

Multiple Agency Fiscal Note Summary

Bill Number: 5572 SB	Title: Traffic safety
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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	30.0	222,045	222,045	8,254,733	30.0	207,004	207,004	7,777,592	30.0	207,004	207,004	7,777,592
Washington State Patrol	In addition to the estimate above, there are additional indeterminate costs and/or savings. Please see individual fiscal note.											
Criminal Justice Training Commission	.0	0	0	0	.0	0	0	0	.0	0	0	0
Traffic Safety Commission	.5	0	0	463,808	.5	0	0	484,498	.5	0	0	495,474
Department of Licensing	.0	0	0	0	.0	0	0	0	.0	0	0	0
Department of Fish and Wildlife	.0	37,000	37,000	37,000	.0	0	0	0	.0	0	0	0
Total \$	30.5	259,045	259,045	8,755,541	30.5	207,004	207,004	8,262,090	30.5	207,004	207,004	8,273,066

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			1,154,520						
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			1,154,520						

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
Criminal Justice Training Commission	.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 Fish and Wildlife	.0	0	0	.0	0	0	.0	0	0
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: Final 2/10/2023
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Individual State Agency Fiscal Note

Bill Number: 5572 SB	Title: Traffic safety	Agency: 225-Washington State Patrol
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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	30.0	30.0	30.0	30.0	30.0
Account					
General Fund-State 001-1	118,543	103,502	222,045	207,004	207,004
State Patrol Highway Account-State 081-1	4,247,394	3,785,294	8,032,688	7,570,588	7,570,588
Total \$	4,365,937	3,888,796	8,254,733	7,777,592	7,777,592

In addition to the estimates above, there are additional indeterminate costs and/or savings. 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: Brandon Popovac	Phone: 360-786-7465	Date: 02/08/2023
Agency Preparation: Thomas Bohon	Phone: (360) 596-4044	Date: 02/08/2023
Agency Approval: Mario Buono	Phone: (360) 596-4046	Date: 02/08/2023
OFM Review: Tiffany West	Phone: (360) 890-2653	Date: 02/09/2023

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 an indeterminate fiscal impact to the Washington State Patrol (WSP).

Section 1 promotes a focus on safety stops involving high-risk behaviors, such as impaired driving, distracted driving, unrestrained passengers, and speeding, in preference to high discretion, low-risk traffic violations which disproportionately affect marginalized communities.

Section 2 establishes a grant program under the Washington Traffic Safety Commission (WTSC) for the purpose of promoting solution-oriented responses to nonmoving violations for low-income road users.

Subsection 3(1)(a) states that a peace officer may not stop or otherwise detain the operator of a vehicle to enforce any nonmoving violation, driving while license suspended, or any warrant for a misdemeanor other than a misdemeanor for driving under the influence, domestic violence, or civil court order.

Subsection 3(1)(b)(i) adds an exception for equipment failure stops when necessary to protect against an immediate, serious threat to the safety of the operator or others on the road.

Subsection 3(1)(b)(ii) mandates the peace officer before stopping a vehicle under the exception provided in subsection 3(1)(b)(i) to digitally log or notify dispatch of the primary reason for the stop.

Subsection 3(1)(b)(iii) further provides guidelines for a peace officer's conduct and boundaries during an equipment failure stop under subsection 3(1)(b)(i), restricting conversation with the operator of the vehicle to only the primary reason of the stop unless evidence is in plain sight of the peace officer to establish reasonable suspicion.

Subsection 3(2)(a) states that prior to stopping or detaining the operator of a vehicle for a moving violation, a peace officer must digitally log or notify dispatch of the primary reason for the stop before initiating.

Subsection 3(2)(c) further provides guidelines for a peace officer's conduct and boundaries during a moving violation stop, restricting conversation to only the primary reason for the stop unless evidence is in plain sight of the peace officer to establish reasonable suspicion.

Subsection 3(3) states consent to search a vehicle must be written, and outlines the process of obtaining written consent to search.

Subsection 3(4) states any evidence recovered during a stop, detention, or search in violation of section 3 is inadmissible in any criminal proceeding.

Subsection 3(5) provides definitions for the purpose of section 3.

Subsection 4(1) states that peace officers must report each incident when they stop or detain an operator of a vehicle, and outlines the information that must be included in said report.

Subsection 4(3) exempts commercial motor vehicles from section 4.

Section 5 amends RCW 46.20.349 so any peace officer who is notified of the suspension or revocation of a driver's license is subject to the provisions laid out in section 3.

Section 6 amends RCW 46.37.005 to make subject to the provisions in section 3, the power and duty of the WSP to adopt, apply, and enforce reasonable rules and regulations relating to proper types of vehicles for hauling passengers, commodities, freight, and supplies; relating to vehicle equipment; and relating to the enforcement of the provisions with regard to vehicle equipment as may be deemed necessary for the public welfare and safety.

Sections 7 amends RCW 46.37.320 to make subject to the provisions in section 3, the authority of the WSP to adopt and enforce rules establishing standards and specifications governing the performance of lighting devices and their installation, adjustment, and aiming when in use on motor vehicles and other safety equipment, components, or assemblies of a type for which regulation is required.

Section 8 amends RCW 46.37.365 to make subject to the provisions in section 3, the adoption and enforcement of regulations regarding standards and specifications for hydraulic brake fluid by the WSP.

Section 9 amends RCW 46.37.470 to state that the enforcement of safety requirements, regulations, and specifications regarding air conditioning by the WSP is subject to the provisions laid out in section 3.

Section 10 amends RCW 46.64. 030 to make subject to the provisions in section 3, any peace officer making an arrest without a warrant.

Section 11 amends RCW 46.64.070 to make subject to the provisions in section 3, the minimum equipment requirement inspection stops done by the WSP.

Section 12 provides guidance that the provisions of the proposed legislation are to be liberally construed and take control over any conflicting statute, ordinance, rule, or regulation.

Section 13 provides a null and void clause.

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.

Subsection 4(1) mandates additional reporting on all traffic stops. We currently capture some of the required data, however there is a significant amount of additional collection requiring programming to our Computer Aided Dispatch (CAD) system. We estimate it will take our Information Technology Division (ITD) 16 hours to create new disposition codes, standardized strings, and other miscellaneous data fields, 60 hours to add missing demographic data fields, and 24 hours to create, test, and implement new query reports. The total estimated cost of this ITD regular-time work is \$9,273 in FY 2024. There is a potential need for a record management system to handle the increased information captured. We would need to complete a feasibility study to assess this further, the cost of which is indeterminate.

The additional data mandated to be reported by several sections of the proposed legislation will result in additional records we must maintain per the Secretary of State retention guidelines. These records will be discloseable to the public. To handle retention, disclosure, and other records management aspects of this increased data load, we assume the need of at least one additional Forms and Records Analyst 3 per district (8 total) and one Forms and Record Supervisor. The total estimated cost of these FTEs is \$1,219,520 in FY2024 and \$1,121,756 in ensuing fiscal years.

There are several sections of the proposed legislation that significantly increases the workload of our communication officers (COs) working the radio, rendering them with diminished or altogether nonexistent capacity for assisting with 9-1-1 calls as they currently do. The increased workload requires an additional CO FTE per shift, per communication center, resulting in 21 additional FTEs needed. The total estimated cost of these FTEs is \$2,995,155 in FY2024 and \$2,767,040 in ensuing fiscal years. There is a potential need for additional radio frequencies to spread the increased load of radio traffic. This would be to mitigate the officer safety risk of not having an open channel on which to communicate emergencies. The cost of additional radio frequencies is indeterminate.

The proposed legislation would require training to be developed and given to our commissioned officers, Commercial Vehicle Enforcement Officers (CVEOs), and cadets, as well as policy updates regarding traffic stops. We estimate that it would take 120 hours to research, develop, and review new training and policies. We also estimate that it would take five academy staff about 107 total hours to deliver the training to all commissioned officers, CVEOs, and cadets. Each person receiving the training would need an estimated one hour to complete it. We are authorized 1,285 employees who would need the training, bringing the total amount of hours needed to receive the training to 1,285 hours. The total estimated cost to research, develop, review, give, and receive the training required from this proposed legislation is \$141,989.

Due to the additional reporting requirements mandated in the proposed legislation, we anticipate an average increase of 5 minutes per traffic stop. This increased time per stop will ultimately decrease the total number of contacts our officers are able to make. The impact from the decreased contacts is indeterminate.

We base estimated salary expenditures on current levels for the positions requested per published salary schedules, plus any applicable incentive or assignment pay. We compute estimated benefits expenditures based on federal or state mandated rates plus state provided amounts for health insurance and workers' compensation insurance. We assume that any increases in these rates or amounts will be covered by legislation establishing the increase.

We compute estimated support expenditures such as supplies & materials, communications, computer costs (hardware and software), vehicle and vehicle operating costs, among others, using average costs to support agency FTEs. We adjust the estimated support costs to reflect the needs of individual divisions or positions within the agency.

We base our estimate for agency indirect costs on the approved federal indirect cost rate of 31.88 percent. We apply this indirect cost rate percentage to all categories of expenditure with only two exceptions: capital equipment and expenditures after \$25,000 of each projected contract. Indirect costs include, but are not limited to, computer and telecommunications support, payroll processing, vendor payments, general accounting, procurement administration, inventory control, and human resource management.

The funding allocation for this estimate is based on the results of the Joint Legislative Audit and Review Committee cost allocation model approved by both the Transportation and the Omnibus Budget Committees in the 2022 Supplemental Budget. The model analyzes costs and relevant activities (hours, transactions, type of enforcement, etc.) of Washington State Patrol (WSP) organizations funded by two or more sources to ensure a consistent and fair use of state resources.

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	118,543	103,502	222,045	207,004	207,004
081-1	State Patrol Highway Account	State	4,247,394	3,785,294	8,032,688	7,570,588	7,570,588
Total \$			4,365,937	3,888,796	8,254,733	7,777,592	7,777,592

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

III. B - Expenditures by Object Or Purpose

	FY 2024	FY 2025	2023-25	2025-27	2027-29
FTE Staff Years	30.0	30.0	30.0	30.0	30.0
A-Salaries and Wages	2,012,566	1,927,008	3,939,574	3,854,016	3,854,016
B-Employee Benefits	798,932	769,793	1,568,725	1,539,586	1,539,586
C-Professional Service Contracts					
E-Goods and Other Services	199,560	165,720	365,280	331,440	331,440
G-Travel	36,000	36,000	72,000	72,000	72,000
J-Capital Outlays	336,000	54,750	390,750	109,500	109,500
M-Inter Agency/Fund Transfers					
N-Grants, Benefits & Client Services					
P-Debt Service					
S-Interagency Reimbursements					
T-Intra-Agency Reimbursements					
9-Indirect Costs	982,879	935,525	1,918,404	1,871,050	1,871,050
Total \$	4,365,937	3,888,796	8,254,733	7,777,592	7,777,592

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

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
Communication Officer 1	65,604	21.0	21.0	21.0	21.0	21.0
Forms and Records Analyst 3	60,156	8.0	8.0	8.0	8.0	8.0
Forms and Records Analyst Supervisor	68,076	1.0	1.0	1.0	1.0	1.0
Total FTEs		30.0	30.0	30.0	30.0	30.0

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

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: 5572 SB	Title: Traffic safety	Agency: 227-Criminal Justice Training 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.

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: Brandon Popovac	Phone: 360-786-7465	Date: 02/08/2023
Agency Preparation: Brian Elliott	Phone: 206-835-7337	Date: 02/09/2023
Agency Approval: Brian Elliott	Phone: 206-835-7337	Date: 02/09/2023
OFM Review: Cynthia Hollimon	Phone: (360) 810-1979	Date: 02/10/2023

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.

The changes made by this bill has no significant fiscal impact to the Washington State Criminal Justice Training Commission.

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.

This bill has no cash receipt 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.

This bill has no expenditure 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

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: 5572 SB	Title: Traffic safety	Agency: 228-Traffic Safety Commission
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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	0.5	0.5	0.5	0.5	0.5
Account					
Highway Safety Account-State 106 -1	231,904	231,904	463,808	484,498	495,474
Total \$	231,904	231,904	463,808	484,498	495,474

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: Brandon Popovac	Phone: 360-786-7465	Date: 02/08/2023
Agency Preparation: Mark McKechnie	Phone: 3607259889	Date: 02/09/2023
Agency Approval: Mark McKechnie	Phone: 3607259889	Date: 02/09/2023
OFM Review: Tiffany West	Phone: (360) 890-2653	Date: 02/09/2023

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.

Fiscal impact for WTSC to administer grant program at the state level and to fund contracts for regional implementation is 231,904 in FY 2024. This includes an additional 0.5 FTE WMS-2 position at WTSC and annual contracts totaling \$175,000 for local administration, program evaluation and reporting. Future amounts are adjusted for projected increases in these costs. This figure does not include the funds that would be provided as grants to motorists who are eligible.

This measure would provide grants to local jurisdictions based on locally developed proposals to establish or expand existing programs that would provide solutions-oriented responses to nonmoving violations for low-income road users. WTSC is charged with administering the new grant program.

AN ACT Relating to improving traffic safety by addressing compliance, enforcement, and data collection; amending RCW 46.20.349, 46.37.005, 46.37.320, 46.37.365, 46.37.470, 46.64.030, and 46.64.070; adding a new section to chapter 46.64 RCW; adding a new section to chapter 10.118 RCW; and creating new sections.

Sec. 1 Findings

Sec. 2 Subject to the availability of amounts appropriated for this specific purpose, a grant program is established. The Washington traffic safety commission shall develop and implement a grant program to support local initiatives that provide solution-oriented responses to nonmoving violations for low-income road users. The commission must prioritize the award of grants to local initiatives that expand or establish civilian intervention programs for nonmoving violations, and focus on nonpunitive interventions such as helmet voucher programs, fee offset programs, fix-it tickets, and repair vouchers that provide solutions for vehicle equipment failures for low-income road users.

Sec. 3 Adds restrictions on law enforcement stops for non-moving traffic violations. NO IMPACT

Sec. 4 Requires law enforcement to report information each time they stop a vehicle. NO IMPACT

Sec. 5 Allows officer to stop a motor vehicle when registered owner is subject to license suspension, subject to Sec. 3. NO IMPACT

Sec. 6 - 9 Modifies powers and duties of the chief of WSP to be subject to Section 3 requirements. NO IMPACT

Sec. 10. Changes arrest under RCW 46.64.030 subject to section 3.

Sec. 11, Amends RCW 46.64.070 regarding WSP equipment inspections to section 3 of this act. NO IMPACT

Sec. 12-13 supersedes other acts and remains in force in any section is invalid. NO IMPACT

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.

We would need a Half of an FTE Program Manager to oversee this project. It would require two contractors, one on the west side of the state and one on the east side to help implement a grant program to support local initiatives that provide solution-oriented responses to nonmoving violations for low-income road users. These two contracts would each be for \$50,000/yr. in the first biennium. We would also need to hire a contractor to collect the data and analyze it for the required reporting. The \$75,000 annual contract for program evaluation is necessary to fulfill the requirement that WTSC assess the effectiveness of the program. The evaluator will set up the evaluation process in year one and will collect and analyze data in each year to assist WTSC in its reporting back to the legislature. Contract amounts above include inflationary adjustments for the FY 2026-27 and FY 2028-29 biennia. The above figures do not include the amount that would be needed to fund the

grants that would be awarded to local jurisdictions.

Part III: Expenditure Detail

III. A - Operating Budget Expenditures

Account	Account Title	Type	FY 2024	FY 2025	2023-25	2025-27	2027-29
106-1	Highway Safety Account	State	231,904	231,904	463,808	484,498	495,474
Total \$			231,904	231,904	463,808	484,498	495,474

III. B - Expenditures by Object Or Purpose

	FY 2024	FY 2025	2023-25	2025-27	2027-29
FTE Staff Years	0.5	0.5	0.5	0.5	0.5
A-Salaries and Wages	42,336	42,336	84,672	88,906	93,352
B-Employee Benefits	14,568	14,568	29,136	30,592	32,122
C-Professional Service Contracts	175,000	175,000	350,000	365,000	370,000
E-Goods and Other Services					
G-Travel					
J-Capital Outlays					
M-Inter Agency/Fund Transfers					
N-Grants, Benefits & Client Services					
P-Debt Service					
S-Interagency Reimbursements					
T-Intra-Agency Reimbursements					
9-					
Total \$	231,904	231,904	463,808	484,498	495,474

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
WMS2 - Program Manager		0.5	0.5	0.5	0.5	0.5
Total FTEs		0.5	0.5	0.5	0.5	0.5

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: 5572 SB	Title: Traffic safety	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

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: Brandon Popovac	Phone: 360-786-7465	Date: 02/08/2023
Agency Preparation: Don Arlow	Phone: (360) 902-3736	Date: 02/08/2023
Agency Approval: Gerrit Eades	Phone: (360)902-3863	Date: 02/08/2023
OFM Review: Kyle Siefering	Phone: (360) 995-3825	Date: 02/08/2023

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: SB 5572

Bill Title: Traffic safety

Part 1: Estimates

No Fiscal Impact

Estimated Cash Receipts:

Estimated Expenditures:

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: Brandon Popovac	Phone: (360) 786-7465	Date: 2/8/2023
Agency Preparation: Don Arlow	Phone: (360) 902-3736	Date: 2/8/2023
Agency Approval: Gerrit Eades	Phone: (360) 902-3931	Date:

Request #	1
Bill #	5572 SB

Part 2 – Explanation

This bill primarily addresses actions of law enforcement and outlines new rules and procedures for peace officers when initiating a stop, or detaining a motor vehicle operator. The bill also, subject to funds appropriated, authorizes a grant program under the Washington Traffic Safety Commission to support local initiatives that provide solution-oriented responses to nonmoving violations for low-income road users.

This bill will not have a fiscal impact on the Department of Licensing (DOL). Changes in law enforcement procedures could decrease the number of repeat suspensions. However, it is unlikely there would be impact on the number of reinstatements and fees paid since an individual may pay one fee to reinstate for more than one instance of a driver's license suspension on their record. There are no changes to fees or anticipated revenue collections for DOL.

Part 3 – Expenditure Detail

None.

Part 4 – Capital Budget Impact

None.

Part 5 – New Rule Making Required

None.

Individual State Agency Fiscal Note

Bill Number: 5572 SB	Title: Traffic safety	Agency: 477-Department of Fish and Wildlife
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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
Account					
General Fund-State 001-1	0	37,000	37,000	0	0
Total \$	0	37,000	37,000	0	0

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: Brandon Popovac	Phone: 360-786-7465	Date: 02/08/2023
Agency Preparation: David Hoeveler	Phone: 3609701638	Date: 02/09/2023
Agency Approval: David Hoeveler	Phone: 3609701638	Date: 02/09/2023
OFM Review: Matthew Hunter	Phone: (360) 529-7078	Date: 02/09/2023

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.

WDFW law enforcement officers are subject to the changes in this proposed legislation. These changes will require additional officer training.

Section 3 (1) (a) defines new circumstances for when peace officers cannot stop, or otherwise detain, an operator of a vehicle for the following violations:

- Any nonmoving violation (violations include: parking, equipment, paperwork/insurance)
- Driving while license is revoked
- Warrant for a misdemeanor (except misdemeanor warrants for driving under the influence, domestic violence, or a civil court order)

These changes would require additional training for officers to understand how this impacts their ability to enforce Title 77 RCW.

Section 3 (1) (b) a peace officer may only stop or detain a vehicle operator because of equipment failure violation, and if it is a serious threat to the operator or others on the roadway. Prior to stopping the operator, the officer must digitally log or notify dispatch of the primary reason for the stop and include a description of the serious threat.

These changes would require additional training for officers to understand how this impacts their ability to enforce RCW 77.15.094.

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.

Section 3 will require WDFW to update policies related to traffic stops. This will require all commissioned officers to attend in-service training in Olympia. This requires one day of per diem and one night of lodging for 90 percent of the staff traveling from out of the area. Per diem = (152 x 90% x \$74) = \$10,123 and lodging = (152 x 90% x \$133) = \$18,194. One-time travel costs, object G, total \$28,317. An infrastructure and program support rate of 33.50 percent is included in Object T and is calculated based on WDFW's federally approved indirect rate.

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	0	37,000	37,000	0	0
Total \$			0	37,000	37,000	0	0

III. B - Expenditures by Object Or Purpose

	FY 2024	FY 2025	2023-25	2025-27	2027-29
FTE Staff Years					
A-Salaries and Wages					
B-Employee Benefits					
C-Professional Service Contracts					
E-Goods and Other Services					
G-Travel		28,000	28,000		
J-Capital Outlays					
M-Inter Agency/Fund Transfers					
N-Grants, Benefits & Client Services					
P-Debt Service					
S-Interagency Reimbursements					
T-Intra-Agency Reimbursements		9,000	9,000		
9-					
Total \$	0	37,000	37,000	0	0

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.

LOCAL GOVERNMENT FISCAL NOTE

Department of Commerce

Bill Number: 5572 SB	Title: Traffic safety
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Part I: Jurisdiction-Location, type or status of political subdivision defines range of fiscal impacts.

Legislation Impacts:

- Cities:** Approximately \$885,720 to provide training to law enforcement officers on modified rules and procedures regarding traffic stops; indeterminate one-time and ongoing expenditure impact as a result of new reporting requirements; indeterminate expenditure impact on local governments that choose to apply to new grant program; indeterminate revenue impact on local governments that are awarded grants
- Counties:** Approximately \$268,800 to provide training to law enforcement officers on modified rules and procedures regarding traffic stops; indeterminate one-time and ongoing expenditure impact as a result of new reporting requirements; indeterminate expenditure impact on local governments that choose to apply to new grant program; indeterminate revenue impact on local governments that are awarded grants
- Special Districts:**
- Specific jurisdictions only:**
- Variance occurs due to:**

Part II: Estimates

- No fiscal impacts.
- Expenditures represent one-time costs:** Approximately \$1,154,520 to provide training to local law enforcement officers on modified rules and procedures concerning traffic stops; indeterminate one-time costs to update existing ticketing systems or adopt a new ticketing system to comply with new reporting requirements
- Legislation provides local option:** Cities and counties could apply to the grant program that section 2 of the proposed legislation would create
- Key variables cannot be estimated with certainty at this time:** Costs to adopt new ticketing system or update existing ticketing systems; number of future traffic stops that local law enforcement agencies may perform annually; number of local governments that may apply to new grant program

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	885,720		885,720		
County	268,800		268,800		
TOTAL \$	1,154,520		1,154,520		
GRAND TOTAL \$					1,154,520

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: 02/09/2023
Leg. Committee Contact: Brandon Popovac	Phone: 360-786-7465	Date: 02/08/2023
Agency Approval: Alice Zillah	Phone: 360-725-5035	Date: 02/09/2023
OFM Review: Kyle Sieferring	Phone: (360) 995-3825	Date: 02/09/2023

Part IV: Analysis

A. SUMMARY OF BILL

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

The proposed legislation concerns traffic stops and moving violations.

Section 2 would create a grant program to be developed and implemented by the Washington Traffic Safety Commission “to support local initiatives that provide solution-oriented responses to nonmoving violations for low-income road users.” Cities and counties would both be eligible recipients for these grants.

Section 3 would add a new section to chapter 46.64 RCW, specifying that a peace officer may not stop the operator of a vehicle to enforce one or more of the following violations:

- (i) Any nonmoving violation
- (ii) Driving while license suspended or revoked in the third degree under RCW 46.20.342(1)(c) (ii), (iv), (v), or (viii)
- (iii) Any warrant for a misdemeanor, other than a misdemeanor warrant for driving under the influence under RCW 46.61.502 or a domestic violence violation, or a civil court order

This section would specify that an officer may only stop or detain an operator of a vehicle for a nonmoving violation “when the primary reason for the stop is an equipment failure violation when necessary to protect against an immediate, serious threat to the safety of the operator or others on the roadway.”

Before making such a stop, an officer would be required to “log digitally or notify dispatch of the primary reason for the stop before initiating, including a detailed description of the immediate, serious threat to the safety of the operator or others on the roadway.” Upon first contact during the stop, “the peace officer must inform the operator of the reason for the stop, and may not request a consent search.” This section would also restrict officers from questioning the operator or any passengers on anything other than the equipment failure violation, except in certain circumstances.

Section 3 would also require that an officer log digitally or notify dispatch of the primary reason for a traffic stop for a moving violation before initiating that stop, and would require the officer to inform the operator of the reason for the stop upon first contact. For moving violations that are infractions or simple misdemeanors, an officer would not be able to request a consent search. The same conditions as above on questioning the operator or any passengers on anything other than the moving violation that initiated the stop would apply.

Finally, section 3 would require that before engaging in a consent search of a vehicle, an operator or passenger, an officer would need to obtain written consent by providing the operator and any passengers with an oral explanation and a written consent form that adheres to certain requirements.

Section 4 would add a new section to chapter 10.118 RCW, requiring each Washington peace officer to report each incident where they stop or detain the operator of a vehicle, and specifying required information for each such report. Each law enforcement agency in the state would be required to submit these reports “in accordance with the requirements of the statewide use of force data program under RCW 10.118.030.”

Section 5 would amend RCW 46.20.349, modifying the conditions under which a peace officer may stop a driver with a suspended or revoked license to be consistent with the requirements of section 3 of the proposed legislation.

Section 10 would amend RCW 46.64.030 to be consistent with the requirements of section 3 of the proposed legislation.

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.

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 that sections 3, 4 and 5 of this bill would make to existing law enforcement practices. WASPC estimates that approximately two hours of training would be required per law enforcement officer. This training would require a one-time cost of \$885,720 for cities and \$268,800 for counties, for a total one-time cost to local governments of \$1,154,520.

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 two hours of training, the cost to local governments would be:

Cities:

6,710 officers X 2 hours X \$66 = \$885,720

Counties:

2,240 officers X 2 hours X \$60 = \$268,800

Total:

\$885,720 + \$268,800 = \$1,154,520

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

WASPC anticipates that the reporting requirement that section 4 of the bill would create would have both one-time and ongoing expenditure impacts.

The additional reporting requirements for traffic stops that section 4 would create would require changes to the ticketing systems that law enforcement agencies use. The Washington State Patrol (WSP) indicates that it would seek funding for a more holistic system to replace its Statewide Electronic Collision and Ticket Online Records (SECTOR) system, which 244 law enforcement agencies in Washington currently use.

It is unknown what system WSP might choose to replace SECTOR with in order to comply with the new reporting requirements that section 4 of the proposed legislation would create, or what costs local agencies might incur to switch from SECTOR to a future new system. It is also unknown what costs agencies that do not use SECTOR may incur as a result of updating their ticketing systems to enable compliance with the reporting requirements that section 4 of the proposed legislation would create. Accordingly, the one-time local government expenditure impacts of section 4 are indeterminate.

In addition to these one-time costs, WASPC indicates that completing the reports that would be required by section 4 would require approximately 10 minutes of additional time for each traffic stop. While the number of future traffic stops that local law enforcement agencies will conduct in the future cannot be anticipated, the following is an illustrative example of the potential ongoing expenditure impact of this reporting requirement based on past traffic stop data.

According to WASPC, WSP currently performs approximately one-third of total annual traffic stops statewide, with the remaining two-thirds performed by local agencies. In 2022, WSP performed 399,524 traffic stops, 345,752 of which were for moving violations, and 53,772 of which were for non-moving violations. If 399,524 traffic stops represents approximately one-third of the statewide total in 2022, that implies the two-thirds share performed by local law enforcement agencies was approximately 799,048.

According to the 2023 Local Government Fiscal Note Program Criminal Justice Cost Model, the average hourly salary plus benefits and overhead for a commissioned local law enforcement officer in Washington is approximately \$64. If the approximately 799,048 traffic stops estimated to have been conducted by local law enforcement agencies in 2022 required an additional 10 minutes of officer time to complete a report that section 4 of the proposed legislation would require, the total costs to local governments would have been approximately:

799,048 traffic stops X (1/6) additional hours per stop X \$64 average hourly salary plus benefits and overhead = \$8,523,179

It is unknown, however, how many future traffic stops local law enforcement agencies may perform annually, or what the distribution of those stops between city and county agencies may be, so the ongoing expenditure impact of the reporting requirement in section 4 of the proposed legislation is indeterminate.

The grant program that section 2 of the proposed legislation would create would represent a local option since cities and counties would be eligible recipients of grants, but local governments that choose to apply to this program could incur additional costs associated with preparing an application.

The Local Government Fiscal Note Program estimates that these costs can range from \$10,000 to \$20,000 for an application to a state grant program. However, it is unknown how many cities and counties may choose to apply to this grant program, and what the exact amount of additional expenditures that may be required to complete a grant application in each jurisdiction might be, so the local government expenditure impact of the local option this bill would create 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.

Local governments that choose to apply for, and are awarded grant funding from the program that section 2 of the proposed legislation would create would see an increase in revenue corresponding to the grant amount. It is unknown, however, how many local governments may apply to this grant program or what grant amounts may be, and the number of local government applications that may be selected for funding cannot be predicted, so any local government revenue increase resulting from this local option is indeterminate.

SOURCES:

Crime in Washington Report, 2021
Local Government Fiscal Note Program Criminal Justice Cost Model, 2023
Washington Association of Sheriffs and Police Chiefs
Washington State Patrol