

# HOUSE BILL REPORT

## SSB 6213

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**As Passed House:**  
February 28, 2010

**Title:** An act relating to vehicles at railroad grade crossings.

**Brief Description:** Concerning vehicles at railroad grade crossings.

**Sponsors:** Senate Committee on Transportation (originally sponsored by Senators Haugen and Swecker; by request of Utilities & Transportation Commission and Washington State Patrol).

**Brief History:**

**Committee Activity:**

Transportation: 2/17/10, 2/18/10 [DP].

**Floor Activity:**

Passed House: 2/28/10, 96-0.

**Brief Summary of Substitute Bill**

- Clarifies the requirement regarding commercial vehicles stopping at non-exempt railroad crossings.
- Lists the types of commercial vehicles that carry hazardous materials that must stop at non-exempt railroad crossings.
- Modifies the list of railroad crossings that are exempt from the general requirement to stop to include crossings designated by the Washington State Patrol or the Office of the Superintendent of Public Instruction, crossings used exclusively for streetcars or industrial switching, and marked abandoned crossings.
- Modifies the list of railroad crossings that are exempt from the general requirement to stop to exclude crossings protected by gates or warning signals.

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### HOUSE COMMITTEE ON TRANSPORTATION

**Majority Report:** Do pass. Signed by 18 members: Representatives Clibborn, Chair; Liias, Vice Chair; Roach, Ranking Minority Member; Armstrong, Campbell, Finn, Johnson,

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*This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.*

Klippert, Kristiansen, Moeller, Nealey, Rolfes, Sells, Shea, Springer, Takko, Williams and Wood.

**Staff:** David Munnecke (786-7315).

**Background:**

The driver of any motor vehicle carrying passengers for hire, other than a passenger car, the driver of any school bus or private carrier bus carrying school children or other passengers, and the driver of any vehicle carrying explosive substances or flammable liquids as cargo, must stop the vehicle within 50 feet, but not less than 15 feet, of the nearest rail of a railroad track, unless the railroad crossing meets certain statutory guidelines. Prior to proceeding, the driver must listen and look in both directions for indications of an approaching train. Once the driver has determined that it is safe to proceed, he or she must do so in a single gear such that it is not necessary to change gears while traversing the crossing.

The requirements listed above do not apply to railroad grade crossings where: (1) traffic is controlled by a police officer or authorized flagger; (2) traffic is controlled by a traffic signal; (3) crossing gates or a flashing traffic signal give warning of the approach of a train; or (4) a traffic control device indicates that the crossing is exempt pursuant to a designation by the Washington Utilities and Transportation Commission (WUTC).

The Federal Motor Carrier Safety Administration administers the Motor Carrier Safety Assistance Program, through which Washington annually receives approximately \$6.8 million. In order to qualify for this funding, Washington must meet a series of conditions, including the adoption and enforcement of state laws that are consistent with federal motor carrier safety regulations.

**Summary of Bill:**

The driver of a school bus or any private carrier bus carrying school children or other passengers, the driver of any commercial motor vehicle transporting passengers, the driver of a cargo tank which carries certain hazardous materials, and the driver of a commercial motor vehicle that must be marked or placarded according to various classifications by the U.S. Department of Transportation must stop the vehicle within 50 feet, but not less than 15 feet, of the nearest rail of a railroad track, unless the railroad crossing meets certain statutory guidelines. Once the driver has determined that it is safe to proceed, he or she must do so in a single gear such that it is not necessary to change gears while traversing the crossing.

The requirements listed above do not apply to railroad grade crossings where: (1) traffic is controlled by a police officer or authorized flagger; (2) traffic is controlled by a traffic signal that is transmitting a green light; (3) the tracks are used exclusively for a streetcar or industrial switching purposes; (4) a traffic control device indicates that the crossing is exempt pursuant to a designation by the WUTC; (5) the crossing is abandoned and is marked with a sign indicating it is out-of-service; and (6) the Washington State Patrol (WSP) or the Office of the Superintendent of Public Instruction has determined, in rule, that stopping is not required.

**Appropriation:** None.

**Fiscal Note:** Available on original bill.

**Effective Date:** The bill takes effect 90 days after adjournment of the session in which the bill is passed.

**Staff Summary of Public Testimony:**

(In support) Accidents that occur involving trains and road traffic are oftentimes devastating for the people involved. In certain cases, these accidents can also be the cause of spills of hazardous materials. This bill would not effect all passenger vehicles, only certain ones that are for hire.

This bill is a joint request of the WSP and the WUTC, and would preserve certain federal funding that is currently at risk because of nonconformity between Washington law and federal standards.

(Opposed) None.

**Persons Testifying:** Steven King, Washington Utilities and Transportation Commission; and Darren Grondel, Washington State Patrol.

**Persons Signed In To Testify But Not Testifying:** None.