
SENATE BILL 5299

State of Washington 60th Legislature 2007 Regular Session

By Senators Haugen and Swecker; by request of Utilities & Transportation Commission

Read first time 01/16/2007. 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~~((7))~~ 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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