



## EXECUTIVE COMMITTEE AGENDA ITEM III-A

Date: February 04, 2020

**EXECUTIVE COMMITTEE MEETING  
JANUARY 14, 2020  
COMPASS, 2<sup>ND</sup> FLOOR LARGE CONFERENCE ROOM  
MERIDIAN, IDAHO**

**\*\*MINUTES\*\***

**ATTENDEES:** Sara Baker, Commissioner, Ada County Highway District  
Elaine Clegg, Councilmember, City of Boise, **Chair**  
Debbie Kling, Mayor, City of Nampa, **Secretary-Treasurer**, via telephone  
Kendra Kenyon, Commissioner, Ada County  
Garret Nancolas, Mayor, City of Caldwell  
Steve Rule, Mayor, City of Middleton  
Robert Simison, Mayor, City of Meridian  
Joe Stear, Mayor, City of Kuna, **Vice Chair**

**MEMBERS ABSENT:** Tom Dale, Commissioner, Canyon County  
Jay Gibbons, Commissioner, Canyon Highway District #4  
Jason Pierce, Mayor, City of Eagle

**OTHERS PRESENT:** Morgan Andrus, Community Planning Association  
Ken Burgess, Veritas Advisors  
Trevor Chadwick, Mayor, City of Star  
Liisa Itkonen, Community Planning Association  
Meg Larsen, Community Planning Association  
Amy Luft, Community Planning Association  
Mary May, Commissioner, Ada County Highway District  
Matt Stoll, Executive Director, Community Planning Association  
Toni Tisdale, Community Planning Association  
Dave Wallace, Ada County Highway District

**CALL TO ORDER:**

Chair Elaine Clegg called the meeting to order at 1:30 p.m.

**OPEN DISCUSSION/ANNOUNCEMENTS**

General announcements were made.

## **CONSENT AGENDA**

### **A. Approve November 12, 2019, Executive Committee Meeting Minutes**

Sara Baker moved and Joe Stear seconded approval of the Consent Agenda as presented. Motion passed unanimously.

## **ACTION ITEMS**

### **A. Establish February 24, 2020, COMPASS Board Meeting Agenda**

Matt Stoll presented staff proposed Agenda Items 1-14 for the February 24, 2020, COMPASS Board of Directors' meeting. Matt requested the latitude to amend the agenda as necessary.

After discussion, **Garret Nancolas moved and Kendra Kenyon seconded approval of Agenda Items 1-14 for the February 24, 2020, COMPASS Board of Directors' meeting as presented. Matt Stoll has the latitude to amend the agenda as necessary. Motion passed unanimously.**

### **B. Adopt Resolution 05-2020 Amending the Transportation Improvement Program (TIP)**

Toni Tisdale presented Resolution 05-2020 amending the FY2020-2026 TIP to add two bridge projects, two federal lands access projects, and six locally funded regionally significant projects; as well as to advance five projects, delay one project and increase funding for two projects.

After discussion, **Garret Nancolas moved and Joe Stear seconded adoption of Resolution 05-2020 amending the FY2020-2026 Transportation Improvement Program as presented. Motion passed unanimously.**

## **INFORMATION/DISCUSSION ITEMS**

### **A. Status Report - 2020 Idaho Legislative Session**

Ken Burgess provided a status report on the 2020 Idaho legislative session.

### **B. Status Report - Federal Grant Applications**

Matt Stoll provided a status report on federal grant applications, noting that the "Notice of Funding Opportunity" for the 2020 federal INFRA (Infrastructure for Rebuilding America) grant was released on January 13, 2020.

### **C. Status Report - Regional Transportation Advisory Committee – Memo Only**

## **ADJOURNMENT**

Chair Elaine Clegg adjourned the meeting at 2:41 p.m.

Approved this 4th day of February 2020.

By: \_\_\_\_\_  
Elaine Clegg, Chair  
Community Planning Association of  
Southwest Idaho

Attest:

By: \_\_\_\_\_  
Matthew J. Stoll, Executive Director  
Community Planning Association of  
Southwest Idaho

LEGISLATURE OF THE STATE OF IDAHO  
Sixty-fifth Legislature Second Regular Session - 2020

IN THE SENATE

SENATE BILL NO. 1250

BY TRANSPORTATION COMMITTEE

AN ACT

1 RELATING TO MOTOR VEHICLES; REPEALING SECTION 49-1401A, IDAHO CODE, RELAT-  
2 ING TO TEXTING WHILE DRIVING; AND AMENDING CHAPTER 14, TITLE 49, IDAHO  
3 CODE, BY THE ADDITION OF A NEW SECTION 49-1401A, IDAHO CODE, TO DEFINE  
4 TERMS, TO PROHIBIT PERSONS FROM OPERATING A MOTOR VEHICLE WHILE USING  
5 A MOBILE ELECTRONIC DEVICE, TO PROVIDE EXCEPTIONS, TO PROHIBIT PERSONS  
6 FROM OPERATING A MOTOR VEHICLE WHILE WEARING EARPHONES, TO PROHIBIT  
7 PERSONS FROM OPERATING A MOTOR VEHICLE WHILE WATCHING CERTAIN MOTION  
8 UPON THE SCREEN OF A MOBILE ELECTRONIC DEVICE, TO PROVIDE PENALTIES, TO  
9 PROVIDE THAT NOTHING IN THIS SECTION SHALL BE USED TO AUTHORIZE SEIZURE  
10 OF A MOBILE ELECTRONIC DEVICE, TO PROVIDE THAT A VIOLATION MAY BE THE  
11 PRIMARY OR SOLE REASON FOR A TRAFFIC STOP OR CITATION, TO PROVIDE THAT  
12 THE STATE PREEMPTS THE FIELD OF REGULATING THE USE OF MOBILE ELECTRONIC  
13 DEVICES IN MOTOR VEHICLES WHILE DRIVING, AND TO PROVIDE EFFECTIVE  
14 DATES.  
15

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

17 SECTION 1. That Section 49-1401A, Idaho Code, be, and the same is hereby  
18 repealed.

19 SECTION 2. That Chapter 14, Title 49, Idaho Code, be, and the same is  
20 hereby amended by the addition thereto of a NEW SECTION, to be known and des-  
21 ignated as Section 49-1401A, Idaho Code, and to read as follows:

22 49-1401A. DISTRACTED DRIVING. (1) As used in this section:

23 (a) "Mobile electronic device" means a cellular telephone; broadband  
24 personal communication device; two-way messaging device; text mes-  
25 saging device; pager; personal digital assistant; laptop computer;  
26 computer tablet; stand-alone computer; portable computing device;  
27 mobile device with a touchscreen display that is designed to be worn;  
28 electronic games; equipment that is capable of playing a video or  
29 recording or transmitting video; or any similar electronic device that  
30 is used to initiate, receive, or display communication or information.  
31 "Mobile electronic device" does not include a radio designed for the  
32 citizens band radio service or the amateur radio service of the federal  
33 communications commission or a commercial two-way radio communica-  
34 tions device, an information or communication system installed within  
35 a vehicle, a subscription-based emergency communication device, or a  
36 prescribed medical device.

37 (b) "Operate" means to drive or assume physical control of a motor ve-  
38 hicle upon a public way, street, road, or highway, including while tem-  
39 porarily stationary because of traffic, a traffic control device, or  
40 other momentary delays. "Operate" does not include a motor vehicle that  
41 is lawfully parked or that has pulled to the side of or off the road at

1 a location where it is legal to do so and where the vehicle remains sta-  
2 tionary.

3 (2) Except as provided in this subsection, a person shall not operate a  
4 motor vehicle while using a mobile electronic device. The provisions of this  
5 subsection shall not apply to:

6 (a) A law enforcement officer, firefighter, emergency medical techni-  
7 cian, paramedic, operator of an authorized emergency vehicle, or sim-  
8 ilarly engaged paid or volunteer public safety first responder during  
9 the performance of that person's official duties, and a public utility  
10 employee or contractor acting within the scope of that person's employ-  
11 ment when responding to a public utility emergency;

12 (b) The use of a mobile electronic device for emergency purposes, in-  
13 cluding a text messaging device to contact a 911 system; an emergency  
14 call to a law enforcement agency, health care provider, fire depart-  
15 ment, or other emergency services agency or entity; reporting a fire,  
16 traffic accident, serious road hazard, or medical or hazardous mate-  
17 rials emergency to appropriate authorities; reporting the operator of  
18 another motor vehicle who is driving in a reckless or otherwise unsafe  
19 manner or who appears to be driving under the influence of alcohol or  
20 drugs; or reporting a crime;

21 (c) The use of a global positioning or navigation system feature of a  
22 mobile electronic device, provided that the operator of the vehicle is  
23 not manually entering information into the global positioning or navi-  
24 gation system feature of the device;

25 (d) The selection of a telephone number or name for the purpose of mak-  
26 ing or receiving a telephone call, provided that the action is performed  
27 through one-touch access or by voice command;

28 (e) The use of a mobile electronic device in a voice-operated or hands-  
29 free mode if the operator of the motor vehicle does not use his hands  
30 to operate the device, except through one-touch activation or deactiva-  
31 tion of a feature or function of the device; or

32 (f) The use of a mobile electronic device by a governmental or commer-  
33 cial user during the performance of that person's official duties, as  
34 long as the mobile electronic device is being used in a similar manner as  
35 a commercial two-way radio communication device.

36 (3) No person shall operate a motor vehicle while wearing headphones  
37 or earphones in both ears simultaneously for the purpose of listening to mu-  
38 sic, video, or other sound broadcasts. This section shall not apply to the  
39 use of a medical device for the purpose of enhancing hearing or to the use of  
40 built-in speakers of helmeted riders.

41 (4) No person shall operate a motor vehicle while watching motion upon  
42 the screen of a mobile electronic device, other than motion related to the  
43 functioning or navigation of the vehicle.

44 (5) A violation of this section shall be a moving violation and shall  
45 be an infraction punishable by a fine of seventy-five dollars (\$75.00) for  
46 a first offense and one hundred fifty dollars (\$150) for a second offense  
47 within a three (3) year period. For each subsequent offense within a three  
48 (3) year period, the offender shall be punished by a fine of three hundred  
49 dollars (\$300).

1 (6) A court may suspend a person's driver's license for up to ninety  
2 (90) days if the person has three (3) or more convictions for violations of  
3 this section within a three (3) year period.

4 (7) Nothing contained in this section shall be construed to authorize  
5 seizure of a mobile electronic device by any law enforcement agency.

6 (8) A conviction under this section for a first offense shall not result  
7 in violation point counts as prescribed in section 49-326, Idaho Code.

8 (9) A conviction under this section for a first offense that does not  
9 involve an accident may not be used to make an adverse eligibility decision  
10 by an insurer or for the purpose of establishing rates of motor vehicle in-  
11 surance charged by an insurer.

12 (10) A law enforcement officer enforcing the provisions of this section  
13 is hereby authorized to utilize a violation of this section as the primary or  
14 sole reason for initiating a traffic stop or issuing a citation to a driver.

15 (11) The state preempts the field of regulating the use of mobile elec-  
16 tronic devices in motor vehicles while driving, and this section supersedes  
17 any local laws, ordinances, orders, rules, or regulations enacted by any po-  
18 litical subdivision or municipality to regulate the use of a mobile elec-  
19 tronic device by the operator of a motor vehicle.

20 (12) This section shall be effective July 1, 2020, provided that only  
21 warnings and no infractions shall be issued under this section prior to Jan-  
22 uary 1, 2021.



## STATEMENT OF PURPOSE

RS27387 / S1250

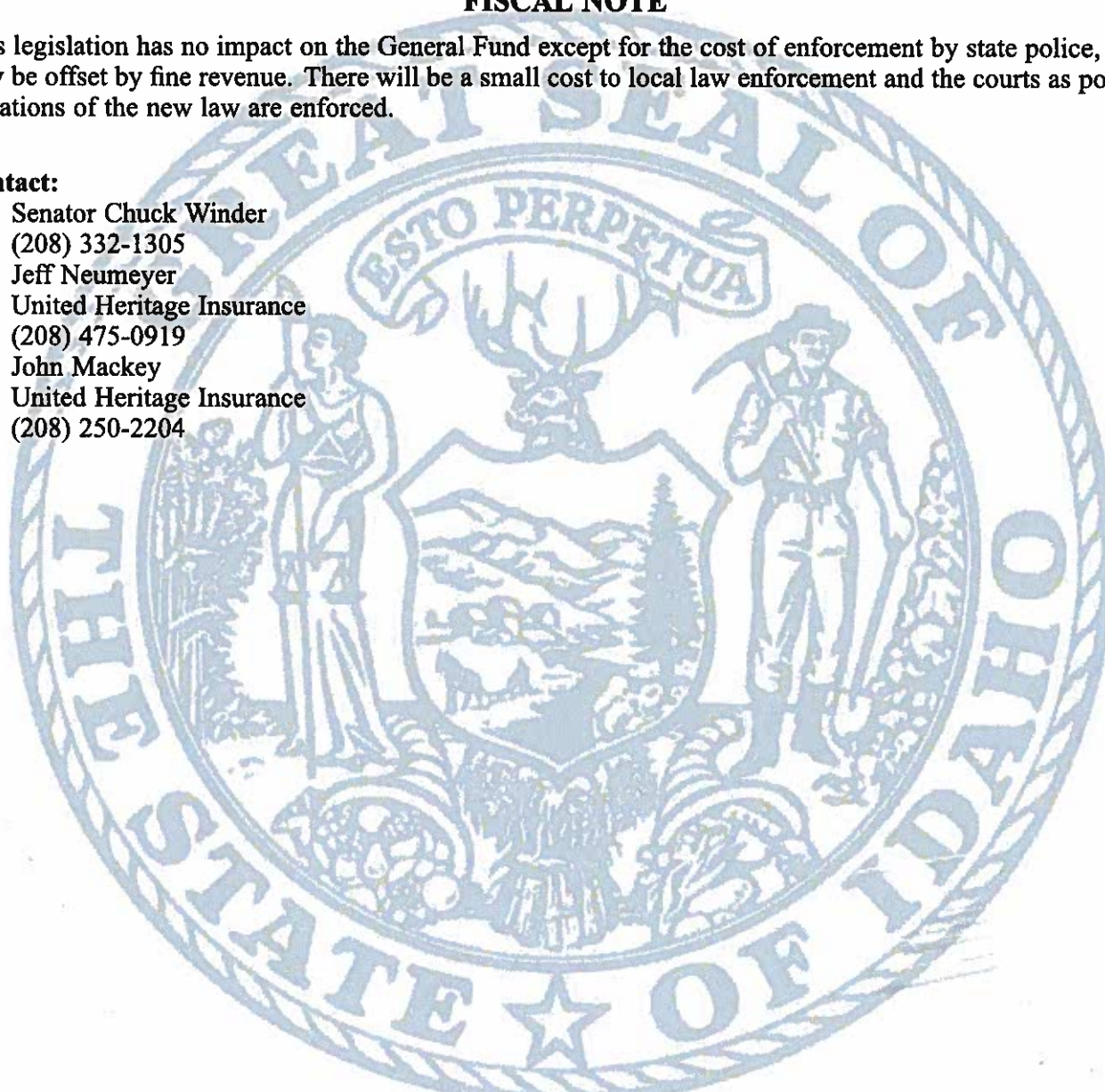
The purpose of this legislation is to treat the use of certain electronic devices behind-the-wheel as an infraction. The bill addresses safety concerns associated with a significant portion of distracted driving crashes. The legislation defines enforcement and retains conditions under which electronic device communications would be allowed. This legislation also addresses the problem of having a growing patchwork of local ordinances.

## FISCAL NOTE

This legislation has no impact on the General Fund except for the cost of enforcement by state police, which may be offset by fine revenue. There will be a small cost to local law enforcement and the courts as potential violations of the new law are enforced.

### Contact:

Senator Chuck Winder  
(208) 332-1305  
Jeff Neumeyer  
United Heritage Insurance  
(208) 475-0919  
John Mackey  
United Heritage Insurance  
(208) 250-2204



**DISCLAIMER:** This statement of purpose and fiscal note are a mere attachment to this bill and prepared by a proponent of the bill. It is neither intended as an expression of legislative intent nor intended for any use outside of the legislative process, including judicial review (Joint Rule 18).



**LEGISLATURE OF THE STATE OF IDAHO**

**Sixty-fifth Legislature**

**Second Regular Session - 2020**

**Legislative Co-sponsors**

**RS27387**

Senator Chuck Winder

Senator Bert Brackett

Senator David Nelson

Senator Jim Rice

Senator Cherie Buckner-Webb

## EXECUTIVE COMMITTEE AGENDA ITEM V-B

Date: February 04, 2020

### **Topic: Status Report - Regional Transportation Advisory Committee (RTAC)**

#### **Request/Recommendation:**

Information only.

#### **Background/Summary:**

RTAC Bylaws state that the RTAC Chair will submit a monthly status report on RTAC activities to the COMPASS Executive Committee. Below is an outline of agenda items and actions from the January 22, 2020, meeting.

#### **Announcement**

COMPASS staff announced a save-the-date for the Tools of the Trade Conference, August 26-28, 2020, at the Riverside Hotel in Garden City. Due to the conference, the August RTAC meeting will be on August 19, 2020.

#### **ACTION ITEMS**

##### **Chair and Vice Chair**

RTAC elected Maureen Gresham, Ada County Highway District (ACHD) Commuteride, as Chair and Lenny Riccio, Canyon Highway District No.4, as Vice Chair.

##### **Extension of Delivery Deadlines on Local Federal-Aid Projects**

RTAC recommended COMPASS Board of Directors' approval to extend the March 1 obligation deadline to June 1, 2020, for a City of Eagle project to construct a pedestrian bridge over the north channel of the Boise River. The deadline extension will be brought to the COMPASS Board of Directors for action in its February 24, 2020, meeting.

##### **Transportation Management Area (TMA) Balancing**

RTAC approved an action to balance the Surface Transportation Program - Transportation Management Area (STP-TMA) to move \$110,000 from an ACHD project on US 20/26 (Locust Grove Road to State Highway 55) to an ACHD intersection project at State Street and Collister Drive.

#### **INFORMATION ITEMS**

##### **Exploratory Planning Survey Detailed Findings and "What If" Scenario Values**

COMPASS staff reviewed detailed findings of the first exploratory planning public survey for *Communities in Motion 2050* and how those findings will feed into the second survey; engaged in an exercise to prioritize regional values to include in the second survey.

##### ***Communities in Motion 2040 2.0 (CIM 2040 2.0) Updates***

COMPASS staff provided the 2019 factual updates on changes to costs and descriptions of funded projects and unfunded priorities in *Communities in Motion 2040 2.0*. This information will be updated in the [online plan](#).

**More Information:**

- 1) Contact Liisa Itkonen, COMPASS Principal Planner, at (208) 475-2241 or [litkonen@compassidaho.org](mailto:litkonen@compassidaho.org) or Maureen Gresham, ACHD Commuteride Manager, at (208) 387-6163 or [mgresham@achdidaho.org](mailto:mgresham@achdidaho.org).

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