

# SENATE BILL REPORT

## SJM 8015

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As Passed Senate, February 18, 2014

**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:** Energy, Environment & Telecommunications: 2/04/14 [DP].  
Passed Senate: 2/18/14, 47-0.

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### SENATE COMMITTEE ON ENERGY, ENVIRONMENT & TELECOMMUNICATIONS

**Majority Report:** Do pass.

Signed by Senators Ericksen, Chair; Sheldon, Vice Chair; McCoy, Ranking Member; Billig, Brown, Chase and Honeyford.

**Staff:** Jan Odano (786-7486)

**Background:** The United States Department of Transportation (USDOT) is responsible for rail tank car oversight. Within USDOT, tank car safety comes under the purview of the Pipeline and Hazardous Materials Safety Administration (PHMSA) and the Federal Railroad Administration (FRA).

PHMSA regulates and ensures safe and secure movement of hazardous materials by all modes of transportation, including pipelines. PHMSA is responsible for regulating tank-car safety issues and federal tank car regulations.

USDOT delegated to FRA the authority to administer a safety program overseeing the movement of hazardous materials, such as petroleum, chemical, and nuclear products on the national rail transportation system. This includes shipments transported to and from international organizations. FRA administers and enforces U.S. federal laws and regulations relating to railroad safety. These regulations govern equipment and safety compliance standards for railcars and other rail equipment used in interstate commerce.

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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 Association of American Railroads (AAR) promulgates a wide variety of rules and regulations governing safety and design of equipment, relationships among railroads with respect to railcars in interchange, and other matters.

According to AAR:

- there are 335,000 tank cars in the active fleet, pressure and non-pressure;
- 228,000 of these tank cars are non-pressure tank cars designed to carry a wide range of products including hazardous and non-hazardous materials; and
- approximately 92,000 tank cars are used to move flammable liquids, such as crude and ethanol, with approximately 14,000 of those tank cars built to the latest industry safety standards.

Recently there have been freight train accidents involving tank cars carrying petroleum crude oil. These accidents have highlighted the concerns about oil tank car safety.

**Summary of Bill:** The Legislature requests that Congress strengthen existing standards for new tank rail cars used to transport potentially hazardous liquids and gases. The Legislature further requests that existing tank rail cars be retrofitted with advanced safety enhancing technology or phased out of service.

**Appropriation:** None.

**Fiscal Note:** Not requested.

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

**Staff Summary of Public Testimony:** None.

**Persons Testifying:** No one.