

# HOUSE BILL REPORT

## SB 5434

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*As Passed Legislature*

**Title:** An act relating to state and federal regulation of railroads.

**Brief Description:** Repealing certain regulatory authority over railroads.

**Sponsor(s):** Senators Patterson, Snyder and Hansen; by request of Utilities & Transportation Commission.

**Brief History:**

Reported by House Committee on:  
Transportation, March 27, 1991, DP;  
Passed House, April 11, 1991, 95-0;  
Passed Legislature, 95-0.

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**HOUSE COMMITTEE ON  
TRANSPORTATION**

**Majority Report:** *Do pass.* Signed by 23 members: Representatives R. Fisher, Chair; Betrozoff, Ranking Minority Member; Chandler, Assistant Ranking Minority Member; Basich; Brough; Cantwell; Cooper; G. Fisher; Forner; Horn; P. Johnson; R. Johnson; Jones; Kremen; Mitchell; Nelson; Orr; Prentice; Prince; Schmidt; Wilson; Wood; and Zellinsky.

**Staff:** Gene Baxstrom (786-7303).

**Background:** The 1980 Staggers Rail Act gave the federal government all authority over railroad transportation rates. Under the act, any state wishing to exercise jurisdiction over rail transportation rates was required to apply for Interstate Commerce Commission (ICC) certification. To become certified, the state regulatory authority had to agree to exercise its authority in compliance with the act and was required to formalize that agreement by adopting rules to implement federal procedural and accounting rules.

In 1984, the Legislature directed that the Washington Utilities & Transportation Commission (WUTC) become certified by the ICC. The intent of such certification was to provide a local forum for the settlement of any rail transportation rate dispute. The WUTC drafted rules, applied for certification, and was certified by the ICC.

The certification expires in May 1991 and recertification requires additional state rule adoption.

WUTC records show that only one rail transportation rate has been challenged since 1980, and that case was heard and decided before the state was certified.

**Summary of Bill:** The requirement that the Utilities & Transportation Commission maintain certification under the federal Staggers Rail Act is repealed.

**Fiscal Note:** Available.

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

**Testimony For:** WUTC certification is not needed since no rate cases have been filed. The requirement should be repealed.

**Testimony Against:** None.

**Witnesses:** Carol Monohon, Washington Utilities & Transportation Commission.