

# SENATE BILL REPORT

## SB 6388

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As Reported By Senate Committee On:  
Transportation, February 7, 2000

**Title:** An act relating to the department of transportation and local traffic control and roadway illumination.

**Brief Description:** Modifying electrical inspection provisions.

**Sponsors:** Senators Haugen, Sheahan, Patterson, Shin, Snyder, Oke, Horn, Morton and Costa.

**Brief History:**

**Committee Activity:** Transportation: 1/26/2000, 2/7/2000 [DPS, DNPS].

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### SENATE COMMITTEE ON TRANSPORTATION

**Majority Report:** That Substitute Senate Bill No. 6388 be substituted therefor, and the substitute bill do pass.

Signed by Senators Haugen, Chair; Gardner, Vice Chair; Goings, Vice Chair; Horn, Morton, Oke, Patterson, Prentice, Sheahan, Shin and Swecker.

**Minority Report:** Do not pass substitute.

Signed by Senators Benton, Finkbeiner, Heavey, Sellar and T. Sheldon.

**Staff:** Lynn Hale (786-7346)

**Background:** Historically the Department of Transportation (DOT), cities, and counties have coordinated maintenance and operation of different jurisdictions' traffic control devices and roadway illumination systems. A recent interpretation of a court case by the Department of Labor and Industries (L&I) raises concern that L&I may no longer allow this practice to continue. The department would like to ensure that DOT, cities and counties continue to maximize workforce efficiencies and coordinate operations and request that the Legislature allow DOT, cities and counties to perform roadway electrical maintenance for each other without a contractor's license.

**Summary of Substitute Bill:** The Department of Transportation (DOT), counties, cities, and towns are not required to obtain an electrical contractors license to perform work within the rights of way of any public highway, road, or street in connection with the installation, repair, or maintenance of lines, wires, apparatus, or equipment owned by or under their control and used for the operation of traffic control or roadway illumination.

Within the rights of way of county roads the inspection of any electrical traffic control device or roadway illumination system may be performed by an inspector with a current international municipal signal association traffic signal level 2 certification, or equivalent, and four years experience in electrical construction trade installing and maintaining traffic signal and illumination system electrical wiring and equipment.

**Substitute Bill Compared to Original Bill:** Provisions are removed that would have allowed DOT and counties to enact and enforce ordinances, rules, or regulations that would require an equal, higher, or better standard of construction, materials, devices, appliances, and equipment than required by statute.

The provision that stated that the department, counties, cities, and towns were not restricted from installing, maintaining, repairing, and inspecting traffic control systems and roadway illumination systems within their own and each others road rights of way as long as personnel meet the qualifications set forth for state electrical inspectors is removed.

The provision that said counties are given the ability to enforce the state electrical inspectors statute in their county is removed. The provision that required that all electrical inspectors appointed by counties, incorporated cities and towns, and the department meet the requirements set forth for state electrical inspectors is removed.

**Appropriation:** None.

**Fiscal Note:** Requested on January 20, 2000.

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

**Testimony For:** The substitute bill provides for efficiency. It provides for continuation of interagency cooperation in maintenance of safety signals. National standards for maintenance of signals are unique and provide for increased safety to the public.

**Testimony Against:** This bill has the potential to take jobs away from private sector electricians. Concern exists that the requirements for electrical inspectors are lowered.

**Testified:** PRO: George Walk, Tom Ballard, Pierce County; Michael Shaw, Association of Washington Cities; Jim Bloodgood, Snohomish County; Toby Rickman, State Traffic Engineer, Department of Transportation; Paul Tuomi, King County; Chris Mudgett, County Road Administration Board; Mike Foster, City of Lakewood; James Ellison, Pierce County Public Works; CON: Larry Stevens, National Electrical Contractors Association; Richard King, International Brotherhood of Electrical Workers (IBEW)/Washington State Building & Construction Trades Council; Mike Grumwald, IBEW; Suzane Major, Department of Labor & Industries.