

SHB 1809 - H AMD 797

By Representative Chopp

1 On page 2, beginning on line 7, after "material" strike all
2 material through "commerce" on line 11 and insert "means spent nuclear
3 fuel, high level nuclear waste, class 1 substances or materials with a
4 mass explosion hazard, class 2 flammable gases, or class 3 flammable
5 liquids, as defined in the hazardous materials regulations of the
6 United States department of transportation in 49 C.F.R. Part 173 as of
7 the effective date of this section"

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9 On page 2, beginning on line 12, after "means" strike all material
10 through "(d)" on line 21 and insert ":

11 (a) Any train carrying any combination of twenty or more car loads
12 of class 2 flammable gases and class 3 flammable liquids, as defined
13 by the United States department of transportation in 49 C.F.R. Part
14 173 as of the effective date of this section;

15 (b) Any train with one or more carloads of class 1 explosive
16 materials with a mass explosion hazard, class 7 spent nuclear fuel, or
17 high-level nuclear waste, as defined by the United States department
18 of transportation in 49 C.F.R. Part 173 as of the effective date of
19 this section; or

20 (c)"

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22 On page 2, line 31, after "includes" strike "the" and insert "any"

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24 On page 4, line 33, after "1," strike "2015" and insert "2016"

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EFFECT: Changes the definition of "hazardous material" to mean spent nuclear fuel, high level nuclear waste, class 1 substances or materials with a mass explosion hazard, class 2 flammable gases, or

class 3 flammable liquids, as defined in the federal hazardous materials regulations (rather than a substance or material the federal Secretary of Transportation has determined to be capable of posing a significant risk to health, safety, and property when transported in commerce).

Changes the definition of "hazardous material train" by adding: (a) any train carrying any combination of 20 or more car loads of class 2 flammable gases and class 3 flammable liquids, as defined by federal regulations; and (b) any train with one or more carloads of class 1 explosive materials with a mass explosion hazard as defined by federal regulations. Removes from the definition trains containing one or more tank car loads of poison inhalation hazard or toxic inhalation hazard, including anhydrous ammonia, and trains with 20 or more car loads or intermodal portable tank loads of any combination of hazardous material. Retains in the definition trains with one or more car loads of spent nuclear fuel or high level nuclear waste, and any high-hazard flammable train as defined by federal regulations.

Clarifies that "railroad carrier" includes any officers and agents of the carrier.

Makes technical correction to update the effective date from July 1, 2015 to July 1, 2016.

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