

Multiple Agency Fiscal Note Summary

| | |
|-----------------------------|----------------------------------|
| Bill Number: 5289 SB | Title: Distracted driving |
|-----------------------------|----------------------------------|

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 Licensing | .1 | 0 | 106,900 | .1 | 0 | 16,200 | .1 | 0 | 16,200 |
| Total | 0.1 | \$0 | \$106,900 | 0.1 | \$0 | \$16,200 | 0.1 | \$0 | \$16,200 |

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

Estimated Capital Budget Impact

NONE

| | | |
|-------------------------------------|---------------------------------|---|
| Prepared by: Kathy Cody, OFM | Phone: (360) 902-9822 | Date Published: Preliminary 2/ 6/2017 |
|-------------------------------------|---------------------------------|---|

* See Office of the Administrator for the Courts judicial fiscal note

** See local government fiscal note

FNPID: 46819

FNS029 Multi Agency rollup

Judicial Impact Fiscal Note

| | | |
|-----------------------------|----------------------------------|--|
| Bill Number: 5289 SB | Title: Distracted driving | Agency: 055-Administrative Office of the Courts |
|-----------------------------|----------------------------------|--|

Part I: Estimates

☐

No Fiscal Impact

Estimated Cash Receipts to:

| |
|---|
| Non-zero but indeterminate cost. Please see discussion. |
|---|

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 | Kimberly Johnson | Phone: (360) 786-7472 | Date: 02/03/2017 |
| Agency Preparation: | Renee Lewis | Phone: 360-704-4142 | Date: 02/03/2017 |
| Agency Approval: | Ramsey Radwan | Phone: 360-357-2406 | Date: 02/03/2017 |
| OFM Review: | Gwen Stamey | Phone: (360) 902-9810 | Date: 02/06/2017 |

Request # SB 5289-1

Part II: Narrative Explanation

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

HB 1371 would repeal the definitions of using a wireless communication devices or handheld mobile devices while driving and sending, reading or writing a text message while driving established under RCW’s 46.61.667 and 46.61.668. This bill purposes a consolidation of the two definitions in a new section in title 46 and seeks to double the penalty for subsequent offenders under the new section.

II. B - Cash Receipts Impact

The proposed legislation would double the base penalty amount for a second offense. Doubling the base penalty would increase the fine by \$99. The average number of two or more infractions for RCW 46.61.667 and RCW 46.61.668 for the past three years was 510 with a 29% reduction from 2015 to 2016 and a projected reduction in 2017 by another 20%. If the average of 510 was used, the potential increase in revenue would be \$50,490 (510 x \$99). However, the assumption is that the number of second offenses will continue to decline because of the legislation. The two repealed RCWs stated that the infraction would not become part of the driving record, but the new proposed language does not state the same thing so it is implied that it would be treated like other traffic infractions and would become part of the driving record. Therefore, under the proposed bill, it is assumed there would be a minimal increase in infraction revenue.

II. C - Expenditures

Part III: Expenditure Detail

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

| <u>State</u> | FY 2018 | FY 2019 | 2017-19 | 2019-21 | 2021-23 |
|------------------------------------|---------|---------|---------|---------|---------|
| FTE Staff Years | | | | | |
| | | | | | |
| Salaries and Wages | | | | | |
| Employee Benefits | | | | | |
| Professional Service Contracts | | | | | |
| Goods and Other Services | | | | | |
| Travel | | | | | |
| Capital Outlays | | | | | |
| Inter Agency/Fund Transfers | | | | | |
| Grants, Benefits & Client Services | | | | | |
| Debt Service | | | | | |
| Interagency Reimbursements | | | | | |
| Intra-Agency Reimbursements | | | | | |
| Total \$ | | | | | |

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

| <u>County</u> | FY 2018 | FY 2019 | 2017-19 | 2019-21 | 2021-23 |
|-----------------------|---------|---------|---------|---------|---------|
| FTE Staff Years | | | | | |
| Salaries and Benefits | | | | | |
| Capital | | | | | |
| Other | | | | | |
| | | | | | |
| 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 | | | | | |
| Salaries and Benefits | | | | | |
| Capital | | | | | |
| Other | | | | | |
| | | | | | |
| Total \$ | | | | | |

Part IV: Capital Budget Impact

Individual State Agency Fiscal Note

| | | |
|-----------------------------|----------------------------------|--|
| Bill Number: 5289 SB | Title: Distracted driving | Agency: 225-Washington State Patrol |
|-----------------------------|----------------------------------|--|

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: Kimberly Johnson | Phone: (360) 786-7472 | Date: 02/03/2017 |
| Agency Preparation: Kendra Sanford | Phone: 3605964067 | Date: 02/06/2017 |
| Agency Approval: Mary Thygesen | Phone: 360 596-4046 | Date: 02/06/2017 |
| OFM Review: Kathy Cody | Phone: (360) 902-9822 | Date: 02/06/2017 |

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.

Senate Bill 5289 updates chapter 46.61 RCW by updating the distracted driving infraction to further restrict personal electronic device use while driving a motor vehicle.

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 receipts will be received by the Washington State Patrol (WSP) upon passage of this bill.

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 WSP does not anticipate any additional expenditure as a result of this legislation. If we should find otherwise, we will request funding through the legislative budget process.

Part III: Expenditure Detail

Part IV: Capital Budget Impact

Senate Bill 5289 has no effect on WSP's 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.

Senate Bill 5289 does not require rule changes.

Individual State Agency Fiscal Note

| | | |
|-----------------------------|----------------------------------|--|
| Bill Number: 5289 SB | Title: Distracted driving | Agency: 240-Department of Licensing |
|-----------------------------|----------------------------------|--|

Part I: Estimates

☐

No Fiscal Impact

Estimated Cash Receipts to:

NONE

Estimated Expenditures from:

| | FY 2018 | FY 2019 | 2017-19 | 2019-21 | 2021-23 |
|---------------------------------------|---------|---------|---------|---------|---------|
| FTE Staff Years | 0.0 | 0.1 | 0.1 | 0.1 | 0.1 |
| Account | | | | | |
| Highway Safety Account-State 106-1 | 98,800 | 8,100 | 106,900 | 16,200 | 16,200 |
| Total \$ | 98,800 | 8,100 | 106,900 | 16,200 | 16,200 |

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:

☒

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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: Kimberly Johnson | Phone: (360) 786-7472 | Date: 02/03/2017 |
| Agency Preparation: Kim Buechel | Phone: 360-902-3639 | Date: 02/06/2017 |
| Agency Approval: Dan Weeks | Phone: (360) 902-0147 | Date: 02/06/2017 |
| OFM Review: Veronica Jarvis | Phone: (360) 902-0649 | Date: 02/06/2017 |

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.

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

III. A - Expenditures by Object Or Purpose

| | FY 2018 | FY 2019 | 2017-19 | 2019-21 | 2021-23 |
|----------------------------|----------|---------|-----------|----------|----------|
| FTE Staff Years | | 0.1 | 0.1 | 0.1 | 0.1 |
| A-Salaries and Wages | | 3,900 | 3,900 | 7,800 | 7,800 |
| B-Employee Benefits | | 1,800 | 1,800 | 3,600 | 3,600 |
| E-Goods and Other Services | 98,800 | 2,400 | 101,200 | 4,800 | 4,800 |
| Total: | \$98,800 | \$8,100 | \$106,900 | \$16,200 | \$16,200 |

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 2018 | FY 2019 | 2017-19 | 2019-21 | 2021-23 |
|--------------------|--------|---------|---------|---------|---------|---------|
| CUSTOMER SERVICE | 3,212 | | 0.1 | 0.1 | 0.1 | 0.1 |
| SPECIALIST 2 | | | | | | |
| Total FTE's | 3,212 | | 0.1 | 0.1 | 0.1 | 0.1 |

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.

Individual State Agency Fiscal Note

Agency 240 – Department of Licensing

Bill Number: SB 5289

Bill Title: Distracted Driving

Part 1: Estimates

☐ No Fiscal Impact

Estimated Cash Receipts

| Account Name | Account | FY 18 | FY 19 | 17-19 Total | 19-21 Total | 21-23 Total |
|----------------|---------|-------|-------|-------------|-------------|-------------|
| Account Totals | | - | - | - | - | - |

Estimated Expenditures:

| | FY 18 | FY 19 | 17-19 Total | 19-21 Total | 21-23 Total |
|-----------------|-------|-------|-------------|-------------|-------------|
| FTE Staff Years | - | 0.1 | 0.1 | 0.1 | 0.1 |

| Account Name | Account | FY 18 | FY 19 | 17-19 Total | 19-21 Total | 21-23 Total |
|----------------|---------|--------|-------|-------------|-------------|-------------|
| Highway Safety | 106 | 98,800 | 8,100 | 106,900 | 16,200 | 16,200 |
| Account Totals | | 98,800 | 8,100 | 106,900 | 16,200 | 16,200 |

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

| | | |
|---------------------------------------|---------------------|--------------|
| Legislative Request: Kimberly Johnson | Phone: 360-786-7472 | Date: 2/6/17 |
| Agency Preparation: Kim Buechel | Phone: 360-902-3639 | Date: 2/6/17 |
| Agency Approval: Diamatris Winston | Phone: 360-902-3644 | Date: 2/6/17 |

| | |
|-----------|---------|
| Request # | 1 |
| Bill # | SB 5289 |

Part 2 – Explanation

2.A – Brief Description on what the measure does and how it has a fiscal impact

This bill amends the infraction and penalties for distracted driving.

Section 1 adds a new section to RCW 46.61 defining distracted driving conditions, and mandating a penalty of a traffic infraction and fine (as provided in 46.63.110(3)). It creates exceptions for driver's contacting emergency services, transit employees relaying time-sensitive information, or commercial motor vehicle drivers using an approved device.

The implementation of this bill will require modifications to DOL's information technology systems. It will also result in an increase of the manual posting of citations into the driver's records.

Section 2 repeals 46.61.667 (using a wireless comm. device while driving) and 46.61.668 (sending, reading, and writing a text message while driving).

Workload Indicators: (if applicable)

Provisions of this bill require DOL to add infractions to driver records. Approximately 80 percent of citations received by DOL come electronically and are posted automatically to driver records. The remaining 20 percent require manual posting to driver records. This work is done by Customer Service Specialist 2 (CSS2) staff. A CSS2 can post one citation per minute, and has 88,320 minutes available per year for this activity. The following table outlines estimated workload and FTE needs associated with recording infractions.

| CSS2 FTE requirement | FY 17 | FY 18 | FY 19 | FY 20 | FY 21 |
|--|--------------|--------------|--------------|--------------|--------------|
| Cell phone case filings | 18,302 | 36,603 | 36,603 | 36,603 | 36,603 |
| Texting case filings | 1,438 | 2,875 | 2,875 | 2,875 | 2,875 |
| Total filings | 19,739 | 39,478 | 39,478 | 39,478 | 39,478 |
| | | | | | |
| Electronic citation filings | 15,791 | 31,582 | 31,582 | 31,582 | 31,582 |
| Manual citation processing | 3,948 | 7,896 | 7,896 | 7,896 | 7,896 |
| | | | | | |
| Processing minutes per citation | 1 | 1 | 1 | 1 | 1 |
| Minutes available per year | 88,320 | 88,320 | 88,320 | 88,320 | 88,320 |
| Office Assistant 2 FTE required | 0.0 | 0.1 | 0.1 | 0.1 | 0.1 |

Note: Fiscal year 2018 data are adjusted to reflect the January 1, 2018 effective date.

2.B - Cash Receipt Impact

None. Monetary penalties established by this bill will be collected by the courts. There is no revenue impact for the Department of Licensing (DOL).

2.C – Expenditures

| Account Name | Account | FY 18 | FY 19 | 17-19 Total | 19-21 Total | 21-23 Total |
|-----------------------|---------|---------------|--------------|----------------|---------------|---------------|
| Highway Safety | 106 | 98,800 | 8,100 | 106,900 | 16,200 | 16,200 |
| Account Totals | | 98,800 | 8,100 | 106,900 | 16,200 | 16,200 |

Provisions of this bill require DOL to add infractions to driver records. It is assumed that all case filings will result in adding a citation to the drive record. Based on available data from the Administrative Office of the Courts, there were 36,603 case filings related to cell phone use and 2,875 case filings related to texting in calendar year 2013. For purposes of this fiscal note we assume those figures will remain constant. The on-going salary/benefit and goods/services cost is estimated at \$8,100 per fiscal year for the CSS2.

Information Services:

The agency will use appropriated funds to hire contract programmers to accomplish this work or to support current staff implementing this legislation within the required timeline. Appropriated funds may also be used to hire Agency temporary staff to support permanent staff assigned to this legislative effort.

The modifications to DOL's information technology systems include;

- Create new violation codes,
- Map codes to American Association of Motor Vehicle Administrators (AAMVA) codes,
- Tie new codes to Failure To Appear Rules,
- Minor change and testing Abstract Driving Records (ADR) Service,
- Minor change and testing AAMVA, and
- Minor changes and testing of Electronic Traffic Information Processing (Etrip).

The cost is estimated at \$88,200 for fiscal year 2018, this includes salary/benefits and prorated goods and services associated with employees.

| Cost Category | Description | Rate | 2018 | 2019 | 2020 | 2021 | 2022 | 2023 | Total Cost |
|---------------------------------|--|--------|---------------|------|------|------|------|------|---------------|
| TESTER | Test to verify individual components meet requirements; ensure that other business transactions have not been impacted. | 18,444 | 18,400 | - | - | - | - | - | 18,400 |
| BUSINESS ANALYST | Determine business requirements; translate requirements into what changes are needed to various systems including account codes, inventory codes, testing considerations, etc. | 26,448 | 7,900 | - | - | - | - | - | 7,900 |
| PROJECT MANAGER | Manage schedule and contracts | 27,492 | 5,500 | - | - | - | - | - | 5,500 |
| QUALITY ASSURANCE | Plan and carry out activities to assure project deliverables; e.g. preventative defect activities, align quality measures and business objectives. | 31,668 | 19,000 | - | - | - | - | - | 19,000 |
| SECURITY AND ARCHITECT SERVICES | Create the conceptual model that defines the structure, behavior and framework of a computerized system including a breakdown of the system into components, the component interactions and interfaces (including with the environment, especially the user), and the technologies and resources to be used in the design. | 27,144 | 5,400 | - | - | - | - | - | 5,400 |
| DEVELOPERS | Modify programming and coding to all major systems | 18,444 | 24,000 | - | - | - | - | - | 24,000 |
| Project Contingency | Office of the Chief Information Officer designated rate of 10% | - | 8,000 | - | - | - | - | - | 8,000 |
| Totals | | | 88,200 | - | - | - | - | - | 88,200 |

Administrative support is included at a rate of 12 percent of the direct program costs, captured in object EZ. This percentage is split 7 percent for Management and Support Services (MSS) and 5 percent for Information Services Division (ISD) functions. DOL uses a Fiscal Technician 2 (MSS) and an IT Specialist 4 (ISD) as a proxy to display these costs. DOL also uses an ITS 2 Specialist when desktop support is needed.

Administrative support funding received covers agency-wide functions such as vendor payments, contract administration, financial management, mail processing, equipment management, help desk support, and technical assistance to DOL employees.

Part 3 – Expenditure Detail

3.A – Expenditures by Object or Purpose

| Object Name | FY 18 | FY 19 | 17-19 Total | 19-21 Total | 21-23 Total |
|-----------------------------|---------------|--------------|----------------|---------------|---------------|
| FTE Staff Years | - | 0.1 | 0.1 | 0.1 | 0.1 |
| Salaries and Wages | - | 3,900 | 3,900 | 7,800 | 7,800 |
| Employee Benefits | - | 1,800 | 1,800 | 3,600 | 3,600 |
| Goods and Services | 98,800 | 2,400 | 101,200 | 4,800 | 4,800 |
| Total By Object Type | 98,800 | 8,100 | 106,900 | 16,200 | 16,200 |

3.A.1 – Detail of Expenditures by Sub-Object (Goods and Services Only)

| Object E - Description | FY 18 | FY 19 | 17-19 Total | 19-21 Total | 21-23 Total |
|-----------------------------------|---------------|--------------|----------------|--------------|--------------|
| EA - General Office Supplies | - | 100 | 100 | 200 | 200 |
| EB - Phone/Install/Usage | - | 100 | 100 | 200 | 200 |
| ED - Facility/Lease Costs | - | 600 | 600 | 1,200 | 1,200 |
| EG Training | - | 100 | 100 | 200 | 200 |
| EK - Facilities and Services | - | 100 | 100 | 200 | 200 |
| EL Interagency DP Svcs | - | 300 | 300 | 600 | 600 |
| ER Application Programmers | 88,200 | - | 88,200 | - | - |
| EY Software Maintenance | - | 200 | 200 | 400 | 400 |
| EZ Indirect Costs | 10,600 | 900 | 11,500 | 1,800 | 1,800 |
| Total Goods & Services | 98,800 | 2,400 | 101,200 | 4,800 | 4,800 |

3.B – FTE Detail

| Position | Salary | FY 18 | FY 19 | 17-19 Total | 19-21 Total | 21-23 Total |
|-------------------------------|--------|----------|------------|-------------|-------------|-------------|
| CUSTOMER SERVICE SPECIALIST 2 | 3,212 | - | 0.1 | 0.1 | 0.1 | 0.1 |
| Total FTE | | - | 0.1 | 0.1 | 0.1 | 0.1 |

3.C – Expenditures by Program (Optional)

Part 4 – Capital Budget Impact

None.

Part 5 – New Rule Making Required

None.