

SENATE BILL REPORT

SB 6549

As Passed Senate, February 12, 2000

Title: An act relating to repeal of outdated railway regulations.

Brief Description: Repealing outdated railway regulations.

Sponsors: Senators Horn, Haugen, Benton, Oke and Winsley.

Brief History:

Committee Activity: Transportation: 1/31/2000, 2/8/2000 [DP].
Passed Senate, 2/12/2000, 39-0.

SENATE COMMITTEE ON TRANSPORTATION

Majority Report: Do pass.

Signed by Senators Haugen, Chair; Gardner, Vice Chair; Goings, Vice Chair; Benton, Costa, Eide, Finkbeiner, Heavey, Horn, Johnson, Morton, Oke, Prentice, Sheahan, T. Sheldon, Shin and Swecker.

Staff: Jennifer Ziegler (786-7316)

Background: There have been many changes in federal law governing railroad companies since Washington State's statutes governing railroads were enacted early in this century. Several federal statutes, particularly the Federal Railroad Safety and Hazardous Materials Transportation Control Act of 1970 and the Interstate Commerce Commission Termination Act (ICCTA), contain provisions expressly preempting certain state laws and rules in the area of safety and economic regulation.

Generally, any statutory provisions granting authority to regulate rates, routes, and services are clearly preempted under the ICCTA. Additionally, under the ICCTA any statutes granting the Utilities and Transportation Commission authority to review railroad construction, acquisitions, and abandonment of tracks are clearly preempted.

Summary of Bill: Statutory provisions regarding cabooses, shippers and passengers on railroads, street railways are repealed.

Appropriation: None.

Fiscal Note: Not requested.

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

Testimony For: These regulations have clearly been preempted by federal law. Thus, the state statutes no longer have an application.

Testimony Against: None.

Testified: PRO: Senator Horn, prime sponsor; Mike Rowswell, Utilities and Transportation Commission; Pat Halstead, Burlington Northern Santa Fe (concerns); Tom Retterath, United Transportation Union.