

HOUSE BILL REPORT

HB 1324

As Reported By House Committee On:
Transportation

Title: An act relating to transportation safety and planning.

Brief Description: Planning for transportation safety and security.

Sponsors: Representatives Fisher, K. Schmidt, Mitchell and Hankins; by request of Department of Transportation.

Brief History:

Committee Activity:

Transportation: 2/2/99, 3/1/99 [DPS].

Brief Summary of Substitute Bill

- Authorizes the Washington State Department of Transportation (WSDOT) to carry out federally-mandated safety oversight program for light rail systems.
- Allows WSDOT to impose sanctions on light rail operators for not submitting safety plans on time.

HOUSE COMMITTEE ON TRANSPORTATION

Majority Report: The substitute bill be substituted therefor and the substitute bill do pass. Signed by 27 members: Representatives Fisher, Democratic Co-Chair; K. Schmidt, Republican Co-Chair; Cooper, Democratic 1st Vice Chair; Edwards, Democratic 2nd Vice Chair; Ericksen, Republican Vice Chair; Hankins, Republican Vice Chair; Buck; G. Chandler; DeBolt; Fortunato; Haigh; Hatfield; Hurst; Lovick; McDonald; Mielke; Mitchell; Morris; Murray; Ogden; Pflug; Radcliff; Romero; Schindler; Scott; Skinner and Wood.

Staff: Jeff Doyle (786-7322).

Background:

A *rail fixed guideway system* (RFGS) is a light, heavy or rapid rail system such as San Francisco's Bay Area Rapid Transit (BART) system, a monorail, trolley, or other high capacity transportation system, except for rail systems regulated by the federal railroad administration such as Burlington Northern Railroad.

Recent federal law requires that the state of Washington, rather than the federal government, oversee and ensure the safe operation of these systems. Federal regulations require the state to: develop safety and security program standards; monitor the implementation of the safety and security programs at the local level; require reports when hazardous conditions, accidents, or security breaches occur; conduct on-site inspections at least every three years; ensure that safety and security audits are conducted; and that annual reports are submitted by the RFGS operator.

The WSDOT has been designated the lead agency for purposes of implementing these federal regulations.

Summary of Substitute Bill:

The WSDOT is directed to adopt administrative rules to oversee the safety and security of RFGSs in the state.

Cities, counties, public transportation benefit areas (PTBA), and regional transportation authorities (RTA) that own or operate a RFGS must submit a system safety and security plan to WSDOT by September 1, 1999. Cities, counties, PTBAs, and RTAs are also required to prepare annual reports and notify WSDOT within 24 hours of an accident, an unacceptable hazardous condition, or security breach.

The WSDOT is required to conduct audits of these RFGSs once every three years. The WSDOT is also authorized (but not required) to perform a separate, independent investigation into any reportable accident, unacceptable hazardous condition, or security breach.

The WSDOT may establish timelines for implementation of safety and security programs, and may also establish sanctions for failure to submit plans on time. If the state loses any federal funds as a result of non-compliance by an owner/operator of a RFGS, the owner/operator is liable to the state for the loss of federal funds.

Substitute Bill Compared to Original Bill: Removes provisions requiring local operators to pay WSDOT's audit costs. Removes provisions mandating that the WSDOT's administrative costs be paid from the High Capacity Transit Account. Clarifies that sanctions can be imposed on local operators only for failure to submit required reports. Clarifies that security plans are exempt from public disclosure.

Appropriation: None.

Fiscal Note: Available.

Effective Date of Substitute Bill: The bill contains an emergency clause and takes effect immediately.

Testimony For: (Original bill) The federal transit administration is requiring states to oversee safety and security for light rail. This bill will help the WSDOT meet the federal requirements.

Testimony Against: (Original bill) The security provisions in the bill need to be modified to allow reasonable disclosure to the press.

Testified: (Support) Lois Anderson, Washington State Department of Transportation.

(Opposed) Roland Thompson, Allied Daily Newspapers.