

Multiple Agency Fiscal Note Summary

Bill Number: 1049 HB	Title: Unmanned aircraft
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Estimated Cash Receipts

NONE

Estimated Expenditures

Agency Name	2017-19			2019-21			2021-23		
	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
Washington State Patrol	.0	0	0	.0	0	0	.0	0	0
Department of Corrections	Fiscal note not available								
Department of Transportation	Non-zero but indeterminate cost and/or savings. Please see discussion.								
State Parks and Recreation Commission	.0	0	0	.0	0	0	.0	0	0
Recreation and Conservation Funding Board	.0	0	0	.0	0	0	.0	0	0
Department of Natural Resources	.0	0	0	.0	0	0	.0	0	0
Total	0.0	\$0	\$0	0.0	\$0	\$0	0.0	\$0	\$0

Local Gov. Courts *									
Loc School dist-SPI									
Local Gov. Other **	Fiscal note not available								
Local Gov. Total									

Estimated Capital Budget Impact

NONE

Prepared by: Gwen Stamey, OFM	Phone: (360) 902-9810	Date Published: Preliminary 1/ 9/2017
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* See Office of the Administrator for the Courts judicial fiscal note

** See local government fiscal note

FNPID: 44639

FNS029 Multi Agency rollup

Judicial Impact Fiscal Note

Bill Number: 1049 HB	Title: Unmanned aircraft	Agency: 055-Administrative Office of the Courts
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Part I: Estimates

☐ No Fiscal Impact

Estimated Cash Receipts to:

Account	FY 2018	FY 2019	2017-19	2019-21	2021-23
Counties					
Cities					
Total \$					

Estimated Expenditures from:

COUNTY	FY 2018	FY 2019	2017-19	2019-21	2021-23
County FTE Staff Years					
Account					
Local - Counties					
Counties Subtotal \$					
CITY	FY 2018	FY 2019	2017-19	2019-21	2021-23
City FTE Staff Years					
Account					
Local - Cities					
Cities Subtotal \$					
Local Subtotal \$					
Total Estimated Expenditures \$					

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	Lily Smith	Phone: 360-786-7175	Date: 12/29/2016
Agency Preparation:	Sam Knutson	Phone: 360-704-5528	Date: 01/06/2017
Agency Approval:	Sam Knutson	Phone: 360-704-5528	Date: 01/06/2017
OFM Review:	Gwen Stamey	Phone: (360) 902-9810	Date: 01/06/2017

Request # 1049 HB-2

Part II: Narrative Explanation

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

This bill would allow a person who owns or lawfully occupies real property to bring an action for trespass against any person, other than a public agency, who operates an unmanned aircraft over the property if the aircraft has been flown over the property at least once before and the aircraft's owner/operator has been notified to stop by the property owner or occupant. An action may not be brought if the aircraft is lawfully taking off or landing at an airport, airfield, or runway. A prevailing plaintiff may recover actual damages or elect to recover \$500 as liquidated damages, plus reasonable attorney fees and expenses. Injunctive relief may be awarded.

There is no judicial system data available to estimate the number of cases that would be filed for violation of the provisions of this bill. It is assumed that the impact would be minimal.

II. B - Cash Receipts Impact

II. C - Expenditures

Part III: Expenditure Detail

III. A - Expenditure By Object or Purpose (State)

<i>State</i>	FY 2018	FY 2019	2017-19	2019-21	2021-23
FTE Staff Years					
Total \$					

III. B - Expenditure By Object or Purpose (County)

<i>County</i>	FY 2018	FY 2019	2017-19	2019-21	2021-23
FTE Staff Years					
Total \$					

III. C - Expenditure By Object or Purpose (City)

<i>City</i>	FY 2018	FY 2019	2017-19	2019-21	2021-23
FTE Staff Years					
Total \$					

Part IV: Capital Budget Impact

Individual State Agency Fiscal Note

Bill Number: 1049 HB	Title: Unmanned aircraft	Agency: 225-Washington State Patrol
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Part I: Estimates

☒ No Fiscal Impact

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:

- ☐ 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.
- ☐ Requires new rule making, complete Part V.

Legislative Contact: Lily Smith	Phone: 360-786-7175	Date: 12/29/2016
Agency Preparation: Kathy Longbotham	Phone: 360-596-4067	Date: 01/06/2017
Agency Approval: Mary Thygesen	Phone: 360 596-4046	Date: 01/06/2017
OFM Review: Kathy Cody	Phone: (360) 902-9822	Date: 01/06/2017

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.

House Bill 1049 adds a section to the Revised Code of Washington (RCW) Chapter 47.68 (Aeronautic Safety) that:

- 1) Requires unmanned aircraft flying without federal authorization to be clearly labeled with the aircraft owner and operator name(s) and phone number
- 2) Prohibits operator from flying the unmanned aircraft over private property without the consent of the owner or occupant of the property unless it has federal authorization to do so
- 3) Provides an exception for unmanned aircraft taking off or landing at an airport, airfield, or runway and is legally taking off or landing
- 4) Establishes violations of the law as class 2 civil infraction
- 5) Allows any law enforcement officer to enforce the law.

It also adds a section to RCW Chapter 4.24 (Special Rights of Action and Special Immunities) that:

- 1) Sets forth the conditions necessary for someone to bring actions for trespass for violating the law set forth above
- 2) Provides for actual or liquidated damages and for the plaintiff to recover reasonable attorneys' fees and legal expenses

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.

HB 1049 will not impact WSP cash receipts.

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.

While the bill does allow any law enforcement agency to enforce the law, the WSP would presumably provide enforcement as part of the normal duties. The WSP will have to train troopers on the new law but that will be incorporated into normal, on-going training with no additional cost involved.

Part III: Expenditure Detail

Part IV: Capital Budget Impact

HB 1049 will not impact the WSP Capital Budget.

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.

HB 1049 will not require the WSP to change existing rules or develop new ones.

Individual State Agency Fiscal Note

Bill Number: 1049 HB	Title: Unmanned aircraft	Agency: 405-Department of Transportation
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Part I: Estimates

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No Fiscal Impact

Estimated Cash Receipts to:

NONE

Estimated Expenditures from:

Non-zero but indeterminate cost. Please see discussion.

Estimated Capital Budget Impact:

NONE

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:

☐

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.

☐

Requires new rule making, complete Part V.

Legislative Contact: Lily Smith	Phone: 360-786-7175	Date: 12/29/2016
Agency Preparation: Anita Gausepohl	Phone: 360-709-8096	Date: 01/06/2017
Agency Approval: Amy Scarton	Phone: 360-705-7309	Date: 01/06/2017
OFM Review: Kathy Cody	Phone: (360) 902-9822	Date: 01/06/2017

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 1 of the bill adds new provisions to Chapter 47.68 RCW (aeronautics). The new provisions prohibit operation of an unmanned aircraft in Washington state unless prominently labeled with the name and phone number of the owner and operator. Also prohibited is the operation of an unmanned aircraft over private property without the consent of the lawful owner or occupant. Exceptions to these prohibitions include specific federal authorization, or lawful operation within a flight path for landing at an airport or runway, pursuant to specific federal authorization. Violations are subject to penalties and may be enforced by any law enforcement officer.

Section 2 adds new provisions to Chapter 4.24 RCW (special rights of action and special immunities). The new provisions allow property owners to take action for trespass against unlawful operators of unmanned aircraft.

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.

None.

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.

The expenditure impact of the bill is indeterminate but likely small. Although WSDOT does not own any unmanned aircraft systems (UAS) at this time, the department anticipates acquiring these devices in the future and currently contracts for selected work using UAS. In 2016, the department used contract UAS 19 times, and anticipates increasing usage over time. Examples of such use include general construction inspections, aerial photography (including fish-passage projects), photogrammetry, geotechnical field investigations, mapping construction sites and conditions, and disaster response/training exercises; and in the future, Light Detection and Ranging (LiDAR) applications.

Potential expenditure impacts would be a result of cost increases to contractors, which could be passed on to WSDOT. UAS owners or operators would incur the cost of prominently labeling the devices, as required; contractors may require additional time to obtain the consent of owners or occupants of private property adjacent to WSDOT right-of-way that UAS may need to overfly for specific projects; or may need to employ alternative methods to obtain necessary photos or videos that are currently accessible by UAS but potentially inaccessible under the bill, absent permission of adjacent owners or occupants of private property.

Part III: Expenditure Detail

Part IV: Capital Budget Impact

None.

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.

None.

Individual State Agency Fiscal Note

Bill Number: 1049 HB	Title: Unmanned aircraft	Agency: 465-State Parks and Recreation Commission
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Part I: Estimates

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No Fiscal Impact

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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: Lily Smith	Phone: 360-786-7175	Date: 12/29/2016
Agency Preparation: Robert Ingram	Phone: (360) 902-8615	Date: 01/06/2017
Agency Approval: Frank Gillis	Phone: 360-902-8538	Date: 01/06/2017
OFM Review: Heather Matthews	Phone: (360) 902-0543	Date: 01/09/2017

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.

House Bill 1049 is an act relating to unmanned aircraft; adding a new section to chapter 47.68 RCW; adding a new section to chapter 4.24 RCW; and prescribing penalties.

This bill will have no additional fiscal impact to State Parks because the agency is already managing and enforcing the use of unmanned aircraft systems within Parks property, per WAC 352-32-130.

The only impact to the agency will be an update to the review and approval procedure to include the additional requirements under the new sections of the bill.

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.

No cash receipt impact.

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.

No expenditure impact.

Part III: Expenditure Detail

Part IV: Capital Budget Impact

No 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.

State Parks will have to update its review and approval procedure to include the additional requirements under new Section 1 (1), requiring unmanned aircraft to be clearly and prominently labeled with the name and phone number of the unmanned aircraft's owner and operator.

Individual State Agency Fiscal Note

Bill Number: 1049 HB	Title: Unmanned aircraft	Agency: 467-Recreation and Conservation Funding Board
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Part I: Estimates

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No Fiscal Impact

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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: Lily Smith	Phone: 360-786-7175	Date: 12/29/2016
Agency Preparation: Mark Jarasitis	Phone: 360-902-3006	Date: 01/03/2017
Agency Approval: Wendy Brown	Phone: 360-902-3021	Date: 01/03/2017
OFM Review: Heather Matthews	Phone: (360) 902-0543	Date: 01/09/2017

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.

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.

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.

Part IV: Capital Budget Impact

Individual State Agency Fiscal Note

Bill Number: 1049 HB	Title: Unmanned aircraft	Agency: 490-Department of Natural Resources
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Part I: Estimates

☒ No Fiscal Impact

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.

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- ☐ Capital budget impact, complete Part IV.
- ☐ Requires new rule making, complete Part V.

Legislative Contact: Lily Smith	Phone: 360-786-7175	Date: 12/29/2016
Agency Preparation: Angela Konen	Phone: 360-902-2165	Date: 01/05/2017
Agency Approval: Angus Brodie	Phone: 360-902-1355	Date: 01/05/2017
OFM Review: Heather Matthews	Phone: (360) 902-0543	Date: 01/09/2017

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.

Sections 1 and 2 (HB 1049) excludes the Department of Natural Resources (DNR) as a public agency per RCW 42.30.020. The department would not pursue violators or have the ability to recover damages from violators. The department does not own any unmanned aircraft.

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.

Part III: Expenditure Detail

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.