
HOUSE BILL 2044

State of Washington 61st Legislature 2009 Regular Session

By Representatives Seaquist, Smith, Angel, Nelson, Morris, Finn, Appleton, Roberts, Rolfes, Cody, and Carlyle

Read first time 02/06/09. Referred to Committee on Transportation.

1 AN ACT Relating to Washington state ferries incident and accident
2 investigation policies; adding a new section to chapter 47.60 RCW; and
3 creating a new section.

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

5 NEW SECTION. **Sec. 1.** (1) The department of transportation ferries
6 division (Washington state ferries) carries over twenty-three million
7 people annually. Commuters, employers, students, commercial shippers,
8 and tourists rely on Washington state ferries for safe transportation
9 across Puget Sound. Incidents and accidents involving Washington state
10 ferries can lead to expensive repairs and to a loss of service that
11 affects thousands of passengers. A comprehensive incident and accident
12 investigation policy is essential to the safe and reliable operation of
13 Washington state ferries.

14 (2) It is the intent of the legislature that Washington state
15 ferries creates and maintains a comprehensive incident and accident
16 investigation policy.

17 NEW SECTION. **Sec. 2.** A new section is added to chapter 47.60 RCW
18 to read as follows:

1 Washington state ferries shall create a comprehensive incident and
2 accident investigation policy and transmit a copy to the legislature by
3 November 1, 2009. The policy must contain, at a minimum:

4 (1) The definition of an incident and an accident and the type of
5 investigation that is required by both types of events;

6 (2) The process for appointing an investigating officer or officers
7 and a description of the authorities and responsibilities of the
8 investigating officer or officers. The investigating officer or
9 officers must:

10 (a) Have the appropriate training and experience as determined by
11 the policy; and

12 (b) Not have been involved in the incident or accident so as to
13 avoid any conflict of interest;

14 (3) The process of working with the affected employee or employees
15 in accordance with the employee's or employees' respective collective
16 bargaining agreement and the appropriate union officials, within
17 protocols afforded to all public employees;

18 (4) The open and cooperative approach to be used with the United
19 States coast guard;

20 (5) The process for review, approval, and implementation of any
21 approved recommendations within the department; and

22 (6) The process for keeping the public informed of the
23 investigation and its outcomes, in compliance with any affected
24 employee's or employees' respective collective bargaining agreement and
25 state laws and rules regarding public disclosure under chapter 42.56
26 RCW.

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