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SENATE BILL 5229

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State of Washington

57th Legislature

2001 Regular Session

By Senators Costa and Haugen; by request of Criminal Justice Training Commission

Read first time 01/16/2001. Referred to Committee on Transportation.

1 AN ACT Relating to the commissioning and training of railroad  
2 police; and amending RCW 81.60.010, 81.60.020, 81.60.030, 81.60.040,  
3 81.60.050, and 81.60.060.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

5 **Sec. 1.** RCW 81.60.010 and 1961 c 14 s 81.60.010 are each amended  
6 to read as follows:

7 The ~~((governor))~~ criminal justice training commission shall have  
8 the power to and may in ~~((his))~~ its discretion appoint and commission  
9 ~~((special))~~ railroad police officers at the request of any railroad  
10 corporation and may revoke any ~~((such))~~ appointment at ~~((his))~~ its  
11 pleasure.

12 **Sec. 2.** RCW 81.60.020 and 1961 c 14 s 81.60.020 are each amended  
13 to read as follows:

14 Any railroad corporation desiring the appointment of any of its  
15 officers, agents, or servants not exceeding twenty-five in number for  
16 any one division of any railroad operating in this state ~~((division as  
17 herein intended, shall mean the part of any railroad or railroads under  
18 the jurisdiction of any one division superintendent),~~) as ~~((special))~~

1 railroad police officers shall file a request with the ((governor))  
2 criminal justice training commission on an approved application  
3 ((stating the name, age and place of residence of the person whose  
4 appointment it desires, the position he occupies with the railroad  
5 corporation, the nature of his duties and the reasons why his  
6 appointment is desired, which)) form. The application shall be signed  
7 by the president or some managing officer of the railroad corporation  
8 and shall be accompanied by an affidavit ((of such officer to the  
9 effect)) stating that ((he)) the officer is acquainted with the person  
10 whose appointment is sought, that ((he)) the officer believes ((him))  
11 the person to be of good moral character, and that ((he)) the person is  
12 of such character and experience that he or she can be safely entrusted  
13 with the powers of a police officer.

14 For the purposes of this section, "division" means the part of any  
15 railroad or railroads under the jurisdiction of any one division  
16 superintendent.

17 **Sec. 3.** RCW 81.60.030 and 1961 c 14 s 81.60.030 are each amended  
18 to read as follows:

19 Before receiving ((his)) a commission each person appointed under  
20 the provisions of RCW 81.60.010 through 81.60.060 shall successfully  
21 complete a course of training prescribed or approved by the criminal  
22 justice training commission, and shall take, subscribe, and file with  
23 the ((governor)) commission an oath to support the Constitution of the  
24 United States((7)) and the Constitution and laws of the state of  
25 Washington, and to faithfully perform the duties of ((his)) the office.  
26 The corporation requesting appointment of a railroad police officer  
27 shall bear the full cost of training.

28 Railroad police officers appointed and commissioned under RCW  
29 81.60.010 through 81.60.060 are subject to rules and regulations  
30 adopted by the commission.

31 **Sec. 4.** RCW 81.60.040 and 1961 c 14 s 81.60.040 are each amended  
32 to read as follows:

33 Every police officer appointed and commissioned under the  
34 provisions of RCW 81.60.010 through 81.60.060 shall when on duty have  
35 the power and authority conferred by law on peace officers, but shall  
36 exercise such power only in the protection of the property belonging to  
37 or under the control of the corporation at whose instance ((he)) the

1 officer is appointed and in preventing, and making arrest for,  
2 violations of law upon or in connection with such property.

3 **Sec. 5.** RCW 81.60.050 and 1961 c 14 s 81.60.050 are each amended  
4 to read as follows:

5 Every (~~such special~~) railroad police officer shall, when on duty,  
6 wear in plain view a (~~metal shield~~) badge bearing the words  
7 "~~special~~) railroad police" and the name of the corporation by which  
8 (~~he~~) the officer is employed, or carry, and present upon request,  
9 official credentials identifying the railroad police officer and  
10 corporation.

11 **Sec. 6.** RCW 81.60.060 and 1961 c 14 s 81.60.060 are each amended  
12 to read as follows:

13 The corporation procuring the appointment of any (~~special~~)  
14 railroad police shall be solely responsible for the compensation for  
15 (~~his~~) the officer's services and shall be liable civilly for any  
16 unlawful act of (~~such~~) the officer resulting in damage to any person  
17 or corporation.

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