

# SENATE BILL REPORT

## SSB 5763

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As Passed Senate, March 5, 2019

**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: 2/14/19, 2/27/19 [DPS].

**Floor Activity:**

Passed Senate: 3/05/19, 46-2.

### Brief Summary of First Substitute Bill

- Exempts a collector truck operator from the commercial driver's license licensing requirements.
- Defines a collector truck as one that is older than thirty years old, only used occasionally to and from certain events, used for the pleasure of others without compensation, and other requirements.

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### SENATE COMMITTEE ON TRANSPORTATION

**Majority Report:** That Substitute Senate Bill No. 5763 be substituted therefor, and the substitute bill do pass.

Signed by Senators Hobbs, Chair; Saldaña, Vice Chair; King, Ranking Member; Sheldon, Assistant Ranking Member; Cleveland, Das, Fortunato, Lovelett, Nguyen, O'Ban, Padden, Randall, Takko, Wilson, C. and Zeiger.

**Staff:** Bryon Moore (786-7726)

**Background:** A person must have a commercial driver's license (CDL) in order to legally drive a commercial vehicle in Washington. Several types of vehicles are characterized as commercial vehicles under Washington law. Any single vehicle with a gross vehicle weight rating (GVWR) of 26,001 pounds or more is a commercial vehicle. This designation also covers any combination of vehicles if the vehicle being driven has a GVWR of 26,001

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pounds or more, or the towed vehicle has a GVWR of 10,001 pounds when the combined GVWR equals 26,001 pounds or more.

Vehicles designed to carry 16 or more passengers are considered commercial vehicles, as are school buses. Certain vehicles carrying hazardous materials are also considered commercial vehicles.

To obtain a CDL, a person must apply to the Department of Licensing (DOL) and pay the application fee. DOL will not issue a CDL unless the applicant is a resident of the state; has successfully completed an approved commercial-driver instruction course; has passed a knowledge and skills test that complies with state and federal requirements; and has fulfilled the requirements of the federal Commercial Motor Vehicle Safety Act, together with any other state laws or other federal regulations. A medical examiner must certify that a person is physically qualified to drive a commercial vehicle.

The federal government also regulates commercial drivers under the Federal Motor Carriers Safety Administration (FMCSA). These regulations include driver's license standards and driver qualifications. States must comply with certain federal requirements, and the secretary of Transportation can withhold a portion of federal funding from noncomplying states.

**Summary of First Substitute Bill:** A collector truck operator is exempted from CDL licensing requirements. To qualify as a collector truck, the vehicle must:

- have a current registration;
- be older than thirty years old;
- meet the weight criteria of a typical large commercial truck;
- be capable of safely operating on the highway;
- be used for occasional use to and from truck conventions, auto shows, circuses, parades, displays, special excursions, and antique vehicle club meetings; and
- be used for the pleasure of others without compensation.

The collector truck cannot be used in the operations of a common or contract motor carrier or used for commercial purposes.

**Appropriation:** None.

**Fiscal Note:** Available.

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

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

**Staff Summary of Public Testimony on Original Bill:** *The committee recommended a different version of the bill than what was heard.* PRO: The drivers of collector trucks not being used for commercial purposes should be exempt, and there appears to be confusion in the enforcement area. This bill would clarify current law to ensure that these drivers are not subject to being ticketed. The bill is about preserving the tradition and allowing families and kids to enjoy them in parades and similar type events.

**Persons Testifying:** Senator Keith Wagoner, Prime Sponsor.

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