

SENATE BILL REPORT

SB 5099

As Reported By Senate Committee On:
Transportation, March 3, 1999

Title: An act relating to the powers and duties of commercial vehicle enforcement officers.

Brief Description: Enhancing responsibility and training of commercial vehicle enforcement officers.

Sponsors: Senators Haugen, Sellar, Rasmussen, Benton, Oke, Gardner, Swecker, Goings, Horn, Eide, Patterson, Morton, Prentice and Costa.

Brief History:

Committee Activity: Transportation: 2/25/99, 3/3/99 [DPS].

SENATE COMMITTEE ON TRANSPORTATION

Majority Report: That Substitute Senate Bill No. 5099 be substituted therefor, and the substitute bill do pass.

Signed by Senators Haugen, Chair; Gardner, Vice Chair; Goings, Vice Chair; Benton, Costa, Eide, Finkbeiner, Heavey, Horn, Jacobsen, Johnson, Morton, Oke, Patterson, Prentice, Sellar, Sheahan, T. Sheldon, Shin and Swecker.

Staff: Jennifer Ziegler (786-7316)

Background: The forerunner to the Commercial Vehicle Enforcement (CVE) Section of the Washington State Patrol (WSP) was created in 1939. CVE is responsible for weight control and safety of operations for all commercial motor vehicles and drivers operating in the state, and the school bus safety program. CVE consists of civilian officers located in eight districts with a policy and administrative division in the Olympia headquarters.

Weighing, safety inspections, permit sales, and enforcement of operations are conducted at five ports of entry (Spokane, Plymouth, Cle Elum, Ridgefield and Bow Hill) 24 hours a day, seven days a week. Similar functions are performed at 53 internal scales and other state highway locations. Additionally, CVEOs stop commercial vehicles on the road for weight violations. CVE weighs over 2.5 million vehicles per year.

The CVE program consists of 173 civilian and commissioned officers. Officers within CVE may place drivers and vehicles out-of-service at a safe location for defective equipment, log book violations, and weight and size violations. Although these officers are sworn with limited authority and the CVEOs are armed for protection, they do not have the power of arrest. Drivers found to have outstanding warrants or who refuse to submit to weighing or inspection are released until they can be contacted by a commissioned officer with the powers of arrest.

Summary of Substitute Bill: The Legislature finds that enhanced responsibility and training for commercial vehicle enforcement officers contributes to the efficient and safe delivery of freight in Washington.

The CVE program must be fully staffed using CVEO and commercial vehicle officer positions, including captains and lieutenants in supervisor positions, and staffing levels enacted in the transportation budget.

CVEOs have the same traffic infraction authority as commissioned Washington State Patrol officers relating to situations involving commercial vehicles. Traffic infraction authority does not include pursuit of vehicles. The Washington State Patrol must provide the necessary training to ensure the safety of success of CVEOs in these duties.

CVEOs may provide medical assistance and direct traffic in situations where the officers can be of assistance. The patrol must continue to provide training to CVEOs in first aid and traffic control.

Substitute Bill Compared to Original Bill: The program will continue to include commercial vehicle officers, captains, and lieutenants in supervisor positions. Traffic infraction authority does not include pursuit of vehicles.

Appropriation: None.

Fiscal Note: Available.

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

Testimony For: The current memorandum of understanding is not working. Filling vacancies with trooper cadets depletes the workforce and puts the agency in a constant training status. This legislation will result in hiring people who will stay in the program and will result in safer commercial vehicles on the highway.

Testimony Against: None.

Testified: Representative Tom Mielke; John Nicholas, Commercial Vehicle Officers' Association; Officer Tom Nickelson, Washington State Patrol; Stu Halsan, Washington State Patrol Lieutenants' Association (pro w/concerns).