

Multiple Agency Fiscal Note Summary

Bill Number: 1428 HB	Title: Pedestrians/roadways
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Estimated Cash Receipts

NONE

Agency Name	2023-25		2025-27		2027-29	
	GF- State	Total	GF- State	Total	GF- State	Total
Local Gov. Courts						
Loc School dist-SPI						
Local Gov. Other	Non-zero but indeterminate cost and/or savings. Please see discussion.					
Local Gov. Total						

Estimated Operating Expenditures

Agency Name	2023-25				2025-27				2027-29			
	FTEs	GF-State	NGF-Outlook	Total	FTEs	GF-State	NGF-Outlook	Total	FTEs	GF-State	NGF-Outlook	Total
Washington State Patrol	.0	0	0	0	.0	0	0	0	.0	0	0	0
Traffic Safety Commission	.0	0	0	0	.0	0	0	0	.0	0	0	0
Department of Licensing	.0	0	0	0	.0	0	0	0	.0	0	0	0
Department of Transportation	Fiscal note not available											
Total \$	0.0	0	0	0	0.0	0	0	0	0.0	0	0	0

Agency Name	2023-25			2025-27			2027-29		
	FTEs	GF-State	Total	FTEs	GF-State	Total	FTEs	GF-State	Total
Local Gov. Courts									
Loc School dist-SPI									
Local Gov. Other			144,315						
Local Gov. Other	In addition to the estimate above, there are additional indeterminate costs and/or savings. Please see individual fiscal note.								
Local Gov. Total			144,315						

Estimated Capital Budget Expenditures

Agency Name	2023-25			2025-27			2027-29		
	FTEs	Bonds	Total	FTEs	Bonds	Total	FTEs	Bonds	Total
Washington State Patrol	.0	0	0	.0	0	0	.0	0	0
Traffic Safety Commission	.0	0	0	.0	0	0	.0	0	0
Department of Licensing	.0	0	0	.0	0	0	.0	0	0
Department of Transportation	Fiscal note not available								
Total \$	0.0	0	0	0.0	0	0	0.0	0	0

Agency Name	2023-25			2025-27			2027-29		
	FTEs	GF-State	Total	FTEs	GF-State	Total	FTEs	GF-State	Total
Local Gov. Courts									
Loc School dist-SPI									
Local Gov. Other	Non-zero but indeterminate cost and/or savings. Please see discussion.								
Local Gov. Total									

Estimated Capital Budget Breakout

Prepared by: Kyle Siefering, OFM	Phone: (360) 995-3825	Date Published: Preliminary
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Individual State Agency Fiscal Note

Bill Number: 1428 HB	Title: Pedestrians/roadways	Agency: 225-Washington State Patrol
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Part I: Estimates

☒ No Fiscal Impact

Estimated Cash Receipts to:

NONE

Estimated Operating Expenditures from:

NONE

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: Mark Matteson	Phone: 360-786-7145	Date: 01/23/2023
Agency Preparation: Thomas Bohon	Phone: (360) 596-4044	Date: 01/25/2023
Agency Approval: Mario Buono	Phone: (360) 596-4046	Date: 01/25/2023
OFM Review: Tiffany West	Phone: (360) 890-2653	Date: 01/25/2023

Part II: Narrative Explanation

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

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

There is no fiscal impact to the Washington State Patrol (WSP).

Section 1 allows a pedestrian to cross a roadway at any point unless a reasonably careful person would realize an immediate danger of collision.

II. B - Cash receipts Impact

Cash receipts impact of the legislation on the responding agency with the cash receipts provisions identified by section number and when appropriate, the detail of the revenue sources. Description of the factual basis of the assumptions and the method by which the cash receipts impact is derived. Explanation of how workload assumptions translate into estimates. Distinguished between one time and ongoing functions.

NONE

II. C - Expenditures

Agency expenditures necessary to implement this legislation (or savings resulting from this legislation), with the provisions of the legislation that result in the expenditures (or savings) identified by section number. Description of the factual basis of the assumptions and the method by which the expenditure impact is derived. Explanation of how workload assumptions translate into cost estimates. Distinguished between one time and ongoing functions.

If the proposed legislation leads to an increase in collisions on state highways, WSP will be called to respond. Since the legislation only applies to areas on a roadway which a reasonable person would not deem as dangerous, we do not expect this to happen.

Part III: Expenditure Detail

III. A - Operating Budget Expenditures

NONE

III. B - Expenditures by Object Or Purpose

NONE

III. C - Operating FTE Detail: FTEs listed by classification and corresponding annual compensation. Totals agree with total FTEs in Part I and Part IIIA.

NONE

III. D - Expenditures By Program (optional)

NONE

Part IV: Capital Budget Impact

IV. A - Capital Budget Expenditures

NONE

IV. B - Expenditures by Object Or Purpose

NONE

IV. C - Capital Budget Breakout

Acquisition and construction costs not reflected elsewhere on the fiscal note and description of potential financing methods.

NONE

IV. D - Capital FTE Detail: *FTEs listed by classification and corresponding annual compensation. Totals agree with total FTEs in Part IVB.*

NONE

Part V: New Rule Making Required

Provisions of the bill that require the agency to adopt new administrative rules or repeal/revise existing rules.

Individual State Agency Fiscal Note

Bill Number: 1428 HB	Title: Pedestrians/roadways	Agency: 228-Traffic Safety Commission
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Part I: Estimates

☒ No Fiscal Impact

Estimated Cash Receipts to:

NONE

Estimated Operating Expenditures from:

NONE

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.

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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: Mark Matteson	Phone: 360-786-7145	Date: 01/23/2023
Agency Preparation: Mark McKechnie	Phone: 3607259889	Date: 01/26/2023
Agency Approval: Mark McKechnie	Phone: 3607259889	Date: 01/26/2023
OFM Review: Tiffany West	Phone: (360) 890-2653	Date: 01/27/2023

Part II: Narrative Explanation

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

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

This bill does not assign any specific responsibility to the Washington Traffic Safety Commission, therefore we project no fiscal impact.

- Sec. 1 Pedestrians can cross any roadway at any point unless they realize there is an immediate danger of a collision.
- Sec. 2 Creates exceptions to directions for pedestrians to obey red and yellow signals based upon the exceptions in Section 1.
- Sec. 4 Removes directions for pedestrians not to enter roadway on red/Do Not Walk signal based upon criteria in Section 1.
- Sec 5 Creates a new legal standard that drivers stop for pedestrians at any place and time that they choose to enter a roadway.
- Sec. 6 Removes requirements that pedestrians yield to motorists when they are not in a marked or unmarked crosswalk.
- Sec. 7 Removes the direction to pedestrians to walk facing traffic when they are walking on a shoulder or in a roadway.

II. B - Cash receipts Impact

Cash receipts impact of the legislation on the responding agency with the cash receipts provisions identified by section number and when appropriate, the detail of the revenue sources. Description of the factual basis of the assumptions and the method by which the cash receipts impact is derived. Explanation of how workload assumptions translate into estimates. Distinguished between one time and ongoing functions.

No impact.

II. C - Expenditures

Agency expenditures necessary to implement this legislation (or savings resulting from this legislation), with the provisions of the legislation that result in the expenditures (or savings) identified by section number. Description of the factual basis of the assumptions and the method by which the expenditure impact is derived. Explanation of how workload assumptions translate into cost estimates. Distinguished between one time and ongoing functions.

No impact

Part III: Expenditure Detail

III. A - Operating Budget Expenditures

NONE

III. B - Expenditures by Object Or Purpose

NONE

III. C - Operating FTE Detail: FTEs listed by classification and corresponding annual compensation. Totals agree with total FTEs in Part I and Part IIIA.
NONE

III. D - Expenditures By Program (optional)

NONE

Part IV: Capital Budget Impact

IV. A - Capital Budget Expenditures

NONE

IV. B - Expenditures by Object Or Purpose

NONE

IV. C - Capital Budget Breakout

Acquisition and construction costs not reflected elsewhere on the fiscal note and description of potential financing methods.

NONE

IV. D - Capital FTE Detail: *FTEs listed by classification and corresponding annual compensation. Totals agree with total FTEs in Part IVB.*

NONE

No impact

Part V: New Rule Making Required

Provisions of the bill that require the agency to adopt new administrative rules or repeal/revise existing rules.

Individual State Agency Fiscal Note

Bill Number: 1428 HB	Title: Pedestrians/roadways	Agency: 240-Department of Licensing
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Part I: Estimates

☒ No Fiscal Impact

Estimated Cash Receipts to:

NONE

Estimated Operating Expenditures from:

NONE

Estimated Capital Budget Impact:

NONE

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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: Mark Matteson	Phone: 360-786-7145	Date: 01/23/2023
Agency Preparation: Don Arlow	Phone: (360) 902-3736	Date: 01/25/2023
Agency Approval: Gerrit Eades	Phone: (360)902-3863	Date: 01/25/2023
OFM Review: Kyle Siefering	Phone: (360) 995-3825	Date: 01/27/2023

Part II: Narrative Explanation

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

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

Please see attached fiscal note.

II. B - Cash receipts Impact

Cash receipts impact of the legislation on the responding agency with the cash receipts provisions identified by section number and when appropriate, the detail of the revenue sources. Description of the factual basis of the assumptions and the method by which the cash receipts impact is derived. Explanation of how workload assumptions translate into estimates. Distinguished between one time and ongoing functions.

II. C - Expenditures

Agency expenditures necessary to implement this legislation (or savings resulting from this legislation), with the provisions of the legislation that result in the expenditures (or savings) identified by section number. Description of the factual basis of the assumptions and the method by which the expenditure impact is derived. Explanation of how workload assumptions translate into cost estimates. Distinguished between one time and ongoing functions.

Part III: Expenditure Detail

III. A - Operating Budget Expenditures

NONE

III. B - Expenditures by Object Or Purpose

NONE

III. C - Operating FTE Detail: FTEs listed by classification and corresponding annual compensation. Totals agree with total FTEs in Part I and Part IIIA.

NONE

III. D - Expenditures By Program (optional)

NONE

Part IV: Capital Budget Impact

IV. A - Capital Budget Expenditures

NONE

IV. B - Expenditures by Object Or Purpose

NONE

IV. C - Capital Budget Breakout

Acquisition and construction costs not reflected elsewhere on the fiscal note and description of potential financing methods.

NONE

IV. D - Capital FTE Detail: FTEs listed by classification and corresponding annual compensation. Totals agree with total FTEs in Part IVB.

NONE

Part V: New Rule Making Required

Provisions of the bill 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: HB 1428

Bill Title: Pedestrians/roadways

Part 1: Estimates

☒ No Fiscal Impact

Estimated Cash Receipts:

NONE

Estimated Expenditures:

NONE

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

Legislative Contact: Mark Matteson	Phone: (360) 786-7145	Date: 1/23/2023
Agency Preparation: Don Arlow	Phone: (360) 902-3736	Date: 1/24/2023
Agency Approval: Gerrit Eades	Phone: (360) 902-3931	Date:

Request #	1
Bill #	1428 HB

Part 2 – Explanation

This bill relates to pedestrians crossing and moving along roadways:

- Enables a pedestrian to cross a roadway at any point (except as specified throughout this act) unless a reasonably careful person would realize immediate danger of a collision – either with a moving vehicle, person operating a bicycle, or delivery service.
- Repeals RCW 46.61.230 (Pedestrians subject to traffic regulations).

Implementation of this bill will not have operations or information technology systems impacts. The department will review the driver's guide and website and update as needed. These tasks are typical, routine, and managed within existing resources.

Part 3 – Expenditure Detail

None.

Part 4 – Capital Budget Impact

None.

Part 5 – New Rule Making Required

None.

LOCAL GOVERNMENT FISCAL NOTE

Department of Commerce

Bill Number: 1428 HB	Title: Pedestrians/roadways
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Part I: Jurisdiction-Location, type or status of political subdivision defines range of fiscal impacts.

Legislation Impacts:

- ☒ Cities: Approximately \$110,715 to provide training to law enforcement officers on modified traffic infractions; indeterminate, but likely minimal decrease in revenue from penalties from traffic infractions the proposed legislation would modify; indeterminate expenditure impact from increased liability
- ☒ Counties: Approximately \$33,600 to provide training to law enforcement officers on modified traffic infractions; indeterminate, but likely minimal decrease in revenue from penalties from traffic infractions the proposed legislation would modify
- ☐ Special Districts:
- ☐ Specific jurisdictions only:
- ☐ Variance occurs due to:

Part II: Estimates

- ☐ No fiscal impacts.
- ☒ Expenditures represent one-time costs: Approximately \$144,315 to provide training to local law enforcement officers on modified traffic infractions
- ☐ Legislation provides local option:
- ☒ Key variables cannot be estimated with certainty at this time: Amount of future revenue loss from penalties for traffic infractions the proposed legislation would modify or eliminate; expenditure impact from any future liability modified traffic infractions could create

Estimated revenue impacts to:

Non-zero but indeterminate cost and/or savings. Please see discussion.

Estimated expenditure impacts to:

Jurisdiction	FY 2024	FY 2025	2023-25	2025-27	2027-29
City	110,715		110,715		
County	33,600		33,600		
TOTAL \$	144,315		144,315		
GRAND TOTAL \$					144,315

In addition to the estimates above, there are additional indeterminate costs and/or savings. Please see discussion.

Part III: Preparation and Approval

Fiscal Note Analyst: James Vogl	Phone: 360-480-9429	Date: 01/30/2023
Leg. Committee Contact: Mark Matteson	Phone: 360-786-7145	Date: 01/23/2023
Agency Approval: Alice Zillah	Phone: 360-725-5035	Date: 01/30/2023
OFM Review: Kyle Siefering	Phone: (360) 995-3825	Date: 01/30/2023

Part IV: Analysis

A. SUMMARY OF BILL

Description of the bill with an emphasis on how it impacts local government.

The proposed legislation would concern pedestrians crossing and walking on roadways.

Subsection 1 (1) would add a new section to chapter 46.61 RCW, specifying that “a pedestrian may cross a roadway at any point unless a reasonably careful person would realize there is an immediate danger of a collision with a moving vehicle, a person operating a bicycle, or personal delivery device.” This subsection would also specify that it does not relieve a pedestrian of their duty of exercising due care for their safety, nor does it relieve a road user from exercising due care for the safety of pedestrians in the roadway.

This section would supersede and preempt “all local rules, regulations, codes, statutes, and ordinances to the contrary and in conflict with” the proposed legislation.

Sections 2 through 5 would amend several sections of chapter 46.61 RCW to include exceptions to current rules of the road in order to be consistent with subsection 1 (1) of the bill.

Section 6 would amend RCW 46.61.240, removing pedestrian requirements related to crossing roadways where curb ramps are available, or where a pedestrian tunnel or overhead pedestrian crossing has been providing.

Section 7 would amend RCW 46.61.250, removing requirements for pedestrians to face the direction of traffic when walking or otherwise moving along a roadway under certain circumstances.

Section 8 would repeal RCW 46.61.230, which specifies that “pedestrians shall be subject to traffic-control signals at intersections as provided in RCW 46.61.060.”

B. SUMMARY OF EXPENDITURE IMPACTS

Expenditure impacts of the legislation on local governments with the expenditure provisions identified by section number and when appropriate, the detail of expenditures. Delineated between city, county and special district impacts.

The proposed legislation would result in one-time costs to local governments of approximately \$144,315, in addition to some potential indeterminate expenditure impacts.

According to the Washington Association of Sheriffs and Police Chiefs (WASPC), all local law enforcement officers would need to go through training regarding the modifications this bill would make to existing traffic infractions. WASPC estimates that approximately 15 minutes of training would be required per law enforcement officer. This training would require a one-time cost of \$110,715 for cities and \$33,600 for counties, for a total one-time cost to local governments of \$144,315.

The 2021 Crime in Washington Report conducted by WASPC states that there are 6,710 commissioned officers in police departments and 2,240 commissioned officers in sheriff’s departments, for a total of 8,950 commissioned law enforcement employees that would require training. The 2023 Local Government Fiscal Note Program Criminal Justice Cost Model estimates the average hourly salary (including benefits and overhead) for an officer employed by a city to be \$66, and the same figure for an officer employed by a county to be \$60. If every officer in Washington had to complete approximately 30 minutes of training, the cost to local governments would be:

Cities:

6,710 officers X 0.25 hours X \$66 = \$110,715

Counties:

2,240 officers X 0.25 hours X \$60 = \$33,600

Total:
 $\$110,715 + \$33,600 = \$144,315$

Training materials and time required may differ among different departments, however.

The Association of Washington Cities indicates that cities could potentially face increased liability exposure in cases where pedestrians entering a roadway as would be permitted under section 1 of the proposed legislation were struck and injured or killed. It is unknown what the extent of this liability exposure could be, however, so any resulting expenditure impact is indeterminate.

C. SUMMARY OF REVENUE IMPACTS

Revenue impacts of the legislation on local governments, with the revenue provisions identified by section number, and when appropriate, the detail of revenue sources. Delineated between city, county and special district impacts.

The proposed legislation would result in an indeterminate, but likely minimal decrease in local government revenues.

This bill would legalize jaywalking, which is a traffic infraction, a non-criminal violation punishable by a fine of not more than \$250. The fine amounts for jaywalking, as well as the number of tickets issued for jaywalking annually, vary by jurisdiction. While this variability means the revenue loss for local governments statewide is indeterminate, the Association of Washington Cities indicates that this loss would likely be minimal.

SOURCES:

Association of Washington Cities

Local Government Fiscal Note Program Criminal Justice Cost Model, 2023

Washington Association of Sheriffs and Police Chiefs