

SENATE BILL REPORT

ESSB 6353

AS PASSED SENATE, FEBRUARY 18, 1992

**Brief Description:** Restricting the ringing of bells or sounding of whistles on locomotives.

**SPONSORS:** Senate Committee on Transportation (originally sponsored by Senator McCaslin)

**SENATE COMMITTEE ON TRANSPORTATION**

**Majority Report:** That Substitute Senate Bill No. 6353 be substituted therefor, and the substitute bill do pass.

Signed by Senators Patterson, Chairman; Nelson, Vice Chairman; Hansen, Madsen, McMullen, Oke, Sellar, Skratek, Thorsness, and Vognild.

**Staff:** Jeff Doyle (786-7322)

**Hearing Dates:** February 6, 1992; February 10, 1992; February 11, 1992

**BACKGROUND:**

Under current Washington law, it is a misdemeanor for an engineer driving a locomotive to fail to ring the bell or sound the whistle at least 80 rods (1/4 mile) from a railroad crossing. There is no federal law requiring that train whistles or bells be sounded.

Locomotives traveling within cities are exempt from this law.

**SUMMARY:**

Counties may adopt ordinances restricting the sounding of locomotive whistles at gated railroad crossings within urban areas. The U.S. Census Bureau defines an "urban area" as any urban place having a population of more than 2,500.

**Appropriation:** none

**Revenue:** none

**Fiscal Note:** none requested

**TESTIMONY FOR:**

The railway running by or through a certain Spokane County area has seen such an increase in usage that local residents are not able to sleep at night because of train whistles. Local motel business has been particularly harmed by the increase in late-night train whistles. The bill has been

drafted so narrowly that it does not pose any significant threat to public safety.

**TESTIMONY AGAINST:**

Train whistles are an integral part of railway safety. Not all vehicles are deterred by signals from crossing the path of oncoming trains, and whistles help alert people of the nearby train. Pedestrians, children and vagrants are particularly at risk if train whistles are restricted because they may not be able to see the signal lights through trees, fog, hedges or fences.

**TESTIFIED:** PRO: Senator McCaslin, prime sponsor; Tony Lazanis, East Gate Motel; Ray Thieman, Red Top Motel; Don Severns, self; George Tyler, self; CON: Dale Greenwood, BN Railroad; Jim Shelley, United Transportation Union; Dale Jeremiah, Brotherhood of Locomotive Engineers