

**SB 5106 - DIGEST**

(AS OF SENATE 2ND READING 2/06/06)

Finds that this act is necessary to ensure the effectiveness and efficiency of the Washington utilities and transportation commission's existing hazardous material rail inspection program, which is conducted pursuant to standards and procedures for state participation in investigative and surveillance activities under federal railroad safety laws and regulations.

Provides that a commission employee certified by the federal railroad administration to perform hazardous materials inspections may enter the property of any business that receives, ships, or offers for shipment hazardous materials by rail, or that manufactures, marks, maintains, reconditions, repairs, or tests containers that are represented, marked, certified, or sold for use in the transportation of hazardous materials by rail.

States that the purpose of such entry is limited to performing inspections, investigations, or surveillance of facilities, equipment, records, and operations relating to the packaging, loading, unloading, or transportation of hazardous materials by rail, pursuant only to the state participation program outlined in 49 C.F.R. Part 212. The term "business" is all inclusive and is not limited to common carriers or public service companies.