
HOUSE BILL 1209

State of Washington

54th Legislature

1995 Regular Session

By Representatives K. Schmidt, Mielke, Johnson, Quall, Mitchell, Buck, Romero, Horn and Huff

Read first time 01/17/95. Referred to Committee on Transportation.

1 AN ACT Relating to commercial vehicle safety enforcement by the
2 Washington state patrol; and adding a new section to chapter 46.32 RCW.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

4 NEW SECTION. **Sec. 1.** A new section is added to chapter 46.32 RCW
5 to read as follows:

6 (1) The Washington state patrol, or its designee, shall be solely
7 responsible for enforcement of safety requirements for commercial
8 vehicles to include, but not be limited to, liability insurance
9 requirements and terminal safety audits.

10 (2) For the purpose of this section, "commercial vehicle" means any
11 vehicle the principal use of which is the transportation of
12 commodities, merchandise, freight, animals, or passengers.

13 (3) The provisions of this section do not apply to:

14 (a) Commercial vehicles normally owned and operated by farmers in
15 the transportation of their own farm, orchard, or dairy products,
16 including livestock and plant or animal wastes, from point of
17 production to market; or of products of the farm, orchard, or dairy,
18 including livestock and plant or animal wastes, or of supplies or
19 commodities to be used on the farm, orchard, or dairy;

1 (b) Commercial vehicles of less than ten thousand one pounds gross
2 vehicle weight when transporting exclusively legal documents,
3 pleadings, process, correspondence, depositions, briefs, medical
4 records, photographs, books or papers, cash or checks, when moving
5 shipments of the documents described at the direction of an attorney as
6 part of providing legal services;

7 (c) Commercial vehicles regulated under chapters 81.68, 81.70,
8 81.77, 81.84, and 81.90 RCW;

9 (d) Commercial vehicles collecting or transporting recyclable
10 materials from the a drop-box or recycling buy-back center, or
11 collecting or transporting recyclable materials by or on behalf of a
12 commercial or industrial generator of recyclable materials to a
13 recycler for use or reclamation; and

14 (e) Commercial vehicles transporting furniture, appliances, and
15 other household goods.

16 (4) The Washington state patrol shall administer and enforce this
17 section and has the authority to inspect commercial vehicles, books,
18 and documents relating to the operations of all commercial vehicles
19 subject to this section to include operator and owner records. The
20 Washington state patrol shall employ all personnel necessary to carry
21 out this section. The Washington state patrol shall adopt rules
22 necessary to enforce this section and may enter into agreements with
23 other governmental entities to enforce this section.

24 (5) The Washington state patrol may issue penalty assessments and
25 citations for violations of this section and conduct administrative
26 proceedings under chapter 34.05 RCW for any penalty assessments, with
27 the amounts to be established by rule.

28 (6) Any commercial vehicle subject to this section weighing more
29 than ten thousand pounds, or any commercial vehicle transporting
30 hazardous waste, regardless of its weight, shall pay an annual fee of
31 ten dollars added to the annual commercial vehicle license fee. The
32 ten-dollar fee shall be prorated for those commercial vehicles
33 operating in interstate commerce. All fees collected shall be remitted
34 to the Washington state patrol safety enforcement account, hereby
35 created, for the sole purpose of implementing this section.

36 (7) An advisory committee shall be established to advise the
37 Washington state patrol on the implementation of this section. The
38 committee shall be comprised of representatives from owners and

- 1 operators of the commercial vehicles and representatives of employees
- 2 operating commercial vehicles.

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