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**Transportation Committee**

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**HB 1312**

**Brief Description:** Modifying provisions concerning transportation providers.

**Sponsors:** Representatives Hudgins and Hankins; by request of Utilities & Transportation Commission.

**Brief Summary of Bill**

- Amends various statutes related to the Utilities and Transportation Commission's regulation obligations to reflect federal preemption and deregulation.
- Repeals obsolete provisions and updates statutory language to reflect modern terminology and usage.

**Hearing Date:** 2/8/07

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

**Background:**

Over the past several decades, the federal government has passed legislation preempting state authority in or deregulating various aspects of the nation's transportation system. However, the state statutory language reflecting the state's previous authority in these areas remains a part of the revised code of Washington.

Archaic terminology related to transportation and other service provider that are or were regulated by the Utilities and Transportation Commission (UTC) remains in statute, along with completed obligations of the UTC and grandfathering clauses that are no longer relevant.

**Summary of Bill:**

Sections of the law that relate to rates, routes, and services are amended to indicate that those sections only apply to the companies that are regulated as to rates, routes, and services. Laws related to railroad rates, routes, and services are repealed or amended in order to reflect the current state of federal preemption.

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*This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.*

The Utilities and Transportation Commission (UTC) is directed to cooperate with the federal government and the United States Department of Transportation (USDOT) to insure that state and federal laws are enforced and administered cooperatively in regard to the transportation of property and passengers in interstate and foreign commerce. The UTC is also granted the authority to regulate common carriers in interstate commerce in accordance with any federal laws granting it such authority.

The UTC is granted regulatory jurisdiction over the safety practices for railroad equipment, facilities, rolling stock, and operations in the state for the purpose of participating with USDOT in enforcing federal railroad safety regulations. The UTC is also required to administer the railroad safety provisions of title 81 to the fullest extent allowed under state and federal law.

The sections related to economic regulation of common carriers are also amended to reflect federal preemption in this area.

Provisions that are covered by the Administrative Procedures Act (APA) are eliminated so that the Utilities and Transportation Commission follows the APA as it currently stands and would be required to follow any future modifications.

Obsolete provisions, archaic terminology, and inaccurate or out-of-date references to state or federal agencies are eliminated or modified as necessary.

**Appropriation:** None.

**Fiscal Note:** Available.

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