

# Multiple Agency Fiscal Note Summary

|                             |  |
|-----------------------------|--|
| <b>Bill Number:</b> 5429 SB | <b>Title:</b> Motor carriers/restrooms |
|-----------------------------|--|

## Estimated Cash Receipts

| Agency Name                        | 2023-25  |             |       | 2025-27  |             |       | 2027-29  |             |       |
|------------------------------------|--|-------------|-------|----------|-------------|-------|----------|-------------|-------|
|                                    | GF-State   | NGF-Outlook | Total | GF-State | NGF-Outlook | Total | GF-State | NGF-Outlook | Total |
| Department of Labor and Industries | Non-zero but indeterminate cost and/or savings. Please see discussion. |             |       |          |             |       |          |             |       |
| <b>Total \$</b>                    | 0  | 0           | 0     | 0        | 0           | 0     | 0        | 0           | 0     |

## 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   |
| Department of Labor and Industries | .0      | 0        | 0           | 0       | .0      | 0        | 0           | 0       | .0      | 0        | 0           | 0       |
| Department of Health               | 1.0     | 360,000  | 360,000     | 360,000 | 1.0     | 330,000  | 330,000     | 330,000 | 1.0     | 330,000  | 330,000     | 330,000 |
| <b>Total \$</b>                    | 1.0     | 360,000  | 360,000     | 360,000 | 1.0     | 330,000  | 330,000     | 330,000 | 1.0     | 330,000  | 330,000     | 330,000 |

## Estimated Capital Budget Expenditures

| Agency Name                        | 2023-25 |       |       | 2025-27 |       |       | 2027-29 |       |       |
|------------------------------------|---------|-------|-------|---------|-------|-------|---------|-------|-------|
|                                    | FTEs    | Bonds | Total | FTEs    | Bonds | Total | FTEs    | Bonds | Total |
| Department of Labor and Industries | .0      | 0     | 0     | .0      | 0     | 0     | .0      | 0     | 0     |
| Department of Health               | .0      | 0     | 0     | .0      | 0     | 0     | .0      | 0     | 0     |
| <b>Total \$</b>                    | 0.0     | 0     | 0     | 0.0     | 0     | 0     | 0.0     | 0     | 0     |

## Estimated Capital Budget Breakout

|                                     |                                 |                                 |
|-------------------------------------|---------------------------------|---------------------------------|
| <b>Prepared by:</b> Anna Minor, OFM | <b>Phone:</b><br>(360) 790-2951 | <b>Date Published:</b><br>Final |
|-------------------------------------|---------------------------------|---------------------------------|

# Individual State Agency Fiscal Note

|                             |  |   |
|-----------------------------|--|---|
| <b>Bill Number:</b> 5429 SB | <b>Title:</b> Motor carriers/restrooms | <b>Agency:</b> 235-Department of Labor and Industries |
|-----------------------------|--|---|

## Part I: Estimates

**No Fiscal Impact**

**Estimated Cash Receipts to:**

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

**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: Susan Jones   | Phone: 360-786-7404   | Date: 01/23/2023 |
| Agency Preparation: Jenifer Colley | Phone: (360) 902-6983 | Date: 01/25/2023 |
| Agency Approval: Trent Howard      | Phone: 360-902-6698   | Date: 01/25/2023 |
| OFM Review: Anna Minor             | Phone: (360) 790-2951 | 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.*

This bill requires employers that receive or ship goods via motor carriers to allow those working for the motor carriers to use their restrooms in their facilities.

### 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.*

The cash receipts related to this bill are indeterminate due to variables including, how many complaints will be received and how many of these cases will result in penalties. At this time, L&I estimates a minimal number of citations.

### 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.*

This proposal would have minimal fiscal impact. The Department of Labor and Industries (L&I) estimates the number of inspections that will be generated by this bill can be handled with current resources.

## 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.*

Yes, a new WAC added to the Core Rules section on sanitation will be needed.

# Individual State Agency Fiscal Note

|                             |  |   |
|-----------------------------|--|---|
| <b>Bill Number:</b> 5429 SB | <b>Title:</b> Motor carriers/restrooms | <b>Agency:</b> 303-Department of Health |
|-----------------------------|--|---|

## Part I: Estimates

No Fiscal Impact

### Estimated Cash Receipts to:

NONE

### Estimated Operating Expenditures from:

|                               | FY 2024 | FY 2025 | 2023-25 | 2025-27 | 2027-29 |
|-------------------------------|---------|---------|---------|---------|---------|
| FTE Staff Years               | 1.0     | 1.0     | 1.0     | 1.0     | 1.0     |
| <b>Account</b>                |         |         |         |         |         |
| General Fund-State      001-1 | 195,000 | 165,000 | 360,000 | 330,000 | 330,000 |
| <b>Total \$</b>               | 195,000 | 165,000 | 360,000 | 330,000 | 330,000 |

### 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: Susan Jones   | Phone: 360-786-7404   | Date: 01/23/2023 |
| Agency Preparation: Katie Osete    | Phone: 3602363000     | Date: 01/27/2023 |
| Agency Approval: Kristin Bettridge | Phone: 3607911657     | Date: 01/27/2023 |
| OFM Review: Breann Boggs           | Phone: (360) 485-5716 | Date: 01/29/2023 |

## 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 would expand restroom access to all motor carriers in Washington State. It would require all shippers or receivers that utilize motor carrier services to allow restroom access during business hours. If any shipper or receiver violates this proposal it could possibly result in violation of a class 2 civil infraction and could incur penalties.

Section 1: Would require DOH to process intake, investigate, enforce, and manage complaint data.

### 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.*

This bill is an extension of the 2022 Session HB 1706 that originally gave bathroom access to Drayage Truck Operators at Port Terminals. DOH and LNI have an MOU that outlines the majority of the intake, fact finding, outreach, data collection and tracking responsibility is with DOH. There are currently 74 Port Terminal facilities in WA state that are covered under this legislation. The current bill expands protection to all motor carriers not only drayage truck drivers that were named in HB 1706. It also expands restroom access responsibilities to all shippers and receivers, not limited to the Terminal Port facilities that was in the original HB 1706, now RCW 70.54.480. Currently there are 261,825 businesses that can be categorized as shippers or receivers. This will greatly increase our costs for building the program, notifying businesses statewide, working to educate all motor carriers in multiple languages, to build a robust database system, and receive complaints.

Per Department of Licensing (DOL) as of June 30, 2022 there are 188,342 drivers that possess a Commercial Driver's License (CDL).

#### Actual Anticipated Impacts:

- Developing a new and maintaining database – 0.3 FTE
- Development of Education materials in multiple languages for estimate 194,000 businesses in WA State; updating materials, presentations with associations and interest groups – 0.3 FTE
- Developing process and ongoing receipt of complaints from estimated 5,818,000 licensed truck drivers in WA State – 0.3 FTE
- Collaboration with L&I on enforcement efforts – 0.1 FTE

#### Section 1

#### The Department assumes:

1.0 FTE of a HSC4 will intake, fact finding, database management, collaboration with stakeholder groups, outreach, maintain online complaint form and external website. Start date would be determined by date in which this would be implemented and ongoing.

Cost for Health Services Consultant 4 [HSC4]  
 Fiscal Year (FY) 2024: \$165,000 and 1 FTE ongoing

HTS consultation resulted in the estimated IT costs for this solution using DOH IT Cost Estimation tool. This estimate is based on the need for a more secure and robust tracking system for the complaints and retention of motor carrier's information.

Estimated Database Build Costs:

Fiscal Year (FY) 2024: \$29,872

The total costs of this fiscal note are:

FY 2024: 1.0 FTE and \$195,000

FY 2025: 1.0 FTE and \$165,000 ongoing

HTS consultation resulted in the estimated IT costs for this solution using DOH IT Cost Estimation tool. This estimate is based on the need for a more secure and robust tracking system for the complaints and retention of motor carrier's information.

Estimated Database Build Costs:

Fiscal Year (FY) 2024: \$29,872

The total costs of this fiscal note are:

FY 2024: 1.0 FTE and \$195,000

FY 2025: 1.0 FTE and \$165,000 ongoing

**Part III: Expenditure Detail**

**III. A - Operating Budget Expenditures**

| Account         | Account Title | Type  | FY 2024 | FY 2025 | 2023-25 | 2025-27 | 2027-29 |
|-----------------|---------------|-------|---------|---------|---------|---------|---------|
| 001-1           | General Fund  | State | 195,000 | 165,000 | 360,000 | 330,000 | 330,000 |
| <b>Total \$</b> |               |       | 195,000 | 165,000 | 360,000 | 330,000 | 330,000 |

**III. B - Expenditures by Object Or Purpose**

|                               | FY 2024 | FY 2025 | 2023-25 | 2025-27 | 2027-29 |
|-------------------------------|---------|---------|---------|---------|---------|
| FTE Staff Years               | 1.0     | 1.0     | 1.0     | 1.0     | 1.0     |
| A-Salaries and Wages          | 86,000  | 89,000  | 175,000 | 178,000 | 178,000 |
| B-Employee Benefits           | 31,000  | 32,000  | 63,000  | 64,000  | 64,000  |
| E-Goods and Other Services    | 36,000  | 36,000  | 72,000  | 72,000  | 72,000  |
| J-Capital Outlays             | 34,000  |         | 34,000  |         |         |
| T-Intra-Agency Reimbursements | 8,000   | 8,000   | 16,000  | 16,000  | 16,000  |
| <b>Total \$</b>               | 195,000 | 165,000 | 360,000 | 330,000 | 330,000 |

**III. C - Operating FTE 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 2024 | FY 2025 | 2023-25 | 2025-27 | 2027-29 |
|--------------------------------|--------|---------|---------|---------|---------|---------|
| HEALTH SERVICES CONSULTAN<br>4 | 82,896 | 1.0     | 1.0     | 1.0     | 1.0     | 1.0     |
| <b>Total FTEs</b>              |        | 1.0     | 1.0     | 1.0     | 1.0     | 1.0     |

**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

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.*

None