

# Multiple Agency Fiscal Note Summary

<b>Bill Number:</b> 5606 SB	<b>Title:</b> Illegal racing
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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	Fiscal note not available					
Loc School dist-SPI						
Local Gov. Other	Fiscal note not available					
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
Administrative Office of the Courts	Fiscal note not available											
Caseload Forecast Council	.0	0	0	0	.0	0	0	0	.0	0	0	0
Washington State Patrol	.0	981	981	32,380	.0	0	0	0	.0	0	0	0
Department of Licensing	Fiscal note not available											
<b>Total \$</b>	<b>0.0</b>	<b>981</b>	<b>981</b>	<b>32,380</b>	<b>0.0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0.0</b>	<b>0</b>	<b>0</b>	<b>0</b>

Agency Name	2023-25			2025-27			2027-29		
	FTEs	GF-State	Total	FTEs	GF-State	Total	FTEs	GF-State	Total
Local Gov. Courts	Fiscal note not available								
Loc School dist-SPI									
Local Gov. Other	Fiscal note not available								
Local Gov. Total									

## Estimated Capital Budget Expenditures

Agency Name	2023-25			2025-27			2027-29		
	FTEs	Bonds	Total	FTEs	Bonds	Total	FTEs	Bonds	Total
Administrative Office of the Courts	Fiscal note not available								
Caseload Forecast Council	.0	0	0	.0	0	0	.0	0	0
Washington State Patrol	.0	0	0	.0	0	0	.0	0	0
Department of Licensing	Fiscal note not available								
<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>

Agency Name	2023-25			2025-27			2027-29		
	FTEs	GF-State	Total	FTEs	GF-State	Total	FTEs	GF-State	Total
Local Gov. Courts	Fiscal note not available								
Loc School dist-SPI									
Local Gov. Other	Fiscal note not available								
Local Gov. Total									

## Estimated Capital Budget Breakout

NONE

<b>Prepared by:</b> Kyle Siefering, OFM	<b>Phone:</b> (360) 995-3825	<b>Date Published:</b> Preliminary 2/14/2023
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# Individual State Agency Fiscal Note

<b>Bill Number:</b> 5606 SB	<b>Title:</b> Illegal racing	<b>Agency:</b> 101-Caseload Forecast Council
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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: Ryan Giannini	Phone: 3607867285	Date: 02/10/2023
Agency Preparation: Clela Steelhammer	Phone: 360-664-9381	Date: 02/13/2023
Agency Approval: Clela Steelhammer	Phone: 360-664-9381	Date: 02/13/2023
OFM Review: Cynthia Hollimon	Phone: (360) 810-1979	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.*

See attached.

### 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.*

See attached.

## 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.*

**SB 5606**  
**ILLEGAL RACING**  
**101 – Caseload Forecast Council**  
**February 11, 2023**

**SUMMARY**

**A brief description of what the measure does that has fiscal impact.**

- Section 1 Adds a new section to chapter 46.04 RCW by establishing a definition for “Off-street Facility.”
- Section 2 Adds a new section to chapter 46.04 RCW by establishing a definition for “Drifting.”
- Section 3 Adds a new section to chapter 46.04 RCW stating law enforcement agencies are encouraged to undertake a public education campaign to inform the public of the unlawful nature of illegal racing, subject to appropriations.
- Section 4 Amends RCW 46.61.530 by expanding the definition of illegal motor vehicle racing which is punishable as Reckless Driving.
- Section 4 Additionally requires any person who knowingly aids and abets may be charged and prosecuted as an accomplice under RCW 46.64.048.
- Section 9 States the act takes effect January 1, 2024.

**EXPENDITURES**

**Assumptions.**

None.

**Impact on the Caseload Forecast Council.**

None.

**Impact Summary**

This bill:

- Expands an existing gross misdemeanor offense.

**Impact on prison and jail beds.**

This bill expands the definition of a gross misdemeanor offense, Reckless Driving. The Caseload Forecast Council does not collect data on misdemeanor and gross misdemeanor offenses, and, therefore, cannot reliably estimate bed impacts resulting from the bill.

However, as a gross misdemeanor offense is punishable by a term of confinement of 0-364 days in jail, any impact should manifest itself as an increased need for jail beds only.

**Impact on local detention and Juvenile Rehabilitation beds.**

The expansion of a gross misdemeanor offense, ranked as Category D on the juvenile grid, is punishable by Local Sanctions (0-30 days in local juvenile detention) for juveniles adjudicated for the offense. Therefore, any increased incidences of this offense would likely impact only local juvenile detention beds.

# Individual State Agency Fiscal Note

<b>Bill Number:</b> 5606 SB	<b>Title:</b> Illegal racing	<b>Agency:</b> 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
<b>Account</b>					
General Fund-State 001-1	981	0	981	0	0
State Patrol Highway Account-Federal 081-2	31,399	0	31,399	0	0
<b>Total \$</b>	32,380	0	32,380	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: Ryan Giannini	Phone: 3607867285	Date: 02/10/2023
Agency Preparation: Thomas Bohon	Phone: (360) 596-4044	Date: 02/14/2023
Agency Approval: Mario Buono	Phone: (360) 596-4046	Date: 02/14/2023
OFM Review: Tiffany West	Phone: (360) 890-2653	Date: 02/14/2023

## 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 a fiscal impact to the Washington State Patrol (WSP).

Section 3 states subject to funds appropriated, law enforcement agencies (LEAs) are encouraged to undertake a public education campaign to inform the public of the unlawful nature of illegal racing, the dangers of illegal racing events, and the penalties of participating in said events.

Subsection 4(1) makes racing motor vehicles on public highways unlawful and clarifies the willful demonstration, exhibition, or comparison of speed maneuverability, or power of one or more vehicles constitutes reckless driving.

Subsection 4(2) states any person who knowingly aids and abets racing may be charged and prosecuted as an accomplice.

Section 5 adds impoundment, seizure, and forfeiture provisions for vehicles used to commit the crime of racing.

Subsection 6(2)(l) allows for a police officer to take custody of a vehicle at their discretion and provide for its prompt removal to a place of safety when the driver is arrested for illegal racing conduct.

Subsection 7(2) states a vehicle that is impounded under RCW 46.55.113(2)(1), with the driver being the registered owner and arrested for racing, may not be redeemed for a period of 72 hours. A registered or legal owner who is not the driver may redeem the impounded vehicle after it arrives at the registered tow truck operator's storage facility. The police officer directing the impound must notify the driver of the holding period.

Subsection 7(3)(f) requires the registered tow truck operator to notify the agency that ordered the impoundment of a vehicle, so any mandatory hold period can be tracked based on the time entered in the registered tow truck operator's log.

Section 9 provides an effective date of January 1, 2024

### 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.*

The proposed legislation would require training to be developed and given to our commissioned officers and cadets, as well as policy updates regarding illegal racing. We estimate that it would take 30 hours to research, develop, and review new training and policies. We also estimate that it would take five academy staff about 57 total hours to deliver the training to all commissioned officers, and cadets. Each person receiving the training would need an estimated 0.25 hours to complete it. We are authorized 1,125 employees who would need the training, bringing the total amount of hours needed to receive the training to 338 hours. The total estimated cost to research, develop, review, give, and receive the training required from this proposed legislation is \$32,380.

Section 7 adds an additional hold to vehicles impounded under certain circumstances. There is a small training factor for our communications officers as well as a small workload impact to create a data field in our computer aided dispatch (CAD) system. Since we already have procedures in place for existing vehicle holds, we expect the impact to be minimal enough to



fall under normal duties of our employees.

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	981	0	981	0	0
081-2	State Patrol Highway Account	Federal	31,399	0	31,399	0	0
<b>Total \$</b>			32,380	0	32,380	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	18,318		18,318		
B-Employee Benefits	6,235		6,235		
C-Professional Service Contracts					
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-Indirect Costs	7,827		7,827		
<b>Total \$</b>	32,380	0	32,380	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.*