
SUBSTITUTE HOUSE BILL 2548

State of Washington

65th Legislature

2018 Regular Session

By House Transportation (originally sponsored by Representatives Muri and Kilduff)

READ FIRST TIME 01/29/18.

1 AN ACT Relating to railroad community notice requirements; and
2 adding a new section to chapter 81.48 RCW.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

4 NEW SECTION. **Sec. 1.** A new section is added to chapter 81.48
5 RCW to read as follows:

6 (1) At least ten days prior to taking any planned action that may
7 have a significant impact on a community, railroad companies must
8 notify, in writing, the commission of the planned action.

9 (2) The notice must contain a heading with the words "important
10 notice" in prominent type and contain, at a minimum, the following:

11 (a) Date the notice is issued;

12 (b) A clear explanation of the type of planned event;

13 (c) Specific location of the event;

14 (d) An estimation of the start and completion date of the event;

15 (e) Any additional information that will assist the community to
16 plan for the event; and

17 (f) Railroad company contact person and phone number.

18 (3) Within one business day of receiving notice in writing from a
19 railroad company of a planned action with a significant impact, the
20 commission must notify, in writing, the governing authority of the
21 community on which the planned action will have a significant impact,

1 as well as any other entities the commission finds it will be of
2 substantial benefit to the community impacted to notify. The notice
3 must include all of the information provided by the railroad company
4 in its notice to the commission.

5 (4) If a railroad company fails to notify the commission of the
6 planned action, the commission may pursue the following to the
7 maximum extent permitted under federal law: Administrative actions
8 including, but not limited to, issuing defect notices to railroad
9 companies, reports and recommendations to the federal railroad
10 administration, warnings, sanctions, and penalty assessments.

11 (5) As used in this section, "planned action" means a maintenance
12 or repair activity by a railroad company that is scheduled in advance
13 to occur on a specific day or days and that is not dependent on the
14 occurrence of generally unpredictable factors. A "planned action"
15 does not include maintenance or repair activities undertaken to
16 address immediate safety hazards or emergencies, or maintenance or
17 repair activities that are undertaken because the opportunity to do
18 so is unexpectedly presented.

19 (6) As used in this section, "significant impacts" means impacts
20 that may significantly disrupt the use of a public roadway or that
21 are likely to result in a high level of noise sustained for a
22 significant period of time in populated areas that is likely to
23 interfere with the daily activities, including work and sleep, of
24 people in the vicinity of the maintenance or repair activity.

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