

MINUTES
HOUSE TRANSPORTATION & DEFENSE COMMITTEE

DATE: Tuesday, February 06, 2024

TIME: 1:30 P.M.

PLACE: Room EW40

MEMBERS: Chairman Palmer, Vice Chairman Mitchell, Representatives Dixon(1), Holtzclaw, Monks, Blanksma, Manwaring, Shepherd, Crane(12), Handy, Hill, Lanting, Miller, Petzke, Yamamoto, Gannon, Burns

**ABSENT/
EXCUSED:** Representative(s) Holtzclaw, Blanksma, Lanting

GUESTS: The sign-in sheet will be retained in the committee secretary's office; following the end of session the sign-in sheet will be filed with the minutes in the Legislative Library.

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

MOTION: **Rep. Burns** made a motion to approve the minutes of the January 30, 2024 meeting. **Motion carried by voice vote.**

**DOCKET NO.
11-1301-2301:** **Bill Gardiner**, Deputy Director and Rules Review Officer, Idaho State Police, stated there are no regulatory changes to this Docket regarding Motor Carriers, rather, they reviewed the Docket under the Governor's Zero Based Regulation Executive Order (ZBR), eliminating redundancies and unnecessary sections copied from Federal Code. He indicated, during this ZBR process they got a little "strike heavy" and inadvertently struck **Subsection 019.01(b)** that needs to remain on the books. Therefore, he requested the committee approve **Docket No. 11-1301-2301**, with the exception of **Subsection 019.01(b)**.

MOTION: **Rep. Mitchell** made a motion to approve **Docket No. 11-1301-2301**, with the exception of **Subsection 019.01(b)**, because it was inadvertently stricken and is an exemption for Motor Carriers that is critical to remain in place. **Motion carried by voice vote.**

Brendan Floyd, Policy Specialist, Idaho Transportation Department (ITD), stated ITD reviewed a total of nineteen Rules, sixteen of which were under ZBR, and indicated the edits should have a direct positive impact on industry and their customers.

**DOCKET NO.
39-0204-2301:** **Brendan Floyd**, ITD, stated ITD is repealing this Docket due to the passage of **H 128** in 2023, regarding fees and refunds for Department hearings concerning disputes between vehicle dealers and manufacturers. **H 128** makes this Docket obsolete.

**DOCKET NO.
39-0222-2301:** **Brendan Floyd**, ITD, stated the reason for modifying this Docket was to remove a few sections in order to include them in a more relevant Commercial Vehicle Permit Combination Rule, where ITD is seeking to combine multiple chapters along with this one, into a single Docket.

**DOCKET NO.
39-0242-2301:** **Brendan Floyd**, ITD, stated the modifications to this Docket include removing unnecessary language and combining it with another similar Docket, dealing with temporary registration when ownership of a vehicle is unclear and when county offices and vehicle dealers may issue a temporary registration.

**DOCKET NO.
39-0246-2301:** **Brendan Floyd**, ITD, stated ITD is repealing this Docket in its entirety in order to combine it with **Docket No. 39-0242-2301**.

- DOCKET NO. 39-0260-2301:** **Brendan Floyd**, ITD, stated the proposed changes to this Docket include making it easier to understand, removing old software language and replacing it with updated language to reflect the current operating system, and removing redundant and ambiguous wording.
- DOCKET NO. 39-0276-2301:** **Brendan Floyd**, ITD, stated due to the passage of **H 9** in 2023, CDL holders are now allowed to renew their driver's licenses online. He explained, since this was prohibited in Rule, ITD needed to modify it as a Temporary Rule to reflect the new statutory allowance, which went into effect July 1, 2023. While reviewing this Docket, they also removed some unnecessary provisions and provided more allowances for other online driver's license renewals, as well as increasing the interval between how often an applicant must go in person to a DMV office.
- DOCKET NO. 39-0301-2301:** **Brendan Floyd**, ITD, stated this proposed Docket reflects the consolidation of seven Dockets addressing various requirements covering commercial vehicle permits for oversized vehicles in Idaho. During this consolidation, ITD removed redundant provisions and unnecessary language. He remarked, substantive changes in this new Docket, all beneficial to industry, include: allowance for over-legal movements 30 minutes before sunrise, extending until 30 minutes after sunset, changing the terms "reducible" and "nonreducible" to "divisible" and "undivisible" to align with federal terminology, increasing cylindrical hay bales to 80 feet overall length (from 75 feet), reducing bridge analysis approval time for loads up to 250,000 pounds from five days to three days, increasing the length of interstate oversized moves from 120 to 150 feet, and expanding the black coded route width restriction from 10 to 12 feet.
- DOCKET NO. 39-0302-2301:** **Brendan Floyd**, ITD, stated ITD is repealing this Docket in its entirety in order to combine it with **Docket No. 39-0301-2301**.
- DOCKET NO. 39-0303-2301:** **Brendan Floyd**, ITD, stated ITD is repealing this Docket in its entirety in order to combine it with **Docket No. 39-0301-2301**.
- DOCKET NO. 39-0304-2301:** **Brendan Floyd**, ITD, stated ITD is repealing this Docket in its entirety in order to combine it with **Docket No. 39-0301-2301**.
- DOCKET NO. 39-0305-2301:** **Brendan Floyd**, ITD, stated ITD is repealing this Docket in its entirety in order to combine it with **Docket No. 39-0301-2301**.
- DOCKET NO. 39-0306-2301:** **Brendan Floyd**, ITD, stated ITD is repealing this Docket in its entirety in order to combine it with **Docket No. 39-0301-2301**.
- DOCKET NO. 39-0307-2301:** **Brendan Floyd**, ITD, stated ITD is repealing this Docket in its entirety in order to combine it with **Docket No. 39-0301-2301**.
- DOCKET NO. 39-0308-2301:** **Brendan Floyd**, ITD, stated the only changes made to this Docket regarding visibility requirements for ITD operated snow plows, were format changes.
- DOCKET NO. 39-0340-2301:** **Brendan Floyd**, ITD, stated the only changes made to this Docket regarding guidelines for the control of junkyards and dumps within 1,000 feet of the nearest edge of the right-of-way for roadways in Idaho were to eliminate redundancies and to remove the Administrative Hearings section because it is already in statute.
- DOCKET NO. 39-0342-2301:** **Brendan Floyd**, ITD, stated the only changes made to this Docket regarding standards and guidelines for encroachments on state highway right-of-ways, were to remove definitions and provisions that were either obvious or already established in statute.
- DOCKET NO. 39-0348-2301:** **Brendan Floyd**, ITD, stated the only changes made to this Docket regarding provisions contained within Idaho's Local Planning Act designating transportation systems of statewide importance exempt from local plans and ordinances, were to remove redundant language already in statute.

DOCKET NO. 39-0350-2301: **Brendan Floyd**, ITD, stated the changes made to this Docket regarding standards for the use of developed rest areas not explicitly addressed in statute, were to remove unnecessary and overly wordy provisions only when what is removed is already covered in statute so they remain enforceable violations for Idaho State Police.

DOCKET NO. 39-0401-2301: **Brendan Floyd**, ITD, stated along with general cleanup and updating older provisions, ITD removed restrictive rules that will lessen the burden on airport sponsors and provide funding flexibility in how they maintain their airports.

MOTION: **Rep. Gannon** made a motion to approve **Docket Numbers: 39-0204-2301, 39-0222-2301, 39-0242-2301, 39-0246-2301, 39-0260-2301, 39-0276-2301, 39-0301-2301, 39-0302-2301, 39-0303-2301, 39-0304-2301, 39-0305-2301, 39-0306-2301, 39-0307-2301, 39-0308-2301, 39-0340-2301, 39-0342-2301, 39-0350-2301, 39-0401-2301**, and stated his motion does not include **Docket No. 39-0348-2301**.

Rep. Gannon spoke to his motion of excluding **Docket No. 39-0248-2301**. He explained he believes it is critical to keep the language intact in this Docket in order to emphasize ITD should continue to work closely with local entities. He continued, he doesn't believe it's redundant to include the concept of working together in both Rule and statute, so therefore is rejecting the ZBR word reduction to keep the language in the Docket intact.

VOTE ON MOTION: **Chairman Palmer** called for a vote on the motion. **Motion carried by voice vote.**

ADJOURN: There being no further business to come before the committee, the meeting adjourned at 2:12pm.

Representative Palmer
Chair

Tracey McDonnell
Secretary