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SENATE BILL 5742

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State of Washington

63rd Legislature

2013 Regular Session

By Senators Hasegawa, Conway, Kohl-Welles, Nelson, Kline, Chase, Keiser, Harper, and Darneille

Read first time 02/13/13. Referred to Committee on Commerce & Labor.

1 AN ACT Relating to drayage truck operators at certain ports;  
2 amending RCW 53.08.005; and adding a new section to chapter 53.08 RCW.

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

4 **Sec. 1.** RCW 53.08.005 and 2000 c 81 s 6 are each amended to read  
5 as follows:

6 The definitions in this section apply throughout this chapter  
7 unless the context clearly requires otherwise.

8 (1) "Agricultural products" has the same meaning as in RCW  
9 82.04.213.

10 (2) "Commission" means the Washington utilities and transportation  
11 commission.

12 ((+2)) (3) "Drayage truck operator" means the driver of any in-use  
13 on-road vehicle with a gross vehicle weight rating greater than thirty-  
14 three thousand pounds who enters a port district for the purpose of  
15 transporting containerized cargo other than agricultural products.

16 (4) "Rural port district" means a port district formed under  
17 chapter 53.04 RCW and located in a county with an average population  
18 density of fewer than one hundred persons per square mile.

1       (~~(3)~~) (5) "Telecommunications" has the same meaning as contained  
2 in RCW 80.04.010.

3       (~~(4)~~) (6) "Telecommunications facilities" means lines, conduits,  
4 ducts, poles, wires, cables, crossarms, receivers, transmitters,  
5 instruments, machines, appliances, instrumentalities and all devices,  
6 real estate, easements, apparatus, property, and routes used, operated,  
7 owned, or controlled by any entity to facilitate the provision of  
8 telecommunications services.

9       (~~(5)~~) (7) "Wholesale telecommunications services" means the  
10 provision of telecommunications services or facilities for resale by an  
11 entity authorized to provide telecommunications services to the general  
12 public and internet service providers.

13       NEW SECTION.   **Sec. 2.** A new section is added to chapter 53.08 RCW  
14 to read as follows:

15       (1) A port district shall employ drayage truck operators to  
16 transport containerized cargo other than agricultural products at or  
17 through the port. A port district may enter into contracts with cargo  
18 owners and shippers to provide the services of such drayage truck  
19 operators.

20       (2) All transporting of containerized cargo other than agricultural  
21 products in a port district must take place pursuant to a contract or  
22 contracts entered into pursuant to subsection (1) of this section.

23       (3) This section applies only to a port district in a county with  
24 a population of eight hundred thousand or more.

25       NEW SECTION.   **Sec. 3.** If any provision of this act or its  
26 application to any person or circumstance is held invalid, the  
27 remainder of the act or the application of the provision to other  
28 persons or circumstances is not affected.

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