

# Multiple Agency Fiscal Note Summary

<b>Bill Number:</b> 5751 SB	<b>Title:</b> Nonhighway vehicles
-----------------------------	-----------------------------------

## 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.								
<b>Total \$</b>	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
Department of Licensing	.0	0	0	0	.0	0	0	0	.0	0	0	0
State Parks and Recreation Commission	.0	0	0	0	.0	0	0	0	.0	0	0	0
Department of Fish and Wildlife	Non-zero but indeterminate cost and/or savings. Please see discussion.											
Department of Natural Resources	Fiscal note not available											
<b>Total \$</b>	0.0	0	0	0	0.0	0	0	0	0.0	0	0	0

## Estimated Capital Budget Expenditures

Agency Name	2023-25			2025-27			2027-29		
	FTEs	Bonds	Total	FTEs	Bonds	Total	FTEs	Bonds	Total
Department of Licensing	.0	0	0	.0	0	0	.0	0	0
State Parks and Recreation Commission	.0	0	0	.0	0	0	.0	0	0
Department of Fish and Wildlife	.0	0	0	.0	0	0	.0	0	0
Department of Natural Resources	Fiscal note not available								
<b>Total \$</b>	0.0	0	0	0.0	0	0	0.0	0	0

## Estimated Capital Budget Breakout

<b>Prepared by:</b> Kyle Siefering, OFM	<b>Phone:</b> (360) 995-3825	<b>Date Published:</b> Preliminary 2/27/2023
---	---------------------------------	---

# Individual State Agency Fiscal Note

<b>Bill Number:</b> 5751 SB	<b>Title:</b> Nonhighway vehicles	<b>Agency:</b> 240-Department of Licensing
-----------------------------	-----------------------------------	--

## 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:**

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: Brandon Popovac	Phone: 360-786-7465	Date: 02/20/2023
Agency Preparation: Aaron Harris	Phone: (360) 902-3795	Date: 02/22/2023
Agency Approval: Gerrit Eades	Phone: (360)902-3863	Date: 02/22/2023
OFM Review: Kyle Siefering	Phone: (360) 995-3825	Date: 02/23/2023

## 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.*

## 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

Agency 240 – Department of Licensing

Bill Number: 5751 SB

Bill Title: Definition of Nonhighway Vehicles

*Indeterminate impact to Cash Receipts and no fiscal impact to Expenditure.*

**Part 1: Estimates**

**No Fiscal Impact**

**Estimated Cash Receipts:**

Indeterminate.

**Estimated Expenditures:**

No fiscal impact.

*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:	Phone: (360)	Date:
Agency Preparation: Aaron Harris	Phone: (360) 902-3795	Date: 2/23/23
Agency Approval: Gerrit Eades	Phone: (360) 902-3931	Date: 2/23/23

Request #	1
Bill #	5751 SB

## **Part 2 – Explanation**

This bill amends the definition of a “wheeled all-terrain vehicle” (WATV). For WATVs with handlebars, the width allowance is increased to 55 inches, the height seat requirement is removed, and tire requirements are amended. For utility-type WATVs, tire requirements are amended, the weight threshold is increased to 3,500 pounds, and other criteria are removed.

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

Section 1: Amends RCW 46.09.310 (“Definitions”)

- Changes definition for “wheeled all-terrain vehicle.”
  - For WATVs with handlebars:
    - Increases width allowance from 50 to 55 inches.
    - Removes seat height requirement; and
    - Specifies that tires must be “nonhighway tires” and removes limits on tire size.
  - For utility-type WATVs:
    - Specifies that vehicle may be designed for use on trails.
    - Removes references to tire pressure in requirements, specifies that tires must be “nonhighway,”.
    - Increases weight threshold from 2,000 to 3,500 pounds.
    - Removes wheelbase requirement.
    - Removes the three option qualification criteria.

### **2.B - Cash receipts Impact**

This bill would have an indeterminate positive impact to revenues collected by the Department of Licensing. This bill would change the definition of "wheeled all-terrain vehicle" under RCW 46.09.310 increasing maximum handle width, removing minimum seat height, removing the tire diameter maximum, and specifying tire be nonhighway tires. The bill would modify the utility type WATV definition, specifying nonhighway tires, removing the tire PSI limitation, increasing the maximum weight, and removing the wheelbase maximum, and the wheelbase, width, and weight minimum requirements. These changes would increase the number of vehicles which may qualify under the definition of "wheeled all-terrain vehicle" and is expected to result in an indeterminate increase in revenue associated with WATV registration fees.

### **2.C – Expenditures**

This bill has no impact to expenditure for the Department of Licensing.

#### **Information Services:**

##### ***Assumptions:***

No changes to DRIVES aside from updating our Help articles with the new requirements increasing the WATV width allowance to 55 inches, removing the height seat requirement, tire types and the 3500-pound weight for Utility type.

**Part 3 – Expenditure Detail**

**3.A – Operating Budget Expenditures**

None.

**3.B – Expenditures by Object or Purpose**

None.

**3.C – FTE Detail**

None.

**Part 4 – Capital Budget Impact**

None.

**Part 5 – New Rule Making Required**

None.

# Individual State Agency Fiscal Note

<b>Bill Number:</b> 5751 SB	<b>Title:</b> Nonhighway vehicles	<b>Agency:</b> 465-State Parks and Recreation Commission
-----------------------------	-----------------------------------	--

## 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: Brandon Popovac	Phone: 360-786-7465	Date: 02/20/2023
Agency Preparation: Frank Gillis	Phone: (360) 902-8538	Date: 02/23/2023
Agency Approval: Frank Gillis	Phone: (360) 902-8538	Date: 02/23/2023
OFM Review: Matthew Hunter	Phone: (360) 529-7078	Date: 02/23/2023

## Part II: Narrative Explanation

### II. A - Brief Description Of What The Measure Does That Has Fiscal Impact

*Significant provisions of the bill and any related workload or policy assumptions that have revenue or expenditure impact on the responding agency by section number.*

This bill would have an indeterminate positive impact to revenues collected by the Department of Licensing. This bill would change the definition of "wheeled all-terrain vehicle" under RCW 46.09.310 increasing maximum handle width, removing minimum seat height, removing the tire diameter maximum, and specifying tire be nonhighway tires. The bill would modify the utility type WATV definition, specifying nonhighway tires, removing the tire PSI limitation, increasing the maximum weight, and removing the wheelbase maximum, and the wheelbase, width, and weight minimum requirements. These changes would increase the number of vehicles which may qualify under the definition of "wheeled all-terrain vehicle" and is expected to result in an indeterminate increase in revenue associated with Washington State ATV registration fees.

Since State Parks only administers ORV funds associated with gas tax revenue, this legislation would have no fiscal impact.

### II. B - Cash receipts Impact

*Cash receipts impact of the legislation on the responding agency with the cash receipts provisions identified by section number and when appropriate, the detail of the revenue sources. Description of the factual basis of the assumptions and the method by which the cash receipts impact is derived. Explanation of how workload assumptions translate into estimates. Distinguished between one time and ongoing functions.*

None.

### II. C - Expenditures

*Agency expenditures necessary to implement this legislation (or savings resulting from this legislation), with the provisions of the legislation that result in the expenditures (or savings) identified by section number. Description of the factual basis of the assumptions and the method by which the expenditure impact is derived. Explanation of how workload assumptions translate into cost estimates. Distinguished between one time and ongoing functions.*

This bill would result in an indeterminate increase in revenue associated with Washington State ATV registration fees. Since State Parks only administers ORV funds associated with gas tax revenue, this legislation would have no fiscal 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

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

Revised

<b>Bill Number:</b> 5751 SB	<b>Title:</b> Nonhighway vehicles	<b>Agency:</b> 477-Department of Fish and Wildlife
-----------------------------	-----------------------------------	--

## Part I: Estimates

No Fiscal Impact

### Estimated Cash Receipts to:

NONE

### Estimated Operating Expenditures from:

Non-zero but indeterminate cost 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: Brandon Popovac	Phone: 360-786-7465	Date: 02/20/2023
Agency Preparation: Jon Neville	Phone: 360-870-4691	Date: 02/27/2023
Agency Approval: Jon Neville	Phone: 360-870-4691	Date: 02/27/2023
OFM Review: Matthew Hunter	Phone: (360) 529-7078	Date: 02/27/2023

## 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.*

Section 1 (19) changes the definition of wheeled all-terrain vehicles. As a motorized nonhighway vehicle, the seat height and tire width requirements are removed and equipped tires must be for nonhighway use. Additionally, as a utility-type vehicle, minimum wheelbase and width and weight requirements are removed, the maximum weight allowed is increased from 2,000 to 3,500 pounds, and equipped tires must be for nonhighway use.

The fiscal impact is indeterminate since the additional use and wear on motorized trails managed by the Washington Department of Fish and Wildlife (WDFW) is unknown. See "Section III. Costs" for more detail.

### 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 fiscal impact is indeterminate since the additional use and wear on motorized trails managed by the Washington Department of Fish and Wildlife (WDFW) is unknown.

Section 1 (19) changes the definition of wheeled all-terrain vehicles. As a motorized nonhighway vehicle, the seat height and tire width requirements are removed and equipped tires must be for nonhighway use. Additionally, as a utility-type vehicle, minimum wheelbase and width and weight requirements are removed, the maximum weight allowed is increased from 2,000 to 3,500 pounds, and equipped tires must be for nonhighway use.

#### Assumptions:

- WDFW assumes an increase in total users but does not have a clear estimate of current users or how many additional users of UTVs and ATVs with a maximum width of 55 inches and weight load of 3,500 pounds would opt to recreate on WDFW roads and trails that are open to use by UTVs and ATVs.
- WDFW assumes there will be indeterminate increase in maintenance costs due to increased use and wear of non-highway roads and trails managed by the department that are open to use by UTVs and ATVs.
- Factors for increased wear and tear of WDFW's non-highway roads and trails open to motorized vehicles may include 1) increased use/traffic and/or 2) increased weight/horsepower/torque and higher occurrence of rapid acceleration/tire spin.
- WDFW assumes there will be some amount of increased use and therefore wear and tear of routes open to ATVs and UTVs but designed for larger motorized vehicles, e.g., Jeeps. Previously, these routes would be difficult for narrower ATVs to navigate because they don't handle the spacing of features as well and existing ruts from larger vehicles are a different width. Making ATVs of similar size to Jeeps will likely increase their use on trails previously less accessible to ATVs.
- WDFW assumes some increase in wear and tear due to the increased size and weight of the ATVs and UTVs allowed under this bill. ATVs and UTVs of increased weight may drive faster over rough conditions which ends up creating road damage, dust and soil displacement, ruts, destroyed vegetation, compact soil, softer ground due to rainy conditions, etc.
- WDFW assumes an increase in wear due to greater torque and wheel spin of the ATVs and UTVs allowed under this bill, which, in addition to being larger than existing ATVs and UTVs, are likely (per the president of Washington ATV Assn) to be electric powered. Electric motors typically deliver greater immediate torque than internal combustion engines, which allows for faster tire spin and acceleration.

#### Explanation:

Increased maintenance costs would come in the form of additional repairs of trails using mini excavator to re-grade trails and apply water control features (water bars) and re-grading of roads open to ATV/UTV. The highest need for maintenance would likely be associated with the 302 miles of Green Dot Road (mostly native or gravel surface) system on WDFW-managed lands in Kittitas and Yakima Counties as they are the most used by ATV/UTVs.

WDFW assumes an increase in wear due to greater torque and wheel spin of the ATVs and UTVs allowed under this bill, which, in addition to being larger than existing ATVs and UTVs, are likely (per the president of Washington ATV Association) to be electric powered. Electric motors typically deliver greater immediate torque than internal combustion engines, which allows for faster tire spin and acceleration. The amount of damage to the surface area of affected trails and roads cannot be determined without better data upon actual use.

### **Part III: Expenditure Detail**

#### **III. A - Operating Budget Expenditures**

Non-zero but indeterminate cost and/or savings. Please see discussion.

#### **III. B - Expenditures by Object Or Purpose**

Non-zero but indeterminate cost 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.*