

**FWAA - Idaho  
2017 Legislative Session Tracker**

<b>BILL #</b>	<b>BILL TITLE</b>	<b>STATUS</b>	<b>CATEGORY</b>	<b>DESCRIPTION</b>	<b>UPDATE</b>	<b>POSITION</b>
58-0101-1602	Rule for Control of Air Pollution in Idaho	Adopted	Environment	Deletes Sec. 582. Section was temporary for non-attainment issue in Ada County in the 90s. Now out of date and no longer applies because DEQ has approved maintenance plan since 2003.	Adopted in Senate 1/17	Monitor
58-0101-1603	Clean Air Act - Rule Update incorporated by reference	Adopted	Environment	46 revisions/changes. Highlighted: The national ambient air quality standard for ozone, reduced from 75 to 70 parts per billion; and, updates to DEQ's permit program. Power plants – EPA promulgated two rules to control carbon dioxide emission from power plants, for new facilities and existing facilities. Phosphate fertilizer plants – new requirements for monitoring mercury and floride, record keeping and updates to emission requirements for certain processes within the facilities. Oil and natural gas wells will now have methane as a regulated pollutant.	Adopted in Senate 1/17	Monitor
39-0312-1601	Safety Requiriements of Overlegal Permits	Adopted House	Transportation	Rule identifies a requirement for owner inspections in compliance with 49 CFR 396.17 and 396.19. Drivers are to meet all special training requirements for longer combination vehicles. Additionally, brakes shall meet the Federal Motor Carrier Safety Administration Regulations and shall be maintained to the Federal Motor Vehicle Safety Standards No. 121 in effect at the time the commercial motor vehicle was manufactured. No vehicle or vehicle combinations shall operate with mixed brake systems between tractor and trailers. Previously this only referenced interstate travel, with this rule it will additionally reference intrastate travel to promote highway safety.	Adopted House Transportation 1/20.	Monitor
39-0315-1601	Excess Weight Permits for Reucible Loads (129K trucks)	Adopted House	Transportation	Addresses truck permitting and 129,000 pound commercial motor vehicles (129K trucks) on the state's Interstate system due to passage of SB1229 (2016). The rule proposes to establish a statewide permitting system. Currently the permit system operates under an ad hoc style with 228 jurisdictions. The ITD has thought about a statewide permitting system for a while and believes it would promote intrastate surface transportation safety, intermodal commerce, law enforcement efficiencies and reduced administrative costs to local highway jurisdictions. Commercial vehicle combinations in excess of eighty thousand (80,000) pounds will be permitted by the ITD's Division of Motor Vehicles on local highways when a local highway jurisdiction authority has agreed to participate in the Department's permitting process.	Adopted House Transportation 1/20.	Monitor

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39-0322-1601	Overlegal Permits	Adopted House	Transportation	Address commercial motor vehicle brakes. Specifically, that the brakes on all commercial motor vehicles must meet and be maintained to the Federal Motor Vehicle Safety Standards No. 121 in effect at the time the commercial motor vehicle was manufactured. Essentially, no vehicle or vehicle combinations shall operate with mixed brake systems between tractor and trailers. In addition black coded routes will be indicated as so on interstates for industry.	Adopted House 1/20	Monitor
39-0323-1601	Revocation of Overlegal Permits	Adopted House	Transportation	Addresses a new instance in which a permit can be revoked. Specifically, revocation of a permit for non-compliance if the motor carrier has violated an Out-of-Service order by the Federal Motor Carrier Safety Administration (FMCSA). These are for more extreme cases, when a driver is avoiding requirements and has a serious historical record of doing so. This would not be implemented on drivers with a more minor violation such as a broken tail light.	Adopted House 1/20	Monitor
11-1301-1603	Motor Carrier - Electronic Logging Device	Adopted Senate	Transportation	With some exceptions all motor carriers and drivers, who are currently required to complete paper logs to document record of duty status (RODS) to comply with 49 CFR 395, will be required to use ELD's (Electronic Logging Devices) no later than December 18, 2017. However, the final federal rule exempts several sectors: Drivers who use paper RODS for not more that 8 days during any 30 day period; Drivers who conduct driveaway-towaway operations, where the vehicle being driven is the commodity being delivered; Drivers of vehicles manufactured before model year 2000. These exempted drivers must still document RODS using either paper logs or ELD's. Idaho is required to adopt this regulation by reference to maintain compliance with Federal Motor Carrier Safety Administration (FMCSA) and remain eligible for grant and highway funds.	Adopted Senate 1/19	Monitor
HR1	Idaho Admin Procedure Act	Passed House	State Govt	The purpose of this legislation is to amend the Administrative Procedures Act to reflect the language in HJR5 defining the term "in whole or in part." Adding an emergency clause.	Passed House 1/19 68-0-2	Support

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S1009	IDEQ Crop Residue Burning	Printed in Senate	Environment	DEQ is proposing an increase to the ozone evaluation threshold from 75% to 90%. To account for the time needed to obtain EPA approval for this change, it will be implemented in two stages. For the 2017 burn season, the ozone threshold will remain at the current level or 75% of the 2008 ozone standard. On February 28, 2018, which is the expected date of EPA approval of Idaho's state implementation plan which identifies the change, the 90% threshold of the 2015 ozone standard will become effective. The new threshold will continue to be protective of Idaho's air quality but will also preserve growers' ability to burn crop residue on good burn days when using smoke management best practices.	Printed Senate Health & Welfare	Monitor