
Transportation Committee

HB 1808

Brief Description: Concerning passenger-carrying vehicles for railroad employees.

Sponsors: Representatives Stanford, Manweller, Blake, Orcutt, Ryu, Zeiger, Moscoso, Harris, Appleton, Wilcox, Takko, Haler, Pollet, Kochmar, Ormsby, Holy, Vick, Fey, Sells, Dunshee, Hayes, Farrell, S. Hunt, Reykdal and Van De Wege.

Brief Summary of Bill

- Establishes the Washington Utilities and Transportation Commission's (UTC) regulatory authority over certain vehicles used to provide transportation to railroad employees.
- Delegates rule-making authority to the UTC regarding certain safety and operational standards, including minimum insurance requirements.
- Requires the UTC to compile data regarding railroad employee transportation and annually provide a report to the Legislature.

Hearing Date: 2/9/15

Staff: Andrew Russell (786-7143).

Background:

The Washington Utilities and Transportation Commission (UTC) regulates certain aspects of railroad operations in the state, including the use of passenger-carrying vehicles for railroad employees. "Passenger-carrying vehicles" are defined as "buses and trucks owned, operated and maintained by a railroad company which transports railroad employees" as passengers in the vehicle. In regulating such vehicles, the UTC has adopted rules regarding equipment requirements and operational standards. The equipment requirements include provisions relating to the exhaust and steering systems, rear-view mirrors, emergency equipment, fire extinguishers, and first-aid kits. Additionally, the operational standards include provisions regarding the minimum age of the driver, hours of service limits, safety practices in crossing rail lines, the loading of passengers, and limitations on carrying dangerous materials. Finally, the UTC is

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authorized to inspect any passenger-carrying vehicle to verify that it is complying with applicable requirements.

The UTC also regulates "charter party carriers," which are defined as every person who provides the transportation of passengers, traveling as a group with a common purpose and under a single contract, to a specified destination or for a particular itinerary. Charter party carriers operate vehicles with a seating capacity of at least seven people, excluding the driver. These carriers must obtain a certificate from the UTC and must hold insurance coverage of at least \$1.5 million for vehicles with a seating capacity of 15 or less and \$5 million for vehicles with a seating capacity of 16 or more.

Summary of Bill:

The UTC has regulatory authority over "contract crew hauling vehicles," which are defined as vehicles, regardless of seating capacity, that are operated by a charter party carrier and used primarily to provide railroad crew transportation for a railroad company. The UTC is directed to adopt rules regarding these vehicles, including the safety of equipment, operations, and passengers. The UTC must also require contract crew hauling vehicles to carry minimum insurance levels: liability coverage of \$5 million, uninsured and underinsured coverage of \$10 million, and property damage coverage of \$500,000. Notices must be posted in vehicles advising passengers of their rights and ability to submit safety complaints to the UTC. The UTC may inspect any contract crew hauling vehicle, and it must investigate any safety complaints. Additionally, the UTC is empowered to enforce these requirements, including through imposing monetary penalties of up to \$1,000 for each violation.

Charter party carriers that own, lease, operate, and maintain contract crew hauling vehicles must retain operational records for at least three years. These records must include accident reports, maintenance and service records, driver and passenger logs, and records of passenger complaints.

A person is disqualified to serve as a driver if his or her driver's license is suspended or revoked two or more times within a three-year period. This disqualification must last for two years from the most recent suspension or revocation.

The UTC is required to develop an inspection program for passenger-carrying vehicles and contract crew hauling vehicles, including periodic inspections of vehicles owned by railroads and operational practices of railroad companies.

The UTC must compile data regarding safety complaints, accidents, regulatory violations, and corrective action relating to contract crew hauling vehicles and passenger-carrying vehicles. Additionally, railroad companies and charter party carriers providing contract crew hauling vehicles must provide data regarding complaints and accidents upon request from the UTC. Finally, the UTC must annually provide a report to the Legislature summarizing the previous year's data and including recommendations for improved safety

Appropriation: None.

Fiscal Note: Available.

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