

Multiple Agency Fiscal Note Summary

Bill Number: 1807 HB	Title: Speed safety cameras
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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 Transportation	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	Non-zero but indeterminate cost and/or savings. Please see discussion.					
Loc School dist-SPI						
Local Gov. Other	No fiscal impact					
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
Washington State Patrol	Fiscal note not available											
Traffic Safety Commission	.0	0	0	0	.0	0	0	0	.0	0	0	0
Department of Licensing	.0	0	0	0	.0	0	0	0	.0	0	0	0
Department of Transportation	1.0	0	0	3,529,000	1.0	0	0	6,632,000	1.0	0	0	6,637,000
Total \$	1.0	0	0	3,529,000	1.0	0	0	6,632,000	1.0	0	0	6,637,000

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	No fiscal impact								
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
Washington State Patrol	Fiscal note not available								
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 Transportation	.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	No fiscal impact								
Local Gov. Total									

Estimated Capital Budget Breakout

Prepared by: Tiffany West, OFM	Phone: (360) 890-2653	Date Published: Preliminary 2/20/2023
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Judicial Impact Fiscal Note

Bill Number: 1807 HB	Title: Speed safety cameras	Agency: 055-Administrative Office of the Courts
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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 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: Christine Thomas	Phone: 360-786-7142	Date: 02/11/2023
Agency Preparation: Angie Wirkkala	Phone: 360-704-5528	Date: 02/15/2023
Agency Approval: Chris Stanley	Phone: 360-357-2406	Date: 02/15/2023
OFM Review: Gaius Horton	Phone: (360) 819-3112	Date: 02/16/2023

183,747.00

Request # 183-1

Form FN (Rev 1/00)

1

Bill # 1807 HB

Part II: Narrative Explanation

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

The bill would amend and add a new section to Chapter 46.63 RCW allowing law enforcement to issue infractions detected by speed safety cameras, directing rule-making, and referring adjudication of infractions to the Office of Administrative Hearings.

Section 3(12) would direct infraction revenue generated from speed safety camera systems to the motor vehicle fund and used for operating and administrative costs as well as traffic safety education.

II. B - Cash Receipts Impact

Indeterminate fiscal impact is expected to the Administrative Office of the Courts and the courts. Because this bill allows law enforcement to issue a notice of infraction when the infraction is detected through the use of a speed safety camera, there will likely be an impact on infraction revenues that would have otherwise been deposited as all other traffic infractions – portions of which are deposited in the Judicial Information Systems (JIS) Account and kept locally. This bill directs infraction revenue from speed safety camera systems to the motor vehicle fund.

The primary revenue stream for the JIS is traffic infractions. There has been an almost 50 percent drop in infraction revenues over the past two years and this measure is expected to increase that drop.

II. C - Expenditures

None

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

Individual State Agency Fiscal Note

Bill Number: 1807 HB	Title: Speed safety cameras	Agency: 228-Traffic Safety 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: Christine Thomas	Phone: 360-786-7142	Date: 02/11/2023
Agency Preparation: Mark McKechnie	Phone: 3607259889	Date: 02/14/2023
Agency Approval: Mark McKechnie	Phone: 3607259889	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.

WTSC can participate in WSP rule making and biennial reporting with no additional fiscal cost.

AN ACT Relating to speed safety camera systems on state highways; amending RCW 46.63.030 and 46.63.075; adding a new section to chapter 46.63 RCW; and providing expiration dates.

Sec 1.: Amends RCW 46.63.030. Adds speed camera detection, under Sec. 3, to the authority of a law enforcement to issue a traffic citation.

Sec. 2: Amends RCW 46.63.075. Detection by speed camera defined in Sec. 3, along with information about the registered owner in the vehicle, can be used as prima facie evidence that infraction occurred.

Sec. 3: New section. WSP is directed to establish rules regarding the use of speed safety cameras in highway work zones in consultation with WSDOT, WTSC, and other organizations. Outlines notice of citation requirements including information about appealing citation, limits on photos which may not reveal the fact of the vehicle occupants. Specifies that registered owner is responsible for citation, with some exceptions. Photos are not open to the public and may not be used in court for other purposes that are not related to the speed violation. Locations where speed cameras are being used must be clearly marked. Infractions under this section are not part of the owner's driving record. Provisions for rental car businesses.

Subsection 12: Revenue generated from fines will fund operating and administrative costs. Excess revenue will be distributed for traffic safety education or DUI emphasis patrols.

Definitions of speed camera safety system and state highway work zone.

Subsection 13: WSP in collaboration with WSDOT and WTSC will report to the legislature biennially in 2025, 2027, and 2029 on data and efficacy of speed camera safety system use in work zones. The final report will include recommendations on speed camera use beyond June 30, 2023.

Section 4: Sections 1 and 2 expire June 30, 2030.

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.

No specific impact on WTSC as bill is written.

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.

No 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

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: 1807 HB	Title: Speed safety cameras	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:

- ☐ 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: Christine Thomas	Phone: 360-786-7142	Date: 02/11/2023
Agency Preparation: Ellie Gochenouer	Phone: 360-901-0114	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.

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.

See attached fiscal note

Individual State Agency Fiscal Note

Agency 240 – Department of Licensing

Bill Number: HB 1807

Bill Title: Speed Safety Cameras on State Highways

Part 1: Estimates

☒ **No Fiscal Impact**

Estimated Cash Receipts:

NONE

Estimated Expenditures:

NONE

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: Christine Thomas	Phone: (360) 786-7142	Date: 02/13/2023
Agency Preparation: Ellie Gochenouer	Phone: (360) 634-5082	Date: 02/14/2023
Agency Approval: Gerrit Eades	Phone: (360) 902-3931	Date:

Request #	1
Bill #	1807 HB

Part 2 – Explanation

This proposal relates to the inclusion and usage of speed safety camera systems in state highway work zones as a method for issuing traffic infraction notices.

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

Section 1: Amends RCW 46.63.030 to allow law enforcement to issue notice of infraction when infraction is detected using a speed safety camera system.

Section 2: Amends Chapter 46.63.075 RCW to include a speed safety camera system under section 3 of this act when describing the types of automated devices which must provide proof that the vehicle detected matches the vehicle given a traffic infraction notice.

Section 3: Creates a new section in Chapter 46.63 RCW which applies to the usage of speed safety camera systems in state highway work zones. This section provides definitions relating to speed safety camera systems, the authority granted to law enforcement, and establishes the procedures around the regulatory and administrative adjudication processes, timely mailing of statements, and associated fees.

- This section also dictates that Department of Transportation shall consult with WSP, DOL, Washington Traffic Safety Commission (WTSC), Office of Administrative Hearings, and other organizations committed to protecting civil rights to develop regulations for the use of speed safety camera systems in highway work zones.
- Adds that any revenue generated that is in excess of operating/administrative costs shall be distributed for the purposes of traffic safety (i.e. driver training education and local DUI emphasis patrols)
- Requires WSP (in consult with Dep of Transportation and WTSC) to submit a report to the legislature beginning July 1, 2025 (and biennially thereafter up through July 1, 2029) on the efficacy of speed safety camera use in state highway work zones. The final report (July 1, 2029) shall include a recommendation on whether to continue the usage of speed safety cameras in highway work zones beyond June 30, 2030.
- Sets an expiration date for Section 3 as June 30, 2030.

This bill takes effect 90 days after the adjournment of session.

2.B - Cash receipts Impact

No cash receipts are expected from this proposed change.

2.C – Expenditures

No expenditures are expected from this proposed change. Traffic camera infractions under the provisions of this bill are not recorded on drive records, and penalties associated with these infractions are not collected by DOL. There are no other identified operating or information technology systems impacts associated with this bill, therefore the bill has no fiscal impact on the department.

Part 3 – Expenditure Detail

None.

Part 4 – Capital Budget Impact

None.

Part 5 – New Rule Making Required

The Department of Transportation will consult with Department of Licensing and other agencies on the adoption of rules related to the use of speed safety camera systems, however no additional expenditures are associated with this rulemaking process.

Individual State Agency Fiscal Note

Bill Number: 1807 HB	Title: Speed safety cameras	Agency: 405-Department of Transportation
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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.
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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					
Highway Safety Account-State 106 -1	213,000	3,316,000	3,529,000	6,632,000	6,637,000
Total \$	213,000	3,316,000	3,529,000	6,632,000	6,637,000

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: Christine Thomas	Phone: 360-786-7142	Date: 02/11/2023
Agency Preparation: Tony Leingang	Phone: 360-709-8002	Date: 02/17/2023
Agency Approval: Dongho Chang	Phone: 206-440-4804	Date: 02/17/2023
OFM Review: Maria Thomas	Phone: (360) 229-4717	Date: 02/20/2023

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 WSDOT 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

Account	Account Title	Type	FY 2024	FY 2025	2023-25	2025-27	2027-29
106-1	Highway Safety Account	State	213,000	3,316,000	3,529,000	6,632,000	6,637,000
Total \$			213,000	3,316,000	3,529,000	6,632,000	6,637,000

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	95,000	95,000	190,000	190,000	190,000
B-Employee Benefits	37,000	37,000	74,000	74,000	74,000
C-Professional Service Contracts	30,000	3,178,000	3,208,000	6,356,000	6,356,000
E-Goods and Other Services	41,000	1,000	42,000	2,000	2,000
G-Travel	5,000	5,000	10,000	10,000	10,000
J-Capital Outlays	5,000		5,000		5,000
M-Inter Agency/Fund Transfers					
N-Grants, Benefits & Client Services					
P-Debt Service					
S-Interagency Reimbursements					
T-Intra-Agency Reimbursements					
9-					
Total \$	213,000	3,316,000	3,529,000	6,632,000	6,637,000

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
WMS 1	95,000	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)

Program	FY 2024	FY 2025	2023-25	2025-27	2027-29
Program Q-Operating (Q)	213,000	3,316,000	3,529,000	6,632,000	6,637,000
Program U-Operating (U)					
Total \$	213,000	3,316,000	3,529,000	6,632,000	6,637,000

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: HB 1807	Title: Concerning Speed Safety Camera Systems on State Highways	Agency: 405-Department of Transportation
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Part I: Estimates

☐ No Fiscal Impact (Explain in section II. A)

If a fiscal note is assigned to our agency, someone believes there might be, and we need to address that, showing why there is no impact to the department.

☒ Indeterminate Cash Receipts Impact (Explain in section II. B)

☐ Indeterminate Expenditure Impact (Explain in section II. C)

☐ If fiscal impact is less 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 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**

☐ Revised

The cash receipts and expenditure estimates on this fiscal template represent the fiscal impact. Factors impacting the precision of these estimates, and alternate ranges (if appropriate), are explained in Part II.

Dollars in Thousands

		2023-25 Biennium		2025-27 Biennium		2027-29 Biennium	
Expenditures		FY 2024	FY 2025	FY 2026	FY 2027	FY 2028	FY 2029
106-1 HIGHWAY SAFETY ACCOUNT		\$213	\$3,316	\$3,316	\$3,316	\$3,321	\$3,316
Total Expenditures		\$213	\$3,316	\$3,316	\$3,316	\$3,321	\$3,316
Biennial Totals		\$3,529		\$6,632		\$6,637	
FTEs		FY 2024	FY 2025	FY 2026	FY 2027	FY 2028	FY 2029
WMS Band 1	Salary \$95	1.0	1.0	1.0	1.0	1.0	1.0
Annual Average		1.0		1.0		1.0	
Objects of Expenditure		FY 2024	FY 2025	FY 2026	FY 2027	FY 2028	FY 2029
A - SALARIES AND WAGES		\$95	\$95	\$95	\$95	\$95	\$95
B - EMPLOYEE BENEFITS		\$37	\$37	\$37	\$37	\$37	\$37
C - PROFESSIONAL SERVICE CONTRACTS		\$30	\$3,178	\$3,178	\$3,178	\$3,178	\$3,178
E - GOODS AND SERVICES		\$41	\$1	\$1	\$1	\$1	\$1
G - TRAVEL		\$5	\$5	\$5	\$5	\$5	\$5
J - CAPITAL OUTLAYS		\$5				\$5	
Expenditures by Program		FY 2024	FY 2025	FY 2026	FY 2027	FY 2028	FY 2029
PROGRAM Q-OP		\$213	\$3,316	\$3,316	\$3,316	\$3,321	\$3,316
PROGRAM U		\$0	\$0	\$0	\$0	\$0	\$0
Revenue		FY 2024	FY 2025	FY 2026	FY 2027	FY 2028	FY 2029
106-1 HIGHWAY SAFETY ACCOUNT		\$213.0	\$3,316.0	\$3,316.0	\$3,316.0	\$3,321.0	\$3,316.0
Total Revenue		\$213	\$3,316	\$3,316	\$3,316	\$3,321	\$3,316
Biennial Totals		\$3,529		\$6,632		\$6,637	

Agency Assumptions

N/A

Agency Contacts:

Preparer: Tony Leingang	Phone: 360-239-0843	Date: 2/15/2023
Approval: Dongho Chang	Phone: 360-705-7280	Date: 2/16/2023
Budget Manager: Chad Johnson	Phone: 360-259-3886	Date: 2/15/2023

Individual State Agency Fiscal Note

Part II: Narrative Explanation

II. A - Brief description of what the measure does that has fiscal impact

Briefly describe by section number (sections that will change WSDOT costs or revenue), the significant provisions of the bill, and any related workload or policy assumptions that have revenue or expenditure impact on the responding agency.

The bill creates infractions for speeding in Washington State Department of Transportation (WSDOT) work zones, as detected using speed safety camera systems. Signs are required to indicate such systems are in use. This bill is intended to improve work zone safety by changing driver behavior.

Section 1 adds language under subsection (f) to current law about when a law enforcement officer is allowed to issue a notice of traffic infraction. It includes when the infraction is detected using a speed safety camera system, as allowed under new section (3) of this section.

Section 2 adds language to current law, such that proof that the person named in the infraction was the registered owner of the vehicle at the time of the infraction constitutes prima facie evidence that the person was in control of the vehicle at the time of the infraction (and therefore responsible). Provisions are made to contest this under oath.

Section 3 creates a new section in law to apply the use of speed safety camera systems in state highway work zones.

Section 3 (3) directs the Washington State Patrol (WSP) to work with WSDOT, Department of Licensing, Office of Administrative Hearings (OAH), Washington Traffic Safety Commission, and other organizations committed to protecting civil rights or other public or private entities, shall adopt regulations for speed safety camera systems. WSP is the primary law enforcement agency to verify and issue the notice of infraction.

Section 3 (4) a notice of infraction will be mailed when a traffic infraction occurs in a state highway work zone when a vehicle's speed exceeds the work zone speed limit. An individual can present evidence to contest the infraction to the department and the department may dismiss or reduce the monetary penalty.

Section 3 (5)(a) appeals of infractions will be managed by OAH.

Section 3 (5)(b) During the adjudication process the registered owner must have an opportunity to contest or mitigate the infraction. An administrative law judge may reduce or dismiss the infraction.

Section 3 (6) - when safety speed camera systems are used, they must only show the license plate and vehicle and not include the driver's face or faces of passengers.

Section 3 (7) - the registered owner or rental car company owner is responsible for the traffic infraction unless they overcome the presumption of infraction.

Section 3 (8) - images and identifying information captured by the speed safety camera systems are for exclusive use of the department in discharging its duties under this section and may only be used if it relates to a violation under this section. They are not otherwise able to use in court in a pending action or proceeding, nor are they open to the public.

Section 3 (9) requires that signage be clearly places signifying to drivers they are entering a highway work zone with a reduced posted speed limit, and stating that this is a monitored work zone, prior to activation of the camera.

Section 3 (10) infractions under this section are not applied to an owner's driving record.

Section 3 (11) Rental car companies are responsible for the infraction and must pay it, unless the company can return by mail:

(a)(i) a statement under oath stating who was driving the vehicle at the time of the infraction

(ii) a statement under oath stating the company cannot verify who was driving because the vehicle was stolen.

(11)(a)(ii) this must be accompanied by a police report.

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(iii) if an operator cannot be identified, pay the infraction.

(b) timely mailing of a statement to the department relieves liability for a rental car business

Section 3 (12) Revenue is deposited into the Highway Safety Account and used first exclusively for operating and administrative costs under this section. Any revenue generated that exceeds the operation and administration costs under this section must be distributed for the purpose of traffic safety, including but not limited to driver training education and local driving under the influence emphasis patrols. Accessing the excess revenue for traffic safety education purposes will be part of the rule making process.

Section 3(13) Requires WSDOT in collaboration with WSP and DOL to report to the transportation committees of the legislature by July 1, 2025, and biennially thereafter on the data and efficacy of the speed safety camera systems in work zones. The final report will be due on July 1, 2029, and must include a recommendation on whether to continue using speed safety camera systems in work zones beyond June 30, 2030.

Section 3 (14) provides definitions of speed safety camera system and state highway work zone.

Section 3(15) sets section 3 to expire on June 30, 2030.

Section 4 sets sections 1 and 2 to expire on June 30, 2030.

The effective date would depend on when the bill, if passed, would be signed (none is provided in the bill). WSDOT assumes work zone deployment July of 2024.

II. B – Cash Receipts Impact

The proposed legislation creates a traffic infraction, which will generate some traffic infraction cash receipts. The bill specifies that the funding will be deposited into fund 106 Highway Safety Account. Anticipated start date for receipt of revenue is July 1, 2024.

The department has developed a draft tiered infraction schedule, based off the infractions issued for high occupancy vehicle lane violations.

1. First time offense is a warning
2. Second offense and subsequent infractions \$248

The fiscal impact of the proposed legislation is indeterminate because there is not relevant data available to forecast how many people would continue to speed through work zones and incur a citation. Pennsylvania has a similar program, based on their experience, the department estimates the agency could collect up to \$10 million per year.

Pennsylvania experienced a rate of 15.3% for second offenses that were issued citations in 2021. Based on adjusting for population in 2022:

Washington (7.8 million) / Pennsylvania (12.9 million) = 60.5%

Citations in Pennsylvania = 425,000 x .605 = 257,125 estimated for Washington

15.3% second offenses (issued citations in Pennsylvania in 2021) = 257,125 x .153 = 39,340 citations

39,340 x \$248 = \$9,756,320

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II. C - Expenditures

Briefly describe the agency expenditures necessary to implement this legislation (or savings resulting from this legislation), identifying by section number the provisions of the legislation that result in the expenditures (or savings). Briefly describe the factual basis of the assumptions and the method by which the expenditure impact is derived. Explain how workload assumptions translate into cost estimates. Distinguish between one time and ongoing functions.

Minimum Implementation and Operations Costs

- Ongoing 1.0 FTE at a WMS band 1 level, (Object A) annual salary \$95,000 – (Object B) benefits \$37,050
 - Receiving outreach from the community
 - Draft program process
 - Liaison to WSP and other entities (state, private, local, tribal) as required
 - Administer the vendor contract and oversee the vendor follows the department's established process
 - Distribute information regarding the program
 - Reporting to Legislature
- Support costs for the 1.0 FTE
 - (Object E) Goods and services \$1,000 per fiscal year ongoing
 - (Object G) Travel \$5,000 per fiscal year ongoing – to perform regular outreach and community engagement throughout the life of the program (In conjunction with the vendor performing equity analysis and outreach)
 - (Object J) Equipment \$5,000 – one-time cost for initial equipment purchases with expected replacement of equipment 4 years out.

Equity Outreach

The department will need to include feedback received from equity outreach. It is likely that a cost will be incurred to hire expert consultants on equity considerations. The department has developed an equity framework that can be frequently engaged to ensure this program continues to evolve and provides access to justice.

Equity outreach will be conducted in three phases:

Phase 1: Initial outreach prior to authorization and funding

The department will engage larger equity-focused organizations in Washington state. These organizations will provide initial feedback on the program. In addition, these organizations will help identify marginalized communities and populations around the state that will be engaged during phase 2. This work will be completed as part of an on-call contract with the WSDOT Communications Office this cost is estimated at \$10,000 in fiscal year 2023.

Phase 2: Outreach prior to regional deployment

Work is expected to start July 2023. This outreach work will engage marginalized communities and populations prior to deployment of speed safety cameras in work zones in their area of the state. The department estimates the cost of this effort at (Object C) \$30,000 in fiscal year 2024.

Phase 3: Ongoing outreach after statewide deployment

The department will continue to engage marginalized communities and populations after deployment of work zone speed safety cameras to gather lessons learned and ensure the program provides access to justice. The department estimates the ongoing cost of this effort at a (Object C) \$30,000 annual cost.

Rule making

Transportation Operations staff would collaborate with stakeholders to draft rules and provide those for public comment. A hearing would need to be held to receive community support and receive input on the draft rules. If supported, the draft

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rules would be implemented. This would be work performed by the WMS1 position requested, with some consultants work possible.

Estimate three-month process with six meetings per month with agency stakeholders = 18 meetings

Estimated cost with two attendees from five agencies attending all meetings necessary for rule making @ (Object E)
\$40,000

Request for Proposal (RFP) Development

Section 3 comes with initial need for developing an RFP to hire a vendor. This would be accomplished within existing resources.

Contracting Costs

Section 3 brings initial internal administration costs by WSDOT to develop the contract once a vendor is selected through the RFP process. This would be administered within existing staff by WSDOT contracts office.

Vendor Costs

Section 3 – the department anticipates utilizing a vendor to provide all the equipment and signing to do the Speed Safety Zone monitoring, do the initial review of traffic infractions, transmit those infractions to WSP for certification, distribute the traffic infractions through mail including postage, and collect payment of traffic infractions. This is consistent with the information gathered through surveying similar programs in Pennsylvania and Maryland.

For illustrative purposes, according to Pennsylvania's [2022 annual report](#), they issued over 400,000 traffic infractions in fiscal year 2021, this resulted in vendor costs of approximately \$5.2 million. Pennsylvania established 3,302 work zone monitoring areas. Until the RFP process is complete, WSDOT cannot confirm the initial cost of a vendor contract, but more research could provide a range. For estimating purposes, adjusting costs by population - (60.5% x 3302 setups = 2000 work zone monitoring areas):

It is assumed that speed safety camera systems will be deployed in work zones starting July 1, 2024

Cost per shift: \$1574 x 2000 setups = (Object C) \$3,148,000

Washington State Patrol - Infraction Certification Costs

The fiscal impact on WSP will be reflected in WSP's fiscal note.

Office of Administrative Hearings – Adjudication

The fiscal impact of hearings is reflected in WSP's fiscal note.

Part III: Expenditure Detail

III. A - Expenditures by Object or Purpose

See the above table and attached worksheet.

Part IV: Capital Budget Impact

N/A

Part V: New Rule Making Required

Individual State Agency Fiscal Note

Identify provisions of the measure that require the agency to adopt new administrative rules or repeal/revise existing rules.

Section 3 would require rulemaking in a number of areas, including around adjudication, when mitigating circumstances are allowed, and other issues.

LOCAL GOVERNMENT FISCAL NOTE

Department of Commerce

Bill Number: 1807 HB	Title: Speed safety cameras
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Part I: Jurisdiction—Location, type or status of political subdivision defines range of fiscal impacts.

Legislation Impacts:

- ☐ Cities:
- ☐ Counties:
- ☐ Special Districts:
- ☐ Specific jurisdictions only:
- ☐ Variance occurs due to:

Part II: Estimates

- ☒ No fiscal impacts.
- ☐ Expenditures represent one-time costs:
- ☐ Legislation provides local option:
- ☐ Key variables cannot be estimated with certainty at this time:

Estimated revenue impacts to:

None

Estimated expenditure impacts to:

None

Part III: Preparation and Approval

Fiscal Note Analyst: James Vogl	Phone: 360-480-9429	Date: 02/20/2023
Leg. Committee Contact: Christine Thomas	Phone: 360-786-7142	Date: 02/11/2023
Agency Approval: Alice Zillah	Phone: 360-725-5035	Date: 02/20/2023
OFM Review: Tiffany West	Phone: (360) 890-2653	Date: 02/20/2023

Part IV: Analysis

A. SUMMARY OF BILL

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

The proposed legislation would allow the use of speed safety camera systems in state highway work zones.

Section 1 would amend RCW 46.63.030, giving a law enforcement officer “the authority to issue a notice of traffic infraction” when “the infraction is detected through the use of a speed safety camera system under section 3 of this act.”

Section 3 would create a new section in chapter 46.63 RCW, directing several state agencies to “adopt regulations for the use of speed safety camera systems in highway work zones,” specifying some rules for the implementation of these systems, and describing the process of administering and allowing for people to contest infractions resulting from these systems. The Washington State Patrol is named as “the primary law enforcement agency to verify and issue the notice of infraction as outlined in subsection (4) of this section.”

This section would also specify that revenue generated by these systems would be required to be deposited into the highway safety fund, first used to cover administrative and operating costs, and then “distributed for the purpose of traffic safety including, but not limited to, driver training education and local DUI emphasis patrols.”

Sections 1 and 3 of the proposed legislation would expire on June 30, 2030.

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.

The proposed legislation would have no impact on local government expenditures.

Section 3 of the bill specifies that the Washington State Patrol would be the primary law enforcement agency to verify and issue notices of infraction from speed safety camera systems in highway work zones. Accordingly, the Washington Association of Sheriffs and Police Chiefs does not anticipate this bill will have any impact on local law enforcement expenditures.

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.

The proposed legislation would have no impact on local government revenues.

While section 3 of the bill specifies that any excess revenue generated by speed safety cameras after covering administrative and operating costs “will be distributed for the purpose of traffic safety,” the Washington State Department of Transportation does not anticipate that this provision will impact local government revenues.

SOURCES:

Local government fiscal note for SB 5272, 2023

Washington Association of Sheriffs and Police Chiefs

Washington State Department of Transportation