

## Idaho Transportation Board

### 129,000 Pound Truck Route Subcommittee

March 23, 2016

Idaho Transportation Board (ITB) 129,000 Pound Truck Route Subcommittee Chairman Jim Kempton called the meeting to order at 4:15 PM on Wednesday, March 23 in Grangeville, Idaho. ITB Vice Chairman Jim Coleman and Members Jan Vassar and Dwight Horsch were present. ITB Chairman Jerry Whitehead and Member Lee Gagner were also in attendance; however, only as observers.

Principal Subcommittee staff members and advisors in attendance included Chief Engineer Kimbol Allen, Highway Safety Manager John Tomlinson, Freight Program Manager Jeff Marker, Public Involvement Coordinator Adam Rush, Motor Carrier Services Manager Reymundo Rodriguez, District 2 Engineer Dave Kuisti, Executive Assistant to the Board Sue Higgins, Idaho State Police Captain Tim Horn, and Local Highway Technical Assistance Council Administrator Jeff Miles.

Deputy Attorney General Larry Allen participated via video conference from ITD Headquarters in Boise.

January 19, 2016 Meeting Minutes. Chairman Kempton noted that the minutes of the January 19, 2016 meeting were distributed earlier, and, upon concurrence of the Subcommittee, were finalized and posted on the website. Without objection, those minutes will stand.

Delegation. Chairman Kempton said a delegation asked to address the Subcommittee on the pending District 2 route requests. Because there was a specified public comment period earlier on the subject routes, the delegation's comments will not be considered testimony, especially on SH-13 which is on the meeting agenda.

Wally Burchak, KBC Transport, believes SH-162 and Old Highway 7 are a safer option for 129,000 pound vehicles than SH-13. He discussed this option with the three highway districts that have jurisdiction of Old Highway 7 and those local public agencies support relinquishing the road back to the state. The local entities do not have sufficient funding to take care of the route. They also have concerns with spring thaw, resulting in restricting weight limits. Mr. Burchak prefers SH-162 because it has better sight distance and overall, wider shoulders. He noted that neither route has passing lanes; however, he believes there are more opportunities for cars to safely pass trucks on SH-162. He emphasized that he is not opposed to 129,000 pound vehicles, but he wants to ensure it is safe.

Jeremy Chou, Givens Pursley LLP, representing Mr. Burchak, believes the state assuming jurisdiction of Old Highway 7 and designating that route and SH-162 for 129,000 pound vehicles is a good compromise. He acknowledged that the engineers have specific criteria to follow when

analyzing routes for 129,000 pound vehicles; however, he believes the Board has flexibility and needs to take other issues into consideration.

Chairman Kempton believes a number of local highway jurisdictions would like to relinquish roads to the state, so assuming jurisdiction of Old Highway 7 may set a precedent. The Department's limited funding and many needs throughout the state is also a consideration when deliberating adding miles to the state system. He recommended sending the proposal to the Board Subcommittee on State Highway System Adjustments and encouraged the delegation to submit a formal request to ITD. He thanked Messrs. Burchak and Chou for their comments and said the Subcommittee will take them under advisement.

Case #201511: SH-13, Milepost (MP) 0.0 to 26.39. Chairman Kempton summarized the January 19 meeting when the Subcommittee voted 2-2 on the question to approve the SH-13 route request. That action did not kill the request. According to the Subcommittee's Manual, the Subcommittee can hold the route request for additional information, or recommend the Board deny the request, approve the request, or proceed to a formal hearing. He believes conducting a formal hearing in accordance with the Administrative Procedures Act is the best option. All of the issues will be considered.

Member Vassar made a motion to recommend to the Board to proceed with a formal IDAPA hearing for the SH-13 129,000 pound truck route request. Member Coleman seconded the motion.

Member Coleman asked for clarification that the motion only impacts SH-13. Chairman Kempton concurred; however, he added that issues identified during the formal hearing may be applicable to other routes. He also mentioned that negotiated rule-making will commence soon due to the recently-approved legislation allowing 129,000 pound vehicles on Idaho's federal interstate system.

The motion passed unanimously.

Member Vassar asked about the status of the SH-162 route request. Mr. Miles said the application has been completed and re-submitted to ITD.

The meeting adjourned at 5:15 PM.

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signed  
Respectfully submitted by:  
SUE S. HIGGINS  
Executive Assistant & Secretary  
Idaho Transportation Board