IDAHO TRANSPORTATION DEPARTMENT'S
NEGOTIATED RULEMAKING HEARING
REGARDING PERMITTED TRUCKS IN IDAHO

MODERATOR: STEPHEN BYWATER

May 25, 2016
3:30 p.m. - 7:30 p.m.

REPORTED BY:
KAMRA TOALSON, CSR No. 756
Notary Public
Welcome to the Idaho Transportation Department's Negotiated Rulemaking Hearing regarding the rules governing the permitting process and safety requirements for loads that are required to operate with a permit. Any new rules or changes to existing rules could apply to any vehicle or load that requires a permit to operate on Idaho's state highways and the interstate.

At this point in the process, ITD is not presenting, endorsing, or recommending any specific rule changes. However, if ITD determines that an administrative rule change is desired and feasible, we will then initiate a proposed rulemaking process. In that process, all interested stakeholders and the public would have an opportunity to review any draft rule changes before another public hearing, which would likely be held in June. The public and all interested stakeholders would be able to comment on the proposed changes to the rules before they go to the Idaho Transportation Board and to the Idaho Legislature for approval.

For the procedure for today's hearing, we're going to be receiving comments today through the WebEx program by telephone and through in-person appearances at the ITD district offices around the state. This hearing will run from 3:30 p.m. until 7:30 p.m. mountain daylight time.

As you login or call in by telephone, your device will be muted upon entry into the system. Please do not attempt to unmute your device on your own, as that could lead to static and feedback on the system.
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Hearing Regarding Permitted Trucks in Idaho

Audio Transcription
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1 utilized 129,000 pounds since October of 2014. The route that we've operated on is Grangeville to Spalding. We've moved approximately a little over 2,000 loads on that route since October of 2014, and our contractor, Baker Trucking, has not had any issues or incidents during that period of time.

So, we -- we feel that the safety requirements that are already in existence pretty well provide for safe travel on our highways. If there are any safety issues that come up, we think that the department should get specific examples of what the -- what the safety issues are, not just hearsay, but have some actual facts and data so that then we can work on those, and we stand ready to work with the department to correct any deficiencies that come about.

There's been lots of studies in the state, the pilot programs. Adjoining states have done safety studies. Canada has safety studies. There's lots of information available. And we assume that the State will review all that, as well as the comments that are received. And we're ready to participate however we can in this rulemaking. And that concludes my remarks. Thank you very much.

MR. BYWATER: Thank you very much, sir. We appreciate those comments. Thank you for your interest. I would encourage you to consider listening to other commenters as they proceed.

Let's move over to District -- let's move over to District 5. It looks like we have a couple of commenters there.

Sir, could you please state your name, tell us who you represent, and then you can proceed with your comments.

MR. CLARK: Yeah, hi. My name is Pete Clark. I'm with Staker Parson out of Ogden, Utah.

We do bring some material by using the old pilot for Highway 89, 91, up into the Preston area. And it's been -- it's been a great process for us, also using Highway 30 with the old pilot program, and we'd just encourage that we continue on with this process.

And I really was more expecting to find out more information and when we would be going to I-15 opening up, and so I really don't have a whole bunch of comments other than I support that we move forward with this and appreciate the chance to talk.

MR. BYWATER: Thank you, sir. We appreciate that.

There's another gentleman there, but we're going to rotate around to another district before we get back to Pocatello again, so please be patient, sir.

Let's talk to District 6, which is Poca -- excuse me, Rigby.

Sir, could you identify yourself for the record, and tell us who you represent.

(No response.)

MR. BYWATER: District 6, can you hear me?

(No response.)

MR. BYWATER: Okay. That's --

UNIDENTIFIED SPEAKER: One second.

MR. BYWATER: Oh, excellent. Thank you, sir. Could you please identify yourself by name, and tell us who you represent.


I submitted written comments, so I won't say much more other than we do support keeping the current process in place and just applying that to the interstates. We also share the concerns of everyone that we pay close attention to safety, and I think our industry does a good job at that, and we're in favor of anything that further promotes safety.

But I don't have any other comments other than what I've already submitted written.

MR. BYWATER: Thank you, Jason. We did receive your written comments, and they are in the record. We really appreciate you doing that.

Just, I'll remind everybody that's listening in that the comment period for submitting any additional written comments remains open after this hearing for another week. The comment period will not close until the 31st at midnight. So, if you have anything else you want to submit in writing, please feel free to do so.

Let's -- let's move here to the auditorium here at ITD headquarters. Is there anyone present at this point in time that would like to make comments?

If so, if I could get you to stand at the podium so that we can have your comments recorded, I'd appreciate it.

How are you today, sir?

MR. RICE: Great. How are you?

MR. BYWATER: Good. Could you state your name, and tell us who you represent.

MR. RICE: My name is Dan Rice. I'm the Chairman of the Board of Transystems. You might know us as the sugar beet carrier in Idaho.

MR. BYWATER: Okay.
MR. RICE: Thank you for having this open process. It may seem sometimes slow, but it's very valuable to our industry and to the public, I believe.

By background, Transystems has about 165 trucks in Idaho and about 450 employees. In addition to trucking, we also have a manufacturing facility in Burley where we build trailers for ourselves.

We are familiar with the 129 loads. We've been involved in this since the start. We've been hauling in Idaho at those weights for 12 years. In the past eight years we've hauled right at 168,000 loads at 129 in Idaho. We operate similar vehicles, both configuration and weight, in the surrounding states of Montana, Wyoming, Nevada, and Utah.

Indeed, we've operated 129,000-pound units. We were the first ones in the United States and did so starting in the late sixties. Now, we are pretty familiar with those configurations.

I recognize that -- and I appreciate safety is a real issue. In looking at driver qualifications, those standards are well established by federal code, and they are increased standards over the basic CDL when you get up into the higher weight vehicles with multiple trailers. We don't think that's broken.

Private carriers also have, as in our case, additional training for large vehicles. When it comes to equipment, equipment standards are also established by federal agencies. And, indeed, the equipment standards are higher for larger vehicles. And they're not a simple list of your vehicle has to have A, B, and C. They're performance-based standards, so you can have A, B, and C, but you still have to meet the performance standards for braking.

We like those kinds of standards.

All of our equipment is subject to an annual inspection by a certified inspector, and that's each truck and each trailer. So, the inspection process is well in place, and it's done again to the federal standards.

From a research point of view, Idaho stands out in the United States as having done the very best research there is -- it's current, it was lengthy, it was ten years -- and was very careful to examine not just all trucks but the larger combination trucks.

Frequently, other research just lumps all trucks.

So, I think between Idaho's research, the testimony in the Idaho Legislature, the testimony in the U.S. Congress, that the safety issue has been addressed, and it's been given the right priority.

Now, permitting is a little bit more easy to address. Idaho has a great permitting system. It's for these overly [unintelligible] vehicles. It's simple. You get the permit, and you go on. It doesn't seem to me that modifying that permit system based on truck size, I don't see what we get from it, so I'm sort of from the group that the permitting system isn't broken and, therefore, doesn't need another fix.

To summarize, I don't see the need for additional rules. We have safe operations. And not just Transystems. All the ones -- all the big carriers have safe operations. And the permit issue is kind of moot. So, I -- and, again, I appreciate the opportunity to speak with you, and I appreciate that you have this system to make this process in the open. Thank you.

MR. BYWATER: Thank you, sir. Appreciate your time in being here and appreciate your comments. Let's go next to the telephone. Caller, could you please state your name, and tell us who you represent.

(No response.)

MR. BYWATER: Okay. Let's try -- let's try WebEx.

 Caller, could you please state your name, and tell us who you represent.

(No response.)

MR. BYWATER: Caller, can you hear me?

MR. KINDER: Yes. This is Wayne Kinder with Associated Food Stores out of Farr West, Utah.

Last year we ran -- last year we ran approximately 14 million miles. About 12 million of that, those miles, were in some sort of doubled or oversized, overweight, configuration. 3 million of those -- 3.7 million of those miles were on Idaho roads, and the majority of those miles, about 90 percent, were in Rocky Mountain Doubles configuration, not unlike what the -- our beet driver said.

We, too, are -- have ran all those miles safely up to and including that 129,000-pound threshold in the State of Utah, Arizona, Nevada, without incident. So, we -- we will reiterate what's been said multiple times already, that the -- the FMCSA, the federal DOT, does already have rules in place governing the extra training, extra
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1 requirements and whatnot for superset or oversize, overweight loads. And we feel those -- those have -- not only making us safe, but do quantify the safety issues that everybody is going to be concerned with. We are very much looking forward to being able to utilize up to 129,000 pounds in Idaho. Our 7 retailers, we service about 280 stores in Idaho from the Grangeville area all the way through the I-15, I-84 corridors up Highway 20 up -- to essentially 10 everywhere. And we are very much looking forward to being able to pass on the cost savings, the benefits associated with running more cube, more weight on those roads and passing that onto our retailers and Idaho's local communities.

So, once again, we applaud the efforts. We look forward to more information. We will -- we plan on continuing to run our stellar safety record, and we're here to support in any way we can.

MR. BYWATER: Thank you, Wayne. We appreciate you being available and attending today and your comments.

I want to remind folks that are calling in on the telephones and on WebEx that once your device is unmuted you will hear a double beep, and then I will ask you to identify yourself for the record and

1 to state who you represent, and then you'll be able to make your comments on the subject of the hearing. We don't want to miss anyone, so please -- please bear with us.

Let's go to District -- to Pocatello. Do we have another commenter in Pocatello?

Sir, could you state your name, and tell us who you represent.

MR. PACK: Lavell Pack with HK Contractors out of Idaho Falls, Idaho.

MR. BYWATER: Thank you, sir.

MR. PACK: We're very interested in getting this Interstate 129 going. A lot of our jobs we have not been able to use it, because we had the issue with hitting the interstate and then getting to the state highway, so we're very much in favor of this going through and wishing it was today versus six weeks, two months from now. So, thank you.

MR. BYWATER: Thank you, sir. Appreciate those comments and you being in attendance here today.

Let's see. Do we have another commenter in Rigby? I see a person on the screen.

Sir, are you interested in making some comments? Looks like he is. Good afternoon, sir.

MR. WHIPPLE: My name is Bryan Whipple, and I am with the Amalgamated Sugar Company, and we have about 780 members with three refineries in Idaho, one in Paul, one in Twin Falls, one in Nampa. And we move in about 7 million tons of beets to the factories to process during that period of time.

Like I said, we've been here since the beginning. 1998 was the first approved pilot project out of Sugarloaf, Idaho. And over the last 18 years, we think we've proven the safety, the economic benefits of this legislation. And we were able to expand that project until 2013 when we had the authorization for more state roads and were able to expand a little bit.

We're quite thrilled to have the 129 on the interstate like the other gentleman was mentioning. The interstates are the key to link, you know, all the state routes together.

With the 7 million tons that we have, we
My name's Steve Bywater, and I'm the transportation suppliers, and we do monitor their -- the safety records. And we have seen no increased safety risks or increased incidents as a result of the use of the 129,000-pound trucks, as Mr. Rice has told us.

The existing permitting process has been, and will continue to be, sufficient to ensure the safety of our shipments. We've come a long way since 1998. Both the pilot project and use on interstate and highways over the last 18 years has proven that 129's are safe and create no extra risks on the roadway. That was something that was acknowledged in Governor Otter's letter to the ITD in 2014.

We do not believe that any additional safety regulations are necessary and that they would only create an additional burden on their shippers and the trucking industry. And those are my comments.

MR. BYWATER: Thank you, sir.

MR. WHIPPLE: Thank you.

MR. BYWATER: We appreciate that.

And for those of you that have just joined us midstream here, I want to remind you that we are involved in taking testimony in an Idaho Transportation Department Negotiated Rulemaking Hearing regarding rules governing the permitting process and safety requirements for loads that are required to operate under a permit.

My name's Steve Bywater, and I'm the moderator for today's hearing. We're receiving comments through the WebEx program by telephone and through in-person appearances at ITD offices around the state.
that all motorists are safe through the current
and efficient transportation option. As a whole, as a coalition, we recognize
that safety must be our top priority, and it is. The companies that work within our coalition work hard to
ensure that our equipment, our training, our
following of the rules and regulations, as they are
laid out, and our operations prioritize safety, and
we definitely see the department as a partner in this
effort.
To answer the question very simply that is
at hand today, no, we don't see that any changes are
necessary to improve safety or operations on the road
today. The current system promotes and ensures
safety, and we also believe that the current process
and requirements can easily, and should be easily,
carried over into the implementation of Senate Bill
1229 for the implementation of 129 trucks onto the
interstate.
In that regard, we would also direct the
department to review the letter that we submitted
from the ITD highway safety manager to the Idaho
congressional delegation in 2013 where they concluded
that allowing heavier trucks on Idaho's interstate
system enhances highway safety by eliminating
intersection points of conflict and reducing the
potential of collisions. And we would also point, as
well, to the department's own study from 2013
evaluating the ten-year pilot project for
129,000-pound trucks on specific roads which
concluded that the department found no negative
impact on safety pavement or roadways.
And as I think you will hear and see in the
record of letters that have been provided up to this
point, our members -- our members, excuse me, and
many users throughout the state can report through
their own data and their own experiences firsthand
that the system is working and that it's ensuring
that all motorists are safe through the current

Mr. Bywater: Very good.
Ms. Lyons: The Right Truck for Idaho Coalition formed over a decade ago as a voice for
industry across the state. Our coalition is made up
of local businesses, grocery stores, food producers,
grain and timber haulers, the dairy industry and many
others. Specifically, we have advocated for the
introduction of 129,000-pound trucks on specific and
appropriate routes in Idaho as a safe and economical
impact on safety pavement or roadways.
129,000-pound trucks on specific roads which
concluded that the department found no negative
impact on safety pavement or roadways.

Mr. Bywater: Thank you very much. Let's
check -- let's check the telephone callers again.

 caller, can you hear me?

Ms. Grassfield: Yes.

Mr. Bywater: Caller, could you please
identify yourself by your name, and tell us who you
represent.

Ms. Grassfield: Yes, my name is Kelly
Grassfield. I'm with the Idaho Associates and
Accounting. We did submit a formal letter this
morning, but we just want to say we do have a few
concerns of what may come forward, but I'll leave
that to the formal letter. I want to thank you for
the opportunity to participate in this process.

Mr. Bywater: Very good. Thank you. So, I
wasn't able to hear you too clearly. Did you say
that you did submit something in writing this
morning?

Ms. Grassfield: Yes. We did.

Mr. Bywater: Excellent. Appreciate that

very much. Appreciate your participation.

Ms. Grassfield: Thank you.

Mr. Bywater: Let's go to the WebEx. Do we
have a WebEx caller? Caller, can you hear me?

(No response.)

Mr. Bywater: Caller, can you hear me?

(No response.)

Mr. Bywater: Okay. Let's go back to the
auditorium here in ITD headquarters. Is there anyone
else who would like to speak?

Yes, sir. Please come forward to the
podium.

Mr. Davis: Good afternoon, Mr. Bywater.

My name is Stuart Davis. I'm the Executive Director
of the Idaho Association of Highway Districts. I
represent 64 of the highway districts in the state
with a little over 13,000 miles of highway now, and
about 83 percent of the population of this state
resides within the highway district.

I will be very brief. It's an unusual
procedure for me to be commenting on a rule that
hasn't been made yet. And so we will try to
accommodate as we go forward on this process. And I
appreciate ITD taking the time to go through this
step of gathering the information.
I have four very quick points I'd like to make. The first one is that any system or rule or a statute has to be coupled with an understanding of the rules, ITD, and the truckers on obtaining these permits. My goal for the last 15 years is to put together a single process in which a single permit committee would go to ITD and would get a single permit that would go statewide for all the local jurisdictions. Mr. Frew and I have been working on that for the last couple of years. But there needs to be better communication between the industries, the trucking and the locals on where these trucks are running.

The second thing I'd ask you to do is to consider the safety of these trucks in the more rural areas. I think that's critical. I realize that the axles and the brakes and everything make everything pencil out great on paper, but you cannot escape that mass equals force times acceleration of those heavier trucks under climatic conditions that are not favorable to running around. The third point is I would love to see whatever rules we come out of this point with is somehow backed up by an appropriate statute rather than the rule, and I say that because the local entities of government are not as equipped to deal with this rulemaking process as we are statutes. Rules are very, very hard for us to comply with, and they are very hard for us to find. My first experience in 30 years of doing this was last week when I was trying to get ready for this, and it just dawnded on me that locals are relatively unable to comply with the rules that we make. And the last thing that I'd ask you to do and to take into consideration is the overall relationship of moving freight around in this country and in this state and what that means to the economic development of this state. I have heard many people, Mr. Riley and Roy Garrin, in particular, talk about the amount of freight that's moved around in this state and how they can be competitive. We want to see that competitive edge given to the truckers, but we'd also like to see it with a safe and efficient highway route, as well. I appreciate your time, Mr. Bywater, and I thank you very much.

MR. BYWATER: Thank you, Stuart.

Appreciate you being here. Appreciate your interest.

Okay. We'll try to take another call.

Caller, can you hear me?

MR. MATT: Yes, I can.

MR. BYWATER: Excellent. Could you please state your name, and tell us who you represent.

MR. MATT: Yes. Thank you, Mr. Bywater.

This is Roger Matt, and I'm representing the Western Equipment Dealer's Association, and our association's Vice President of our northwest region has sent in written comments on our behalf of our farm equipment dealers.

Our association has not been advocating for any new rules or to say that they need to be established, but if it is agreed upon by all the parties involved that we do move forward, we would like to definitely have a stake in the game, and then we would ask that our written comments be taken into consideration with respect to regional harmonization and the improvement of the permitting process that is outlined in our letter.

MR. BYWATER: Excellent. Thank you, Roger.

Is there anything else you'd like to say?

MR. MATT: No, thank you. I just -- we just appreciate being involved and want to listen to what everybody else has to say, but thanks for letting us be involved.

MR. BYWATER: Very good. Thanks. Thanks a lot.

 entities of government are not as equipped to deal with this rulemaking process as we are statutes. Rules are very, very hard for us to comply with, and they are very hard for us to find. My first experience in 30 years of doing this was last week when I was trying to get ready for this, and it just dawnded on me that locals are relatively unable to comply with the rules that we make. And the last thing that I'd ask you to do and to take into consideration is the overall relationship of moving freight around in this country and in this state and what that means to the economic development of this state. I have heard many people, Mr. Riley and Roy Garrin, in particular, talk about the amount of freight that's moved around in this state and how they can be competitive. We want to see that competitive edge given to the truckers, but we'd also like to see it with a safe and efficient highway route, as well. I appreciate your time, Mr. Bywater, and I thank you very much.

MR. BYWATER: Thank you, Stuart.

Appreciate you being here. Appreciate your interest.

Okay. We'll try to take another call.

Caller, can you hear me?

MR. MATT: Yes, I can.

Okay. Let's go to a WebEx caller now.

Caller, can you hear me?

(No response.)

MR. BYWATER: Caller, could you please state your name, and tell us who you represent.

(No response.)

MR. MATT: No, thank you. I just -- we just appreciate being involved and want to listen to what everybody else has to say, but thanks for letting us be involved.

MR. BYWATER: Excellent. Thank you, Roger.

Is there anything else you'd like to say?

MR. MATT: No, thank you. I just -- we just appreciate being involved and want to listen to what everybody else has to say, but thanks for letting us be involved.

MR. BYWATER: Very good. Thanks. Thanks a lot.

Okay. Let's go to the telephone. Caller, can you hear me?

(No response.)

MR. BYWATER: Caller, could you please state your name, and tell us who you represent.

(No response.)

MR. MATT: No, thank you. I just -- we just appreciate being involved and want to listen to what everybody else has to say, but thanks for letting us be involved.

MR. BYWATER: Excellent. Thank you, Roger.

Is there anything else you'd like to say?

MR. MATT: No, thank you. I just -- we just appreciate being involved and want to listen to what everybody else has to say, but thanks for letting us be involved.

MR. BYWATER: Very good. Thanks. Thanks a lot.
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Idaho Transportation Department's Negotiated Rulemaking Hearing Regarding Permitted Trucks in Idaho

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1 name, and tell us who you represent.
2 (No response.)
3 MR. BYWATER: Okay. I don't see anyone --
4 let's just talk to District 1. District 1. Is there
5 anyone in District 1 that I don't see on the camera
6 but that would like to make some comments at this
7 point in time up in Coeur D'Alene?
8 (No response.)
9 MR. BYWATER: District 2. Is there anyone
10 in Lewiston that would like to make some comments at
11 this time from the District 2 office?
12 (No response.)
13 MR. BYWATER: Okay. District 4 in
14 Shoshone, is there anyone present that would like to
15 make some comments at this time?
16 MR. IVERSON: Yes, I think we do. Hang on
17 just one second.
18 MR. BYWATER: Thank you. Good afternoon,
19 sir.
20 MR. IVERSON: Good afternoon. My name is
21 Kevin Iverson. I work -- I'm Vice President and
22 general manager for Transystems, and I'm probably
23 going to mimic a lot of what Dan Rice probably said
24 earlier and also Brian Whipple from Amalgamated, but
25 I'm the guy that's in charge of hauling all those 7

1 million ton of beets across the State of Idaho. And,
2 again, working for Transystems, one of our biggest
3 core values is safety, and we wouldn't do anything if
4 it wasn't safe.
5 You know, you talk about the safest truck
6 out there is the one that's not on the road. And
7 when you haul beets at 129 versus 105, you can
8 take -- we equate it to hours on the road. And when
9 you talk about the difference in hours, there's
10 71,000 hours less exposure out on the road running at
11 129 versus 105. And that would equate to one truck
12 running 24 hours a day, seven days a week, for
13 3.1 years. So, that's the amount of traffic you
14 would take off the roads by hauling these at 129.
15 And, in my opinion -- in our opinion, it's the safest
16 way to haul these beets.
17 Again, harmonization. Again, states
18 surrounding us are at 129, and I'm sure Amalgamated
19 is probably at a disadvantage selling sugar just
20 because of different freight weights coming out of
21 Wyoming and neighboring states.
22 And as far as the permitting processes, we
23 feel that the permit process is good now. Why change
24 it? And, again, customer satisfaction. Again, we
25 can provide a better service and a more economical

1 service to our growers and our customer at
2 Amalgamated Sugar. So, we are for the 129, of
3 course. And thank you for letting me make my
4 comments.
5 MR. BYWATER: Thank you, Kevin. Appreciate
6 those comments, and appreciate you taking the time to
7 come in and comment for us.
8 District 5, Pocatello. Do we have anyone
9 else who would like to comment at this point in time?
10 (No response.)
11 MR. BYWATER: How about Rigby, District 6?
12 Is there anyone else there that would like to comment
13 at this point in time?
14 (No response.)
15 MR. BYWATER: Okay. Unless we have a
16 caller on the telephone, I'm going to take a break
17 for a few minutes and give people a chance to
18 circulate. Let's take a five-minute break or a
19 seven-minute break and commence again at 4:20. Thank
20 you all for your participation.
21 (A break was taken.)
22 MR. BYWATER: Okay. Let's get started
23 again. It's 4:20. I appreciate your patience with
24 us. For those of you that have just joined us, I
25 want to welcome you to the continuation of the Idaho

1 Transportation Department's Negotiated Rulemaking
2 Hearing regarding the rules governing the permitting
3 process and safety requirements for loads that are
4 required to operate under a permit.
5 My name is Steve Bywater, and I am the
6 moderator for today's hearing. We're receiving
7 comments through the WebEx program, by telephone, and
8 through in-person appearances at the ITD offices
9 around the state. The hearing comment lines will
10 remain open until 7:30 p.m. this evening.
11 I want to remind you that as you login on
12 the WebEx or the call-in -- or call in by telephone,
13 your device is muted upon entering into the system.
14 Please don't attempt to unmute the device on your
15 own. Once your device is unmuted you will hear a
16 distinct double beep. That indicates that you are
17 now unmuted and online and we'll be looking forward
18 to hearing from you.
19 We're rotating the opportunity to comment
20 among those waiting around the state, and we will
21 unmute the device or microphone of one person at a
22 time. I'll remind you once again, if you find that
23 your schedule doesn't permit you to remain on the
24 line until we reach you in the cue, please consider
25 filling out a comment sheet which can be found at the
MR. BYWATER: Hello. Could you state your name, and tell us who you represent.

MR. DUFFIN: Yes, sir. I'm Mark Duffin, and I'm Executive Director of the Idaho Sugarbeet Growers Association.

And we have submitted written comments, but I'd also appreciate this chance to make some public comments, and a lot of -- much of what I've said has been covered, but there are a couple of points from the growers' perspective that we would like to make. 

MR. BYWATER: Excellent. Thank you for coming.

MR. DUFFIN: You know, as has been said, there's some over 700 to 800 farm families that grow sugar beets in the state, and the safe and efficient transport of our commodity from our receiving stations and factory are very important to our farm families, you know, but safety is also very important, because those families, you know, their kids and their neighbors are on those roads with those trucks, and so we are very aware of the safety issues, and they are important to us.

We are in strong support of Senate Bill 1229 extending the 129,000 pound trucks to the interstate highways for the reasons that have been mentioned. It just makes sense to reduce the number of hauls to get those -- that commodity to the factories and from the factories efficiently, and the safety records have been well established in the studies that have been done, and so we're very comfortable with that, and we also like the concept of uniformity with the surrounding states.

We feel that rulemaking for Senate Bill 1229 should be very simple, straightforward and timely. That -- that's -- the process is in place, and it can be done quite simply from our perspective, and we'd like to see that done.

Also, upon reviewing the rules that were noted in your notice governing over-legal permits, we didn't see any glaring deficiency of those rules. It seemed like we were able to properly enforce the rules that were there that would meet -- pretty much meet the needs for safety. But monitoring and --

1. monitoring and enforcing those rules is important,
2. but we are also aware, that we mentioned in our written comments, that if there are [unintelligible] that come forward through this serving process, it will make the rulemaking and permitting process more efficient and effective and smoothly, but that's something that we would like to see done and have no problem with, but would probably take a separate rulemaking procedure -- process away from the -- separate from the 129,000-pound implementation, because we -- I do kind of like the idea of a permitting process, because it makes it easier for the trucks to have a one-stop shop and to get that permitting done, and there may be some ways that that can be more efficient and effective.

So, with that, we appreciate, again, the chance to make some comments.

MR. BYWATER: Thank you, sir. Appreciate your written comments and your comments here today. Thank you very much.

We will take another telephone caller.

Caller, if you just heard a distinct double beep, that means your device is unmuted and you can speak now.
MR. BYWATER: Caller, can you hear me?

MR. BYWATER: Okay. Let's try a WebEx caller. Caller, if you just heard a distinct double beep, that means that your device is unmuted. Can you please state your name, and tell us who you represent.

MR. BYWATER: All right. Not having much luck with that today. Let's just go around, cycle through the districts again, and make sure we're not missing anyone there.

In Coeur D'Alene, is there anyone present that would like to make comments?

UNIDENTIFIED SPEAKER: No, not at this time. Thank you.

MR. BYWATER: Thank you.

In District 5, in Pocatello, is there anyone present there that would like to make comments today?

UNIDENTIFIED SPEAKER: There's nobody extra here, just the same two of us listening in.

MR. BYWATER: Thank you. I appreciate you staying and listening. Thank you.

District 6, Rigby, anyone present there that hasn't had a chance to comment that would like to do so?

UNIDENTIFIED SPEAKER: Not at this time. Thank you.

MR. BYWATER: Thank you very much.

Okay. Back to the headquarters auditorium. Is there anyone else here present that would like to make comments at this time?

MR. BYWATER: Okay. Let's try the telephone again. Caller, if you just heard a distinct double beep, that means your device is unmuted. Could you please state your name, and tell us who you represent.

MR. KINZER: Hi, Mr. Bywater. My name is Cameron Kinzer, and I work with the Right Truck for Idaho Coalition, and I'm just listening in.

MR. BYWATER: Thank you, Cameron. I'm glad you're -- glad to know you're out there. Thank you.

MR. KINZER: Thank you.

MR. BYWATER: Let's move to the next caller. Caller, if you just heard a distinct double beep, that means your device is unmuted.

Could you please state your name and who you represent.

MR. KINZER: Hi, Mr. Bywater. My name is Cameron Kinzer, and I work with the Right Truck for Idaho Coalition, and I'm just listening in.

MR. BYWATER: Thank you. I'm glad you're -- glad to know you're out there. Thank you.

MR. KINZER: Thank you.

MR. BYWATER: Let's move to the next caller. Caller, if you just heard a distinct double beep, that means your device is unmuted.

Do we have anyone on WebEx?

MR. BYWATER: No? Okay. Anyone else here in headquarters today that would like to testify at this point?

That -- if not, then I think we are going to take another break and give people a chance to circulate a little bit, and maybe some new folks will come online.

So let's take a ten-minute break. We'll reconvene at 4:40. Thank you.

A break was taken.

MR. BYWATER: There's a District 2 guy. There's at least some movement there.

UNIDENTIFIED SPEAKER: Yeah.

MR. BYWATER: That tiny little room.

Okay. Let's get started again. Thank you all for being present. I want to apologize for those of you who have heard this, but for the new folks that have joined us on the line, I'd like to welcome you to the Idaho Transportation Department's Negotiated Rulemaking Hearing regarding the rules governing the permitting process and safety requirements for loads that are required to operate using a permit.

My name is Steve Bywater, and I will be the moderator for today's hearing. We thank you for your interest and participation.

ITD has initiated this process at the request of Governor Otter, the Idaho Legislature, and the Idaho Transportation Board. The areas of emphasis outlined by the governor and the Transportation Board are, number one, safety, including things like driver qualifications and equipment requirements; two, regional harmonization;
1. three, improving the permitting process; and, four, improving customer service.
2. We are seeking suggestions, comments, and concerns regarding potential improvements to the permitting process and safety requirements for loads that are required to operate with a permit. Any new rules or changes to existing rules could apply to any vehicle or load that requires a permit to operate on the state highways and the interstate.
3. At this point in the process ITD is not presenting, endorsing, or recommending any specific rule changes. However, if ITD determines that an administrative rule change is feasible and desirable, it will initiate a proposed rulemaking process. In that process, all interested stakeholders and the public would have an opportunity to review any draft rule changes before another public hearing, which would likely be held in June.
4. The public and all interested stakeholders would be able to comment on the proposed changes to the rules before they go to the Idaho Transportation Board and the legislature for approval. We're receiving comments today through the WebEx program, by telephone, and through in-person appearances, and the hearing will run until 4:30 p.m.

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1. As you login or call in by telephone, your device will be muted. Please don't attempt to unmute your device on your own, because that could lead to feedback in the system. Once your device is unmuted, you will hear a distinct double beep. I will then ask you to identify yourself for the record and to state who you represent. You will then be able to make your comments on the subject of the hearing, and we will be rotating the opportunity to comment among all those waiting, and we will unmute the device or microphone of one person at a time.
2. Finally, a reminder that if your schedule does not permit you to remain on the line until we reach you in the cue, please consider filling out a comment sheet which can be found at the ITD website by clicking on the blue rulemaking box on the right.
3. If you do not wish to comment but have questions for the department regarding the process or the rules, we would ask that you contact Adam Rush, the ITD public involvement coordinator, at 208-334-8119. Mr. Rush will be available throughout the hearing, and if the line is busy when you call him, please leave a message and he'll call you back.
4. Let's begin now with District 2. District 2, is there -- in Lewiston, is there anyone that...
And the biggest thing I think about is if we're going to make any changes, 129's are just another -- we didn't change the rule book when a 106 came along. Why do we want to do it when a 129? 129 has to meet far more stringent regulations than a farm truck does. And I guess, why would we mess with something that is more or less work?

The only thing I can see from being a highway commissioner standpoint, it would not be a bad idea, I don't think, to save us all time, because like all the years I ran in Canyon County, I don't have a problem saying, I know of no one that's ever bought an over-legal permit from the county. We buy one from the state because we're overweight. Anything that's over 80,000 has to get an over-legal permit.

We buy an annual permit, we run all over the state, and we don't look back. The only map we have to guide us on that is a state highway map. It would be nice if we had a map that the highway district gave that when I go buy a permit and I say, well, I'm going to be running mostly in Ada and Canyon and Owyhee and Weiser Counties, shove a map in the folder that has the routes that they would rather I drive on.

You know, some loads, you know, we have to go where the route isn't. I mean, we've got a mile and a half or two miles that they allow us to be off of a designated path to unload already in the rules, and so I think we've got to be real careful that we could go out there and start getting hung up on because these trucks are 129's. I see no problem -- in fact, physically, they're probably more stable than a 106. Because of the amount of rubber they have to put them -- and every time you have a set of tandems, they always track straighter than single axles do. And it's got tandems all over the place, whereas the 106 has a lot of single axles under it, which can actually be the opposite effect on a 106. On that 24, you can have 20,000 on each single axle, which actually gets the metal to road.

So, you -- there's just -- I just look at it, we go out here and say, well, these 129's have got to buy a permit in every county or they can't run. Somebody's going to sue somebody, because there's ten times as many of us running around out there on county roads that are over legal that aren't permitted. And there's no provision for us to even do it right. I mean, am I going to go to every county that one of my trucks happens to be in and buy permits for all of my trucks? No. I need to -- I need to have it like it is right now in Ada County. I also move houses sometimes. I want a permit in Ada County. I call the State. They issue the permit. I tell them the designated route. Ada County has a map that says, well, he can pull this size load on these roads. I send that information to the State and say, well, this is the route I'm going to haul that house on. They approve or disapprove. 65 bucks, and it's done. And I'm legal, and everybody's happy, and it works.

And so if we really are going to change anything, getting it -- our highway district's already been looking at providing maps. Because of the extensive maps we had, it won't be that hard for us to come up with routes that will be more conducive to the bigger trucks. Otherwise --

MR. BYWATER: Okay.

MR. MCEVOY: -- just spread it out like it is. I mean, it's just -- they're just -- 129's are just another truck, a bigger version, and they're more economical.

I mean, why are we all running 48 footers instead of 42? Because we can haul more load. And in the competition as a trucker, you can't even stay in business with a 42. Because the rates are so low, you can't even make money with a 42. You've got to have -- and you'll see it with the 106's and the 129's. It will just get so the littler trucks can't compete anymore, because those guys can do it for less. Thank you.

MR. BYWATER: Thank you, sir. Appreciate you being here and appreciate those comments.

Let's go to the telephone now. We'll open up the lines of one caller.

Caller, you should have just heard two distinct beeps. If so, could you please identify yourself by your name, and tell us who you represent.

(No response.)

MR. BYWATER: Caller, did you hear two distinct beeps?

(No response.)

MR. BYWATER: Caller? Can you hear me?
MR. BYWATER: Okay. One more. Let's try
one more. I think we have a lot of individuals that
are listening in that are not wanting to comment, but
we'll try one more.
Okay. The line is now open for another
caller. You should have heard two distinct beeps.
Caller, if you could identify yourself by
your name, and tell us who you represent.
UNIDENTIFIED SPEAKER: Yeah. I heard two
beeps, but I'm just listening. Thank you.
MR. BYWATER: Excellent. Thank you, sir.
Thanks for letting me know that.
Okay. Is there anyone else here in the
headquarters auditorium that would like to speak at
this time?
Jerry, thank you. Come on down.
MR. DECKARD: Thank you, Mr. Bywater. My
name is Jerry Deckard, and I represent CapitolWest
Public Policy Group, as well as Associated Logging
Contractors.
I've heard a lot this afternoon about
trucks and their safety, and I think that's a
critical element. What we haven't heard about is the
safety considerations that are involved with our
roads and highways and their conditions.

I think if we're going to approve
transportation routes for what we'll call large
oversized loads, we need to talk about passing lanes,
turnout areas, runaway truck ramps, shoulder widths
that are adequate, weather safety warnings, sight
distance for safety, particularly for seeing far
equal to be able to stop a truck, and I think the
critical element that I would bring to your attention
that we need to consider is geography. Geography is
a critical consideration when we start talking about
running large oversized loads.
I think it's telling that I've heard,
during this hearing today, about eleven to one people
operating in Southern Idaho, and that's why I bring
to your attention geography, because it's
significantly different in Northern Idaho.
And with that, Mr. Bywater, I appreciate
you taking your time.
MR. BYWATER: Thank you, Mr. Deckard, and I
appreciate these comments and your written comments
that you previously submitted. Thank you.
Is there anyone else in the auditorium here
at this time that would like to speak?
No response.
MR. BYWATER: I don't -- we don't have any

also, as a trucking company, I have a

Also, as a trucking company, I have a

Also, as a trucking company, I have a
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<tr>
<td>1. concern that companies will be forced to try to -- in</td>
<td>1. time? (No response.)</td>
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<td>2. order to stay competitive, to be hauling on that road</td>
<td>2. MR. BYWATER: Okay. Let's go to District 6</td>
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<td>3. that they shouldn't. Either they know they shouldn't</td>
<td>4. in Rigby. Is there anyone in Rigby at this point in</td>
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<td>4. be hauling on it, but because of the competition they</td>
<td>5. time that would like to make some comments?</td>
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<td>5. feel that they have to. And I think that would be a</td>
<td>6. UNIDENTIFIED SPEAKER: Not at this time.</td>
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<td>6. direct result of some of these folks that you have in</td>
<td>7. Thank you.</td>
</tr>
<tr>
<td>7. Northern Idaho that have a question [unintelligible].</td>
<td>8. MR. BYWATER: Thank you. Back to the</td>
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<td>8. At some point in time in the very near</td>
<td>9. auditorium in headquarters. Is there anyone else</td>
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<td>9. future ABC Transport will be hauling a 129,000-pound</td>
<td>10. here that would like to make any comments on the</td>
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<td>10. load. We want to make sure that at the time that we</td>
<td>11. record at this point in time? Do we have any</td>
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<td>11. do that we are on those roads that are safe both for</td>
<td>12. callers?</td>
</tr>
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<td>12. drivers and the public.</td>
<td>13. UNIDENTIFIED SPEAKER: We have no callers</td>
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<td>13. The only other comment I have, compared to</td>
<td>14. and no WebEx.</td>
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<td>14. all the comments that have been made, with the</td>
<td>15. MR. BYWATER: No callers and no WebEx.</td>
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<td>15. exception of I think maybe one, these are not drivers</td>
<td>16. Okay. Let's take another break until ten minutes --</td>
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<td>16. that are driving these vehicles. These are</td>
<td>17. UNIDENTIFIED SPEAKER: We just got a WebEx.</td>
</tr>
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<td>17. companies, lobbyists, different people that have good</td>
<td>18. MR. BYWATER: Oh, we just got a WebEx</td>
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<td>18. intentions in making known their safety concerns.</td>
<td>19. caller. So, let's try that.</td>
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<td>19. The people that are driving the roads are the</td>
<td>20. Hello? WebEx caller, if you can hear me,</td>
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<td>20. commercial drivers. At least in our actions for our</td>
<td>21. if you heard two distinct beeps, that means your</td>
</tr>
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<td>21. company, that is what's driving our response.</td>
<td>22. device has been unmuted.</td>
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<td>22. We gave our drivers the position last fall,</td>
<td>23. Could you identify yourself by your name,</td>
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<td>23. do you want us to fight? Do you have a concern? The</td>
<td>24. and tell us who you represent.</td>
</tr>
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<td>24. answer came back that they do not want these roads or</td>
<td>25. (No response.)</td>
</tr>
<tr>
<td>25. these loads in our area that don't -- which impede</td>
<td></td>
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<tr>
<td>1. their safety. That is why we are pushing so hard</td>
<td>1. MR. BYWATER: If you can hear me and you</td>
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<td>2. that some of these roads in Northern Idaho are not</td>
<td>2. don't want to comment, just say so, please.</td>
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<td>3. safe.</td>
<td>3. (No response.)</td>
</tr>
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<td>4. And, primarily, it reverts back to stopping</td>
<td>4. MR. BYWATER: Okay. Let's take a break</td>
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<td>5. distance required, being able to see far enough ahead</td>
<td>5. then. It's 5:02. Let's start up again at 5:10.</td>
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<tr>
<td>6. so they can stop and avoid an obstacle in the roadway</td>
<td>6. Thank you.</td>
</tr>
<tr>
<td>7. that is unforeseen going around the corner or a prior</td>
<td>7. (A break was taken.)</td>
</tr>
<tr>
<td>8. corner of a roadway [unintelligible]. But with the</td>
<td>8. MR. BYWATER: We're on the record now.</td>
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<td>9. shoulders, and then also as Mr. Deckard mentioned,</td>
<td>9. Welcome back. For those of you that have just joined</td>
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<td>10. passing lanes are very important on these steep,</td>
<td>10. us, I want to remind or let you know that this is the</td>
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<td>11. windy, mountainous roads in basic traffic that causes</td>
<td>11. Idaho Transportation Department's Negotiated</td>
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<td>12. a hazard to trucks that we all experience, and that</td>
<td>12. Rulemaking Hearing regarding the rules governing the</td>
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<td>13. creates a big safety concern in the public for</td>
<td>13. permitting process and safety requirements for loads</td>
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<td>14. drivers.</td>
<td>14. that are required to operate under a permit.</td>
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<td>15. MR. BYWATER: Thank you, Wally. Appreciate</td>
<td>15. My name is Steve Bywater, and I'm the</td>
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<td>16. your written comments and your oral comments here</td>
<td>16. moderator for today's hearings. We're receiving</td>
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<td>17. today very much.</td>
<td>17. comments through the WebEx program, by telephone, and</td>
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<td>18. Let's try District 4 in Shoshone. Is there</td>
<td>18. through in-person appearances at the ITD offices</td>
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<td>19. anyone present there now at this point in time that</td>
<td>19. around the state.</td>
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<tr>
<td>20. would like to make some comments?</td>
<td>20. If you happen to be in an ITD office in one</td>
</tr>
<tr>
<td>21. UNIDENTIFIED SPEAKER: No, not at this</td>
<td>21. of the cities around the state and would like to make</td>
</tr>
<tr>
<td>22. time. Thank you.</td>
<td>22. some comments, if you could sit in the chair near the</td>
</tr>
<tr>
<td>23. MR. BYWATER: Thank you. Let's go over to</td>
<td>23. sign, the district sign, that will help us know that</td>
</tr>
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<td>24. Pocatello to District 5. Is there anyone there</td>
<td>24. you're there. And I just don't want someone to get</td>
</tr>
<tr>
<td>25. that's interested in making comments at this point in</td>
<td>25. left out, so if you could let us know that you're</td>
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</table>
1 there, we'll make sure that we get to you.
2 We're going to rotate the opportunity to
3 comment among all those waiting around the state, and
4 we will unmute the device or microphone of one person
5 at a time.
6 I also want to remind you that if your
7 schedule doesn't permit you to remain online until we
8 reach you, which doesn't seem to be a problem so far
9 in the hearing, you can go to the ITD website and
10 click on the blue rulemaking box and fill out a
11 comment sheet.
12 Also, if you don't want to comment but you
13 wish to make or to ask some questions regarding the
14 process or the rules, we'd ask you to contact
15 Mr. Adam Rush, the ITD public involvement
16 coordinator, at 208-334-8119. Mr. Rush will be
17 available throughout the hearing.
18 At this point in time, I'm going to go
19 through the districts again. I've seen some movement
20 in the different locations, so I'm going to start up
21 in Coeur D'Alene in District 1.
22 Is there anyone in District 1 that would
23 like to make some comments at this point in time?
24 (No response.)
25 MR. BYWATER: Okay. Let's go to District

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1 2.
2 UNIDENTIFIED SPEAKER: We're still here in
3 District 2. We're just listening.
4 MR. BYWATER: Okay. And no one there, new,
5 that would like to make any comments at this point in
6 time?
7 UNIDENTIFIED SPEAKER: No, sir, not at this
8 time.
9 MR. BYWATER: Thank you. So, in District
10 4, we have an individual, it looks like.
11 Sir, would you mind identifying yourself.
12 Give us your name, and tell us who you represent.
13 MR. HALVERSON: Thank you, Mr. Bywater. My
14 name is Gary Halverson, and I represent Glanbia
15 Foods. I've already submitted written comments, so
16 I'll try to keep this brief. As previously
17 mentioned, hundreds and thousands of 129,000-pound
18 loads safely operated in the State of Idaho over the
19 past decade. Carriers in Idaho, we pride ourselves
20 on being some of the safest fleets in the nation.
21 In the written comments provided by AAA,
22 they provided a snapshot of the FMCSA thresholds for
23 safety and the number of fleets that were over that
24 threshold, and in Idaho there were 7.9 percent of the
25 fleets that were over the FMCSA safety threshold, and

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1 that number is 17 percent below the national average
2 of 9.5. We do operate safe fleets in Idaho, and we
3 do pride ourselves on our safe fleets.
4 The interstates are the safest roads we
5 have. They are single-direction travel. They have
6 great shoulders, great sight distance, and they're
7 the safest roads we have, and they have the most
8 opportunities for inspections, monitoring weights,
9 and things like that.
10 A quick example of our current system. If
11 you're going to take a 129,000-pound load from Alta
12 to Twin Falls, you travel on state highways. You
13 travel right behind the port of entry bypassing it.
14 You travel through Declo, Burley, Murtaugh, Hansen,
15 Kimberly, and then Twin Falls.
16 By putting these 129,000-pound trucks on
17 the freeway system, we bypass many of these small
18 towns. We put our trucks on the best roads we have.
19 We drive through the doors, we monitor the weights,
20 we have the inspection opportunities.
21 The FMCSA already has established standards
22 for hours of service, driver medical cards,
23 electronic logging devices, pre- and post-trip
24 inspections, brakes, lights, and many other equipment
25 and driver safety requirements. These requirements

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1 are updated by FMCSA as new technology and new
2 equipment becomes available.
3 We believe that if Idaho follows the FMCSA
4 standards rather than setting our own standards, we
5 will always have the most up-to-date requirements for
6 safety. We also believe that the current
7 105,000-pound permitting system works, and it works
8 well. The only change we see that needs to happen
9 would be changing the wording from 105,000 pounds to
10 129,000 pounds.
11 So, thank you for this opportunity to
12 provide comments.
13 MR. BYWATER: Thank you, Gary. Thank you
14 for being here today and for your written comments,
15 as well. Appreciate that.
16 MR. HALVERSON: Thank you.
17 MR. BYWATER: Okay. Let's take -- let's
18 just check in District 5. Is there anyone in the
19 hearing room in District 5 that would like to make
20 comments?
21 (No response.)
22 MR. BYWATER: All right. District 6 in
23 Rigby, is there anyone in the hearing room in Rigby
24 that would like to make comments?
25 UNIDENTIFIED SPEAKER: Not at this time.
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<td>1 I want to remind you that as you login to WebEx or call in by telephone, your device is muted upon entry into the system. Please do not attempt to unmute your device on your own. Once your device is unmuted, you will hear a double beep, and then I will give you an opportunity to identify yourself and to make your comments.</td>
<td>1 again?</td>
<td>2 UNIDENTIFIED SPEAKER: Somebody's wondering.</td>
</tr>
<tr>
<td>2 MR. BYWATER: Thank you very much.</td>
<td>2 UNIDENTIFIED SPEAKER: Somebody's on.</td>
<td>3 MR. BYWATER: Somebody's on?</td>
<td>5 UNIDENTIFIED SPEAKER: Yeah. We've got two right now.</td>
</tr>
<tr>
<td>3 Appreciate you being there to monitor for us.</td>
<td>4 MR. BYWATER: We have two?</td>
<td>6 MR. BYWATER: Good enough. Okay. Welcome back. For those of you that may have just joined us, we want to welcome you to the Idaho Transportation Department's Negotiated Rulemaking Hearing regarding the rules governing the permitting process and safety requirements for loads that are required to operate under a permit.</td>
<td>7 UNIDENTIFIED SPEAKER: Yeah.</td>
</tr>
<tr>
<td>4 Let's come back how to the headquarters auditorium. We have a few people still in attendance. Is anyone present that would like to make comments at this point in time?</td>
<td>8 UNIDENTIFIED SPEAKER: Does that make sense?</td>
<td>9 MR. BYWATER: Nice.</td>
<td>11 UNIDENTIFIED SPEAKER: Good. Let's go.</td>
</tr>
<tr>
<td>5 (No response.)</td>
<td>10 MR. BYWATER: It doesn't sound like it.</td>
<td>12 UNIDENTIFIED SPEAKER: Let's try.</td>
<td>12 MR. BYWATER: Okay. Let's go -- do we have anyone on the telephone lines?</td>
</tr>
<tr>
<td>6 MR. BYWATER: Okay. Let's go -- do we have anyone on the telephone lines?</td>
<td>13 (No response.)</td>
<td>13 MR. BYWATER: Let's try.</td>
<td>15 MR. BYWATER: Let's try.</td>
</tr>
<tr>
<td>7 UNIDENTIFIED SPEAKER: Okay. Let's try the other line.</td>
<td>14 MR. BYWATER: All right. Let's try the other line.</td>
<td>16 MR. BYWATER: Hello? Is there anyone on the line that can hear me that would like to make a comment at this point in time?</td>
<td>16 UNIDENTIFIED SPEAKER: Yeah.</td>
</tr>
<tr>
<td>8 (No response.)</td>
<td>17 MR. BYWATER: Hello? Is there anyone on the line that can hear me that would like to make a comment at this point in time?</td>
<td>18 MR. SMITH: That is correct.</td>
<td>17 MR. SMITH: My name is Lance Smith. I represent El Pack. I've just -- just called into the WebEx program, by telephone, and through in-person appearances at the ITD offices around the state. The hearing comment lines will remain open until 7:30 p.m. this evening.</td>
</tr>
<tr>
<td>9 MR. BYWATER: Hello? Is there anyone on the line that can hear me that would like to make a comment at this point in time?</td>
<td>19 MR. BYWATER: It doesn't sound like it. Okay.</td>
<td>20 MR. BYWATER: Okay. Districts, I don't see anyone present, so let's -- let's take another short break, just -- let's see. 5:18. Let's take a break until 5:25, and then we'll make another round to see if we have any new participants.</td>
<td>20 UNIDENTIFIED SPEAKER: We have two?</td>
</tr>
<tr>
<td>10 MR. BYWATER: All right. Let's try the other line.</td>
<td>21 (No response.)</td>
<td>22 MR. BYWATER: Okay. So, you don't have any comments to make at this point in time?</td>
<td>22 MR. SMITH: That is correct.</td>
</tr>
<tr>
<td>11 (No response.)</td>
<td>23 MR. BYWATER: All right. Thank you for letting me know that you can hear us. And if at any point in time you decide that you do want to make a comment, just sign off and dial back in, and we'll</td>
<td>24 MR. BYWATER: Okay.</td>
<td>23 UNIDENTIFIED SPEAKER: Good. We've got two.</td>
</tr>
<tr>
<td>12 MR. BYWATER: Let's try.</td>
<td>25 MR. BYWATER: Should we wait for the slide...</td>
<td>25 MR. BYWATER: We have two?</td>
<td>25 UNIDENTIFIED SPEAKER: Yeah.</td>
</tr>
<tr>
<td>13 UNIDENTIFIED SPEAKER: Okay. Let's try the other line.</td>
<td>26 MR. BYWATER: Hello? Is there anyone on the line that can hear me that would like to make a comment at this point in time?</td>
<td>26 UNIDENTIFIED SPEAKER: Yes. We've got two.</td>
<td></td>
</tr>
<tr>
<td>14 Ernie.</td>
<td>27 MR. BYWATER: Hello? Is there anyone on the line that can hear me that would like to make a comment at this point in time?</td>
<td>27 MR. SMITH: We have two.</td>
<td>28 MR. SMITH: Yes.</td>
</tr>
<tr>
<td>15 MR. BYWATER: Hello? Is there anyone on the line that can hear me that would like to make a comment at this point in time?</td>
<td>28 MR. SMITH: We have two.</td>
<td>29 MR. BYWATER: Hello?</td>
<td>29 MR. BYWATER: Hm.</td>
</tr>
<tr>
<td>16 the line that can hear me that would like to make a comment at this point in time?</td>
<td>29 MR. SMITH: We have two.</td>
<td>30 MR. BYWATER: Hello?</td>
<td>30 MR. BYWATER: Hm.</td>
</tr>
<tr>
<td>17 comment at this point in time?</td>
<td>30 MR. BYWATER: Hello?</td>
<td>31 UNIDENTIFIED SPEAKER: Good. We've got two.</td>
<td></td>
</tr>
<tr>
<td>18 (No response.)</td>
<td>31 UNIDENTIFIED SPEAKER: Good. We've got two.</td>
<td>32 MR. BYWATER: Hello?</td>
<td>32 MR. BYWATER: Hello?</td>
</tr>
<tr>
<td>19 MR. BYWATER: All right. Let's try the other line.</td>
<td>32 MR. BYWATER: Hello?</td>
<td>33 MR. BYWATER: Hello?</td>
<td>33 MR. BYWATER: Hello?</td>
</tr>
<tr>
<td>20 Hello? If you just heard two distinct beeps, that means your line is unmuted. Is there anyone present on that line that would like to make a comment at this point in time?</td>
<td>33 MR. BYWATER: Hello?</td>
<td>34 MR. BYWATER: Hello?</td>
<td>34 MR. BYWATER: Hello?</td>
</tr>
<tr>
<td>22 UNIDENTIFIED SPEAKER: Just listening. No comments. Thank you.</td>
<td>35 MR. BYWATER: Hello?</td>
<td>36 MR. BYWATER: Hello?</td>
<td>36 MR. BYWATER: Hello?</td>
</tr>
</tbody>
</table>

Idaho Transportation Department's Negotiated Rulemaking Hearing Regarding Permitted Trucks in Idaho

Audio Transcription
May 25, 2016
Idaho Transportation Department's Negotiated Rulemaking
Hearing Regarding Permitted Trucks in Idaho

Audio Transcription
May 25, 2016

1. get you back in the rotation. Thank you.
2. Do we have another caller or WebEx?
3. UNIDENTIFIED SPEAKER: WebEx.
4. MR. BYWATER: Do we have a person on WebEx that would like to make a comment at this time?
5. MR. SANCHEZ: Yes. This is Ernie Sanchez, and my brother has a trucking business in Blackfoot, Idaho, and he asked me to monitor this rulemaking process. And I have no comment.
6. MR. BYWATER: Excellent. Thank you for being present, Ernie. We appreciate you --
7. MR. SANCHEZ: Okay.
8. MR. BYWATER: We appreciate your listening in, and I'll tell you the same thing I told the last caller. If anything changes, you hear something that you would like to respond to or make a comment on, just hang up and call back in.
9. MR. SANCHEZ: All right.
10. MR. BYWATER: Thank you. Back to the auditorium at headquarters. Is there anyone else here that would like to make a comment at this point in time?
11. (No response.)
12. MR. BYWATER: It doesn't look like it. Let's circulate through the districts and just make sure we're not missing anybody there.

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1. Thank you.
2. MR. BYWATER: Thank you. Okay. Do we have any callers on the line?
3. UNIDENTIFIED SPEAKER: We do not.
4. MR. BYWATER: Okay. No WebEx?
5. UNIDENTIFIED SPEAKER: No.
6. MR. BYWATER: Okay. We'll take a break again. Start up again at 20 minutes to 6:00.
7. (A break was taken.)
8. MR. BYWATER: Good afternoon. I'd like to welcome you to the Idaho Transportation Department's Negotiated Rulemaking Hearing regarding the rules governing the permitting process and safety requirements for loads that are required to operate using a permit.
9. My name is Steve Bywater, and I will be the moderator for today's hearing. We thank you for your interest and participation. For those of you that have already heard this introduction, I apologize for the new callers on the line or the new commenters that are appearing at the districts.
10. We want you to know that at this point in the process ITD is not presenting, endorsing, or recommending any specific rule changes. However, if the department determines that an administrative rule change is desired and feasible, it will initiate a proposed rulemaking process. In that process, all interested stakeholders and the public would have an opportunity to review any draft rule changes before another public hearing, which would likely be held in June.

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11. The public and all interested stakeholders would be able to comment on the proposed changes to the rules before they go to the Idaho Transportation Board and the Idaho Legislature for approval.
12. At the hearing today, we are receiving comments through the WebEx program, by telephone, and through in-person appearances at the ITD district offices around the state. The hearing will run until 7:30 p.m. this evening.
13. As you login to WebEx or call in by phone, your device will be muted upon entry into the system. Please do not attempt to unmute your device on your own. We'll be rotating the opportunity to comment among all those waiting, and we will unmute the device or microphone of one person at a time.
14. Once your device is unmuted, we will -- you will hear a distinct double beep. I will then ask you to identify yourself for the record and to state who you represent. You will then be able to make comments through the WebEx program, by telephone, and through in-person appearances at the ITD district offices around the state. The hearing will run until 7:30 p.m. this evening.

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15. MR. BYWATER: Thank you. District 1, Coeur D'Alene, is there anyone in the hearing room that would like to make a comment?
16. (No response.)
17. MR. BYWATER: All right. District 2, Lewiston, anyone new there that would like to make a comment at this point in time?
18. UNIDENTIFIED SPEAKER: No, sir. Thank you.
19. MR. BYWATER: Thank you. District 4, Shoshone, is there anyone in that hearing room that would like to make a comment at this time?
20. UNIDENTIFIED SPEAKER: Not at this time.
21. Thank you.
22. MR. BYWATER: Thank you. District 5, Pocatello, is there anyone present in that hearing room that would like to make a comment at this point in time?
23. UNIDENTIFIED SPEAKER: No comments at this time.
24. MR. BYWATER: Thank you. Let's move up then to Rigby, District 6. Anyone present in the hearing room in District 6 that would like to make a comment?
25. UNIDENTIFIED SPEAKER: Not at this time.
MR. BYWATER: Thank you very much. Back to the ITD headquarters auditorium. Is there anyone present at this time that would like to make comments for the record?

MR. BYWATER: It does not appear so at this point in time.

Do we have any callers on the line?

UNIDENTIFIED SPEAKER: We do not.

MR. BYWATER: Do we have anyone on WebEx?

UNIDENTIFIED SPEAKER: We do not.

MR. BYWATER: Okay. Well, I think what we'll do then is we'll take a 15-minute break and then start up again at 6:05.

A break was taken.

MR. BYWATER: Okay. Welcome back. For those of you that may have just joined us, I want to welcome you to the Idaho Transportation Department's Negotiated Rulemaking Hearing regarding rules governing the permitting process and safety requirements for loads that are required to operate under a permit.

I also want to remind you at this point, once again, that if you find that your schedule doesn't permit you to remain on the line until we reach you in the cue, please consider filling out a comment sheet which can be found at the ITD website and do not want to make a comment, we would ask you to state your name and who you represent, and you will be free to make your comments. We are rotating the opportunity to comment among all of those waiting around the state, and we will unmute the device or microphone of one person at a time.

I also want to remind you at this point, once again, that if you find that your schedule doesn't permit you to remain on the line until we reach you in the cue, please consider filling out a comment sheet which can be found at the ITD website by clicking on the blue rulemaking box on the right.

If you happen to be in attendance and have questions for ITD regarding the comments on the subject of the hearing, you can reach Mr. Adam Rush, the ITD public involvement coordinator. His phone number is 208-334-8119, and he will be available throughout the hearing. At the ITD offices around the state. The hearing comment lines will be open until 7:30 p.m. mountain time.

I want to remind you that as you login to WebEx or call in by telephone, your device is muted upon entry into the system. Please do not attempt to unmute your device on your own. Once your device is unmuted, you will hear a double beep, and then I will ask you to state your name and who you represent, and you will be free to make your comments. We are rotating the opportunity to comment among all of those waiting around the state, and we will unmute the device or microphone of one person at a time.

Excuse me. My name is Steve Bywater, and I am the moderator for today's hearing. We are receiving comments through the WebEx program, by telephone, and through in-person appearances at the ITD headquarters auditorium. Is there anyone present at this time that would like to make comments for the record?

Do we have any callers on the line?

UNIDENTIFIED SPEAKER: No.

MR. BYWATER: Okay. Let's take a look out at the districts. District 1, are there any new people in attendance that would like to testify at this point in time or make comments?

UNIDENTIFIED SPEAKER: No, sir.

MR. BYWATER: Thank you. District 2, Lewiston, is there anyone new in the hearing room that would like to make comments?

UNIDENTIFIED SPEAKER: No.

MR. BYWATER: Thank you. District 4, Shoshone, is there anyone present in the hearing room that would like to make comments at this time?

UNIDENTIFIED SPEAKER: No.

Thank you.

MR. BYWATER: Thank you. District 5, Pocatello, is there anyone new in the hearing room that would like to make comments at this time?

UNIDENTIFIED SPEAKER: Not at this time.

Thank you.

MR. BYWATER: Thank you. District 6, Rigby, is there anyone new in the hearing room at this time?

UNIDENTIFIED SPEAKER: Not at this time.

Thank you.
My name is Steve Bywater, and I'm the

under a permit.

requirements for loads that are required to operate
governing the permitting process and safety
Negotiated Rulemaking Hearing regarding the rules
welcome you to the Idaho Transportation Department's
those of you that may have just joined us, we want to
record now.  We've just finished another break.  For
(A break was taken.)

will reconvene at 6:25.  Thank you.

UNIDENTIFIED SPEAKER: We do not.

MR. BYWATER: Thank you.  District 5,
Pocatello, is there anyone present that would like to
comment at this time?

UNIDENTIFIED SPEAKER: Not at this time.

MR. BYWATER: Thank you.  District 6,
Rigby, is there anyone present there that would like
to comment at this time?

UNIDENTIFIED SPEAKER: Not at this time.

I'm going to quickly rotate through the districts to see
if anyone new has appeared that would like to make a
comment.

District 1, is there anyone there that would like to
comment at this time?

UNIDENTIFIED SPEAKER: No, sir.

MR. BYWATER: Thank you.  District 2,
Lewiston, is there anyone present there that would
like to comment?

UNIDENTIFIED SPEAKER: Yes, we're present,
and we have no comment at this time.

MR. BYWATER: Thank you very much.

District 4, Shoshone, is there anyone present that
would like to comment at this time?

UNIDENTIFIED SPEAKER: Not at this time.

MR. BYWATER: Thank you.  District 5,
Pocatello, is there anyone present that would like to
comment at this time?

UNIDENTIFIED SPEAKER: Not at this time.

MR. BYWATER: Thank you.  District 6,
Rigby, is there anyone present there that would like

to comment at this time?

UNIDENTIFIED SPEAKER: Not at this time.

Thank you.

MR. BYWATER: Okay.  Back to the
headquarters auditorium.  Is there anyone present in
the audience here at the headquarters auditorium that
would like to make a comment at this time?

No response.

MR. BYWATER: It does not look like it.  Do
we have any callers on the line now?

UNIDENTIFIED SPEAKER: We do not.

MR. BYWATER: Okay.  Well, I think we've
cycled through all the lines and outlets for making
comments.  I think we'll take another break then.  We
will reconvene at 6:25.  Thank you.

(A break was taken.)

MR. BYWATER: Okay.  We're back on the
record now.  We've just finished another break.  For
those of you that may have just joined us, we want to
welcome you to the Idaho Transportation Department's
Negotiated Rulemaking Hearing regarding the rules
governing the permitting process and safety
requirements for loads that are required to operate
under a permit.

My name is Steve Bywater, and I'm the

moderator for today's hearing.  We are receiving
comments through the WebEx program, by telephone, and
through in-person appearances at ITD offices around
the state, and the hearing comment lines will remain
open until 7:30 p.m.

We have not had an overwhelming number of
callers recently, so we should be able to get to
anyone that is wanting to call in and comment or sign
in on WebEx shortly after the login to the system.
And I want to check with the districts.

I've been kind of watching the screens for
each of the districts.  I haven't seen any movement
there, but I don't want to miss anyone, so I'm just
going to quickly rotate through the districts to see
if anyone new has appeared that would like to make a
comment.

District 1, is there anyone there that
would like to comment at this time?

UNIDENTIFIED SPEAKER: No, sir.

MR. BYWATER: Thank you.  District 2, is
there anyone there that would like to comment at this
time?

UNIDENTIFIED SPEAKER: Not at this time.

MR. BYWATER: Thank you.  District 4,
Shoshone, is there anyone there that would like to
comment at this time?

UNIDENTIFIED SPEAKER: Yes, we're present,
like to comment?
Idaho Transportation Department's Negotiated Rulemaking
Hearing Regarding Permitted Trucks in Idaho

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1 -- in the mid seventies when the weight was raised to
2 105-5, the same process took place. There wasn't any
3 rulemaking with it, but it's what's led our industry
4 to where we are today as being a standard.
5
6 Now, going forward, raising that from 105-5
7 to 129,000, what we're doing, we feel, is adding a
8 little bit of weight, some axles, and we're still
9 following inside of the guidelines that have been set
10 such as inner bridge, off track and total length of
11 the vehicle.
12
13 You know, these formulas that were provided
14 to us by the predecessors that got the 105-5 going,
15 we feel that they've done a very good job. We know
16 that it's been regulated by the Idaho State Police.
17 We fall within the guidelines of the federal motor
18 carrier guidelines, and so everything that's been set
19 forth for us to go to 129, it falls right in with
20 what's taken place early on. We feel that safety is
21 being handled efficiently and that the requirements
22 to go to 129 fit all the requirements.
23 One thing that I wanted to add, and this
24 really relates to the interstate system, we've been
25 running these longer combination vehicles for quite
26 some time through the pilot project. Our company has
27 been participating in that, and it's been a great

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1 success, and we have the data that shows that the
2 success rate has been very good.
3 One of the things that took place, though,
4 in the pilot project is, is that it didn't allow us
5 to get onto the interstate system, so we've been
6 navigating these little municipalities and these
7 little narrow -- and when I say "narrow," there's a
8 few that aren't quite as wide as the interstate
9 system, but we've been traveling state highways now
10 and proving that this works. Now, as we go forth to
11 try and open up the interstate system, we feel that
12 this is -- this is going to be a very good thing for
13 Idaho, both for shippers, carriers, and the State of
14 Idaho.
15
16 In going down the interstate system with
17 the LCV's at hand to participate in this, it's just a
18 much safer device for us now to get commodities where
19 we need to instead of, again, navigating the small
20 roads.
21 With that, one last comment, too, and that
22 is, is that we talk about the geography in the
23 northern section of the state. And, primarily, I
24 just want to address the interstate system, that we
25 as a carrier, we've been -- we've been running the
26 northern side of -- or the northern section of Idaho

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1 since 1971. We've run Mack CLCV's running 105, 5,000
2 -- or 105,500 since its inception, and the current
3 regulations have been -- have worked very, very well,
4 and so we feel that what's in place is adequate.
5 You know, the State of Idaho, through all
6 of its participating carriers and in law enforcement,
7 I think that we have found that we've proven
8 ourselves to be stewards of handling the excess
9 weight.
10 And with that, I would like to thank you
11 and appreciate your time.
12 MR. BYWATER: Thank you. Thank you for
13 both your written comments and your oral comments
14 here today and for your patience in waiting for an
15 opportunity to provide your comments.
16 Is there anyone else in the auditorium that
17 would like to make any comments?
18 (No response.)
19 MR. BYWATER: Okay. Do we have any callers
20 that have been added to the line?
21 UNIDENTIFIED SPEAKER: We do not.
22 MR. BYWATER: Okay. It's 6:30. We've gone
23 through the rotation. I think we'll take another
24 break, a 15-minute break. We'll pick it up again at
25 quarter to 7:00. Thank you.

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1 (A break was taken.)
2 MR. BYWATER: Okay. Welcome back. For
3 those of you that may have just joined us, we want to
4 welcome you to the Idaho Transportation Department's
5 Negotiated Rulemaking Hearing regarding the rules
6 governing the permitting process and safety
7 requirements for loads that are required to operate
8 under a permit.
9 My name is Steve Bywater, and I am the
10 moderator for today's hearing. We are receiving
11 comments through the WebEx program, by telephone, and
12 through in-person appearances at the ITD offices
13 around the state. And the hearing comment lines will
14 be open until 7:30 p.m.
15 We have not had an overwhelming number of
16 calls in the last few minutes, so if you do call in
17 now, you should be able to get -- we should be able
18 to get to you fairly quickly. When you do call in,
19 your device is muted upon entry into the system.
20 Please do not attempt to unmute your device on your
21 own.
22 I did notice on the screen earlier that we
23 had an individual in District 6 standing at the
24 podium for a few minutes or for a minute or so.
25 Is there someone in District 6 that would
Idaho Transportation Department's Negotiated Rulemaking Hearing Regarding Permitted Trucks in Idaho

Audio Transcription
May 25, 2016

1. like to make some comments at this point in time?
2. UNIDENTIFIED SPEAKER: No, thank you.
3. MR. BYWATER: Okay. Thank you. Let's go back to District 1, then, up in Coeur D'Alene. Is there anyone in District 1 that would like to make comments at this time?
4. UNIDENTIFIED SPEAKER: No, sir.
5. MR. BYWATER: Thank you. Thank you for staying with us there. Let's move to District 2 in Lewiston. Is there anyone in Lewiston that would like to make comments at this time?
6. UNIDENTIFIED SPEAKER: No, sir. We have no comment.
7. MR. BYWATER: Thank you. District 4, Shoshone, is there anyone present that would like to make comments at this time?
8. UNIDENTIFIED SPEAKER: No. There's no one present here.
9. MR. BYWATER: Thank you. District 5, Pocatello, is there anyone present that would like to make comments?
10. UNIDENTIFIED SPEAKER: Not at this time.
11. MR. BYWATER: Thank you. And we already talked to District 6, so do we have any callers at this time?
12. UNIDENTIFIED SPEAKER: No, sir.
13. MR. BYWATER: Thank you. We'd like to start with the districts.
14. UNIDENTIFIED SPEAKER: Not at this time.
15. MR. BYWATER: Thank you.
16. UNIDENTIFIED SPEAKER: We do not.
17. MR. BYWATER: Thank you. District 4, Shoshone, anyone in your hearing room that would like to make comments at this time?
18. UNIDENTIFIED SPEAKER: No, sir.
19. MR. BYWATER: Thank you. We already have one caller on WebEx.
20. UNIDENTIFIED SPEAKER: We're present, sir, and no comments.
21. MR. BYWATER: Thank you. Callers at this time? Is there anyone in the auditorium here at headquarters that would like to make some comments?
22. (No response.)
23. MR. BYWATER: I guess not. Anyone on WebEx?
24. UNIDENTIFIED SPEAKER: No, there is not.
25. MR. BYWATER: Okay. Well, once again, then, we're going to take a break. We'll close the hearing down -- or not close the hearing down. We'll just take a break for -- until 7:00. We'll check back at seven and see if there is anyone interested at that time in making comments.
26. (A break was taken.)
27. MR. BYWATER: Welcome back. We will now resume the hearing. For those of you that may have just joined us, we want to welcome you to the Idaho Transportation Department's Negotiated Rulemaking Hearing regarding the rules governing the permitting process and safety requirements for loads that are required to operate under a permit.
28. My name is Steve Bywater and I am the moderator for today's hearing. We're receiving comments through the WebEx program, by telephone, and through in-person appearances at the ITD offices around the state. The hearing comment lines will remain open until 7:30 p.m. We are rotating the opportunity to comment among all those waiting around the state, and we will unmute the device or microphone of one person at a time.
29. I'd like to start with the districts.
30. District 5, is there someone in your hearing room that would like to make comments?
31. UNIDENTIFIED SPEAKER: No, there isn't.
32. MR. BYWATER: Okay. District 6 in Rigby, is there anyone in your hearing room that would like to make comments?
33. UNIDENTIFIED SPEAKER: Not at this time.
34. MR. BYWATER: Thank you. District 2, anyone present in the hearing room that would like to make comments?
35. UNIDENTIFIED SPEAKER: Not at this time.
36. MR. BYWATER: Thank you. District 4, Shoshone, anyone in your hearing room that would like to make comments at this time?
37. UNIDENTIFIED SPEAKER: Not at this time.
38. MR. BYWATER: Thank you.
39. UNIDENTIFIED SPEAKER: We do not.
40. MR. BYWATER: Okay. District 1, anyone that would like to make comments?
41. UNIDENTIFIED SPEAKER: We're present, sir, and no comments.
42. MR. BYWATER: Thank you. And District 1, Coeur D'Alene, is there anyone in your hearing room that would like to make comments?
43. UNIDENTIFIED SPEAKER: No, sir.
44. MR. BYWATER: Thank you. Okay. Do we have any callers on WebEx?
45. UNIDENTIFIED SPEAKER: We do not.
46. MR. BYWATER: Callers at this time? Is there anyone in the auditorium here at headquarters that would like to make comments at this time?
47. (No response.)
48. MR. BYWATER: It does not appear so. We will now take a break until 7:15 and check again to see if there's anyone interested in making comments.
49. Thank you.
50. (A break was taken.)
51. MR. BYWATER: Welcome back. For those of you that may have just joined us, we want to welcome you to the Idaho Transportation Department's Negotiated Rulemaking Hearing regarding the rules governing the permitting process and the safety requirements for loads that are required to operate under a permit.
52. My name is Steve Bywater, and I'm the moderator for today's hearing. We have been...
Idaho Transportation Department's Negotiated Rulemaking
Hearing Regarding Permitted Trucks in Idaho

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May 25, 2016

1 receiving comments through the WebEx program, by
telephone, and through in-person appearances at the
ITD offices around the state. The hearing comment
lines will be open until 7:30 P.M. mountain time.
2 I want to remind you that as you login to
WebEx or call in by telephone, your device is muted
upon entry into the system. Please do not attempt to
 unmute your device on your own. We've been rotating
the opportunity to comment among all those waiting
around the state, and we just need to cycle through
the districts again and the headquarters, as well as
check the lines and the WebEx program to see if we
have any individuals ready to make comments at this
time.
3 So, let's start with District 1. District 1, is there anyone present that would like to make a
comment at this time?
4 UNIDENTIFIED SPEAKER: No, sir.
5 MR. BYWATER: Thank you. District 2, Lewiston, is there anyone present that would like to
make a comment at this time?
6 UNIDENTIFIED SPEAKER: No comment.
7 MR. BYWATER: Thank you. District 4, Shoshone, is there anyone present that would like to
make a comment at this time?
8 UNIDENTIFIED SPEAKER: At this time.
9 MR. BYWATER: Thank you. District 5, Pocatello, is there anyone present there that would
like to make a comment at this time?
10 (No response.)
11 MR. BYWATER: It does not look like there
is anybody. District 6, Rigby, is there anyone
present there that would like to make a comment at
this time?
12 UNIDENTIFIED SPEAKER: Not at this time.
13 MR. BYWATER: Very good. Thank you. Here in ITD headquarters in Boise, anyone present in the
auditorium that would like to make a comment at this
time?
14 (No response.)
15 MR. BYWATER: All right. Thank you. It
does not appear that there is. Do we have any
callers on the line?
16 UNIDENTIFIED SPEAKER: We do not.
17 MR. BYWATER: Okay. Anyone signed into
WebEx?
18 UNIDENTIFIED SPEAKER: We do not.
19 MR. BYWATER: Okay. We'll take our final
break at this time. We'll sign back on at about 7:28

20 (No response.)
21 MR. BYWATER: Sorry, we couldn't hear you.
22 (No response.)
23 MR. BYWATER: Apparently, we can't -- we've
lost the audio from District 1, but I'm assuming
there is no one there, so we'll move to District 2.
24 Is there anyone in District 2 that would
like to comment at this point in time?
25 (No response.)
26 MR. BYWATER: No one there. District 3,
Shoshone, anyone present that would like to comment?
27 (No response.)
28 MR. BYWATER: No one there. District 4,
Shoshone, anyone present that would like to comment?
29 (No response.)
30 MR. BYWATER: I think we might have lost
the audio feed from all districts. District 5, there
was no one there last time. I haven't seen any
change. District 6, can you hear me?
31 (No response.)
32 MR. BYWATER: Okay. I -- since we can't
hear you, we won't be able to take comments if there
were somebody, and there is no one there. So, we do
have a couple of callers on the line, and I'm going
to try to give them one more chance.
33 Caller, can you hear me?
34 (No response.)
35 MR. BYWATER: We are going to close the
hearing down now. We appreciate your attendance and
1 listening in. If there's anything you'd like to say,
2 this is the opportunity. If not, we're going to mute
3 the line and shut it down. Thank you.
4 UNIDENTIFIED SPEAKER: Yes.
5 MR. BYWATER: We have one last WebEx
6 caller. This will be the last opportunity to make
7 comments. Is there anyone there that would like to
8 make comments at this point in time?
9 MR. KINZER: Hey, Mr. Bywater. It's still
10 Cameron Kinzer, and I'm still just listening in. I
11 just heard the double beep, so I thought I'd let you
12 know.
13 MR. BYWATER: Excellent. Cameron, thank
14 you. You're a trooper to stay on the line through
15 everything. I appreciate your input. We're going to
16 shut the line down now, so you're free to go get
17 dinner.
18 MR. KINZER: All right. Thank you.
19 MR. BYWATER: Thank you, sir. Okay.
20 Anyone here in the auditorium?
21 (No response.)
22 MR. BYWATER: Does not look like it. So,
23 we'll call this hearing. It's 7:30. We'll call this
24 hearing officially to a close and close the record.
25
1 Thank you. Gentlemen, thanks for being here.
2 (The hearing was concluded.)
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