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## Transportation Committee

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### SSB 6280

**Brief Description:** Providing an exemption from the department of transportation number requirement for certain farm vehicles.

**Sponsors:** Senate Committee on Transportation (originally sponsored by Senators King, Hobbs, Hatfield and Schoesler).

#### Brief Summary of Substitute Bill

- Removes the requirement for a United States Department of Transportation number for intrastate commercial vehicles less than 26,001 pounds that are owned and operated by farmers used in the transportation of their own farm, orchard, or dairy products, including livestock and plant or animal wastes, from point of production to market or disposal, or supplies or commodities to be used on the farm, orchard, or dairy.

**Hearing Date:** 2/19/14

**Staff:** Jerry Long (786-7306).

#### Background:

Certain motor carriers operate commercial motor vehicles solely within Washington (intrastate), while other motor carriers operate in multiple states (interstate). The Federal Motor Carrier Safety Administration (FMCSA) regulates interstate motor carriers. The FMCSA and the Washington State Patrol (WSP) perform compliance reviews of interstate motor carriers. The FMCSA requires that interstate motor carriers over 10,000 pounds have United States Department of Transportation (USDOT) numbers that enable the FMCSA and the WSP to maintain a safety rating on those carriers. The WSP is responsible for enforcement of safety requirements for commercial vehicles, including safety audits and compliance reviews. Motor carriers that have operations in Washington are subject to the WSP safety audits and compliance review programs.

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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.*

In 2006 Substitute House Bill (SHB) 2987 directed the WSP to develop recommendations for improving the safe operation of commercial motor vehicles on Washington's highways and roads. The 2006 workgroup recommendations included that intrastate motor carriers operating certain commercial vehicles with a gross weight over 16,001 pounds or carrying hazardous materials be required to apply for the USDOT numbers in two phases.

In 2007 SHB 1304 was enacted implementing the recommendations of the workgroup. The first phase of implementation was that all intrastate commercial vehicles having a gross vehicle weight rating of more than 26,001 pounds or more must have the USDOT numbers by June 30, 2009.

The second phase of SHB 1304 required that interstate commercial vehicles with: a weight rating of 16,001 pounds or more that includes the weight of a trailer being towed; or a gross vehicle weight rating of 16,001 pounds or more; or any size of vehicle that is used in the transportation of hazardous materials must have a USDOT number by June 30, 2012.

The WSP uses the federal government's computer system for the issuance of the USDOT numbers and uses the data-driven analysis to identify and prioritize inspection and compliance reviews of interstate and intrastate motor carriers who have been identified as high-risk carriers. The numbers for intrastate carriers are applied for through the USDOT at no charge.

Vehicles owned and operated by farmers in the transportation of their own farm, orchard, or dairy products, including livestock, from point of production to market or disposal or items to be used on the farm, orchard or dairy are required to obtain the USDOT numbers, but are exempt from safety audits and compliance reviews.

The USDOT numbers are used by the FMCSA to monitor interstate commercial vehicles over 10,000 pounds and the WSP to monitor intrastate commercial vehicles over 16,001. The numbers serve as unique identifiers when the FMCSA or the WSP collects data and reviews a company's compliance during safety audits, compliance reviews, crash investigations, and roadside inspections. The states that have implemented intrastate USDOT numbers are: Alabama, Alaska, Arizona, Colorado, Connecticut, Florida, Georgia, Indiana, Iowa, Kansas, Kentucky, Maine, Maryland, Michigan, Minnesota, Missouri, Montana, Nebraska, New Jersey, New York, North Carolina, Ohio, Oklahoma, Oregon, Pennsylvania, South Carolina, Tennessee, Texas, Utah, Washington, West Virginia, Wisconsin, and Wyoming.

### **Summary of Bill:**

The bill removes the requirement for a USDOT number for intrastate commercial vehicles less than 26,001 pounds that are owned and operated by farmers used in the transportation of their own farm, orchard, or dairy products, including livestock and plant or animal wastes, from point of production to market or disposal, or supplies or commodities to be used on the farm, orchard, or dairy.

**Appropriation:** None.

**Fiscal Note:** Requested on February 14, 2014.

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