
HOUSE BILL 2287

State of Washington

66th Legislature

2020 Regular Session

By Representatives Leavitt, Kilduff, Barkis, Lovick, Ramel, and Pollet

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1 AN ACT Relating to the assessment of rail safety governance in
2 Washington state; creating new sections; and providing expiration
3 dates.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

5 NEW SECTION. **Sec. 1.** (1) The legislature recognizes that rail
6 safety is critical to the impacts of the state's transportation
7 network on public safety and the environment. On December 18, 2017, a
8 passenger train derailed from a bridge near DuPont, Washington. Three
9 passengers were killed and fifty-seven passengers and crew members
10 were injured. While the 2017 derailment had particularly tragic
11 consequences, the risks to public safety and the environment are
12 underscored by other rail incidents that have occurred in the past
13 several years, including the freight train transporting oil
14 derailment and resulting fire on June 3, 2016, in the Columbia river
15 gorge, near Mosier, Oregon, while in route to Tacoma, Washington.

16 (2) In 2019, the national transportation safety board issued an
17 accident report on the 2017 derailment. The report included
18 recommendations for government agencies that participated in
19 developing the new route related to improvements in safety oversight,
20 coordination, and communication. In light of these recommendations,
21 the legislature believes that a broader assessment of how rail safety

1 responsibilities are undertaken across agencies in the state, and are
2 coordinated between them, should be the first step in driving
3 fundamental changes to rail safety governance as quickly as possible
4 to strengthen rail safety. The legislature finds that an assessment
5 of best practices for the oversight and coordination of rail safety
6 activities will serve as a critical guidepost for improvements to
7 rail safety governance, and should be completed as soon as possible
8 to inform next steps.

9 (3) This section expires July 1, 2021.

10 NEW SECTION. **Sec. 2.** (1) The joint transportation committee
11 shall oversee a consultant study on rail safety governance best
12 practices and recommendations for the implementation of these best
13 practices in Washington state. The study must assess rail safety
14 governance for passenger and freight rail, including rail transit
15 services, and must consider recommendations made by the national
16 transportation safety board in its 2017 accident report referenced in
17 section 1 of this act that are relevant to rail safety governance.

18 (2) The study must include the following components:

19 (a) An assessment of rail safety oversight in Washington state
20 that includes: (i) The rail safety oversight roles of federal, state,
21 regional, and local agencies; (ii) federal, state, regional, and
22 local agency organizational structures and processes utilized to
23 conduct rail safety oversight; and (iii) coordination activities by
24 federal, state, regional, and local agencies in conducting rail
25 safety oversight;

26 (b) An examination of rail safety governance best practices by
27 other states for the items identified in (a) of this subsection; and

28 (c) Recommendations for the implementation of best practices for
29 rail safety governance in Washington state.

30 (3) The study must address the extent to which additional safety
31 oversight of rail project design and construction is used in other
32 states and would be a recommended best practice for Washington state.

33 (4) The joint transportation committee shall consult with the
34 Washington state department of transportation, the Washington state
35 utilities and transportation commission, sound transit, the national
36 transportation safety board, Amtrak, the federal railroad
37 administration, BNSF railway company, and other entities with rail
38 safety expertise as necessary.

1 (5) The joint transportation committee shall issue a report of
2 its findings and recommendations on rail safety governance to the
3 house of representatives and senate transportation committees by
4 January 6, 2021.

5 (6) This section expires July 1, 2021.

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