

Multiple Agency Fiscal Note Summary

Bill Number: 3105 HB	Title: Off-road vehicle noise
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Estimated Cash Receipts

Agency Name	2005-07		2007-09		2009-11	
	GF- State	Total	GF- State	Total	GF- State	Total
Total \$						

Local Gov. Courts *						
Local Gov. Other **	Fiscal note not available					
Local Gov. Total						

Estimated Expenditures

Agency Name	2005-07			2007-09			2009-11		
	FTEs	GF-State	Total	FTEs	GF-State	Total	FTEs	GF-State	Total
Administrative Office of the Courts	.0	0	0	.0	0	0	.0	0	0
Department of Ecology	2.0	407,438	407,438	1.0	200,238	200,238	1.0	200,238	200,238
Interagency Committee for Outdoor Recreation	.0	0	0	.0	0	0	.0	0	0
Total	2.0	\$407,438	\$407,438	1.0	\$200,238	\$200,238	1.0	\$200,238	\$200,238

Local Gov. Courts *									
Local Gov. Other **	Fiscal note not available								
Local Gov. Total									

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Prepared by: Ann-Marie Sweeten, OFM	Phone: 360-902-0538	Date Published: Preliminary 1/30/2006
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* See Office of the Administrator for the Courts judicial fiscal note

** See local government fiscal note

FNPID: 13213

Judicial Impact Fiscal Note

Bill Number: 3105 HB	Title: Off-road vehicle noise	Agency: 055-Admin Office of the Courts
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Part I: Estimates

☒ **No Fiscal Impact**

The revenue and expenditure estimates on this page represent the most likely fiscal impact. Responsibility for expenditures may be subject to the provisions of RCW 43.135.060.

Check applicable boxes and follow corresponding instructions:

- ☐ If fiscal impact is greater than \$50,000 per fiscal year in the current biennium or in subsequent biennia, complete entire fiscal note form Parts I-V.
- ☐ If fiscal impact is less than \$50,000 per fiscal year in the current biennium or in subsequent biennia, complete this page only (Part I).
- ☐ Capital budget impact, complete Part IV.

Legislative Contact:	Phone:	Date: 01/25/2006
Agency Preparation: Jeff Patnode	Phone: 360-705-5271	Date: 01/26/2006
Agency Approval: Jeff Hall	Phone: 360-357-2131	Date: 01/27/2006
OFM Review: Garry Austin	Phone: 360-902-0564	Date: 01/27/2006

Part II: Narrative Explanation

II. A - Brief Description Of What The Measure Does That Has Fiscal Impact on the Courts

Section 2 requires the Department of Ecology to study the adverse effects of all-terrain vehicles on residential neighborhoods, revising the rules establishing maximum noise levels, based on the finding of the study. They must also strengthen the decibel standards so that they are stringent enough to protect health, safety, and welfare in residential neighborhoods. They must also identify measurable buffer that may easily be measured by law enforcement in the field.

Section 4 amends RCW 70.107.050 (civil penalties for noise violations) increasing penalties for any person who violates any rule adopted by the department under this chapter. The penalties shall be as follows: One hundred dollars for the first violation; two hundred fifty dollars for the second; and one thousand dollars for the third and every subsequent violation.

II. B - Cash Receipts Impact

II. C - Expenditures

Less than 3 charges were filed in 2005 under RCW 46.09.120 (traffic infraction for any person to operate any nonhighway vehicle) (1) (e) (maximum decibel level). It is unknown if additional charges may be filed under the provisions in this bill, but based on 2005 filing history and the provisions of the bill, it seems unlikely to that there will be a fiscal impact for the courts.

Part III: Expenditure Detail

Part IV: Capital Budget Impact

Individual State Agency Fiscal Note

Revised

Bill Number: 3105 HB	Title: Off-road vehicle noise	Agency: 461-Department of Ecology
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Part I: Estimates

☐ No Fiscal Impact

Estimated Cash Receipts to:

FUND					
Total \$					

Estimated Expenditures from:

	FY 2006	FY 2007	2005-07	2007-09	2009-11
FTE Staff Years	0.8	3.2	2.0	1.0	1.0
Fund					
GF - State-State 001-1	77,115	330,323	407,438	200,238	200,238
Total \$	77,115	330,323	407,438	200,238	200,238

The cash receipts and expenditure estimates on this page represent the most likely fiscal impact. Factors impacting the precision of these estimates, and alternate ranges (if appropriate), are explained in Part II.

Check applicable boxes and follow corresponding instructions:

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- ☐ If fiscal impact is less than \$50,000 per fiscal year in the current biennium or in subsequent biennia, complete this page only (Part I).
- ☐ Capital budget impact, complete Part IV.
- ☐ Requires new rule making, complete Part V.

Legislative Contact:	Phone:	Date: 01/25/2006
Agency Preparation: Bari Schreiner	Phone: 360-407-6998	Date: 01/30/2006
Agency Approval: Pat McLain	Phone: 360-407-7005	Date: 01/30/2006
OFM Review: Ann-Marie Sweeten	Phone: 360-902-0538	Date: 01/30/2006

Part II: Narrative Explanation

II. A - Brief Description Of What The Measure Does That Has Fiscal Impact

Briefly describe, by section number, the significant provisions of the bill, and any related workload or policy assumptions, that have revenue or expenditure impact on the responding agency.

Section 2 would require Ecology to study the adverse impact of off-road vehicle (ORV) noise on residential neighborhoods by December 31, 2006. This section would also require Ecology to revise our existing rules on noise based on that study.

Section 2 (2) would require Ecology to include alternative methods for measuring noise besides the expensive devices currently used. This would have a heavy fiscal impact because of a) the rule making required, and b) implementation of a noise program within Ecology. Staff from this program would provide education and support to local agencies implementing noise requirements.

II. B - Cash receipts Impact

Briefly describe and quantify the cash receipts impact of the legislation on the responding agency, identifying the cash receipts provisions by section number and when appropriate the detail of the revenue sources. Briefly describe the factual basis of the assumptions and the method by which the cash receipts impact is derived. Explain how workload assumptions translate into estimates. Distinguish between one time and ongoing functions.

II. C - Expenditures

Briefly describe the agency expenditures necessary to implement this legislation (or savings resulting from this legislation), identifying by section number the provisions of the legislation that result in the expenditures (or savings). Briefly describe the factual basis of the assumptions and the method by which the expenditure impact is derived. Explain how workload assumptions translate into cost estimates. Distinguish between one time and ongoing functions.

Assumptions:

This bill would require Ecology to:

Task 1: Complete the study of adverse impacts of ORV noise on residential neighborhoods by December 31, 2006.

Task 2: Revise our existing rules (based on the study in 1).

This may involve amending existing language; adding new standards related to ORV noise levels; and identifying and adopting, alternative methods to measure noise.

Ecology would form an advisory group to assist with the evaluation and development of rule language.

Task 3: Re-instate Ecology's noise program:

Provide on-going support:

To local jurisdictions as they implement our rules.

Review local ordinances to ensure when they are different from Ecology rules, that they are 'more stringent' than the rules.

FTEs required for tasks 1 and 2:

2 full time Environmental Specialist 4 positions, April 2006 through June 2007 (.25 FTE FY06, 2.0 FTE FY07).

One would work with local jurisdictions,

One would research alternative methods to measure noise.

Both would work on drafting the rule and participate in advisory committee.

1 full time Community Education and Environmental Outreach Specialist 3 (CEEOS), April 2006 through June 2007 (.25 FTE FY06, 1.0 FTE FY07).

1. Facilitate the Advisory Committee and community meetings

2. Prepare educational and outreach materials related to the evaluation and rule development.

1 part time Economic Analyst 3, January 2007 through June 2007 (0.23 FTE FY07).

1. Complete the Small Business Economic Impact statement, Cost-benefit analysis, and Least Burdensome Alternative analysis required as part of the rule-making process.

FTEs required for task 3:

1 full time Environmental Specialist 4 position (on-going, beginning July 1, 2008)

1. Implement the rule.
2. Provide training and information to local jurisdictions
3. Review and approve/deny local noise ordinances that local jurisdictions submit to Ecology. (This person will review them to ensure they are either the same as Ecology's rules or more stringent.)

Salaries and Wages Detail: Direct program salaries are calculated at step J.

Employee Benefits for direct program staff are calculated at the agency average of 25.7% of salaries.

Goods and Services are calculated at the agency average of \$3,773 per direct FTE. Standard agency administrative overhead costs are also included.

Travel Expenditures are calculated at the agency average rate of \$1,560 per direct program FTE.

Equipment Detail: \$7,293 for start-up equipment is budgeted for each new direct FTE, based on current costs for an office chair, 1/5 motor pool vehicle, and basic computer equipment.

Part III: Expenditure Detail

III. A - Expenditures by Object Or Purpose

	FY 2006	FY 2007	2005-07	2007-09	2009-11
FTE Staff Years	0.8	3.2	2.0	1.0	1.0
A-	38,541	168,083	206,624	108,010	108,010
B-	9,905	43,197	53,102	27,758	27,758
C-					
E-	22,029	95,917	117,946	61,350	61,350
G-	1,170	5,039	6,209	3,120	3,120
J-	5,470	18,087	23,557		
N-					
P-					
S-					
Total:	\$77,115	\$330,323	\$407,438	\$200,238	\$200,238

III. B - Detail: List FTEs by classification and corresponding annual compensation. Totals need to agree with total FTEs in Part I and Part IIIA

Job Classification	Salary	FY 2006	FY 2007	2005-07	2007-09	2009-11
COEES	46,152	0.3	1.0	0.6		
Economic Analyst 3	60,528		0.2	0.1		
Environmental Specialist 4	54,005	0.5	2.0	1.3	1.0	1.0
Total FTE's		0.8	3.2	2.0	1.0	1.0

Part IV: Capital Budget Impact

Part V: New Rule Making Required

Identify provisions of the measure that require the agency to adopt new administrative rules or repeal/revise existing rules.

This bill requires Ecology to update our rules on noise.

Individual State Agency Fiscal Note

Bill Number: 3105 HB	Title: Off-road vehicle noise	Agency: 467-Interagency Comm for Outdoor Rec
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Part I: Estimates

☒ **No Fiscal Impact**

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- ☐ Requires new rule making, complete Part V.

Legislative Contact:	Phone:	Date: 01/25/2006
Agency Preparation: Mark Jarasitis	Phone: 360-902-3006	Date: 01/26/2006
Agency Approval: Jim Fox	Phone: 360-902-3021	Date: 01/26/2006
OFM Review: Jim Skalski	Phone: 360-902-0654	Date: 01/26/2006