

# SENATE BILL REPORT

## SB 5952

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As Reported By Senate Committee On:  
Labor, Commerce, Research & Development, February 28, 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:** Senators Jacobsen, Hewitt, Rasmussen and Kohl-Welles.

**Brief History:**

**Committee Activity:** Labor, Commerce, Research & Development: 2/25/05, 2/28/05 [DPS].

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### 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 Substitute 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, and the public rights-of-way on which the driving occurs has an average daily traffic of not more than 15,000 vehicles per day.

**Substitute Bill Compared to Original Bill:** An emergency clause was added to the original bill.

**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.