

# Multiple Agency Fiscal Note Summary

<b>Bill Number:</b> 5272 E S SB	<b>Title:</b> 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.								
<b>Total \$</b>	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						
Loc School dist-SPI						
Local Gov. Other	Fiscal note not available					
Local Gov. Total						

## Estimated Operating Expenditures

Agency Name	2023-25				2025-27				2027-29			
	FTEs	GF-State	NGF-Outlook	Total	FTEs	GF-State	NGF-Outlook	Total	FTEs	GF-State	NGF-Outlook	Total
Office of Attorney General	Fiscal note not available											
Office of Administrative Hearings	Fiscal note not available											
Washington State Patrol	1.0	0	0	6,220,443	2.0	0	0	12,340,504	2.0	0	0	12,340,504
Washington State Patrol	In addition to the estimate above, there are additional indeterminate costs and/or savings. Please see individual fiscal note.											
Traffic Safety Commission	Fiscal note not available											
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
<b>Total \$</b>	<b>2.0</b>	<b>0</b>	<b>0</b>	<b>9,749,443</b>	<b>3.0</b>	<b>0</b>	<b>0</b>	<b>18,972,504</b>	<b>3.0</b>	<b>0</b>	<b>0</b>	<b>18,977,504</b>

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	Fiscal note not available								
Local Gov. Total									

## Estimated Capital Budget Expenditures

Agency Name	2023-25			2025-27			2027-29		
	FTEs	Bonds	Total	FTEs	Bonds	Total	FTEs	Bonds	Total
Office of Attorney General	Fiscal note not available								
Office of Administrative Hearings	Fiscal note not available								
Washington State Patrol	.0	0	0	.0	0	0	.0	0	0
Traffic Safety Commission	Fiscal note not available								
Department of Licensing	.0	0	0	.0	0	0	.0	0	0
Department of Transportation	.0	0	0	.0	0	0	.0	0	0
<b>Total \$</b>	<b>0.0</b>	<b>0</b>	<b>0</b>	<b>0.0</b>	<b>0</b>	<b>0</b>	<b>0.0</b>	<b>0</b>	<b>0</b>

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

### Estimated Capital Budget Breakout

NONE

<b>Prepared by:</b> Maria Thomas, OFM	<b>Phone:</b> (360) 229-4717	<b>Date Published:</b> Preliminary 2/27/2023
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# Individual State Agency Fiscal Note

<b>Bill Number:</b> 5272 E S SB	<b>Title:</b> Speed safety cameras	<b>Agency:</b> 225-Washington State Patrol
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## Part I: Estimates

No Fiscal Impact

### Estimated Cash Receipts to:

NONE

### Estimated Operating Expenditures from:

	FY 2024	FY 2025	2023-25	2025-27	2027-29
FTE Staff Years	0.0	2.0	1.0	2.0	2.0
<b>Account</b>					
Highway Safety Account-State 106 -1	28,431	6,192,012	6,220,443	12,340,504	12,340,504
<b>Total \$</b>	28,431	6,192,012	6,220,443	12,340,504	12,340,504

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: Beth Redfield	Phone: 360-786-7140	Date: 02/23/2023
Agency Preparation: Thomas Bohon	Phone: (360) 596-4044	Date: 02/27/2023
Agency Approval: Mario Buono	Phone: (360) 596-4046	Date: 02/27/2023
OFM Review: Tiffany West	Phone: (360) 890-2653	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.*

There is an indeterminate, but significant fiscal impact to the Washington State Patrol (WSP).

Section 1 of the proposed legislation authorizes a law enforcement officer to issue a notice of traffic infraction when the infraction is detected through the use of a speed safety camera system.

Subsection 3(3)(a) outlines the responsibilities for the Department of Transportation (WSDOT) in the use of speed safety camera systems in state highway work zones. Those responsibilities include all actions related to the operation and administration of the camera systems, as well as the responsibility to work in consultation with WSP, Department of Licensing (DOL), Office of Administrative Hearings (OAH), Washington Traffic Safety Commission (WTSC), and other organizations to adopt rules and regulations for implementing the proposed legislation.

Subsection 3(3)(b) outlines the responsibilities for WSP in the use of speed safety camera systems in state highway work zones. Those responsibilities include all actions related to the enforcement and adjudication of speed violations detected through the use of speed camera safety systems, as well as the responsibility to work in consultation with WSDOT, DOL, OAH, WTSC, and other organizations to adopt rules and regulations for implementing the proposed legislation.

Subsection 3(4)(a) outlines the process to notify individuals of infractions detected through the use of speed safety camera systems, starting on July 1, 2024.

Subsection 3(4)(b) refers infractions that are not paid timely or disputed to OAH for adjudication.

Subsection 3(6) requires WSP, WSDOT, and WTSC to report on the efficacy of speed safety camera systems biennially.

Subsection 3(8) states an expiration of 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.*

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.*

Subsection 3(3) mandates our collaboration and involvement in adopting regulations regarding speed safety camera systems. The rulemaking process would be handled by a captain in our Field Operations Bureau Headquarters, and a captain and legislative analyst in our Government and Media Relations. We assume a total of 18 meetings will happen over the course of FY24. Assuming these meetings last 2 hours each, we estimate rulemaking costs at \$12,431. The Attorney General's Office (AGO) will also bill for time spent giving legal advice for these meetings. AGO estimates billing for \$16,000 in FY2

Subsection 3(3)(b) assigns the responsibility of enforcement and adjudication of speed violations detected through speed safety camera systems to us. WSDOT is estimating 257,125 infractions per year starting in FY25. There will be an indeterminate workload impact to complete each infraction. However, for the purposes of this fiscal note, we estimate it will take 2 minutes on average to complete one infraction based on Pennsylvania's experience in their similar program. Actual

costs may be higher when we take into account the training of the officers by our program lead and installing of software necessary to complete this work. A 2 minute average per infraction results in a total of 8,571 hours of work. We do not have the capacity to complete this work on regular time and will have to utilize overtime for this additional responsibility. The total estimated overtime costs are \$1,136,630.

Subsection 3(4)(a) requires the evidence of infractions captured by the cameras to be readily available for inspection and admission into evidence, however subsection 3(4)(e) states that the data generated by these cameras are exclusive to WSDOT and the WSP. We could require additional funding for storage, redaction technology, and additional FTEs for the management of the data, but that is currently an indeterminate cost.

We assume the initial data loading process, matching and verifying of license plates through DOL, and physical mailing of notifications will be handled by a vendor contracted by WSDOT. However, since we are still issuing the infraction, our records management and public disclosure obligations will increase requiring a Forms and Records Analyst 3. Based on Office of Financial Management (OFM) published salary schedules and applicable federal and state benefits, we estimate the costs for this FTE at \$135,618 for the first year and \$124,738 for subsequent years.

We also need someone to manage the program, shepherding the work throughout the agency, making sure we minimize backlogs and that potential infractions do not get lost in the process. This is a Program Specialist 3. This position will be the primary contact for the WSP Speed Camera Programs; will coordinate and facilitate vendor-led training and the train-the-trainer for initial roll-out and ongoing training; will partner with our Training Division to record and maintain the training records associated with 400+ personnel; will coordinate with the vendor to address questions, concerns, or changes within the program; will fulfill reporting requirements for WSP; will coordinate with the vendor and with our Information Technology Division to establish protocols and procedures for downloading and utilizing software; will coordinate with the vendor and our personnel for overtime shifts in conjunction with vendor downloads; will partner with districts and divisions to track and assign overtime shifts; will work with our Budget and Fiscal Services to establish overtime account coding, allocations, and tracking mechanisms; and will be our liaison with WSDOT and the vendor for problem-solving and communications. Based of OFM published salary schedules and applicable federal and state benefits, we estimate the costs for this FTE at \$150,764 for the first year and \$139,884 for subsequent years.

Subsection 3(4)(b) refers infractions that are not paid timely or disputed to OAH for adjudication. OAH would bill us for any case referred to them. With an estimated challenge rate of 20%, we are estimating 8,000 referrals per year. These cases would result in an estimated total from OAH of \$2,486,000 annually. Since our officers are issuing the infractions, there will be increased AGO costs to prepare officers for the hearings. Using the same estimated 8,000 cases referred per year, AGO estimated they will bill WSP for 16,000 hours of work annually. AGO estimates the cost of this to be \$2,283,000 annually.

We base our estimate for agency indirect costs on the federal indirect cost rate of 33.41 percent approved by the U.S. Department of Transportation on February 14, 2023. This rate is effective July 1, 2023, and is used on all estimates completed after the approval date. We apply this indirect cost rate percentage to all categories of expenditure with only two exceptions: capital equipment and expenditures after \$25,000 of each projected contract. Indirect costs include, but are not limited to, computer and telecommunications support, payroll processing, vendor payments, general accounting, procurement administration, inventory control, and human resource management.

### 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	28,431	6,192,012	6,220,443	12,340,504	12,340,504
<b>Total \$</b>			28,431	6,192,012	6,220,443	12,340,504	12,340,504

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		2.0	1.0	2.0	2.0
A-Salaries and Wages	7,116	786,022	793,138	1,572,044	1,572,044
B-Employee Benefits	2,202	247,528	249,730	495,056	495,056
C-Professional Service Contracts					
E-Goods and Other Services	16,000	4,782,304	4,798,304	9,560,096	9,560,096
G-Travel		2,400	2,400	4,800	4,800
J-Capital Outlays		22,400	22,400	7,300	7,300
M-Inter Agency/Fund Transfers					
N-Grants, Benefits & Client Services					
P-Debt Service					
S-Interagency Reimbursements					
T-Intra-Agency Reimbursements					
9-Indirect Costs	3,113	351,358	354,471	701,208	701,208
<b>Total \$</b>	<b>28,431</b>	<b>6,192,012</b>	<b>6,220,443</b>	<b>12,340,504</b>	<b>12,340,504</b>

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

**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
Forms and Records Analyst 3	60,156		1.0	0.5	1.0	1.0
Program Specialist 3	69,756		1.0	0.5	1.0	1.0
<b>Total FTEs</b>			<b>2.0</b>	<b>1.0</b>	<b>2.0</b>	<b>2.0</b>

**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.*

Subsection 3(3) mandates the collaboration of WSP, WSDOT, and other agencies in adopting regulations for the use of speed safety camera systems in highway work zones.

# Individual State Agency Fiscal Note

<b>Bill Number:</b> 5272 E S SB	<b>Title:</b> Speed safety cameras	<b>Agency:</b> 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: Beth Redfield	Phone: 360-786-7140	Date: 02/23/2023
Agency Preparation: Ellie Gochenouer	Phone: 360-901-0114	Date: 02/24/2023
Agency Approval: Gerrit Eades	Phone: (360)902-3863	Date: 02/24/2023
OFM Review: Kyle Siefering	Phone: (360) 995-3825	Date: 02/24/2023

## 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.*

### 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: ESSB 5272

Bill Title: Speed Safety Cameras

## 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: Brandon Popovac	Phone: (360) 786-7465	Date: 02/24/2023
Agency Preparation: Ellie Gochenouer	Phone: (360) 634-5082	Date: 02/24/2023
Agency Approval: Gerrit Eades	Phone: (360) 902-3931	Date:

Request #	1
Bill #	5272 ESSB

## **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.

### **ESSB 5272 compared to S-1552.1:**

- Stipulates that a notice of infraction may only be issued under this section if a speed safety camera system captures a speed violation in a state highway work zone when workers are present.
- Incorporates previous Sections 4 & 5 around effective date and consulting DOL on rules and usage of speed safety cameras into Section 3.

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

Section 1 amends RCW 46.63.030 to include a new subsection which allows a law enforcement officer to issue a traffic infraction notice when the infraction is detected with a speed safety camera system under section 3 of this act.

Section 2 amends RCW 46.63.075 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. Infractions detected by speed safety camera systems are not part of the registered owner's driving record under RCW 46.52.101 and 46.52.120.

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

<b>Bill Number:</b> 5272 E S SB	<b>Title:</b> Speed safety cameras	<b>Agency:</b> 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.**

### 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
<b>Account</b>					
Highway Safety Account-State 106 -1	213,000	3,316,000	3,529,000	6,632,000	6,637,000
<b>Total \$</b>	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: Beth Redfield	Phone: 360-786-7140	Date: 02/23/2023
Agency Preparation: Tony Leingang	Phone: 360-709-8002	Date: 02/24/2023
Agency Approval: Scott Zeller	Phone: 360-705-7290	Date: 02/24/2023
OFM Review: Maria Thomas	Phone: (360) 229-4717	Date: 02/24/2023

## 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
<b>Total \$</b>			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-					
<b>Total \$</b>	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 Band 1	95,000	1.0	1.0	1.0	1.0	1.0
<b>Total FTEs</b>		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
Traffic Operations-Operating (Q)	213,000	3,316,000	3,529,000	6,632,000	6,637,000
<b>Total \$</b>	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

<b>Bill Number:</b> ES SB 5272	<b>Title:</b> Concerning Speed Safety Camera Systems on State Highways	<b>Agency:</b> 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		202-297 Biennium		
	FY 2024	FY 2025	FY 2026	FY 2027	FY 2028	FY 2029	
<b>Expenditures</b>							
106-1 HIGHWAY SAFETY ACCOUNT	\$213	\$3,316	\$3,316	\$3,316	\$3,321	\$3,316	
<b>Total Expenditures</b>	<b>\$213</b>	<b>\$3,316</b>	<b>\$3,316</b>	<b>\$3,316</b>	<b>\$3,321</b>	<b>\$3,316</b>	
<b>Biennial Totals</b>	<b>\$3,529</b>		<b>\$6,632</b>		<b>\$6,637</b>		
<b>FTEs</b>	<b>Salary</b>	<b>FY 2024</b>	<b>FY 2025</b>	<b>FY 2026</b>	<b>FY 2027</b>	<b>FY 2028</b>	<b>FY 2029</b>
WMS Band 1	\$95	1.0	1.0	1.0	1.0	1.0	1.0
<b>Annual Average</b>		<b>1.0</b>		<b>1.0</b>		<b>1.0</b>	
<b>Objects of Expenditure</b>	<b>FY 2024</b>	<b>FY 2025</b>	<b>FY 2026</b>	<b>FY 2027</b>	<b>FY 2028</b>	<b>FY 2029</b>	
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		
<b>Expenditures by Program</b>	<b>FY 2024</b>	<b>FY 2025</b>	<b>FY 2026</b>	<b>FY 2027</b>	<b>FY 2028</b>	<b>FY 2029</b>	
PROGRAM Q-OP	\$213	\$3,316	\$3,316	\$3,316	\$3,321	\$3,316	

### Agency Assumptions

N/A
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### Agency Contacts:

Preparer: Tony Leingang	Phone: 360-239-0843	Date: 2/24/2023
Approval: Scott Zeller for Dongho Chang	Phone: 360-790-4521	Date: 2/24/2023
Budget Manager: Chad Johnson	Phone: 360-259-3886	Date: 2/24/2023

# 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 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. This fiscal note is written to ES SB 5272, and is the same language used in S-1522.1, the previous striker version based on SSB5272.

(Unchanged in ES SB 5272) 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.

(Unchanged in ES SB 5272) 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.

(Unchanged in ES SB 5272) Section 3(1) and (2)

(Unchanged in ES SB 5272) Section 3(3)(a) adds clarification that WSDOT is responsible for all actions related to the operation and administration of speed safety camera systems in state highway work zones including but not limited to, the procurement and administration of contracts necessary for the implementation of speed safety camera systems and the mailing of notices of infraction. It also establishes that WSDOT in consultation with WSP and other stakeholders will complete rule making and take all necessary steps to implement this section by July 1, 2024.

(Unchanged in ES SB 5272) Section 3(3)(b) adds clarification that WSP is responsible for all actions related to the enforcement and adjudication of speed safety camera systems in state highway work zones including but not limited to, notice of infraction, verification, and issuance authorization, and determining which type of emergency vehicles are exempt from being issued notices of infraction under this section. It also establishes that WSP in consultation with WSDOT and other stakeholders will complete rule making and take all necessary steps to implement this section by July 1, 2024.

(Unchanged in ES SB 5272) Section 3(3)(c) adds clarification that WSDOT and WSP may also consult with other public and private agencies that have an interest in the use of speed safety camera systems in state highway work zones.

(Unchanged in ES SB 5272) Section 3 (4) Beginning July 1, 2024:

- (a) A notice of infraction may only be issued under this section if a speed safety camera system captures a speed violation in a state highway work zone when workers are present. It also changes the required time for infractions to be mailed to the registered owner, or to the renter of a vehicle once establishing the renter's name and address from 14 to 30 days. The striker clarifies that a person receiving the notice of infraction has 30 days to remit payment directly. If a person fails to remit payment within 30 days or wishes to dispute the violation, it must be adjudicated in accordance with (b) of this subsection.
- (b) A notice of infraction that has not been timely paid or a disputed notice of infraction shall be referred to the office of administrative hearings for adjudication consistent with chapter 34/05 RCW.

(Unchanged in ES SB 5272) Section 3(4) (c) and (d) address what can and cannot be photographed, and who is responsible for the infraction.

# Individual State Agency Fiscal Note

(Unchanged in ES SB 5272) Section 3(4)(e) adds WSP in terms of which agencies can use the data prepared for enforcement of infractions (previously it was WSDOT only)

(Unchanged in ES SB 5272) Section 3(4) (f) states all work zones with speed safety camera systems must include posted signage, (g) the violation is not part of the drivers driving record, (h), (i), and (ii) address the process of rental cars receiving violations.

(Unchanged in ES SB 5272) Section 3(5) Revenue is deposited to the highway safety fund (instead of the original plan for it to be the Transportation fund) and adds wording that excess funds over the cost of program operations must be distributed for the purpose of traffic safety including but not limited to, driver training education and local DUI emphasis patrols.

(Unchanged in ES SB 5272) Section 3 (6) adds program reporting requirements to both WSP and WSDOT in collaboration with WTSC by July 1, 2025, and biennially thereafter on the data and efficacy of speed safety camera system use in state highway work zones. The final report due on July 1, 2029, must include a recommendation on whether to continue the program beyond June 30, 2030.

(Unchanged in ES SB 5272) Section 3(7) addresses the definitions of speed safety camera systems and state highway work zones.

(Unchanged in ES SB 5272) Section 3(8) “This section expires June 30, 2030.”

**(Removed in ES SB 5272)** Adds an EFFECT description list for this striker bill outlining how this version clarifies agency responsibilities, that speed safety camera systems can only be used when workers are present, changes previous response times for issuing and responding to infractions from 14 to 30 days, and makes technical corrections throughout to maintain consistency in use of terms and to improve readability.

## II. B – Cash Receipts Impact

The proposed striking language for this legislation creates a traffic infraction, which will generate some traffic infraction cash receipts. The striking amendment specifies that the funding will be deposited into the 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 infractions 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 infractions in Pennsylvania in 2021) = 257,125 x .153 = 39,340 infractions

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

## 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).*

# Individual State Agency Fiscal Note

*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 state patrol 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.
- 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.

# Individual State Agency Fiscal Note

## 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 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 verification, 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 costs

The fiscal impact of hearings will be reflected in WSP's and OAH's fiscal notes.

## Part III: Expenditure Detail

### III. A - Expenditures by Object or Purpose

See the above table and attached worksheet.

## Part IV: Capital Budget Impact

# Individual State Agency Fiscal Note

N/A

## **Part V: New Rule Making Required**

*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.