

SENATE BILL REPORT

SB 6435

As Reported By Senate Committee On:
Transportation, February 1, 2002

Title: An act relating to the disqualification of drivers of commercial motor vehicles.

Brief Description: Disqualifying commercial drivers for grade crossing violations.

Sponsors: Senators Haugen, Benton and T. Sheldon; by request of Department of Licensing.

Brief History:

Committee Activity: Transportation: 1/23/02, 2/1/02 [DP].

SENATE COMMITTEE ON TRANSPORTATION

Majority Report: Do pass.

Signed by Senators Haugen, Chair; Gardner, Vice Chair; Finkbeiner, Horn, Jacobsen, Kastama, Keiser, McAuliffe, McDonald, Oke, Prentice and Shin.

Staff: Tami Neilson (786-7452)

Background: Federal regulations require that states implement specific laws to achieve safer commercial motor vehicle driver behavior for crossing an intersection where a rail line and a highway cross over one another at the same level. If a state fails to implement the laws by October 2002, it may result in a 5 percent reduction of federal transportation funding in the first year of noncompliance, and a 10 percent reduction every year thereafter. Violations of railroad-highway grade crossings are currently determined by federal, state, and local law.

Summary of Bill: A commercial motor vehicle driver is disqualified from driving a commercial motor vehicle for a predetermined period of time if he or she is guilty of violating one of six specified offenses regarding railroad-highway crossings, as indicated below.

- For drivers who are not required to always stop: (1) failing to slow down and check that the tracks are clear; and (2) failing to stop before reaching the crossing if the tracks are not clear.
- For drivers who are required to always stop, failing to stop before driving over a crossing.
- For all drivers: (1) failing to have enough space to drive completely through the crossing without stopping; (2) failing to obey a traffic control device or directions of a law enforcement officer at a crossing; and (3) failing to go over a crossing without sufficient undercarriage clearance.

The driver is disqualified for 60 days for the first violation, 120 days for the second, and one year for the third within a three-year period.

Appropriation: None.

Fiscal Note: Available.

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

Testimony For: Federal funding would be lost and commercial drivers could not drive in interstate commerce if this bill is not passed. Compliance is needed with the federal law.

Concerns: For some grades crossings, it may be more dangerous if a driver slows down.

Testimony Against: None.

Testified: Clark Holloway, Department of Licensing; Jay Lawley, Washington Trucking Association; Eric Robertson, Washington State Patrol; Own Linch, Joint Council of Teamsters.