
SUBSTITUTE SENATE BILL 6353

State of Washington

52nd Legislature

1992 Regular Session

By Senate Committee on Transportation (originally sponsored by Senator McCaslin)

Read first time 02/11/92.

1 AN ACT Relating to railroads; amending RCW 81.48.010; and adding a
2 new section to chapter 81.48 RCW.

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

4 NEW SECTION. **Sec. 1.** A new section is added to chapter 81.48 RCW
5 to read as follows:

6 (1) Any county with a population of two hundred ten thousand or
7 more that does not adjoin a county with a population of one hundred
8 twenty-five thousand or more may adopt ordinances that restrict the
9 ringing of bells or sounding of whistles on locomotives where a railway
10 crosses a traveled road or street on the same level outside a city if
11 automatic grade crossing signals or gates are in place.

12 (2) Any county adopting ordinances authorized under subsection (1)
13 of this section shall hold harmless and indemnify any railroad to the
14 same extent that the railroad would otherwise be liable for any loss of

1 life or damage to property occurring at a railway crossing where a
2 county ordinance restricting train whistles and bells has been adopted.
3 The county is not required to indemnify the railroad where the railroad
4 is guilty of a criminal act or gross negligence.

5 **Sec. 2.** RCW 81.48.010 and 1961 c 14 s 81.48.010 are each amended
6 to read as follows:

7 Every engineer driving a locomotive on any railway who (~~shall~~
8 ~~fail~~) fails to ring the bell or sound the whistle upon (~~such~~) the
9 locomotive, or cause the same to be rung or sounded, at least eighty
10 rods from any place where (~~such~~) the railway crosses a traveled road
11 or street on the same level (except in cities or in counties that enact
12 ordinances under section 1 of this act), or to continue the ringing of
13 (~~such~~) the bell or sounding of (~~such~~) the whistle until (~~such~~)
14 the locomotive (~~shall have~~) has crossed (~~such~~) the road or street,
15 (~~shall be~~) is guilty of a misdemeanor.