

HOUSE BILL REPORT

HB 1839

As Reported by House Committee On:
Transportation

Title: An act relating to authorizing commercial motor vehicles to park in chain up and chain off areas that are not in use.

Brief Description: Authorizing commercial motor vehicles to park in chain up and chain off areas that are not in use.

Sponsors: Representatives Eslick, Barkis, Abbarno, Boehnke, Dent, Chase, Jacobsen, Sutherland and Graham.

Brief History:

Committee Activity:

Transportation: 1/24/22, 2/7/22 [DPS].

Brief Summary of Substitute Bill

- Authorizes commercial motor vehicles used in commerce to transport property to park in areas designated by the Washington State Department of Transportation (WSDOT) as chain-up and chain-off areas along United States Route 2 and Interstate 90 between May 1 and November 1.
- Requires the WSDOT to post and maintain signage authorizing commercial motor vehicle parking in chain-up and chain-off areas that it determines have sufficient space to accommodate commercial motor vehicles parking for an extended period of time and where other safety concerns have been addressed.

HOUSE COMMITTEE ON TRANSPORTATION

Majority Report: The substitute bill be substituted therefor and the substitute bill do pass. Signed by 27 members: Representatives Fey, Chair; Wylie, 1st Vice Chair; Bronoske, 2nd Vice Chair; Barkis, Ranking Minority Member; Eslick, Assistant Ranking Minority

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

Member; Robertson, Assistant Ranking Minority Member; Volz, Assistant Ranking Minority Member; Berry, Chapman, Dent, Donaghy, Duerr, Entenman, Goehner, Griffey, Hackney, Klicker, Orcutt, Paul, Ramel, Riccelli, Slatter, Sutherland, Taylor, Valdez, Walsh and Wicks.

Minority Report: Without recommendation. Signed by 1 member: Representative Ramos, 2nd Vice Chair.

Staff: Jennifer Harris (786-7143).

Background:

A "commercial motor vehicle" is a motor vehicle that:

1. has a gross combination weight rating or gross combination weight of 26,001 pounds or more, whichever is greater, inclusive of a towed unit or units with a gross vehicle weight rating or gross vehicle weight of more than 10,000 pounds;
2. has a gross vehicle weight rating or gross vehicle weight of 26,001 pounds or more, whichever is greater;
3. is designed to transport 16 or more passengers, including the driver; or
4. is of any size and is used in the transportation of hazardous materials as defined under federal law.

Federal rules provide that property-carrying drivers of commercial motor vehicles have 14 hours to drive a maximum of 11 hours after coming on duty, after which point federal law requires that they take 10 consecutive hours off duty. Drivers must take a 30-minute break when they have driven for a period of eight cumulative hours without at least a 30-minute interruption. Drivers are allowed to extend the 11-hour maximum driving limit and 14-hour driving window by up to two hours when they encounter adverse driving conditions.

Commercial vehicles may park up to an hour beyond federally mandated rest periods at highway rest areas in Washington.

Summary of Substitute Bill:

Commercial motor vehicles that are used in commerce solely to transport property are authorized to park in areas designated by the Washington State Department of Transportation (WSDOT) as chain-up and chain-off areas along United States (U.S.) Route 2 and Interstate 90 (I-90) between May 1 and November 1 for up to an hour beyond federally mandated rest periods when signage posted by the WSDOT authorizes their parking.

Beginning July 1, 2022, the WSDOT is required to post and maintain signage authorizing commercial motor vehicle parking in chain-up and chain-off areas that it determines:

1. have sufficient space to accommodate commercial motor vehicles parking for an extended period of time; and
2. where other safety concerns have been addressed.

The WSDOT must notify the Washington State Patrol (WSP) and the transportation committees of the Legislature when it posts signage authorizing commercial motor vehicle parking in a chain-up or chain-off area.

Substitute Bill Compared to Original Bill:

The substitute bill authorizes parking in chain-up and chain-off areas along U.S. Route 2 and I-90 only. It sets the start date as July 1, 2022, when the requirement that the WSDOT post and maintain signage authorizing commercial motor vehicle parking takes effect, and it requires that the WSDOT determine safety concerns, other than sufficiency of space for parking, have been addressed prior to the WSDOT being required to maintain signage authorizing commercial motor vehicle parking.

The substitute bill also mandates that the WSDOT notify the WSP and the transportation committees of the Legislature when it posts signage authorizing commercial motor vehicle parking.

Appropriation: None.

Fiscal Note: Available.

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

Staff Summary of Public Testimony:

(In support) Truck drivers park in unauthorized areas on a regular basis because there is not enough truck parking. The lack of parking is inhumane. Truck drivers are forced to drive when they need sleep, and have no choice but to violate hours of service or parking regulations. In Washington, it can be extremely challenging to find parking. Truck drivers and other motorists are put at risk when a driver races against the clock to find parking to meet hours of service restrictions. Commercial drivers pay the largest share of fuel taxes, but get nothing in return when it comes to parking. The WSDOT can be a pioneer in this area.

Parking is needed to make sure drivers have an adequate amount of rest and can comply with state and federal restrictions on parking. Facilities are needed for extended breaks. Parking at chain-up and chain-off areas can help, but this will not be an ideal option for extended rest breaks due to safety concerns and the lack of facilities at these locations.

(Opposed) None.

(Other) There is a need to provide commercial motor vehicle parking and the intent of the bill is to address this. There would be costs associated with providing signage, barriers, illumination, trash collection, and restroom facilities. The WSDOT could create a makeshift rest area immediately adjacent to traffic, but there are concerns for safety when trucks are parked so close to travel lanes that go beyond the sufficiency of space for parking. The bill should be amended to address this.

Persons Testifying: (In support) Representative Carolyn Eslick, prime sponsor; and Sheri Call, Washington Trucking Associations.

(Other) Mike Dornfeld, Washington State Department of Transportation.

Persons Signed In To Testify But Not Testifying: None.