
HOUSE BILL 1862

State of Washington

69th Legislature

2025 Regular Session

By Representatives Santos, Wylie, Reed, Pollet, Doglio, and Hackney

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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