

# HOUSE BILL REPORT

## SB 5227

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### As Passed House:

April 7, 2017

**Title:** An act relating to requiring drivers to stop for approaching other on-track equipment at railroad grade crossings.

**Brief Description:** Requiring drivers to stop for approaching other on-track equipment at railroad grade crossings.

**Sponsors:** Senators King, Hobbs, Hasegawa, Saldaña and Kuderer.

### Brief History:

#### Committee Activity:

Transportation: 3/13/17, 3/15/17 [DP].

#### Floor Activity:

Passed House: 4/7/17, 96-0.

### Brief Summary of Bill

- Requires on-road vehicles to stop at railroad crossings for on-track equipment.
- Requires areas near railroad crossings be kept clear in order for drivers to see any approaching on-track equipment.
- Adds a reference to on-track equipment to a railroad-highway grade crossing offense for commercial driver's license drivers.

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## HOUSE COMMITTEE ON TRANSPORTATION

**Majority Report:** Do pass. Signed by 24 members: Representatives Clibborn, Chair; Farrell, Vice Chair; Fey, Vice Chair; Wylie, Vice Chair; Orcutt, Ranking Minority Member; Hargrove, Assistant Ranking Minority Member; Harmsworth, Assistant Ranking Minority Member; Chapman, Gregerson, Hayes, Irwin, Kloba, Lovick, McBride, Morris, Ortiz-Self, Pellicciotti, Pike, Riccelli, Rodne, Shea, Stambaugh, Tarleton and Van Werven.

**Staff:** Paul Ingiosi (786-7114).

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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.*

## **Background:**

Drivers of vehicles on the road, including passenger, commercial, and heavy equipment, are required to stop at railroad crossings for trains and signals that indicate the approach of a train under certain statutory guidelines.

Drivers of vehicles approaching a railroad grade crossing are required to stop within 50 feet, but not less than 15 feet, from the nearest rail of such railroad and shall not proceed until the crossing can be made safely. Specific stopping guidelines include when: (1) a clearly visible electric or mechanical signal device gives warning of the immediate approach of a railroad train; (2) a crossing gate is lowered or when a flagger gives or continues to give a signal of the approach or passage of a railroad train; and (3) an approaching railroad train is plainly visible and is in hazardous proximity to such crossing.

The driver of any motor vehicle carrying passengers for hire, other than a passenger car, the driver of any school bus or private carrier bus carrying school children or other passengers, and the driver of any vehicle carrying explosive substances or flammable liquids as cargo, must stop the vehicle within 50 feet, but not less than 15 feet, of the nearest rail of a railroad track, unless the railroad crossing meets certain statutory guidelines. Prior to proceeding, the driver must listen and look in both directions for indications of an approaching train. Once the driver has determined that it is safe to proceed, he or she must do so in a single gear such that it is not necessary to change gears while traversing the crossing. The requirements listed above do not apply to railroad grade crossings where: (1) traffic is controlled by a police officer or authorized flagger; (2) traffic is controlled by a traffic signal that is transmitting a green light; (3) the tracks are used exclusively for a streetcar or industrial switching purposes; (4) a traffic control device indicates that the crossing is exempt pursuant to a designation by the state Utilities and Transportation Commission; (5) the crossing is abandoned and is marked with a sign indicating it is out-of-service; and (6) the Utilities and Transportation Commission has identified a crossing where stopping is not required.

Drivers of certain heavy equipment with a normal operating speed of 10 or less miles per hour, and additional specifications, are required to stop within 50 feet, but not less than 15 feet, from the nearest rail of a railroad grade crossing, listen and look in both directions for indications of an approaching train, and shall not proceed until the crossing can be made safely.

Counties, the Washington State Department of Transportation (WSDOT), and railroad companies are required to keep their respective rights-of-way clear of brush and timber for a distance of 100 feet near railroad crossings to permit drivers an unobstructed view in both directions of an approaching train.

Commercial driver's license (CDL) drivers may be disqualified from driving a commercial vehicle for a period of time if they are found to have committed one of six offenses at a railroad-highway grade crossing. The offenses include: (1) for drivers not required to always stop, failing to slow down and check that the tracks are clear of an approaching train; (2) for drivers who are not required to always stop, failing to stop before reaching the crossing, if the tracks are not clear; (3) for drivers who are always required to stop, failing to stop before driving onto the crossing; (4) for all drivers, failing to have sufficient space to

drive completely through the crossing without stopping; (5) for all drivers, failing to obey a traffic control device or the directions of an enforcement officer at the crossing; or (6) for all drivers, failing to negotiate a crossing because of insufficient undercarriage clearance.

**Summary of Bill:**

Drivers of vehicles on the road, including passenger, commercial, and heavy equipment, are required to stop at railroad crossings for trains or on-track equipment and signals that indicate the approach of a train or on-track equipment under certain statutory guidelines.

Counties, the WSDOT, and railroad companies are required to keep their respective rights-of-way clear of brush and timber for a distance of 100 feet near railroad crossings to permit drivers an unobstructed view in both directions of an approaching train or on-track equipment.

Failing to slow down and check that the tracks are clear of other on-track equipment is added to the list of potential offenses at a railroad-highway grade crossing for which a CDL driver may be disqualified from driving a commercial vehicle for a period of time.

**Appropriation:** None.

**Fiscal Note:** Not requested.

**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) If you can envision a rather large piece of equipment moving along on the track, this bill says cars and trucks need to stop for them. The bill clarifies that you have to stop for this type of equipment; it is a safety issue.

(Opposed) None.

**Persons Testifying:** Senator King, prime sponsor.

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