Palmer, Vice Chairman Shepherd, Representatives Wills, Bateman, Gestrin, Hixon, Kauffman, Packer, Youngblood, McDonald, Dixon, Harris, Holtzclaw, Monks, King, Rudolph, Wintrow

**ABSENT/
EXCUSED:** None

GUESTS: Jerry Whitehead, Idaho Transportation Department, Matt Reiber, Intern, Cynthia Gibson, Idaho Walk Bike Alliance, Dennis Tanikani, Idaho Farm Bureau, Dr. Dick Vester, City of Wallace

Chairman Palmer called the meeting to order at 1:30 p.m.

RS 24159: **Rep. Shepherd** presented **RS 24159**. This proposed legislation will allow Orofino schools to utilize funds from the sale of Maniac License plates. This program will not affect federal tax dollars for the school district. The purpose of this RS is to benefit the children through children programs.

Rep. King objected to the maniac symbol. She went on to say this symbol might offend people with mental illness.

Rep. Wintrow expressed her objection to the maniac symbol. She went on to say that she does want to support his school district.

MOTION: **Rep. Monks** made a motion to introduce **RS 24159**. **Motion carried by voice vote.**

Jerry Whitehead, Idaho Transportation Department, expressed the positive impact that the committee support made for the agencies. He introduced the **Brian Ness**, Director of Idaho Transportation Department.

Brian Ness, Director of Idaho Transportation Department, stated this is his seventh Legislative Session. He expressed his gratitude to both the committee, **Chairman Whitehead** and the ITD Board for their commitment. In addition, he provided the committee members with a synopsis of his history working with the Idaho Transportation Department. He went on to say that government agencies needed to change and they needed to serve the citizens of the state. He said there have been significant improvements at ITD and reviewed the FY17 governor's recommendation including the supplemental, investments of the new revenue and major highlights of 2015.

Mr. Ness said there have been adjustments for the new revenue increase. In 2015, there was additional revenue so they added projects which has increased the workload. He said even though there has been an increase in workload, the agency has decreased employees to 155 due to ITD's efficiency.

Mr. Ness said early in December, a new federal law called, "Fixing America's Surface Transportation Act: "FAST" was signed. This law is a five year plan which expires in 2020. As a result, this law allows for long-term planning, addresses inflation, and increases flexibility. FAST adds an addition, 5% to the budget. In addition, the first year will add an additional 2% in inflation for most of Idaho's highways, transits, and safety funding. It also allows flexibility of how those funds can be utilized. FAST streamlines environment review and the permitting process, increases public transportation funding and expands public and private investments and partnerships and allows for more state patrol and safety programs. ITD has worked closely with the Western Association of State Highways and Transportation officials prior to the passage of federal reauthorization to successfully address the needs of rural western states.

Mr. Ness summarized the FY16 supplemental recommendations. For the fiscal year 2017, their labor force will decrease by 20 positions. He said last year there was revenue increases which the legislature increased funding for transportation but didn't include spending authority for the new revenue. The funds are there but its just the ongoing spending authority, which is a concern. Projects are being submitted in the beginning of each year.

Mr. Ness discussed the 2015 revenue increase which is about a third of the goal of \$262 million, just to keep the infrastructure in place as it is today. The legislation provides ITD and local communities with an ongoing \$76.7 million per year from increased fuel taxes and registration fees. He summarized some of ITD projects. He complimented the employees of ITD for the success of current and future projects which have been started or finished. He explained to the committee the 2015 and 2016 General Fund surplus, which will be placed in the Strategic Initiative Fund. He said this fund can only be used on maintenance projects which must compete with funding based on their return on investment. ITD had 44 projects funded in the first year of the revenue increase. He went on to specify other projects that have been completed.

Mr. Ness stated that ITD continues to make process improvements and serve as models for other states to follow. In addition, ITD tries to encourage their employees to come up with innovated ideas. He summarized the ITD projects that have received Excellence Awards and employee awards. In addition, there have been advances in ITD technology with numerous ITD benefits for both employees and customers.

Mr. Ness explained the next five years, ITD will set the direction and organization structure of the Department. About fifty percent of the employees will reach retirement in a five year period. He stated ITD will stay with the foundation of excellence.

ADJOURN: There being no further business to come before the Committee, the meeting was adjourned at 2:33 p.m.

Representative Palmer
Chair

Vicky Davies
Secretary

AMENDED AGENDA #1
HOUSE TRANSPORTATION & DEFENSE COMMITTEE
1:30 P.M.
Room EW40
Tuesday, February 02, 2016

SUBJECT	DESCRIPTION	PRESENTER
RS24258C1	Distribution of Off-Highway Vehicle (OHV) Registration Fees	Representative Kathleen Sims
H 385	Display Veteran's License Plates, Surviving Spouses	Representative Greg Chaney
H 343	Distribution of Tax Revenue from Taxes on Special Fuels	Representative Joe Palmer
Presentation	Idaho Enhanced Enforcement of Fuel Tax Law	Ken Roberts

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 Palmer	Rep Kauffman	Rep Holtzclaw
Vice Chairman Shepherd	Rep Packer	Rep Monks
Rep Wills	Rep Youngblood	Rep King
Rep Bateman	Rep McDonald	Rep Rudolph
Rep Gestrin	Rep Dixon	Rep Wintrow
Rep Hixon	Rep Harris	

COMMITTEE SECRETARY

Vicky Davies
Room: EW60
Phone: 332-1146
email: htran@house.idaho.gov

MINUTES
HOUSE TRANSPORTATION & DEFENSE COMMITTEE

DATE: Tuesday, February 02, 2016

TIME: 1:30 P.M.

PLACE: Room EW40

MEMBERS: Chairman Palmer, Vice Chairman Shepherd, Representatives Wills, Bateman, Gestrin, Hixon, Kauffman, Packer, Youngblood, McDonald, Dixon, Harris, Holtzclaw, Monks, King, Rudolph, Wintrow

**ABSENT/
EXCUSED:** None

GUESTS: Bill Jones, Idaho ATV Association, Mike Chakaron, Idaho State Tax Commission, Don Williams, Idaho State Tax Commission, Greg Casey, Veritas Advisors, Jennifer Okerlund, IDPR, Sandra Mitchell, IDPR, Jay Shano, OAR, Amy Smith, ITD, and Matthew Reiber, Intern

Chairman Palmer called the meeting to order at 1:32 p.m.

RS 24258C1: **Rep. Sims** presented **RS 24258C1**. The purpose of this proposed legislation is to shift the distribution of Off-Highway Vehicle (OHV) registration fees collected by the state to the counties, per Idaho Code 67-2127. The OHV owners are requesting to have 85% of the funds given to individual counties of their choice and 15% to go to the state for administration fees. She reviewed the benefits of these funds throughout the community. She went on to say this proposed legislation is similar to the boat stickers and snowmobile stickers regulations. This proposed legislation will mandate off-highway vehicle owners to register every year in the month of December. She discussed the benefits of this proposed legislation. In addition, she emphasized a local county off-highway vehicle program, due to limited funds for trail maintenance. This proposed legislation will impact 149,000 stickers being sold.

MOTION: **Rep. Hixon** made a motion to introduce **RS 24258C1**. **Motion carried by voice vote.**

H 385: **Rep. Chaney** presented **H 385** to the committee. The purpose of this bill is to omit the five year limit requirement to surviving spouses. This bill will allow surviving spouses to honor their deceased spouse by displaying a disabled veterans license plate. After the surviving spouse has meet the qualifications, the surviving spouse can continue to display the disabled veterans plate in honor of their deceased spouse. However, if the surviving spouse remarries then, this bill is non-applicable.

MOTION: **Rep. Wills** made a motion to send **H 385** to the floor with a **DO PASS** recommendation. **Motion carried by voice vote.** **Rep. Chaney** will sponsor the bill on the floor.

H 343: **Chairman Palmer** informed the committee that this bill will not be heard today.

Ken Roberts, State Tax Commissioner, thanked the committee members and introduced the individuals that contributed to the report, [Enhanced Enforcement of Fuel Tax Law](#). This report was jointly issued by the Idaho State Tax Commission, Idaho State Police, and the Idaho Transportation Department.

Mr. Roberts said according to **H 312**, the Idaho State Police and the State Tax Commission are to provide recommendations to both the Senate Transportation Committee and House Transportation Committee required by the enforcement of prohibiting dyed fuel and other untaxed fuel use on Idaho roads and highways.

Mr. Roberts stated the purpose of motor fuel tax is for construction, repair, and maintenance. He went on to explain the distribution of the number of gallons of diesel. He said there are three categories; 223 million gallons of dyed diesel, 275 million gallons of undyed diesel sold or the taxed diesel and approximately, 669 million gallons of gasoline that was sold in Idaho. Since 1993, the IRS and EPA has had a requirement to have marked red dye fees, which signifies a tax exemption from fuel taxes; however, sales tax may apply. He discussed uses and illegal uses of dyed diesel.

Mr. Roberts spoke about the current tax rates in Idaho. The tax payer losses \$3,200 in taxes on a tanker load which is 10,000 gallons. He went on to mention that Montana has a dyed diesel enforcement program in place which showed 16% of its revenue were lost. For FY15, Idaho is losing a similar amount of \$11.4 million.

Mr. Roberts went on to say that surveys were performed to find out if other jurisdictions had enforcement programs and roadside enforcements established in their area. The survey concluded that there were 29 jurisdictions surveyed; 25 jurisdictions had implemented a dyed diesel enforcement program and 24 had implemented a roadside enforcement process. He also said that Montana had 469 violations and Washington had 635 violations during the 2009 to 2014 period. He discussed the ways to deter illegal uses of the dyed diesel.

Mr. Roberts spoke regarding the current Idaho enforcement activities. He provided the committee members with options to consider of how to move forward on this issue. He gave an example of a personal violation. He summarized their recommendations for the state of Idaho.

In answer to committee questions regarding accessing pumps after hours, penalties for operating with dyed fuel on the road and violations. **Mr. Roberts** said that stores make a decision of when to keep their store open to sell dyed diesel; however, the Department of Agriculture does inspect the pumps at each store. He also explained the penalties for illegal uses for both state and federal. **Don Williams** provided additional details pertaining to the sample numbers for violations.

ADJOURN:

There being no further business to come before the committee, the meeting was adjourned at 2:55 p.m.

Representative Palmer
Chair

Vicky Davies
Secretary

AGENDA
HOUSE TRANSPORTATION & DEFENSE COMMITTEE
1:30 P.M.
Room EW40
Thursday, February 04, 2016

SUBJECT	DESCRIPTION	PRESENTER
RS24367	Removes requirements for validation stickers for vintage snowmobiles	Sandra Mitchell
H 413	License Plates, Orofino Schools	Representative Paul E. Shepherd

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 Palmer Rep Kauffman
Vice Chairman Shepherd Rep Packer
Rep Wills Rep Youngblood
Rep Bateman Rep McDonald
Rep Gestrin Rep Dixon
Rep Hixon Rep Harris

COMMITTEE SECRETARY

Vicky Davies
Room: EW60
Phone: 332-1146
email: htran@house.idaho.gov

MINUTES
HOUSE TRANSPORTATION & DEFENSE COMMITTEE

DATE: Thursday, February 04, 2016

TIME: 1:30 P.M.

PLACE: Room EW40

MEMBERS: Chairman Palmer, Vice Chairman Shepherd, Representatives Wills, Bateman, Gestrin, Hixon, Kauffman, Packer, Youngblood, McDonald, Dixon, Harris, Holtzclaw, Monks, King, Rudolph, Wintrow

**ABSENT/
EXCUSED:** None

GUESTS: Matt Reiber, Intern; Kathie Garrett, NAMI Idaho; Alex Copple, NAMI Idaho; Tracy Warren; Chrstina Pisani, Idaho Council on Developmental Disabilities; Mel Leviton, SICC; Anne Shoup, NAMI Boise; Barbara Valdez, NAMI Boise; Jim Baugh, Disability Rights; Bonnie Markham, Idaho Council on Disabilities; Toni Brinegar, ICDD; Jill Woolsey, Clearwater Community Foundation; Lee Woolsey; Cindy Sholton, IFFCMH; Steve Graci, IFFCMH; Nick Stout, Governor; Fred Swanstrum, Boise State Student

Chairman Palmer called the meeting to order at 1:30 p.m.

RS 24367: **Sandra Mitchell** presented the **RS 24367** regarding vintage snowmobiles. The purpose of the proposed legislation is to exempt vintage snowmobiles 25 years or older from the requirement of having to purchase and display a snowmobile sticker. She introduced the functions of the Idaho Department of Parks and Recreation. She stated the snowmobile category is about .01 percent of the total registered for Fiscal Year 2015.

MOTION: **Rep. Gestrin** made a motion to introduce **RS 24367**. **Motion carried by voice.**

In answering a question regarding the 664 total, **Ms. Mitchell** stated this number reflects the number of registered snowmobiles.

H 413: **Jill Woolsey**, Clearwater Community Foundation, presented **H 413**. She explained the financial limitations for the Orofino community. She highlighted some projects that have been implemented to benefit the citizens in Orofino. She expressed her concern regarding the financial statement of the school district. She stated the purpose of this bill is to allow the citizens of the community to purchase special plates to benefit Orofino School District and those who live in Orofino. The funds deposited into this account will be distributed throughout the school district for special programs, leadership programs, and supplies, just to name a few, for Orofino students. She stated the funds available for programs throughout Orofino School District is very limited. She discussed the demand for resources to increase the funds available in the Orofino School District. She went on to talk about the history behind the mascot and the importance of the mascot.

Kathie Garrett, National Alliance on Mental Illness (NAMI), she stated the mission statement of the Alliance. She said NAMI opposes this bill due to the mascot symbol. She referred to the google definition of the word maniac. She provided the population of citizens in Idaho with mental illness. She stated the maniac symbol is offensive to those with mental illness.

Alex Copple, Vice President of NAMI Boise, stated the purpose of the agency. He provided a quick synopsis of what mental illness means to him. He emphasized the stigma behind mental illness. In addition, he said the mascot can reflect a negative impact with a possible correlation between the maniac image and mental health diagnosis.

Tracy Warren, Idaho citizen, she informed the committee members of her long history of being an Idahoan. She defined the word maniac. She informed the committee members about her history relating to mascots. In addition, she stated there is a stigma about mental illness. She stated her opinion about the maniac image being offensive to others.

Chrstina Pisani, Council of Developmental of Disabilities, she emphasized the purpose and mission statement for the Council of Developmental Disabilities. She stated the population number for those with mental health disabilities. Due to those statistics, there needs to be measures taken to protect those with mental health disabilities. She said she finds this maniac symbol to be offensive.

Mel Leviton, Director of State Independent Council, explained to the committee members the purpose of the council. The funds for the State Independent Council come from two resources; federal and state. She agreed that there are many ways to define the word maniac. She explained the history behind the Orofino mascot and reminded the committee members about the purpose of this bill.

Jim Baugh, Executive Director of Disability Rights Idaho, gave the mission statement of the organization. He stated this bill will impact the image of the State of Idaho during the year 2016. He correlated the cause and effect of the stigma about mental illness. He questioned the use of this image and this term knowing what the effect might be on the stigma of mental illness.

In answer to the question if this was the first school to use this kind of funding source. **Jill Woolsey** said this is the first school to use this funding source, she said the mascot is a symbol for positive growth and positive things for their community.

MOTION:

Rep. Gestrin made a motion to send **H 413** to the floor without recommendation.

SUBSTITUTE MOTION:

Rep. King made a substitute motion to **HOLD H 413** in the committee.

Rep. Wintrow spoke in support of the substitute motion. She thanked those who have testified. She stated there is a need to listen to their concerns about stigma. She stated there is a need for funding sources for rural school districts such as these, but did not support raising funds through this type of bill.

Rep. Harris spoke in support of the substitute motion.

AMENDED SUBSTITUTE MOTION:

Rep. Wills made an amended substitute motion to send **H 413** to General Orders.

Rep. Bateman spoke in support of the General Orders motion and stated there are many ways to interrupt the word maniac.

Rep. McDonald stated he supports the substitute motion due to an issue with 144 school districts applying for their own special plate.

Rep. Monks spoke in support of the amended substitute motion.

ROLL CALL VOTE:

Rep. King requested a roll call vote. **Motion carried by a vote of 11 AYE, 6 NAY.** Voting in favor of the motion: **Rep. Shepherd, Wills, Bateman, Gestrin, Hixon, Kauffman, Youngblood, Holtzclaw, Monks, Rudolph, and Chairman Palmer.** Voting in opposition to the motion: **Rep. Packer, McDonald, Dixon, Harris, King, and Wintrow.** **Rep. Shepherd** will sponsor the bill on the floor.

ADJOURN: There being no further business to come before the committee, the meeting was adjourned at 2:43 p.m.

Representative Palmer
Chair

Vicky Davies
Secretary

AGENDA
HOUSE TRANSPORTATION & DEFENSE COMMITTEE
1:30 P.M.
Room EW40
Monday, February 08, 2016

SUBJECT	DESCRIPTION	PRESENTER
RS24378	Motor Vehicle, Special Plates	Representative Gestrin
H 356	Military Division: Amend and Update Duties of Adjutant General	Lt Colonel Paul Boice
H 355	Idaho Bureau of Homeland Security: Name Change	Captain Stephen Stokes
HCR 28	Recognizing Military Families	Colonel Bruce Wong

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 Palmer	Rep Kauffman	Rep Holtzclaw
Vice Chairman Shepherd	Rep Packer	Rep Monks
Rep Wills	Rep Youngblood	Rep King
Rep Bateman	Rep McDonald	Rep Rudolph
Rep Gestrin	Rep Dixon	Rep Wintrow
Rep Hixon	Rep Harris	

COMMITTEE SECRETARY

Vicky Davies
Room: EW60
Phone: 332-1146
email: htran@house.idaho.gov

MINUTES
HOUSE TRANSPORTATION & DEFENSE COMMITTEE

DATE: Monday, February 08, 2016

TIME: 1:30 P.M.

PLACE: Room EW40

MEMBERS: Chairman Palmer, Vice Chairman Shepherd, Representatives Wills, Bateman, Gestrin, Hixon, Kauffman, Packer, Youngblood, McDonald, Dixon, Harris, Holtzclaw, Monks, King, Rudolph, Wintrow

**ABSENT/
EXCUSED:** None

GUESTS: Captain Stephen Stokes, Adjutant General's office; Sue Donnellan; Melissa Vanderlin; Karey Neal; David Wallace and Colonel Bruce Wong

Chairman Palmer called the meeting to order at 1:33 p.m.

MOTION: **Rep. Wintrow** made a motion to approve the minutes of the January 26, 2016, January 28, 2016, and February 02, 2016, meetings. **Motion carried by voice vote.**

Rep. Dixon report from the Dixon Subcommittee recommending that all Pending Rules reviewed by the subcommittee be approved by the full committee.

MOTION: **Rep. Dixon** made a motion to approve all the Administrative Rules reviewed by the Dixon Subcommittee. **Motion carried by voice vote.**

MOTION: **Rep. Harris** made a motion to approve the Dixon subcommittee minutes of January 25, 2016. **Motion carried by voice vote.**

RS 24378: **Rep. Gestrin** presented the **RS 24378**. The purpose of this proposed legislation is to reduce the minimum requirements for specialty plates from 1,000 to 500 plates.

MOTION: **Rep. Holtzclaw** made a motion to introduce **RS 24378**. **Motion carried by voice vote.**

Rep. Wintrow asked a question pertaining to the 1,000 threshold. **Rep. Gestrin** stated this proposed legislation will not have any fiscal impact.

H 356: **Captain Stephen Stokes**, Attorney Advisor to the Adjutant General, presented **H 356** to the committee. The purpose of this bill is to repeal and amend Idaho Code pertaining to the duties of the Adjutant General as Military Chief of Staff, Director of the Idaho Military Division and to provide the Adjutant General with certain additional duties. He stated that the bill lists the duties of the Adjutant General and Militia and Military Affairs. He explained the four sections of the bill including General Duties, Military Chief of Staff, Head of the Idaho Military Division, and other additional duties. As a result of these updates, this bill will eliminate any future problems.

MOTION: **Rep. Kauffman** made a motion to send **H 356** to the floor with a **DO PASS** recommendation. **Motion carried by voice vote.** **Rep. Kauffman** will sponsor the bill on the floor.

In regards of committee question, **Captain Stokes** stated this bill will not have any fiscal impact.

H 355: **Captain Stokes**, Attorney Advisor to the Adjutant General, presented **H 355** to the committee. He summarized the history of the Idaho Office of Emergency Management. He stated the justifications for the name change; corrects general misperceptions, aligns agency name with its functions, and provides distinction between federal DHS and Idaho's state organization.

MOTION: **Rep. Monks** made a motion to send **H 355** to the floor with a **DO PASS** recommendation. **Motion carried by voice vote.** **Rep. Hixon** will sponsor the bill on the floor.

Rep. Packer inquired about how the agency is recognized on a federal and state level. **Captain Stokes** compared the functions between Office of Emergency Management and Department of Homeland Security.

HCR 28: **Colonel Bruce Wong**, retired Air Force Colonel, presented the **H 28**, recognizing military families. The purpose of this resolution is to recognize the Military Families for the year 2016. He appreciates those who have been placed on the cosponsor list. He would like to thank all that have served and those who have given support. He humbly request that the committee members support this bill.

ORIGINAL MOTION: **Rep. Hixon** made a motion to send **HCR 28** to the floor with a **DO PASS** recommendation.

Sue Donnellan self stated her husband, **Tim Donnellan**, serves in the Idaho National Guard. She informed the committee members of her family military background. She expressed her gratitude for those who have served in a military branch. She stated that her family has received a lot of community support. She goes on to say that there are many members of military branches who serve in the state of Idaho. She thanked the committee members for their support.

Melissa Vanderlin self stated her husband is a Sergeant with the Alpha Troop with the 116th Calvary and mentions their family sacrifices. She goes on to talk about the definition of the National Guard. She stated support in a soldier is the bigger picture.

Karey Neal, wife of a veteran, appreciates the community military support. Along with community support, it is great to see our younger members of the community, thank those who serve.

David Wallace, Ada County Highway District, has retired from the Air Force as a Colonel. He has served in the Air Force branch for 25 years and wife has served for 30 years. He stated there have been many sacrifices during both of their careers.

Colonel Bruce Wong thanked the committee for the opportunity to move this bill forward.

Rep. King spoke in her **support** of this legislation. She explained how medical coverage should be changed and is under funded. He stated a need to support the military. She said the VA does a lot to support our military members with mental health and medical coverage.

Rep. Wintrow stated her appreciation for those who came to testify for military support not only for this state but nationally.

SUBSTITUTE MOTION: **Rep. Holtzclaw** made a substitute motion to send **HCR 28** to General Orders.

MOTION WITHDRAWN: **Rep. Hixon** withdrew his motion to send **HCR 28** to the floor with a **DO PASS** recommendation.

VOTE ON SUBSTITUTE MOTION: **Substitute Motion carried by voice vote.** **Rep. Holtzclaw** will sponsor the bill on the floor.

ADJOURN: There being no further business to come before the Committee, the meeting was adjourned at 2:43 p.m.

Representative Palmer
Chair

Vicky Davies
Secretary

AMENDED AGENDA #1
HOUSE TRANSPORTATION & DEFENSE COMMITTEE
1:30 P.M.
Room EW40
Wednesday, February 10, 2016

SUBJECT	DESCRIPTION	PRESENTER
RS24418	Consolidate two penalty provisions	Representative Terry Gestrin
RS24423	Commercial vehicles to keep license plate number	Representative Caroline Troy
RS24440C1	Remove the 30 day requirement	Representative Clark Kauffman
H 437	Off-Highway vehicle program	Representative Kathleen Sims

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 Palmer	Rep Kauffman	Rep Holtzclaw
Vice Chairman Shepherd	Rep Packer	Rep Monks
Rep Wills	Rep Youngblood	Rep King
Rep Bateman	Rep McDonald	Rep Rudolph
Rep Gestrin	Rep Dixon	Rep Wintrow
Rep Hixon	Rep Harris	

COMMITTEE SECRETARY

Vicky Davies
Room: EW60
Phone: 332-1146
email: htran@house.idaho.gov

MINUTES
HOUSE TRANSPORTATION & DEFENSE COMMITTEE

DATE: Wednesday, February 10, 2016

TIME: 1:30 P.M.

PLACE: Room EW40

MEMBERS: Chairman Palmer, Vice Chairman Shepherd, Representatives Wills, Bateman, Gestrin, Hixon, Kauffman, Packer, Youngblood, McDonald, Dixon, Harris, Holtzclaw, Monks, King, Rudolph, Wintrow

**ABSENT/
EXCUSED:** None

GUESTS: Ben Wolfinger, Kootenai County Sheriff; Sandra Mitchell, Idaho Recreation Council; Jim Kulm, Idaho Recreation Council; Amy Smith, Idaho Transportation Department; Susan Cook, IDPR; Bill Jones, Idaho ATV Association; Johnnie Harris, Idaho UTV Club; Earl Gofford, Idaho UTC Club; Paul Turcke, Blue Ribbon Coalition; Dave Carlson, Ada Idaho; Frank Axtell, North Idaho ATV; Charles Faircloth, Mountain Home ATV Club; David Claiborne, Idaho State ATV Association, Tom Crimmins, IDPR; Dan Blocksom, Idaho Association Counties; Susan Baxton, IDPR Board; Andy Brunelle, US Forest Service

Chairman Palmer called the meeting to order at 1:34 p.m.

RS 24418: **Rep. Gestrin** introduced **David Claiborne** to the podium. David Claiborne, Idaho ATV Association, stated there are two provisions for this proposed legislation that deals with snowmobiles only and all off-highway vehicles including snowmobiles. This proposed legislation will consolidate the code in the one section. In addition, this proposed legislation will modify the deposit section of the motorbike recreation account or off-road motor vehicle account to acquire used licenses and recreational easements to be used to secure long-term rights of private and public lands.

In answer to committee questions, **Mr. Claiborne** defined user licenses saying it relates to an easement but licenses can be revoked in the future but easement would be permanent in time. He stated Code section 67-7129 will be merged into Code Section 67-7113 and the fine amount will be adjusted to \$100. Mr. Claiborne stated Code Section 67-7102 and 67-7112 will be repealed pertaining to snowmobiles and in a result, the section will state if anyone violates any provision of this chapter plus any provisions of Chapter 71 that deal with motorcycles, ATV and UTV.

MOTION: **Rep. Youngblood** made a motion to introduce **RS 24418. Motion carried by voice vote.**

RS 24423: **Rep. Troy** stated the purpose of this proposed legislation is to have the Idaho Transportation Department (ITD) offer the owner of a commercial vehicle an option to either keep their current license plate number or request a new license plate number. She stated Idaho Transportation Department has agreed with this proposal.

MOTION: **Rep. King** made a motion to introduce **RS 24423. Motion carried by voice vote.**

RS 24440C1: **Rep. Kauffman** said this proposed legislation will remove the 30 days requirement of active duty or active member of the Air or Army National Guard who are called or ordered by the Governor of the State other than for training or ordered by a federal authority. He explained the proposed legislation had to be changed to reflect a United States Code revision under the Uniform Services Employment and Reemployment (USER) Act of 1994. He summarized the U.S. code. He emphasized that most who serve are called out for flood control or forest fires.

MOTION: **Rep. McDonald** made a motion to introduce **RS 24440C1**. **Motion carried by voice vote.**

H 437: **Rep. Sims** presented **H 437** which amends Section 67-7127 and provides funds to counties. The amendment to this bill allows the counties to distribute funds up to law enforcement once approved by the OHV Advisory Committee. This legislation will shift the distribution of Off-Highway Vehicle (OHV) registration fees. The registration fees will be distributed 85% to individual counties of the owners choice and 15% will go to Idaho Parks and Recreation for administrative fees. She compared the distribution process between the snowmobiles and boat stickers. She went on to say this bill is similar to the boats stickers.

Rep. Sims emphasized the funds are distributed according to Idaho Parks and Recreation. She discussed the economical importance study by the University of Idaho. As a result of this study, she emphasized that this is a profit business. She said that U.S. Forest Service is requesting assistance from OHV Clubs and the users. Furthermore, United States Forest Service, suggested a partnership program to assist with trail maintenance. She stated the limitations and disadvantages of Idaho Parks and Recreation to continue to manager the program. She said owners and purchases have requested this bill.

In respond to committee question, **Rep. Sims** She stated she isn't sure about their labor numbers; however, she is aware of one part-time employee. She stated the county can decide to partner with IDPR.

Sandra Mitchell, Idaho Recreation Council (ICU), spoke in opposition to **H 437**. Currently, the Off-Highway Vehicle and snowmobile vehicle programs are designed by the users with support of the Governor and Legislature. As a result, the administration and the management of those programs were directed to IDPR. All funds are dedicated funds and not General Funds.

Ms. Mitchell said the IRC administers the IDPR to ensure the funds and the programs are up to standards. In fact, this program is an example of economy of scale and demonstrates the cost advantage due to size, output and scale of operation. She said the fixed costs are distributed throughout the counties and the sticker account allocates funds to education, grants, trail maintenance and advocacy. She stated the IDPR works closely with the counties and U.S. Forest Service for the OHV program.

In addition, Ms. Mitchell said she contracts the snowmobile program with the boat program. She summarized the fund distribution by counties and said according to the numbers, having some of the counties administer the Off-Highway Vehicle management program just isn't feasible. As a result, the approval of this bill would mean the trails wouldn't be maintained and fees will need to increase.

Ms. Mitchell said the 2005 Travel Management Plan requires all Off-Highway Vehicle be restricted to designated routes and trails. In conclusion, the current OHV program managed by IDPR gives the most effective and efficient way to manage the trails. On behalf of the statewide membership of IRC, they urge the committee to vote against **H 437**.

In answer to committee questions, Ms. Mitchell stated there are hundreds of clubs across the state. As a result, there are limited reports to show county distributions. She emphasized there are representatives from Kootenai County serving on the Recreation Council. In addition, she stated that small counties have limited funds available in their budget to manage the OHV Program.

Jim Kulm, President of the Idaho Recreation Council, in opposition of the bill. Currently, the OHV program was developed by the user. The IDPR department was tasked to keep trails open, maintain the trails, manage our funds, operate the grant system and manage projects in the interest of the public. He discussed the disadvantages of this legislation. In conclusion, he stated the current system is in the best interest of "All Users".

Susan Cook, IDPR, spoke in opposition to the bill saying it eliminates trails, trail maintenance and the OHV program in Idaho. She discussed the benefits of having the state provide the OHV program.

Bill Jones, Idahoan and retired law enforcement, discussed his prior service in law enforcement. He thanked the committee you for the opportunity to present today and gave his work history. In 1994, he started the Idaho ATV Association, during this time, there weren't any trails and now, there are trails for the users. He stated the IDPR provides the funds for this service to the community. In addition, the IDPR provides funds for equipment and training. On the other hand, the counties need to organize and plan for the transition of this legislation. He discussed the labor pertaining to maintaining these trails, and provided club feedback to the committee members.

Paul Turcke, Blue Ribbon Coalition, stated the purpose of the coalition. The coalition has about 500 members in Idaho. The coalition is opposed to this bill. He agreed with statements made by other presenters. In addition to those, he stated the counties need to be prepared to manage the OHV program. Furthermore, our federal land managers and trail management agencies do a better job at maintaining the trail system. However, this bill won't encourage this to be performed. The blue ribbon stands in opposition of this bill.

Frank Axtell, North Idaho ATV Association, stated his work history and said he was born in Kootenai county. He contacted the other clubs in the area. He said this bill wouldn't benefit their county. He expressed his concern pertaining to safety classes. He said the safety education classes benefit the whole community. He stated the distribution of funds will benefit both small and large counties. He also stated the county would have to contribute an additional 15 percent not the OHV program.

David Claiborne, Idaho State ATV Association, requests this bill be held in the committee. He described the purpose of the group along with the members and he stated that other clubs have expressed their concern for this bill. He stated the present system for the OHV program is efficient and functioning well. He stated the funds need to be spent in the recreation counties that provide the trails. He specified the services given by IDPR along with grant funds for local projects.

Tom Crimmins, Idaho State Parks Board, stated guiding principles is to listen to the users. As a result, the money in the suggested bill will eliminate the grant program. Currently, the IDPR is providing a great service to the community. He emphasized the functionality of the current program.

Dan Blocksom, Idaho Association of Counties, requested that modifications be made to the legislation to be similar with the snowmobile and boat models with a couple of exceptions. He summarized the fund distribution of the current bill. However, there are concerns pertaining to the recreation aligning with the registration. In addition, the counties should have an option to participate or opt out of the OHV program. He requested the committee consider these two modifications; recreational aligning with registration and county options.

In response to committee questions, **Dan Blocksom** informed the committee members that both ISC and Idaho Sheriffs Association has **opposed** this legislation.

Susan Baxton, Idaho Parks and Recreation Board, appreciated this opportunity to speak with the committee about this bill. She responded to **Dan Blocksom's** statement about a possible potential amendment. She mentioned an opposition of a potential amendment to this bill.

Ben Wolfinger, Kootenai County Sheriff's Association, reviewed the geographical area of the kootenai county area along with the positive economical impact due to tourist and recreation. He said the legislation stated each county with an OHV program will be entitle to receive the funds. He gave the history of the current IDPR program along with the fund distribution pertaining to Off-Highway Vehicles and Off-Snowmobile Vehicles programs. He reviewed the disadvantages of the current program and the advantages of the legislation. He expressed the need for the maximum of 15% to be distributed to law enforcement. He said currently, the deputies provide education in OHV operations and safety, first responders for accidents, search and rescues and public lands. This 15% would help pay for this program without having to compete for grant money. In closing, he said it has worked for boats and snowmobiles. "It should work for OHV."

In answer to committee question. **Mr. Wolfinger** stated the Sheriff's department provides OHV education and enforcement on trails.

Rep. Sims was recognized to close testimony on **H 437**. Rep. Sims informed the committee members how the OHV program has evolved over the centuries. She reviewed the benefits of the legislation and stated the demand to utilize these trails has increase dramatically over the years. As a result, this bill would allow for local counties to maintain and administer the OHV program. She stated the primary concern is to continue to maintain the trails. The club maintains as many trails if not more trails than Parks and Recreation. Said there there are counties that want to get involved in the OHV program and there are 149,000 riders today.

MOTION: **Rep. Rudolph** made a motion to **HOLD H 437** in committee. **Motion carried by voice vote.**

ADJOURN: There being no further business to come before the Committee, the meeting was adjourned at 2:53 p.m.

Representative Palmer
Chair

Vicky Davies
Secretary

AGENDA
HOUSE TRANSPORTATION & DEFENSE COMMITTEE
1:30 P.M.
Room EW40
Tuesday, February 16, 2016

SUBJECT	DESCRIPTION	PRESENTER
S 1229	Motor Vehicles: Non-interstate Highway	Senator Bert Brackett
H 472	License Plates: ITD New Plates	Rep. Troy
H 444	Vintage Snowmobiles	Sandra Mitchell
H 457	Motor Vehicles: Special Plate Programs	Rep. Gestrin
H 471	Recreational Activities: Violation and Penalty Provisions	Rep. Gestrin

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 Palmer	Rep Kauffman	Rep Holtzclaw
Vice Chairman Shepherd	Rep Packer	Rep Monks
Rep Wills	Rep Youngblood	Rep King
Rep Bateman	Rep McDonald	Rep Rudolph
Rep Gestrin	Rep Dixon	Rep Wintrow
Rep Hixon	Rep Harris	

COMMITTEE SECRETARY

Vicky Davies
Room: EW60
Phone: 332-1146
email: htran@house.idaho.gov

MINUTES
HOUSE TRANSPORTATION & DEFENSE COMMITTEE

DATE: Tuesday, February 16, 2016

TIME: 1:30 P.M.

PLACE: Room EW40

MEMBERS: Chairman Palmer, Vice Chairman Shepherd, Representatives Wills, Bateman, Gestrin, Hixon, Kauffman, Packer, Youngblood, McDonald, Dixon, Harris, Holtzclaw, Monks, King, Rudolph, Wintrow

**ABSENT/
EXCUSED:** None

GUESTS: Matt Reiber, Intern; Monte Bollon, Grand Lodge; Crista Worthy, Idaho Aviation Foundation; Wayne Foster, Masonic Grand Lodge; Larry Taylor, Idaho Aviation Foundation; Joe Corlett, Idaho Aviation Foundation; Alan Frew, Idaho Transportation Department; Blake Rindlisbacher, Idaho Transportation Department; Laura Lantz, IAHD; Reymundo Rodriguez, Idaho Transportation Department; Mike Kane, AAA; David Claiborne, IRC; Cynthia Gibson, Idaho Walk Bike Alliance; David Guiotto, Idaho Walk Bike Alliance; Dennis Tanikuni, Idaho Farm Bureau

Chairman Palmer called the meeting to order at 1:31 p.m.

S 1229: **Senator Bert Brackett** presented **S 1229**. This legislation aligns the state law, Idaho Code 49-1004B, with federal legislation passed in congress in December of 2015. As a result, the legislation returns power to the states. He stated this legislation allows 129,000 gross weight trucks on selected routes as authorized by the jurisdiction that has the authority over that route. He expressed his gratitude to the congressional delegations especially **Congressman Simpson**. He discussed the congressional process to amend the federal law to set a maximum weight of 129,000 pound trucks. As a result, he stated this bill has support from the truck coalition. Then, he stated the studies proved that 129,000 pound trucks are safe on highways, bridges and pavement. In conclusion, he said this legislation will add to the Idaho Code to include a section to allow up to maximum of 129,000 pound trucks to drive on Idaho systems.

In answer to committee questions, **Senator Brackett** stated the code was established in 2013 which included all segments of the highway system. The committee has the authority to change the highway routes of the bill.

MOTION: **Rep. Wills** made a motion to send **S 1229** to the floor with a **DO PASS** recommendation.

Rep. Packer spoke **in support** of the motion. She discussed the local jurisdiction.

Rep. McDonald spoke **in support** of the motion. Currently, there are special permits being issued to travel into the Boise area.

Mike Kane, AAA, spoke **in support** to the bill. He stated this legislation will still be under negotiated rule with others in the department.

SUBSTITUTE MOTION: **Rep. King** made a substitute motion to send **S 1229** to General Orders. **Motion failed by voice vote.**

VOTE ON ORIGINAL MOTION: **Motion carried by voice vote.** **Rep. Wintrow** and **Rep. King** requested to be recorded as voting **NAY**. **Chairman Palmer** will sponsor the bill on the floor.

H 472: **Rep. Troy**, presented **H 472** to the committee. She addressed the committee on behalf of the citizens in her community. She expressed her gratitude to the Idaho Transportation Department for their assistance with this bill. This legislation allows owners of commercial trucks to retain their current license plate or request another number.

MOTION: **Rep. Rudolph** made a motion to send **H 472** to the floor with a **DO PASS** recommendation. **Motion carried by voice vote.** **Rep. Troy** will sponsor the bill on the floor.

H 444: **David Claiborne**, Idaho Recreation Council, presented **H 444** regarding the vintage snowmobiles on behalf of the Idaho State Snowmobile Association. The purpose of this legislation allows vintage snowmobiles at least 25 years old to be exempt to purchase the sticker. He provided the committee members with the snowmobile statistics. In conclusion, he informed the committee that snowmobiles 25 years old are about 1% the total amount of stickers purchased in the snowmobiles category.

In answer to committee question, **Mr. Claiborne** stated 25 year old snowmobiles are considered to fall in the non-operative category. Therefore, these snowmobiles should be exempt from the requirement of purchasing a sticker. In addition, he stated approximately 20,000 dollars would be subtracted from this program, less than 2% percent. He stated if the vehicle is off the road. there is no need to purchase a sticker. He announced that each owner has a responsibility to show age of the snowmobile, if questioned by a police officer.

MOTION: **Rep. Bateman** made a motion to send **H 444** to the floor with a **DO PASS** recommendation. **Motion carried by voice vote.** **Reps. McDonald, Harris, Monks, Holtzclaw, Packer, Wintrow**, and **Rudolph** requested to be recorded as voting **NAY**. **Chairman Palmer** will sponsor the bill on the floor.

H 457: **Rep. Gestrin** presented **H 457** regarding specialty plates. This legislation will decrease the minimum requirements for specialty license plates from 1,000 to 500. He summarized the speciality license plate program along with the requirements. There are other programs that have fallen below the threshold of 1,000. He reviewed the fund distribution of the specialty plates which has positive impact on the fiscal note.

In answer to a committee question, **Rep. Gestrin** stated the retroactive date will save a couple of organizations.

Crista Worthy, Idaho Aviation Foundation (IAF), stated that aviation is critical to the state of Idaho due to the back country. In fact, Idaho has the most back country air stripes in the US other than Alaska. She said this organization falls below the 1,000 threshold due to 50% of the members are from out-of-state. In addition, she summarized the IAF funding projects which benefit the Aviation Industry and the state of Idaho. Ms. Worthy spoke **in support** of this legislation.

Greg Winther, Idaho Freemason Foundation (IFF) spoke **in support** of this legislation. He stated the purpose of this bill is to contribute to charitable programs. In fact, he stated some of the programs have gone through the legislative process. He stated the foundation mission as a 501C3 is to provide safety and education and well-being of children. He stated the foundation allocates funds to benefit the education of children such as Child Identification Packets, Bikes for Books, and match scholarships. In addition, he explained Idaho history pertaining to IFF. He announced the special plate programs benefits the community in many ways.

In answer to committee question, **Mr. Winther** stated the proper question for ITD is " How many plates are on the road?" due to the sticker renewal every two years. The plates on the road for IFF was 759 plates at the end of the 2014.

Joe Corlett, Idaho Aviation Foundation Board of Directors, spoke **in support** of the **H 457**. He announced to the committee that IAFBD has about 5,059 aviators in the state of Idaho ranging from students to flight instructors. He stated the foundation is classified as a 501C3 foundation. He summarized the Big Creek Lodge project and Wilderness Within Reach program. In conclusion, he stated this legislation will preserve some of the programs that might fall below the 1,000 but still benefit the community.

MOTION: **Rep. Shepherd** made a motion to send **H 457** to the floor with a **DO PASS** recommendation. **Motion carried by voice vote.** **Reps. Packer, Monks,** and **Harris** requested to be recorded as voting **NAY.** **Rep. Gestrin** will sponsor the bill on the floor.

Amy Smith, Idaho Transportation Department, projected the next two years of special plates that might be canceled due to the 1000 limit.

In answer to committee questions, **Chairman Palmer** stated if requirements are met then organizations and/or groups can request to have a specialty plate.

H 471: **Rep. Gestrin** presented **H 471**. He stated this legislation consolidates two penalty provisions and amends an infraction fine. He summarized the penalty provisions. In addition, this legislation repeals the penalty provision of Section 18 111 pertaining to penalty up to 300 dollars. In addition, the off-road motor vehicle fund can be utilized to purchase long-term licenses and public easements for recreational off-highway vehicle activity. He stated a short-term easement is a license to travel on owner property but not concurrent with the land. Also, he stated law enforcement personal can enforce the rules adopted by the Idaho Department of Parks and Recreation for OHV and snowmobiles recreation.

In answer to a committee question, **Rep. Gestrin** summarized the legislation process assists with organization to enforce their rules.

MOTION: **Rep. Packer** made a motion to send **H 471** to the floor with a **DO PASS** recommendation. **Motion carried by voice vote.** **Rep. Gestrin** will sponsor the bill on the floor.

ADJOURN: There being no further business to come before the Committee, the meeting was adjourned at 2:50 p.m.

Representative Palmer
Chair

Vicky Davies
Secretary

AGENDA
HOUSE TRANSPORTATION & DEFENSE COMMITTEE
1:30 P.M.
Room EW40
Thursday, February 18, 2016

SUBJECT	DESCRIPTION	PRESENTER
H 473	Military: Remove 30 day	Rep. Kauffman

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 Palmer	Rep Kauffman	Rep Holtzclaw
Vice Chairman Shepherd	Rep Packer	Rep Monks
Rep Wills	Rep Youngblood	Rep King
Rep Bateman	Rep McDonald	Rep Rudolph
Rep Gestrin	Rep Dixon	Rep Wintrow
Rep Hixon	Rep Harris	

COMMITTEE SECRETARY

Vicky Davies
Room: EW60
Phone: 332-1146
email: htran@house.idaho.gov

MINUTES
HOUSE TRANSPORTATION & DEFENSE COMMITTEE

DATE: Thursday, February 18, 2016
TIME: 1:30 P.M.
PLACE: Room EW40
MEMBERS: Chairman Palmer, Vice Chairman Shepherd, Representatives Wills, Bateman, Hixon, Kauffman, Packer, Youngblood, McDonald, Dixon, Harris, Holtzclaw, Monks, King, Rudolph, Wintrow
**ABSENT/
EXCUSED:** Rep. Gestrin
GUESTS: Dianne Norhaus; Matt Reiber, Intern
Chairman Palmer called the meeting to order 1:32 p.m.
H 473: **Rep Kauffman** presented **H 473** to the committee which amends section 46-409, Militia Civil Relief Act. This bill removes the 30 consecutive day requirement before the Uniformed Service Employment and Reemployment Rights Act of 1994 (USERR) covers the active member. Therefore, this bill protects the job of the active member while he or she is ordered or called for duty as stated in Idaho Code.
MOTION: **Rep. Wills** made a motion to send **H 473** to the floor with a **DO PASS** recommendation. **Motion carried by voice vote. Rep. Kauffman** will sponsor the bill on the floor.
ADJOURN: There being no further business to come before the committee, the meeting was adjourned at 1:35 p.m.

Representative Palmer
Chair

Vicky Davies
Secretary

AGENDA
HOUSE TRANSPORTATION & DEFENSE COMMITTEE
1:30 P.M.
Room EW40
Monday, February 22, 2016

SUBJECT	DESCRIPTION	PRESENTER
H 343	Distribution of Tax Revenue from Taxes on Special Fuels	Chairman Palmer
H 513	Real ID Act	Chairman Palmer

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 Palmer Rep Kauffman
Vice Chairman Shepherd Rep Packer
Rep Wills Rep Youngblood
Rep Bateman Rep McDonald
Rep Gestrin Rep Dixon
Rep Hixon Rep Harris

Rep Holtzclaw
Rep Monks
Rep King
Rep Rudolph
Rep Wintrow

COMMITTEE SECRETARY

Vicky Davies
Room: EW60
Phone: 332-1146
email: htran@house.idaho.gov

MINUTES
HOUSE TRANSPORTATION & DEFENSE COMMITTEE

- DATE:** Monday, February 22, 2016
- TIME:** 1:30 P.M.
- PLACE:** Room EW40
- MEMBERS:** Chairman Palmer, Vice Chairman Shepherd, Representatives Wills, Bateman, Gestrin, Hixon, Kauffman, Packer, Youngblood, McDonald, Dixon, Harris, Holtzclaw, Monks, King, Rudolph, Wintrow
- ABSENT/
EXCUSED:** None
- GUESTS:** Kathy Griesmyer, American Civil Liberties Union (ACLU); Amy Kearns, Idaho Transportation Department; Erik Lawson, Idaho Transportation Department; Matt Warnick, Department of Financial Management (DFM); Grant Simonds, Idaho Outfitters & Guides Association (IOGA).
- Chairman Palmer** called the meeting to order at 1:33 p.m.
- MOTION:** **Rep. Wintrow** made a motion to approve the minutes of the February 18, 2016, meeting. **Motion carried by voice vote.**
- Chairman Palmer** turned the gavel over to Vice Chairman Shepherd.
- H 343** **Chairman Palmer**, presented **H 343** regarding the distribution of the tax revenue from tax on special fuels. This legislation is an extension of the **H 312** legislation.
- In answer to committee questions, **Chairman Palmer** stated **H 312** contains the special fuel tax section and this legislation includes the distribution of special fuels.
- MOTION:** **Rep. Holtzclaw** made a motion to send **H 343** to the floor with a **DO PASS** recommendation. **Motion carried by voice vote.** **Chairman Palmer** will sponsor the bill on the floor.
- H 513** **Chairman Palmer** presented the **H 513** regarding the REAL ID Act of 2005. This legislation allows the State of Idaho to participate in the implementation of the REAL ID Act of 2005. He summarized Idaho history pertaining to the REAL ID Act of 2005. He highlighted the unfunded federal mandate and privacy issues in the past. Currently, the federal government facilities, military bases, and the security in airports require the REAL ID. As a result, he stated ITD is in the process of becoming in compliance with federal regulations of REAL ID. He stated this legislation lifts the moratorium to allow ITD to continue with the REAL ID process.
- MOTION:** **Rep. Hixon** made a motion to send **H 513** to the floor with a **DO PASS** recommendation.
- In answer to committee questions. **Chairman Palmer** responded to the unfunded federal mandate question. He stated ITD has implemented the requirements to comply with REAL ID standards. In addition, the next step is to obtain vendors to perform the verification of the birth certificates. Chairman Palmer introduced **Amy Kearns**.

Amy Kearns, Idaho Transportation Department, reported the progress relating to licenses and the security measures taken by ITD. Currently, this legislation lifts the moratorium to allow the state of Idaho to become compliant with the REAL ID regulations. She discussed the guidelines for obtaining the REAL ID compliance. She stated Department of Homeland Security approval is necessary to obtain the REAL ID status for the driver license. The REAL ID allows Idaho citizens to enter federal facilities and/or commercial flights.

In answer to committee question, **Ms. Kearns** stated the purpose is to lift the moratorium so ITD can move further with the vendor process. She stated ITD has gathered vendor estimates.

In answer to committee question, **Chairman Palmer** summarized the associated costs pertaining to the birth certificates. He stated there will be two validations performed on the verification process for birth certificates. He stated the expenditure for the vendors will be 50 cents per check. In addition, he stated the committee may take measures to adjust the legislation pertaining to the REAL ID.

Kathy Greismyer, ACLU of Idaho, spoke in oppose of **H 513**. She stipulated two concerns for ACLU; unfunded federal mandate and privacy concerns for the citizens of Idaho.

In answer to committee question, **Ms. Griesmyer** stressed some concerns with ITD administering the REAL ID process. She alleged ITD is beyond their scope of service. In addition, she emphasized that ITD's decision to implement a one database data modeling platform might result in identity threat issues.

John Watts, Idaho Chamber of Alliance, reviewed the purpose of the Chamber of Alliance. He emphasized the benefits for implementing the REAL ID for citizens of Idaho and regional benefits. He stated the purpose of this legislation allows ITD to complete the federal requirements to obtain the REAL ID authorization. This will ensure that the citizens of Idaho can gain access to federal facilities, military bases, and security in commercial flights. He announced that ACLU supports this legislation. He stated its critical for Idaho to become compliant with REAL ID.

Mollie McCarty, ITD, clarified the differences between the Enhanced Driver Licenses and the REAL ID. Furthermore, she stated REAL ID Act is setting standards for states to follow to ensure security requirements are being meet.

In answer to committee questions, **Ms. McCarty** stated applicants will be required to submit a certified birth certificate to obtain the REAL ID.

In answer to committee question, **Chairman Palmer** stated this legislation can be amended now and/or in the future.

In answer to committee questions, **Chairman Palmer** stated this legislation was drafted with this language. On the other hand, this legislation can be amended at anytime.

In answer to committee questions, **Ms. McCarty** provided the committee members with information pertaining to state REAL ID extensions. She stated the Department of Homeland Security issues the state extensions.

Rep. Hixon spoke in support of this motion. He stated a certified birth certificate is a proper identification to obtain for verification to ensure the safety of our citizens. He stated the verification required to obtain a REAL ID is responsible for the citizens of Idaho.

Rep. Monks spoke in opposition of the motion. He summarized line 20 of the legislation. He stated the language of this legislation pertaining to driver licenses should be amended in the bill.

Rep. Harris spoke in opposition to the motion. He stated this legislation should be repealed instead of being amended.

Rep. Rudolph spoke in support of the motion. He stated this legislation implements the directive of ensuring the security of our citizens.

In answer to committee questions, **Chairman Palmer** stated this moratorium was created when ITD felt they couldn't move forward without legislation.

SUBSTITUTE MOTION:

Rep. Dixon made a substitute motion to send **H 513** to General Orders.

Rep. Wills spoke in opposition to the substitute motion. He stated this legislation won't infringe in the state's rights, it is about security. Furthermore, other stated have implemented the requirements for the REAL ID. Currently, ITD has all the tools to comply with the REAL ID.

Rep. Monks spoke in support of the substitute motion.

ROLL CALL VOTE ON SUBSTITUTE MOTION:

Roll call vote was requested. **Motion carried by a vote of 9 AYE, 8 NAY.** Voting in favor of the substitute motion: **Chairman Palmer, Reps. Monks, Holtzclaw, Harris, Dixon, McDonald, Packer, Gestrin, and Shepherd.** Voting in opposition to the motion: **Reps. Wills, Bateman, Hixon, Kauffman, Youngblood, King, Rudolph, and Wintrow.** **Chairman Palmer** will sponsor the bill on the floor.

ADJOURN:

There bring no further business to come before the committee, the meeting was adjourned at 2:22 p.m.

Representative Palmer
Chair

Vicky Davies
Secretary

AGENDA
HOUSE TRANSPORTATION & DEFENSE COMMITTEE
1:30 P.M.
Room EW40
Wednesday, March 02, 2016

SUBJECT	DESCRIPTION	PRESENTER
S 1246	Idaho Transportation Department: Director removal	Jerry Whitehead
S 1262	Motor vehicle service contracts	Roy Eiguren
S 1261	Vehicles, allowable lengths and loads	Chairman Brackett and Gustavo Salazar

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 Palmer	Rep Kauffman	Rep Holtzclaw
Vice Chairman Shepherd	Rep Packer	Rep Monks
Rep Wills	Rep Youngblood	Rep King
Rep Bateman	Rep McDonald	Rep Rudolph
Rep Gestrin	Rep Dixon	Rep Wintrow
Rep Hixon	Rep Harris	

COMMITTEE SECRETARY

Vicky Davies
Room: EW60
Phone: 332-1146
email: htran@house.idaho.gov

MINUTES
HOUSE TRANSPORTATION & DEFENSE COMMITTEE

DATE: Wednesday, March 02, 2016

TIME: 1:30 P.M.

PLACE: Room EW40

MEMBERS: Chairman Palmer, Vice Chairman Shepherd, Representatives Wills, Gestrin, Hixon, Kauffman, Packer, Youngblood, McDonald, Dixon, Harris, Holtzclaw, Monks, King, Rudolph

**ABSENT/
EXCUSED:** Rep. Wintrow, Rep. Bateman

GUESTS: Jonathan Parker, Hollard & Hart; Gustavo Salazar, Idaho Transportation Department; Oscar Klaas, Attorney General

Chairman Palmer called the meeting to order at 1:37 p.m.

S 1246: **Jerry Whitehead**, presented **S 1246** regarding the Director of Idaho Transportation Department (ITD). This legislation summarized the reasons for the Director of ITD to be terminated in section 40-503, Idaho Code. In addition, the Director is an "at-will" employee serves "at-will" of the Idaho Transportation Board. He announced to the committee members that the effective date of these revisions will be upon appointment of future Directors of ITD.

MOTION: **Rep. Wills** made a motion to send **S 1246** to the floor with a **DO PASS** recommendation. **Motion carried by voice vote.** **Rep. Wills** will sponsor the bill on the floor.

S 1262: **Roy Eiguren**, Eiguren/Ellis, presented **S 1262** regarding "driver reimbursement program". He stated some corporate clients requested a solution for their employees pertaining to personal vehicle reimbursements. The employee reimbursement program fund allocations will be based on the standards of the Internal Revenue Service qualified reimbursement rate. He stated the Driver Reimbursement Program will reimburse the employee for work travel mileage at a lower rate. In addition, the employee's vehicle will receive vehicle maintenance and routine repairs. He stated the benefits of this program for corporate clients and employees. This legislation will be amended to include that certain agreements shall not be considered to be a motor vehicle service contracts or a contract of insurance, In fact, the Idaho Insurance and Attorney General's office acknowledges this program doesn't fall in either a motor vehicle service contract or a contract of insurance. Currently, there are 36 states that recognize this legislation. In conclusion, he stated fleet management vehicles will remain the same under this program.

In answer to committee questions, **Mr. Eiguren** stated that the client will keep track of mileage. He expanded on the reimbursement amounts based on the 10% ratio.

MOTION: **Rep. Hixon** made a motion to send **S 1262** to the floor with a **DO PASS** recommendation. **Motion carried by voice vote.** **Rep. Kauffman** will sponsor the bill on the floor.

S 1261: **Gustavo Salazar**, Idaho Transportation Department, presented **S 1261**. This legislation modifies Section 49-1010, Idaho Code, which allows stinger-steered automobile transporter to set the length maximum to 80 feet. The overhang maximum is 4 feet and the rear cargo overhang maximum is 6 feet. Currently, the 49-1010, Idaho Code, allows for the transporters to have a maximum length of 75 feet.

In answer to committee questions, **Mr. Salazar** stated the front overhang is 4 feet and the rear overhang is 6 feet, anything over 4 feet needs to be flagged either by flags and/or illumination devices.

MOTION: **Rep. McDonald** made a motion to send **S 1261** to the floor with a **DO PASS** recommendation. **Motion carried by voice vote.** **Rep. McDonald** will sponsor the bill on the floor.

ADJOURN: There being no further business to come before the Committee, the meeting was adjourned at 1:47 p.m.

Representative Palmer
Chair

Vicky Davies
Secretary

AMENDED AGENDA #1
HOUSE TRANSPORTATION & DEFENSE COMMITTEE
1:30 pm or Upon Adjournment of Floor Session
Room EW40
Tuesday, March 08, 2016

SUBJECT	DESCRIPTION	PRESENTER
S 1212	Emergency Communications Act	General Brad Richy
H 553	Define OHVs: Travel upon state highways	Rep. Gestrin
H 536	Highways, out-of-county judges	Rep. Loertscher

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 Palmer	Rep Kauffman	Rep Holtzclaw
Vice Chairman Shepherd	Rep Packer	Rep Monks
Rep Wills	Rep Youngblood	Rep King
Rep Bateman	Rep McDonald	Rep Rudolph
Rep Gestrin	Rep Dixon	Rep Wintrow
Rep Hixon	Rep Harris	

COMMITTEE SECRETARY

Vicky Davies
Room: EW60
Phone: 332-1146
email: htran@house.idaho.gov

MINUTES
HOUSE TRANSPORTATION & DEFENSE COMMITTEE

DATE: Tuesday, March 08, 2016

TIME: 1:30 P.M.

PLACE: Room EW40

MEMBERS: Chairman Palmer, Vice Chairman Shepherd, Representatives Wills, Bateman, Gestrin, Hixon, Kauffman, Packer, Youngblood, McDonald, Dixon, Harris, Holtzclaw, Monks, King, Rudolph, Wintrow

**ABSENT/
EXCUSED:** Rep. Wills

GUESTS: Les Shadduck; Dan Goicoechea, Idaho Transportation Department; Gloria Totoricaguena, Idaho Policy & Consulting; Ben Ealey, Ada County Sheriff's Office; Matt Reiber, Intern; Blake Rindlisbacher, Idaho Transportation Department

Chairman Palmer called the meeting to order at 2:45 p.m.

MOTION: **Rep. Wintrow** made a motion to approve the minutes of the February 10, 2016, meeting. **Motion carried by voice vote.**

MOTION: **Rep. Wintrow** made a motion to approve the minutes of the February 16, 2016, meeting. **Motion carried by voice vote.**

MOTION: **Rep. Wintrow** made a motion to approve the minutes of the February 22, 2016, meeting. **Motion carried by voice vote.**

MOTION: **Rep. Dixon** made a motion to approve the minutes of the March 2, 2016, meeting. **Motion carried by voice vote.**

S 1212: **General Brad Richy**, Idaho Bureau of Homeland Security, presented the **S 1212** regarding the consolidation of emergency and public safety. He stated that advances in technology and challenges pertaining to communication issues and public safety answer points are being considered for emergencies and public safety. These advantages and disadvantages will be addressed to join the resources in order to provide better 911 services to individual citizens within the counties. As a result, he gathered information and resources to update language and capability which this legislation will provide. He summarized the current system pertaining to the four "categories"; public safety answering points, dispatch, interoperable communications and mobile broadband data.

He stated this legislation will reorganize and eliminate positions. This legislation will combine Idaho Emergency Communication Commission (IECC), State Interoperability Executive Council (SIEC), and FirstNet planning committee (FPC) into one Public Safety Communications Commission which will eliminate 34 members and allow for strategic planning for this process. He stated the reorganization process is being accomplished due to advances in technology. He summarized the statewide summits in 2014 and 2015. During these summits, the groups focused on public safety communication. In addition, he stated that private sectors provided the groups with new technology resources from applications to databases. He reviewed the stakeholder suggestions to implement a new model. As a result, the DIGBs model will continue to be utilized throughout Idaho. This model allows districts to collaborate their issues to one board. He highlighted improvements for the commission's ability to be effective. He stated the District Interoperability Governance Board has the ability to elect individuals that will represent the district on the board.

In conclusion, he provided a list of public safety agencies that support this legislation. On the other hand, the Idaho Association of Police Chfs and Idaho Association of Cities spoke neutral of this legislation due to the lack of funding mechanisms for radios.

In answer to committee questions, **General Richy** summarized the election process for representatives that serve in the legislature. Furthermore, this system allows the users to retrieve documents by utilizing system resources. General Richy highlighted the funding mechanism of this legislation; \$1.00 fee and 25 cents fee for the commission. He stated all six districts are working on their governance issues. He discussed the legislative process. Lastly, he informed the committee members that Legislative Services and the Attorney General's Office will amend this legislation to reflect the agency name change.

MOTION: **Rep. Hixon** made a motion to send **S 1212** to the floor with a **DO PASS** recommendation. **Motion carried by voice vote.** **Rep. Youngblood** will sponsor the bill on the floor.

H 553: **Rep. Gestrin** presented **H 553** regarding off-highway vehicles. This legislation amends the section to include the speed limit of 45 mph or less speed limits. Secondly, this legislation extends the right for riders to drive on state highways within the city limits and within one mile of a city limit. Lastly, this legislation provides Idaho Transportation Department with authority to ensure public safety pertaining to OHV travel and crossings.

In answer to committee questions, **Rep. Gestrin** described some of the various types of off-highway vehicles and safety mechanisms of the vehicles. He stated there are drivers under 18 years old driving on roads with a valid driver license. **Chairman Palmer** stated drivers are required to wear safety equipment.

MOTION: **Rep. McDonald** made a motion to send **H 553** to the floor with a **DO PASS** recommendation. **Motion carried by voice vote.** **Rep. Gestrin** will sponsor the bill on the floor.

In answer to committee questions, **Rep. Gestrin** announced to the committee members that ATV Associations are **in support** of this legislation and he has an unofficial approval from the Sheriff's Association.

H 536: **Rep. Loertscher** presented **H 536** regarding judicial review of county roads or highway districts. He stated this legislation addressed the filing petition process in the district courts and the right-of-way within counties and highway districts. This legislation allows for counties, highway districts or property owners to file a petition with the courts to request an out-of-county judge which eliminates a conflict of interest.

In answer to committee questions, **Rep. Loertscher** stated neutral detached judges are determined by the administrative judge. Rep. Loertscher reviewed the process of disqualifying a judge.

MOTION: **Rep. McDonald** made a motion to send **H 536** to the floor with a **DO PASS** recommendation. **Motion carried by voice vote.** **Rep. Wintrow** requested to be recorded as voting **NAY.** **Rep. Loertscher** will sponsor the bill on the floor.

ADJOURN: There being no further business to come before the Committee, the meeting was adjourned at 3:15 p.m.

Representative Palmer
Chair

Vicky Davies
Secretary

AGENDA
HOUSE TRANSPORTATION & DEFENSE COMMITTEE
1:30 p.m. or Upon adjournment of floor session
Room EW40
Thursday, March 10, 2016

SUBJECT	DESCRIPTION	PRESENTER
H 559	Commercial Driver's License/skill test fee	Rep. Monks
S 1283	Motor vehicle insurance verification	Robert Compan
	Local Highway Technical Assistance Council	Jeff Miles

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 Palmer	Rep Kauffman	Rep Holtzclaw
Vice Chairman Shepherd	Rep Packer	Rep Monks
Rep Wills	Rep Youngblood	Rep King
Rep Bateman	Rep McDonald	Rep Rudolph
Rep Gestrin	Rep Dixon	Rep Wintrow
Rep Hixon	Rep Harris	

COMMITTEE SECRETARY

Vicky Davies
Room: EW60
Phone: 332-1146
email: htran@house.idaho.gov

MINUTES
HOUSE TRANSPORTATION & DEFENSE COMMITTEE

DATE: Thursday, March 10, 2016

TIME: 1:30 pm or Upon adjournment of floor session

PLACE: Room EW40

MEMBERS: Chairman Palmer, Vice Chairman Shepherd, Representatives Wills, Bateman, Gestrin, Hixon, Kauffman, Packer, Youngblood, McDonald, Dixon, Holtzclaw, Monks, King, Rudolph, Wintrow

**ABSENT/
EXCUSED:** Rep. Harris

GUESTS: John Barsness, ITD; Jeff Miles, LHTAC; Matt Reiber, Intern; Dan Schaeffer, LHTAC; Bob Compan, Farmers Insurance; Phil Barber, American Insurance Association; Diana L Thomas, City of Weiser; Caitlin Rusche, IAC Counties; Alan Frew, ITD; Carlie Foster, Lobby Idaho; Woody Richards, Insurance Company

Chairman Palmer called the meeting to order at 2:45 p.m.

Robert Compan, Farmers insurance company, presented **S 1283** regarding under insured motorizes and companies failing to comply with Idaho online insurance verification system. He summarized the history and purpose of the Insurance Industry Committee on Motor Vehicle Administration (IICMVA). The IICMVA created the Idaho online insurance verification system which was implemented in 2012. As a result, this IICMVA model has been adapted by other states. The Idaho Transportation Department (ITD) and Idaho Department of Insurance took measures to clarify and enhance the system in two ways; add company codes associated with each vehicle to list factors to confirm insurance coverage and eliminate some unnecessary language in Section 49-1234, Idaho Code. In addition, he announced that insurance companies are required to comply; otherwise, administrative penalties will occur. As a result, this will increase accuracy of the "real time" online insurance system data while following security measures which Idaho Transportation Department and Law Enforcement agencies access.

Allen Frew, Idaho Transportation Department, spoke **in support** of this legislation. This legislation updates the penalty noncompliance section.

In answer to committee questions, **Mr. Frew** stated there is no fiscal impact.

MOTION: **Rep. McDonald** made a motion to send **S 1283** to the floor with a **DO PASS** recommendation. **Motion carried by voice vote.** **Rep. Hixon** will sponsor the bill on the floor.

H 559: **Rep. Monks** presented **H 559** regarding the elimination of the states role in setting costs for commercial driver license skills test and technical changes. Currently, the Idaho Transportation Department is responsible for the CDL skills test account. In addition, he summarized the CDL skills test fund apportionment.

However, this legislation will eliminate Idaho Transportation Department's role with fund allocation to the third party CDL skills test organization. In addition, this legislation removes the two sections pertaining to the skills test fee amount of \$60.00. He discussed the competitive factors for the free market to be functional. He stated there is about 75 different companies that provide CDL skills test services. Furthermore, this legislation allows for the CDL skills test organizations to establish CDL skills test fees which will motivate companies and/or individuals to provide this service, free market process. He explained the free market process.

In answer to committee questions, **Rep. Monks** announced that the CDL skills test fee should be reasonable and implemented throughout Idaho. In addition, he reviewed the benefits of the free market process for the citizens throughout the State of Idaho which also benefits both the consumer and business owner.

John Barsness, Idaho Transportation Department, addressed the CDL Skills Test program. The CDL skills tests are performed by third party contractors which are recruited and trained by Idaho Transportation Department (ITD). He discussed the requirements to become a third party CDL Skills Test Examiner approved by Federal Motor Carrier and American Automobile Motor Vehicle Administrator. He stated the examiners pay their associated costs to obtain their certification. He informed the committee members that ITD monitors CSTEM system information and audits the third party examiners. Lastly, ITD can produce a CDL Skills Test report which will list organizations that perform the CDL Skills Test with each site cost.

In answer to committee questions, **Mr. Barsness** stated the demand for the CDL Skills Tests fluctuate by Region. He stated either a fixed fee or open market approach would be acceptable for this program. In addition, Mr. Barsness announced to committee members that the current demand is being met by examiners.

Rep. Wills spoke in opposition of this bill. However, he suggested an amending order for this bill.

MOTION:

Rep. Dixon made a motion to send **H 559** to the floor with a **DO PASS** recommendation. **Motion failed by voice vote.**

Jeff Miles, Local Highway Technical Assistance Council (LHTAC), presented the Local Highway Technical Assistance Council Annual Report. He stated the Council provides services to advocate, support and train in 192 cities, 33 counties, and 64 highway districts for roadway or street responsibilities. He summarized the history of the Council from 1994 (LHTAC Formation) to 2014 (20 years). He highlighted the \$6.4 Million base budget for Fiscal Year 2016 to include each category; HDA, Local Rural Highway Investment Program (LRHIP), Federal Aid Administration Costs, T2 Center, and Small Programs. In addition, he stated the Stewardship Agreement describes the duties that have been delegated to LHTAC by ITD, account funds are administered by ITD. He stated the LHTAC advocates for the local jurisdictions for the Western Federal Lands Program, Idaho Standard Public Works Construction (ISPWC), and Technical Assistance or Voting Members.

He summarized the FY15 Federal-Aid Program Apportionment fund account of \$30,853,000, administered by Idaho Transportation Department. In addition, he discussed the Federal-Aid Design STP Rural, STP Urban, and Bridge which was assigned to LHTAC in 2009. Furthermore, he summarized the Federal-Aid Construction projects and the bidding process. He discussed the Local Rural Highway Investment Program (LRHIP) and the Local Highway Safety Improvement Program (LHSIP).

He stated LHTAC provides training and technical assistance to all local highway jurisdictions throughout Idaho through the T2 Training Center established in 2009. The T2 Training Center is a member of the Local Technical Assistance Program (LTAP) and Tribal Technical Assistance Program National Network to utilize the nationwide networking and resources. The T2 Training Center receives funds from Federal grants and matched by Idaho and STP Rural funds. The T2 center has increased to over 1,982 class attendees in FY15.

The LHTAC joined partnership with Idaho Transportation Department, Association of Cities, Association of Counties, and Highway Districts to coordinate the response to **H 312** which was provided to the committee in January 2016. In

addition, the agency enhanced the communication measures by progress status reports, order and claims logs, project evaluations, web based project status maps and 360 improvement surveys. Our goal is to be accountable to our sponsors, partner agencies and legislature so accountability measures are posted online. Furthermore, LHTAC received the Innovation Idea Award in 2015.

In conclusion, he stated LHTAC is here for the local jurisdictions to ADVOCATE, SUPPORT, AND TRAIN.

In answer to committee questions, **Mr. Miles** compared the ITD base amount of expenditures with their base budget.

ADJOURN:

There being no further business to come before the Committee, the meeting was adjourned at 3:25 p.m.

Representative Palmer
Chair

Vicky Davies
Secretary

AGENDA
HOUSE TRANSPORTATION & DEFENSE COMMITTEE
1:30 p.m. or Upon Adjournment of the Floor Session
Room EW40
Friday, March 18, 2016

SUBJECT	DESCRIPTION	PRESENTER
H 513 aa,aaS	REAL ID Act	Chairman Palmer

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 Palmer	Rep Kauffman	Rep Holtzclaw
Vice Chairman Shepherd	Rep Packer	Rep Monks
Rep Wills	Rep Youngblood	Rep King
Rep Bateman	Rep McDonald	Rep Rudolph
Rep Gestrin	Rep Dixon	Rep Wintrow
Rep Hixon	Rep Harris	

COMMITTEE SECRETARY

Vicky Davies
Room: EW60
Phone: 332-1146
email: htran@house.idaho.gov

MINUTES
HOUSE TRANSPORTATION & DEFENSE COMMITTEE

DATE: Friday, March 18, 2016

TIME: 1:30 pm or Upon Adjournment of the Floor Session

PLACE: Room EW40

MEMBERS: Chairman Palmer, Vice Chairman Shepherd, Representatives Wills, Gestrin, Hixon, Kauffman, Packer, McDonald, Dixon, Harris, Holtzclaw, Monks, King, Wintrow

**ABSENT/
EXCUSED:** Representatives Rudolph, Youngblood, Bateman, Wills

GUESTS: Skip Smyser, ITA; Jonathan Packer, IAHA

Chairman Palmer called the meeting to order at 12:50 p.m.

**UNANIMOUS
CONSENT
REQUEST:** **Rep. Palmer** made an unanimous consent to request to concur with amendments made in the Senate to **H 513aa,aaS**. The Senate amended this legislation; deleted the word "security" and the word "and". There being no objection, the request was granted.

MOTION: **Rep. Wintrow** made a motion to approve the minutes of the March 08, 2016, meeting. **Motion carried by voice vote.**

**UNANIMOUS
CONSENT
REQUEST:** **Rep. Gestrin** made an unanimous consent to reconsider **H 559** in committee. He stated this legislation will eliminate Idaho Transportation Department's role with setting CDL skills test fees. He stated this legislation will let the "open market" work. He was unable to vote due to a presentation in the Senate. There being no objection, the request was granted. He said several committee members were not present for the vote, this will give committee members another opportunity to vote on this legislation.

H 559: **Rep. Monks** had presented **H 559** on March 10, 2016.

MOTION: **Rep. Harris** made a motion to send **H 559** to the floor with a **DO PASS** recommendation.

Chairman Palmer clarified the vote on March 10, 2016 and the purpose of the bill. The bill allows the CDL Testers to determine the service cost. **Rep. Kauffman** stated his concern was the competitive side of the testers to have a free market. He stated he would prefer to have ITD assign the service cost due to possible competitive issues. **Rep. Gestrin** stated, due to the low revenue amount of providing this service; companies will be reluctant to become CDL Testers. **Rep. Kauffman** stated the presenter during the March 10, 2016 meeting could clarify the management aspects of the CDL Skills Test, such as policies and bookkeeping. **Rep. Wintrow** explained the controversy over the competitive side of this legislation which is the service fee being equal throughout the state. **Rep. King** stated **Rep. Wills** mentioned that the feasibility to operate a CDL Skills Test company might be an issue.

**SUBSTITUTE
MOTION:** **Rep. King** made an substitute motion to **HOLD H 559** for a time certain. This will allow all committee members to be present for this vote.

Rep. Monks compared the CDL Skills Test to the driver license process.

In answer to committee questions, **Debra Hall**, Idaho Transportation Department (ITD), summarized the CDL Skills Test fund allocation; testers receive 17.50 and the department receives 6.50 for a total of 24.00 dollars. She stated the time it takes to complete the CDL Skills Test is about a half-hour to one hour. Furthermore, she stated some people prefer to take driver's education through public school for commercial drivers.

**VOTE ON
SUBSTITUTE
MOTION:**

Motion failed by voice vote.

**VOTE ON
ORIGINAL
MOTION:**

Motion carried by voice vote. Rep. Wintrow and Rep. King requested to be recorded as voting **NAY**. **Rep. Palmer** will sponsor the bill on the floor.

ADJOURN:

There being no further business to come before the Committee, the meeting was adjourned at 1:25 p.m.

Representative Palmer
Chair

Vicky Davies
Secretary