

SUMMARY *of* PROCEEDINGS



JOINT TRANSPORTATION, HIGHWAYS & MILITARY AFFAIRS COMMITTEE

COMMITTEE MEETING INFORMATION

November 2, 2022 | 8:00 AM and November 3, 2022 | 7:30 AM
Wyoming State Capitol, W113
200 West 24th Street
Cheyenne, Wyoming

COMMITTEE MEMBERS PRESENT

Senator Bill Landen, Co-chairman
Representative Donald Burkhart, Jr, Co-chairman
Senator Jim Anderson
Senator Dan Furphy
Senator Troy McKeown
Senator Stephan Pappas
Representative Mark Baker
Representative Marshall Burt
Representative Bill Henderson
Representative Joe MacGuire
Representative Jerry Obermueller
Representative Kevin O'Hearn
Representative John Romero-Martinez
Representative Clarence Styvar

LEGISLATIVE SERVICE OFFICE STAFF

Heather Jarvis, Staff Attorney
Heather Hunter, Legislative Editor

OTHERS PRESENT AT MEETING

Please refer to **(Appendix 1-02)** to review the Committee Sign-in Sheet for a list of other individuals who attended the meeting.

The Committee Meeting Summary of Proceedings (meeting minutes) is prepared by the Legislative Service Office (LSO) and is the official record of the proceedings of a legislative committee meeting. This document does not represent a transcript of the meeting; it is a digest of the meeting and provides a record of official actions taken by the Committee. All meeting materials and handouts provided to the Committee by the Legislative Service Office, public officials, lobbyists, and the public are on file at the Legislative Service Office and are part of the official record of the meeting. An index of these materials is provided at the end of this document and these materials are on file at the Legislative Service Office. For more information or to review meeting materials, please contact the Legislative Service Office at (307) 777-7881 or by e-mail at lso@wyoleg.gov. The Summary of Proceedings for each legislative committee meeting can be found on the Wyoming Legislature's website at www.wyoleg.gov.

EXECUTIVE SUMMARY

The Joint Transportation, Highways and Military Affairs Interim Committee met for two days in Cheyenne. The Committee received information from the Wyoming Military Department (WYMD) on matters of troop deployment, military projects, program updates, closing of the Wyoming Cowboy Challenge Academy, and the annual report on sexual harassment. The Committee also heard testimony from the Wyoming Department of Transportation (WYDOT) on matters including Interstate 80, traffic congestion, crosswalks and other safety matters, towing, using highway rights-of-way, driver's license photos, high occupancy vehicle lanes, funding WyoLink, and advanced transportation concepts. With WYDOT, the Department of Administration and Information discussed trooper and dispatcher compensation, the Department of Enterprise Technology Services discussed Transportation Information System developments, the Wyoming Retirement System discussed retiring and rehiring peace officers, and the Department of State Parks and Cultural Resources discussed off-road trails. The meeting can be viewed on the Wyoming Legislature's YouTube page – Joint Transportation, Highways and Military Affairs, November 2, 2022 **(AM)**, **(PM)**; November 3, 2022 **(AM)**, **(AM-2)**, **(PM)**.

The Committee voted to sponsor the following bills:

- 23LSO-0005.5, as amended, Wyoming national guard member referrals
- 23LSO-0006.4 Wyoming national guard medical insurance premiums
- 23LSO-0007.6 Wyoming national guard professional malpractice liability
- 23LSO-0020.5 Off-road recreational vehicle operations
- 23LSO-0024.5 Winter road closures
- 23LSO-0025.3 Highway safety-child restraints
- 23LSO-0177.3 Driver's license and ID card photo quality
- 23LSO-0178.3 Rehiring retired peace officers
- 23LSO-0193.4, as amended, Wyoming national guard tuition benefits
- 23LSO-0209.5, as amended, High occupancy vehicle lanes
- 23LSO-0210.7 Wyoming public safety communications trust fund
- 23LSO-0211.5 Wyoming public safety communications funding

CALL TO ORDER (NOVEMBER 2)

Chairman Landen called the meeting to order at 8:00 a.m. The following sections summarize the Committee proceedings by topic. Please refer to **(Appendix 1-01)** to review the Committee Meeting Agenda.

MILITARY DEPARTMENT REPORTS AND UPDATES

Major General Gregory C. Porter, Adjutant General, WYMD, introduced several of his staff and presented opening remarks. He reported regarding Air Guard, Army Guard, Joint Staff deployments, missions, projects and events, numbers of service member vaccinations, and Camp Guernsey projects **(Appendix 2-01)**.

Tim Sheppard, Executive Director, Wyoming Veterans Commission, reported about Wyoming Veterans Commission personnel and support programs, Oregon Trail State Veterans Cemetery upgrades, and events at the Veterans Museum **(Appendix 2-01 at p. 7)**. He provided updates about the Veterans Skilled Nursing Facility (VSNF) in Buffalo, which had its ribbon cutting dedication ceremony on October 20 and is at 98-99% completion **(Appendix 2-01 at pp. 7-9)**.

Franz Fuchs, Chief Policy Analyst and Stefan Johansson, Director, Wyoming Department of Health (WDH), reported on steps necessary before admitting residents to the VSNF for occupancy, including the required Medicare nursing home facility certification, personnel recruitment, and the waitlist for residents (**Appendix 2-01 at pp. 10-11**).

Public Comment

Erica Legerski, Senior Policy Advisor for Budget, Transportation and Military, Governor Gordon's Office, reported that the Governor spoke at the VSNF dedication.

ANNUAL REPORT ON SEXUAL HARASSMENT

Major General Porter, WYMD, discussed the Annual Sexual Harassment and Sexual Assault Report using a slide presentation (**Appendix 3-01**) and referring to the Report (**Appendix 3-02**).

Public Comment

Ms. Legerski reported that the Governor's independent report of the WYMD is nearly complete and will be made public in the near future. She also reported that the Equal Employment Opportunity position through the Department of Workforce Services created in 2022 has been helpful.

Marilyn Burden stated that she is encouraged by all the work that has been done on the federal and state levels to address sexual harassment in the WYMD.

WYOMING COWBOY CHALLENGE ACADEMY

Major General Porter, WYMD, presented the timeline and information regarding the decision to close the Wyoming Cowboy Challenge Academy (**Appendix 4-02**). He also referred to the federal Wyoming Cowboy Challenge Academy Report of Inspection (**Appendix 4-01**).

Senator Brian Boner expressed disappointment in the outcome and how the closing of the Academy has been handled. He asked about staffing and human resources and requirements for a suitable facility. He asked questions about what led to the closure and how to address issues if another program starts up, including if the WYMD is the correct state agency to operate a program for at-risk youth.

Ms. Legerski reported that the Governor authorized actions the WYMD took at several stages of the timeline, authorizing state active duty for National Guard members when it was thought that the Academy would continue until at least December to graduate the cadets in the current program (Class #46), and then concurring in the decision to close the Academy for the safety of the cadets.

Public Comment

Forest Kamminga, father of a cadet in Class #46, testified about the growth his son experienced and discussed his disappointment in the program being closed. He questioned why the class was recruited when so many issues were present.

Committee Action

The Committee requested a letter to the Governor and to Management Council to express the Committee's support for an interim study and task force to determine what to do with that population that had been served by the Academy, to stand the program back up, to discover what went wrong and to consider which are the correct state agencies to operate and be involved with a program for at-risk youth.

STATE SUPPORT FOR RECRUITMENT AND RETENTION

Bill draft review, 23LSO-0005 Wyoming national guard member referral

Heather Jarvis, Staff Attorney, Legislative Service Office (LSO), presented 23LSO-0005.5 Wyoming national guard member referral, which creates a referral incentive program for national guard members ([Appendix 5-01](#)).

Major General Porter and Chris Smith, Senior Counsel, WYMD, discussed the bill draft and how it would be implemented ([Appendix 2-01 at p. 16](#)).

Public Comment

Ms. Burden testified that recruitment efforts must be done together with retention efforts ([Appendix 5-03](#)).

Committee Action

Senator Pappas moved that the Committee sponsor 23LSO-0005.5 in the 2023 Legislative Session. The motion to sponsor the bill, passed on a roll call vote with Representatives Burt and Styvar voting no.

Bill draft review, 23LSO-0193 Wyoming national guard tuition benefits

Ms. Jarvis presented 23LSO-0193.4 Wyoming national guard tuition benefits, which extends existing educational assistance benefits for guard members in exchange for additional service commitment ([Appendix 5-02](#)).

Mr. Smith, WYMD, discussed the bill draft ([Appendix 2-01 at p. 17](#)).

Public Comment

There was no public comment.

Committee Action

Senator Furphy moved that the Committee sponsor 23LSO-0193.4 in the 2023 Legislative Session. The motion to sponsor the bill, as amended, passed unanimously on a roll call vote. The bill draft was amended as follows:

Page 2-after line 2 Insert:

“19-9-502. Definitions.

(a) As used in this article:

(viii) "Dependent" means a dependent enrolled in the defense enrollment eligibility reporting system."

ACTIVE DUTY REFORM, BENEFITS PROVIDED TO SERVICE MEMBERS

Bill draft review, 23LSO-0007 Wyoming national guard professional malpractice liability

Ms. Jarvis presented 23LSO-0007.6 Wyoming national guard professional malpractice liability, which extends the malpractice indemnity to other professionals serving as members of the Wyoming National Guard ([Appendix 6-01](#)).

Mr. Smith, WYMD, discussed his support for the bill draft ([Appendix 2-01 at p. 18](#)).

Public Comment

There was no public comment.

Committee Action

Senator Pappas moved that the Committee sponsor 23LSO-0007.6 in the 2023 Legislative Session. The motion to sponsor the bill passed unanimously on a roll call vote.

Bill draft review, 23LSO-0006 Wyoming national guard medical insurance premiums

Ms. Jarvis presented 23LSO-0006.4 Wyoming national guard medical insurance premiums, which reimburses national guard members while in state active duty for medical insurance premiums (**Appendix 6-02**).

Mr. Smith, WYMD, discussed his support for the bill (**Appendix 2-01 at p. 19**).

Public Comment

There was no public comment.

Committee Action

Representative Burkhardt moved that the Committee sponsor 23LSO-0006.4 in the 2023 Legislative Session. The motion to sponsor the bill passed unanimously on a roll call vote.

TRANSPORTATION REPORTS AND UPDATES**Opening Remarks and Updates**

Luke Reiner, Director, Wyoming Department of Transportation (WYDOT), presented opening remarks that included the reopening of Yellowstone National Park north entrance and the ribbon cutting of the Beartooth Highway. He described the [WYDOT operating budget](#) that was just approved by the Transportation Commission which is spent mostly on roads and bridges and legislative programs. The operating budget is approximately \$855 million, composed of approximately 60% federal money, about 23% highway user fees, and the rest is other funding including federal mineral royalties. (**Appendix 8-01 at pp. 1-4 and 9-10**).

Infrastructure Investment and Jobs Act/Bipartisan Infrastructure Law

Director Reiner, updated on the use of Infrastructure Investment and Jobs Act (IIJA)/Bipartisan Infrastructure Law (BIL) and American Rescue Plan Act (ARPA) funding, the 2023 State Transportation Improvement Program (STIP) plan, agency collaboration for wildlife projects, snowplow season, and statewide maintenance crew vacancies (**Appendix 8-01 at pp. 3 and 11-14**) (**Appendix 8-04**).

Electric Vehicle Infrastructure Updates

Director Reiner, described developments with electric vehicles and the federal approval of Wyoming's National Electric Vehicle Infrastructure (NEVI) plan, which approved spending of 2022-23 NEVI funds for several projects including seven charging stations (**Appendix 8-01 at pp. 5-7**).

Transportation Information System (TIS) Development

Tim Sheehan, Deputy Chief Information Officer, Department of Enterprise Technology Services (ETS), updated the Committee about Transportation Information System (TIS) developments. The TIS is the statewide information system under development that includes driver, vehicle, voting, and other information used by agencies throughout the State and that is the replacement and modernized version of

the existing Revenue Information System. The TIS affects many aspects of the lives of Wyoming residents, from driver services, to voting, to benefits and agency information.

Taylor Rossetti, Support Services Administrator, WYDOT, described important dates in the development timeline for the TIS (**Appendix 8-01 at p. 8**) (**Appendix 8-02**). He and Mr. Sheehan also discussed the detailed request for proposals (RFP), responses to the RFP and the objective criteria to evaluate proposals.

Wyoming License Plates

Mr. Rossetti presented historic Wyoming license plates and described the design process for the new 2025 navy blue Wyoming flag license plate.

Public Comment

There was no public comment.

CROSSWALK PRESENTATION

Director Reiner and Joel Meena, State Traffic Engineer, WYDOT, described background examples and statistics about crosswalks and pedestrian safety, planning and placement (**Appendix 9-01**)(**Appendix 9-02**). Mr. Meena presented information about state highway crosswalk types and requirements and locations under consideration. Mr. Meena referred to the crosswalk criteria guide to help those in charge of roadways determine whether crosswalks are necessary (**Appendix 9-03**). Director Reiner emphasized that prior planning and infrastructure is key, such as installing underpasses when roads are being constructed, and he described the Transportation Alternatives Program and Safe Routes to Schools program.

Public Comment

There was no public comment.

DRIVER SERVICES BILL DRAFTS

Bill draft review, 23LSO-0177 Driver's license and ID card photo quality

Ms. Jarvis presented 23LSO-0177.3 Driver's license and ID card photo quality, which omits the requirement for the photograph to be in color (**Appendix 10-01**).

Mr. Rossetti and Misty Zimmerman, Driver Services Administrator, WYDOT, discussed the bill draft (**Appendix 2-01 at p. 18**).

Public Comment

There was no public comment.

Committee Action

Senator Anderson moved that the Committee sponsor 23LSO-0177.3 in the 2023 Legislative Session. The motion to sponsor the bill passed unanimously on a roll call vote.

23LSO-0018 Lightweight trailers-permanent registration

Ms. Jarvis explained the amendments pursuant to the August meeting vote to sponsor 23LSO-0018 Lightweight trailers-permanent registration.

INTERSTATE 80 TRAFFIC CONGESTION AND ALTERNATE ROUTES

Mark Gillett, Chief Engineer, WYDOT, presented I-80 additional lane and alternate route possibilities in the Green River and Rock Springs area (**Appendix 11-01**).

Public Comment

There was no public comment.

Committee Action

The Committee directed LSO to draft a letter to the Joint Appropriations Committee notifying them of the need for an alternate route and expressing the Committee's support for development of an alternate route between Green River and Rock Springs. The Committee directed LSO also to draft a letter to the Transportation Commission notifying them of the Committee's support for and the need to develop an alternate route.

ROAD USAGE CHARGE REPORT

Senator Stephan Pappas summarized the road usage charge program information he obtained from the National Conference of State Legislatures Road Usage Charges (RUCs) Summit in Salt Lake City in June ([Appendix 25-01](#)). Representative Bill Henderson, Wyoming House of Representatives, further explained information from the Summit.

Public Comment

Director Reiner described additional RUC programs around the United States. He said that funding from fuel taxes continues to decrease, and the need for additional revenue to support the roads continues to increase. He reported that more states appear to be considering RUC rather than a miles per gallon equivalency charge on electric vehicle charging that Wyoming is discussing.

SAFETY BILL DRAFTS**Bill draft review, 23LSO-0024 Winter road closures**

Ms. Jarvis presented 23LSO-0024.5 Winter road closures, which amends the state of mind necessary to be guilty of failing to observe road closure notifications and increasing the fine for a violation ([Appendix 21-01](#)).

Director Reiner and Lieutenant Colonel Shannon Ratliff, Wyoming Highway Patrol (WHP), discussed the need for the bill.

Public Comment

There was no public comment.

Committee Action

Senator Anderson moved that the Committee sponsor 23LSO-0024.5 in the 2023 Legislative Session. The motion to sponsor the bill passed on a roll call vote with Representative Burt voting no.

Bill draft review, 23LSO-0025 Highway safety-child restraints

Ms. Jarvis presented 23LSO-0025.3 Highway safety-child restraints, which requires rear-facing child safety restraints system for children under the age of two years old ([Appendix 21-02](#)).

Director Reiner and Lieutenant Colonel Ratliff discussed a proposed amendment to the bill ([Appendix 21-03](#)).

Public Comment

Katherine Wilkinson, on behalf of the American Property and Casualty Insurance, spoke in favor of the bill and anything that improves safety measures on highways.

Marianne Shanor, on behalf of State Farm Insurance, spoke in favor of the bill and increased safety.

Committee Action

Representative Baker moved that the Committee sponsor 23LSO-0025.3 in the 2023 Legislative Session. The motion to sponsor the bill, as amended, passed unanimously on a roll call vote. The bill draft was amended as follows:

Page 2-line 5	Strike “his” and insert “ that child’s ”.
Page 2-line 15	Delete all inserted language.
Page 2-line 16	Delete “ birthday .”.
Page 2-line 17	After “ rear-facing ” insert “ until the child reaches either the age of two (2) or the weight or height limit specified by the manufacturer of the child safety restraint system ”.

DAY ONE RECESS

The Committee recessed the meeting for the day at 5:15 p.m.

CALL TO ORDER (NOVEMBER 3)

Chairman Burkhart called the meeting to order at 7:30 a.m.

TROOPERS AND DISPATCHERS REGIONAL COST ADJUSTMENTS AND ON CALL PAY RULES

Patricia Bach, Director, Department of Administration and Information (A&I), explained the policy and rules regarding on-call pay, which is at approximately \$1.00 per hour, and what would be required to change the policy and rules, including coordinating with the Governor and going before the Joint Appropriations Committee to request an increase. She explained that fourteen agencies use on-call pay. If the pay were doubled, it would mean a significant increase for some agencies, such as the Department of Family Services. She also mentioned that the Governor is working on increasing other wages.

Erin Williams, Resource Division Administrator, A&I, presented the state comparison and Wyoming numbers for on-call pay ([Appendix 14-01](#)) ([Appendix 14-02](#)).

Director Reiner, WYDOT, thanked the Committee for their support and spoke in favor of increasing the on-call pay and addressing the situation further by increasing base salaries and pay equity. Director Reiner spoke about moderating expectations of the State’s workforces to do less with less, because, for example, the same level of service that was done by 280 troopers cannot continue to be done with 150 troopers. Lieutenant Colonel Ratliff and Director Reiner explained that retaining people is also of paramount importance, and they are evaluating myriad options, including adjustment of Law Enforcement Academy requirements. Director Reiner reinforced that bills such as the winter road closure bill (23LSO-0024) the Committee sponsored to help troopers with enforcement are helpful.

Mr. Rossetti, WYDOT, broadened the discussion to include WYDOT’s maintenance employees. He also addressed the idea of continuing to increase the hiring rates of pay to be able to fully staff positions, resulting in less need for workers to be on-call and less overtime pay.

Lieutenant Colonel Ratliff, WHP, explained the trooper staffing numbers necessary and the need to cover shortages and shifts.

Public Comment

Byron Oedekoven, Executive Director, Wyoming Association of Sheriffs and Chiefs of Police, explained the national vilifying of law enforcement is contributing to staffing difficulties, but said that the national climate is not the situation in Wyoming. In Wyoming, budget cuts have caused many negative impacts.

Committee Action

The Committee reiterated to Director Bach and Ms. Williams support for an increase to \$3.00 per hour for on-call pay and directed LSO to draft a memo to the Joint Appropriations Committee expressing this support.

LAW ENFORCEMENT RETIREE REHIRE BILL DRAFT

Bill draft review, 23LSO-0178 Rehiring retired peace officers

Ms. Jarvis presented 23LSO-0178.3 Peace officer retirement and rehiring, which allows the rehiring of persons who have retired under the Wyoming State Highway Patrol, Game and Fish Warden and Criminal Investigator Retirement Act and repeals the mandatory retirement age, making both provisions consistent with law enforcement retirement plan provisions ([Appendix 15-01](#)).

Director Reiner and Lieutenant Colonel Ratliff spoke in favor of the bill.

David Swindell, Executive Director, and Ben Brandes, General Counsel, Wyoming Retirement System (WRS), spoke in favor of the bill, because it provides an additional tool to State employers to fill positions. He explained that public pensions are tax advantageous programs that must comply with U.S. Department of Treasury rules against rehiring a retired person. State law must provide exceptions to rehiring prohibitions for a person to work after receiving retirement benefits. He described Wyoming-specific numbers of rehired retirees.

Public Comment

There was no public comment.

Committee Action

Representative Henderson moved that the Committee sponsor 23LSO-0178.3 in the 2023 Legislative Session. The motion to sponsor the bill, as amended, passed unanimously on a roll call vote. The bill draft was amended as follows:

Page 2-line 11	Delete “ a member ” and insert “ an employee ”.
Page 2-line 13	Delete “ W.S. 9-3-415(g) and (h) ” and insert “ W.S. 9-3-415(g) through (j) ”.

TOWING ISSUES

New Rules Update

Director Reiner highlighted details from the towing rules of the Transportation Commission. Lieutenant Colonel Ratliff described many entities who worked together to propose changes and described the changes, including the requirement to be in business for not less than one year to be on the rotation list, no minimum

per pound advisable rate, requiring that one owner may only have one company listed on the rotation list, and codifying the dispute resolution and tow advisory committee in the rules. John Davis, Management Services Manager, WYDOT, explained that the rules will likely go in effect in January.

Public Comment

Sheila Foertsch, Managing Director, Wyoming Trucking Association, expressed support for the new rules and anticipation that the rules will address many of her industry's concerns with the towing industry. She stated that the per pound rates were a concern.

Dave Rose, Wyoming Tow Advisory Board and Wyoming Towing and Recovery Professionals, provided public comment and is pleased they are going to implement the new rules.

Andy Burg, Wyoming Tow Advisory Board and Auto Inn Repair, provided public comment and supports and appreciates the new rules.

RIGHT-OF-WAY RULES AND POLICIES FOR USES OF RIGHTS OF WAY

Information Brief

Ms. Jarvis presented the memo regarding uses of public road rights-of-way in Wyoming and other states ([Appendix 17-01](#)).

Attorney General (AG) Opinion

Director Reiner reported that WYDOT has not obtained an AG opinion on the constitutionality of allowing use of rights-of-way. He spoke of state goals to allow entities such as broadband companies to use rights-of-way. Director Reiner and Mr. Gillett explained that WYDOT's main responsibility is the safety of the traveling public, above all other uses.

Public Comment

Katherine Wilkinson, on behalf of All West Communications and Silver Star Communications, requested proactive work from the Committee to develop standards for uses of rights-of-way and plans to provide recommendations in the next interim.

OFF-ROAD RECREATIONAL VEHICLES

Bill draft review, 23LSO-0020 Off-road recreational vehicle operation

Ms. Jarvis presented 23LSO-0020.5 Off-road recreational vehicle operation, which specifies requirements for operating an off-road recreational vehicle near an interstate ([Appendix 18-01](#)).

Director Reiner explained that previously off-road recreational vehicles (ORV) use of the interstate rights-of-way was not allowed, but WYDOT supports the development, including economic incentives, of ORV trails provided it can be done safely. Mr. Rossetti emphasized that even on a road that goes over or under an interstate is considered to cross the interstate, that this ORV use is an expansion of what is currently allowed, and WYDOT will work to implement safe crossings. Mr. Rossetti explained proposed amendments to the bill ([Appendix 18-02](#)).

Dave Glenn, Deputy Director of Wyoming State Parks, Historic Sites and Trails, Department of State Parks and Cultural Resources (SPCR), spoke regarding development of ORV trail networks, enrolling trails in the state trails program, and supports WYDOT's recommendations for amendments.

Forrest Kamminga, State Trails Program Manager, SPCR, explained the maintenance of current trails and described approximately 40,000 miles of enrolled routes, which include existing county roads.

Public Comment

Mark Tesoro, Southwest Wyoming Offroad Trails (SWOT), provided public comments and supports the bill.

Senator Dan Dockstader described use of the trails system and economic benefits. He spoke in favor of the bill draft and WYDOT's amendments.

Senator Wendy Schuler provided public comments in support of the bill and appreciates the work of SWOT.

Committee Action

Senator Landen moved that the Committee sponsor 23LSO-0020.5 in the 2023 Legislative Session. The motion to sponsor the bill, as amended, passed on a roll call vote with Representative Styvar voting no. The bill was amended as follows:

Page 2-line 17	After " <u>except</u> " insert " <u>as authorized by department rules and except</u> ".
Page 3-line 14	Delete entirely.
Page 3-line 15	Delete " <u>trail and the interstate highway</u> "; after " <u>designated</u> " insert " <u>and clearly marked</u> "; after " <u>crossing</u> " insert ".".
Page 3-line 16	Delete entirely.

Updates from Southwest Wyoming Off-road Trails

Mr. Tesoro, SWOT, updated the Committee concerning the southwest Wyoming nonprofit economic development project and its endeavors that involve local, state, and federal cooperation for access and trail development, signage, cleanup and maintenance. He described impacts to counties and cities and growth of the trails system.

ENABLING AND IMPLEMENTING HIGH OCCUPANCY VEHICLE LANES IN AREAS OF HIGH TRAFFIC CONGESTION

Bill draft review, 23LSO-0209 High occupancy vehicle lanes

Ms. Jarvis presented 23LSO-0209.5 High occupancy vehicle lanes, which authorizes designation of high occupancy vehicle (HOV) lanes and provides exemptions from HOV lane requirements (**Appendix 20-01**).

Director Reiner described traffic congestion problems, spoke in support of the bill for expanding possibilities for road and traffic engineering, and suggested an amendment (**Appendix 20-04**).

Melissa Turley, Executive Director, Teton Village Association Improvement and Service District, spoke in support of the bill.

Public Comment

Charlotte Frei, Teton County-Town of Jackson Regional Transportation Planning Administration, spoke in favor of authorizing HOV lanes as a tool to address congestion.

Committee Action

Representative O'Hearn moved that the Committee sponsor 23LSO-0209.5 in the 2023 Legislative Session. The motion to sponsor the bill, as amended, passed on a roll call vote with Representatives Obermueller and Styvar voting no. The bill draft was amended as follows:

- | | |
|----------------------|---|
| Page 2-line 10 | Delete "as provided" and insert ":". |
| Page 2-line 11 | Delete "in this subsection." and insert "(i)". |
| Page 2-after line 14 | Insert:
"(ii) Any vehicle making a turn from a high occupancy vehicle lane, subject to the other requirements under this act." |
| Page 3-lines 1 and 2 | Delete entirely and insert "penalty under W.S. 31-5-1201(b)". |

COUNTY GRAVEL ROAD MANAGEMENT SYSTEM

Bill draft review, 23LSO-0022 County gravel roads management-technology transfer

Ms. Jarvis presented 23LSO-0022.10 County gravel roads management-technology transfer, which increases the county budgeted and state matching funds allocated to the University of Wyoming (UW) Technology Transfer Program for gravel county roads ([Appendix 22-01](#)) plus a correction to the bill draft ([Appendix 22-02](#)).

Mr. Gillett, WYDOT, provided comments in support of the correction to the bill.

Jerimiah Reiman, Executive Director, Wyoming County Commissioners Association (WCCA), reminded the Committee of previous testimony of the significant help the UW Technology Transfer Program provides to counties for their county paved roads across the state. He explained that the same help is not yet available for the thousands of miles of county gravel roads. This bill is intended to be part of that solution to bring the Technology Transfer Program data assistance to counties. Counties do a great job with maintenance already, and these programs help the counties spend their limited funds more effectively. This helps counties identify their most pressing needs.

Dr. Khaled Ksaibati, Director of the Wyoming Technology Transfer Center, UW, explained that the program identifies the need to develop a gravel road management system that ultimately helps counties to address and prioritize important road needs that they have not historically been able to address as individual counties. Dr. Ksaibati explained that the data collection is a WYDOT bid, and compilation and analysis of data is the UW program, which has 30 years of experience analyzing the data and researching in this area.

Director Reiner explained that this program helps counties use limited funds even more wisely using the expertise gained from the data and analysis from the tech transfer program.

Public Comment

There was no public comment.

Committee Action

Senator Landen moved that the Committee sponsor 23LSO-0022.10 in the 2023 Legislative Session. The motion to sponsor the bill failed to pass on a roll call vote with Senators Anderson and Furphy voting aye.

WYO LINK BILL DRAFTS

Bill draft review, 23LSO-0210 Wyoming public safety communications system trust fund

Ms. Jarvis presented 23LSO-0210.7 Wyoming public safety communications system trust fund, which creates the Wyoming Public Safety Communications System trust fund to be administered by the State Treasurer for purposes of funding the statewide public safety interoperable radio communications system commonly referred to as WyoLink ([Appendix 23-01](#)).

Director Reiner, WYDOT, spoke in favor of the bill.

Mr. Reiman, WCCA, explained the prioritization of payment and spoke in favor of the bill.

Nathan Smolinski, Interim Chief Technology Officer, WYDOT, reported the current maintenance cost of WyoLink per year.

Public Comment

There was no public comment.

Committee Action

Representative Henderson moved that the Committee sponsor 23LSO-0210.7 in the Legislative Session. The motion to sponsor the bill passed on a roll call vote with Senator McKeown and Representatives Baker and Burt voting no.

Bill draft review, 23LSO-0211 Wyoming public safety communications system funding

Ms. Jarvis presented 23LSO-0211.5 Wyoming public safety communications system funding, which appropriates the funds for one year for the Wyoming Public Safety Communications System ([Appendix 23-02](#)).

Public Comment

There was no public comment.

Committee Action

Representative O'Hearn moved that the Committee sponsor 23LSO-0211.5 in the Legislative Session. The motion to sponsor the bill passed unanimously on a roll call vote.

ADVANCED TRANSPORTATION CONCEPTS

Senator Cale Case introduced the Committee to the presenters of an innovative new transportation concept for moving people through transportation corridors in a vehicle that rides on a cushion of air.

James Pitchford, Senior Adviser, AirTrac Transport, LLC, introduced the topic and principals, advisors, and collaborators for the endeavor.

Eugene Timperman, President and Executive Engineer, AirTrac Transport, LLC, an aeronautical engineer and physicist, spoke about the future of transportation. He said that in addition to existing waterways, railways, highways, and airways, now there is the transformative industry of guideways. They will parallel existing travel ways with a fuselage-vehicle that hovers on an air cushion in the guideway. He explained

the concepts and described how this new type of transportation allows a new way of traversing challenging terrain such as in Wyoming. He spoke about job creation, alleviation of congestion, and benefits to Wyoming as well as to private landowners ([Appendix 24-01](#)) ([Appendix 24-02](#)) ([Appendix 24-03](#)).

Dr. David Bagley, Associate Dean, Graduate Education and Research, Professor of Chemical and Biomedical Engineering, UW, expressed fascination for this concept and explained that the role of university collaborators would be to provide facts.

Other Business

Director Reiner expressed thanks on behalf of himself and the 2000 people at WYDOT for the discussion and support on the many issues they have brought before the Committee. He applauded the citizen legislature for their efforts and thanked them for their service.

Richard Garrett, spoke as an individual and constituent of some of the Committee, and thanked the Committee for their hard work. He expressed support for the Committee's telecommunicator cardiopulmonary resuscitation bill as well as other legislative priorities for the upcoming Legislative Session.

MEETING ADJOURNMENT

There being no further business, Chairman Burkhart adjourned the meeting at 3:15 p.m.

Respectfully submitted,

Representative Donald Burkhart, Jr and Senator Bill Landen

Committee Meeting Materials Index

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3-01	Annual Report on Sexual Harassment	Sexual Assault Report	WYMD
3-02	Annual Report on Sexual Harassment	WYMD Memo to Governor	WYMD
4-01	Wyoming Cowboy Challenge Academy	National Guard Youth Challenge Inspection Program Report of Inspection	WYMD
4-02	Wyoming Cowboy Challenge Academy	WCCA Report and Updates	WYMD
5-01	State Support for Recruitment and Retention	23LSO-0005 v0.5 Wyoming national guard member referral.	LSO
5-02	State Support for Recruitment and Retention	23LSO-0193 v0.4 Wyoming national guard tuition benefits.	LSO
5-03	State Support for Recruitment and Retention	Letter in Support of Recruiting and Retention	Public Comment
6-01	Active Duty Reform, Benefits Provided to Service Members	23LSO-0007 v0.6 Wyoming national guard professional malpractice liability.	LSO
6-02	Active Duty Reform, Benefits Provided to Service Members	23LSO-0006 v0.4 Wyoming national guard medical insurance premiums.	LSO
8-01	Transportation Reports and Updates	Director's Opening Remarks and Updates	WYDOT

8-02	Transportation Reports and Updates	TIS Report	WYDOT and ETS
8-03	Transportation Reports and Updates	Air Service Annual Report	WYDOT
8-04	Transportation Reports and Updates	IJA Update	WYDOT
9-01	Crosswalk Presentation	Crosswalk and Pedestrian Safety	WYDOT
9-02	Crosswalk Presentation	Marked Crosswalks in School Zones	WYDOT
9-03	Crosswalk Presentation	Pedestrian and School Traffic Control Manual	WYDOT
10-01	Driver Services Bill Drafts	23LSO-0177 v0.3 Driver's license and ID card photo quality.	LSO
10-02	Driver Services Bill Drafts	23LSO-0107 v0.5 Special license plates-community colleges.	LSO
10-03	Driver Services Bill Drafts	23LSO-0179 v0.5 Special license plates-organ donations.	LSO
10-04	Driver Services Bill Drafts	23LSO-0018 v1.0 Lightweight trailers-permanent registration.	LSO
11-01	Interstate 80 Traffic Congestion and Alternate Routes	I-80 Congestion and Alternate Routes	WYDOT
14-01	Troopers and Dispatchers Regional Cost Adjustments and On Call Pay Rules	Comparator State Premium Pay and Other Pay	A&I
14-02	Troopers and Dispatchers Regional Cost Adjustments and On Call Pay Rules	Comparative State Email	A&I
15-01	Law Enforcement Retiree Rehire Bill Draft	23LSO-0178 v0.3 Peace officer retirement and rehiring.	LSO
17-01	Right-of-Way Rules and Policies for Uses of Rights of Way	Memorandum on Use of public road rights-of-way in Wyoming and other states	LSO
18-01	Off-road Recreational Vehicles	23LSO-0020 v0.5 Off-road recreational vehicle operation.	LSO
18-02	Off-road Recreational Vehicles	Proposed Amendments	WYDOT

20-01	Enabling and Implementing High Occupancy Vehicle Lanes in Areas of High Traffic Congestion	23LSO-0209 v0.5 High occupancy vehicle lanes.	LSO
20-02	Enabling and Implementing High Occupancy Vehicle Lanes in Areas of High Traffic Congestion	HOV Support Letter	Jackson Hole Chamber of Commerce
20-03	Enabling and Implementing High Occupancy Vehicle Lanes in Areas of High Traffic Congestion	Support Letter from Sheriff Carr	Public Comment
20-04	Enabling and Implementing High Occupancy Vehicle Lanes in Areas of High Traffic Congestion	Proposed Amendment	Public Comment
21-01	Safety Bill Drafts	23LSO-0024 v0.5 Winter road closures.	LSO
21-02	Safety Bill Drafts	23LSO-0025 v0.3 Highway safety-child restraints.	LSO
21-03	Safety Bill Drafts	Proposed Amendment	Public Comment
22-01	County Gravel Road Management System	23LSO-0022 v0.10 County gravel roads management-technology transfer.	LSO
22-02	County Gravel Road Management System	Correction to Bill Draft	LSO
23-01	WyoLink Bill Drafts	23LSO-0210 v0.7 Wyoming public safety communications system trust fund.	LSO
23-02	WyoLink Bill Drafts	23LSO-0211 v0.5 Wyoming public safety communications system funding.	LSO
24-01	Advanced Transportation Concepts	Wyoming Send Ahead	AirTrac Transport, LLC
24-02	Advanced Transportation Concepts	AirTrac-High Speed Rail	AirTrac Transport, LLC
24-03	Advanced Transportation Concepts	AirTrac-Vacuum Tube Transportation	AirTrac Transport, LLC
28-00		RUC Summit Comments	Senator Pappas