
SUBSTITUTE HOUSE BILL 2281

State of Washington

52nd Legislature

1992 Regular Session

By House Committee on Commerce & Labor (originally sponsored by Representatives Prentice, R. Fisher, Vance, Forner, Heavey, G. Fisher, Roland, Winsley, Franklin, Paris, May, Mitchell and Leonard)

Read first time 02/05/92.

1 AN ACT Relating to passenger train crew size; and amending RCW
2 81.40.010.

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

4 **Sec. 1.** RCW 81.40.010 and 1961 c 14 s 81.40.010 are each amended
5 to read as follows:

6 ~~((It shall be unlawful for any person, corporation, company, or
7 officer of court operating any railroad or railway, or part of any
8 railroad or railway, in the state of Washington, and engaged, as a
9 common carrier, in the transportation of freight or passengers, to
10 operate over its road or any part thereof, or suffer or permit to be
11 run over its road outside of the yard limits, any passenger, mail or
12 express train consisting of four or more cars with less than a full
13 passenger crew consisting of five men, to wit: one engineer, one
14 fireman, one conductor, one brakeman and one flagman (said flagman to~~

1 ~~have had at least one year's experience in train service) and none of~~
2 ~~the said crew shall be required or permitted to perform the duties of~~
3 ~~train baggageman or express messenger while on the road))~~ No law or
4 order of any regulatory agency of this state shall prevent a common
5 carrier by railroad from staffing its passenger trains in accordance
6 with collective bargaining agreements or any national or other
7 applicable settlement of train crew size. In the absence of a
8 collective bargaining agreement or any national or other applicable
9 settlement of train crew size, any common carrier railroad operating a
10 passenger train with a crew of less than two members shall be subject
11 to a safety review by the Washington utilities and transportation
12 commission, which, as to staffing, may issue an order requiring as many
13 as two crew members.