

HOUSE BILL REPORT

SHB 1181

As Passed Legislature

Title: An act relating to transferring overweight sealed ocean-going containers between ocean marine terminals and railheads.

Brief Description: Facilitating sealed ocean-going container movement.

Sponsors: By House Committee on Transportation (originally sponsored by Representatives Flannigan, Ericksen, Wallace, Woods, Chase and Kilmer; by request of Department of Transportation).

Brief History:

Committee Activity:

Transportation: 1/26/05, 3/5/05 [DPS].

Floor Activity:

Passed House: 3/10/05, 94-1.

Senate Amended.

Passed Senate: 4/7/05, 45-0.

House Concurred.

Passed House: 4/18/05, 95-0.

Passed Legislature.

Brief Summary of Substitute Bill

- At the request of a port district, heavy haul industrial corridors may be established between the state and port districts.
- A special category of overweight permit fees are established for vehicles operating within a heavy haul industrial corridor.
- Sealed ocean-going containers are declared non-divisible, enabling haulers to move overweight containers upon paying the required overweight permit fee.

HOUSE COMMITTEE ON TRANSPORTATION

Majority Report: The substitute bill be substituted therefor and the substitute bill do pass. Signed by 25 members: Representatives Murray, Chair; Wallace, Vice Chair; Woods, Ranking Minority Member; Skinner, Assistant Ranking Minority Member; Appleton, Buck, Campbell, Curtis, Dickerson, Ericksen, Hankins, Hudgins, Jarrett, Kilmer, Lovick, Morris, Nixon, Rodne, Sells, Shabro, Simpson, B. Sullivan, Takko, Upthegrove and Wood.

Staff: Jeff Doyle (786-7322).

Background:

Vehicles in excess of the legal weight limits are prohibited from traveling on public highways of the state without an overweight permit. Legal weight limits are determined by a combination of three factors: tire size, axle weight, and a vehicle weight table (established in state law). The maximum legal gross vehicle weight under federal law is 80,000 pounds. However, Washington has grandfather rights to 105,500 pounds.

Under certain circumstances, the Washington State Department of Transportation (WSDOT) may issue a special overweight permit for a vehicle exceeding legal axle and/or gross weight limits. To qualify for an overweight permit, the hauler first must show that the load is non-divisible (meaning, cannot reasonably be dismantled or disassembled). If the load can be reduced, even if that would require the use of additional vehicles, no overweight permit can be issued.

For non-divisible loads, an overweight permit may be granted if the WSDOT determines that the structures and roads over which the load is to travel can sustain the weight without undue roadway stress.

Cities and counties also regulate the permissible weights of vehicles moving on their roadways. In most instances, the vehicle weight restrictions match state and federal law, although local permit fees for overweight loads may differ from state permit fees.

Public policy encourages the movement of heavy loads by water or rail. Most long-distance heavy loads are transported by rail, ship or barge. However, moving these heavy loads from one mode of travel (e.g., rail) to another mode of travel (e.g., ocean-going vessel or river barge) often requires a "trans-load"—a transfer of the load between the two primary modes of travel. This transload is often accomplished by heavy-haul trucks. Since these trucks sometimes exceed legal weights, special overweight permits would be required any time the trucks enter a public highway.

Several states have declared sealed, containerized cargo destined for ocean-going vessels as non-divisible. In Washington, there is no clear definition or declaration whether such sealed, ocean-going containers are divisible. If these containers are considered divisible, they would be prohibited from traveling overweight on public highways. If they are considered non-divisible, they would be eligible for issuance of a special overweight permit.

Summary of Substitute Bill:

The WSDOT is authorized to enter into agreements with port districts to create and maintain heavy haul industrial corridors within port district property. At the request of a port district, heavy haul industrial corridors may be established for the purpose of issuing special permits for the transloading of sealed ocean-going containers over short distances.

Sealed ocean-going containers are declared non-divisible when transported within a heavy haul industrial corridor.

Special permits may be issued to vehicles operating within the corridor, provided the gross vehicle weight and/or axle weight limits are within the permitted weight limits as proscribed in state law.

The special permit fees for vehicles operating in the heavy haul industrial corridor are set at \$100 per month, or \$1,000 per year. After administrative costs are paid, proceeds from these fees must be deposited into the motor vehicle fund. The costs of these permits may not be passed on to for-hire truckers or rail shippers.

Appropriation: None.

Fiscal Note: Available.

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

Testimony For: Heavy haul corridors are being created in many other sea ports across the United States. The Port of Tacoma would like to designate a three-mile portion of State Route 509 as a heavy haul corridor. For-hire truckers want to be assured that these permit costs are not passed on to them.

Testimony Against: None.

Persons Testifying: Representative Flannigan, prime sponsor; J. Michael Zachary, Port of Tacoma; Larry Pursley, Washington Trucking Association; Larry Paulson, Port of Tacoma; Timothy J. Farrell, Port of Tacoma; and Tim Erickson, Washington State Department of Transportation.

Persons Signed In To Testify But Not Testifying: None.