

IN THE HOUSE OF REPRESENTATIVES

HOUSE JOINT MEMORIAL NO. 12

BY TRANSPORTATION AND DEFENSE COMMITTEE

A JOINT MEMORIAL

TO THE UNITED STATES SECRETARY OF TRANSPORTATION, THE SENATE AND THE HOUSE OF REPRESENTATIVES OF THE UNITED STATES IN CONGRESS ASSEMBLED, AND TO THE CONGRESSIONAL DELEGATION REPRESENTING THE STATE OF IDAHO IN THE CONGRESS OF THE UNITED STATES.

We, your Memorialists, the House of Representatives and the Senate of the State of Idaho assembled in the Second Regular Session of the Sixty-fourth Idaho Legislature, do hereby respectfully represent that:

WHEREAS, Congress has delegated authority to the United States Secretary of Transportation to prescribe regulations on minimum standards for written and driving tests of an individual operating a motor vehicle; and

WHEREAS, Congress granted authority to the United States Secretary of Transportation to prescribe different minimum testing standards for different classes of commercial motor vehicles; and

WHEREAS, Congress provided by law in 49 U.S.C. 31301 that one factor in establishing whether a vehicle is a commercial motor vehicle is whether the vehicle has a gross vehicle weight rating or gross vehicle weight of no more than 26,001 pounds, but made no mention of combination vehicles pulling trailers; and

WHEREAS, the United States Secretary of Transportation has prescribed regulations that apply the trigger weight to a combination of vehicles if a vehicle being towed exceeds 10,000 pounds. For example, the operator of a commercial truck weighing 15,500 pounds that tows a trailer weighing 11,000 pounds would be required to obtain a Class A commercial driver's license; and

WHEREAS, many small businesses use trailers in their work, such as landscape work and construction or repair work; and

WHEREAS, requiring small business owners to obtain commercial driver's licenses in order to pull trailers behind their trucks poses an unnecessary obstacle to the ability of small business owners to earn their living.

NOW, THEREFORE, BE IT RESOLVED by the members of the Second Regular Session of the Sixty-fourth Idaho Legislature, the House of Representatives and the Senate concurring therein, that the United States Secretary of Transportation is urged to revise regulations to provide that the weight of a trailer being pulled by a commercial motor vehicle may not be included in the trigger weight of 26,001 pounds, requiring the truck's operator to have a commercial driver's license.

BE IT FURTHER RESOLVED that the Chief Clerk of the House of Representatives be, and she is hereby authorized and directed to forward a copy of this Memorial to the United States Secretary of Transportation, the President of the Senate and the Speaker of the House of Representatives of Congress, and to the congressional delegation representing the State of Idaho in the Congress of the United States.