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**HOUSE BILL 1862**

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**State of Washington**

**69th Legislature**

**2025 Regular Session**

**By** Representatives Santos, Wylie, Reed, Pollet, Doglio, Hackney, Parshley, Berry, Ramel, Paul, Zahn, Peterson, Ormsby, and Duerr

Read first time 02/06/25. Referred to Committee on Transportation.

1 AN ACT Relating to the length of trains on railroads; adding a  
2 new chapter to Title 81 RCW; and prescribing penalties.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

4 NEW SECTION. **Sec. 1.** (1) The legislature finds that railroad  
5 carriers are continuously increasing the length of trains on the  
6 railroads operating within our state. Trains of 10,000 to 15,000 feet  
7 in length are regularly traversing our state, while trains greater  
8 than 20,000 feet in length have been operating within this state and  
9 their operation has become commonplace in other states.

10 (2) Excessively long trains operating over the unique and widely  
11 varying geographical terrain in Washington create a significant  
12 safety risk to the public and the environment, especially considering  
13 that railroad infrastructure and operational technologies do not  
14 exist to ensure the safe movement of excessively long trains. The  
15 state has an obligation and the authority to ensure railroad  
16 operational safety, security, and, in the event of a hazardous  
17 material incident, to support first responder activities, the safety  
18 of our communities, the expeditious response of emergency services,  
19 and the health and welfare of passengers, the public, and railroad  
20 employees.

1 (3) Therefore, the legislature declares that this act regulating  
2 the length of trains to reduce risk to the public and our localities  
3 constitutes an exercise of the state's police power to protect and  
4 promote the health, safety, security, and welfare of the residents of  
5 the state by reducing the risk exposure to local communities and  
6 protecting environmentally sensitive and/or pristine lands and  
7 waterways.

8 NEW SECTION. **Sec. 2.** The definitions in this section apply  
9 throughout this chapter unless the context clearly requires  
10 otherwise.

11 (1) "Commission" means the utilities and transportation  
12 commission created in chapter 80.01 RCW.

13 (2) "Noncompliant" means a train that does not meet the  
14 requirements of section 3(1) of this act.

15 (3) "Railroad carrier" means a carrier of persons or property  
16 upon vehicles, other than streetcars, operated upon stationary rails,  
17 the route of which is principally outside incorporated cities and  
18 towns. "Railroad carrier" includes any officers and agents of the  
19 railroad carrier.

20 (4) "Rail yards, terminals, and facilities" means any railroad  
21 facility owned, operated, leased, or rented that is utilized by a  
22 railroad company and includes facilities of foreign railroads where  
23 the railroad company operating a train has existing trackage rights  
24 allowing operation and use pursuant to federal regulatory records.

25 NEW SECTION. **Sec. 3.** (1) No person, corporation, company, or  
26 officer of the court operating any railroad, railway, or any part of  
27 any railroad or railway, and engaged as a common carrier, in the  
28 transportation of freight or passengers, shall operate, run, permit  
29 to be run anywhere over its roads, including on any part of a main  
30 track or branch line, or yard, any freight, passenger, or work train  
31 exceeding 8,500 feet in length in the state of Washington, except by  
32 approval and order of the commission pursuant to section 4(4) of this  
33 act.

34 (2) All trains originating from rail yards and terminals within  
35 the state of Washington shall comply with this section.

36 (3) (a) Except as provided in (b) of this subsection, noncompliant  
37 trains entering the state of Washington from jurisdictions outside of  
38 the state of Washington operated by railroad companies with rail

1 yards, terminals, or facilities located outside the state may  
2 continue to operate through the state.

3 (b) If a noncompliant train stops to set out or add cars within  
4 the state, it must comply with the requirements of subsection (1) of  
5 this section while operating in the state.

6 NEW SECTION. **Sec. 4.** (1) Each train running in violation of  
7 section 3 of this act constitutes a separate offense.

8 (2) Any person, corporation, company, or officer of the court  
9 operating any railroad, or part of any railroad or railway, within  
10 the state of Washington, and engaged as a common carrier in the  
11 transportation of freight or passengers, who violates section 3 of  
12 this act is subject to fines of not less than \$25,000 for the first  
13 offense and not less than \$250,000 for the second offense; and for  
14 each and every subsequent offense, the penalty is doubled from the  
15 previous violation as determined by the commission through order.

16 (3) The commission may reduce the fines in subsection (2) of this  
17 section for class III railroad carriers that are not owned by class I  
18 railroads.

19 (4)(a) Pursuant to the safety provisions of RCW 81.40.025(4), the  
20 commission may consider and determine whether to authorize by order  
21 railroad carrier requests to operate trains that exceed 8,500 feet in  
22 length, up to a maximum of 10,000 feet in length, on specified routes  
23 and direction of travel, provided:

24 (i) Additional crewmembers are assigned to the train, with no  
25 less than one additional crewmember positioned on the rear of excess  
26 length trains to observe the forward movement and monitor the safe  
27 operation of such trains to respond to any issues that become  
28 apparent en route;

29 (ii) On board rolling equipment equipped with an accessible air  
30 brake release valve is installed; and

31 (iii) A mobile radio to ensure communication with other members  
32 of the crew and train dispatchers, which is also capable of  
33 establishing direct voice communication with government emergency  
34 response agencies and responders, is installed.

35 (b) Commission authorizations granted pursuant to this section  
36 shall expire after three years and may be renewed.

37 (c) The commission is authorized to establish, impose, and  
38 collect fees from railroad companies to recover the full agency

1 expenditures necessary to consider, review, determine, and renew  
2 carrier requests to operate excess length trains.

3 (d) Violations of commission authorizations are subject to the  
4 fines and penalties imposed under this section. However, if a  
5 violation results in a serious injury or fatality, the commission may  
6 exercise its authority pursuant to RCW 81.40.150(4) to impose fines  
7 and penalties that exceed those imposed in this section.

8 (5) It is the duty of the commission to enforce this section.

9 NEW SECTION. **Sec. 5.** If any provision of this act or its  
10 application to any person or circumstance is held invalid, the  
11 remainder of the act or the application of the provision to other  
12 persons or circumstances is not affected.

13 NEW SECTION. **Sec. 6.** Sections 1 through 4 of this act  
14 constitute a new chapter in Title 81 RCW.

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