

# SENATE BILL REPORT

## SB 6213

---

---

As Reported by Senate Committee On:  
Transportation, January 18, 2010

**Title:** An act relating to vehicles at railroad grade crossings.

**Brief Description:** Concerning vehicles at railroad grade crossings.

**Sponsors:** Senators Haugen and Swecker; by request of Utilities & Transportation Commission and Washington State Patrol.

**Brief History:**

**Committee Activity:** Transportation: 1/12/10, 1/18/10 [DPS].

---

### SENATE COMMITTEE ON TRANSPORTATION

**Majority Report:** That Substitute Senate Bill No. 6213 be substituted therefor, and the substitute bill do pass.

Signed by Senators Haugen, Chair; Marr, Vice Chair; Swecker, Ranking Minority Member; Becker, Benton, Berkey, Delvin, Eide, Hatfield, Jacobsen, Kastama, Kauffman, Kilmer, King, Ranker and Sheldon.

**Staff:** Wendy Malkin (786-7434)

**Background:** Under current law, drivers of certain vehicles are required to stop before crossing railroad tracks. A driver required to stop must stop a certain distance from the tracks and proceed only when the driver determines that it is safe to do so. Drivers of the following vehicles are required to stop before crossing railroad tracks: (1) any vehicle carrying passengers for hire, other than a passenger car; (2) any school bus or private carrier bus carrying children or other passengers; and (3) any vehicle carrying explosive substances or flammable liquids as a cargo or part of a cargo. The requirement to stop does not apply at certain types of railroad crossings, including crossings at which traffic is controlled by crossing gates, a traffic control signal, or a police officer or flagger.

Several agencies receive grants from the Federal Motor Carrier Safety Administration, including the Department of Licensing, the Utilities and Transportation Commission, and the State Patrol. A condition for the agency grants is that relevant state regulation or law be consistent with corresponding federal rules. A Federal Motor Carrier Safety Administration regulation requires drivers of certain vehicles to stop before crossing railroad tracks.

---

*This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.*

This bill is request legislation from the Utilities and Transportation Commission and the State Patrol.

**Summary of Bill:** The bill as referred to committee not considered.

**Summary of Bill (Recommended Substitute):** The list of vehicles required to stop at railroad crossings is modified. The list references federal guidelines and vehicle classifications to describe vehicles carrying explosive, flammable, and hazardous substances. In addition, commercial motor vehicles transporting passengers are added to the list of vehicles required to stop before crossing railroad tracks.

The list of railroad crossings that are exempt from the stopping requirement is modified. Vehicles must stop at crossings controlled by crossing gates or traffic control signals unless a functioning control signal is transmitting a green light. In addition, the list of exempt crossings is modified to include tracks that are abandoned or marked with an out-of-service sign, and tracks that are used exclusively for a streetcar or for industrial switching purposes.

The State Patrol is given authority to identify, by rule, crossings where stopping is not required. The Superintendent of Public Instruction is given authority to identify, by rule, circumstances under which stopping is not required for drivers of school buses or private carriers carrying children or other passengers.

**EFFECT OF CHANGES MADE BY TRANSPORTATION COMMITTEE (Recommended Substitute):** The substitute adds a definition for commercial motor vehicle.

**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: Passenger carrying vehicles and vehicles carrying dangerous chemicals need to be careful at crossings. This bill will reduce the potential for hazardous spills due to collisions with trains. The bill will preserve grants received by state agencies from the Federal Motor Carrier Safety Administration. This bill helps clarify requirements for vehicles carrying hazardous materials, and it increases these requirements for enhanced safety. There are stiff penalties for violation of this law. OSPI changed its rules in response to an accident. The changes increased requirements for school bus drivers to stop at crossings. However, the State Patrol is not familiar with OSPI rules. This bill would make the State Patrol more aware of the stopping requirements for school bus drivers.

**Persons Testifying:** PRO: Allan Jones, Superintendent of Public Instruction; Steven King, Utilities and Transportation Commission; Captain Darrin Grondel, State Patrol.