

SENATE BILL REPORT

SB 5367

As Passed Senate, March 6, 2003

Title: An act relating to apportionment of the cost of installing and maintaining signals or warning devices at railroad-highway grade crossings.

Brief Description: Apportioning railroad crossing installation and maintenance costs.

Sponsors: Senators Haugen, Swecker, Jacobsen, Oke and Esser; by request of Utilities & Transportation Commission.

Brief History:

Committee Activity: Highways & Transportation: 2/12/03, 2/19/03 [DP].
Passed Senate: 3/6/03, 49-0.

SENATE COMMITTEE ON HIGHWAYS & TRANSPORTATION

Majority Report: Do pass.

Signed by Senators Horn, Chair; Benton, Vice Chair; Swecker, Vice Chair; Esser, Finkbeiner, Haugen, Kastama, Mulliken, Oke and Spanel.

Staff: Kelly Simpson (786-7403)

Background: Under current law, railroad companies and state and local officials must petition the Utilities and Transportation Commission (UTC) for approval to install signals and warning devices at public-access railroad crossings within their respective jurisdictions. If approval is granted by the UTC, the UTC must then apportion the costs of installing and maintaining the devices.

Generally, the apportionment for installation costs is statutorily set as follows: (1) 60 percent to the state Grade Crossing Protective Fund; (2) 30 percent to the respective state or local jurisdiction; and (3) 10 percent to the railroad company. A different apportionment schedule is established if federal funds are available.

The Grade Crossing Protective Fund is currently limited to the support of installing and maintaining signals and warning devices at public-access railroad crossings.

Summary of Bill: The general apportionment schedule for installation costs of signals and warning devices at public-access railroad crossings is changed so that the first \$20,000 in costs are apportioned to the Grade Crossing Protective Fund. The remaining costs are apportioned as follows: (1) 60 percent to the Grade Crossing Protective Fund; (2) 30 percent to the respective state or local jurisdiction; and (3) 10 percent to the railroad company. Additionally, the UTC may adopt rules for the allocation of monies from the Grade Crossing Protective Fund.

In addition to supporting the installation and maintenance of signals and warning devices at public-access railroad crossings, monies from the Grade Crossing Protective Fund may be used for grants and subsidies supporting rail safety projects performed by public and private entities.

The UTC must transfer from the Public Service Revolving Fund's Miscellaneous Fees and Penalties Accounts monies appropriated for rail safety purposes, if needed.

Appropriation: None.

Fiscal Note: Available.

Effective Date: Ninety days after adjournment of session in which bill is passed.

Testimony For: This bill would provide additional state dollars to local jurisdictions to install much needed signals and warning devices at railroad crossings and to support rail safety projects. These projects are important due to the history of railroad crossing accidents in Washington.

Testimony Against: None.

Testified: Beth Redfield, Washington Utilities & Transportation Commission (pro).