

SENATE BILL REPORT

ESSB 5952

As Passed Senate, March 15, 2005

Title: An act relating to licensing exemptions for transporting persons at horse races.

Brief Description: Exempting transport of persons at horse races from licensing.

Sponsors: Senate Committee on Labor, Commerce, Research & Development (originally sponsored by Senators Jacobsen, Hewitt, Rasmussen and Kohl-Welles).

Brief History:

Committee Activity: Labor, Commerce, Research & Development: 2/25/05, 2/28/05 [DPS].
Passed Senate: 3/15/05, 48-0.

SENATE COMMITTEE ON LABOR, COMMERCE, RESEARCH & DEVELOPMENT

Majority Report: That Substitute Senate Bill No. 5952 be substituted therefor, and the substitute bill do pass.

Signed by Senators Kohl-Welles, Chair; Franklin, Vice Chair; Parlette, Ranking Minority Member; Brown, Hewitt, Honeyford, Keiser and Prentice.

Staff: Alison Mendiola (786-7483)

Background: It is unlawful for any person to operate any vehicle along public roads without the proper vehicle license. Exceptions to this law include the following vehicles: motorized foot scooters, electric-assisted bicycles, certain farm vehicles, spray or fertilizer rigs, fork lifts, and "special highway construction equipment".

Drivers of commercial motor vehicles are required to have a commercial driver's license, with some exceptions.

When the Emerald Downs racetrack was built, there was a private access road on the property that has since become a public right-of-way, under agreement with the City of Auburn. At Emerald Downs, trams transport visitors from the parking lot to the racetrack.

Summary of Bill: Trams used for transporting persons to and from facilities related to the horse racing industry are not required to be licensed so long as the public right-of-way over which the tram operates is not more than one mile long, and has an average daily traffic of not more than 15,000 vehicles per day.

A driver transporting people to and from horse racing facilities is not required to have a commercial driver's license, as long as the routes over which this transporting occurs are not more than one mile long, the public rights-of-way on which the driving occurs has an average daily traffic of not more than 15,000 vehicles per day, and the driver's license exemption is not contrary to federal law.

Appropriation: None.

Fiscal Note: Not requested.

Committee/Commission/Task Force Created: No.

Effective Date: This act is necessary for the immediate preservation of the public peace, health, or safety, or support of the state government and its existing public institutions, and takes effect immediately.

Testimony For: The exemption for trams and the drivers is really a unique situation. When Emerald Downs was built, there was a private access road that has since become a public right-of-way under agreement with the City of Auburn. Trams transporting visitors from the parking lot to the racetrack, cross this right-of-way. If the traffic reached a certain threshold, the exemption issue would be revisited.

Testimony Against: None.

Who Testified: PRO: Senator Ken Jacobsen, prime sponsor; Jim Halstrom, Northwest Racing Emerald Downs; and Ron Crockett, Northwest Racing Emerald Downs.

House Amendment(s): Removes the exemption for operators of a tram transporting persons to and from facilities related to the horse racing industry from the commercial driver's license requirement.

Passed House: 98-0.