

# Multiple Agency Fiscal Note Summary

<b>Bill Number:</b> 5730 P SB PSSB5730 S-3493.2	<b>Title:</b> Relating to impounds of vehicles used as residences
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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 Licensing	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	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
Department of Commerce	.1	34,663	34,663	34,663	.0	0	0	0	.0	0	0	0
Washington State Patrol	.0	0	0	1,300	.0	0	0	0	.0	0	0	0
Washington State Patrol	In addition to the estimate above, there are additional indeterminate costs and/or savings. Please see individual fiscal note.											
Department of Licensing	1.0	0	0	314,000	2.0	0	0	430,000	2.0	0	0	430,000
Department of Fish and Wildlife	.2	146,000	146,000	146,000	.0	0	0	0	.0	0	0	0
<b>Total \$</b>	1.3	180,663	180,663	495,963	2.0	0	0	430,000	2.0	0	0	430,000

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			158,466						
Local Gov. Other	In addition to the estimate above, there are additional indeterminate costs and/or savings. Please see individual fiscal note.								
Local Gov. Total			158,466						

## 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
Department of Commerce	Non-zero but indeterminate cost and/or savings. Please see discussion.								
Washington State Patrol	.0	0	0	.0	0	0	.0	0	0
Department of Licensing	.0	0	0	.0	0	0	.0	0	0
Department of Fish and Wildlife	.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	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

Department of Commerce	Non-zero but indeterminate cost and/or savings. Please see discussion.
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<b>Prepared by:</b> Kyle Siefering, OFM	<b>Phone:</b> (360) 995-3825	<b>Date Published:</b> Final 1/17/2024
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# Judicial Impact Fiscal Note

Revised

<b>Bill Number:</b> 5730 P SB PSSB5730_S-349 .2	<b>Title:</b> Relating to impounds of vehicles used as residences	<b>Agency:</b> 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: 01/04/2024
Agency Preparation: Jackie Bailey-Johnson	Phone: 360-704-5545	Date: 01/17/2024
Agency Approval: Chris Stanley	Phone: 360-357-2406	Date: 01/17/2024
OFM Review: Gaius Horton	Phone: (360) 819-3112	Date: 01/17/2024

190,747.00

Request # 030-2

## Part II: Narrative Explanation

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

This bill relates to impound of vehicles used as residences.

### II. B - Cash Receipts Impact

None

### II. C - Expenditures

The bill would have minimal fiscal impact to the Administrative Office of the Courts to update publications. There would be no impact to the Superior or District courts.

## 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

# Individual State Agency Fiscal Note

<b>Bill Number:</b> 5730 P SB PSSB5730_S-349 .2	<b>Title:</b> Relating to impounds of vehicles used as residences	<b>Agency:</b> 090-Office of State Treasurer
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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: 01/04/2024
Agency Preparation: Dan Mason	Phone: (360) 902-8990	Date: 01/04/2024
Agency Approval: Dan Mason	Phone: (360) 902-8990	Date: 01/04/2024
OFM Review: Amy Hatfield	Phone: (360) 280-7584	Date: 01/05/2024

## 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.*

PSSB 5730 S-3493.2 modifies the use of funds in the abandoned recreational vehicle disposal account.

There is no fiscal impact to the office associated with this amendment.

### 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

<b>Bill Number:</b> 5730 P SB PSSB5730_S-349 .2	<b>Title:</b> Relating to impounds of vehicles used as residences	<b>Agency:</b> 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: 01/04/2024
Agency Preparation: Dan Jensen	Phone: 360-664-9429	Date: 01/09/2024
Agency Approval: Edd Giger	Phone: 360-586-2104	Date: 01/09/2024
OFM Review: Val Terre	Phone: (360) 280-3973	Date: 01/10/2024



## 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 Attorney General's Office Public Lands Conservation (PLC) has reviewed this bill and determined the enactment of this bill will not impact the provision of legal services to the Department of Natural Resources (DNR) or the Washington Department of Fish & Wildlife (WDFW) because the procedural protections provided to vehicle owners who live in their cars will not drive a legal workload for the AAGs serving DNR and WDFW.

The AGO Agriculture and Health Division (AHD) has reviewed this bill and determined it will not significantly increase or decrease the division's workload in representing the Department of Commerce. New legal services to implement Section 4 funding of safe lots are anticipated to be nominal, therefore, costs are not included in this request.

The AGO General 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).

1. GCE provides advice and litigation support to Washington State Patrol (WSP) for vehicle impoundments. This bill would make numerous changes to the statutes governing the impoundments of vehicles.

2. Sections 1 and 8 of this bill would codify the legislature's intent that vehicles illegally parked in public places would not qualify as homesteads under chapter 6.13 RCW, and would amend RCW 6.13.010 to expressly exclude from the definition of a homestead vehicles being used as a residence that are illegally parked on public property or in a public right of way. Under existing law and the Washington State Supreme Court's decision in *City of Seattle v. Long*, a court can return a vehicle to a petitioner without payment of fees under the Homestead Act if the vehicle was being used as the petitioner's primary residence. Because a determination that a vehicle is a Homestead under existing law does not extinguish the debt owed for the cost of impound and storage, we do not anticipate that these changes, removing Homestead protections from a small number of vehicles, would result in either an increase or decrease of work for this client.

3. Section 3 of this bill would create new authority for impoundment of a vehicle that is located on publicly owned or controlled property. Similar to the provisions already existing in RCW 46.55.085 for the impoundment of tagged vehicles left in a highway right-of-way for more than 24 hours, new Section 3 would allow the removal of tagged unauthorized vehicle after 72 hours for a first offense, and after 24 hours for subsequent offenses. Section 2 would make changes to the definition of unauthorized vehicle consistent with the provisions in Section 3. We assume the changes in these sections of the bill would be nominal. Therefore, costs are not included in this request.

4. Section 5 of this bill would amend RCW 46.55.120(1) to allow a court to order the release of a vehicle to any person meeting the criteria to redeem the vehicle. 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 the Department of Licensing (DOL). It would also allow a court to consider a hearing request filed beyond the 10-day timely filing deadline for good cause 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, it would allow a court to reduce the amount of towing and storage fees. The tow operator could apply to DOL for payment from the abandoned recreational vehicle disposal account to reimburse the tow operator for the difference between the reduced fees and the tow operator's actual costs for towing and storage. Under Section 6 of this bill, if at any time the funds in the abandoned recreational vehicle disposal account are insufficient to reimburse tow operators for the difference between the reduced fees and the tow operator's actual costs for towing and storage, DOL must create and maintain a waitlist to govern distribution of future funds.

5. We do not anticipate that the ability for a court to order the release of a vehicle following a hearing or the extension of the filing deadline would result in any increased work for this client. Timeliness arguments are already commonly raised in

impound hearings, and under Long, a court can already return a vehicle to a petitioner without payment of fees under the Homestead Act and can also reduce a petitioner's fees if the court determines the fees are in violation of the eighth amendment excessive fines provision. Therefore, we do not anticipate that these changes would result in the need for any appreciable increased litigation support for this client. New legal services are nominal, and costs are not included in this request.

The AGO Administration Division (ADM) has reviewed this bill and determined it will not increase or decrease the division's workload. Therefore, no costs are included in this request.

The AGO Revenue and Finance Division (REV) has reviewed this bill and determined it will not significantly increase or decrease the division's workload in representing the Office of State Treasurer (OST).

The 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 LALs 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 and 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, but new legal services are nominal, and costs are not included in this request.

The AGO Transportation and Public Construction Division (TPC) has reviewed this bill and determined it will not significantly increase or decrease the division's workload in representing the Department of Transportation (WSDOT).

The enactment of this bill would not result in a fiscal impact on the provision of legal services to WSDOT because, although WSDOT encounters vehicles being used as residences on real property owned or controlled by WSDOT that would be subject to this bill, these are isolated instances requiring only limited legal advice. WSDOT has not been identified as an agency affected by this bill, and TPC agrees that there would be no fiscal impact with regard to legal representation of WSDOT. No costs would be incurred in the provision of legal services. New legal services are nominal, and costs are not included in this request.

TPC has reviewed this bill and determined the enactment of this bill would not result in a fiscal impact on the provision of legal services to the Department of Enterprise Services (DES) because, although DES encounters vehicles being used as residences on real property owned or controlled by DES that would be subject to this bill, these are isolated instances requiring only limited legal advice that would not meet the threshold for a fiscal impact. DES has not been identified as an agency affected by this bill, and TPC agrees that there would be no fiscal impact with regard to legal representation of DES. No costs would be incurred in the provision of legal services. Therefore, no costs are 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

<b>Bill Number:</b> 5730 P SB PSSB5730_S-349 .2	<b>Title:</b> Relating to impounds of vehicles used as residences	<b>Agency:</b> 103-Department of Commerce
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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	0.3	0.1	0.0	0.0
<b>Account</b>					
General Fund-State      001-1	0	34,663	34,663	0	0
<b>Total \$</b>	0	34,663	34,663	0	0

### Estimated Capital Budget Impact:

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

*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: 01/04/2024
Agency Preparation: Hayley Tresenriter	Phone: 360-725-3042	Date: 01/12/2024
Agency Approval: Hayley Tresenriter	Phone: 360-725-3042	Date: 01/12/2024
OFM Review: Cheri Keller	Phone: (360) 584-2207	Date: 01/12/2024

## 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 4(e): RCW 43.185A.140 is amended regarding eligible activities to receive assistance from the Housing Trust fund and other legislative appropriations. Safe parking areas for low and very low-income households using a vehicle as their residence are included as an eligible activity.

It expands the pool of eligible applicants to receive funding from the Housing Trust Fund or other appropriated sources. Commerce assumes that \$35,000 will be needed to fund .25 of an FTE to support the administrative changes that will be needed if this bill passes.

### 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 bill would expand the pool of eligible applicants to receive funding from the Housing Trust Fund to include individuals using their vehicle as their residence. Project eligibility to receive housing trust fund funding would be expanded in reflection of the legislative appropriation. Therefore, the expenditures for this bill are indeterminate.

Without funding amounts, Commerce cannot predict the related workload beyond the administrative impact. Commerce assumes there will be a need in FY25 for a cumulative .25 of an FTE to complete the work associated with reorganizing processes to meet the requirements of the bill.

It is assumed that .1 of a WMS2 and .15 of a CS4 will be utilized from current staffing within the Department of Commerce.

## Part III: Expenditure Detail

### III. A - Operating Budget Expenditures

Account	Account Title	Type	FY 2024	FY 2025	2023-25	2025-27	2027-29
001-1	General Fund	State	0	34,663	34,663	0	0
<b>Total \$</b>			0	34,663	34,663	0	0

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

	FY 2024	FY 2025	2023-25	2025-27	2027-29
FTE Staff Years		0.3	0.1		
A-Salaries and Wages		25,972	25,972		
B-Employee Benefits		8,691	8,691		
C-Professional Service Contracts					
E-Goods and Other Services					
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-					
<b>Total \$</b>	0	34,663	34,663	0	0

**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
CS4			0.2	0.1		
WMS2			0.1	0.1		
<b>Total FTEs</b>			0.3	0.1		0.0

**III. D - Expenditures By Program (optional)**

Program	FY 2024	FY 2025	2023-25	2025-27	2027-29
Housing Trust Fund Program (532)		34,663	34,663		
<b>Total \$</b>		34,663	34,663		

**Part IV: Capital Budget Impact**

**IV. A - Capital Budget Expenditures**

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

**IV. B - Expenditures by Object Or Purpose**

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

**IV. C - Capital Budget Breakout**

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

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

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

NONE

The number of eligible applicants that would apply for housing trust fund program funding as a result of expanded eligibility is unknown, and any increase in funding to accommodate increased eligibility is subject to appropriation. Therefore, capital impacts are indeterminate.

**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> 5730 P SB PSSB5730_S-349 .2	<b>Title:</b> Relating to impounds of vehicles used as residences	<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
<b>Account</b>					
State Patrol Highway Account-State 081-1	0	1,300	1,300	0	0
<b>Total \$</b>	0	1,300	1,300	0	0

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

### Estimated Capital Budget Impact:

NONE

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- 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: 01/04/2024
Agency Preparation: Shawn Eckhart	Phone: 360-596-4083	Date: 01/10/2024
Agency Approval: Mario Buono	Phone: (360) 596-4046	Date: 01/10/2024
OFM Review: Tiffany West	Phone: (360) 890-2653	Date: 01/11/2024



## 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 a fiscal impact to the Washington State Patrol (WSP) from this legislation.

Section 1 of this legislation lists intent of the legislation to establish that vehicles illegally parked in public places do not qualify as homestead under chapter 6.13 RCW. This is accomplished by adding section 8, wherein subsection 1(b) amends RCW 6.13.010 by stating that a vehicle that is illegally parked on public property or in a public right-of-way is not a homestead for purposes of this chapter.

Section 2 expands the definition of an "unauthorized vehicle" as it pertains to RCW chapter 46.55 to include a vehicle that is subject to impoundment after being left unattended in publicly-owned or controlled property and tagged for a first offense as described in section 3 for a period of 72 hours, or in a publicly-owned or controlled property and tagged for a subsequent offense as described in section 3 for a period of 24 hours.

Section 3 is added to RCW chapter 46.55 and requires that a law enforcement officer discovering an unauthorized vehicle left on publicly-owned or controlled property to attach to the vehicle a readily-visible notification sticker. The required information contained on the sticker is stated in the proposed bill, including the timeframe to move the vehicle or be impounded as stated in the definition added in section 2. If the vehicle has Washington license plates, the officer is required to check the records to identify the last owner of record. The officer or their department is then required to make a reasonable effort to contact the owner by telephone to provide the details on the information contained on the sticker.

Section 6 was section 2 of the second substitute senate version of this bill from 2023. Subsection (3) of that section is no longer in this bill language. That subsection had caused potential fiscal impact to the WSP by causing the Department of Licensing (DOL) to seek reimbursement from the impounding authority for costs incurred by DOL to reimburse a towing company for receiving payment less than its normal impound rates from an vehicle owner who was permitted to pay a lower cost because a court found them to be indigent and granted lower fees.

Sections 2 through 7 are effective January 1, 2025.

### 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.*

There are no cash receipts to the WSP from this legislation.

### 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.*

We are unable to determine how much workload impact this legislation would have from increased enforcement of the impounding provisions. The Office of the Attorney General estimated a small impact related to their services to us early during the law's implementation, but that impact does not meet their threshold of placing it on a fiscal note to reflect any increase in billing to the WSP.

For the design of the sticker, containing the required information in the proposed bill, we estimate about 10 hours of work from a lieutenant at a cost of \$1,300 including indirect costs. Any attorney general review we assumed is covered in their fiscal note in which they estimated a small number of absorbable implementation costs associated with their legal assistance

to us. The actual stickers themselves, based on recent purchases and quotes for similar abandoned vehicle stickers, range from about 57 cents per unit to \$1.58, depending on type of card stock and whether reflective ink or reflective tape is used.

We base estimated salary expenditures on current levels for the positions requested per published salary schedules, plus any applicable incentive or assignment pay. We compute estimated benefits expenditures based on federal or state mandated rates plus state provided amounts for health insurance and workers' compensation insurance. We assume that any increases in these rates or amounts will be covered by legislation establishing the increase.

We base our estimate for agency indirect costs on the approved federal indirect cost rate of 33.41 percent. 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.

The funding allocation for this estimate is based on the results of the Joint Legislative Audit and Review Committee cost allocation model approved by both the Transportation and the Omnibus Budget Committees in the 2022 Supplemental Budget. The model analyzes costs and relevant activities (hours, transactions, type of enforcement, etc.) of Washington State Patrol (WSP) organizations funded by two or more sources to ensure a consistent and fair use of state resources.

**Part III: Expenditure Detail**

**III. A - Operating Budget Expenditures**

Account	Account Title	Type	FY 2024	FY 2025	2023-25	2025-27	2027-29
081-1	State Patrol Highway Account	State	0	1,300	1,300	0	0
<b>Total \$</b>			0	1,300	1,300	0	0

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					
A-Salaries and Wages		800	800		
B-Employee Benefits		200	200		
C-Professional Service Contracts					
E-Goods and Other Services					
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		300	300		
9-					
<b>Total \$</b>	0	1,300	1,300	0	0

In addition to the estimates above, there are additional indeterminate costs 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

<b>Bill Number:</b> 5730 P SB PSSB5730_S-349 .2	<b>Title:</b> Relating to impounds of vehicles used as residences	<b>Agency:</b> 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	2.0	1.0	2.0	2.0
<b>Account</b>					
Abandoned Recreational Vehicle Disposal Account-State 22J-1	0	314,000	314,000	430,000	430,000
<b>Total \$</b>	0	314,000	314,000	430,000	430,000

### 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: Melissa Van Gorkom	Phone: 360-786-7491	Date: 01/04/2024
Agency Preparation: Gerrit Eades	Phone: (360) 902-3931	Date: 01/09/2024
Agency Approval: Collin Ashley	Phone: (564) 669-9190	Date: 01/09/2024
OFM Review: Kyle Siefering	Phone: (360) 995-3825	Date: 01/10/2024

## 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.*

Sec. 5 – Amends RCW 46.55.120

(1)(a)(ix) allows individuals authorized by a court to redeem a vehicle after an impound hearing or other procedure.

(A) allows court or administrative hearing officers of the impounded vehicle jurisdiction, to order a vehicle release for individuals meeting the current statute criteria after a hearing or legal proceeding

(B) if vehicle ownership or use authorization by the legal/registered owner is disputed, court or hearing officers are allowed to review additional information and evidence at a court or administrative hearing

If an individual cannot present sufficient evidence that they meet current statute criteria, courts are allowed to delay the hearing up to 15 business days unless extenuating circumstances require additional time.

If a claimant files under RCW 46.12.680 during this time, a court may grant additional continuance until the legal proceeding has ended.

(2)(b) allows a court to consider a late hearing request when the vehicle is used as a residence if it is made in writing on the provided form more than 5 days before the auction.

(3)(c)(ii) if a court finds that a vehicle is being used as a residence, they may consider the individual's ability to pay the towing and storage fees.

If the individual is indigent and using a vehicle as residence, they may reduce the fees.

DOL must pay the difference between reduced fees and the RTTOs actual costs for towing and storage.

Sec. 6 – Adds new section to chapter 46.53 RCW.

(1) Allows an RTTO to request reimbursement from DOL for the difference between the reduced fees and their actual costs.

(2) The Department must use funds authorized by the Abandoned RV account, at RCW 46.68.175. DOL must create and maintain a waitlist.

Sec. 7 – Amends RCW 46.68.175 to allow reimbursement under this act to come out of the ARV program fund.

(b) RTTOs for costs related to a vehicle used as a residence between actual and reduced costs.

Sec. 9 – Effective date January 1, 2025.

### 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.*

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	0	314,000	314,000	430,000	430,000
<b>Total \$</b>			0	314,000	314,000	430,000	430,000

### 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		101,000	101,000	202,000	202,000
B-Employee Benefits		45,000	45,000	90,000	90,000
C-Professional Service Contracts					
E-Goods and Other Services		168,000	168,000	138,000	138,000
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-					
<b>Total \$</b>	0	314,000	314,000	430,000	430,000

### 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
Licensing Services Representative 1	48,864		2.0	1.0	2.0	2.0
<b>Total FTEs</b>			2.0	1.0	2.0	2.0

### 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: PSSB 5730

Bill Title: Impounds of vehicles used as residences

**Part 1: Estimates**

No Fiscal Impact

**Estimated Cash Receipts:**

INDETERMINATE; PLEASE SEE NARRATIVE

**Estimated Expenditures:**

		FY 24	FY 25	23-25 Total	25-27 Total	27-29 Total
FTE Staff Years		-	2.0	1.0	2.0	2.0
Operating Expenditures	Fund	FY 24	FY 25	23-25 Total	25-27 Total	27-29 Total
Abandoned Rec Vehicle Disposal	22J	-	314,000	314,000	430,000	430,000
<b>Account Totals</b>		<b>-</b>	<b>314,000</b>	<b>314,000</b>	<b>430,000</b>	<b>430,000</b>

*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: 01/04/2024
Agency Preparation: Gerrit Eades	Phone: (360) 902-3931	Date: 01/08/2024
Agency Approval: Collin Ashley	Phone: (360) 634-5384	Date: 01/09/2024

Request #	1
Bill #	5730 PSSB



## **Part 2 – Explanation**

This bill allows Registered Tow Truck Operators (RTTOs) to apply for reimbursement from DOL (out of the abandoned RV disposal account), if a court reduces the fees they are allowed to charge for vehicle impoundment from indigent individuals using the vehicle as a residence.

### **2.A – Brief Description of What the Measure Does That Has Fiscal Impact**

Sec. 5 – Amends RCW 46.55.120

- (1)(a)(ix) allows individuals authorized by a court to redeem a vehicle after an impound hearing or other procedure.
  - (A) allows court or administrative hearing officers of the impounded vehicle jurisdiction, to order a vehicle release for individuals meeting the current statute criteria after a hearing or legal proceeding
  - (B) if vehicle ownership or use authorization by the legal/registered owner is disputed, court or hearing officers are allowed to review additional information and evidence at a court or administrative hearing
    - If an individual cannot present sufficient evidence that they meet current statute criteria, courts are allowed to delay the hearing up to 15 business days unless extenuating circumstances require additional time.
      - If a claimant files under RCW 46.12.680 during this time, a court may grant additional continuance until the legal proceeding has ended.
- (2)(b) allows a court to consider a late hearing request when the vehicle is used as a residence if it is made in writing on the provided form more than 5 days before the auction.
- (3)(c)(ii) if a court finds that a vehicle is being used as a residence, they may consider the individual's ability to pay the towing and storage fees.
  - If the individual is indigent and using a vehicle as residence, they may reduce the fees.
    - DOL must pay the difference between reduced fees and the RTTOs actual costs for towing and storage.

Sec. 6 – Adds new section to chapter 46.53 RCW.

- (1) Allows an RTTO to request reimbursement from DOL for the difference between the reduced fees and their actual costs.
- (2) The Department must use funds authorized by the Abandoned RV account, at RCW 46.68.175. DOL must create and maintain a waitlist.

Sec. 7 – Amends RCW 46.68.175 to allow reimbursement under this act to come out of the ARV program fund.

(b) RTTOs for costs related to a vehicle used as a residence between actual and reduced costs.

Sec. 9 – Effective date January 1, 2025.

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

The cash receipts impact of this bill is indeterminate. This bill would have an indeterminate but minor impact on revenue collected by the Department of Licensing. DOL collects money from the auctioned sale of impounded vehicles to the motor vehicle fund (Fund 108), this bill would create a pathway for

individuals with limited means to pay impound fees to recover their vehicles which would likely decrease the number of impounded vehicles sold at auction and decrease related funds collected by DOL.

The Abandoned Vehicle forecast estimates the revenue that will be collected from the sale of impounded vehicles. Due to the variability of vehicle sale prices and the unknown portion of impounded vehicles that may be impacted by this bill this forecast is not sufficient to create a determinate estimate of impact.

## **2.C – Expenditures**

### **Programs and Services Division (PSD):**

#### *What PSD Will Implement:*

With this being a new scope of work, Driver Vehicle Records (DVR) estimates an additional 2 Licensing Service Representative (LSR1) FTEs are needed to review applications and documents, approve, and process payments.

#### *Assumptions:*

There will be impacts to the Application & Issuance team in DVR. This new scope of work will require a case management system update in DRIVES, similar to the ARVs. There will be a need to create a new application form, preferably an online application system.

### **Information Services (ISD):**

#### *What IS Will Implement:*

1. 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.
2. The case to process the application for reimbursement for this process is separate from the existing reimbursement program.
  - a. The case will be approved or denied.
  - b. Forms will be able to be uploaded and entered by back office for mail-in applications.
  - c. New work queue to process applications.
3. 3 new letters will be created for response to application process.
  - a. Request for More Information
  - b. Denial
  - c. Approval-Pending Funds
4. Modify or create a new report.

- a. Revenue tracking cube
- b. ADHOC cube for program
- c. RTTO report (self-service for RTTOs to pull from eService)

**Assumptions:**

- 1. Business will provide letter templates.
- 2. Business will define parameters for reports.
- 3. No OneWA impact.
- 4. No OCIO oversight needed.

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.	\$ 27,144	-	27,100	-	-	-	-	27,100
BUSINESS ANALYST	Determine business requirements; translate requirements into what changes are needed to various systems including account codes, inventory codes, testing considerations, etc.	\$ 19,836	-	6,000	-	-	-	-	6,000
PROJECT MANAGER	Manage schedule and contracts	\$ 34,452	-	6,900	-	-	-	-	6,900
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.	\$ 19,836	-	4,000	-	-	-	-	4,000
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	-	37,200	-	-	-	-	37,200
Trainer	Trains business partners and employees in new system processes and capabilities.	\$ 27,144	-	8,100	-	-	-	-	8,100
Project Contingency	Office of the Chief Information Officer designated rate of 10%	\$ 29,824	-	8,900	-	-	-	-	8,900
<b>Totals</b>			-	<b>98,200</b>	-	-	-	-	<b>98,200</b>

**Support Services:**

Agency Administrative Overhead is included at a rate of 23.4 percent of the direct program costs. This funding received covers agency-wide functions such as vendor payments, contract administration, financial management, mail processing, equipment management, help desk support, and technical assistance to DOL employees. These indirect costs are shown under object E.

**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	-	314,000	314,000	430,000	430,000
<b>Account Totals</b>		<b>-</b>	<b>314,000</b>	<b>314,000</b>	<b>430,000</b>	<b>430,000</b>

### 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	2.0	1.0	2.0	2.0
Salaries and Wages	-	101,000	101,000	202,000	202,000
Employee Benefits	-	45,000	45,000	90,000	90,000
Goods and Services	-	168,000	168,000	138,000	138,000
<b>Total By Object Type</b>	<b>-</b>	<b>314,000</b>	<b>314,000</b>	<b>430,000</b>	<b>430,000</b>

### 3.C – FTE Detail

Staffing	Salary	FY 24	FY 25	23-25 Total	25-27 Total	27-29 Total
Licensing Services Representative 1	48,864	0.0	2.0	1.0	2.0	2.0
<b>Total FTE</b>		<b>0.0</b>	<b>2.0</b>	<b>1.0</b>	<b>2.0</b>	<b>2.0</b>

### Part 4 – Capital Budget Impact

None.

### Part 5 – New Rule Making Required

None.

# Individual State Agency Fiscal Note

<b>Bill Number:</b> 5730 P SB PSSB5730_S-349 .2	<b>Title:</b> Relating to impounds of vehicles used as residences	<b>Agency:</b> 477-Department of Fish and Wildlife
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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	0.3	0.2	0.0	0.0
<b>Account</b>					
General Fund-State      001-1	0	146,000	146,000	0	0
<b>Total \$</b>	0	146,000	146,000	0	0

### 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: 01/04/2024
Agency Preparation: David Hoeveler	Phone: (360) 970-1638	Date: 01/09/2024
Agency Approval: David Hoeveler	Phone: (360) 970-1638	Date: 01/09/2024
OFM Review: Matthew Hunter	Phone: (360) 529-7078	Date: 01/09/2024

## 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 legislation will require training for officers. It will also require the development, approval, and production of stickers to attach to abandoned vehicles.

Section 3 (1) A law enforcement officer discovering an unauthorized vehicle left on publicly owned or controlled property shall attach to the vehicle a readily visible notification sticker. The sticker shall contain the following information:

- (a) The date and time the sticker was attached;
  - (b) The identity of the officer;
  - (c)(i) For the first offense, a statement that the owner has 72 hours to declare the vehicle is being used as a residence and move the vehicle to a safe parking area or the law enforcement officer may provide for the vehicle's removal to a place of safety and stored at the owner's expense;
  - (ii) For any subsequent offense, a statement that if the vehicle is not removed within 24 hours, the law enforcement officer may provide for the vehicle's removal to a place of safety and stored at the owner's expense;
  - (d) A statement that if the vehicle is not redeemed as provided in RCW 46.55.120, the registered owner will have committed the traffic infraction of littering—abandoned vehicle; and
  - (e) The address and telephone number where additional information may be obtained.
- (2) If the vehicle has Washington license plates, the officer shall check the records to learn the identity of the last owner of record. The officer or his or her department shall make a reasonable effort to contact the owner by telephone in order to give the owner the information on the notification sticker.
- (3) For the purposes of this section, a place of safety includes the business location of a registered tow truck operator.

### 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 notification stickers defined in Section 3 of the bill will have to be designed, approved by the AGO, then printed and distributed to DFW's commissioned officers. All commissioned staff will have to be trained on the use and application of the stickers. The training will be conducted to standard with internal resources. The Department will train approximately 141 personnel for FY25. The population will be split in half for two training sessions. The costs for the training include the standard employee costs, OT salary, OT benefits, and travel costs. The OT salary and OT benefits will cover backfilling officers that rotate through training to reduce impacts to mission capacity. The standard employee costs are \$6,600. OT Salary and OT benefits are calculated as 0.2 FTEs of 103 law enforcement officers = \$45,802, and 0.1 FTEs of 26 law enforcement sergeants = \$27,407. Additionally, travel costs are one day of per diem and one night of lodging for 90 percent of the staff traveling from outside the local area. Per diem =  $(141 \times 90\% \times \$74) = \$9,391$  and lodging =  $(141 \times 90\% \times \$140) = \$17,766$ . An infrastructure and program support rate of 36.03 percent is included in Object T and is calculated based on WDFW's federally approved indirect rate.

Average training cost will be \$146,000 per year.

## Part III: Expenditure Detail

### III. A - Operating Budget Expenditures

Account	Account Title	Type	FY 2024	FY 2025	2023-25	2025-27	2027-29
001-1	General Fund	State	0	146,000	146,000	0	0
<b>Total \$</b>			0	146,000	146,000	0	0

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

	FY 2024	FY 2025	2023-25	2025-27	2027-29
FTE Staff Years		0.3	0.2		
A-Salaries and Wages		58,000	58,000		
B-Employee Benefits		15,000	15,000		
C-Professional Service Contracts					
E-Goods and Other Services		8,000	8,000		
G-Travel		27,000	27,000		
J-Capital Outlays					
M-Inter Agency/Fund Transfers					
N-Grants, Benefits & Client Services					
P-Debt Service					
S-Interagency Reimbursements					
T-Intra-Agency Reimbursements		38,000	38,000		
9-					
<b>Total \$</b>	0	146,000	146,000	0	0

### 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
FISH & WILDLIFE ENFORCEMENT OFFICER			0.2	0.1		
FISH & WILDLIFE ENFORCEMENT SERGEANT			0.1	0.1		
<b>Total FTEs</b>			0.3	0.2		0.0

### 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.*



# LOCAL GOVERNMENT FISCAL NOTE

Department of Commerce

<b>Bill Number:</b> 5730 P SB PSSB5730_S-349 .2	<b>Title:</b> Relating to impounds of vehicles used as residences
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**Part I: Jurisdiction**-Location, type or status of political subdivision defines range of fiscal impacts.

**Legislation Impacts:**

- Cities: Costs for new training; indeterminate costs to implement new system to identify, track, and sticker vehicles that may be used as residences.
- Counties: Same as above.
- 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: How new requirements to sticker and track vehicles will be developed and implemented.

**Estimated revenue impacts to:**

None

**Estimated expenditure impacts to:**

Jurisdiction	FY 2024	FY 2025	2023-25	2025-27	2027-29
City		117,984	117,984		
County		40,482	40,482		
<b>TOTAL \$</b>		158,466	158,466		
<b>GRAND TOTAL \$</b>					<b>158,466</b>

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

**Part III: Preparation and Approval**

Fiscal Note Analyst: Alice Zillah	Phone: 360-725-5035	Date: 01/11/2024
Leg. Committee Contact: Melissa Van Gorkom	Phone: 360-786-7491	Date: 01/04/2024
Agency Approval: Allan Johnson	Phone: 360-725-5033	Date: 01/11/2024
OFM Review: Kyle Siefering	Phone: (360) 995-3825	Date: 01/11/2024

## Part IV: Analysis

### A. SUMMARY OF BILL

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

Sec. 2 amends RCW 46.55.010 to modify the definition of "unauthorized vehicle."

Sec. 3 adds a new section to RCW 46.55. A law enforcement officer discovering an unauthorized vehicle left on publicly owned or controlled property shall attach to the vehicle a readily visible notification sticker. The sticker shall contain the following information:

(a) The date and time the sticker was attached;

(b) The identity of the officer;

(c)(i) For the first offense, a statement that the owner has hours to declare the vehicle is being used as a residence and move the vehicle to a safe parking area or the law enforcement officer may provide for the vehicle's removal to a place of safety and stored at the owner's expense; (ii) For any subsequent offense, a statement that if the vehicle is not removed within 24 hours, the law enforcement officer may provide for the vehicle's removal to a place of safety and stored at the owner's expense;

(d) A statement that if the vehicle is not redeemed as provided in RCW 46.55.120, the registered owner will have committed the traffic infraction of littering—abandoned vehicle; and

(e) The address and telephone number where additional information may be obtained. If the vehicle has Washington license plates, the officer shall check the records to learn the identity of the last owner of record. The officer or his or her department shall make a reasonable effort to contact the owner by telephone in order to give the owner the information on the notification sticker.

For the purposes of this section, a place of safety includes the business location of a registered tow truck operator.

Sec. 9 establishes that Sections 2 through 7 of this act take effect January 1, 2025.

### B. SUMMARY OF EXPENDITURE IMPACTS

*Expenditure impacts of the legislation on local governments with the expenditure provisions identified by section number and when appropriate, the detail of expenditures. Delineated between city, county and special district impacts.*

The proposed legislation would require approximately \$158,466 in one-time costs for law enforcement training. In addition, cities and counties would see indeterminate costs associated with developing new processes to track and sticker vehicles used as residences.

#### TRAINING COSTS:

According to the Washington Association of Sheriffs and Police Chiefs (WASPC), all local law enforcement officers would need to go through training regarding the modification this bill would make to existing law enforcement duties. WASPC estimates that approximately 15 minutes of training would be required per law enforcement officer. This training would require a one-time cost of \$235,969 for cities and \$80,964 for counties, for a total one-time cost to local governments of \$158,466.

The 2022 Crime in Washington Report conducted by WASPC states that there are 6,647 commissioned officers in police departments and 2,249 commissioned officers in sheriff's departments, for a total of 8,896 commissioned law enforcement employees that would require training. The 2024 Local Government Fiscal Note Program Criminal Justice Cost Model estimates the average hourly salary (including benefits and overhead) for an officer employed by a city to be \$71, and the same figure for an officer employed by a county to be \$72. If every officer in Washington had to complete approximately 30 minutes of training, the cost to local governments would be:

Cities: 6,647 officers X 15 minutes X \$71 average hourly salary plus benefits and overhead = \$117,984

Counties: 2,249 officers X 15 minutes X \$72 average hourly salary plus benefits and overhead = \$40,482

Total: \$158,466

**VEHICLE TRACKING COSTS:**

The legislation would require law enforcement agencies to sticker vehicles left on public property. For the first offense, officers would have to sticker the vehicles with a statement and warning. For any subsequent offense, officers would have to provide a second sticker indicating that the vehicle must be removed within 24 hours. These new requirements would necessitate a new system, in collaboration with the Department of Licensing, to identify and track vehicles. The costs associated with developing and implementing this system are not known at this time.

Please note that court impacts, including judicial costs, clerk costs, and court fees are described in fiscal notes prepared by the Administrative Office of the Courts (AOC). Local government fiscal notes include city and county expenditures for law enforcement investigations and arrests, indigent defenders, prosecutors, and jail costs.

**C. SUMMARY OF REVENUE IMPACTS**

*Revenue impacts of the legislation on local governments, with the revenue provisions identified by section number, and when appropriate, the detail of revenue sources. Delineated between city, county and special district impacts.*

The legislation would not impact local government revenue.

**SOURCES:**

Washington Association of Sheriffs and Police Chiefs