
SENATE BILL 6280

State of Washington 63rd Legislature 2014 Regular Session

By Senators King, Hobbs, Hatfield, and Schoesler

Read first time 01/20/14. Referred to Committee on Transportation.

1 AN ACT Relating to department of transportation numbers for
2 commercial motor vehicles; and amending RCW 46.32.080.

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

4 **Sec. 1.** RCW 46.32.080 and 2011 c 171 s 77 are each amended to read
5 as follows:

6 (1) The Washington state patrol is responsible for enforcement of
7 safety requirements for commercial motor vehicles including, but not
8 limited to, safety audits and compliance reviews. Those motor carriers
9 that have operations in this state are subject to the patrol's safety
10 audits and compliance review programs. Compliance reviews may result
11 in the initiation of an enforcement action, which may include monetary
12 penalties. The utilities and transportation commission is responsible
13 for adoption and enforcement of safety requirements for vehicles
14 operated by entities holding authority under chapters 81.66, 81.68,
15 81.70, and 81.77 RCW, and by household goods carriers holding authority
16 under chapter 81.80 RCW.

17 (2) Motor vehicles owned and operated by farmers in the
18 transportation of their own farm, orchard, or dairy products, including
19 livestock and plant or animal wastes, from point of production to

1 market or disposal, or supplies or commodities to be used on the farm,
2 orchard, or dairy, must have a department of transportation number, as
3 defined in RCW 46.16A.010, but are exempt from safety audits and
4 compliance reviews.

5 (3) All records and documents required of motor carriers with
6 operations in this state must be available for review and inspection
7 during normal business hours. Duly authorized agents of the state
8 patrol conducting safety audits and compliance reviews may enter the
9 motor carrier's place of business, or any location where records or
10 equipment are located, at reasonable times and without advanced notice.
11 Motor carriers who do not permit duly authorized agents to enter their
12 place of business, or any location where records or equipment are
13 located, for safety audits and compliance reviews are subject to
14 enforcement action, including a monetary penalty.

15 (4)(a) All motor carriers with a commercial motor vehicle, as
16 defined in RCW 46.16A.010, that operate in this state must apply for a
17 department of transportation number, as defined in RCW 46.16A.010, by
18 January 1, 2008. All entities with authority under chapters 81.66,
19 81.68, 81.70, and 81.77 RCW, and all household goods carriers with
20 authority under chapter 81.80 RCW, must apply for a department of
21 transportation number by January 1, 2010.

22 ~~(b) ((All motor carriers operating in this state who (i) have not
23 applied under (a) of this subsection for a department of transportation
24 number, as defined in RCW 46.16A.010, and (ii) have a commercial motor
25 vehicle that has a gross vehicle weight rating of 7,258 kilograms
26 (16,001 pounds) or more, must apply for a department of transportation
27 number by January 1, 2011.~~

28 ~~(c))~~ The state patrol may deny an application if the applicant
29 does not meet the requirements and standards under this chapter. The
30 state patrol shall not issue a department of transportation number to
31 an applicant who at the time of application has been placed out of
32 service by the federal motor carrier safety administration. Commercial
33 motor vehicles must be marked as prescribed by the state patrol. Those
34 applicants with a current United States department of transportation
35 number are exempt from applying for a department of transportation
36 number.

37 ~~((d))~~ (c) The state patrol may (i) place a motor carrier out of
38 service or (ii) refuse to issue or recognize as valid a department of

1 transportation number to an applicant who: (A) Formerly held a
2 department of transportation number that was placed out of service for
3 cause, and where cause has not been removed; (B) is a subterfuge for
4 the real party in interest whose department of transportation number
5 was placed out of service for cause, and where cause has not been
6 removed; (C) as an individual licensee, or officer, director, owner, or
7 managing employee of a nonindividual licensee, had a department of
8 transportation number and was placed out of service for cause, and
9 where cause has not been removed; or (D) has an unsatisfied debt to the
10 state assessed under this chapter.

11 ((+e)) (d) Upon a finding by the chief of the state patrol or the
12 chief's designee that a motor carrier is an imminent hazard or danger
13 to the public health, safety, or welfare, the state patrol shall notify
14 the department, and the department shall revoke the registrations for
15 all commercial motor vehicles that are owned by the motor carrier
16 subject to (~~RCW 46.32.080~~) this section. In determining whether a
17 motor carrier is an imminent hazard or danger to the public health,
18 safety, or welfare, the chief or the chief's designee shall consider
19 safety factors.

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