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HOUSE BILL 1313

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State of Washington

60th Legislature

2007 Regular Session

By Representatives Eddy, Hankins and Kenney; by request of Utilities & Transportation Commission

Read first time 01/17/2007. Referred to Committee on Transportation.

1 AN ACT Relating to the intervention authority of the department of  
2 transportation on railroad shipping matters; amending RCW 47.76.240;  
3 and repealing RCW 81.28.250.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

5 **Sec. 1.** RCW 47.76.240 and 1995 c 380 s 5 are each amended to read  
6 as follows:

7 The state, counties, local communities, ports, railroads, labor,  
8 and shippers all benefit from continuation of rail service and should  
9 participate in its preservation. Lines that provide benefits to the  
10 state and local jurisdictions, such as avoided roadway costs, reduced  
11 traffic congestion, economic development potential, environmental  
12 protection, and safety, should be assisted through the joint efforts of  
13 the state, local jurisdictions, and the private sector.

14 State funding for rail service, rail preservation, and corridor  
15 preservation projects must benefit the state's interests. The state's  
16 interest is served by reducing public roadway maintenance and repair  
17 costs, increasing economic development opportunities, increasing  
18 domestic and international trade, preserving jobs, and enhancing  
19 safety. State funding for projects is contingent upon appropriate

1 local jurisdiction and private sector participation and cooperation.  
2 Before spending state moneys on projects the department shall seek  
3 federal, local, and private funding and participation to the greatest  
4 extent possible.

5 (1) The department of transportation shall continue to monitor the  
6 status of the state's mainline and branchline common carrier railroads  
7 and preserved rail corridors through the state rail plan and various  
8 analyses, ~~((and))~~ shall seek alternatives to abandonment prior to  
9 ~~((interstate commerce commission))~~ proceedings of the surface  
10 transportation board, or its successor agency, where feasible~~((-~~

11 ~~(2) The utilities and transportation commission shall))~~, and may  
12 intervene in ((interstate commerce commission)) proceedings ((on  
13 abandonments)) of the surface transportation board, or its successor  
14 agency, regarding abandonment of lines, or rates, fares, charges,  
15 classifications, practices, or rules in relation to the transportation  
16 of persons or property in this state that are excessive or  
17 discriminatory, when necessary~~((r))~~ to protect the state's interest.  
18 The department shall consult with the utilities and transportation  
19 commission regarding railroad safety impacts when considering  
20 intervention.

21 ~~((+3))~~ (2) The department of transportation, in consultation with  
22 the Washington state freight rail policy advisory committee, shall  
23 establish criteria for evaluating rail projects and corridors of  
24 significance to the state.

25 ~~((+4))~~ (3) Local jurisdictions may implement rail service  
26 preservation projects in the absence of state participation.

27 ~~((+5))~~ (4) The department of transportation shall continue to  
28 monitor projects for which it provides assistance.

29 NEW SECTION. Sec. 2. RCW 81.28.250 (Commission may complain of  
30 interstate rates) and 1961 c 14 s 81.28.250 are each repealed.

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