

HOUSE BILL REPORT

SB 5531

As Passed House:

April 7, 2023

Title: An act relating to special use permits for milk product haulers.

Brief Description: Concerning special use permits for milk product haulers.

Sponsors: Senators King, Shewmake and Nobles.

Brief History:

Committee Activity:

Transportation: 3/15/23, 4/4/23 [DP].

Floor Activity:

Passed House: 4/7/23, 93-4.

Brief Summary of Bill

- Authorizes the Washington State Department of Transportation to issue a one-year special permit for the operation of two trailing units hauling fluid or liquid nondivisible milk, which together are not more than 85 feet in length.
- Requires a \$300 fee for the permit.

HOUSE COMMITTEE ON TRANSPORTATION

Majority Report: Do pass. Signed by 27 members: Representatives Fey, Chair; Donaghy, Vice Chair; Paul, Vice Chair; Timmons, Vice Chair; Barkis, Ranking Minority Member; Hutchins, Assistant Ranking Minority Member; Low, Assistant Ranking Minority Member; Robertson, Assistant Ranking Minority Member; Bronoske, Chapman, Cortes, Dent, Doglio, Duerr, Entenman, Goehner, Griffey, Hackney, Klicker, Mena, Orcutt, Ramel, Ramos, Taylor, Volz, Walsh and Wylie.

Minority Report: Do not pass. Signed by 1 member: Representative Berry.

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.

Staff: Beth Redfield (786-7140).

Background:

It is unlawful to operate without a special permit on public highways a combination of a tractor and two trailers with the combined length of the trailers being more than 61 feet in length. Operators of overlength vehicles must obtain a special permit from the Washington State Department of Transportation (WSDOT) to travel on the state highway system. Typically, overlength permits are granted for loads that cannot be easily dismantled or divided, or nondivisible loads. Valid permits that are issued may range from one day to one year.

The WSDOT is authorized to issue a one-year permit for operation of two trailing units which together are no more than 68 feet in length. The WSDOT must charge a \$100 fee for the permit.

The Fixing America's Surface Transportation Act (FAST Act) reauthorized federal surface transportation programs in 2015, and included a provision (Section 1409) that required that a vehicle carrying fluid milk products must be considered a nondivisible load.

Summary of Bill:

The WSDOT is authorized to issue a one-year special permit for the operation of two trailing units hauling fluid or liquid nondivisible milk, which together exceed 61 feet in length and are not more than 85 feet in length. The WSDOT must charge a \$300 fee for the permit.

Appropriation: None.

Fiscal Note: Available.

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

Staff Summary of Public Testimony:

(In support) This bill is about allowing longer dual trailers. There is more weight but there are also more axles. The actual weight per axle is less than normal. Therefore, the wear and tear on our roads will be less. By allowing this, there will be fewer vehicles on the road, which is good for safety, the environment, and emissions. Agriculture sees the impacts of climate change, and this is a way for them to be a part of the solution. The reduced number of trucks may even be slightly more protective of the roads. In this inflationary environment, this may also help moderate the impact of the price of fuel on food prices. Dairy farmers like this bill. It is part of an effort to address our impact on

carbon. We have set goals nationwide as an industry to reduce our carbon footprint. A number of states have already adopted this, including Oregon and Idaho. As we are moving our milk around the region, this will create some consistency. The federal government has already approved this. Darigold has committed to being greenhouse gas neutral by 2050. We spent over \$600 million to build a new production facility in Pasco which will have a number of sustainable benefits, including greater proximity to one-third of our farms and reducing transportation impacts throughout our system. In 2019 the entire farm milk pick-up fleet in Idaho was transitioned to 129,000 pound trucks and has seen miles driven decrease by 19 percent and diesel fuel consumption decrease by 9 percent. All while still hauling the same amount of milk. In Washington, there will be a reduction of about 10,000 loads, or 2,000 to 3,000 thousand gallons of diesel fuel, which equates to a reduction of 5 to 7 million tons of carbon emissions. There is a perception that heavier trucks are a more dangerous to public safety. A National Cooperative Highway Research Program study has shown that heavier trucks are associated with fewer crashes due to fewer trucks being needed to haul the same volume of cargo. This is not a triple trailer bill, but the arguments are similar. It is a narrowly focused bill aimed at implementing a provision of the 2015 FAST Act to assist liquid milk bulk haulers in Washington. Issuing oversize permits is not an unusual practice, it happens every day in the state. The permits provide special clearance to move all kinds of products in the state that are necessary for things to get built, manufactured, or processed into ice cream. Regarding employment of truck drivers, we already struggle to hire and retain enough drivers, any reduction in truckloads resulting from this bill will not result in job loss for drivers.

(Opposed) None.

Persons Testifying: Senator Curtis King, prime sponsor; Jay Gordon, Washington State Dairy Federation; Kristi Kangas and Russ Brandt, Darigold; Sheri Call, Washington Trucking Associations; and Senator Sharon Shewmake.

Persons Signed In To Testify But Not Testifying: None.