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**Transportation Committee**

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**HB 2981**

**Brief Description:** Modifying commercial vehicle provisions.

**Sponsors:** Representatives Fromhold, Clements and Murray; by request of Washington State Patrol.

<p><b>Brief Summary of Bill</b></p> <ul style="list-style-type: none"><li>• Modifying commercial vehicle provisions.</li></ul>
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**Hearing Date:** 1/26/06

**Staff:** Teresa Berntsen (786-7301).

**Background:**

Commercial Motor Vehicle Definitions

Federal regulations define commercial vehicles and regulate various aspect of their operation. Under federal regulation, commercial driver licenses are required when the vehicle:

- Has a gross combination weight rating of 11,794 kg (26,001 pounds) or more;
- Is designed to transport 16 or more passengers; or
- Transports hazardous materials.

Under federal regulation:

- "Gross vehicle weight rating" means the maximum loaded weight a single commercial vehicle is designed to carry, as specified by the manufacturer.
- "Gross combination weight rating" means the maximum loaded weight a combination unit is designed to carry, as specified by the manufacturer. When a gross combination weight rating is not specified by the manufacturer, federal regulations allow this rating to be determined by adding the weight rating of the power unit and the weight of the loaded unit being towed.

State law allows the registered gross weight of a vehicle (the declared gross weight when registering a vehicle with the Department of Licensing) to be substituted for the gross vehicle weight rating when the weight rating cannot be determined. Federal law does not allow this substitution.

Compression Brakes

An engine compression brake device, sometimes known as a Jake Brake, is a device that slows a vehicle using compressed air from the engine. The use of compression brakes may make a characteristic sound.

Current law prohibits compression brakes unless the vehicle is equipped with a noise muffler that reduces noise to specified levels, or in the case of an emergency.

**Summary of Bill:**

Commercial Motor Vehicle Definitions

For the purposes of defining what commercial motor vehicles require a commercial drivers license to operate, the gross vehicle weight rating definition is revised. The definition of "gross vehicle weight rating" is modified to remove the substitution of the registered gross weight if the vehicle's weight rating cannot be determined. If the gross weight rating cannot be determined, the vehicle's actual gross weight capacity will be used.

Compression Brakes

The decibel level requirement for compression brakes is removed. Compression brakes are prohibited unless the vehicle is equipped with a noise muffler. A turbocharger may not be used in lieu of a noise muffler.

Exceptions for emergency use of compression brakes are eliminated.

The requirement that the Washington State Patrol establish rules for enforcing restrictions on the use of compression brakes is eliminated.

**Appropriation:** None.

**Fiscal Note:** Available.

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