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**Transportation Committee**

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**HB 3052**

**Brief Description:** Introducing federal law preemption in regulating train speeds.

**Sponsors:** Representatives Clibborn, Wallace, Jarrett and Ericks.

**Brief Summary of Bill**

- Clarifies that the Washington Utilities and Transportation Commission has the authority to regulate railway train speeds within the limits of cities and towns and at grade crossings only to the extent that its authority is not preempted by federal law.

**Hearing Date:** 2/1/06

**Staff:** David Munnecke (786-7315).

**Background:**

Under federal law, a state may adopt or continue in force a more stringent law, regulation, or order with respect to railroad safety when the law, regulation, or order: (1) is necessary to eliminate or reduce an essentially local safety hazard; (2) is not incompatible with a law, regulation, or order of the United States government; and (3) does not unreasonably burden interstate commerce.

The Washington Utilities and Transportation Commission has the authority to regulate the railway train speeds within the limits of cities and towns, other than first class cities, and at grade crossings.

**Summary of Bill:**

The Washington Utilities and Transportation Commission has authority to regulate railway train speeds within the limits of cities and towns and at grade crossings only to the extent that its authority is not preempted by federal law.

**Appropriation:** None.

**Fiscal Note:** Not requested.

**Effective Date:** The bill takes effect 90 days after adjournment of session in which bill is passed.