

SENATE BILL REPORT

HB 1454

As Reported By Senate Committee On:
Transportation, February 26, 2002

Title: An act relating to inspections of hazardous materials offered by private shippers for transportation by rail.

Brief Description: Granting the utilities and transportation commission authority to inspect businesses that ship hazardous materials by rail.

Sponsors: Representatives Fisher, Hankins, Lovick, Mitchell and Cooper; by request of Utilities & Transportation Commission.

Brief History:

Committee Activity: Transportation: 2/25/02, 2/26/02 [DP, DNP].

SENATE COMMITTEE ON TRANSPORTATION

Majority Report: Do pass.

Signed by Senators Haugen, Chair; Gardner, Vice Chair; Eide, Finkbeiner, Horn, Jacobsen, Kastama, Keiser, McAuliffe, Oke, Shin and Swecker.

Minority Report: Do not pass.

Signed by Senator Benton.

Staff: Tami Neilson (786-7452)

Background: The Utilities and Transportation Commission (UTC) performs a variety of duties pertaining to railroad safety. One responsibility of the UTC is to work with the Federal Railroad Administration (FRA) to inspect shipments of hazardous materials that arrive in and pass through Washington.

Currently, there is one vacant UTC hazardous materials inspector position. The inspector must be certified by the FRA. In addition to the UTC inspector position, there are three federal hazardous materials inspectors who perform inspections in over 300 sites within Washington, and their inspections are unannounced and random. Unlike federal inspectors, the UTC inspector does not have the authority to enter a shipper's property without permission. If the shipper refuses entry to the UTC inspector, the inspector can only enter the shipper's property if accompanied by a federal inspector.

Summary of Bill: The UTC hazardous materials inspector may enter the property of any business that ships hazardous materials by rail or that manufactures, repairs, or tests hazardous materials containers used to ship these materials by rail. Entry must be at a reasonable time and in a reasonable manner. The purpose of the entry must be to investigate facilities, equipment, records, and operations related to the transportation of hazardous materials by rail, as outlined in federal regulations.

The term "business," as used in this bill, is all inclusive and is not limited to common carriers or to public service companies.

Appropriation: None.

Fiscal Note: Available.

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

Testimony For: This needs to be a fully functioning program. Safety has been more of a concern since September 11, 2001.

Testimony Against: None.

Testified: Mike Rowswell, Washington Utilities and Transportation Commission.