

MINUTES
HOUSE TRANSPORTATION & DEFENSE COMMITTEE

DATE: Monday, February 06, 2017

TIME: 1:30 P.M.

PLACE: Room EW40

MEMBERS: Chairman Palmer, Vice Chairman Shepherd, Representatives Gestrin, Hixon, Kauffman, Packer, Youngblood, McDonald, Dixon, Harris, Holtzclaw, Monks, DeMordaunt, Syme, King, Wintrow, Gannon

**ABSENT/
EXCUSED:** None

GUESTS: Amy Smith, Department of Motor Vehicles Business Analyst, Pat Carr, Ports of Entry Manager, Ramon Hobdey-Sanchez, Government Affairs Program Specialist, Idaho Transportation Department; Jack Lyman, Idaho Housing Alliance; Fred Birnbaum, Vice President, Idaho Freedom Foundation; Victor Mccraw, Division Administrator, Idaho Peace Officer Standards and Training; Kedrick Wills, Deputy Director, Idaho State Police; Laura Lantz, Jonathan Parker, Idaho Association of Highway Districts; Julie Hart, IDABO; Kevin Hanigan, Executive Director, Idaho Automobile Dealers Association; Matthew Conde, AAA; Jane Wittmeyer, Lobbyist, Wittmeyer and Associates

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

RS 25102: **Jack Lyman**, Idaho Housing Alliance, presented **RS 25102**. The purpose of this proposed legislation is to define "park model recreational vehicles" or PMRVs, also known as park models, park trailers, and park-model recreational trailers and provides for the titling, licensing and registration of PMRVs regardless of width. The proposed legislation provides that the registration fees paid by PMRVs greater than 8 1/2 feet wide will be returned to the counties where those PMRVs are located. The proposed legislation would allow but not require these vehicles to be titled, licensed, and registered by the Idaho Transportation Department, and if not registered as recreational vehicles, to be taxed as personal property.

MOTION: **Rep. Kauffman** made a motion to introduce **RS 25102**. **Motion carried by voice vote.**

H 78: **Rep. Harris** presented **H 78**. The purpose of this legislation is to allow for individuals to remotely start a locked vehicle and to idle the car to warm up in cold weather, both of which are implied to be prohibited by the Unattended Motor Vehicle Code. This legislation permits both activities and clarifies that the code does not apply to vehicles on private property.

In response to Committee questions, **Rep. Harris** stated the legislation does not address other parking regulations, such as applying a parking brake or turning vehicle wheels into the curb. The legislation applies to the car idling and only requires the vehicle to be locked, without regards to other parking compliance.

MOTION: **Rep. Packer** made a motion to send **H 78** to the floor with a **DO PASS** recommendation. **Motion carried by voice vote.** **Rep. Harris** will sponsor the bill on the floor.

H 110:

Rep. Nate presented **H 110**. The purpose of this legislation is to allow for vehicles that were not manufactured with a bracket or license plate holder on the front of their vehicle to display one license plate only on the rear of the vehicle. Rep. Nate clarified that the legislation aims to help car dealers and purchasers, avoids difficulties for residents, and matches 19 other states and the country of Canada's regulations.

In response to Committee questions, **Rep. Nate** stated he had spoken with the liaison for sheriffs, but had not yet received a formal response from law enforcement.

In response to Committee questions, **Rep. Nate** stated that the main reason for the legislation is convenience, as it removes an additional task for vehicle dealers and owners and adds to the aesthetic value of the vehicle in the process.

Fred Birnbaum, Vice President, Idaho Freedom Foundation, spoke **in support** of **H 110**. Enforcement of the two-plate requirement is already very loose, with many more tickets given for not having a front plate in Canyon County than in Boise. As only certain people are currently ticketed, and car design is leaning away from the manufacture of front plate brackets, this legislation is intended to catch up with current attitudes and trends in vehicle design.

Victor Mccraw, Division Administrator, Idaho Peace Officer Standards and Training, spoke **in opposition** to **H 110**, sharing anecdotes from his tenure with the State police agency for the Arizona Department of Public Safety beginning in 1986.

Mr. Mccraw said the elimination of the two-plate regulation, which occurred about one and a half years into his career, substantially inhibited his ability to identify cars used in crimes such as a hit and run or abduction by reducing or eliminating the visibility of an identifying legal marker, and thus inhibited his ability to perform his duties as a patrolman.

Mr. Mccraw said that not requiring a front license plate also has unintended consequences, such as individuals using fictitious or novelty plates in lieu of real plates.

In response to Committee questions, **Mr. Mccraw** stated that in combination with the one-plate requirement in Arizona, the use of specialty plates did cause confusion for law enforcement, as it was permissible to have more than one license number on two different specialty plates, leading to misidentification. The more information law enforcement has, and the more angles they can obtain that information from, the easier their job becomes.

Kedrick Wills, Deputy Director, Idaho State Police, spoke **in opposition** to **H 110**. Only being able to see vehicles from the rear creates job difficulties for law enforcement and may compromise the premium for officer safety in Idaho. Not requiring a front license plate makes backed-in cars unidentifiable. Not requiring a front plate on only new vehicles makes for dubious legality for older vehicles, and is not very enforceable. Law enforcement needs every tool they can manage to do their jobs safely and successfully.

Rep. McDonald spoke **in opposition** to **H 110**, sharing anecdotes from his tenure with the Idaho State Police. The way that plates are affixed or are removed entirely constitutes probable cause to pull a driver over to inspect the vehicle further, which often results in felony activity.

Rep. Nate spoke **in support** of **H 110**. There were no studies available to demonstrate that public or officer safety is compromised by not having a front plate, and front plates are already not required on some classic cars, motorcycles, or ATVs. The number of citations in the last year is low, enforcement is infrequent and irregular, and can be discriminatory. If the issue is purely identification, and without traffic camera enforcement, we could seek other solutions.

MOTION: **Rep. Gannon** made a motion to **HOLD H 110** in committee.

SUBSTITUTE MOTION: **Rep. Harris** made a substitute motion to send **H 110** to the floor with a **DO PASS** recommendation.

ROLL CALL VOTE: **Chairman Palmer** requested a roll call vote. **Motion carried by a vote of 10 AYE, 7 NAY. Voting in favor** of the motion: **Chairman Palmer, Vice Chairman Shepherd, Rep. Gestrin, Hixon, Youngblood, Dixon, Harris, Holtzclaw, Monks, and DeMordaunt. Voting in opposition** to the motion: **Rep. Kauffman, Packer, McDonald, Syme, King, Wintrow, and Gannon. Rep. Nate** will sponsor the bill on the floor.

H 111: **Amy Smith**, Department of Motor Vehicles Business Analyst, Idaho Transportation Department presented **H 111**. The purpose of this legislation is to increase the license plate fee from \$3.00 to \$3.75, allowing the plate fee to be commensurate with current production and distribution costs, and to move towards eliminating sections in code that are no longer active and/or necessary. Ms. Smith gave a brief summary of the legislation, stating that the fund is in jeopardy of being depleted.

In response to Committee questions, **Ms. Smith** stated there are around 25 speciality plates remaining after the cancellations, of which approximately 10 are collegiate plates.

In response to Committee questions, **Ms. Smith** stated that the Idaho Transportation Department is requesting around twice as much as the deficit with the legislation in order to not come before the Committee again in the coming years and to allow for redistribution of moneys through the Highway Distribution account and to the counties, which is how the moneys were handled prior to the current shortfall.

In response to Committee questions, **Ms. Smith** stated that the \$0.50 has been getting pulled from the license plate fee since 1999, when the red, white, and blue background was adopted, and goes to the Idaho Heritage Trust Fund administered through the Governor's office. A plate design change would be at the choosing of the legislature.

In response to Committee questions, **Ms. Smith** stated that there are no known agreements requiring the Idaho Transportation Department to make a new change.

MOTION: **Rep. King** made a motion to send **H 111** to **General Orders. Motion carried by voice vote. Rep. Harris** and **Rep. Monks** wished to be recorded as voting no.**Rep. King** will sponsor the bill on the floor.

ADJOURN: There being no further business to come before the Committee, the meeting was adjourned at 2:30 PM.

Representative Palmer
Chair

Jasmine Platt
Secretary