

HOUSE BILL REPORT

HB 1352

As Passed Legislature

Title: An act relating to apportionment of the cost of installing and maintaining signals or warning devices at railroad-highway grade crossings.

Brief Description: Apportioning railroad crossing installation and maintenance costs.

Sponsors: By Representatives Murray, Ericksen and Romero; by request of Utilities & Transportation Commission.

Brief History:

Committee Activity:

Transportation: 2/5/03, 2/13/03 [DP].

Floor Activity:

Passed House: 2/26/03, 96-0.

Passed Senate: 4/10/03, 48-0.

Passed Legislature.

Brief Summary of Bill

- Broadens purpose of the Grade Crossing Protective Account.
- Eliminates match requirements for projects up to \$20,000.
- Allows transfer of money from the Public Service Revolving Fund, if needed.

HOUSE COMMITTEE ON TRANSPORTATION

Majority Report: Do pass. Signed by 29 members: Representatives Murray, Chair; Rockefeller, Vice Chair; Simpson, Vice Chair; Ericksen, Ranking Minority Member; Jarrett, Assistant Ranking Minority Member; Anderson, Armstrong, Bailey, Campbell, Clibborn, Cooper, Dickerson, Edwards, Flannigan, Hankins, Hatfield, Hudgins, Kristiansen, Lovick, Mielke, Morris, Nixon, Romero, Schindler, Shabro, Sullivan, Wallace, Wood and Woods.

Staff: Melissa Beard (786-7347).

Background:

In 1969 the Grade Crossing Protective Account (Account) was created to provide funds for projects such as improvements to signals and warning devices at public railroad crossings. The Account, administered by the Utilities and Transportation Commission (Commission), would pay for 60 percent of a project, the local or state government would pay for 30 percent of the project, and the railroad would pay the remaining 10 percent. In the 1980s the federal government increased their funding of these types of projects and required only a 1 percent match, which was paid for from the Account.

Currently many of the projects previously funded out of the Account receive federal funding to cover 100 percent of the costs. The majority of these projects are located at heavily traveled, public railroad crossings.

Finally, the Account received a one-time appropriation from the Motor Vehicle Fund and the only revenue generated is the interest earnings on the account.

Summary of Bill:

This bill would broaden the purpose of the Account to include all rail safety projects that pose a high risk to public safety but are less likely to be funded by federal dollars. Types of projects include pedestrian safety, private crossings, and other rail safety hazards.

The Commission has also found that smaller towns and smaller railroads are not able to pay the 30 percent and 10 percent matches, respectively, to fund projects. This bill would waive the matching requirement of projects under \$20,000.

Finally, the Commission will transfer money from their Public Service Revolving Fund's Miscellaneous Fees and Penalties Account, if needed to fund a project.

Appropriation: None.

Fiscal Note: Available.

Effective Date: The bill takes effect 90 days after adjournment of session in which bill is passed.

Testimony For: Money will be used for a wider range of projects that will improve overall rail safety. The Commission is concerned about the number of pedestrian fatalities and would like to be able to fund projects that will decrease the ability for citizens to trespass on the tracks.

Testimony Against: None.

Testified: Beth Redfield, Washington Utilities and Transportation Commission; and Bill Stauffacher, Burlington Northern Santa Fe Railroad.