

REGULAR MEETING OF THE IDAHO TRANSPORTATION BOARD

July 16, 2020

The Idaho Transportation Board convened at 10:30 AM on Thursday, July 16, 2020 in Pocatello, Idaho. The following principals were present:

Bill Moad, Chairman
Jim Kempton, Vice Chairman – District 4
James R. Thompson, Member – District 1
Janice B. Vassar, Member – District 2
Julie DeLorenzo, Member – District 3
Dwight Horsch, Member – District 5
Bob Hoff, Member – District 6
Brian W. Ness, Director
Scott Stokes, Chief Deputy
Sue S. Higgins, Executive Assistant and Secretary to the Board

Lead Deputy Attorney General Larry Allen participated via video conference.

Safety Share. District 6 Operations Engineer Wade Allen said tires generally have a 10-year life and the date of production is on the tire. He stressed the importance of good tires and that under- or over-inflated tires can be a hazard.

Chairman Moad thanked Operations Engineer Allen for the important message.

Amendment to Agenda. Member Vassar moved to amend the agenda to change the US-95 rock slide discussion from an informational item on the agenda to an action item on the agenda. The original rock slide that closed US-95 occurred approximately two weeks ago. ITD constructed a loop around the slide area to allow limited travel on the highway. However, the slope above the highway has continued to shift and recently another rock slide again closed the highway, including the temporary traffic lane ITD had constructed. ITD has re-assessed the movement of the slope and determined that in addition to removing the slide from the highway, a substantial amount of the hill above the highway will need to be removed before the highway can be opened to public travel. The Board needs to amend the seven-year Idaho Transportation Investment Program to fund this amount of substantial work so that the work can commence immediately and the highway can be opened as safely and quickly as possible.

Vice Chairman Kempton seconded the motion and it passed unopposed.

Board Minutes. Member DeLorenzo made a motion to approve the minutes of the regular Board meeting held on June 17, 2020 and the minutes of the special Board meeting held on June 26, 2020 as submitted. Vice Chairman Kempton seconded the motion and it passed unopposed.

July 16, 2020

Board Meeting Dates. Due to COVID-19, the tentative plans are to conduct the August meeting remotely and to travel to either District 1 or 6 in September. The following meeting dates are scheduled:

August 20, 2020
September 16, 2020
October 14-15, 2020

Consent Items. Member Vassar made a motion, seconded by Member DeLorenzo, and passed unanimously to approve the following resolution:

RES. NO. WHEREAS, consent calendar items are to be routine, non-controversial, self-
ITB20-38 explanatory items that can be approved in one motion; and

WHEREAS, Idaho Transportation Board members have the prerogative to remove items from the consent calendar for questions or discussion.

NOW THEREFORE BE IT RESOLVED, that the Board approves the FY20-23 Strategic Plan for the Division of Financial Management; the removal of FY20 National Summer Transportation Institute from the Program; the addition of Local, FY21 McCall Three Americans with Disabilities' Act Ramp and Local, Victor Elementary Bike/Pedestrian Path to the Program; and a contract for award.

1) FY20-23 Strategic Plan for the Division of Financial Management. Idaho Code requires all state agencies to submit an annual Strategic Plan. The plan is to cover a minimum of four years forward and is to include the Department's vision or mission statement, goals, objective, external factors, and performance measures and benchmarks. No changes were made to the document since it was presented for the Board's review in May.

2) Remove FY20 National Summer Transportation Institute from the Program. The National Summer Transportation Institute project, key #20088, is to provide Science, Technology, Engineering, and Math programming through local schools and universities. The \$72,000 FY20 project would have funded a Transportation and Robotics day-camp through Idaho State University and would have paid for scholarships to the National Flight Academy in Tallahassee, Florida. Due to COVID-19, the project is being cancelled.

3) Add Local, FY21 McCall Three Americans with Disabilities' Act (ADA) Ramps and Local, Victor Elementary Bike/Pedestrian Path to FY21. The Cities of McCall and Victor have requested the addition of their projects, ADA Ramps for \$60,000 and a \$496,000 bike/pedestrian path, respectively, to FY21.

4) Contract for Award. The low bid on key #22301 – I-90, FY21 District 1 Special Pavement Markings was more than ten percent over the engineer's estimate, requiring justification and Board approval. The majority of difference between the engineer's estimate and low bid was in the Special Temporary Traffic Control and Mobilization items. If the flagging quantities would have been estimated for two working crews instead of one for the temporary traffic control item, and the mobilization percentage been increased to account for the vast project area, the low bid would likely have been less than 110% of the engineer's estimate. The

July 16, 2020

project is important to the safety and functionality of the roadway system. District 1 does not believe re-advertising the project would result in lower bids and recommends awarding the contract. Low bidder: Road Products Inc. - \$388,396.

Information Items. 1) Contract Awards and Advertisements. Key #20605 – STC-4771 Southwick Road Safety Improvements. Low bidder: ASCORP Inc. DBA Debco Construction – \$755,235.

Key #13897 – STC-4737, Winchester Road, Evergreen Highway District. Low bidder: Knife River Corporation – Mountain West - \$2,201,900.

Key #22420 – SH-48, FY20 District 6 Mill and Overlay. Low bidder: HK Contractors Inc. - \$425,669.

Key #22618 – I-84, Middleton Road Overpass, District 3. Low bidder: Concrete Placing Company Inc. - \$5,540,155.

Key #22459 – US-95, Milepost 189.5 to 190 Guardrail, District 2. Low bidder: All Rail Construction LLC - \$64,835.

Key #20402 – SMA-5719, Pleasant View Road and Prairie Avenue, Post Falls Highway District. Low bidder: LaRiviere Inc. - \$1,015,049.

Keys #22271 and #22272 – SH-5, FY21/22 District 1 Deep Base Repair. Low bidder: Interstate Concrete & Asphalt – 7,210.00 square yards.

The list of projects currently being advertised was provided.

2) Professional Services Agreements and Term Agreement Work Tasks Report. From May 30 through June 23, 22 new professional services agreements and work tasks were processed, totaling \$5,360,318. Five supplemental agreements to existing professional services agreements were processed during this period in the amount of \$794,969.

3) Administrative Settlements in Right of Way Acquisitions. From January 1 through June 30, 2020, the Right of Way Section processed 79 parcels in the amount of \$9,935,413. Of those, 33 parcels had administrative settlements totaling \$1,226,599.

4) Snake River Rest Area Repair Update. The I-84, Snake River Rest Area closed in September 2019 due to sewer conditions. At the February meeting, the Board approved proceeding with a \$1,250,000 project to repair the facility and authorized staff to determine the best option. In coordination with the City of Fruitland, a feasibility study of potential sewer line options was completed. The municipality is receptive to connecting the rest area into its sewer system, which will benefit it by extending its current sewer main line. Six routes were evaluated and the City and Department agreed to pursue one, which will maximize the connection length for Fruitland and minimize the length of pressurized pipe ITD will need to maintain in the future. The two entities will enter into a memorandum of understanding, and the City will take the lead

July 16, 2020

on negotiating with land owners for permanent easements. Portable toilets have been installed at the rest area to keep the facility open while the permanent fix is completed, which is expected in early 2021. No other services will be available at the rest area in the interim.

5) Annual Report of Activities to the Board of Examiners. ITD did not submit any requests to the full Board of Examiners for FY20.

6) State FY20 Financial Statements. Revenues to the State Highway Account from all state sources were ahead of projections by 0.2% at the end of May. Receipts from the Highway Distribution Account were .4% or \$864,000 more than forecast. The equipment buy back program is \$1 million below forecast; however, that is a difference in timing. State revenues to the State Aeronautics Fund were behind projections by 2.4%, or \$71,000. This is primarily due to the receipts for aircraft registrations and insurance proceeds on the Smiley Creek damaged building offsetting the loss of fuel tax revenue. Total receipts from aviation fuel taxes were below the forecast by 7.7% or \$189,000. Expenditures were within planned budgets. Personnel costs had savings of \$11.9 million or 9.6% due to reserves for horizontal career path increases, vacancies, and timing between a position becoming vacant and being filled. Contract construction cash expenditures of \$419.4 million exceeded any from the past three years.

The balance of the long-term investments was \$110.2 million and the cash balance was \$101.8 million at the end of May. Expenditures in the Strategic Initiatives Program Fund were \$23.9 million. No additional funds, other than interest earned on the cash balance, are coming into this fund due to the expiration of the law effective May 31, 2019 that required the transfer. Deposits into the Transportation Expansion and Congestion Mitigation Fund of \$19.6 million were 21% ahead of forecast. Expenditures in the GARVEE Capital Projects Fund through May were \$20.1 million.

7) Monthly Reporting of Federal Formula Program Funding through June. Idaho received obligation authority of \$286.6 million through September 30 via an appropriations act signed in December 2019. This includes \$936,200 of Highway Infrastructure General Funds carried over from last year in the Transportation Management Area. In February \$14.1 million of Highway Infrastructure General Funds were received; however, \$4.6 million will not be used until FY23. Obligation authority through September 30 is \$296.1 million, which corresponds to \$297 million with match after a reduction for prorated indirect costs. Idaho received apportionments via notices through February 13 of \$331.7 million, including Redistribution of Certain Authorized Funds and Highway Infrastructure General Funds. Obligation authority is currently 90.7% of apportionments. Of the \$297 million allotted, \$15.5 million remains.

8) Performance Measurement Report for the Division of Financial Management. Idaho Code requires all state agencies to submit an annual Performance Measurement Report by August 30. The report is to provide an agency overview, core functions of the department, revenues and expenditures, cases managed and key services provided, and three items required under the Red Tape Reduction Act. Staff provided the draft report for review.

Monthly Report on Activities. Chief Deputy Stokes referenced Governor Little's executive order on transparency in decision making. It requires state agencies to make a number

of documents, such as policies and manuals, available on the internet for the public to access. He commended the team that fulfilled this order. The Department ended the FY20 fiscal year on June 30 approximately 3% or \$5 million below the forecast. The Division of Aeronautics finished the year about 18% below the forecast; however, revenue in June was more than 40% below projections. Although traffic counts fluctuate, they are currently about 8% less than a year ago. Bids on the US-95, Granite North and Frontage Roads GARVEE project will open later this month. In closing, he commended the GARVEE Office and Communication Office for receiving an award for its public outreach on the I-84, Nampa to Caldwell project.

Director Ness congratulated Trish Whitney on her retirement after working for the state for 45 years, including 43 years at ITD. He mentioned that the White House recognized Idaho for providing comments on the National Environmental Protection Act and suggestions to streamline the process. The Change in Employee Compensation Plan that the Board approved in May has been approved by the Division of Financial Management and Division of Human Resources. He also announced the appointment of Dan McElhinney to the Chief Operations Officer position.

Mr. McElhinney provided background on his various responsibilities at the California Department of Transportation. He emphasized the importance of community outreach; delivering on commitments; and ITD's mission of safety, mobility, and economic opportunity. He appreciates the opportunity to join ITD's team.

Chairman Moad thanked Chief Deputy Stokes and Director Ness for their reports and welcomed Mr. McElhinney to ITD.

District 6 Annual Report. District 6 Engineer (DE) Jason Minzghor commended the maintenance crews for the valuable service keeping roads traversable and safe this past winter. There were 26 road closures lasting up to four days on ten different sections of state highways. Efforts to improve the US-20 corridor east of Idaho Falls are continuing and staff has 12 major construction projects underway this year. He recognized the 654 design build team for its work on 17 bridges in the three districts and for receiving the Marvin M. Black Partnering Excellence Award. A Planning and Environmental Linkage study is being completed on the I-15 and US-20 interchange to identify and analyze corridor improvements that will address safety, congestion, mobility, and travel time reliability in Idaho Falls. In conclusion, DE Minzghor commended the Department's Critical Incident Stress Management program. The District received crucial support earlier this year when a maintenance worker was killed in the line of duty.

In response to questions on the US-20, Targhee Pass project, DE Minzghor replied that the project is in the Environmental Analysis stage. An alternative has been chosen, which will utilize technology to warn of wildlife instead of constructing wildlife overpasses.

Chairman Moad thanked DE Minzghor for the report.

Statewide Hands Free Law. Highway Safety Manager (HSM) John Tomlinson said a statewide hands-free law went into effect on July 1. For the first six months, ITD and law enforcement agencies will conduct education campaigns. Only warnings will be issued during

this time, along with a palm card that provides information on the handheld mobile device law and distracted driving, which is a factor in about one out of every five crashes in Idaho.

Three new personas are being developed for the Shift, or engaged driving, campaign. HSM Tomlinson added that new seat belt rules that Dallas Cowboys star and Riggins native Leighton Vander Esch will be introducing are also being worked on.

Chairman Moad thanked HSM Tomlinson for the presentation.

US-95, Riggins Rock Slide. DE 2 Doral Hoff said a rock slide closed US-95 south of Riggins on July 3. A loop around the slide area to allow limited travel on the highway was constructed; however, the slope above the highway continued to shift and another rock slide closed the temporary traffic lane. Scaling crews on the slope evaluated the damage and assessed the area. In addition to removing the slide from the highway, a substantial amount of the hill above the highway will need to be removed before the highway can open to public travel. He added that some of the rocks on the highway are 40 feet in diameter.

DE Hoff said the local Pollock Road is being used as a detour with ITD crews providing maintenance on the route. He anticipates opening the shoo fly by the end of next week and starting the rock removal from the highway. He requested funding for this substantial work to commence immediately, and anticipates submitting the Plans, Specifications, and Estimates package the first week of August with construction starting mid-August. He emphasized that the highest priority is safety of the workers and traveling public.

Member Vassar made a motion and seconded by Vice Chairman Kempton to approve the following resolution:

RES. NO. WHEREAS, the Idaho Transportation Board supports the Idaho Transportation
ITB20-39 Department mission of safety, mobility, and economic opportunity; and

WHEREAS, the Board is authorized to expend funds appropriated for construction, maintenance, and improvement of state highways; and

WHEREAS, the Board is charged with considering the safety and convenience of highway users, the common welfare of the people and cities within the state, and the financial capacity of the state of Idaho to construct, reconstruct, and maintain state highways; and

WHEREAS, US-95 at approximately milepost 188 is currently blocked and closed as a result of rock slides across the roadway; and

WHEREAS, it is in the public interest for ITD to develop a temporary bypass road around the rock slide; and

WHEREAS, it is in the public interest for ITD to develop a permanent repair strategy to mitigate the potential for additional rock slides in this area across US-95; and

WHEREAS, ITD is prepared to incorporate this project into the approved Idaho Transportation Investment Program.

NOW THEREFORE BE IT RESOLVED, that the Board authorizes staff to make adjustments to FY21 of the FY 2020-2026 Idaho Transportation Investment Program to create a project for temporary and permanent US-95, Milepost 188 Rock Slide Mitigation at an estimated cost of \$10,000,000; and

BE IT FURTHER RESOLVED, that the Board approves the staff to adjust the Program and amend the approved FY 2020-2024 Statewide Transportation Improvement Program accordingly.

Chief Deputy Stokes referenced the Board's earlier action to amend the agenda to change this item from an informational item to an action item to address this emergency situation and ensure the safety of the employees and public.

The motion passed 6-0 by individual roll call vote.

Chairman Moad thanked DE Hoff for the presentation and his work on this slide.

US-30, Lava Hot Springs Rock Fall. DE 5 Todd Hubbard said US-30 sits between railroad tracks and the popular Lava Hot Springs Hot Pools. The highway is about 40 feet from a vertical face that has some rockery wall built in the 1930s that protects some of the vertical face. The rest of the vertical face is exposed. On June 24 a large rock fell from the vertical face and came to rest on the concrete walkway adjacent to the hot pools. The cause of the rock fall was weathering and erosion. Crews removed the rock and some loose material from the face and placed concrete barriers between the pools and the slope to protect the public.

DE Hubbard requested \$1,000,000 in Board Unallocated Funds to address this rock fall. The intent is to use rock fall netting. This would preserve the natural shape of the outcrops and allow for select plantings of the climber type vegetation to cover the draped netting.

Member Vassar expressed some concern with using \$1,000,000 of the \$5,000,000 available in this account so early in the fiscal year. Chief Deputy Stokes acknowledged that concern and added that the future and other requests for this funding is unknown. He believes the rock fall project is a valid request. Chairman Moad asked if using Board Unallocated Funds will expedite the project. DE Hubbard replied in the affirmative.

Member Horsch made a motion, seconded by Vice Chairman Kempton, and passed unopposed to approve the following resolution:

RES. NO. WHEREAS, the Idaho Transportation Board supports the Idaho Transportation
ITB20-40 Department mission of safety, mobility, and economic opportunity; and

WHEREAS, it is in the public interest for ITD to mitigate rock fall on US-30; and

WHEREAS, ITD staff has identified an option for the Lava Hot Springs rock fall mitigation; and

WHEREAS, ITD is prepared to incorporate this project into the approved Idaho Transportation Investment Program (ITIP).

NOW THEREFORE BE IT RESOLVED, that US-30, Lava Hot Springs Rock Fall Mitigation be added to the ITIP at a cost of approximately \$1,000,000 using FY 2021 ITD Board Unallocated Funds; and

BE IT FURTHER RESOLVED, that the Idaho Transportation Board approves the staff to adjust the Program and amend the approved FY 2020-2026 Statewide Transportation Improvement Program accordingly.

Chairman Moad thanked DE Hubbard for the presentation.

2021 Draft Legislation. Governmental Affairs Manager (GAM) Mollie McCarty said the Division of Financial Management approved the Department's three legislative ideas for the 2021 session: update Idaho Code for federal odometer disclosure requirements, non-resident violator compact cleanup, and eliminate the requirement to surrender a suspended driver license. She presented draft legislation for the ideas.

Member Vassar moved, seconded by Member DeLorenzo, and passed unanimously, to approve the following resolution:

RES. NO. WHEREAS, the Idaho Governor's Office has directed that state agencies submit
ITB20-41 proposed 2021 legislation to the Division of Financial Management (DFM) for
 review and approval; and

WHEREAS, Idaho Transportation Department staff presented three (3) draft legislative proposals at the June 17, 2020, Idaho Transportation Board meeting for consideration during the 2021 legislative session; and

WHEREAS, DFM has approved the following legislative ideas, also authorizing the development of draft legislation to be submitted for its review and approval:

- 1) Update Idaho code for federal odometer disclosure requirements
- 2) Non-resident violator compact cleanup
- 3) Eliminate requirement to surrender a suspended driver license

NOW THEREFORE BE IT RESOLVED, that the Idaho Transportation Board approves submittal of proposed draft legislation for corresponding DFM/ Governor's Office approved legislative ideas, for further consideration.

Chairman Moad thanked GAM McCarty for the presentation.

Public Transportation Advisory Council (PTAC) District 3 Appointment. Shauna Miller, Grants/Contracts Officer (G/CO), said the District 3 PTAC term expired at the end of June 2020.

July 16, 2020

The Public Transportation Office solicited applications and received two. PTAC reviewed the applications and determined both candidates are fit to serve on the Council.

Member DeLorenzo believes Maureen Gresham has been a good PTAC chair. Because of the uncertain times related to the COVID-19 pandemic, she supports stability and keeping a familiar member on the Council.

Member DeLorenzo moved, seconded by Member Vassar, and passed unopposed, to approve the following resolution:

RES. NO. WHEREAS, Idaho Statute 40-514 establishes the Public Transportation Advisory
ITB20-42 Council (PTAC); and

WHEREAS, the PTAC shall be comprised of six (6) members representing the six (6) Idaho Transportation Department Districts to be appointed by the Idaho Transportation Board; and

WHEREAS, the term of each member shall be three (3) years and the initial appointments to the council shall be such that two (2) members shall be appointed each year thereafter; and

WHEREAS, applications were solicited from interested parties to fill the position in District 3 with two submitted applications; and

WHEREAS, the Public Transportation Office solicited public comment on the submitted application from March 26, 2020 to April 25, 2020; and

WHEREAS, the submitted applications and associated public comments were reviewed by the PTAC at its June 23, 2020 meeting where the council determined all applicants were qualified to fill the vacant District 3 position.

NOW THEREFORE BE IT RESOLVED, that the Idaho Transportation Board has determined to appoint Maureen Gresham for the District 3 PTAC position for the term of July 1, 2020 through June 30, 2023.

PTAC District 5 Appointment. G/CO Miller said the District 5 PTAC term expired at the end of June 2020. The Public Transportation Office solicited applications and received one, which PTAC determined was fit to serve on the Council.

Member Horsch made a motion, seconded by Member DeLorenzo, and passed unanimously to approve the following resolution:

RES. NO. WHEREAS, Idaho Statute 40-514 establishes the Public Transportation Advisory
ITB20-43 Council (PTAC); and

WHEREAS, the PTAC shall be comprised of six (6) members representing the six (6) Idaho Transportation Department Districts to be appointed by the Idaho Transportation Board; and

WHEREAS, the term of each member shall be three (3) years and the initial appointments to the council shall be such that two (2) members shall be appointed each year thereafter; and

WHEREAS, applications were solicited from interested parties to fill the position in District 5 with one submitted application; and

WHEREAS, the Public Transportation Office solicited public comment on the submitted application from March 26, 2020 to April 25, 2020; and

WHEREAS, the submitted application and associated public comments were reviewed by the PTAC at its June 23, 2020 meeting where the council determined the applicant is qualified to fill the vacant District 5 position.

NOW THEREFORE BE IT RESOLVED, that the Idaho Transportation Board has determined to appoint Kathleen Lewis for the District 5 PTAC position for the term of July 1, 2020 through June 30, 2023.

PTAC District 6 Appointment. G/CO Miller said the District 6 PTAC member resigned in May 2019. During the solicitation process, the Department received one application. PTAC reviewed the application and determined it is fit to serve on the Council.

Member Hoff made a motion, seconded by Member Vassar, and passed unanimously, to approve the following resolution:

RES. NO. WHEREAS, Idaho Statute 40-514 establishes the Public Transportation Advisory
ITB20-44 Council (PTAC); and

WHEREAS, the PTAC shall be comprised of six (6) members representing the six (6) Idaho Transportation Department Districts to be appointed by the Idaho Transportation Board; and

WHEREAS, the term of each member shall be three (3) years and the initial appointments to the council shall be such that two (2) members shall be appointed each year thereafter; and

WHEREAS, applications were solicited from interested parties to fill the position in District 6 with one submitted application; and

WHEREAS, the Public Transportation Office solicited public comment on the submitted application from May 28, 2020 to June 27, 2020; and

WHEREAS, the submitted application and associated public comments were reviewed by the PTAC at its June 23, 2020 meeting where the council determined the applicant is qualified to fill the vacant District 6 position.

July 16, 2020

NOW THEREFORE BE IT RESOLVED, that the Idaho Transportation Board has determined to appoint Rick Miller for the District 6 PTAC position for the completion of the term of July 1, 2019 through June 30, 2021.

Chairman Moad thanked G/CO Miller for the presentations.

Executive Session on Personnel and Legal Issues. Member DeLorenzo made a motion to meet in executive session at 12:25 PM to discuss personnel issues as authorized in Idaho Code Section 74-206 (b) and legal issues as authorized in Idaho Code Section 74-206 (c) and (f). Member Horsch seconded the motion and it passed 6-0 by individual roll call vote.

The discussions on legal matters related to acquiring real property and operations. The discussions on personnel matters related to the performance of employees.

The Board came out of executive session at 2:00 PM.

Staff Petition for Expanded On-Line Renewals. Alberto Gonzalez, Division of Motor Vehicle Administrator (DMVA), said the Coronavirus health pandemic is disrupting the day-to-day operations of the county DMV license renewal outlets throughout the state. Many DMV offices are at limited capacity due to social distancing requirements and general restrictions on face-to-face contact. Face-to-face contact is a constant health and safety concern at this time, and restricted or limited in-person access is anticipated through the end of 2020.

DMVA Gonzalez believes Idahoans should be able to renew their driver's license in a timely manner. The limited capacity is challenging license renewal services. In order to enhance public safety and help with the demand, additional electronic renewal options should be temporarily added. Idaho Code allows the waiver of certain rules via a petition. DMVA Gonzalez presented a petition to this effect, as shown as Exhibit #525, which is made a part hereof with like effect.

Vice Chairman Kempton made a motion, seconded by Member Horsch, and passed unanimously, to approve the following resolution:

RES. NO. ITB20-45 WHEREAS, due to the Coronavirus health pandemic disrupting the day-to-day operations of County Division of Motor Vehicle license renewal offices across Idaho, as these offices have limited capacity due to social distancing requirements as well as limited services and staff currently operating such offices; and

WHEREAS, Idaho citizens are in need of a timely issuance of their driver's licenses, it is requested that specific portions of IDAPA 39.02.76.011, Rules Governing Driver's License and Identification Card Renewal-by-Mail and Electronic Renewal and Replacement Processes, be waived in order to enhance public safety and assist with the demand by adding electronic renewal options; and

WHEREAS, the Idaho Legislature with the passage of SB1282 has provided the authority for Idaho citizens to petition to have an Administrative Rule waived due to impediment to the health, safety and welfare of the citizenship of the state; and

WHEREAS, the DMV Administrator respectfully requests that there be an approved temporary waiver of the following portions of IDAPA 39.02.76.011 until December 31st, 2020:

- 1. 39.02.076.011 - the second sentence “Licenses or identification cards renewed by mail or electronically shall only be renewed once in an eight (8) year period, and have a four-year validity period.”
- 2. 39.02.076.012.j - Already have an existing extension.
- 3. 39.02.076.012.1 - Are under twenty-one (21) years of age for purposes of renewal.
- 4. 39.02.076.012.m - Are seventy (70) years of age or older for purposes of renewal

WHEREAS, the Idaho Transportation Board as per Idaho Code 67-5230 has authority to approve the waiver of IDAPA 39.02.76.011 requirements.

NOW THEREFORE BE IT RESOLVED, that the Idaho Transportation Board directs staff to allow waiver of the listed portions of IDAPA 39.02.76.011 detailed in this resolution in order to enhance public safety and help with the demand by the additional electronic renewal options through December 31st, 2020.

Chairman Moad thanked DMVA Gonzalez for the presentation.

WHEREUPON, the Idaho Transportation Board’s regular monthly meeting officially adjourned at 2:05 PM.

signed
BILL MOAD, Chairman
Idaho Transportation Board

Read and Approved
August 20, 2020
Boise, Idaho