

HOUSE BILL REPORT

SSB 5763

As Reported by House Committee On: Transportation

Title: An act relating to collector truck operators.

Brief Description: Concerning collector truck operators.

Sponsors: Senate Committee on Transportation (originally sponsored by Senators Wagoner, Takko and Honeyford).

Brief History:

Committee Activity:

Transportation: 3/18/19, 3/20/19 [DP].

Brief Summary of Substitute Bill

- Exempts from commercial driver's license requirements operators of commercial motor vehicles that meet the definition of "collector trucks," which are prohibited from being used for commercial purposes.

HOUSE COMMITTEE ON TRANSPORTATION

Majority Report: Do pass. Signed by 29 members: Representatives Fey, Chair; Slatter, 2nd Vice Chair; Valdez, 2nd Vice Chair; Wylie, 1st Vice Chair; Barkis, Ranking Minority Member; Walsh, Assistant Ranking Minority Member; Boehnke, Chambers, Chapman, Dent, Doglio, Dufault, Eslick, Goehner, Gregerson, Irwin, Kloba, Lovick, McCaslin, Mead, Orcutt, Ortiz-Self, Paul, Pellicciotti, Ramos, Riccelli, Shea, Shewmake and Van Werven.

Staff: Jennifer Harris (786-7143).

Background:

The operation of commercial motor vehicles is regulated by federal and state law. In the United States, a commercial driver's license (CDL) or commercial learner's permit is required to operate any motor vehicle that meets the following criteria:

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- has a gross combination weight rating or gross combination weight of 26,001 pounds or more, whichever is greater, inclusive of a towed unit or units with a gross vehicle weight rating or gross vehicle weight of more than 10,000 pounds;
- has a gross vehicle weight rating or gross vehicle weight of 26,001 pounds or more, whichever is greater;
- is designed to transport 16 or more passengers, including the driver; or
- is of any size and is used in the transportation of hazardous materials as defined in federal law.

In Washington, the CDL requirement does not apply to any person who is:

- the operator of a farm vehicle, when the farm vehicle is controlled and operated by a farmer and is used to transport agricultural products, farm machinery, farm supplies, animal manure, animal manure compost, or any combination of these materials, to or from a farm;
- a firefighter or law enforcement officer operating emergency equipment who has successfully completed a driver training course approved by the Department of Licensing and carries a certificate attesting to its successful completion;
- operating a recreational vehicle for noncommercial purposes; or
- operating a commercial motor vehicle for military purposes.

Summary of Bill:

The CDL requirement does not apply to any person who is a collector truck operator using a vehicle in a manner consistent with the definition of collector truck.

A "collector truck" is defined as a vehicle that:

1. has a current registration;
2. is older than 30 years old;
3. meets the weight criteria for commercial motor vehicles;
4. is capable of being safely operated on the highway;
5. is used for the occasional use of traveling to and from truck conventions, auto shows, circuses, parades, displays, special excursions, and antique vehicle club meetings;
6. is used for the pleasure of others without compensation; and
7. is not used in the operations of a common or contract motor carrier (which undertake the transportation of property for compensation) and is not used for commercial purposes.

A "collector truck operator" is defined as an operator of a noncommercial vehicle that is exclusively owned and operated as a collector truck.

Appropriation: None.

Fiscal Note: Available.

Effective Date: The bill takes effect on October 1, 2019.

Staff Summary of Public Testimony:

(In support) This bill is an effort to help a group of collectors who display their vehicles at car shows, parades, and community events. These collectors are sharing history by doing so. Some law enforcement officers have not been correctly interpreting the law. These collectors are clearly not engaging in operating these trucks for profit, so they should not be required to obtain commercial driver's licenses. This bill just clarifies the law, exempting collectors from the requirement that they obtain a commercial driver's license certification.

There was a single "no" vote in the Senate, and that senator had safety concerns related to older individuals operating these vehicles. However, individuals are not currently required to obtain commercial driver's licenses to drive recreational vehicles for noncommercial purposes. These collectors are familiar with their equipment and are providing a public service, and it should be simple for them to comply with the law.

(Opposed) None.

Persons Testifying: Senator Wagoner, prime sponsor.

Persons Signed In To Testify But Not Testifying: None.