

SENATE BILL REPORT

SB 6180

As Passed Senate, February 10, 2018

Title: An act relating to defining the planting and harvest dates for purposes of exemptions for agricultural transporters.

Brief Description: Defining the planting and harvest dates for purposes of exemptions for agricultural transporters.

Sponsors: Senators Hobbs, Schoesler, Takko and King.

Brief History:

Committee Activity: Transportation: 1/30/18, 2/05/18 [DP].

Floor Activity:

Passed Senate: 2/10/18, 47-0.

Brief Summary of Bill

- Defines the planting and harvest season for Washington as January 1, through December 31 of each year, for certain exemptions to federal motor carrier regulations for agricultural operations.

SENATE COMMITTEE ON TRANSPORTATION

Majority Report: Do pass.

Signed by Senators Hobbs, Chair; Saldaña, Vice Chair; King, Ranking Member; Chase, Cleveland, Dhingra, Fortunato, Lias, McCoy, O'Ban, Sheldon, Takko, Wellman and Zeiger.

Staff: Kim Johnson (786-7472)

Background: Commercial motor vehicles are regulated at both the state and federal level. Generally, commercial motor vehicle drivers are limited to a certain number of hours of service—driving—per day under federal law, which are required to be recorded in a log book—record of duty status—that must be presented to law enforcement upon request. Under the Moving Ahead for Progress in the 21st Century Act, the Federal Motor Carrier Safety Administration was directed to adopt new rules requiring the use of an electronic log device (ELD), which automatically records engine run times and hours of operation. ELD rules went into effect in December of 2017.

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.

There are a number of exemptions to both the federal hours of service rules and the record of duty status—log book and new ELD—rules, some of which apply to agricultural operations. During the defined planting and harvesting season, agricultural operations are exempted from both the hour of service rules and the requirement to keep a log book. Federal law allows for each state to define the planting and harvesting seasons applicable to the state.

Under current administrative rule, the Washington State Patrol has adopted many of the federal motor carrier regulations for hours of service and record of duty status, and has defined the planting and harvesting season for Washington as February 1 through November 30 of each year.

Summary of Bill: For purposes of certain federal motor carrier regulation exemptions for agricultural operations the planting and harvesting season for Washington is defined as January 1, through December 31 of each year.

Appropriation: None.

Fiscal Note: Not requested.

Creates Committee/Commission/Task Force that includes Legislative members: No.

Effective Date: Ninety days after adjournment of session in which bill is passed.

Staff Summary of Public Testimony: PRO: This bill is really about giving our agricultural producers a competitive advantage that our neighboring states have already taken advantage of. Most western states have a year-long harvest and plating season specified which allows them to operate under important federal exemptions to certain hours of service rules consistently. Washington truly does produce and move agricultural products all throughout the calendar year and this bill makes sense. The movement of agricultural equipment to meet our customers needs during harvest is critical to keeping produce moving. It does not make sense for two months out of the year to shift to different motor carrier rules of operation.

Persons Testifying: PRO: Mark Streuli, Washington Farm Bureau; Julienne Loveall, Blue Point Dairy; Eric Wareham, Western Equipment Dealers Association; Alyssa Loveall, Blue Point Dairy; Jim Hedrick, Greater Spokane Incorporated; Jim Fitzgerald, Far West Agribusiness Association.

Persons Signed In To Testify But Not Testifying: No one.