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**SHB 1299** - H AMD **375**

By Representative Farrell

**ADOPTED 04/09/2015**

On page 3, beginning on line 1, beginning with "The appropriation" strike all material through "maintenance" on line 18 and insert the following:

"The appropriation in this section is subject to the following conditions and limitations: The utilities and transportation commission shall coordinate a state agency work group in 2015 that will identify issues, laws, and regulations relevant to consolidating rail employee safety and regulatory functions in the utilities and transportation commission, and report those findings to the joint transportation committee by December 31, 2015. State agencies in the work group must include the department of transportation, the department of labor and industries, the emergency management division of the state military department, and any other relevant agencies. The report must address: An inventory of state rail employee safety regulatory authority, including rail employee safety laws and regulations; issues pertaining to state rail safety inspectors, including enforcement authority, staffing, training, and retention; and information relating to the enhancement of rail employee safety, yard conditions, lighting, and appliance maintenance"

On page 9, beginning on line 19, strike all of subsection (4) and insert the following:

"(4)(a) $250,000 of the multimodal transportation account—state appropriation is for the joint transportation committee to coordinate a work group that will make recommendations on consolidating rail employee safety regulatory functions in Washington state into the utilities and transportation commission.

(b) This work group must be composed of one representative from each of the following: (i) The utilities and transportation commission, (ii) the department of labor and industries, (iii) the attorney general's office, (iv) a class 1 rail carrier, and (v) a short line rail operator designated as a class 2 or 3 carrier. The work group must also include two representatives from railroad operating craft labor organizations, and four members of the legislature with one member from each caucus of the house of representatives and one member from each caucus of the senate. The work group may consult with the department of transportation and the emergency management division of the state military department as needed.

(c) The work group's examination must include a review of other states' efforts to consolidate rail employee safety regulatory authority within a single agency and identify barriers to such consolidation in Washington.

(d) By December 31, 2016, the joint transportation committee must provide a final report to the legislature summarizing the work group's findings, providing recommendations on how such a consolidation of all state rail employee safety and employee safety regulatory functions should occur, and including statutory revisions that may be necessary to accomplish this consolidation."

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|  | EFFECT:   * Limits a report by the Utilities and Transportation Commission (UTC) to only rail employee safety and regulatory functions. * Removes the Department of Ecology from the list of agencies that the UTC must work with in completing the report. * Removes date references regarding when the Joint Transportation Committee (JTC) must convene a work group relating to rail safety and regulatory matters. * Removes the Department of Transportation, the Department of Ecology, and the Emergency Management Division of the State Military Department from the list of agencies that must participate in the JTC's work group, but allows the work group to consult with the Department of Transportation and the Emergency management Division of the State Military Department. * Limits the work group's focus to rail employee safety, instead of all rail safety regulatory functions.   FISCAL IMPACT: No net change to appropriated levels. |

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