

# HOUSE BILL REPORT

## SJM 8015

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**As Reported by House Committee On:**  
Environment

**Brief Description:** Requesting Congress implement certain increased safety measures for tank rail cars.

**Sponsors:** Senators O'Ban, Rolfes, Ericksen, Ranker, Sheldon, Benton, Baumgartner, Schoesler, Braun, Fain, Parlette, Holmquist Newbry, Chase, Kohl-Welles, Frockt and Kline.

**Brief History:**

**Committee Activity:**

Environment: 2/25/14, 2/26/14 [DPA].

**Brief Summary of Bill**  
**(As Amended by Committee)**

- Requests that the United States Congress and the United States Department of Transportation (USDOT) toughen safety standards for new tank rail cars used to transport crude oil and other hazardous materials, and to require the retrofit or phasing out of tank rail cars currently in use.
- Requests that two federal agencies within the USDOT update their regulations addressing hazardous material rail routing, spill response planning, and other safety measures.

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### HOUSE COMMITTEE ON ENVIRONMENT

**Majority Report:** Do pass as amended. Signed by 10 members: Representatives Fitzgibbon, Chair; Senn, Vice Chair; Short, Ranking Minority Member; Pike, Assistant Ranking Minority Member; Farrell, Fey, Kagi, Morris, Nealey and Tharinger.

**Minority Report:** Do not pass. Signed by 2 members: Representatives Harris and Overstreet.

**Staff:** Jacob Lipson (786-7196).

**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.*

Federal statutes direct the United States Department of Transportation (USDOT) to establish various regulations pertaining to the commercial transportation of materials, including hazardous materials transported by rail. Two agencies within the USDOT have responsibility for aspects of the safety of tank rail cars used to transport hazardous materials:

- The Federal Railroad Administration (FRA) is generally responsible for enforcing federal laws and regulations pertaining to railroad safety, including laws pertaining to trains transporting hazardous materials.
- The Pipeline and Hazardous Material Safety Administration (PHMSA) has specific responsibility for regulations pertaining to the safe and secure transportation of hazardous materials used in commerce.

Federal statute directs the PHMSA hazardous material safety regulations to achieve several purposes, including ensuring that hazardous materials are packaged and handled safely. The PHMSA regulations establish various requirements for the rail transport of crude oil and other hazardous or explosive materials. These regulations include design specifications for the rail cars used to transport hazardous materials.

The National Transportation Safety Board (NTSB) is an independent federal agency that, among other responsibilities, is charged with investigating significant train accidents and making safety recommendations.

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#### **Summary of Amended Bill:**

The Legislature requests that the United States Congress and the USDOT toughen existing standards for new tank rail cars, and require that the existing tank rail cars currently used to transport crude oil and other potentially hazardous materials be retrofitted with advanced safety technologies or phased out of service. The Legislature also requests that the PHMSA and FRA act upon recommendations of the NTSB to update current planning regulations addressing hazardous material rail routes, shipment contents, and spill response plans.

#### **Amended Bill Compared to Original Bill:**

The amended joint memorial adds findings about the dangers associated with transporting crude oil by rail, and adds several other specific references to crude oil among the potentially hazardous liquids and gasses being transported by rail tank cars. The amended joint memorial directs the Legislature's requests to the USDOT and two agencies within the USDOT, in addition to Congress. The amended joint memorial also requests that the PHMSA and the FRA act upon the safety recommendations of the NTSB by updating planning regulations that address hazardous material rail routes, shipment contents, and spill response plans.

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**Appropriation:** None.

**Fiscal Note:** Not requested.

**Staff Summary of Public Testimony:**

(In support) None.

(Opposed) None.

**Persons Testifying:** None.

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