

Multiple Agency Fiscal Note Summary

Bill Number: 5737 SB	Title: Vehicle residences/impound
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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 Licensing	Non-zero but indeterminate cost and/or savings. Please see discussion.								
Total \$	0	0	0	0	0	0	0	0	0

Agency Name	2023-25		2025-27		2027-29	
	GF- State	Total	GF- State	Total	GF- State	Total
Local Gov. Courts	No fiscal impact					
Loc School dist-SPI						
Local Gov. Other						
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	.0	0	0	0	.0	0	0	0	.0	0	0	0
Office of Attorney General	.0	0	0	0	.0	0	0	0	.0	0	0	0
Washington State Patrol	Fiscal note not available											
Department of Licensing	.0	0	0	253,000	.0	0	0	0	.0	0	0	0
Department of Licensing	In addition to the estimate above, there are additional indeterminate costs and/or savings. Please see individual fiscal note.											
Total \$	0.0	0	0	253,000	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	No fiscal impact								
Loc School dist-SPI									
Local Gov. Other									
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	.0	0	0	.0	0	0	.0	0	0
Office of Attorney General	.0	0	0	.0	0	0	.0	0	0
Washington State Patrol	Fiscal note not available								
Department of Licensing	.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	No fiscal impact								
Loc School dist-SPI									
Local Gov. Other									
Local Gov. Total									

Estimated Capital Budget Breakout

Prepared by: Kyle Siefering, OFM	Phone: (360) 995-3825	Date Published: Preliminary 2/14/2023
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Judicial Impact Fiscal Note

Bill Number: 5737 SB	Title: Vehicle residences/impound	Agency: 055-Administrative Office of the Courts
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Part I: Estimates

No Fiscal Impact

Estimated Cash Receipts to:

NONE

Estimated Expenditures from:

NONE

Estimated Capital Budget Impact:

NONE

The revenue and expenditure estimates on this page represent the most likely fiscal impact. Responsibility for expenditures may be subject to the provisions of RCW 43.135.060.

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 for 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.

Legislative Contact: Melissa Van Gorkom	Phone: 360-786-7491	Date: 02/09/2023
Agency Preparation: Angie Wirkkala	Phone: 360-704-5528	Date: 02/10/2023
Agency Approval: Chris Stanley	Phone: 360-357-2406	Date: 02/10/2023
OFM Review: Bryce Andersen	Phone: (564) 999-0536	Date: 02/12/2023

182,845.00

Request # 164-1

Part II: Narrative Explanation

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

This bill would change laws and add new sections relating to the impound of vehicles used as residences.

II. B - Cash Receipts Impact

None

II. C - Expenditures

No fiscal impact expected to the Administrative Office of the Courts or the courts.

Part III: Expenditure Detail

III. A - Expenditure By Object or Purpose (State)

NONE

III. B - Expenditure By Object or Purpose (County)

NONE

III. C - Expenditure By Object or Purpose (City)

NONE

III. D - FTE Detail

NONE

III. E - Expenditures By Program (optional)

NONE

Part IV: Capital Budget Impact

IV. A - Capital Budget Expenditures

NONE

IV. B1 - Expenditures by Object Or Purpose (State)

NONE

IV. B2 - Expenditures by Object Or Purpose (County)

NONE

IV. B3 - Expenditures by Object Or Purpose (City)

NONE

IV. C - Capital Budget Breakout

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

NONE

None

182,845.00

Form FN (Rev 1/00)

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Request # 164-1

Bill # 5737 SB

Individual State Agency Fiscal Note

Bill Number: 5737 SB	Title: Vehicle residences/impound	Agency: 100-Office of Attorney General
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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: Melissa Van Gorkom	Phone: 360-786-7491	Date: 02/09/2023
Agency Preparation: Amy Flanigan	Phone: 509-456-3123	Date: 02/14/2023
Agency Approval: Edd Giger	Phone: 360-586-2104	Date: 02/14/2023
OFM Review: Cheri Keller	Phone: (360) 584-2207	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.

1. The Attorney General's Office (AGO) Licensing & Administrative Law Division (LAL) reviewed this bill and determined it will not significantly increase or decrease the division's workload in representing the Department of Licensing (DOL). The enactment of this bill will not impact LAL's provision of legal services to DOL as the bill allows for a tow truck operator to apply to DOL for reimbursement on the difference between any court ordered reduced fees/costs and the actual costs for towing and storage of an impounded vehicle which is used as a residence. The moneys are to come from the abandoned recreational vehicle disposal fund, for which DOL already has an existing system in place. The enactment of this bill may require some advice, rulemaking or litigation. New legal services are nominal and costs are not included in this request.

2. The AGO Solicitor General's Office (SGO) has reviewed this bill and determined it will not significantly increase or decrease the division's workload. New legal services are nominal and costs are not included in this request.

3. The AGO Government Compliance & Enforcement Division (GCE) has reviewed this bill and determined it will not significantly increase or decrease the division's workload in representing the Washington State Patrol (WSP). GCE provides litigation support to WSP for impound hearings. This bill would amend RCW 46.55.120 to allow persons who otherwise don't meet the statutory criteria to redeem a vehicle to do so if authorized by a court after an impound hearing. If ownership or authorization to use, reside it, or redeem a vehicle is disputed, it would allow a court to review additional information and to continue the hearing to allow the person an opportunity to file the appropriate paperwork with the DOL. This bill would also allow a court to consider a hearing request filed beyond the 10-day timely filing deadline if the vehicle was being used as a residence. If a petitioner was found to be indigent and the vehicle was being used as a residence, it would allow a court to reduce the amount of towing and storage fees and would require the impounding agency to pay the difference between the reduced fees and the tow operator's actual costs for towing and storage. Finally, this bill would permit the impounding agency to apply to DOL's abandoned recreational vehicle disposal account to seek reimbursement for any fees ordered payable by the impounding agency as a result the petitioner's inability to pay.

GCE does not anticipate that the expansion of standing to seek a hearing or that the extension of the filing deadline would result in any increased work, as those issues are already commonly raised during hearings. Additionally, under the Washington State Supreme Court's recent decision in *City of Seattle v. Long*, a court could already return a vehicle to a petitioner without payment of fees under the Homestead Act if the vehicle was being used as the petitioner's residence, and a court could also reduce a petitioner's fees if the court determined the fees were in violation of the eighth amendment excessive fines provision. Therefore, although this bill may shift some towing and storage costs to WSP, we do not anticipate that this bill would result in the need for any appreciable increased litigation support for WSP. New legal services are nominal and costs are not included in this request.

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

Bill Number: 5737 SB	Title: Vehicle residences/impound	Agency: 240-Department of Licensing
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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:

	FY 2024	FY 2025	2023-25	2025-27	2027-29
Account					
Abandoned Recreational Vehicle	253,000	0	253,000	0	0
Disposal Account-State 22J-1					
Total \$	253,000	0	253,000	0	0

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: Melissa Van Gorkom	Phone: 360-786-7491	Date: 02/09/2023
Agency Preparation: Don Arlow	Phone: (360) 902-3736	Date: 02/14/2023
Agency Approval: Gerrit Eades	Phone: (360)902-3863	Date: 02/14/2023
OFM Review: Kyle Siefering	Phone: (360) 995-3825	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.

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.

See attached fiscal note

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 fiscal note

Part III: Expenditure Detail

III. A - Operating Budget Expenditures

Account	Account Title	Type	FY 2024	FY 2025	2023-25	2025-27	2027-29
22J-1	Abandoned Recreational Vehicle Disposal Account	State	253,000	0	253,000	0	0
Total \$			253,000	0	253,000	0	0

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					
A-Salaries and Wages					
B-Employee Benefits					
C-Professional Service Contracts					
E-Goods and Other Services	253,000		253,000		
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 \$	253,000	0	253,000	0	0

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

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 5737

Bill Title: Vehicle residences/impound

Part 1: Estimates

No Fiscal Impact

Estimated Cash Receipts:

INDETERMINATE; PLEASE SEE NARRATIVE

Estimated Expenditures:

PARTIALLY INDETERMINATE; PLEASE SEE NARRATIVE

	FY 24	FY 25	23-25 Total	25-27 Total	27-29 Total
FTE Staff Years	-	-	-	-	-

Operating Expenditures	Fund	FY 24	FY 25	23-25 Total	25-27 Total	27-29 Total
Abandoned Rec Vehicle Disposal	22J	253,000	-	253,000	-	-
Account Totals		253,000	-	253,000	-	-

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: Melissa Van Gorkom	Phone: (360) 786-7491	Date: 2/9/2023
Agency Preparation: Don Arlow	Phone: (360) 902-3736	Date: 2/14/2023
Agency Approval: Gerrit Eades	Phone: (360) 902-3931	Date:

Request #	1
Bill #	5737 SB

Part 2 – Explanation

This bill requires impounding authorities to pay the difference between a tow operator’s actual costs for towing and storage of an impounded vehicle and any amount determined by the court that an indigent person must pay if the court finds that the vehicle is used as a residence. The impounding authority may then apply for reimbursement from the Department of Licensing (DOL).

2.A – Brief Description Of What The Measure Does That Has Fiscal Impact

Section 2 adds a new section to Chapter 46.53 RCW. This section:

- Allows impounding authorities to apply to DOL for reimbursement if courts reduce towing and storage fees for an indigent individual using the vehicle as a residence. DOL must create and provide the form. Reimbursement is for the difference in reduced fees and actual costs for towing and storage.
- DOL may only use funds authorized under RCW 46.68.175 for reimbursement.
- Defines “impounding authority” to mean the state, municipality, or agents who authorize a public impound under chapter 46.55 RCW. “Public impound” means a vehicle impounded by direction of a law enforcement officer or public official that has jurisdiction over the property where the vehicle is located.

Section 3 amends RCW 46.68.175 to expand allowable use of the expenditures from the Abandoned Recreational Vehicle Disposal Account to include expenditures for reimbursing impounding authorities as provided in the bill.

2.B - Cash receipts Impact

The cash receipts impact of the bill is indeterminate but could have a negative impact on revenue collected by DOL. This bill would allow a court to extend a stay on the sale of an impounded vehicle used as a residence, and decrease the fees based on financial hardship of the registered owner. This is likely to decrease the total number of abandoned vehicles sold at auction, which will result in an indeterminate decrease to revenue collected from excess proceeds of auctioned abandoned vehicles.

2.C – Expenditures

The operational impact of the bill is dependent on the volume of new transactions related to impounded vehicle reimbursements. DOL does not have sufficient information to estimate the volume, therefore the expenditure impact is indeterminate. If the new workflow could not be managed within existing resources, the department would request the following types of resources in a future budget cycle, with FTE estimates determined as a function of actual workload:

- Customer Service Specialist 2 (CSS2) staff for processing applications.
- Customer Specialist 3 (CSS3) staff for approving applications and disbursements.
- Management Analyst 3 (MA3) staff for conducting research and analysis required for annual reporting.

Reimbursements made from the Abandoned Recreational Vehicle Disposal Account are also subject to the volume of requests submitted under the provisions of the bill. That volume is unknown, as is what a

typical reduction of costs as determined by the court would be, therefore the level of reimbursements from the fund are indeterminate. Under current law DOL reimburses for towing, storage, and wrecking of recreational vehicles abandoned on public property when ownership cannot be determined.

Information Services:

The agency will use appropriated funds to hire contract programmers to accomplish this work or to support current staff implementing this legislation within the required timeline. Appropriated funds may also be used to hire agency temporary staff to support permanent staff assigned to this legislative effort.

Any change requires a process to ensure changes are correctly applied to the system. This involves Project Managers that manage the team that completes the update, business analyst that documents and reviews the system changes, architect services that analyzes how the update could have an effect on other systems or DOL processes, developers who create the change, and testers and quality assurance teams that ensure the update is working correctly.

Cost Category	Description	Rate	2024	2025	2026	2027	2028	2029	Total Cost
TESTER	Test to verify individual components meet requirements; ensure that other business transactions have not been impacted.	\$ 22,620	33,900	-	-	-	-	-	33,900
BUSINESS ANALYST	Determine business requirements; translate requirements into what changes are needed to various systems including account codes, inventory codes, testing considerations, etc.	\$ 16,530	6,600	-	-	-	-	-	6,600
PROJECT MANAGER	Manage schedule and contracts	\$ 28,710	8,600	-	-	-	-	-	8,600
QUALITY ASSURANCE	Plan and carry out activities to assure project deliverables; e.g. preventative defect activities, align quality measures and business objectives.	\$ 37,410	56,100	-	-	-	-	-	56,100
SECURITY AND ARCHITECT SERVICES	Create the conceptual model that defines the structure, behavior and framework of a computerized system including a breakdown of the system into components, the component interactions and interfaces (including with the environment, especially the user), and the technologies and resources to be used in the design.	\$ 16,530	3,300	-	-	-	-	-	3,300
CONTRACTED FAST DEVELOPER / TESTER	Updates to the DRIVES system will require additional vendor hours outside of the contracted maintenance to make system updates to implement this bill.	\$ 37,236	55,900	-	-	-	-	-	55,900
Trainer	Trains business partners and employees in new system processes and capabilities.	\$ 22,620	9,000	-	-	-	-	-	9,000
Organizational Change Management	Prepares stakeholders for the change and develops strategies to ensure the changes are fully adopted.	\$ 37,410	56,100	-	-	-	-	-	56,100
Project Contingency	Office of the Chief Information Officer designated rate of 10%	\$ 25,474	23,000	-	-	-	-	-	23,000
Totals			252,500	-	-	-	-	-	252,500

What DOL will implement:

1. Create a new account type for impounding authorities.
2. Allow impounding authorities submit web request through eService for reimbursements.
3. Modify existing eService to allow for impounding authorities (every local, city, county, state agency jurisdiction) to apply online for reimbursements of the difference in fees between the courts reduced towing and storage fees for indigent individuals and the tow company's actual fees.
 - a. Must be licensed in Washington and have an account in DRIVES.
 - b. Will create work item for processing the request.
 - c. Will use SecureAccess Washington and require online account.
 - d. Allows for upload of paper forms or electronic entry of application by both the registered tow truck operator and the indigent individual.

- e. Allows for the upload of supporting documentation.
- 4. Modify case to process the application for reimbursement.
 - a. Case will be approved or denied.
 - b. Forms will be able to be uploaded and entered by back office for mail-in applications.
- 5. 3 new letters will be created for response to application process.
 - a. Request for More Information.
 - b. Denial.
 - c. Approval-Pending Funds.
- 6. Three new reports
 - a. Revenue tracking cube for abandoned vehicle funds.
 - b. ADHOC cube for program.
 - c. Impounding Authority report (self-service report on eService).

Part 3 – Expenditure Detail

3.A – Operating Budget Expenditures

Operating Expenditures	Fund	FY 24	FY 25	23-25 Total	25-27 Total	27-29 Total
Abandoned Rec Vehicle Disposal	22J	253,000	-	253,000	-	-
Account Totals		253,000	-	253,000	-	-

3.B – Expenditures by Object or Purpose

Object of Expenditure	FY 24	FY 25	23-25 Total	25-27 Total	27-29 Total
Goods and Services	253,000	-	253,000	-	-
Total By Object Type	253,000	-	253,000	-	-

3.C – FTE Detail

None; subject to future resource needs for workload requirements.

Part 4 – Capital Budget Impact

None.

Part 5 – New Rule Making Required

None.