

SENATE BILL REPORT

HB 1002

As Reported By Senate Committee On:
Transportation, March 30, 2005

Title: An act relating to motor vehicle compression brakes.

Brief Description: Restricting the use of compression brakes.

Sponsors: Representatives Fromhold, Moeller, Murray, Hunter and Jarrett.

Brief History: Passed House: 3/08/05, 88-10.

Committee Activity: Transportation: 3/22/05, 3/30/05 [DPA].

SENATE COMMITTEE ON TRANSPORTATION

Majority Report: Do pass as amended.

Signed by Senators Haugen, Chair; Jacobsen, Vice Chair; Poulsen, Vice Chair; Swecker, Ranking Minority Member; Benson, Eide, Esser, Mulliken, Oke, Spanel and Weinstein.

Staff: Hayley Gamble (786-7452)

Background: An engine compression brake device (compression brake) is an engine component that operates by opening the exhaust valve at the top of the compression stroke when the engine is in braking mode. The opening of the exhaust valve results in the discharge of compressed air, which creates a characteristic sound.

Current law does not regulate the use of compression brakes. However, certain local jurisdictions have ordinances that regulate their use.

Summary of Amended Bill: A motor vehicle with a declared gross weight greater than 10,000 pounds operating on public roads is subject to new requirements if the vehicle is equipped with compression brakes. These brakes are defined as any device that uses the engine and transmission to impede the forward motion of the motor vehicle by compression of the engine.

The driver of a vehicle equipped with compression brakes may not use the device unless the vehicle also contains an operational muffler and exhaust system. This system must maintain the noise level at 83 decibels or less for vehicles manufactured after January 1, 1979, and 80 decibels for vehicles manufactured after January 1, 1988.

If a vehicle does not contain a muffler and exhaust system that meets these standards, the driver may still use compression brakes if the driver reasonably believes that an emergency exists that requires the use of the device to:

- 1) protect against an immediate threat to the physical safety of the driver or others;
- 2) protect against an immediate threat to property; or

3) reduce the speed of the vehicle on a downhill grade.

A person violating this requirement is subject to a \$250 monetary penalty for the first violation, a \$500 monetary penalty for the second violation, and a \$750 monetary penalty for each subsequent violation. Local jurisdictions are allowed to adopt more restrictive ordinances regarding the use of compression brakes.

The Washington State Patrol must adopt rules for law enforcement agencies to enforce these requirements.

Amended Bill Compared to Original Bill: Emergency clause is removed.

Appropriation: None.

Fiscal Note: Not requested.

Committee/Commission/Task Force Created: No.

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

Testimony For: This bill deals with disruptive noise levels. This brings the state regulations in line with current federal regulations. This bill will only effect trucks that do not have functioning muffler systems. There are only a few trucks that this will effect. This will improve public relations for the trucking industry.

Testimony Against: None.

Who Testified: PRO: Representative Fromhold, prime sponsor; Larry Pursley, Washington Trucking Association.