

Multiple Agency Fiscal Note Summary

Bill Number: 5730 2S SB	Title: Vehicle residences/impound
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Estimated Cash Receipts

Agency Name	2023-25			2025-27			2027-29		
	GF-State	NGF-Outlook	Total	GF-State	NGF-Outlook	Total	GF-State	NGF-Outlook	Total
Office of State Treasurer	Non-zero but indeterminate cost and/or savings. Please see discussion.								
Department of Licensing	Non-zero but indeterminate cost and/or savings. Please see discussion.								
Total \$	0	0	0	0	0	0	0	0	0

Agency Name	2023-25		2025-27		2027-29	
	GF- State	Total	GF- State	Total	GF- State	Total
Local Gov. Courts	No fiscal impact					
Loc School dist-SPI						
Local Gov. Other						
Local Gov. Total						

Estimated Operating Expenditures

Agency Name	2023-25				2025-27				2027-29			
	FTEs	GF-State	NGF-Outlook	Total	FTEs	GF-State	NGF-Outlook	Total	FTEs	GF-State	NGF-Outlook	Total
Administrative Office of the Courts	.0	0	0	0	.0	0	0	0	.0	0	0	0
Office of State Treasurer	.0	0	0	0	.0	0	0	0	.0	0	0	0
Office of Attorney General	.0	0	0	0	.0	0	0	0	.0	0	0	0
Washington State Patrol	Non-zero but indeterminate cost and/or savings. Please see discussion.											
Department of Licensing	1.5	0	0	648,000	3.0	0	0	608,000	3.0	0	0	608,000
Department of Licensing	In addition to the estimate above, there are additional indeterminate costs and/or savings. Please see individual fiscal note.											
Total \$	1.5	0	0	648,000	3.0	0	0	608,000	3.0	0	0	608,000

Agency Name	2023-25			2025-27			2027-29		
	FTEs	GF-State	Total	FTEs	GF-State	Total	FTEs	GF-State	Total
Local Gov. Courts	No fiscal impact								
Loc School dist-SPI									
Local Gov. Other	Non-zero but indeterminate cost and/or savings. Please see discussion.								
Local Gov. Total									

Estimated Capital Budget Expenditures

Agency Name	2023-25			2025-27			2027-29		
	FTEs	Bonds	Total	FTEs	Bonds	Total	FTEs	Bonds	Total
Administrative Office of the Courts	.0	0	0	.0	0	0	.0	0	0
Office of State Treasurer	.0	0	0	.0	0	0	.0	0	0
Office of Attorney General	.0	0	0	.0	0	0	.0	0	0
Washington State Patrol	.0	0	0	.0	0	0	.0	0	0
Department of Licensing	.0	0	0	.0	0	0	.0	0	0
Total \$	0.0	0	0	0.0	0	0	0.0	0	0

Agency Name	2023-25			2025-27			2027-29		
	FTEs	GF-State	Total	FTEs	GF-State	Total	FTEs	GF-State	Total
Local Gov. Courts	No fiscal impact								
Loc School dist-SPI									
Local Gov. Other	Non-zero but indeterminate cost and/or savings. Please see discussion.								
Local Gov. Total									

Estimated Capital Budget Breakout

Prepared by: Kyle Siefering, OFM	Phone: (360) 995-3825	Date Published: Final 3/ 7/2023
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Judicial Impact Fiscal Note

Bill Number: 5730 2S SB	Title: Vehicle residences/impound	Agency: 055-Administrative Office of the Courts
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Part I: Estimates

No Fiscal Impact

Estimated Cash Receipts to:

NONE

Estimated Expenditures from:

NONE

Estimated Capital Budget Impact:

NONE

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

Check applicable boxes and follow corresponding instructions:

- If fiscal impact is greater than \$50,000 per fiscal year in the current biennium or in subsequent biennia, complete entire fiscal note for Parts I-V.
- If fiscal impact is less than \$50,000 per fiscal year in the current biennium or in subsequent biennia, complete this page only (Part I).
- Capital budget impact, complete Part IV.

Legislative Contact: Melissa Van Gorkom	Phone: 360-786-7491	Date: 02/24/2023
Agency Preparation: Angie Wirkkala	Phone: 360-704-5528	Date: 02/27/2023
Agency Approval: Chris Stanley	Phone: 360-357-2406	Date: 02/27/2023
OFM Review: Gaius Horton	Phone: (360) 819-3112	Date: 02/28/2023

184,950.00

Form FN (Rev 1/00)

Request # 213-1

Bill # 5730 2S SB

Part II: Narrative Explanation

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

The second substitute bill would not have a different fiscal impact than the previous versions of the bill.

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

II. B - Cash Receipts Impact

None

II. C - Expenditures

No fiscal impact expected to the Administrative Office of the Courts. There could be some minor court impact for a new type of order and additional or longer hearings under the original and the substitute bill. It would allow that in cases where the court finds that a vehicle is used as a residence, the court may consider the person's ability to pay towing and impound fees and reduce the fees if they are found indigent. In these cases, DOL must pay the difference between the reduced fees and the tow truck operator's actual costs for the towing and storage if the tow truck operator applies for reimbursement.

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

184,950.00

Form FN (Rev 1/00)

Individual State Agency Fiscal Note

Bill Number: 5730 2S SB	Title: Vehicle residences/impound	Agency: 090-Office of State Treasurer
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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:

NONE

Estimated Capital Budget Impact:

NONE

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

Check applicable boxes and follow corresponding instructions:

- If fiscal impact is greater than \$50,000 per fiscal year in the current biennium or in subsequent biennia, complete entire fiscal note form Parts I-V.
- If fiscal impact is less than \$50,000 per fiscal year in the current biennium or in subsequent biennia, complete this page only (Part I).
- Capital budget impact, complete Part IV.
- Requires new rule making, complete Part V.

Legislative Contact: Melissa Van Gorkom	Phone: 360-786-7491	Date: 02/24/2023
Agency Preparation: Dan Mason	Phone: (360) 902-8990	Date: 02/25/2023
Agency Approval: Dan Mason	Phone: (360) 902-8990	Date: 02/25/2023
OFM Review: Amy Hatfield	Phone: (360) 280-7584	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.

2SSB 5730 creates the indigent impound account and allows the account to retain its earnings from investments.

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.

Projected cash flows are currently unavailable; therefore, estimated earnings from investments are indeterminable.

II. C - Expenditures

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

Part III: Expenditure Detail

III. A - Operating Budget Expenditures

NONE

III. B - Expenditures by Object Or Purpose

NONE

III. C - Operating FTE Detail: *FTEs listed by classification and corresponding annual compensation. Totals agree with total FTEs in Part I and Part IIIA.*

NONE

III. D - Expenditures By Program (optional)

NONE

Part IV: Capital Budget Impact

IV. A - Capital Budget Expenditures

NONE

IV. B - Expenditures by Object Or Purpose

NONE

IV. C - Capital Budget Breakout

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

NONE

IV. D - Capital FTE Detail: *FTEs listed by classification and corresponding annual compensation. Totals agree with total FTEs in Part IVB.*

NONE

Part V: New Rule Making Required

Provisions of the bill that require the agency to adopt new administrative rules or repeal/revise existing rules.

Individual State Agency Fiscal Note

Bill Number: 5730 2S SB	Title: Vehicle residences/impound	Agency: 100-Office of Attorney General
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Part I: Estimates

No Fiscal Impact

Estimated Cash Receipts to:

NONE

Estimated Operating Expenditures from:

NONE

Estimated Capital Budget Impact:

NONE

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

Check applicable boxes and follow corresponding instructions:

- If fiscal impact is greater than \$50,000 per fiscal year in the current biennium or in subsequent biennia, complete entire fiscal note form Parts I-V.
- If fiscal impact is less than \$50,000 per fiscal year in the current biennium or in subsequent biennia, complete this page only (Part I).
- Capital budget impact, complete Part IV.
- Requires new rule making, complete Part V.

Legislative Contact: Melissa Van Gorkom	Phone: 360-786-7491	Date: 02/24/2023
Agency Preparation: Amy Flanigan	Phone: 509-456-3123	Date: 02/28/2023
Agency Approval: Edd Giger	Phone: 360-586-2104	Date: 02/28/2023
OFM Review: Cheri Keller	Phone: (360) 584-2207	Date: 03/01/2023

Part II: Narrative Explanation

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

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

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

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

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

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

II. B - Cash receipts Impact

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

II. C - Expenditures

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

Part III: Expenditure Detail

III. A - Operating Budget Expenditures

NONE

III. B - Expenditures by Object Or Purpose

NONE

III. C - Operating FTE Detail: *FTEs listed by classification and corresponding annual compensation. Totals agree with total FTEs in Part I and Part IIIA.*

NONE

III. D - Expenditures By Program (optional)

NONE

Part IV: Capital Budget Impact

IV. A - Capital Budget Expenditures

NONE

IV. B - Expenditures by Object Or Purpose

NONE

IV. C - Capital Budget Breakout

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

NONE

IV. D - Capital FTE Detail: *FTEs listed by classification and corresponding annual compensation. Totals agree with total FTEs in Part IVB.*

NONE

Part V: New Rule Making Required

Provisions of the bill that require the agency to adopt new administrative rules or repeal/revise existing rules.

Individual State Agency Fiscal Note

Bill Number: 5730 2S SB	Title: Vehicle residences/impound	Agency: 225-Washington State Patrol
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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: Melissa Van Gorkom	Phone: 360-786-7491	Date: 02/24/2023
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.

The proposed substitute bill does not change our fiscal impact.

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

Subsection 1(3)(c)(ii) states if the court finds that a vehicle is used as a residence, the courts may reduce fees related to towing and impound if the individual is found to be indigent. The Department of Licensing (DOL) must pay the difference between the reduced fees and the tow operator's actual costs for towing and storage if the tow truck operator applies for reimbursement.

Subsection 2(3) states DOL must seek reimbursement from the impounding authority for any cost reimbursement paid to a registered tow truck operator using funds authorized under RCW 46.68.175.

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.

WSP is responsible for towing vehicles along state highways. Subsection 2(3) states DOL must seek reimbursement from the impounding authority for any cost reimbursement paid to a registered tow truck operator using funds authorized under section 3. This means that WSP will be responsible for reimbursing DOL for the difference in the costs related to an impound of a residential vehicle and the reduced rate authorized by the court whenever the petitioner is found to be indigent, even when the impound is lawful. This has an indeterminate fiscal impact, as we are unable to estimate how often courts will reduce fines associated with vehicles we impounded.

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.

Individual State Agency Fiscal Note

Bill Number: 5730 2S SB	Title: Vehicle residences/impound	Agency: 240-Department of Licensing
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Part I: Estimates

No Fiscal Impact

Estimated Cash Receipts to:

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

Estimated Operating Expenditures from:

	FY 2024	FY 2025	2023-25	2025-27	2027-29
FTE Staff Years	0.0	3.0	1.5	3.0	3.0
Account					
Abandoned Recreational Vehicle Disposal Account-State 22J-1	344,000	304,000	648,000	608,000	608,000
Total \$	344,000	304,000	648,000	608,000	608,000

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

Estimated Capital Budget Impact:

NONE

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

Check applicable boxes and follow corresponding instructions:

- If fiscal impact is greater than \$50,000 per fiscal year in the current biennium or in subsequent biennia, complete entire fiscal note form Parts I-V.
- If fiscal impact is less than \$50,000 per fiscal year in the current biennium or in subsequent biennia, complete this page only (Part I).
- Capital budget impact, complete Part IV.
- Requires new rule making, complete Part V.

Legislative Contact: Melissa Van Gorkom	Phone: 360-786-7491	Date: 02/24/2023
Agency Preparation: Don Arlow	Phone: (360) 902-3736	Date: 03/02/2023
Agency Approval: Gerrit Eades	Phone: (360)902-3863	Date: 03/02/2023
OFM Review: Kyle Siefering	Phone: (360) 995-3825	Date: 03/02/2023

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.

Please 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.

Please see attached fiscal note.

Part III: Expenditure Detail

III. A - Operating Budget Expenditures

Account	Account Title	Type	FY 2024	FY 2025	2023-25	2025-27	2027-29
22J-1	Abandoned Recreational Vehicle Disposal Account	State	344,000	304,000	648,000	608,000	608,000
Total \$			344,000	304,000	648,000	608,000	608,000

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		3.0	1.5	3.0	3.0
A-Salaries and Wages		152,000	152,000	304,000	304,000
B-Employee Benefits		69,000	69,000	138,000	138,000
C-Professional Service Contracts					
E-Goods and Other Services	344,000	83,000	427,000	166,000	166,000
G-Travel					
J-Capital Outlays					
M-Inter Agency/Fund Transfers					
N-Grants, Benefits & Client Services					
P-Debt Service					
S-Interagency Reimbursements					
T-Intra-Agency Reimbursements					
9-					
Total \$	344,000	304,000	648,000	608,000	608,000

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
Customer Service Specialist 2	46,980		1.0	0.5	1.0	1.0
Customer Service Specialist 3	49,404		1.0	0.5	1.0	1.0
Fiscal Analyst 2	55,872		1.0	0.5	1.0	1.0
Total FTEs			3.0	1.5	3.0	3.0

III. D - Expenditures By Program (optional)

NONE

Part IV: Capital Budget Impact

IV. A - Capital Budget Expenditures

NONE

IV. B - Expenditures by Object Or Purpose

NONE

IV. C - Capital Budget Breakout

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

NONE

IV. D - Capital FTE Detail: *FTEs listed by classification and corresponding annual compensation. Totals agree with total FTEs in Part IVB.*

NONE

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: 2SSB 5730

Bill Title: Vehicle residences/impound

Part 1: Estimates

No Fiscal Impact

Estimated Cash Receipts:

INDETERMINATE; PLEASE SEE NARRATIVE

Estimated Expenditures:

PARTIALLY INDETERMINATE; PLEASE SEE NARRATIVE

	FY 24	FY 25	23-25 Total	25-27 Total	27-29 Total
FTE Staff Years	-	3.0	1.5	3.0	3.0

Operating Expenditures	Fund	FY 24	FY 25	23-25 Total	25-27 Total	27-29 Total
Abandoned Rec Vehicle Disposal	22J	344,000	304,000	648,000	608,000	608,000
Account Totals		344,000	304,000	648,000	608,000	608,000

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

Check applicable boxes and follow corresponding instructions.

- If the fiscal impact is **less than \$50,000** per fiscal year in the current biennium or in subsequent biennia, complete this page only (Part I).
- If fiscal impact is **greater than \$50,000** per fiscal year in the current biennium or in subsequent biennia, complete entire fiscal note form Parts I-V.
- Capital budget impact, complete Part IV.
- Requires new rule making, complete Part V.

Legislative Contact: Melissa Van Gorkom	Phone: (360) 786-7491	Date: 2/24/2023
Agency Preparation: Don Arlow	Phone: (360) 902-3736	Date: 3/2/2023
Agency Approval: Gerrit Eades	Phone: (360) 902-3931	Date:

Request #	2
Bill #	5730 2SSB

Part 2 – Explanation

This bill requires the Department of Licensing (DOL) to pay the difference between a tow operator’s actual costs for towing and storage of an impounded vehicle and any amount determined by the court that an indigent person must pay if the court finds that the vehicle is used as a residence. Payment is made to the registered tow truck operator (RTTO) that incurred the costs.

2SSB 5730 compared to SSB 5730: 2SSB 5730 creates the Indigent Impound Account and requires that reimbursements to RTTOs come from that account. The bill requires DOL to create a waitlist and distribute reimbursements in the order that requests are received, and to distribute reimbursements once equivalent dollars from impounding authorities have been deposited in the new account. 2SSB 5730 also establishes an effective date of January 1, 2024.

With these changes, DOL’s fiscal note includes a minor increase for the cost of information technology systems modifications to add a revenue account code and a wait list tracking report.

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

Section 1 amends RCW 46.55.120 to require that if a tow truck operator applies for reimbursement, DOL must pay the difference between a tow operator’s actual costs for towing and storage of an impounded vehicle and any amount determined by the court that an indigent person must pay if the court finds that the vehicle is used as a residence.

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

- Allows registered tow truck operators authorities to apply to DOL for reimbursement if courts reduce towing and storage fees for an indigent individual using the vehicle as a residence. DOL must create and provide the form. Reimbursement is for the difference in reduced fees and actual costs for towing and storage.
- DOL may only use funds authorized under section 3 of the bill for reimbursement.
- Requires DOL to seek reimbursement from the impounding authority for any cost reimbursement paid to a RTTO under this bill. Any repayment made by the impounding authority will be deposited in the new Indigent Impound Account.

Section 3 is a new section added to Chapter 46.68 RCW that creates the Indigent Impound Account, which is subject to appropriation.

Section 6 establishes an effective date for sections 1 through 4 of January 1, 2024.

2.B - Cash receipts Impact

The cash receipts impact of the bill is indeterminate. The department does not have information that could be used to estimate the number of vehicles that may be subject to the provisions of the bill, and therefore does not have an estimate for collections from impounding authorities that could be anticipated. Although 100 percent compliance from impounding authorities is assumed, any instances of failure to reimburse the fund for disbursements to tow truck operators would result in a reduction of the fund balance.

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

2.C – Expenditures

The operational impact of the bill is dependent on the volume of new transactions related to impounded vehicle reimbursements. The following table shows the number of vehicles with an impound notice or abandoned vehicle report submitted during calendar years 2018 - 2022. It is not known how many of those vehicles would be considered as residences and subject to the provisions of the bill.

Impound Requester	Number of Vehicles Impounded				
	2018	2019	2020	2021	2022
Washington State Patrol	41,100	42,200	37,100	43,500	45,500
Other law enforcement	50,300	50,100	39,400	45,100	51,200
Other	17,300	16,800	13,100	15,700	16,100
Grand Total	108,700	109,100	89,600	104,300	112,800

DOL will establish operational capacity to manage the new workflow, modelled on current capacity for abandoned RV reimbursements. It takes approximately 15 minutes of CSS2 staff time to process an application. A higher level CSS3 is required under the department’s two step protocol for review and approval of reimbursement requests.

- One Customer Service Specialist 2 (CSS2) staff for processing applications.
- Customer Specialist 3 (CSS3) staff for approving applications and disbursements and process oversight.
- One Fiscal Analyst 2 (FA2) position in accounting to manage both disbursements to tow truck operators and accounts receivable from impounding authorities.

The department will monitor actual activity and operational capacity to manage the workflow. If necessary additional resources will be requested in a future budget cycle.

Reimbursements made from the Indigent Impound Account are also subject to the volume of requests submitted under the provisions of the bill. That volume is unknown, as is what a typical reduction of costs as determined by the court would be, therefore the level of reimbursements from the fund are indeterminate. Under current law DOL reimburses for towing, storage, and wrecking of recreational vehicles abandoned on public property when ownership cannot be determined.

Information Services:

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

Any change requires a process to ensure changes are correctly applied to the system. This involves Project Managers that manage the team that completes the update, business analyst that documents and reviews the system changes, architect services that analyzes how the update could have an effect

on other systems or DOL processes, developers who create the change, and testers and quality assurance teams that ensure the update is working correctly.

Cost Category	Description	Rate	2024	2025	2026	2027	2028	2029	Total Cost
TESTER	Test to verify individual components meet requirements; ensure that other business transactions have not been impacted.	\$ 22,620	49,800	-	-	-	-	-	49,800
BUSINESS ANALYST	Determine business requirements; translate requirements into what changes are needed to various systems including account codes, inventory codes, testing considerations, etc.	\$ 16,530	9,900	-	-	-	-	-	9,900
PROJECT MANAGER	Manage schedule and contracts	\$ 28,710	14,400	-	-	-	-	-	14,400
QUALITY ASSURANCE	Plan and carry out activities to assure project deliverables; e.g. preventative defect activities, align quality measures and business objectives.	\$ 37,410	67,300	-	-	-	-	-	67,300
SECURITY AND ARCHITECT SERVICES	Create the conceptual model that defines the structure, behavior and framework of a computerized system including a breakdown of the system into components, the component interactions and interfaces (including with the environment, especially the user), and the technologies and resources to be used in the design.	\$ 16,530	5,000	-	-	-	-	-	5,000
CONTRACTED FAST DEVELOPER / TESTER	Updates to the DRIVES system will require additional vendor hours outside of the contracted maintenance to make system updates to implement this bill.	\$ 37,236	85,600	-	-	-	-	-	85,600
Trainer	Trains business partners and employees in new system processes and capabilities.	\$ 22,620	13,600	-	-	-	-	-	13,600
Organizational Change Management	Prepares stakeholders for the change and develops strategies to ensure the changes are fully adopted.	\$ 37,410	67,300	-	-	-	-	-	67,300
Project Contingency	Office of the Chief Information Officer designated rate of 10%	\$ 25,474	31,300	-	-	-	-	-	31,300
Totals			344,200	-	-	-	-	-	344,200

What DOL will implement:

Licensing - Compliance - Accounts - Cases

1. Create a new account type for reimbursement from impounding authorities.
2. Modify the current case to process the application for reimbursement for this process separate from the existing reimbursement program.
 - a. Case will be approved or denied.
 - b. Forms can be uploaded and entered by back office for mail-in applications.

Letters - Renewal Notices - Receipts - Cashiering Receipts

3. New letters for response to application process.
 - a. Request for More Information
 - b. Denial
 - c. Approval-Pending Funds
 - d. Initial Notice of amounts owed.
 - e. Final Notice of amounts owed.

Financials

4. New billing process in DRIVES that requires RTTO to provide the impounding authority.
5. New billing process in DRIVES for LEA\courts
6. New revenue accounting code (RAC) setup and distribution for Indigent Impound Account.

Reports

6. Modify or create a new reports.
 - a. Revenue tracking cube
 - b. ADHOC cube for program
 - c. RTTO report (self-service for RTTOs to pull from eService)

- d. Amount owed by each Impounding Authority
- e. Reimbursement Tracking Report/wait list

eServices

7. Modify current eService to allow for registered tow truck operators to apply online for reimbursements of impound fees for indigent individuals.
 - a. Must be licensed in Washington and have an account in DRIVES,
 - b. Will create work item for processing the request.
 - c. Will use SAW and require online account.
 - d. Allows for upload of paper forms or electronic entry of application by the RTTO.
 - e. Allows for the upload of supporting documentation.

Part 3 – Expenditure Detail

3.A – Operating Budget Expenditures

Operating Expenditures	Fund	FY 24	FY 25	23-25 Total	25-27 Total	27-29 Total
Abandoned Rec Vehicle Disposal	22J	344,000	304,000	648,000	608,000	608,000
Account Totals		344,000	304,000	648,000	608,000	608,000

3.B – Expenditures by Object or Purpose

Object of Expenditure	FY 24	FY 25	23-25 Total	25-27 Total	27-29 Total
FTE Staff Years	0.0	3.0	1.5	3.0	3.0
Salaries and Wages	-	152,000	152,000	304,000	304,000
Employee Benefits	-	69,000	69,000	138,000	138,000
Goods and Services	344,000	83,000	427,000	166,000	166,000
Total By Object Type	344,000	304,000	648,000	608,000	608,000

3.C – FTE Detail

Staffing	Salary	FY 24	FY 25	23-25 Total	25-27 Total	27-29 Total
Customer Service Specialist 2	46,980	0.0	1.0	0.5	1.0	1.0
Fiscal Analyst 2	55,872	0.0	1.0	0.5	1.0	1.0
Customer Service Specialist 3	49,404	0.0	1.0	0.5	1.0	1.0
Total FTE		0.0	3.0	1.5	3.0	3.0

Part 4 – Capital Budget Impact

None.

Part 5 – New Rule Making Required

None.

LOCAL GOVERNMENT FISCAL NOTE

Department of Commerce

Bill Number: 5730 2S SB

Title: Vehicle residences/impound

Part I: Jurisdiction-Location, type or status of political subdivision defines range of fiscal impacts.

Legislation Impacts:

- Cities: Local law-enforcement agencies could experience indeterminate cost increases due to the legislation's new mandate: vehicle-impounding agencies would be required to pay the cost difference between a vehicle owner's reduced vehicle-impound fees and the tow-truck operator's actual costs for towing and storing impounded vehicles. Municipal clerks could experience indeterminate cost increases due to potentially increasing the length and number of vehicle-impound hearings or additional court proceedings.
- Counties: Same as above but for sheriff's offices and county clerks.
- 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: The number of vehicles local law-enforcement agencies will impound the number of additional court proceedings that will be granted; the additional length of time vehicle-impound hearings may require; and the total annual amount local law-enforcement agencies will be responsible for paying due to courts reducing vehicle-impound fees.

Estimated revenue impacts to:

None

Estimated expenditure impacts to:

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

Part III: Preparation and Approval

Fiscal Note Analyst: Kate Fernald	Phone: 564-200-3519	Date: 03/06/2023
Leg. Committee Contact: Melissa Van Gorkom	Phone: 360-786-7491	Date: 02/24/2023
Agency Approval: Alice Zillah	Phone: 360-725-5035	Date: 03/06/2023
OFM Review: Kyle Siefering	Phone: (360) 995-3825	Date: 03/07/2023

Part IV: Analysis

A. SUMMARY OF BILL

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

CHANGES BETWEEN THIS VERSION AND PREVIOUS BILL VERSION:

The second substitute version of the bill:

- clarifies that a tow operator's application for reimbursement for reduced towing and storage costs triggers the requirement that Department of Licensing (DOL) reimburse such costs.
- removes the expanded use of the Abandoned RV Disposal Account to pay for tow operator's reimbursements, and creates a new indigent impound account to pay for such reimbursements.
- requires DOL to create a waitlist and distribute reimbursements from the indigent impound account in the order claims are received.
- authorizes DOL to distribute account funds as soon as reimbursements from impounding authorities are deposited into the account.
- provides DOL is not liable or subject to penalties for providing or not being able to provide funds for a tow operator's reimbursement claims.
- delays implementation of the bill until January 1, 2024.

SUMMARY OF CURRENT BILL:

Sec. 1 amends RCW 46.55.120.

Sec. 1 (1) (B) allows the court to set aside a hearing for up to 15 business days if a person is unable to present sufficient evidence to show they are the legal or registered owner to redeem the vehicle. If a claimant files a claim under RCW 46.12.680 during this additional time, a court may grant an additional continuance until that legal proceeding has ended.

Sec. 1 (2) (b) allows the court to consider a late request for an impound hearing for good cause when the vehicle is used as a residence and the request is made more than five days before the date of the auction.

Sec. 1 (3) (c) (ii) allows the court to reduce the vehicle owner's towing and storage fees if the court finds the vehicle is used as a residence. Department of Licensing (DOL) must pay the difference between the reduced fees and tow truck operator's actual costs for the towing and storage.

Sec. 2 adds a new section to chapter 46.53 RCW.

Sec. 2 (2) establishes that any time the indigent impound account does not have sufficient funds to reimburse tow operators' claims, DOL must establish a waitlist of claims. As impounding agencies pay reimbursements, DOL shall distribute funds in the order in which claims are received. This subsection also provides DOL is not liable or subject to penalties for providing or not being able to provide funds for a tow operator's reimbursement claims.

Sec. 2 (3) states the DOL must seek reimbursement from the impounding authority for any cost reimbursement paid to a registered tow truck operator. Any repayment made by an impounding authority to the department must be deposited into the indigent impound account.

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.

CHANGES IN EXPENDITURE IMPACTS BETWEEN THIS VERSION AND PREVIOUS BILL VERSION:

The second substitute version of the bill does not change local governments' expenditure impact, but new illustrative costs are offered in this fiscal note.

EXPENDITURE IMPACTS OF CURRENT BILL:

The legislation could result in indeterminate expenditure increases for local law-enforcement agencies, and municipal and county clerks.

LOCAL LAW ENFORCEMENT

Local law-enforcement agencies could experience indeterminate cost increases due to the legislation's new mandate: vehicle-impounding agencies would be required to pay the cost difference between a vehicle owner's reduced vehicle-impound fees and the tow-truck operator's actual costs for towing and storing impounded vehicles. However, there is no information available to estimate the total cost difference impounding agencies will be responsible for paying, so the legislation's expenditure impact is indeterminate.

ILLUSTRATIVE COSTS:

For illustrative purposes only, Washington Association of Sheriffs and Police Chiefs (WASPC) provided an example cost estimate below.

WASPC expects vehicle residences will not be a frequent problem on highways. Perhaps at rest areas, but for the most part, WASPC anticipates indigent impounded vehicles will likely happen at a higher frequency on local roadways. To that end, WASPC estimates 90% of these impoundments will be performed by local agencies.

For illustrative purposes only, WASPC used the Department of Licensing's (DOL) fiscal note for the SSB 5730 version of the bill. DOL projected the Abandoned Recreational Vehicle Disposal and Indigent Impound Account would start with \$335,000 in the account. If that account were funded by impounding agencies, then WASPC assumes local law enforcement agencies could be responsible for 90% of the cost differences, resulting in a \$301,500 impact to local impounding agencies. However, the actual number of indigent impounded vehicles that may receive reduced impound fees cannot be predicted in advance, so actual cost estimates are indeterminate.

NUMBER OF IMPOUNDED VEHICLES

To provide a sense of the number of vehicles local law-enforcement agencies impound each year, Washington State Department of Licensing (DOL) provided local law-enforcement-initiated vehicle-impound data for the last five years. Please note DOL's data is approximate. Vehicles are impounded at the request of: local law-enforcement agencies, Washington State Patrol, businesses and private individuals. DOL used pattern matching to identify requesters that were likely local law-enforcement agencies. Values are rounded to the nearest 100 due to the error inherent in pattern matching text entries that can have typos.

Local law enforcements' approximate number of impounded vehicles by calendar year:

2018: 50,300 vehicles

2019: 50,100 vehicles

2020: 39,400 vehicles

2021: 45,100 vehicles

2022: 51,200 vehicles

MUNICIPAL and COUNTY CLERKS

Municipal and county clerks could experience indeterminate cost increases due to potentially increasing the number of court proceedings and potentially increasing the length of time vehicle-impound hearings require, according to the Association of Washington Cities and Washington Association of County Officials.

The legislation has the potential to increase courts' caseloads. The legislation would allow courts to grant additional proceedings under certain circumstances, which could increase the total number of court proceedings each year.

Additionally, the legislation provides courts a new option to reduce vehicle-impound fees, which potentially extends the total time required for vehicle-impound hearings. While the Administrative Office of the Courts (AOC) anticipates a de minimis cost impact to courts, AOC is not able to project an exact caseload forecast due to unpredictable elements including the number of additional proceedings courts will grant, and the additional length of time vehicle-impound hearings may require. Accordingly, municipal and county clerks' potential cost impacts are indeterminate at this time.

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.

CHANGES IN REVENUE IMPACTS BETWEEN THIS VERSION AND PREVIOUS BILL VERSION:

The second substitute version of the bill would not impact local government revenue.

REVENUE IMPACTS OF CURRENT BILL:

The legislation would not impact local government revenue.

SOURCES:

Administrative Office of the Courts

Association of Washington Cities

Department of Licensing

Department of Licensing Fiscal Note SSB 5730 (2023)

Municipal Research and Services Center

Washington Association of County Officials

Washington Association of Sheriffs and Police Chiefs

Washington State Association of Municipal Attorneys