

Multiple Agency Fiscal Note Summary

Bill Number: 5429 S SB S1068.1	Title: Motor carriers/restrooms
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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 Health	Non-zero but indeterminate cost and/or savings. Please see discussion.								
Total \$	0	0	0	0	0	0	0	0	0

Estimated Operating Expenditures

Agency Name	2023-25				2025-27				2027-29			
	FTEs	GF-State	NGF-Outlook	Total	FTEs	GF-State	NGF-Outlook	Total	FTEs	GF-State	NGF-Outlook	Total
Office of Administrative Hearings	.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
Total \$	1.0	565,000	565,000	565,000	1.0	330,000	330,000	330,000	1.0	330,000	330,000	330,000

Estimated Capital Budget Expenditures

Agency Name	2023-25			2025-27			2027-29		
	FTEs	Bonds	Total	FTEs	Bonds	Total	FTEs	Bonds	Total
Office of Administrative Hearings	.0	0	0	.0	0	0	.0	0	0
Department of Health	.0	0	0	.0	0	0	.0	0	0
Total \$	0.0	0	0	0.0	0	0	0.0	0	0

Estimated Capital Budget Breakout

Prepared by: Breann Boggs, OFM	Phone: (360) 485-5716	Date Published: Final 2/16/2023
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Individual State Agency Fiscal Note

Bill Number: 5429 S SB S1068.	Title: Motor carriers/restrooms	Agency: 110-Office of Administrative Hearings
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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: Susan Jones	Phone: 360-786-7404	Date: 02/01/2023
Agency Preparation: Pete Boeckel	Phone: 360-407-2730	Date: 02/06/2023
Agency Approval: Deborah Feinstein	Phone: 360-407-2717	Date: 02/06/2023
OFM Review: Cheri Keller	Phone: (360) 584-2207	Date: 02/06/2023

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.

No fiscal impact. This legislation will not measurably increase the appeal workload for the Office of Administrative Hearings.

The Department of Health has been specifically delegated to enforce this enacted legislation.

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.

None.

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: 5429 S SB S1068.	Title: Motor carriers/restrooms	Agency: 303-Department of Health
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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
FTE Staff Years	1.0	1.0	1.0	1.0	1.0
Account					
General Fund-State 001-1	400,000	165,000	565,000	330,000	330,000
Total \$	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: Susan Jones	Phone: 360-786-7404	Date: 02/01/2023
Agency Preparation: Katie Osete	Phone: 3602363000	Date: 02/03/2023
Agency Approval: Kristin Bettridge	Phone: 3607911657	Date: 02/03/2023
OFM Review: Breann Boggs	Phone: (360) 485-5716	Date: 02/05/2023

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 and a civil fee of \$250 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.

Pursuant to chapter 43.05 RCW, the department of health may issue a notice of correction to a shipper or consignee for a first violation of this section, informing the shipper or consignee of the requirements of this section. A shipper or consignee that violates this section after receiving a notice of correction is subject to a civil penalty of \$250 per occurrence.

The Revenue impact is Indeterminate as we have no experience or data on these activities currently.

An example of the potential revenue generated from complaints filed at 1% of the possible shipper or consignee locations the revenue collected could be;

1% of 264,825 shipper or consignee locations multiply by the civil fee of \$250;
 $\$250 \times 2,648 = \$662K$

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
Total \$			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
9-					
Total \$	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
Total FTEs		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