
Transportation Committee

SSB 5694

Brief Description: Concerning commercial beekeeper drivers.

Sponsors: Senate Committee on Transportation (originally sponsored by Senators King and Saldaña).

<p style="text-align: center;">Brief Summary of Substitute Bill</p> <ul style="list-style-type: none">• Exempts a commercial beekeeper driver from commercial driver's license medical examination and certification requirements.

Hearing Date: 3/14/19

Staff: Jennifer Harris (786-7143).

Background:

The operation of commercial motor vehicles is regulated by federal and state law. In the United States, a commercial driver's license (CDL) or commercial learner's permit (CLP) is required to operate any motor vehicle that meets the following criteria:

- has a gross combination weight rating or gross combination weight of 26,001 pounds or more, whichever is greater, inclusive of a towed unit or units with a gross vehicle weight rating or gross vehicle weight of more than 10,000 pounds;
- has a gross vehicle weight rating or gross vehicle weight of 26,001 pounds or more, whichever is greater;
- is designed to transport 16 or more passengers, including the driver; or
- is of any size and is used in the transportation of hazardous materials as defined in federal law.

In Washington, the CDL requirement does not apply to any person who is:

- the operator of a farm vehicle, when the farm vehicle is controlled and operated by a farmer and is used to transport agricultural products, farm machinery, farm supplies,

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animal manure, animal manure compost, or any combination of these materials, to or from a farm;

- a firefighter or law enforcement officer operating emergency equipment who has successfully completed a driver training course approved by the DOL and carries a certificate attesting to its successful completion;
- operating a recreational vehicle for noncommercial purposes; or
- operating a commercial motor vehicle for military purposes.

Under federal law, a CDL or CLP holder may not operate a commercial motor vehicle in interstate commerce unless he or she is medically certified as physically qualified to do so, unless he or she solely engages in certain exempted driving categories. The following activities are exempted from medical certification requirements:

1. the transportation of school children and/or school staff between home and school;
2. driving as a federal, state, or local government employee;
3. the occasional transportation of personal property by individuals not for compensation nor in the furtherance of a commercial enterprise;
4. the transportation of human corpses or sick or injured persons;
5. the operation of commercial motor vehicles designed or used to transport between nine and 15 passengers (including the driver) not for direct compensation, provided the vehicle does not otherwise meet the definition of a commercial motor vehicle;
6. driving a fire truck or rescue vehicle drivers during emergencies and other related activities;
7. driving primarily to transport propane winter heating fuel when responding to an emergency condition requiring immediate response such as damage to a propane gas system after a storm or flooding;
8. driving in response to a pipeline emergency condition requiring immediate response, such as pipeline leak or rupture;
9. driving in custom harvesting on a farm or to transport farm machinery and supplies used in the custom harvesting operation to and from a farm to transport custom-harvested crops to storage or market;
10. the seasonal transportation of bees by a beekeeper; and
11. driving a vehicle that is not a combination vehicle (power unit and towed unit) and that is used to transport agricultural products, farm machinery, or farm supplies to and from a farm and within 150 air miles of the farm.

Under state law, a person driving a commercial motor vehicle is exempted from medical examination and certification requirements if he or she meets federal criteria for the agricultural use exemption noted in number 11 in the list above.

Summary of Bill:

A commercial beekeeper driver is exempted from medical examination and certification requirements. A "commercial beekeeper driver" is defined as a driver who is operating a commercial motor vehicle controlled and operated by a beekeeper engaged in the seasonal transportation of bees.

Appropriation: None.

Fiscal Note: Available.

Effective Date: The bill takes effect on October 1, 2019.