

IN THE SENATE

SENATE BILL NO. 1270

BY STATE AFFAIRS COMMITTEE

AN ACT

1 RELATING TO APPOINTMENTS BY THE LEGISLATURE TO CERTAIN BOARDS AND COMMIT-  
2 TEES; PROVIDING LEGISLATIVE INTENT; REPEALING SECTION 39-3029, IDAHO  
3 CODE, RELATING TO THE PACIFIC STATES AGREEMENT ON RADIOACTIVE MATERI-  
4 ALS TRANSPORTATION MANAGEMENT; REPEALING SECTION 67-4247A, IDAHO CODE,  
5 RELATING TO THE GRANT EVALUATION COMMITTEE OF THE STATE TRUST FUND FOR  
6 OUTDOOR RECREATION ENHANCEMENT; REPEALING CHAPTER 85, TITLE 67, IDAHO  
7 CODE, RELATING TO THE IDAHO HALL OF FAME ADVISORY BOARD; AMENDING SEC-  
8 TION 49-1901, IDAHO CODE, TO REVISE THE NAME OF THE MULTISTATE HIGHWAY  
9 TRANSPORTATION AGREEMENT AND TO PROVIDE A CORRECT CITE REFERENCE; AND  
10 DECLARING AN EMERGENCY.  
11

12 Be It Enacted by the Legislature of the State of Idaho:

13 SECTION 1. LEGISLATIVE INTENT. It is the intent of the Legislature to  
14 repeal statutes involving inactive programs that require appointment of  
15 members of the Legislature. In addition to the repealed sections in this  
16 act, it is legislative intent that no legislative appointment be made for the  
17 purposes of the Idaho Commemorative Silver Medallions as provided in Section  
18 67-1223, Idaho Code, until the State Treasurer issues a new series of medal-  
19 lions at which time such legislative appointments would be appropriate.

20 SECTION 2. That Section [39-3029](#), Idaho Code, be, and the same is hereby  
21 repealed.

22 SECTION 3. That Section [67-4247A](#), Idaho Code, be, and the same is hereby  
23 repealed.

24 SECTION 4. That Chapter 85, Title 67, Idaho Code, be, and the same is  
25 hereby repealed.

26 SECTION 5. That Section 49-1901, Idaho Code, be, and the same is hereby  
27 amended to read as follows:

28 49-1901. ENACTMENT OF MULTISTATE WESTERN STATES TRANSPORTATION  
29 AGREEMENT. The ~~Multistate Highway~~ Western States Transportation Agreement  
30 is hereby enacted into law and entered into with all other jurisdictions  
31 legally joining therein as follows:



## ARTICLE II

## Definitions

SECTION 1. As used in this agreement:

(a) "Cooperating committee" means a body composed of the designated representatives from the participating jurisdictions.

(b) "Designated representative" means a legislator or other person authorized under article X to represent the jurisdiction.

(c) "Jurisdiction" means a state of the United States or the District of Columbia.

(d) "Vehicle" means any vehicle as defined by statute to be subject to size and weight standards which operates in two (2) or more participating jurisdictions.

## ARTICLE III

## General Provisions

SECTION 1. Qualifications for Membership. Participation in this agreement is open to jurisdictions which subscribe to the findings, purposes and objectives of this agreement and will seek legislation necessary to accomplish these objectives.

SECTION 2. Cooperation. The participating jurisdictions, working through their designated representatives, shall cooperate and assist each other in achieving the desired goals of this agreement pursuant to appropriate statutory authority.

SECTION 3. Effect of Headings. Article and section headings contained herein shall not be deemed to govern, limit, modify, or in any manner affect the scope, meaning, or intent of the provisions of any article or section hereof.

SECTION 4. Vehicle Laws and Regulations. This agreement shall not authorize the operation of a vehicle in any participating jurisdiction contrary to the laws or regulations thereof.

SECTION 5. Interpretation. The final decision regarding interpretation of questions at issue relating to this agreement shall be reached by unanimous joint action of the participating jurisdictions, acting through the designated representatives. Results of all such actions shall be placed in writing.

SECTION 6. Amendment. This agreement may be amended by unanimous joint action of the participating jurisdictions, acting through the officials thereof authorized to enter into this agreement, subject to the requirements of section 4, article III. Any amendment shall be placed in writing and become a part hereof.

SECTION 7. Restrictions, Conditions or Limitations. Any jurisdiction entering this agreement shall provide each other participating jurisdiction with a list of any restriction, condition or limitation on the general terms of this agreement, if any.

SECTION 8. Additional Jurisdictions. Additional jurisdictions may become members of this agreement by signing and accepting the terms of the agreement.

## ARTICLE IV

## Cooperating Committee

SECTION 1. Each participating jurisdiction shall have two (2) designated representatives. Pursuant to section 2, article III, the designated representatives of the participating jurisdictions shall constitute the cooperating committee which shall have the power to:

(a) Collect, correlate, analyze and evaluate information resulting or derivable from research and testing activities in relation to vehicle size and weight related matters.

(b) Recommend and encourage the undertaking of research and testing in any aspect of vehicle size and weight or related matter when, in their collective judgment, appropriate or sufficient research or testing has not been undertaken.

(c) Recommend changes in law or policy with emphasis on compatibility of laws and uniformity of administrative rules or regulations which would promote effective governmental action or coordination in the field of vehicle size and weight related matters.

(d) Recommend improvements in highway operations, in vehicular safety, and in state administration of highway transportation laws.

(e) Perform functions necessary to facilitate the purposes of this agreement.

SECTION 2. Each designated representative of a participating jurisdiction shall be entitled to one (1) vote only. No action of the committee shall be approved unless a majority of the total number of votes cast by the designated representatives of participating jurisdictions are in favor thereof.

SECTION 3. The committee shall meet at least once annually and shall elect, from among its members, a chairman, a vice chairman and a secretary.

SECTION 4. The committee shall submit annually to the legislature of each participating jurisdiction a report setting forth the work of the committee during the preceding year and including recommendations developed by the committee. The committee may submit such additional reports as it deems appropriate or desirable.

## ARTICLE V

## Objectives of the Participating Jurisdictions

SECTION 1. Objectives. The participating jurisdictions hereby declare that:

(a) It is the objective of the participating jurisdictions to obtain more efficient and more economical transportation by motor vehicles between and among the participating jurisdictions by encouraging the adoption of standards that will, as minimums, allow the operation of a vehicle or combination of vehicles in regular operation on all state highways, except those determined through engineering evaluation to be inadequate, with a single-axle weight not in excess of 20,000 pounds, a tandem-axle weight not in excess of 34,000 pounds, and a gross vehicle or combination weight not in excess of that resulting from application of the formula:

1 
$$W = 500 ((LN/N-1) + 12N + 36)$$

2 where W = maximum weight in pounds carried on any group of  
 3 two or more axles computed to nearest 500 pounds.  
 4 L = distance in feet between the extremes  
 5 of any group of two or more consecutive axles.  
 6 N = number of axles in group under consideration.

7 (b) It is the further objective of the participating jurisdictions that  
 8 the operation of a vehicle or combination of vehicles in interstate commerce  
 9 according to the provisions of subsection (a) of this section be authorized  
 10 under special permit authority by each participating jurisdiction for ve-  
 11 hicle combinations in excess of statutory weight of 80,000 pounds and/or  
 12 statutory lengths.

13 (c) It is the further objective of the participating jurisdictions to  
 14 facilitate and expedite the operation of any vehicle or combination of vehi-  
 15 cles between and among the participating jurisdictions under the provisions  
 16 of subsection (a) or (b) of this section, and to that end the participat-  
 17 ing jurisdictions hereby agree, through their designated representatives,  
 18 to meet and cooperate in the consideration of vehicle size and weight re-  
 19 lated matters including, but not limited to, the development of: uniform en-  
 20 forcement procedures; additional vehicle size and weight standards; opera-  
 21 tional standards; agreements or compacts to facilitate regional application  
 22 and administration of vehicle size and weight standards; uniform permit pro-  
 23 cedures; uniform application forms; rules and regulations for the operation  
 24 of vehicles, including equipment requirements, driver qualifications, and  
 25 operating practices; and such other matters as may be pertinent.

26 (d) The cooperating committee may recommend that the participating  
 27 jurisdictions jointly secure congressional approval of this agreement and,  
 28 specifically of the vehicle size and weight standards set forth in subsec-  
 29 tion (a) of this section.

30 (e) It is the further objective of the participating jurisdictions to:  
 31 (1) Establish transportation laws and regulations to meet regional  
 32 needs and to promote an efficient, safe and compatible transportation  
 33 network;  
 34 (2) Develop standards that facilitate the most efficient and environ-  
 35 mentally sound operation of vehicles on highways, consistent with and  
 36 in recognition of principles of highway safety;  
 37 (3) Establish programs to increase productivity and reduce congestion,  
 38 fuel consumption and related transportation costs and enhance air qual-  
 39 ity through the uniform application of state vehicle regulations and  
 40 laws.

41 ARTICLE VI

42 Entry Into Force and Withdrawal

43 SECTION 1. This agreement shall enter into force when enacted into law  
 44 by any two (2) or more jurisdictions. Thereafter, this agreement shall be-  
 45 come effective as to any other jurisdiction upon its enactment thereof, ex-  
 46 cept as otherwise provided in section §7, article III.

1 SECTION 2. Any participating jurisdiction may withdraw from this  
2 agreement by cancelling the same but no such withdrawal shall take effect  
3 until thirty (30) days after the designated representative of the withdraw-  
4 ing jurisdiction has given notice in writing of the withdrawal to all other  
5 participating jurisdictions.

6 ARTICLE VII

7 Construction and Severability

8 SECTION 1. This agreement shall be liberally construed so as to effec-  
9 tuate the purposes thereof.

10 SECTION 2. The provisions of this agreement shall be severable and if  
11 any phrase, clause, sentence or provision of this agreement is declared to be  
12 contrary to the constitution of any participating jurisdiction or the appli-  
13 cability thereto to any government, agency, person or circumstance is held  
14 invalid, the validity of the remainder of this agreement shall not be af-  
15 fected thereby. If this agreement shall be held contrary to the constitution  
16 of any jurisdiction participating herein, the agreement shall remain in full  
17 force and effect as to the remaining jurisdictions and in full force and ef-  
18 fect as to the jurisdictions affected as to all severable matters.

19 ARTICLE VIII

20 Filing of Documents

21 SECTION 1. A copy of this agreement, its amendments, and rules or reg-  
22 ulations promulgated thereunder and interpretations thereof shall be filed  
23 in the highway department in each participating jurisdiction and shall be  
24 made available for review by interested parties.

25 ARTICLE IX

26 Funding

27 SECTION 1. Funds for the administration of this agreement, including  
28 participation in the cooperating committee and the actual expenses of the  
29 designated representatives, shall be budgeted or expensed as determined ap-  
30 propriate.

31 ARTICLE X

32 Selection of Designated Representatives

33 SECTION 1. The process for selecting the designated representatives to  
34 the cooperating committee shall be established by law under this section.

35 SECTION 2. The persons authorized to represent the state of Idaho as  
36 the designated representatives to the committee shall be the chairman of the  
37 senate transportation committee and the chairman of the house transporta-  
38 tion and defense committee, or a legislator or a state agency official that  
39 the chairman may assign.

40 SECTION 3. The transportation chairman in each house shall also design-  
41 ate one (1) alternate designated representative who shall also be a legis-  
42 lator or state agency official to serve in his absence.

1           SECTION 6. An emergency existing therefor, which emergency is hereby  
2 declared to exist, this act shall be in full force and effect on and after its  
3 passage and approval.