

SENATE BILL REPORT

SHB 1655

As Reported by Senate Committee On:
Transportation, February 22, 2022

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

Committee Activity: Transportation: 2/17/22, 2/22/22 [DPA].

Brief Summary of Amended Bill

- Directs the Washington State Department of Transportation (WSDOT), subject to the availability of amounts appropriated for this specific purpose, 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 WSDOT to initiate a strategic planning process that addresses the maintenance, operation, and safety of its owned and operated safety rest areas.
- Requires WSDOT to report to the transportation committees of the Legislature by January 15, 2023, regarding the changes made or planned to be made to operation of the safety rest areas, including recommendations related to commercial vehicle parking.

SENATE COMMITTEE ON TRANSPORTATION

Majority Report: Do pass as amended.

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not part of the legislation nor does it constitute a statement of legislative intent.

Signed by Senators Lias, Chair; Saldaña, Vice Chair; King, Ranking Member; Cleveland, Das, Fortunato, Hawkins, Holy, Lovelett, Lovick, Nguyen, Nobles, Padden, Randall, Sheldon, Wilson, C. and Wilson, J.

Staff: Daniel Masterson (786-7454)

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. WSDOT estimates more than 23 million visitors used the state's safety rest areas in 2020.

Routine Maintenance of Safety Rest Areas. 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.

Annual Maintenance of Safety Rest Areas. 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, 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;
- performing major repairs of failed or vandalized systems; and
- staffing challenges.

Summary of Amended Bill: Subject to the availability of amounts appropriated for this specific purpose, WSDOT is directed 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.

WSDOT may initiate a strategic planning process that addresses the maintenance, operation, and safety of its owned and operated safety rest areas. At a minimum, this plan shall evaluate operations, maintenance, safety, and commercial motor vehicle parking at safety rest areas. WSDOT must engage members from the freight community and other stakeholders for recommendations and solutions. WSDOT must also coordinate with the Office of Intergovernmental Coordination on Public Right-Of-Way Homeless Encampments established in ESSSB 5662—right-of-way camping/housing. The plan must identify strategies that WSDOT can employ to ensure commercial motor vehicle parking is available at state-owned and operated safety rest areas. WSDOT shall prioritize the planning effort to conclude by the end of the 2021-2023 biennium.

A report from 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 TRANSPORTATION COMMITTEE AMENDMENT(S):

- Makes the requirement that WSDOT reconfigure its maintenance operations to assure 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.
- Removes this provision: “The change in structure may take advantage of the gig economy and restructure existing vacant employee positions to be more in line with current needs.”
- Requires WSDOT to coordinate with the Office of Intergovernmental Coordination on Public Right-Of-Way Homeless Encampments established in E2SSB 5662—right-of-way camping/housing—as part of a strategic planning process.
- Removes the emergency clause and immediate effective date.

Appropriation: None.

Fiscal Note: Available.

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

Effective Date: Ninety days after adjournment of session in which bill is passed.

Staff Summary of Public Testimony on Substitute House Bill: *The committee recommended a different version of the bill than what was heard.* PRO: This bill comes to you after a report that we got prior to session. The trucking industry got ahold of me and was concerned that rest areas were shut down. Truckers with commercial driver's licenses have a mandatory amount of time that they can spend on the road and have mandated safety rest times. The bill is also aimed at allowing DOT to contract for specialty clean-up

services if needed. The pandemic has underscored the vital role of the trucking industry. WSDOT communicated well early in the pandemic, but not so much with the closure of rest areas along north I-5. It gives us pause how swiftly these resources can be taken away from us. There have been multiple studies confirming the shortage of truck parking. The bill correctly notes that truck parking is in a national crisis. This is an issue not only for truckers, but for the motoring public as well. The closure of these rest areas conflicts with everyone's shared goals of fewer crashes, fewer injuries and fewer fatalities on our highways. Congress failed truck drivers by not including truck parking in the infrastructure bill passed last year. Over the last two years the supply chain, including truck drivers, has been tasked with providing more with less. Truck drivers need to rest, but are also federally required to do so at specific intervals. Truck drivers provide a valuable service to our state and use of restroom facilities is the least we can do to support their efforts. The health of the supply chain relies on the sum of its parts.

OTHER: We would love to be in full support of the bill. There's only one sentence that keeps us from being in full support. In section 2, sub (1), the last sentence of that paragraph. I don't think that the sentence is necessary in statute for a couple of different reasons. If WSDOT was going to bring in security or some other entity to do work, if it's not traditionally our work, they are free to do that. The maintenance and upkeep of the rest areas is our work and there's a process where if there's an emergent issue and the staff are not available, the contract provides a way to deal with that.

Persons Testifying: PRO: Representative Dan Griffey, Prime Sponsor; Sheri Call, Washington Trucking Associations ; Lewie Pugh, Owner-Operator Independent Drivers Association; Bre Elsey, WA Food Industry Association.

OTHER: Matt Zuvich, WFSE.

Persons Signed In To Testify But Not Testifying: No one.