

SHB 1299 - H AMD 375

By Representative Farrell

ADOPTED 04/09/2015

1 On page 3, beginning on line 1, beginning with "The appropriation"
2 strike all material through "maintenance" on line 18 and insert the
3 following:

4 "The appropriation in this section is subject to the following
5 conditions and limitations: The utilities and transportation
6 commission shall coordinate a state agency work group in 2015 that
7 will identify issues, laws, and regulations relevant to consolidating
8 rail employee safety and regulatory functions in the utilities and
9 transportation commission, and report those findings to the joint
10 transportation committee by December 31, 2015. State agencies in the
11 work group must include the department of transportation, the
12 department of labor and industries, the emergency management division
13 of the state military department, and any other relevant agencies. The
14 report must address: An inventory of state rail employee safety
15 regulatory authority, including rail employee safety laws and
16 regulations; issues pertaining to state rail safety inspectors,
17 including enforcement authority, staffing, training, and retention;
18 and information relating to the enhancement of rail employee safety,
19 yard conditions, lighting, and appliance maintenance"

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21 On page 9, beginning on line 19, strike all of subsection (4) and
22 insert the following:

23 "(4)(a) \$250,000 of the multimodal transportation account—state
24 appropriation is for the joint transportation committee to coordinate
25 a work group that will make recommendations on consolidating rail
26 employee safety regulatory functions in Washington state into the
27 utilities and transportation commission.

1 (b) This work group must be composed of one representative from
2 each of the following: (i) The utilities and transportation
3 commission, (ii) the department of labor and industries, (iii) the
4 attorney general's office, (iv) a class 1 rail carrier, and (v) a
5 short line rail operator designated as a class 2 or 3 carrier. The
6 work group must also include two representatives from railroad
7 operating craft labor organizations, and four members of the
8 legislature with one member from each caucus of the house of
9 representatives and one member from each caucus of the senate. The
10 work group may consult with the department of transportation and the
11 emergency management division of the state military department as
12 needed.

13 (c) The work group's examination must include a review of other
14 states' efforts to consolidate rail employee safety regulatory
15 authority within a single agency and identify barriers to such
16 consolidation in Washington.

17 (d) By December 31, 2016, the joint transportation committee must
18 provide a final report to the legislature summarizing the work group's
19 findings, providing recommendations on how such a consolidation of all
20 state rail employee safety and employee safety regulatory functions
21 should occur, and including statutory revisions that may be necessary
22 to accomplish this consolidation."

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EFFECT:

- Limits a report by the Utilities and Transportation Commission (UTC) to only rail employee safety and regulatory functions.
- Removes the Department of Ecology from the list of agencies that the UTC must work with in completing the report.
- Removes date references regarding when the Joint Transportation Committee (JTC) must convene a work group relating to rail safety and regulatory matters.
- Removes the Department of Transportation, the Department of Ecology, and the Emergency Management Division of the State Military Department from the list of agencies that must participate in the JTC's work group, but allows the work group to consult with the Department of Transportation and the Emergency management Division of the State Military Department.
- Limits the work group's focus to rail employee safety, instead

of all rail safety regulatory functions.

FISCAL IMPACT: No net change to appropriated levels.

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