



## QUARTERLY MEETING OF THE TRUCKING ADVISORY COUNCIL

### Council Meeting Minutes

27th of February 2024 – C1 American Falls Conference Room/Teams

### ATTENDEES

- Board Members
  - John Pocock, *Chairman*
  - Frank Buell, *District 1 (Teams)*
  - Tim Christopherson, *District 2*
  - Tony Black, *District 3*
  - Kevin Iversen, *District 4*
  - Dave McNabb, *District 5*
  - Troy Thurgood, *District 6*
- Idaho Transportation Department Staff
  - Lisa McClellan, *DMV Administrator*
  - Sara Anderson, *Sr. Research Analyst*
  - CJ Kendrick, *DMV Vehicles Supervisor*
  - Heather Fleck, *Stakeholder Engagement Specialist*
  - Jerri Hunter, *Commercial Vehicle Services Supervisor*
  - Riley Teutsch, *Commercial Vehicle Services Program Specialist*
  - Lorraine Dennis, *ITD Board Executive Assistant*
  - Mollie McCarty, *Chief External Affairs Officer*
  - David Kuisti, *Highways Construction & Operations Administrator*
  - Dan McElhinney, *Chief Deputy/Chief Operations Officer*
  - Steve Spoor, *Maintenance Operations Manager*
  - Philip Youngman, *D1 POE Supervisor (Teams)*
  - April Jordan, *D2 POE Supervisor (Teams)*
  - Kim Gale, *D3 POE Supervisor (Teams)*
- Other Attendees
  - Allen Hodges, *ITA Executive Director*
  - Leo Hughes, *Great West Casualty Company*
  - Shawn Staley, *Idaho State Police*
  - Laila Kral, *LTHAC Administrator*
  - Dexton Lake, *Farm Bureau (Teams)*
  - Billie Pierson, *Tax Commission (Teams)*

## ORDERS OF BUSINESS

8:30 am, Chairman Pocock called the meeting to order.

### Agenda Item 1 – Introductions

All attendees introduced themselves.

### Agenda Item 2 – Approve Prior Meeting Minutes

Member Thurgood motioned to approve the meeting minutes from meeting and Member Iverson second the motion. Motion was approved by all members.

### Agenda Item 3– Governor Little FMCSA Emergency Exception Letter

The Federal Motor Carrier Safety Administration (FMCSA) initially reduced the emergency exemption period from thirty days to five, later extending it to fourteen days after some deliberation. Governor Little addressed this decision by sending a letter to the acting deputy administrator of FMCSA, urging them to reopen the comment period and reconsider extending the exemption back to thirty days. He highlighted the unique challenges faced in western states, where vast distances can require more time to assess damage, plan responses, and implement necessary measures.

### Agenda Item 4 – Code 67-2901B Sub 1 and Sub 2

In 1969, Chapter 49 of the Idaho code mandated annual inspections for registered motor vehicles, with commercial vehicles not exempted and subject to yearly inspections. Exceptions were granted only to vehicles 30 years or older registered as "old timers." In 1980, the Idaho Public Utilities Commission (PUC) adopted Rule 19, aligning with federal rules for safety requirements. Senate bill 1120, approved in April 1980, exempted certain trucks from PUC regulations to save fuel and enhance backhauls. By 1987, Idaho PUC adopted Rule 12 concerning Motor Carrier Safety Ratings, lacking provisions for drug tests or safety audits. The Trucking Declaration aimed to harmonize Idaho's PUC regulations with Interstate Commerce Commission regulations for interstate transport of agricultural commodities.

In the 80s, compliance with PUC regulations, including rates and tariffs, was obligatory. The 1989 Cumulative Pocket Supplement revised the Motor Carrier Act, preserving exemptions but not specifying safety regulations. The 1998 revision incorporated FMCSA rules on exemptions, reflecting the federal standards. Current Idaho code Title 67 Chapter 29 exempts intrastate motor carriers from safety inspections and compliance reviews, aligning with the original legislative intent to deregulate rates and tariffs, not safety.

Questions posed to FMCSA triggered a state audit due to implications for highway funding and commercial vehicle enforcement. The bill's progression is halted until the audit concludes, as changes to the code post-1988 require FMCSA approval. Recent amendments, including exemptions for log trucks, necessitate scrutiny to ensure compliance with federal standards. The Idaho State Police's newfound authority to enforce logging regulations may have prompted FMCSA's audit, potentially affecting the scope of enforcement. Moving forward, further dialogue with ISP is necessary post-audit completion.

#### Agenda Item 5 – Truck Bicycle Safety Video

The DMV Administrator met with the Idaho Walk Bike Alliance (IWBA) to review collaborative video projects, receiving positive feedback. IWBA appreciated the content, particularly emphasizing the need for bicyclists to move right. Four brief videos, each around 15 seconds long, were showcased and will serve as educational tools on social media and the DMV website. The next steps involve developing a social media distribution plan and potential sharing with organizations like the Idaho Trucking Association. Concerns were raised about bicyclists wearing earbuds, hindering awareness of surrounding traffic, and the challenges trucks face when passing cyclists on narrow roads. Discussions were proposed between the TAC and IWBA to address safety concerns for bicyclists and trucks sharing roads, especially on high-speed routes lacking wide shoulders. Thank you, Member Iverson, and Transystems for help making the videos.

#### Agenda Item 6 – Local Highway Jurisdictions

The last meeting discussed the significance of the 129 routes at the highway district level. The Local Highway Technical Assistance Council (LHTAC), established by the legislature in 1994, provides technical support to all 287 local highway districts, encompassing cities, highway districts, and counties with road and bridge control. Many districts lack engineers on staff, and LHTAC helps bridge this gap to avoid consultant expenses. Governed by a council outlined in Idaho code, LHTAC offers workshops, funding programs, training, equipment loans, and technical assistance. It administers federal and state funding programs through agreements with the Idaho Transportation Department (ITD). The establishment of local jurisdictions dates back to the 1905 Good Roads Act, evolving into highway districts by the 1909 Highway District Law, limited to four per county by current legislation. Highway districts rely on user fees, codified in the Highway User Distribution Account since the 1980s. Idaho code outlines the structure of highway districts, including elected commissioners and consolidation procedures. Funding from the Idaho Highway Distribution Account is split between state and local jurisdictions, with new highway districts not increasing overall funding. Highway districts maintain a significant portion of local roads and bridges. The process of creating a 129 route involves several steps that can be followed in a brochure available on the LHTAC website, email subscription options for updates on [lhtac.org](http://lhtac.org).

#### 10:20 am – 10:40 am Break

#### Agenda Item 7 – CB Radios

The Chairman addressed concerns about the declining use of CB radios in big fleet trucks, citing generational shifts towards cell phone usage over the past decade. Despite their continued legality and regulation by the Federal Communications Commission for shortwave communication, many drivers opt for cell phones instead. FMCSA regulations banned handheld mobile devices in 2012 but exempted CB radios. An insurance company representative highlighted the driver's choice in using CB radios and addressed no concerns about distraction, noting that their setup allows for eyes-on-the-road operation, brief conversations, and limited use.

Agenda Item 8 – Spring Break-up/Load Restrictions

Spring break-up refers to the thawing of snow, ice, and frozen ground in late winter and early spring, leading to compromised pavement conditions. As the ground thaws, trapped water saturates roadbeds, reducing their ability to support commercial loads. The expansion and contraction of freezing and thawing water cause pavement to crack and become more susceptible to damage. The duration of break-up varies depending on weather conditions, with mild winters resulting in shorter break-up periods and cold, snowy winters prolonging it due to increased moisture in the ground. Weight restrictions are imposed during break-up to minimize damage, as heavy vehicles exacerbate pavement movement. Current regulations include speed restrictions and weight restrictions, with lower speeds and reduced loads aimed at minimizing damage. IDAPA Rule 39.03.03 outlines speed restrictions, with designated areas marked by red and green markers indicating reduced speeds. Temporary suspension of restrictions may occur at the discretion of the district engineer, marked by green markers. Proposed changes involve implementing construction-style signs to indicate speed restrictions, which would require amendments to IDAPA rules and cooperation with law enforcement and the trucking community.

The proposal suggests implementing a construction sign approach for posting road conditions. Portable signs would indicate load restrictions or speed limits as needed. Implementing this would require a change to the IDAPA rule, necessitating support. Enforcing the speed limit would involve notifying the ISP with a letter specifying the changed limit for a particular section and timeframe, akin to construction job notices

Agenda Item 9 – Next TAC Meeting

May 8<sup>th</sup>, 2024

Chairman Pocock adjourned the meeting.

**FOLLOW-UP ITEMS**

- Invite IWBA to the next TAC meeting to experience the truck simulator.
- LHTAC was asked to provide a list of 129 approved routes.

**Minutes Certification**

Certified by John Pocock, Chairman of the Council

Signature: \_\_\_\_\_ Date: \_\_\_\_\_