

RCW 46.48.170 State patrol authority—Rules and regulations.

(1) The Washington state patrol acting by and through the chief of the Washington state patrol has the authority to adopt and enforce the regulations promulgated by the United States department of transportation, 49 C.F.R. Parts 100 through 199, transportation of hazardous materials, as these regulations apply to motor carriers offering, accepting, storing, or transporting hazardous materials and to persons that inspect, certify, test, or repair cargo tank motor vehicles. "Motor carrier" means any person engaged in the transportation of passengers or property operating interstate and intrastate upon the public highways of this state, except certain agricultural operations as outlined in 49 C.F.R. Sec. 173.5.

(2) The chief of the Washington state patrol may confer with the emergency management council under RCW 38.52.040 and may make rules and regulations pertaining thereto, sufficient to protect persons and property from unreasonable risk of harm or damage. The chief of the Washington state patrol may establish such additional rules not inconsistent with 49 C.F.R. Parts 100 through 199, transportation of hazardous materials, which for compelling reasons make necessary the reduction of risk associated with the transportation of hazardous materials.

(3) No such rules may lessen a standard of care; however, the chief of the Washington state patrol may, after conferring with the emergency management council, establish a rule imposing a more stringent standard of care. The chief of the Washington state patrol must appoint the necessary qualified personnel to carry out the provisions of this chapter. [2014 c 154 s 2; 1988 c 81 s 19; 1980 c 20 s 1; 1961 c 12 s 46.48.170. Prior: 1951 c 102 s 1; 1949 c 101 s 1; Rem. Supp. 1949 s 6360-63a.]