

HOUSE BILL REPORT

SHB 1655

As Amended by the Senate

Title: An act relating to having safety rest areas open to the public as soon as possible.

Brief Description: Encouraging the opening of safety rest areas to the public.

Sponsors: House Committee on Transportation (originally sponsored by Representatives Griffey, Shewmake, Barkis, Eslick, Chase, Graham, Paul, Dent, Gilday, Jacobsen, Pollet, Riccelli, Frame, Young and Taylor).

Brief History:

Committee Activity:

Transportation: 1/18/22, 2/1/22 [DPS].

Floor Activity:

Passed House: 2/9/22, 96-0.

Senate Amended.

Passed Senate: 3/2/22, 48-0.

Brief Summary of Substitute Bill

- Directs the Washington State Department of Transportation (WSDOT) to reconfigure its maintenance operations to assure that state-owned and operated safety rest areas are open for use except for seasonal closures or cleaning, maintenance, and repairs.
- Allows the WSDOT to take advantage of the gig economy and restructure existing vacant employee positions to align with current needs.
- Allows the WSDOT to initiate a strategic planning process that addresses the maintenance, operation, and safety of its owned and operated safety rest areas.
- Requires the WSDOT to report to the transportation committees of the legislature the changes made or planned to be made to operation of the

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safety rest areas by January 15, 2023, including recommendations related to commercial vehicle parking.

HOUSE COMMITTEE ON TRANSPORTATION

Majority Report: The substitute bill be substituted therefor and the substitute bill do pass. Signed by 29 members: Representatives Fey, Chair; Wylie, 1st Vice Chair; Bronoske, 2nd Vice Chair; Ramos, 2nd Vice Chair; Barkis, Ranking Minority Member; Eslick, Assistant Ranking Minority Member; Robertson, Assistant Ranking Minority Member; Volz, Assistant Ranking Minority Member; Berry, Chapman, Dent, Donaghy, Duerr, Entenman, Goehner, Griffey, Hackney, Klicker, McCaslin, Orcutt, Paul, Ramel, Riccelli, Slatter, Sutherland, Taylor, Valdez, Walsh and Wicks.

Staff: Christine Thomas (786-7142).

Background:

Safety Rest Areas. The Washington State Department of Transportation (WSDOT) owns and operates 47 safety rest areas across the state, most open to the public 24 hours a day. Features of the safety rest areas include parking, Americans with Disabilities Act–accessible restrooms, drinking water, traveler information, vending machines, picnic areas, public telephones, and more. The WSDOT estimates more than 23 million visitors used the state's safety rest areas in 2020 and all safety rest areas remained open during the height of the COVID-19 pandemic in 2020.

Routine and Annual Maintenance of Safety Rest Areas. The WSDOT's maintenance staff routinely monitor and maintain the safety rest areas and regular maintenance activities include:

- cleaning restrooms;
- clearing gutters;
- landscape maintenance;
- sweeping sidewalks and parking areas;
- emptying trash cans; and
- other maintenance needs.

Maintenance staff also perform annual maintenance activities that generally require closure of the safety rest areas for about a week. Annual maintenance activities include:

- pressure washing and cleaning picnic tables;
- pressure washing sidewalks, other walkways, and gathering areas;
- performing landscape maintenance and dangerous tree removal;
- cleaning out catch basins and drainage system for parking areas;
- repainting parking stalls and cleaning signs; and

- conducting other routine maintenance on light fixtures, hand dryers, and heating systems.

Long-Term Closures of Safety Rest Areas. Occasionally, the WSDOT must close rest areas for more than three months. These long-term closures may occur for one or more of the following reasons:

- seasonal conditions causing road closures;
- performing major repairs of roofing, heating, or plumbing systems;
- deep cleaning and sanitizing of parking areas to remove human excrement;
- performing major repairs of failed or vandalized systems; and
- staffing challenges.

Recent Public Safety Rest Area Closures. In January 2022, according to the WSDOT's website, several safety rest areas are closed: (1) two safety rest areas on Interstate 5 (I-5) are closed near the Canadian border for an estimated three months due to staffing issues; (2) one rest area on southbound I-5 near Everett is closed indefinitely for maintenance reasons; and (3) five other safety rest areas across the state are closed due to winter conditions.

Summary of Substitute Bill:

The WSDOT must reconfigure its maintenance operations to assure that state-owned and operated safety rest areas are open for use except for seasonal closures or cleaning, maintenance, and repairs. The WSDOT may take advantage of the gig economy and restructure existing vacant employee positions to align with current needs to keep safety rest areas open. The WSDOT may initiate a strategic planning process that addresses the maintenance, operation, and safety of its owned and operated safety rest areas. A report from the WSDOT on the changes made or planned to be made to operation of the safety rest areas is due to the transportation committees of the Legislature by January 15, 2023. The report must include recommendations related to commercial vehicle parking.

EFFECT OF SENATE AMENDMENT(S):

The Senate amendment: (1) makes the requirement that the Washington State Department of Transportation (WSDOT) reconfigure its maintenance operations program to ensure that its owned and operated safety rest areas are open for use except for seasonal closures or cleaning, maintenance, and repairs subject to the availability of amounts appropriated for this specific purpose; (2) removes the provision that allows the WSDOT to take advantage of the gig economy and restructure existing vacant employee positions to align with current needs; (3) requires the department to coordinate with the Office of Intergovernmental Coordination on Public Right-Of-Way Homeless Encampments established in Engrossed Second Substitute Senate Bill 5662 (right-of-way camping/housing) as part of a strategic planning process; and (4) removes the emergency clause and immediate effective date.

Appropriation: None.

Fiscal Note: Available.

Effective Date: The bill contains an emergency clause and takes effect immediately.

Staff Summary of Public Testimony:

(In support) It is of the utmost importance to keep safety rest areas open so commercial truck drivers can stay rested and safe on Washington's highways, as well as the traveling public around the state. Commercial truck drivers are important to Washington's economy and during the pandemic, over the last two years, truck drivers had to provide more with less to keep the supply chain moving. Truck parking is a national crisis and Washington would lead the way in treating our truckers better with this bill. Commercial truck drivers are required by federal law to rest between driving intervals and safety rest areas are vital assets to the trucking industry. Safety rest areas are quick and efficient on and off facilities where truck drivers can rest, check equipment and load restrictions, and take care of health needs. Extraordinary closures of rest areas are a tremendous burden on the trucking industry and when they occur information about the closures should be communicated to the industry and the general public.

(Opposed) None.

(Other) It is an absolute necessity that safety rest areas reopen. However, the bill as it is written effectively requires the WSDOT to contract out the maintenance, cleaning, and repairing of rest areas, which supplants state employees. An amendment to the bill would get rest areas open without replacing state employees. The bill reduces flexibility for the WSDOT and doesn't allow the WSDOT to implement its safety rest area strategic plan, which is being updated.

Persons Testifying: (In support) Representative Dan Griffey, prime sponsor; Lewie Pugh, Owner-Operator Independent Drivers Association; Sheri Call, Washington Trucking Associations; and Bre Elsey, Washington Food Industry Association.

(Other) Steve Holloway, Washington State Department of Transportation; and Sandra Toussaint, American Federation of State, County, and Municipal Employees Council 28/Washington Federation of State Employees .

Persons Signed In To Testify But Not Testifying: None.