

HOUSE BILL REPORT

HB 2240

As Reported By House Committee On:
Commerce & Labor

Title: An act relating to hazardous devices.

Brief Description: Providing additional exemptions from state law for the handling of hazardous devices.

Sponsors: Representatives Sterk, Robertson, L. Thomas, Delvin and Carlson.

Brief History:

Committee Activity:

Commerce & Labor: 1/18/96, 1/25/96 [DPS].

HOUSE COMMITTEE ON COMMERCE & LABOR

Majority Report: The substitute bill be substituted therefor and the substitute bill do pass. Signed by 12 members: Representatives McMorris, Chairman; Hargrove, Vice Chairman; Thompson, Vice Chairman; Romero, Ranking Minority Member; Conway, Assistant Ranking Minority Member; Cairnes; Cody; Cole; Fuhrman; Goldsmith; Horn and Lisk.

Staff: Pam Madson (786-7166).

Background: The Washington State Explosives Act governs the manufacture, possession, use, sale, and transportation of explosives. The Department of Labor and Industries approves the use of explosives. No person may manufacture, possess, store, sell, purchase, transport, or use explosives unless licensed by the department.

Certain uses are exempt from the explosives act and the regulations adopted by the department to implement the Act. For example, the normal and emergency operations of federal agencies, including the military, involving transportation, storage, and use of explosives are exempt. Only emergency operations of state agencies, police, and any municipality or county involving such activity are exempt.

Certain activities of explosive disposal (bomb) units operating within local governments may be subject to restrictions in handling and storing explosives. Certain training exercises conducted with explosive materials and other normal

operations of the unit are restricted by regulations governing the handling and possession of explosives.

Summary of Substitute Bill: Certain work by hazardous devices technicians is exempt from the state Explosives Act. The type of work that is exempt includes normal and emergency operations, handling evidence, and operating and maintaining specially designed emergency response vehicles that carry no more than 10 pounds of explosive material. Training activities conducted by a hazardous devices technician whose employer possesses the minimum safety equipment prescribed by the Federal Bureau of Investigation are also exempt. A hazardous devices technician is a person who has graduated from the Federal Bureau of Investigation hazardous devices school and who is employed by a state, county, or municipality.

Substitute Bill Compared to Original Bill: The language of the bill that grants an exemption to the state Explosives Act is clarified, and a definition of who may qualify as a hazardous devices technician for purposes of the exemption is added.

Appropriation: None.

Fiscal Note: Not requested.

Effective Date of Substitute Bill: Ninety days after adjournment of session in which bill is passed.

Testimony For: This limited exemption from regulation of explosives will allow trained hazardous devices technicians working with state and local law enforcement to perform their work and maintain compliance with the Department of Labor and Industries regulation of explosives.

Testimony Against: None.

Testified: Representative Mark Sterk, prime sponsor; Martin O'Leary, Spokane County Sheriff's Department; and Gill Moberly, Spokane City Police.