



PO BOX 201706
Helena, MT 59620-1706
(406) 444-3064
FAX (406) 444-3036

Transportation Interim Committee

66th Montana Legislature

SENATE MEMBERS

GORDON (GORDY) VANCE--Chair
DIANE SANDS--Vice Chair
CARLIE BOLAND
JEFF WELBORN

HOUSE MEMBERS

ROSS FITZGERALD
DENLEY LOGE
ANDREA OLSEN
MARK SWEENEY

COMMITTEE STAFF

JOSEPH CARROLL, Staff Attorney
BRI NORDHAGEN, Secretary
SONJA NOWAKOWSKI, Research Director

MINUTES LOG

September 16, 2019
Room 152, Capitol Building
Helena, Montana

Please note: This document is a Minutes Log and provides a notation of the time elapsed between the beginning of the meeting and the time at which the item was presented or discussed, a motion was made, or a vote was taken. The narrative presented here is provided only as a guide to the audio or video record of the meeting. The official discussion, motion, or vote is available on the audio or video archive of this meeting. The Legislature does not prepare a transcript of meeting activities. The time designation may be used to locate the referenced discussion on the audio or video recording of this meeting.

Access to an electronic copy of these minutes and the audio or video recording is provided from the Legislative Branch home page at <http://leg.mt.gov>. From the homepage, select the "Committees" drop down menu at the top, then select Administrative or Interim, and the appropriate committee. The written minutes log can be located by expanding the accordion menu, Meeting Minutes. Links to the audio/video files can be located by selecting the Video/Audio button on the same page, then the "past/current recordings" button. From here, use the calendar to select the date of the meeting you wish to view/listen to.

Please contact the Legislative Services Division at 406-444-3064 for more information.

COMMITTEE MEMBERS PRESENT

SEN. GORDON (GORDY) VANCE, Chair
SEN. DIANE SANDS, Vice Chair
SEN. CARLIE BOLAND
SEN. JEFF WELBORN

REP. ROSS FITZGERALD
REP. DENLEY LOGE
REP. ANDREA OLSEN
REP. MARK SWEENEY

COMMITTEE MEMBERS EXCUSED

STAFF PRESENT

JOSEPH CARROLL, Staff Attorney
BRI NORDHAGEN, Secretary

JOE KOLMAN, Legislative Policy Office Director

AGENDA (Attachment 1)

COMMITTEE ACTIONS

1. The committee adopted a final work plan for the 2019-2020 interim. Included in that work plan, the committee took the following actions:
 - The committee devoted the largest portion of its time, .30 FTE, to SJ 28, a study of traffic safety and related Montana policies.
 - The committee dedicated .25 FTE to HJ 45, a study of bicycle and pedestrian paths.
 - The committee voted not to dedicate any resources to HJ34, a study of passenger rail service. The committee will send the Legislative Council a letter outlining its decision.
 - The committee agreed to complete all its statutory duties as required in law. The committee will complete its assigned tasks, and bolstered its monitoring of MDT activities to include a review of road construction in Montana.
 - The committee will spend additional time on the issue of electronic bikes and scooters in Montana.
 - The committee agreed not to allocate all its time in the work plan, but instead to leave time for topics that rise to the top throughout the interim.

2. The committee agreed to meet again January 13, 2020 during legislative week.

CALL TO ORDER AND ROLL CALL

09:01:58 Sen. Vance called the meeting to order 9:02 a.m. The committee secretary took roll. [\(Attachment 2\)](#).

INTRODUCTION AND OVERVIEW DOJ MOTOR VEHICLE DIVISION - Sarah Garcia, Division Administrator

09:02:45 Ms. Garcia began her presentation on the "2019-2022 Strategic Overview" handout. [\(Exhibit 1\)](#)

REAL ID IMPLEMENTATION AND UPDATE - Michelle Snowberger, MVD Driver Services Bureau Chief

09:28:00 Ms. Snowberger began her presentation on REAL ID implementation and the "Montana REAL ID Checklist" handout. [\(Exhibit 2\)](#) [\(Exhibit 3\)](#)

Committee questions

- 09:42:52 Sen. Welborn asked Ms. Snowberger what the scheduling options were for someone wanting to not only renew their license, but to also get the REAL ID.
- 09:44:46 Sen. Welborn asked a follow up question regarding whether the REAL ID would have to be renewed in the future.
- 09:49:01 Rep. Olsen asked about setting up other vendors for getting driver's licenses and combining that with more sufficient funding.

- 09:55:48 Rep. Olsen asked a follow up question regarding the increasing cost for constituents and whether the government is providing the service.
- 09:57:04 Sen. Sands asked if there was consultation with the tribes regarding the implementation of the REAL ID from the DOJ.
- 09:59:38 Sen. Sands asked a follow up question regarding clarification in terms of the Native communities in Montana and the implementation of the REAL ID.
- 10:01:31 Rep. Olsen asked about notaries being required to transfer vehicles and the other options available.
- 10:08:35 Rep. Olsen asked a follow up question regarding using the REAL ID as proof in renewing new driver's licenses.

AUTONOMOUS VEHICLES - Xantha Bruso, Policy Manager, California AAA (**Exhibit 4**)

- 10:10:53 Ms. Bruso began her overview of AAA and autonomous vehicles.

Public comment

- 10:27:46 none

Committee questions

- 10:27:51 Sen. Sands asked Ms. Bruso about insurance regulation and where she saw that heading in the future regarding these new technologies.
- 10:29:53 Rep. Loge asked Spook Stang, Executive Vice President of the Motor Carriers of Montana, if the trucking industry was proactively getting involved in testing and what's to come with these changes.
- 10:32:28 Rep. Olsen asked about the issues facing the trucking industry and automated platooning trucks versus potential rail traffic.
- 10:34:22 Rep. Olsen asked a follow up question regarding the trucking industry and the amount of drivers, driver safety etc. in regards to automated vehicles.
- 10:36:09 Sen. Boland asked about platooning and the use of WiFi and GPS.
- 10:37:27 Sen. Boland asked a follow up question regarding platooning vehicles and what regulations there would be.

2010 MONTANA STATE RAIL PLAN - Carol Strizich, Multi-model Planning Bureau Chief at the Montana Department of Transportation, MDT (**Exhibit 5**)

- 10:39:26 Ms. Strizich began her review of the "Montana Rail Planning" handout. (**Exhibit 6**)

Committee questions

- 10:54:33 Rep. Olsen asked if the MDT had an active planning committee to implement the state rail plans.

Public comment

- 10:56:20 Dave Strohmaier, Chairman on the Missoula Board of County Commissioners
- 10:58:58 Paul Pacini, Helena resident (**Exhibit 7**)
- 11:04:54 Patricia Grabow, President of the Livingston Downtown Building Owner and Business Association (**Exhibit 8**)

Committee discussion

11:08:22 Rep. Olsen reviewed the "Montana Rail Link", the "Rail Passengers Association", and the "Montana Department of Transportation" handouts. [\(Exhibit 9\)](#) [\(Exhibit 10\)](#) [\(Exhibit 11\)](#)

Committee questions

11:14:46 Sen. Sands asked what the most recent history of the risk to the funding of the Amtrak line was and what actions the department had taken to support that line.

11:15:59 Sen. Sands asked a follow up question regarding whether the state had any money in support of the Amtrak line from the MDT.

ADMINISTRATIVE RULE REVIEW - Joseph Carroll, Legislative Services Division staff attorney

11:17:08 Mr. Carroll began his overview of the "REAL ID Rules" handout and the rule reviews. [\(Exhibit 12\)](#) [\(Exhibit 13\)](#)

Committee questions

11:19:29 Sen. Sands asked why there was no public hearing held on the MAR Notice No.: 18-176 from the Motor Vehicle Division.

11:19:55 Sen. Sands asked a follow up question regarding whether there were any public comments submitted.

11:20:11 Sen. Vance asked Mr. Carroll who "they" was, in deciding whether there would be a public hearing.

Committee discussion

11:20:50 Sen. Sands discussed the scope of the authority of interim committees.

11:22:23 Rep. Loge stated if committee members felt a bill didn't go far enough this committee would be a good place to discuss that.

Committee questions

11:25:32 Rep. Loge asked if there was a fee attached for an encroachment permit.

Committee discussion

11:28:15 Sen. Sands discussed broad rule making authority and what the justification was on the fee.

INTRODUCTION TO HB 715 MONTANA'S CHANGING ECONOMY - Joe Triem, Legislative

Fiscal Division

11:30:24 Mr. Triem began his presentation on the LFC's HB 715 handout. [\(Exhibit 14\)](#)

Committee questions

11:39:47 Sen. Sands asked if the LFD was collecting information specifically related to transportation issues that the committee would be able to be briefed on at a future meeting.

11:41:46 Sen. Sands asked a follow up question regarding whether the division was projecting the tax on gas to come in at relatively the same amount or would the committee need to consider raising funding to cover the basic expenses and other related costs.

- 11:42:19 Rep. Loge asked Mr. Triem about information regarding the future infrastructure of highways, bridges and airports as that fits into the income as well.
- 11:43:15 Sen. Vance asked if the information to be covered by the LFD during the January 13th - 17th legislative week meetings would be available for the committee or published at a later time.

LUNCH

11:48:45 (Reconvened at 13:01:26)

ADMINISTRATIVE MATTERS

- 13:01:47 Sen. Vance began the overview of the potential work plan for the TIC starting with SJR 28: Study Traffic Safety Systems and Policies. **(Exhibit 15)**

Committee discussion on SJR 28

- 13:03:09 Rep. Olsen stated she was understanding the committee was going to be given a report on what was done in each subject between the last meeting and this one before discussion on the work plan was to begin.
- 13:03:42 Sen. Sands stated because Ms. Nowakowski was not present at this current meeting it would be in the committees best interest to not lock down an agenda.
- 13:05:00 Rep. Olsen stated discussing all the options together instead of one at a time and then deciding.
- 13:05:16 Sen. Vance stated the committee proceeds one at a time as decisions are made after each study option.
- 13:05:53 Sen. Sands suggested Option B .30 FTE on this issue.
- 13:06:21 Sen. Vance stated waiting after the DOT had their two day conference to see what information came about before the committee allot time for this study.
- 13:07:28 Sen. Sands asked which committee members were planning on attending the DOT conference.

Motion

- 13:09:03 Sen. Sands made the motion to adopt Option B, .30 FTE, for SJ 28.

Vote

- 13:09:46 Motion to adopt Option B for SJ 28 has passed 8-0 on a voice vote. **(Attachment 3)**
- 19:09:53 Sen. Vance continued the discussion on the work plan and began the overview of HJ 34: Study Passenger Transportation.
- 13:11:56 Rep. Olsen began her presentation on HJ 34.

Substitute motion

- 13:24:37 Sen. Sands made a substitute motion to adopt Option D, no action.

Committee discussion

- 13:26:37 Rep. Loge stated he agreed the committee was dealing with private property regarding rail lines and service, and it was out of their authority.

13:27:33 Rep. Olsen stated she had spoken to Rail Link and the rails were viable for passenger use.

Motion

13:30:35 Question was called to make the motion to adopt Option D on HJ 34: Study Passenger Transportation.

Vote

13:30:37 Motion passed 6-2 on a voice vote. **(Attachment 4)**

13:31:11 Sen. Vance continued the discussion on the work plan and began the overview of HJ 45: Study Bicycle and Pedestrian Paths.

13:31:21 Rep. Loge began his presentation on HJ 45, recommending Option B .25 FTE.

Committee discussion

13:32:22 Sen. Sands stated numerous issues involved with this study and agreed with Option B.

13:33:09 Sen. Boland stated wanting to see the possible use of the bike and pedestrian paths for the electric bikes and scooters added into this study as well.

13:33:49 Rep. Loge agreed safety concerns need to be addressed as well as use.

Motion

13:34:38 Sen. Vance made a motion to adopt Option B on HJ 45.

Vote

13:34:40 Motion to adopt Option B on HJ 45 passed 8-0 on a voice vote. **(Attachment 5)**

13:34:58 Sen. Vance discussed monitoring MDT and DOJ Motor Vehicle Activities, combining the two and suggesting Option B.

13:36:19 Rep. Loge suggested combining road construction in Montana into that as well.

Motion

13:37:38 Sen. Vance moved to adopt Option B for both monitoring MDT activities, monitoring DOJ MVD activities, and adding road construction in Montana.

Vote

13:39:48 Motion to adopt work plan as previously stated passed 8-0 on a voice vote. **(Attachment 6)**

Motion

13:39:43 Sen. Vance moved to adopt the work plan with the above actions.

Committee discussion

13:39:46 Sen. Sands seconded the motion to adopt the work plan with the above actions.

Vote

13:41:04 Motion to adopt the work plan with the above actions has passed 7-1 on a voice vote. ([Attachment 7](#))

OTHER BUSINESS

13:41:09 Sen. Boland gave an overview of "Electric Vehicles: Scooters, bikes, and cars". ([Exhibit 16](#))

Committee discussion on other matters

13:43:41 Sen. Sands
13:44:22 Sen. Vance
13:45:02 Sen. Sands
13:46:49 Sen. Vance
13:46:59 Sen. Welborn
13:47:45 Sen. Boland
13:48:08 Sen. Welborn
13:49:30 Sen. Boland
13:50:00 Joe Kolman
13:50:35 Sen. Vance
13:51:00 Sen. Sands
13:51:33 Sen. Vance
13:53:30 Sen. Welborn
13:53:42 Sen. Sands
13:54:46 Joe Kolman
13:55:37 Sen. Sands
14:02:15 Rep. Olsen
14:06:41 Sen. Welborn
14:07:40 Sen. Sands
14:10:30 Joe Carroll
14:10:41 Joe Kolman

PUBLIC COMMENT ON MATTERS WITHIN TIC JURISDICTION NOT ON AGENDA

14:11:44 none

ADJOURN

14:12:02 Sen. Vance adjourned the meeting at 2:12 p.m.