

# SENATE BILL REPORT

## EHB 2044

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As of March 31, 2009

**Title:** An act relating to Washington state ferries incident and accident investigation policies.

**Brief Description:** Directing the Washington state ferries to propose a comprehensive incident and accident investigation policy.

**Sponsors:** Representatives Seaquist, Smith, Angel, Nelson, Morris, Finn, Appleton, Roberts, Rolfes, Cody and Carlyle.

**Brief History:** Passed House: 3/04/09, 95-0.

**Committee Activity:** Transportation: 3/30/09.

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### SENATE COMMITTEE ON TRANSPORTATION

**Staff:** Janice Baumgardt (786-7319)

**Background:** The Washington State Department of Transportation (WSDOT) Ferries Division operates and maintains ferry vessels and terminals that link eight Washington counties and one Canadian province. The Division investigates accidents and incidents involving ferry vessels or terminals owned or operated by the WSDOT. The 2008 Transportation Budget required the WSDOT to review its ferry system accident and incident investigation procedures and report the results to the Legislature by November 1, 2008.

**Summary of Bill:** The WSDOT Ferries Division must create a comprehensive incident and accident investigation policy and provide a copy to the Legislature by November 1, 2009. The policy must contain:

- the definition of an incident and an accident, and the type of investigation that is required by both types of events;
- the process for appointing an investigating officer and a description of the authorities and responsibilities of the investigating officer. The investigating officer must:
  - have the appropriate training and experience as determined by the policy; and
  - not have been involved in the incident or accident so as to avoid any conflict of interest;
- the process of working with affected employees and the appropriate union officials;
- the open and cooperative approach to be used with the United States Coast Guard;
- the process for review, approval, and implementation of any approved recommendations within the WSDOT; and

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- the process for keeping the public informed of the investigation and its outcomes, in compliance with any affected employee's collective bargaining agreement and state laws and rules regarding public disclosure.

**Appropriation:** None.

**Fiscal Note:** Available.

**Committee/Commission/Task Force Created:** No.

**Effective Date:** Ninety days after adjournment of session in which bill is passed.

**Staff Summary of Public Testimony:** PRO: This legislation will ensure the Legislature and WSDOT are on the same page.

**Persons Testifying:** PRO: David Moseley, Washington State Ferries, WSDOT.