

# Multiple Agency Fiscal Note Summary

<b>Bill Number:</b> 2356 S HB H-3076.1	<b>Title:</b> Speed safety cameras
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## Estimated Cash Receipts

Agency Name	2023-25			2025-27			2027-29		
	GF-State	NGF-Outlook	Total	GF-State	NGF-Outlook	Total	GF-State	NGF-Outlook	Total
Office of Administrative Hearings	0	0	5,920,000	0	0	11,840,000	0	0	11,840,000
Office of Administrative Hearings	In addition to the estimate above,there are additional indeterminate costs and/or savings. Please see individual fiscal note.								
Department of Social and Health Services	Non-zero but indeterminate cost and/or savings. Please see discussion.								
Department of Transportation	Non-zero but indeterminate cost and/or savings. Please see discussion.								
<b>Total \$</b>	<b>0</b>	<b>0</b>	<b>5,920,000</b>	<b>0</b>	<b>0</b>	<b>11,840,000</b>	<b>0</b>	<b>0</b>	<b>11,840,000</b>

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	No fiscal impact					
Local Gov. Total						

## Estimated Operating Expenditures

Agency Name	2023-25				2025-27				2027-29			
	FTEs	GF-State	NGF-Outlook	Total	FTEs	GF-State	NGF-Outlook	Total	FTEs	GF-State	NGF-Outlook	Total
Administrative Office of the Courts	.0	0	0	0	.0	0	0	0	.0	0	0	0
Office of Attorney General	.0	0	0	0	.0	0	0	0	.0	0	0	0
Office of Administrative Hearings	19.1	0	0	5,920,000	38.2	0	0	11,840,000	38.2	0	0	11,840,000
Office of Administrative Hearings	In addition to the estimate above,there are additional indeterminate costs and/or savings. Please see individual fiscal note.											
Washington State Patrol	.0	0	0	0	.0	0	0	0	.0	0	0	0
Department of Licensing	.0	0	0	38,000	.0	0	0	76,000	.0	0	0	76,000
Department of Social and Health Services	.0	0	0	0	.0	0	0	0	.0	0	0	0
Department of Transportation	.0	0	0	175,000	.0	0	0	0	.0	0	0	0
<b>Total \$</b>	<b>19.1</b>	<b>0</b>	<b>0</b>	<b>6,133,000</b>	<b>38.2</b>	<b>0</b>	<b>0</b>	<b>11,916,000</b>	<b>38.2</b>	<b>0</b>	<b>0</b>	<b>11,916,000</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	No fiscal impact								
Local Gov. Total									

### Estimated Capital Budget Expenditures

Agency Name	2023-25			2025-27			2027-29		
	FTEs	Bonds	Total	FTEs	Bonds	Total	FTEs	Bonds	Total
Administrative Office of the Courts	.0	0	0	.0	0	0	.0	0	0
Office of Attorney General	.0	0	0	.0	0	0	.0	0	0
Office of Administrative Hearings	.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
Department of Social and Health Services	.0	0	0	.0	0	0	.0	0	0
Department of Transportation	.0	0	0	.0	0	0	.0	0	0
<b>Total \$</b>	<b>0.0</b>	<b>0</b>	<b>0</b>	<b>0.0</b>	<b>0</b>	<b>0</b>	<b>0.0</b>	<b>0</b>	<b>0</b>

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

### Estimated Capital Budget Breakout

<b>Prepared by:</b> Maria Thomas, OFM	<b>Phone:</b> (360) 229-4717	<b>Date Published:</b> Preliminary 2/ 8/2024
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# Judicial Impact Fiscal Note

<b>Bill Number:</b> 2356 S HB H-3076.1	<b>Title:</b> Speed safety cameras	<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: Christine Thomas	Phone: 360-786-7142	Date: 02/01/2024
Agency Preparation: Chris Conn	Phone: 360-704-5512	Date: 02/02/2024
Agency Approval: Chris Stanley	Phone: 360-357-2406	Date: 02/02/2024
OFM Review: Gaius Horton	Phone: (360) 819-3112	Date: 02/02/2024

193,352.00

Request # 183-1

## Part II: Narrative Explanation

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

The substitute would not make any changes affecting the fiscal impact to the Administrative Office of the Courts or the courts.

### II. B - Cash Receipts Impact

None

### II. C - Expenditures

No fiscal impact to the Administrative Office of the 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

None

193,352.00

Form FN (Rev 1/00)

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Request # 183-1

Bill # 2356 S HB H-3076.1

# Individual State Agency Fiscal Note

<b>Bill Number:</b> 2356 S HB H-3076.1	<b>Title:</b> Speed safety cameras	<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.

<b>Legislative Contact:</b> Christine Thomas	<b>Phone:</b> 360-786-7142	<b>Date:</b> 02/01/2024
<b>Agency Preparation:</b> Dave Merchant	<b>Phone:</b> 360-753-1620	<b>Date:</b> 02/06/2024
<b>Agency Approval:</b> Leah Snow	<b>Phone:</b> 360-586-2104	<b>Date:</b> 02/06/2024
<b>OFM Review:</b> Val Terre	<b>Phone:</b> (360) 280-3973	<b>Date:</b> 02/06/2024

## 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.*

1. The Attorney General's Office (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 represents WSP in administrative litigation. This bill makes numerous substantive changes to the work zone speed safety camera law that passed the legislature in 2023 as ESSB 5272.

The changes in Section 1 and 2 would enable Department of Licensing (DOL) to impair a vehicle's registration for failure to failure to pay penalties assessed as a result of speed safety camera system infractions. GCE does not anticipate any fiscal impact from these changes, as DOL is responsible for vehicle registrations, not WSP.

Sections 3 and 4 would set a specific fine amount of \$124 for first violations after the expiration of any warning period, and \$248 for all subsequent violations, creates a 30-day state-wide warning period at the start of the program, and clarifies that the monetary penalty is not subject to any of the other statutorily imposed assessments or fees that are applicable other traffic infractions. The fine amounts are consistent with the penalties assessed for existing speed infractions on state highways and in construction zones, so GCE does not anticipate any increased litigation as a result of these changes.

Section 4 would clarify that the burden of proof at an administrative hearing is by a preponderance of the evidence. Because this change would simply codify the burden that already exists in case law for cases of this type and in the court rules governing speed infractions litigated in courts of limited jurisdiction, GCE does not anticipate any fiscal impact from this change. Section 4 would also enable a person to request a payment plan at any point following receipt of an infraction. GCE assumes that payment plans would be handled by the Office of Administrative Hearings (OAH). GCE does not anticipate needing to appear in such proceedings. Therefore, no fiscal impact is anticipated from this change. Section 4 would make numerous refinements and changes relating to the disposition of speed safety camera system infractions and the options a vehicle owner would have upon receipt of an infraction. The changes would result in a process similar to that already in place for infractions litigated in courts of limited jurisdiction. Specifically, this proposal would give vehicle owners who receive an infraction the choice to pay the infraction, admit to the infraction but seek to mitigate the penalty at a hearing, or challenge the infraction at a hearing. A notice of infraction would represent a determination that an infraction has been committed, so the failure to respond to a notice by choosing to pay the penalty or request a hearing would result in a final judgment. Under the existing law, an owner who fails to respond to a notice of infraction will automatically receive an administrative hearing. GCE previously assumed that mitigation would be presented as a hearing option and that those cases would utilize few resources, so the codification of this option would not result in any workload changes. Also, failures to respond would no longer receive an administrative hearing as they will under existing law. GCE previously assumed that those hearings would utilize minimal Assistant Attorney General (AAG) resources. GCE assumes that any savings realized by not having to be present at calendars to litigate failures to respond would be offset by the need to respond to a small number of more labor intensive motions for reconsideration and motions to vacate default judgments. New legal services are nominal, and costs are not included in this request.

2. The AGO Labor and Industries Division (LNI) has reviewed this bill and determined it will not significantly increase or decrease the division's workload in representing the Washington State Department of Labor & Industries (L&I). The enactment of this bill will not impact the provision of legal services to L&I because it does not create any rights, obligations, duties, or other legal consequences specific to the agency. 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 increase or decrease the division's workload. Therefore, no costs are included in this request.

4. 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 DOL. The enactment of this bill will not impact the provision of legal services to DOL because its responsibilities under the bill are mostly limited to providing drivers 120 day notices of noncompliance with speed camera infractions. Because DOL currently sends 120 day notices for similar driving infractions, DOL already has systems, processes, and rules in place for these notices. While DOL will likely have more 120 day notices to send under this bill, beyond that, the impact is to the agency and its legal services is likely low. Legal services can be provided with existing resources. New legal services are nominal, and costs are not included in this request.

5. The AGO Civil Rights Division (CRD) has reviewed this bill and determined it will not increase or decrease the division’s workload in representing the Attorney General’s Office (AGO) or the Human Rights Commission (HUM). The enactment of this bill will not impact the provision of legal services to the HUM because the bill imposes no new requirements on the HUM. The enactment of this bill will not impact CRD’s provision of legal services to the AGO because the bill assigns no required civil rights enforcement duties to the AGO. Therefore, no costs are included in this request.

6. 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 Washington State Department of Transportation (WSDOT). WSDOT’s primary obligations are reflected in Sections 1(1) regarding the forwarding of outstanding violations to DOL and 4(3)(a) regarding the creation of a public facing website, the procuring of contracts, and the adoption of regulations. Since July 1, 2023, TPC has been providing legal services to WSDOT in support of its rulemaking and contract work, and TPC will continue to do so until the end of the current fiscal year. Consequently, beginning July 1, 2024, TPC estimates a total of 10 hours per year in support of WSDOT’s operation and administration of the program. New legal services are nominal, and costs are not included in this request.

7. The AGO Criminal Justice Division (CRJ) has reviewed this bill and determined it will not increase or decrease the division’s workload. This proposal makes numerous substantive changes to the work zone speed safety camera law that passed the legislature in 2023 as ESSB 5272. CRJ anticipates that these changes will not result any additional work beyond what was anticipated for the enactment of ESSB 5272 during the 2023 legislative session. As such, CRJ does not anticipate any fiscal impact from these changes. 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> 2356 S HB H-3076.1	<b>Title:</b> Speed safety cameras	<b>Agency:</b> 110-Office of Administrative Hearings
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## Part I: Estimates

**No Fiscal Impact**

### Estimated Cash Receipts to:

ACCOUNT	FY 2024	FY 2025	2023-25	2025-27	2027-29
Administrative Hearings Revolving Account-State 484-1		5,920,000	5,920,000	11,840,000	11,840,000
<b>Total \$</b>		5,920,000	5,920,000	11,840,000	11,840,000

In addition to the estimates above, there are additional indeterminate costs 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	38.2	19.1	38.2	38.2
<b>Account</b>					
Administrative Hearings Revolving Account-State 484-1	0	5,920,000	5,920,000	11,840,000	11,840,000
<b>Total \$</b>	0	5,920,000	5,920,000	11,840,000	11,840,000

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: Christine Thomas	Phone: 360-786-7142	Date: 02/01/2024
Agency Preparation: Pete Boeckel	Phone: 360-407-2730	Date: 02/05/2024
Agency Approval: Rob Cotton	Phone: 360-407-2708	Date: 02/05/2024
OFM Review: Val Terre	Phone: (360) 280-3973	Date: 02/06/2024

## 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.*

Costs are not identified in this fiscal note as the indeterminate costs cannot be projected at a plausible level.

Section 4 prescribes penalty amounts for first, second, and multiple violations, and (b) renders an infraction a final determination if it is not contested within 30 days of receipt, or if no mitigation hearing is requested during this same time period. It provides that the notice of infraction will be referred to the Office of Administrative Hearings (OAH) if the responsible person contests the determination or requests a mitigation hearing. It establishes a burden of proof on the Washington State Patrol at infraction contest hearings, and gives OAH discretionary authority to authorize payment plans and modify payment plans on a continuing basis.

### 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.*

Indeterminate cash receipts.

As a central service agency, the Office of Administrative Hearings (OAH) bills referring agencies for its costs and collects the revenue into the Administrative Hearings Revolving Account. Cash receipts are assumed to equal costs. OAH will bill the Washington State Department of Transportation for the costs related to this proposed legislation.

These cash receipts represent the OAH's authority to bill and are not a direct appropriation to OAH. Appropriation authority is necessary in OAH's budget.

### 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.*

Indeterminate expenditure impact.

On average, appeals are assumed to require Administrative Law Judge (ALJ) time including prehearing conferences, hearings, order writings, etc. at:

- A. Orders for those who ignore infractions: 1.0 hour of ALJ time per case.
- B. Mitigation hearings: 1.0 hour of ALJ time per case
- C. Contest hearings: 3.0 hours of ALJ time per case.
- D. Payment plan hearings: 2.0 hours of ALJ time per case.

OAH Agency Workforce Assumptions:

- (1) 1.0 Line ALJ will include cost and FTE for 0.15 Senior ALJ (SALJ), 0.15 Lead ALJ (LALJ), 0.6 Legal Assistant 2 (LA2) (Range 40 step L), and 0.25 administrative support represented as a Management Analyst 5 (MA5) (Range 64 Step L).
- (2) ALJ salary is based on the ALJ collective bargaining agreement and assumed to be at step L. (Line ALJ-range 70. Senior ALJ-range 74.)
- (3) Benefit rates were analyzed by job class and projected using the latest benefit information available.
- (4) Goods and services, travel and on-going capital outlays were projected based on historical data for each of the job classifications.

The Washington State Department of Transportation (WSDOT) assumes indeterminate fiscal impact because there is not relevant data available to forecast how many people would continue to speed through work zones and incur a citation.

In coordination with the Attorney General’s Office, it is assumed that there is potential for a high number of appeals to OAH from DOL. 13,700 appeals per FY are assumed for projecting costs:

- 7,800 appeals for mitigation (1.0 ALJ hour per appeal) \$1,861,000 per FY;
- 5,267 Contested hearings (3.00 ALJ hours per appeal) \$3,759,000 per FY;
- 633 payment plan hearings (2 ALJ hours per hearing) \$300,000 per FY.

Total workload impact beginning in FY 2025: 17.76 ALJ, 2.66 SALJ; 2.66 LALJ; 10.66 LA2 and 4.44 MA5. The total rounded cost is \$5,920,000 per FY.

These projected costs do not include approved COLA salary increases approved effective July 1, 2024.

This bill is assumed effective 90 days after the end of the 2024 legislative session. There is potential for start up costs in FY 2024 that are not projected. This law is assumed to end June 30, 2030.

**Part III: Expenditure Detail**

**III. A - Operating Budget Expenditures**

Account	Account Title	Type	FY 2024	FY 2025	2023-25	2025-27	2027-29
484-1	Administrative Hearings Revolving Account	State	0	5,920,000	5,920,000	11,840,000	11,840,000
<b>Total \$</b>			0	5,920,000	5,920,000	11,840,000	11,840,000

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		38.2	19.1	38.2	38.2
A-Salaries and Wages		3,708,000	3,708,000	7,416,000	7,416,000
B-Employee Benefits		1,178,000	1,178,000	2,356,000	2,356,000
C-Professional Service Contracts					
E-Goods and Other Services		954,000	954,000	1,908,000	1,908,000
G-Travel		35,000	35,000	70,000	70,000
J-Capital Outlays		45,000	45,000	90,000	90,000
M-Inter Agency/Fund Transfers					
N-Grants, Benefits & Client Services					
P-Debt Service					
S-Interagency Reimbursements					
T-Intra-Agency Reimbursements					
9-					
<b>Total \$</b>	0	5,920,000	5,920,000	11,840,000	11,840,000

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
Administrative Law Judge	110,400		17.8	8.9	17.8	17.8
Lead Administrative Law Judge	118,932		2.7	1.3	2.7	2.7
Legal Assistant 2	52,964		10.7	5.3	10.7	10.7
Management Analyst 5	95,184		4.4	2.2	4.4	4.4
Senior Administrative Law Judge	128,400		2.7	1.3	2.7	2.7
<b>Total FTEs</b>			38.2	19.1	38.2	38.2

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

Program	FY 2024	FY 2025	2023-25	2025-27	2027-29
Regulatory & Education (REG)		5,920,000	5,920,000	11,840,000	11,840,000
<b>Total \$</b>		5,920,000	5,920,000	11,840,000	11,840,000

**Part IV: Capital Budget Impact**

**IV. A - Capital Budget Expenditures**

NONE

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

NONE

**IV. C - Capital Budget Breakout**

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

NONE

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

NONE

**Part V: New Rule Making Required**

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

# Individual State Agency Fiscal Note

<b>Bill Number:</b> 2356 S HB H-3076.1	<b>Title:</b> Speed safety cameras	<b>Agency:</b> 225-Washington State Patrol
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## Part I: Estimates

**No Fiscal Impact**

**Estimated Cash Receipts to:**

NONE

**Estimated Operating Expenditures from:**

NONE

**Estimated Capital Budget Impact:**

NONE

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

Check applicable boxes and follow corresponding instructions:

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

Legislative Contact: Christine Thomas	Phone: 360-786-7142	Date: 02/01/2024
Agency Preparation: Thomas Bohon	Phone: (360) 596-4044	Date: 02/01/2024
Agency Approval: Mario Buono	Phone: (360) 596-4046	Date: 02/01/2024
OFM Review: Tiffany West	Phone: (360) 890-2653	Date: 02/02/2024

## 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 substitute version of the proposed legislation does not change our fiscal impact.

There is no new fiscal impact to the Washington State Patrol (WSP).

The proposed legislation cleans up language regarding the speed safety camera program that passed legislation in the 2023 legislative session. Specifically, it adds a requirement for the Department of Transportation (WSDOT) to develop and maintain a public-facing educational website, establishes the monetary fines associated with infractions from speed safety cameras, and better outlines the options and processes for individuals who receive a Notice of Infraction from a speed safety camera, among other things. The substitute version strikes a 17-day warning period that was to occur before infractions were sent on long term work zones with speed safety cameras.

### 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.*

NONE

## 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> 2356 S HB H-3076.1	<b>Title:</b> Speed safety cameras	<b>Agency:</b> 240-Department of Licensing
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## Part I: Estimates

**No Fiscal Impact**

### Estimated Cash Receipts to:

NONE

### Estimated Operating Expenditures from:

	FY 2024	FY 2025	2023-25	2025-27	2027-29
<b>Account</b>					
Motor Vehicle Account-State 108 -1	0	38,000	38,000	76,000	76,000
<b>Total \$</b>	0	38,000	38,000	76,000	76,000

### Estimated Capital Budget Impact:

NONE

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

Check applicable boxes and follow corresponding instructions:

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

Legislative Contact: Christine Thomas	Phone: 360-786-7142	Date: 02/01/2024
Agency Preparation: Don Arlow	Phone: (360) 902-3736	Date: 02/02/2024
Agency Approval: Collin Ashley	Phone: (564) 669-9190	Date: 02/02/2024
OFM Review: Kyle Siefering	Phone: (360) 995-3825	Date: 02/02/2024



## 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 1 amends RCW 46.16A.120 to stipulate that each court and government agency with jurisdiction over the use of a speed safety camera system under RCW 46.63.200 may forward to DOL any outstanding Speed safety camera system infractions issued under RCW 46.63.030(1)(f).

### II. B - Cash receipts Impact

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

### II. C - Expenditures

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

## Part III: Expenditure Detail

### III. A - Operating Budget Expenditures

Account	Account Title	Type	FY 2024	FY 2025	2023-25	2025-27	2027-29
108-1	Motor Vehicle Account	State	0	38,000	38,000	76,000	76,000
<b>Total \$</b>			0	38,000	38,000	76,000	76,000

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

	FY 2024	FY 2025	2023-25	2025-27	2027-29
FTE Staff Years					
A-Salaries and Wages					
B-Employee Benefits					
C-Professional Service Contracts					
E-Goods and Other Services		38,000	38,000	76,000	76,000
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	38,000	38,000	76,000	76,000

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

NONE

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

NONE

## **Part IV: Capital Budget Impact**

### **IV. A - Capital Budget Expenditures**

NONE

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

NONE

### **IV. C - Capital Budget Breakout**

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

NONE

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

NONE

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

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

# Individual State Agency Fiscal Note

Agency 240 – Department of Licensing

Bill Number: SHB 2356                      Bill Title: Speed safety camera systems  
 H-3076.1

**Part 1: Estimates**

**No Fiscal Impact**

**Estimated Cash Receipts:**

NONE

**Estimated Expenditures:**

Operating Expenditures	Fund	FY 24	FY 25	23-25 Total	25-27 Total	27-29 Total
Motor Vehicle	108	-	38,000	38,000	76,000	76,000
<b>Account Totals</b>		-	<b>38,000</b>	<b>38,000</b>	<b>76,000</b>	<b>76,000</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: Christine Thomas	Phone: (360) 786-7142	Date: 2/1/2024
Agency Preparation: Don Arlow	Phone: (360) 902-3736	Date: 2/2/2024
Agency Approval: Collin Ashley	Phone: (360) 634-5384	Date: 2/2/2024

Request #	1
Bill #	2356 SHB H-3076.1

## **Part 2 – Explanation**

This bill modifies provisions that authorize the Washington State Department of Transportation (DOT) to operate speed safety camera systems in state highway work zones. The Washington State Patrol (WSP) is responsible for the enforcement and adjudication of violations captured by the speed safety camera systems. Violations are reported to the Department of Licensing (DOL). DOL will send letters 120 days prior to the next vehicle registration date for persons with unresolved violations.

Differences between HB 2356 and SHB 2356 do not impact DOL, therefore no changes are made to the fiscal note.

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

Section 1 amends RCW 46.16A.120 to stipulate that each court and government agency with jurisdiction over the use of a speed safety camera system under RCW 46.63.200 may forward to DOL any outstanding Speed safety camera system infractions issued under RCW 46.63.030(1)(f).

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

There are no DOL cash receipts associated with this bill.

### **2.C – Expenditures**

DOL will incur additional postage costs following implementation of the bill. Under RCW 46.16A.120, DOL will receive notice of speed safety camera violations and add them to the vehicle record. The department will issue a letter 120 days prior to the next vehicle registration date for persons who have not resolved the violation. Failure to resolve the violation may result in DOL withholding the vehicle registration renewal.

DOL used the following assumptions for the fiscal estimate:

- DOT estimates that this bill could result in 257,000 additional violations reported to DOL.
- DOL evaluated available data on similar actions taken and found that 17 percent of registered owners received a 120-day letter due to unresolved violations under RCW 46.16A.120.
- Implementation of the bill will not require additional staff resources.

257,000 reported violations per year x 17% = 43,690 new 120-day letters sent

Provisions of the bill that modify RCW 46.20.270 may add administrative reviews resulting from any vehicle registration holds. DOL expects that it can manage additional reviews within existing resources but will monitor activity following implementation and address resource needs in a future budget cycle as necessary.

No changes to DOL's information technology systems are required.

### 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
Motor Vehicle	108	-	38,000	38,000	76,000	76,000
<b>Account Totals</b>		-	<b>38,000</b>	<b>38,000</b>	<b>76,000</b>	<b>76,000</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	0.0	0.0	0.0	0.0
Goods and Services	-	38,000	38,000	76,000	76,000
<b>Total By Object Type</b>	-	<b>38,000</b>	<b>38,000</b>	<b>76,000</b>	<b>76,000</b>

#### 3.C – FTE Detail

None.

### Part 4 – Capital Budget Impact

None.

### Part 5 – New Rule Making Required

None.

# Individual State Agency Fiscal Note

<b>Bill Number:</b> 2356 S HB H-3076.1	<b>Title:</b> Speed safety cameras	<b>Agency:</b> 300-Department of Social and Health Services
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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: Christine Thomas	Phone: 360-786-7142	Date: 02/01/2024
Agency Preparation: Douglas Hoffer	Phone: 360-902-8187	Date: 02/05/2024
Agency Approval: Dan Winkley	Phone: 360-902-8236	Date: 02/05/2024
OFM Review: Breann Boggs	Phone: (360) 485-5716	Date: 02/07/2024

## 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 no fiscal impact on expenditures for the Department of Social and Health Services (DSHS). This bill modifies the administration, penalty structure, and enforcement of speed safety camera system violations in state highway work zones. Currently, a fee of \$5 is deposited into the Traumatic Brain Injury (TBI) Account for each traffic infraction. Under this proposal, infractions issued as civil penalties associated with a speed safety camera system in state highway work zones will not result in funds deposited into the TBI account. This will result in an indeterminate impact to cash receipts to the TBI account.

### 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.*

This bill will result in an indeterminate impact to cash receipts. Under this proposal, infractions issued as civil penalties associated with a speed safety camera system in state highway work zones will impact in funds deposited into the TBI account.

### 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> 2356 S HB H-3076.1	<b>Title:</b> Speed safety cameras	<b>Agency:</b> 405-Department of Transportation
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## Part I: Estimates

**No Fiscal Impact**

### Estimated Cash Receipts to:

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

### Estimated Operating Expenditures from:

	FY 2024	FY 2025	2023-25	2025-27	2027-29
<b>Account</b>					
Motor Vehicle Account-State 108 -1	0	175,000	175,000	0	0
<b>Total \$</b>	0	175,000	175,000	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: Christine Thomas	Phone: 360-786-7142	Date: 02/01/2024
Agency Preparation: Nicole Daane	Phone: 360-705-7340	Date: 02/07/2024
Agency Approval: Dina Swires	Phone: 360-705-7297	Date: 02/07/2024
OFM Review: Maria Thomas	Phone: (360) 229-4717	Date: 02/07/2024

## 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.

See attached fiscal note.

### II. B - Cash receipts Impact

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

### II. C - Expenditures

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

## Part III: Expenditure Detail

### III. A - Operating Budget Expenditures

Account	Account Title	Type	FY 2024	FY 2025	2023-25	2025-27	2027-29
108-1	Motor Vehicle Account	State	0	175,000	175,000	0	0
<b>Total \$</b>			0	175,000	175,000	0	0

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

	FY 2024	FY 2025	2023-25	2025-27	2027-29
FTE Staff Years					
A-Salaries and Wages					
B-Employee Benefits					
C-Professional Service Contracts		175,000	175,000		
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	175,000	175,000	0	0

**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)

Program	FY 2024	FY 2025	2023-25	2025-27	2027-29
Traffic Operations (Q)		175,000	175,000		
<b>Total \$</b>		175,000	175,000		

## Part IV: Capital Budget Impact

### IV. A - Capital Budget Expenditures

NONE

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

NONE

**IV. C - Capital Budget Breakout**

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

NONE

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

NONE

**Part V: New Rule Making Required**

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

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

Filed CR 101: Proposal Statement of Inquiry - October 4, 2023

File CR 102: Proposed Rule Making - March - April 2024

Schedule Public Hearing – April - May 2024

File CR-103: Permanent Rule Only - May 2024

# Individual State Agency Fiscal Note

<b>Bill Number:</b> 2356 SHB	<b>Title:</b> Concerning Speed Safety Camera Systems on State Highways	<b>Agency:</b> 405-Department of Transportation
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## Part I: Estimates

- No Fiscal Impact (Explain in section II. A)
- Indeterminate Cash Receipts Impact (Explain in section II. B)
- Indeterminate Expenditure Impact (Explain in section II. C)

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

Expenditures	2023-25 Biennium		2025-27 Biennium		2027-29 Biennium	
	FY 2024	FY 2025	FY 2026	FY 2027	FY 2028	FY 2029
108-1-MOTOR VEHICLE		\$175,000				
<b>Total Expenditures</b>	<b>\$0</b>	<b>\$175,000</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>Biennial Totals</b>	<b>\$175,000</b>		<b>\$0</b>		<b>\$0</b>	
Objects of Expenditure	FY 2024	FY 2025	FY 2026	FY 2027	FY 2028	FY 2029
C - PROFESSIONAL SERVICE CONTRACTS		\$175,000				
Expenditures by Program	FY 2024	FY 2025	FY 2026	FY 2027	FY 2028	FY 2029
PROGRAM Q-OP		\$175,000				

## Agency Assumptions

The assumptions guiding this fiscal note are expected to change over time and must be reassessed annually as the program expands. There are several indeterminate factors at play. Needs for program expenditures and revenues will change future projections based on successful program expansion.

The department has developed a draft tiered infraction schedule, based off the infractions issued for High Occupancy Vehicle Lane violations.

1. \$124 for the first violation.
2. \$248 for the second violation, and for each violation thereafter.
3. Only a written warning may be issued for a violation of this section during the 30-day period after the first speed safety camera system is placed; and thereafter, during the 17-day period after placement of a speed safety camera system at a new long-term state highway work zone, as defined by the department of transportation.
  - a. A warning period is not tolled if the speed safety camera system is not in operation continuously or is moved from a state highway work zone during the warning period.

# Individual State Agency Fiscal Note

The department has developed the following method to arrive at estimated hours for processing potential infractions:

- It is estimated that each infraction will take two minutes to process.
- The time to review estimate is calculated monthly by multiplying the number of **potential violations** by the time to process each infraction (two minutes), calculating the total number of minutes needed to review infractions in a month. This is then divided by 60 minutes / hour to calculate the number of hours per month.
- The FTE number takes that number and divides it by 200 hours / month.

The fiscal impact of the proposed legislation is still indeterminate when compared to ESSB 5272 (RCW 46.63.200) because there is not relevant data available to forecast how many people would continue to speed through work zones and incur a citation.

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

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

Section 4(3a) directs WSDOT to develop and support a SSCS public facing website – Development costs of \$20,000 are estimated. These funds will cover the costs of buying website domain name, website development, translations services, and equity outreach. The department also estimates an added \$5,000 per year for the life of the program to help with needed website maintenance. Since these costs are minimal, the department will absorb within this program's funding.

## Agency Contacts:

Preparer: Nicole Daane	Phone: 564-669-4537	Date: 02/05/2024
Approval: Dina Swires	Phone: 206-276-5763	Date: 02/05/2024
Budget Manager: Robert Sirghie	Phone: 360-705-7546	Date: 02/06/2024

## Part II: Narrative Explanation

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

RCW 46.63.200 authorizes the Washington State Department of Transportation (WSDOT) to operate speed safety camera systems (SSCS) in state highway work zones. Under the law, the Washington State Patrol manages the enforcement and adjudication of violations captured by the speed safety camera systems. Both agencies must work together to implement the law by July 1, 2024. In this agency request legislation, WSDOT is proposing to amend RCW 46.16A.120, 46.20.270, 46.63.110 and 46.63.200.

### Section-by-Section Explanation of Proposed Substantive Amendments:

**Section 1 (RCW 46.16A.120):** The proposed amendments authorize WSDOT and/or the Washington State Patrol (WSP) to forward to the Department of Licensing (DOL) any outstanding (unpaid) violations, which enables DOL to impair the vehicle's registration if the registered owner of the vehicle fails to pay any outstanding infraction penalties prior to the date of registration renewal. DOL currently has the authority to impair vehicle registration for outstanding infractions issued for violations of the photo toll system under RCW 46.63.160, as well as violations generated by automated traffic safety cameras and school bus safety camera systems under RCW 46.63.170 and RCW 46.63.180, respectively. The proposed amendments allow DOL to treat a failure to pay the penalty imposed under RCW 46.63.200 in the same manner as other failures to pay penalties generated by automated traffic camera systems.

# Individual State Agency Fiscal Note

**Section 2 (RCW 46.20.270):** The proposed amendments also authorize the Office of Administrative Hearings (OAH) to send to DOL any failures to respond, failures to pay a penalty, or failures to appear at a hearing to contest infractions issued for a violation of RCW 46.63.200. OAH currently has this authority for photo toll system violations under RCW 46.63.160. These proposed amendments work together with the proposed amendment to RCW 46.16A.120 to enable DOL to impair vehicle registrations for outstanding penalties.

**Section 3 (RCW 46.63.110):** This law requires various assessments and fees to be collected in addition to monetary penalties for violations under Chapter 46.63 RCW. The proposed amendment exempts the collection of these assessments and fees for speed safety camera system violations under RCW 46.63.200. With this change, the registered owner of a vehicle receiving one of these violations will pay the monetary penalty set by statute under RCW 46.63.200, with no added assessments or fees.

**Section 4 (RCW 46.63.200):**

**Subsection (3)(a):** The proposed amendment requires WSDOT to create a website that will educate the traveling public about the operation of speed safety camera systems. It is expected that an increased awareness and understanding of the speed safety camera systems prior to and during their operation will positively condition driver behavior in state highway work zones.

**Subsection (4)(a):** The proposed amendment clarifies the prohibited conduct that will result in a violation of this statute.

**Subsection (5):** The proposed changes in this subsection relate to the penalty structure for a violation of the statute. First, this bill sets up the monetary penalties for speed safety camera system violations. A first violation will result in a \$124 penalty, while every violation thereafter will result in a \$248 penalty.

Second, during the 30-day period following placement of the first camera system in the state, only written warnings may be issued. A statewide warning period has preceded enforcement of other new traffic control laws, such as the hands free (cell phone) law and seatbelt law. The department is also required to conduct a public awareness campaign to inform the public of the use of speed safety camera systems in state highway work zones. WSDOT intends to leverage existing digital platforms and earned media opportunities for this work. The agency's assumption does not include a broader scope of digital, TV, radio or billboard ads. Additional funding would be needed if a broader more far-reaching scope is required of the public awareness campaign.

Third, in addition to and after the statewide 30-day warning period at the start of the program, a 17-day warning period will go into effect after the placement of a speed safety camera system in a new "long-term state highway work zone," as defined in rule by WSDOT.

Finally, the 30-day and 17-day warning periods are not tolled whether the camera system is moved or not in continuous operation during the entire warning period. For example, if a camera system is set up in new long-term Work Zone A for 10 days, is moved to existing Work Zone B for 2 days, and is then moved back to Work Zone A, the 17-day warning period for Work Zone A would not stop for the 2 days that the camera system was in Work Zone B.

**Subsection (6):** The proposed changes in subsection 6 relate to the disposition of speed safety camera system infractions and the options a vehicle owner has upon receipt of an infraction.

First, this legislation clarifies that upon receipt of an infraction, the vehicle owner has the choice to pay the infraction, admit to the infraction and continue to a hearing before OAH to explain mitigating circumstances, or challenge the infraction at a hearing before OAH. This new language closely tracks with language in existing speed infraction statutes and the Infraction Rules for Courts of Limited Jurisdiction (IRLJ). It also codifies the right of a litigant to seek mitigation, which advances the concepts of equity and fairness.

Second, the proposed amendments clarify that a notice of infraction will represent a determination that an infraction has been committed, and the failure of a vehicle owner to respond to a notice of infraction and elect one of the three identified options for resolution will result in a final judgment without the need for an administrative

# Individual State Agency Fiscal Note

hearing. This corrects an issue in the existing statute, which provides that if a vehicle owner does not respond to a notice of infraction within 30 days, the infraction will automatically be referred to OAH for a full administrative hearing. The proposed amendments adopt provisions in existing speed infraction statutes and the IRLJs to streamline the adjudication process and increase the effectiveness of the program.

Third, the changes clarify that the issuing agency has the burden of proving a violation by a preponderance of the evidence. This mirrors language in existing statutes for hearings in courts of limited jurisdiction.

Finally, language has been added that will enable a person to request a payment plan at any point following receipt of an infraction.

## II. B – Cash Receipts Impact

The legislation proposes a draft tiered infraction schedule, based off the infractions issued for High Occupancy Vehicle Lane violations.

1. \$124 for the first violation.
2. \$248 for the second violation, and for each violation thereafter.
3. Only a written warning may be issued for a violation of this section during the 30-day period after the first speed safety camera system is placed; and thereafter, during the 17-day period after placement of a speed safety camera system at a new long-term state highway work zone, as defined by the department of transportation.
  - a. A warning period is not tolled if the speed safety camera system is not in operation continuously or is moved from a state highway work zone during the warning period.

Cash receipts are indeterminate due to several factors including WSP's ability to staff the work and human factors in compliance and recidivism rates. However, revenues generated from the program could be estimated at \$19 million annually based on using six camera systems and approximately 257,000 infractions issued from July 1, 2024, through June 30, 2025. The attached document with backup calculations was developed since the original bill passed. Prior to the original bill passing, the fine structure was not decided between WSDOT and WSP. The new revenue assumptions are based on having this fine structure in place as part of the technical update bill.

- **See attached document – WSDOT Financial Modal.pdf**

## II. C – Expenditures

Section 4(3a) directs WSDOT to develop and support a SSCS public facing website – Development costs of \$20,000 are estimated. These funds will cover the costs of purchasing website domain name, website development, translations services, and equity outreach. The department also estimates an added \$5,000 per year for the life of the program to help with needed website maintenance. The department assumes these costs can be provided within existing resources and appropriation.

Section 4(5b) directs the department to conduct a public awareness campaign to inform the public of the use of speed safety camera systems in state highway work zones. WSDOT intends to leverage existing digital platforms and earned media opportunities for this work. The cost for communications support would be \$175,000 for the 30-day public awareness campaign and would utilize a professional service contract.

If a broader and more far-reaching campaign is required like digital, TV, radio or billboard ads, the agency would need additional funding. A paid media campaign with collateral development and associated media buys is estimated to cost between \$1.5 to \$2 million.

## Washington State Patrol - Infraction Certification Costs

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

## Office of Administrative Hearings – Adjudication costs

# Individual State Agency Fiscal Note

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

## Part III: Expenditure Detail

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

Object C – Professional Service Contract	\$175,000
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## Part IV: Capital Budget Impact

N/A

## Part V: New Rule Making Required

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

Filed CR 101: Proposal Statement of Inquiry - October 4, 2023

File CR 102: Proposed Rule Making - March - April 2024

Schedule Public Hearing – April - May 2024

File CR-103: Permanent Rule Only - May 2024



MD Violation Rates - Violation Rate adjusted to reflect 17 day warning period at new projects - WSDOT Constrained Deployment Numbers for FY 2025

**State of Washington**  
**Work Zone Speed Safety Camera Program**

*Estimated Monthly Program Violations and FTE's Required*

  \*indicates month with lowest potential violations  
  \*indicates month with highest potential violations

FY 2025 Violations	Jul-24	Aug-24	Sep-24	Oct-24	Nov-24	Dec-24	Jan-25	Feb-25	Mar-25	Apr-25	May-25	Jun-25	Total
Potential Violations	N/A	42,987	49,808	33,079	20,689	18,391	16,440	14,874	21,679	12,904	12,259	12,904	256,014
Mailed Violations	N/A	33,530	38,850	25,801	16,138	14,345	12,823	11,602	16,909	10,065	9,562	10,065	199,691
Time to Review (Hours)	N/A	1,118	1,295	860	538	478	427	387	564	336	319	336	6,656
Number of FTE's required		6	7	5	3	3	2	2	3	2	2	2	3

MD Violation Rates - Violation Rate adjusted to reflect 17 day warning period at new projects - WSDOT Constrained Deployment Numbers for FY 2025

**State of Washington**  
**Work Zone Speed Safety Camera Program**  
*Estimated Program Expenses and Revenue*

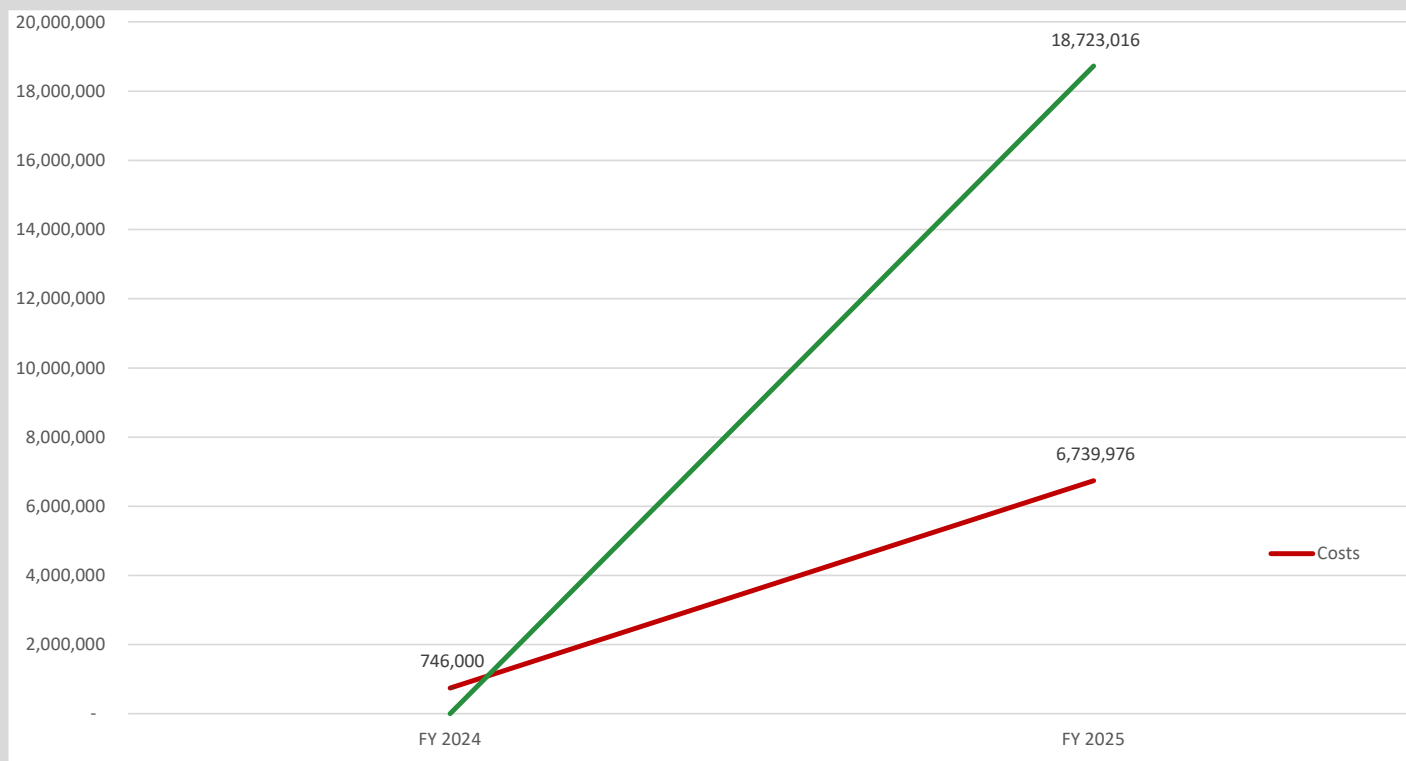
<b>Expenses</b>	<b>FY 2024</b>	<b>FY 2025</b>	<b>Total</b>
System Administrator - Deployment Cost	-	936,026	936,026
System Administrator - Admin Fee	90,000	1,560,000	1,650,000
Program Administrator (Consultant)	250,000	250,000	500,000
Agency Administrative Cost (WSDOT)	203,000	209,090	412,090
Agency Administrative Cost (WSP)	203,000	784,860	987,860
Hearing Officer Cost (OAH)	-	3,000,000	3,000,000
<b>Total Expenses:</b>	<b>746,000</b>	<b>6,739,976</b>	<b>7,485,976</b>
<b>Cumulative Expenses:</b>	<b>746,000</b>	<b>7,485,976</b>	<b>7,485,976</b>

<b>Revenue</b>	<b>FY 2024</b>	<b>FY 2025</b>	<b>Total</b>
Revenue (WSDOT)	-	18,723,016	18,723,016
<b>Cumulative Revenue:</b>	<b>-</b>	<b>18,723,016</b>	<b>18,723,016</b>

<b>Net Revenue After Expenses</b>	<b>FY 2024</b>	<b>FY 2025</b>	<b>Total</b>
<b>Net Revenue after Expenses:</b>	<b>(746,000)</b>	<b>11,983,040</b>	<b>11,237,040</b>

**Annual Financial Analysis**

Graph Depicting Annual Expenses and Revenue for the Total Program



reflect 17 day warning period at new projects -  
WSDOT Constrained Deployment Numbers for FY  
2025

## State of Washington Work Zone Speed Safety Camera Program

Estimated Monthly Program Expenses and Revenue

FY 2024 Expenses														Total
	Jul-23	Aug-23	Sep-23	Oct-23	Nov-23	Dec-23	Jan-24	Feb-24	Mar-24	Apr-24	May-24	Jun-24		
System Administrator - Deployment Cost	-	-	-	#	-	-	-	-	-	#	-	-	-	-
System Administrator - Admin Fee	-	-	-	-	-	-	-	-	22,500	22,500	22,500	22,500	22,500	90,000
Program Administrator (Consultant)	20,833	20,833	20,833	20,833	20,833	20,833	20,833	20,833	20,833	20,833	20,833	20,833	20,833	250,000
Agency Administrative Cost (WSDOT)	16,667	16,667	16,667	16,667	16,667	16,667	17,167	17,167	17,167	17,167	17,167	17,167	17,167	203,000
Agency Administrative Cost (WSP)	16,667	16,667	16,667	16,667	16,667	16,667	17,167	17,167	17,167	17,167	17,167	17,167	17,167	203,000
Hearing Officer Cost (OAH)	-	-	-	-	-	-	-	-	-	-	-	-	-	-
<b>Total Expenses:</b>	<b>54,167</b>	<b>54,167</b>	<b>54,167</b>	<b>54,167</b>	<b>54,167</b>	<b>54,167</b>	<b>55,167</b>	<b>55,167</b>	<b>77,667</b>	<b>77,667</b>	<b>77,667</b>	<b>77,667</b>	<b>77,667</b>	<b>746,000</b>
<b>Cumulative Expenses:</b>	<b>54,167</b>	<b>108,333</b>	<b>162,500</b>	<b>216,667</b>	<b>270,833</b>	<b>325,000</b>	<b>380,167</b>	<b>435,333</b>	<b>513,000</b>	<b>590,667</b>	<b>668,333</b>	<b>746,000</b>	<b>746,000</b>	<b>746,000</b>

FY 2024 Net Revenue														Total
	Jul-23	Aug-23	Sep-23	Oct-23	Nov-23	Dec-23	Jan-24	Feb-24	Mar-24	Apr-24	May-24	Jun-24		
Net Revenue (WSDOT)	-	-	-	-	-	-	-	-	-	-	-	-	-	-
<b>Cumulative Net Revenue:</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>

FY 2024 Net Revenue After Expenses														Total
	Jul-23	Aug-23	Sep-23	Oct-23	Nov-23	Dec-23	Jan-24	Feb-24	Mar-24	Apr-24	May-24	Jun-24		
<b>Net Revenue After Expenses:</b>	<b>(54,167)</b>	<b>(54,167)</b>	<b>(54,167)</b>	<b>(54,167)</b>	<b>(54,167)</b>	<b>(54,167)</b>	<b>(55,167)</b>	<b>(55,167)</b>	<b>(77,667)</b>	<b>(77,667)</b>	<b>(77,667)</b>	<b>(77,667)</b>	<b>(77,667)</b>	<b>(746,000)</b>

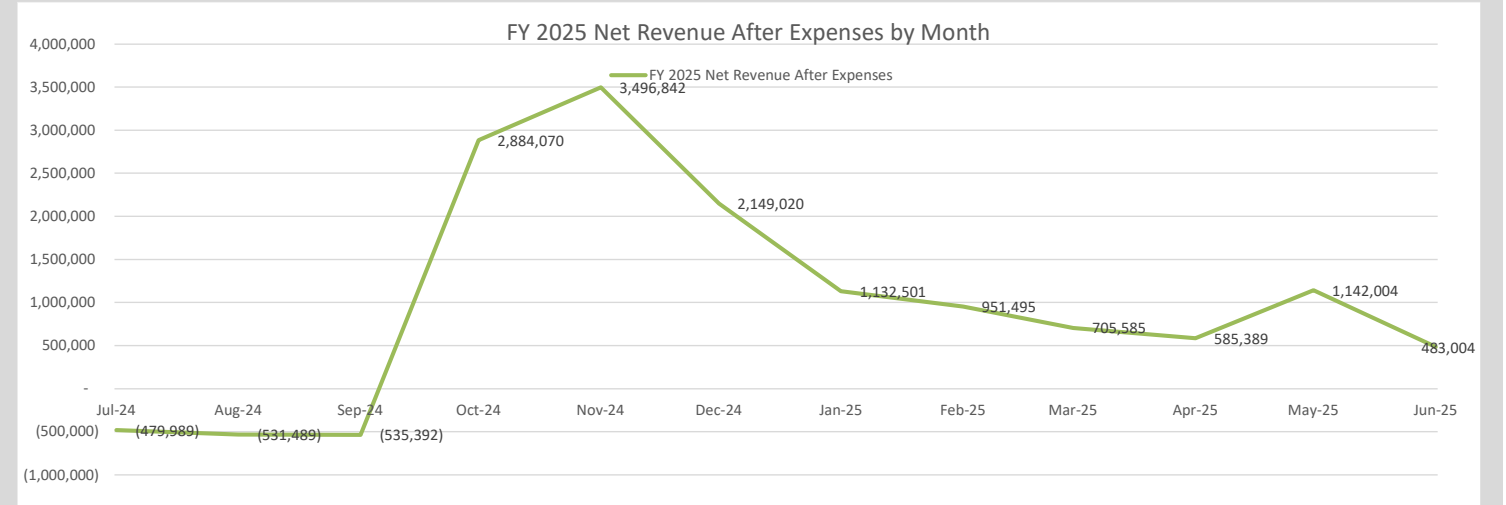
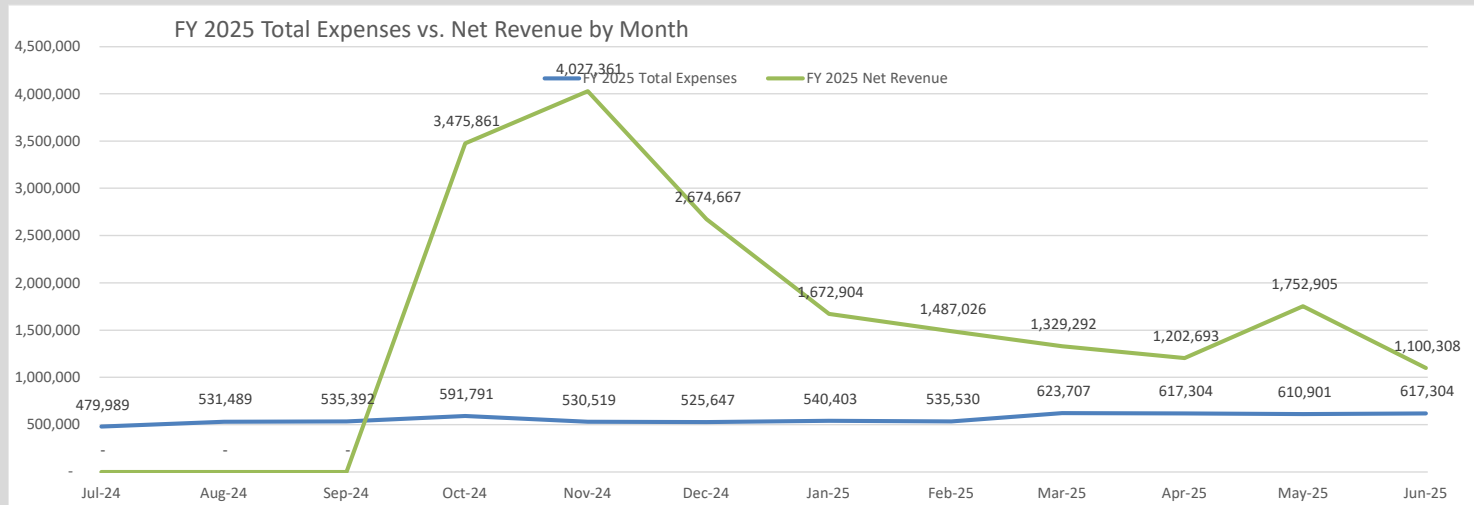
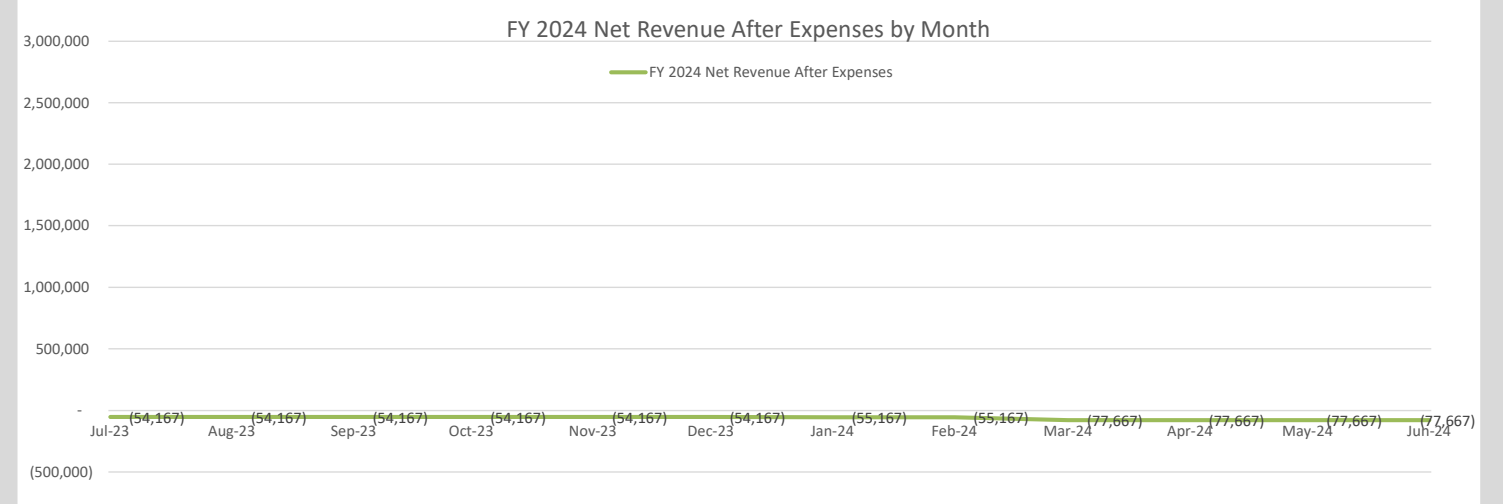
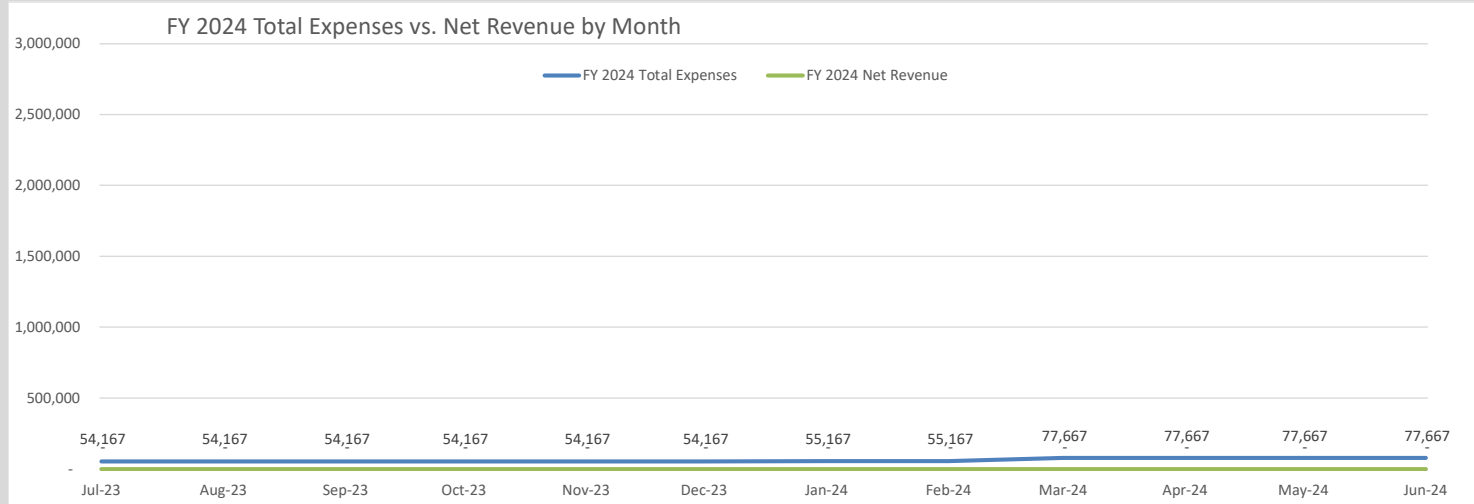
FY 2025 Expenses														Total
	Jul-24	Aug-24	Sep-24	Oct-24	Nov-24	Dec-24	Jan-25	Feb-25	Mar-25	Apr-25	May-25	Jun-25		
System Administrator - Deployment Cost	44,822	44,822	48,725	105,124	43,853	38,980	51,161	46,289	134,466	128,063	121,659	128,063	936,026	
System Administrator - Admin Fee	130,000	130,000	130,000	130,000	130,000	130,000	130,000	130,000	130,000	130,000	130,000	130,000	1,560,000	
Program Administrator (Consultant)	20,833	20,833	20,833	20,833	20,833	20,833	20,833	20,833	20,833	20,833	20,833	20,833	250,000	
Agency Administrative Cost (WSDOT)	17,167	17,167	17,167	17,167	17,167	17,167	17,682	17,682	17,682	17,682	17,682	17,682	209,090	
Agency Administrative Cost (WSP)	17,167	68,667	68,667	68,667	68,667	68,667	70,727	70,727	70,727	70,727	70,727	70,727	784,860	
Hearing Officer Cost (OAH)	250,000	250,000	250,000	250,000	250,000	250,000	250,000	250,000	250,000	250,000	250,000	250,000	3,000,000	
<b>Total Expenses:</b>	<b>479,989</b>	<b>531,489</b>	<b>535,392</b>	<b>591,791</b>	<b>530,519</b>	<b>525,647</b>	<b>540,403</b>	<b>535,530</b>	<b>623,707</b>	<b>617,304</b>	<b>610,901</b>	<b>617,304</b>	<b>6,739,976</b>	
<b>Cumulative Expenses:</b>	<b>479,989</b>	<b>1,011,477</b>	<b>1,546,869</b>	<b>2,138,660</b>	<b>2,669,179</b>	<b>3,194,826</b>	<b>3,735,229</b>	<b>4,270,759</b>	<b>4,894,466</b>	<b>5,511,770</b>	<b>6,122,671</b>	<b>6,739,976</b>	<b>6,739,976</b>	

FY 2025 Net Revenue														Total
	Jul-24	Aug-24	Sep-24	Oct-24	Nov-24	Dec-24	Jan-25	Feb-25	Mar-25	Apr-25	May-25	Jun-25		
Revenue (WSDOT)	-	-	-	3,475,861	4,027,361	2,674,667	1,672,904	1,487,026	1,329,292	1,202,693	1,752,905	1,100,308	18,723,016	
<b>Cumulative Revenue:</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>3,475,861</b>	<b>7,503,222</b>	<b>10,177,889</b>	<b>11,850,792</b>	<b>13,337,818</b>	<b>14,667,110</b>	<b>15,869,803</b>	<b>17,622,708</b>	<b>18,723,016</b>	<b>18,723,016</b>	

FY 2025 Net Revenue After Expenses														Total
	Jul-24	Aug-24	Sep-24	Oct-24	Nov-24	Dec-24	Jan-25	Feb-25	Mar-25	Apr-25	May-25	Jun-25		
<b>Net Revenue After Expenses:</b>	<b>(479,989)</b>	<b>(531,489)</b>	<b>(535,392)</b>	<b>2,884,070</b>	<b>3,496,842</b>	<b>2,149,020</b>	<b>1,132,501</b>	<b>951,495</b>	<b>705,585</b>	<b>585,389</b>	<b>1,142,004</b>	<b>483,004</b>	<b>11,983,040</b>	



MD Violation Rates - Violation Rate adjusted to reflect  
17 day warning period at new projects - WSDOT  
Constrained Deployment Numbers for FY 2025

State of Washington

**Work Zone Speed Safety Camera Program**

Program Assumptions used in the Financial Model

Program Assumptions			Notes	
<b>RFP Information</b>	Year 1	Units Available	3	
		1 Unit - July & August		
		2 Units - September & November - February		
		3 Units - October		
		3 Units - March - June		
<b>Deployments</b>	Complete Factor	Shift 1 - Weekday	75%	
		Shift 1 - Weekend	50%	
		Shift 2 - Weekday	50%	
		Shift 2 - Weekend	50%	
<b>Violation Generation</b>	Traffic Volume	Estimated Traffic Growth Rate (Mega)	2.30%	
		Estimated Traffic Growth Rate (Major)	2.30%	
		Estimated Traffic Growth Rate (Intermediate)	5.95%	
	Penalty Structure	First Violation	\$ 124.00	
		Second Violation	\$ 248.00	
		Third+ Violation	\$ 248.00	
	Violation Distribution % (2024- Qtr 1, 2025)	1st Time Offense	90.00%	
		2nd Time Offense	7.00%	
		3+ Offenses	3.00%	
	Estimated Violation % (2024-2025)	Qtr 3 (2024)	6.50%	
		Qtr 4 (2024)	3.00%	
		Qtr 1 (2025)	2.00%	
		Qtr 2 (2025)	1.25%	
Qtr 3 (2025)		1.00%		
Violation Rate		85.00%	The percentage of all detected events that generate a violation.	
<b>Revenue</b>	Rates of Issuance/Payment	Violation Controllable & Uncontrollable Issuance Rate	22.00%	Controllable and Uncontrollable errors that occur during the issuance of a violation.
		Violation Issuance Rate	78.00%	The percentage of all violations that are able to issued.
		Violation Pay Rate	76.00%	The percentage of all issued violations that are paid.
<b>Staffing</b>	Program Admin (Consultant)	Project administration fee	\$ 250,000	
	WSDOT Admin	Number of staff	1	
		Salary	\$ 100,000	
		Factor	2.00	
		Annual Escalation	1.03	
	WSP Admin	Number of staff	1	
		Salary	\$ 100,000	
		Factor	2.00	
		Annual Escalation	1.03	
	WSP Processing	Number of staff	3	
		Salary	\$ 100,000	
		Factor	2.00	
		Annual Escalation	1.03	
Hearing Officers (OAH)	Processing Time (minutes)	2.00		
		\$ 3,000,000		

# LOCAL GOVERNMENT FISCAL NOTE

Department of Commerce

**Bill Number:** 2356 S HB  
H-3076.1

**Title:** Speed safety cameras

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

## Legislation Impacts:

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

## Part II: Estimates

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

**Estimated revenue impacts to:**

None

**Estimated expenditure impacts to:**

None

## Part III: Preparation and Approval

Fiscal Note Analyst: James Vogl	Phone: 360-480-9429	Date: 02/07/2024
Leg. Committee Contact: Christine Thomas	Phone: 360-786-7142	Date: 02/01/2024
Agency Approval: Allan Johnson	Phone: 360-725-5033	Date: 02/07/2024
OFM Review: Maria Thomas	Phone: (360) 229-4717	Date: 02/08/2024

## **Part IV: Analysis**

### **A. SUMMARY OF BILL**

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

This fiscal note analyzes the local government impact of SHB 2356 H-3076.1, comparing it to the impact of HB 2356.

#### **CHANGES BETWEEN THIS VERSION AND PREVIOUS BILL VERSION:**

The proposed substitute bill would add a requirement to section 4 for the Department of Transportation to conduct a public awareness campaign to inform the public of the use of speed safety cameras in state highway work zones during the 30-day period following the placement of the first such system. The proposed substitute would also remove two requirements regarding the warning period for speed safety cameras in state highway work zones that would have been included in the original bill.

These changes would not affect the local government expenditure or revenue impacts below.

#### **SUMMARY OF CURRENT BILL:**

Section 1 of the proposed legislation would amend RCW 46.16A.120, specifying that any court or government agency having jurisdiction over a speed camera safety system under RCW 46.63.200 may forward infractions detected by that system to the Department of Licensing.

Section 2 of the proposed legislation would amend RCW 46.20.270, specifying that under certain conditions, state agencies or municipalities may forward the record of citations issued under RCW 46.63.200 to the Department of Licensing.

Section 3 of the proposed legislation would amend RCW 46.63.110, specifying that the monetary penalties for a violation of RCW 46.63.200 are not subject to assessments or fees provided under RCW 46.63.110.

Section 4 of the proposed legislation would amend RCW 46.63.200, adding language related to the enforcement and adjudication of infractions detected by speed camera safety systems in state highway work zones, and the administration of such systems. This section would expire on June 30, 2030.

### **B. SUMMARY OF EXPENDITURE IMPACTS**

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

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

RCW 46.63.200 specifies that the Department of Transportation is responsible for all actions related to the operation and administration of speed camera safety systems in state highway work zones, and that the Washington State Patrol is responsible for the enforcement and adjudication of speed violations under this section. Accordingly, the Washington Association of Sheriffs and Police Chiefs does not anticipate this bill will have any impact on local law enforcement expenditures.

### **C. SUMMARY OF REVENUE IMPACTS**

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

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

#### **SOURCES:**

Local government fiscal note for ESSB 5272, 2023

Local government fiscal note for Z-0487.1, 2024

Washington Association of Sheriffs and Police Chiefs