

SENATE BILL REPORT

2SHB 2344

As Reported By Senate Committee On:
Transportation, March 03, 2008

Title: An act relating to preserving rail corridors.

Brief Description: Preserving rail corridors.

Sponsors: House Committee on Transportation (originally sponsored by Representatives Wallace, Rodne, Hunter and Kenney).

Brief History: Passed House: 2/15/08, 94-0.

Committee Activity: Transportation: 2/25/08, 3/3/08 [DPA].

SENATE COMMITTEE ON TRANSPORTATION

Majority Report: Do pass as amended.

Signed by Senators Haugen, Chair; Marr, Vice Chair; Swecker, Ranking Minority Member; Berkey, Delvin, Eide, Jacobsen, Kastama, Kauffman, Kilmer, King, Pflug, Sheldon and Spanel.

Staff: Dory Nicpon (786-7321)

Background: Before a railroad company may abandon a rail line, it must notify the state, and obtain permission from the federal Surface Transportation Board (STB). Under current law, the Washington State Department of Transportation (DOT) must seek alternatives to abandonment prior to federal abandonment proceedings, and the Utilities and Transportation Commission (UTC) must intervene in federal abandonment proceedings where necessary to protect the state's interests.

Current law requires certain local jurisdictions to develop comprehensive growth management plans, which must include specified transportation elements.

A seller of residential property must generally complete a seller disclosure statement regarding the seller's knowledge of relevant encroachments, boundaries, right of ways, easements, etc.

Summary of Bill (Recommended Amendments): The transportation element of a comprehensive growth management plan must include an inventory of active and inactive rail facilities, and must provide for, and encourage the preservation of, these corridors for future rail purposes.

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 seller disclosure statement specified in statute is revised to include a question about whether the property abuts an active or inactive rail corridor that is being preserved for future rail purposes.

EFFECT OF CHANGES MADE BY TRANSPORTATION COMMITTEE (Recommended Amendments): The intent section, and the section that required the DOT to solicit public comment and convene a review panel when notified of a proposed rail abandonment, are eliminated. A comprehensive growth management plan must include an inventory of both public and private rail facilities.

Appropriation: None.

Fiscal Note: Not requested.

Committee/Commission/Task Force Created: No.

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

Staff Summary of Public Testimony on Second Substitute Bill: OTHER: Some of the procedures specified in the bill are duplicative of DOT's current statutory obligations. There is already a procedure for consulting with local interests regarding a proposed abandonment, and furnishing input to the STB. Also, if a growth management comprehensive plan is to contain an inventory of active and inactive rail lines within the jurisdiction, perhaps the inventory should include both publicly and privately owned rail lines.

Persons Testifying: OTHER: Scott Witt, DOT; Bill Stauffacher, Burlington Northern Santa Fe Railway.