

# Multiple Agency Fiscal Note Summary

<b>Bill Number:</b> 1457 S HB	<b>Title:</b> Motor carriers/restrooms
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## Estimated Cash Receipts

NONE

## 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	565,000	565,000	565,000	1.0	330,000	330,000	330,000	1.0	330,000	330,000	330,000
<b>Total \$</b>	<b>1.0</b>	<b>565,000</b>	<b>565,000</b>	<b>565,000</b>	<b>1.0</b>	<b>330,000</b>	<b>330,000</b>	<b>330,000</b>	<b>1.0</b>	<b>330,000</b>	<b>330,000</b>	<b>330,000</b>

## 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>	<b>0.0</b>	<b>0</b>	<b>0</b>	<b>0.0</b>	<b>0</b>	<b>0</b>	<b>0.0</b>	<b>0</b>	<b>0</b>

## Estimated Capital Budget Breakout

<b>Prepared by:</b> Breann Boggs, OFM	<b>Phone:</b> (360) 485-5716	<b>Date Published:</b> Final 2/13/2023
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# Individual State Agency Fiscal Note

<b>Bill Number:</b> 1457 S HB	<b>Title:</b> Motor carriers/restrooms	<b>Agency:</b> 235-Department of Labor and Industries
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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: 02/07/2023
Agency Preparation: Jenifer Colley	Phone: (360) 902-6983	Date: 02/09/2023
Agency Approval: Trent Howard	Phone: 360-902-6698	Date: 02/09/2023
OFM Review: Anna Minor	Phone: (360) 790-2951	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.*

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.

SHB 1457 is different from HB 1457 in that it:

- Replaces “receiver” with “consignee”, the definition is the same.
- Removes L&I from having jurisdiction to enforce this bill.
- Removes Section 1 (5)(c) Failure of a shipper or receiver to comply with this section is a violation of chapter 49.17 RCW.
- Removes Section 1 (5)(d) The Department of Labor and Industries and the Department of Health may not take duplicate enforcement actions against an individual or business for violations arising from the same conduct.

### 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. There is no enforcement role for L&I, and therefore no fiscal impact in terms of penalties issued to employers.

### 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 gives the Department of Health (DOH) jurisdiction to enforce this bill. The proposed bill does not have fiscal impact for the Department of Labor and Industries (L&I).

## 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

<b>Bill Number:</b> 1457 S HB	<b>Title:</b> Motor carriers/restrooms	<b>Agency:</b> 303-Department of Health
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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	1.0	1.0	1.0	1.0	1.0
<b>Account</b>					
General Fund-State      001-1	400,000	165,000	565,000	330,000	330,000
<b>Total \$</b>	400,000	165,000	565,000	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: Mark Matteson	Phone: 360-786-7145	Date: 02/07/2023
Agency Preparation: Katie Osete	Phone: 3602363000	Date: 02/09/2023
Agency Approval: Kristin Bettridge	Phone: 3607911657	Date: 02/09/2023
OFM Review: Breann Boggs	Phone: (360) 485-5716	Date: 02/13/2023

## 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 fiscal impact of this substitute version of the bill has increased from the original bill version. The increase results from; the removal of (Labor & Industries) LNI as enforcement and Section 5 (a) providing the DOH jurisdiction to enforce a civil 2 class infraction fee under chapter 7.80 RCW if a violation occurs, by a shipper or consignee, after receiving a Notice of Correction.

This bill would expand restroom access to all motor carriers in Washington State. It would require all shippers or consignee 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 5: Would require DOH to issue a notice of correction, enforce and issue civil fees when needed.

### 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 would expand restroom access to all motor carriers in Washington State. It would require all shippers or consignee that utilize motor carrier services to allow restroom access during business hours. If any shipper or consignee violates this proposal it could possibly result in violation of a class 2 civil infraction and could incur a civil fee of \$250 per occurrence.

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 264,825 businesses in WA State; updating materials, presentations with associations and interest groups – 0.3 FTE
- Developing process and ongoing receipt of complaints from estimated 188,342 licensed truck drivers in WA State – 0.2 FTE
- Enforcement and fee related efforts – 0.2 FTE

Section 5

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 an external website, receive complaints, and receive fees. 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, infractions, civil fee issuance and fee payments.

Estimated Database Build Costs:

Fiscal Year (FY) 2024: \$235,000

The total costs of this fiscal note are:

FY 2024: 1.0 FTE and \$400,000

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	400,000	165,000	565,000	330,000	330,000
<b>Total \$</b>			400,000	165,000	565,000	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	239,000		239,000		
T-Intra-Agency Reimbursements	8,000	8,000	16,000	16,000	16,000
<b>Total \$</b>	400,000	165,000	565,000	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 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