

SHB 2287 - S COMM AMD

By Committee on Transportation

1 Strike everything after the enacting clause and insert the
2 following:

3 "NEW SECTION. **Sec. 1.** (1) The legislature recognizes that rail
4 safety is critical to the impacts of the state's transportation
5 network on public safety and the environment. On December 18, 2017, a
6 passenger train derailed from a bridge near DuPont, Washington. Three
7 passengers were killed and fifty-seven passengers and crew members
8 were injured. While the 2017 derailment had particularly tragic
9 consequences, the risks to public safety and the environment are
10 underscored by other rail incidents that have occurred in the past
11 several years, including the freight train transporting oil
12 derailment and resulting fire on June 3, 2016, in the Columbia river
13 gorge, near Mosier, Oregon, while in route to Tacoma, Washington.

14 (2) In 2019, the national transportation safety board issued an
15 accident report on the 2017 derailment. The report included
16 recommendations for government agencies that participated in
17 developing the new route related to improvements in safety oversight,
18 coordination, and communication. In light of these recommendations,
19 the legislature believes that a broader assessment of how rail safety
20 responsibilities are undertaken across agencies in the state, and are
21 coordinated between them, should be the first step in driving
22 fundamental changes to rail safety governance as quickly as possible
23 to strengthen rail safety. The legislature finds that an assessment
24 of best practices for the oversight and coordination of rail safety
25 activities will serve as a critical guidepost for improvements to
26 rail safety governance, and should be completed as soon as possible
27 to inform next steps.

28 (3) This section expires July 1, 2021.

29 NEW SECTION. **Sec. 2.** (1) Subject to the availability of amounts
30 appropriated for this specific purpose, the joint transportation

1 committee shall oversee a consultant study on rail safety governance
2 best practices, by class of rail where applicable, and
3 recommendations for the implementation of these best practices in
4 Washington state. The study must assess rail safety governance for
5 passenger and freight rail, including rail transit services, and must
6 consider recommendations made by the national transportation safety
7 board in its 2017 accident report referenced in section 1 of this act
8 that are relevant to rail safety governance.

9 (2) The study must include the following components:

10 (a) An assessment of rail safety oversight in Washington state
11 that includes: (i) The rail safety oversight roles of federal, state,
12 regional, and local agencies, including the extent to which federal
13 and state laws govern these roles and the extent to which these roles
14 would be modified should the suspended federal rules in 49 C.F.R.
15 Part 270 take effect; (ii) federal, state, regional, and local agency
16 organizational structures and processes utilized to conduct rail
17 safety oversight; and (iii) coordination activities by federal,
18 state, regional, and local agencies in conducting rail safety
19 oversight;

20 (b) An examination of rail safety governance best practices by
21 other states for the items identified in (a) of this subsection; and

22 (c) Recommendations for the implementation of best practices for
23 rail safety governance in Washington state.

24 (3) The study must address the extent to which additional safety
25 oversight of rail project design and construction is used in other
26 states and would be a recommended best practice for Washington state.

27 (4) The joint transportation committee shall consult with the
28 Washington state department of transportation, the Washington state
29 utilities and transportation commission, sound transit, the national
30 transportation safety board, Amtrak, the federal railroad
31 administration, BNSF railway company, one or more representatives of
32 short line railroads, one or more representatives of labor, and other
33 entities with rail safety expertise as necessary.

34 (5) The joint transportation committee shall issue a report of
35 its findings and recommendations on rail safety governance to the
36 house of representatives and senate transportation committees by
37 January 6, 2021.

38 (6) This section expires July 1, 2021."

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1 On page 1, line 2 of the title, after "state;" strike the
2 remainder of the title and insert "creating new sections; and
3 providing expiration dates."

EFFECT: Provides that the consultant study of rail safety governance best practices is subject to appropriations.

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