

# HOUSE BILL REPORT

## SHB 1966

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### As Passed Legislature

**Title:** An act relating to clarifying that manure is an agricultural product for the purposes of commercial drivers' licenses.

**Brief Description:** Clarifying that animal manure is an agricultural product for the purposes of commercial drivers' licenses.

**Sponsors:** House Committee on Transportation (originally sponsored by Representatives Pearson, Haler and Bailey).

#### **Brief History:**

##### **Committee Activity:**

Transportation: 2/23/11, 2/24/11 [DPS].

##### **Floor Activity:**

Passed House: 3/5/11, 96-2.

Passed Senate: 4/7/11, 47-0.

Passed Legislature.

#### **Brief Summary of Substitute Bill**

- Adds animal manure and animal manure compost to the list of products that may be carried by the operator of a farm vehicle under the commercial driver's license exemption for farm operators.

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### HOUSE COMMITTEE ON TRANSPORTATION

**Majority Report:** The substitute bill be substituted therefor and the substitute bill do pass. Signed by 27 members: Representatives Clibborn, Chair; Billig, Vice Chair; Liias, Vice Chair; Armstrong, Ranking Minority Member; Hargrove, Assistant Ranking Minority Member; Angel, Asay, Eddy, Finn, Fitzgibbon, Jinkins, Johnson, Klippert, Kristiansen, Ladenburg, McCune, Moeller, Moscoso, Overstreet, Reykdal, Rivers, Rolfes, Ryu, Shea, Takko, Upthegrove and Zeiger.

**Staff:** Wendy Malkin (786-7114).

#### **Background:**

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*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.*

The operation of commercial motor vehicles is regulated under both state and federal law. In order to operate a commercial motor vehicle in Washington, a person generally must hold a commercial driver's license (CDL) with the applicable endorsements for the vehicle he or she is driving. To receive a CDL from Washington, an applicant must be a resident of the state, pass knowledge and skills tests that comply with minimum federal standards, and successfully complete a course of instruction that has been approved by the Director of the Department of Licensing (DOL) or be certified by an employer as having the skills and training necessary to safely operate a commercial motor vehicle. The DOL may waive the requirement for instruction in the operation of a commercial motor vehicle for an applicant that has been issued a valid CDL in another state and is transferring to Washington.

The following operators are exempt from the requirement to hold a CDL in the specified circumstances:

- a firefighter or law enforcement officer operating emergency equipment who has completed an approved driver training course;
- the operator of a recreational vehicle used for noncommercial purposes;
- the operator of a commercial motor vehicle for military purposes; or
- the operator of a farm vehicle controlled and operated by a farmer. The vehicle itself must be used to transport agricultural products, farm machinery, or farm supplies to or from a farm. In addition, the vehicle may not be used in the operation of a common or contract motor carrier, and it must be used within 150 miles of the person's farm.

Common carrier and contract carrier includes persons engaged in the business of providing, contracting for, or undertaking to provide transportation of property for compensation over the public highways of Washington as brokers or forwarders.

**Summary of Substitute Bill:**

Animal manure and animal manure compost are added to the list of products that may be carried by the operator of a farm vehicle under the CDL exemption for farm operators.

**Appropriation:** None.

**Fiscal Note:** Available.

**Effective Date:** The bill takes effect 90 days after adjournment of the session in which the bill is passed.

**Staff Summary of Public Testimony:**

(In support) Farmers in our state rely on manure composting to keep their farms viable. Use of manure compost means reduced need for chemical fertilizer. A farmer was recently stopped and cited for transporting manure from his farm to a customer. The deputy who stopped him said manure and manure compost are not agricultural products under the CDL exemption for farmers. This bill simply says animal manure and animal manure compost are agricultural products for the purpose of the exemption.

(Opposed) None.

**Persons Testifying:** Representative Pearson, prime sponsor; Don Bailey; and Jack Field, Washington Cattlemen's Association.

**Persons Signed In To Testify But Not Testifying:** None.