

SENATE BILL REPORT

ESHB 1922

As Reported by Senate Committee On:
Transportation, March 28, 2011

Title: An act relating to requiring certain vehicles to stop at a weigh station for inspection and weight measurement.

Brief Description: Requiring certain vehicles to stop at a port of entry upon entering the state.

Sponsors: House Committee on Transportation (originally sponsored by Representatives Shea, Taylor and McCune).

Brief History: Passed House: 3/05/11, 98-0.

Committee Activity: Transportation: 3/21/11, 3/28/11 [DPA].

SENATE COMMITTEE ON TRANSPORTATION

Majority Report: Do pass as amended.

Signed by Senators Haugen, Chair; White, Vice Chair; King, Ranking Minority Member; Fain, Assistant Ranking Minority Member; Delvin, Eide, Ericksen, Hill, Hobbs, Nelson, Prentice, Ranker, Sheldon, Shin and Swecker.

Staff: Katherine Taylor (786-7434)

Background: The Washington State Patrol (WSP) operates the Washington weigh stations and has port of entry stations at Kennewick, Spokane, Ridgefield, and Bow Hill. These weigh stations use weigh-in-motion scales and transponder readers to electronically screen trucks as the truck approaches the weigh station. If the checks are satisfactory, the truck is cleared to bypass the weigh station, but if unsatisfactory, the truck is required to stop at the weigh station.

The Director of the Department of Agriculture (Director) may establish points of inspection for vehicles transporting animals on the public roads of this state to determine if the animals being transported are accompanied by valid health certificates, permits, or other documents.

Summary of Bill (Recommended Amendments): The act requires commercial vehicles with a gross vehicle weight rating of 40,000 pounds or more and transporting cattle to stop at a port of entry. This requirement does not apply to the operator of a vehicle in possession of a pasture permit or cattle consigned to a public auction or sales yard. The act clarifies that

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motor vehicles must follow the existing rules and regulations that apply to weigh stations or a port of entry when open.

The requirements and penalties apply only in counties located east of the Cascade mountains with a population of at least 450,000 and an adjacent county with a population of at least 13,000 but less than 15,000.

The act establishes a penalty for failure to comply of \$1,000 and all of the fines collected must be deposited into the Motor Vehicle Fund for the purposes of road maintenance in any county.

The WSP must provide a one-time written notification of the requirements of this section to affected carriers known to have previously entered the state of Washington in the counties identified. The notification requirement is not a defense for a driver from enforcement action if found in violation. The notification must be provided prior to August 1, 2011.

EFFECT OF CHANGES MADE BY TRANSPORTATION COMMITTEE (Recommended Amendments): Allows fines, which are collected from applicable vehicles carrying cattle that fail to immediately stop at a port of entry, to be placed in the Motor Vehicle Fund for the purposes of road maintenance in any county.

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 on Engrossed Substitute House Bill: PRO: The cattle trucks are dangerous in school zones; many cattle trucks from Canada come through caravan style, hurts commerce; the cattle trucks from Canada are overweight and damage smaller streets; Canadian cattle trucks bypass weigh stations and inspections; and the bill allows consistent enforcement in jurisdictions.

Persons Testifying: PRO: Briahna Taylor, City of Spokane Valley; Taj Wilkerson, City of Liberty Lake; Heather Hansen, Cattle Producers of WA; Lucinda Marshall, Resident of Otis Orchards.