

Multiple Agency Fiscal Note Summary

Bill Number: 6115 S SB	Title: 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	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.								
Total \$	0	0	0	0	0	0	0	0	0

Agency Name	2023-25		2025-27		2027-29	
	GF- State	Total	GF- State	Total	GF- State	Total
Local Gov. Courts	Fiscal note not available					
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	Fiscal note not available											
Office of Attorney General	.0	0	0	0	.0	0	0	0	.0	0	0	0
Office of Administrative Hearings	Non-zero but indeterminate cost and/or savings. Please see discussion.											
Washington State Patrol	.0	0	0	0	.0	0	0	0	.0	0	0	0
Department of Licensing	.0	0	0	6,000	.0	0	0	12,000	.0	0	0	12,000
Department of Social and Health Services	Fiscal note not available											
Department of Transportation	Non-zero but indeterminate cost and/or savings. Please see discussion.											
Total \$	0.0	0	0	6,000	0.0	0	0	12,000	0.0	0	0	12,000

Agency Name	2023-25			2025-27			2027-29		
	FTEs	GF-State	Total	FTEs	GF-State	Total	FTEs	GF-State	Total
Local Gov. Courts	Fiscal note not available								
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	Fiscal note not available								
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	Fiscal note not available								
Department of Transportation	.0	0	0	.0	0	0	.0	0	0
Total \$	0.0	0	0	0.0	0	0	0.0	0	0

Agency Name	2023-25			2025-27			2027-29		
	FTEs	GF-State	Total	FTEs	GF-State	Total	FTEs	GF-State	Total
Local Gov. Courts	Fiscal note not available								
Loc School dist-SPI									
Local Gov. Other	No fiscal impact								
Local Gov. Total									

Estimated Capital Budget Breakout

NONE

Prepared by: Maria Thomas, OFM	Phone: (360) 229-4717	Date Published: Preliminary 2/13/2024
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Individual State Agency Fiscal Note

Bill Number: 6115 S SB	Title: Speed safety cameras	Agency: 100-Office of Attorney General
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Part I: Estimates

No Fiscal Impact

Estimated Cash Receipts to:

NONE

Estimated Operating Expenditures from:

NONE

Estimated Capital Budget Impact:

NONE

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

Check applicable boxes and follow corresponding instructions:

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

Legislative Contact: Brandon Popovac	Phone: 360-786-7465	Date: 02/06/2024
Agency Preparation: Dave Merchant	Phone: 360-753-1620	Date: 02/09/2024
Agency Approval: Leah Snow	Phone: 360-586-2104	Date: 02/09/2024
OFM Review: Val Terre	Phone: (360) 280-3973	Date: 02/12/2024

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.

1. The Attorney General's Office (AGO) Civil Rights Division (CRD) has reviewed this bill and determined it will not increase or decrease the division's workload. 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.

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 Department of Labor and Industries (L&I). The enactment of this bill will not impact the provision of legal services to L&I because it does not appear to create any rights, obligations, duties, or other legal consequences specific to L&I. 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 Transportation and Public Construction (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.

5. The AGO Criminal Justice Division (CRJ) has reviewed this bill and determined it will not significantly increase or decrease the division's workload in representing the Washington State Patrol (WSP). This proposal makes numerous 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 in any additional work beyond what was anticipated for the enactment of ESSB 5272 during the 2023 legislative session. New legal services are nominal and costs are not included in this request.

6. The AGO Government Compliance & Enforcement Division (GCE) has reviewed this bill and determined it will not significantly increase or decrease the division's workload in representing 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 Sections 1 and 2 would enable the Washington Department of Licensing (DOL) to impair a vehicle's registration for 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 set a specific fine amount of \$0 for first violations and \$248 for all subsequent violations, 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 higher fine amounts is consistent with the penalties assessed for existing speed infractions on state highways in construction zones, so GCE does not anticipate any increased litigation as a result of these changes. Additionally, although this version reduces the fine amount for a first violation from \$124 to \$0, GCE does not anticipate a significant reduction in litigation. Pennsylvania utilizes a similar tiered penalty, beginning with \$0, and approximately 50 percent of the contested infractions were for \$0 penalties.

Section 4 clarifies 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 also enables 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), and do not anticipate needing to appear in such proceedings. Therefore, we do not anticipate any fiscal impact from this change.

Section 4 makes 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 bill 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 does not anticipate any fiscal impact from the changes identified above. 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, although failures to respond would no longer receive an administrative hearing as they will under existing law, we 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, which we assume will result from this proposed change. New legal services are nominal and costs are not included in this request.

7. 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 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 are nominal and costs are not included in this request.

II. B - Cash receipts Impact

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

II. C - Expenditures

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

Part III: Expenditure Detail

III. A - Operating Budget Expenditures

NONE

III. B - Expenditures by Object Or Purpose

NONE

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

NONE

III. D - Expenditures By Program (optional)

NONE

Part IV: Capital Budget Impact

IV. A - Capital Budget Expenditures

NONE

IV. B - Expenditures by Object Or Purpose

NONE

IV. C - Capital Budget Breakout

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

NONE

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

NONE

Part V: New Rule Making Required

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

Individual State Agency Fiscal Note

Bill Number: 6115 S SB	Title: Speed safety cameras	Agency: 110-Office of Administrative Hearings
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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:

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

Estimated Capital Budget Impact:

NONE

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

Check applicable boxes and follow corresponding instructions:

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

Legislative Contact: Brandon Popovac	Phone: 360-786-7465	Date: 02/06/2024
Agency Preparation: Pete Boeckel	Phone: 360-407-2730	Date: 02/08/2024
Agency Approval: Rob Cotton	Phone: 360-407-2708	Date: 02/08/2024
OFM Review: Val Terre	Phone: (360) 280-3973	Date: 02/09/2024

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.

Section 4 sets out four options for those receiving infractions for speed safety camera violations:

- (a) Ignore the infraction. This may result in an Administrative Law Judge issuing a final order against the recipient.
- (b) Pay the penalty.
- (c) Contest the infraction. This will result in administrative proceedings up to and including evidentiary hearing.
- (d) Admit fault and request a mitigation hearing. This will also result in administrative proceedings up to and including evidentiary hearing.

In addition, OAH will have jurisdiction over authorizing and subsequently modifying payment plans.

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 Patrol 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.

The Washington State Department of Transportation (WSDOT) assumes the same number of infractions to be incurred in the first year at 257,125. The fiscal impact of the proposed legislation remains 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. This analysis does not include estimates of how many recipients would appeal, nor the total need of ongoing administrative proceedings for payment plan modifications.

The Attorney General's Office anticipates an appeal rate that is significantly higher than WSDOT based on research conducted through the municipal courts relative to similar speeding infractions.

The Office of Administrative Hearings assumes Line Administrative Law Judge (ALJ) time for types of referrals:

- A. Orders for those who ignore infractions: 0.25 ALJ hour per case.
- B. Mitigation hearings: 1.0 ALJ hour per case.
- C. Contested hearings: 1.0 ALJ hour per case.
- D. Payment Plan hearings: 1.0 ALJ hour per case.

Legal services associated with the enactment of this bill will begin on January 1, 2025.

Part III: Expenditure Detail

III. A - Operating Budget Expenditures

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

III. B - Expenditures by Object Or Purpose

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

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

NONE

III. D - Expenditures By Program (optional)

NONE

Part IV: Capital Budget Impact

IV. A - Capital Budget Expenditures

NONE

IV. B - Expenditures by Object Or Purpose

NONE

IV. C - Capital Budget Breakout

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

NONE

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

NONE

Part V: New Rule Making Required

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

Individual State Agency Fiscal Note

Bill Number: 6115 S SB	Title: Speed safety cameras	Agency: 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: Brandon Popovac	Phone: 360-786-7465	Date: 02/06/2024
Agency Preparation: Shawn Eckhart	Phone: 360-596-4083	Date: 02/09/2024
Agency Approval: Mario Buono	Phone: (360) 596-4046	Date: 02/09/2024
OFM Review: Tiffany West	Phone: (360) 890-2653	Date: 02/09/2024

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.

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 bill changes the fine for the first violation to \$0. The substitute bill also removes required provisions for written warnings, though the prior bill language for written warnings is retained in WSDOT's assumptions of practice.

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

Bill Number: 6115 S SB	Title: Speed safety cameras	Agency: 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
Account					
Motor Vehicle Account-State 108 -1	0	6,000	6,000	12,000	12,000
Total \$	0	6,000	6,000	12,000	12,000

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: Brandon Popovac	Phone: 360-786-7465	Date: 02/06/2024
Agency Preparation: Don Arlow	Phone: (360) 902-3736	Date: 02/09/2024
Agency Approval: Collin Ashley	Phone: (564) 669-9190	Date: 02/09/2024
OFM Review: Kyle Siefering	Phone: (360) 995-3825	Date: 02/09/2024

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.

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 SB 6115 and SSB 6115: SSB 6115 removes the provision for a warning letter and creates a new tiered fee structure. There is no penalty for a first violation. Second and subsequent violations result in a penalty of \$248.

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.

Please see attached fiscal note.

Part III: Expenditure Detail

III. A - Operating Budget Expenditures

Account	Account Title	Type	FY 2024	FY 2025	2023-25	2025-27	2027-29
108-1	Motor Vehicle Account	State	0	6,000	6,000	12,000	12,000
Total \$			0	6,000	6,000	12,000	12,000

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		6,000	6,000	12,000	12,000
G-Travel					
J-Capital Outlays					
M-Inter Agency/Fund Transfers					
N-Grants, Benefits & Client Services					
P-Debt Service					
S-Interagency Reimbursements					
T-Intra-Agency Reimbursements					
9-					
Total \$	0	6,000	6,000	12,000	12,000

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: SSB 6115

Bill Title: Speed safety camera systems

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	-	6,000	6,000	12,000	12,000
Account Totals		-	6,000	6,000	12,000	12,000

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

Check applicable boxes and follow corresponding instructions.

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

Legislative Contact: Brandon Popovac	Phone: (360) 786-7465	Date: 2/6/2024
Agency Preparation: Don Arlow	Phone: (360) 902-3736	Date: 2/9/2024
Agency Approval: Collin Ashley	Phone: (360) 634-5384	Date: 2/9/2024

Request #	2
Bill #	6115 SSB

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 SB 6115 and SSB 6115: SSB 6115 removes the provision for a warning letter and creates a new tiered fee structure. There is no penalty for a first violation. Second and subsequent violations result in a penalty of \$248.

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 39,340 second 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.

39,340 reported second violations per year x 17% = 6,688 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.

Information Services:

DOL's driver and vehicle information management system (DRIVES) is currently configured to issue letters 120 days prior to vehicle registration to persons with certain outstanding violations. The

provisions in section 1 of this bill will be managed within the same configuration, therefore no systems changes are required.

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
Motor Vehicle	108	-	6,000	6,000	12,000	12,000
Account Totals		-	6,000	6,000	12,000	12,000

3.B – Expenditures by Object or Purpose

Object of Expenditure	FY 24	FY 25	23-25 Total	25-27 Total	27-29 Total
FTE Staff Years	0.0	0.0	0.0	0.0	0.0
Goods and Services	-	6,000	6,000	12,000	12,000
Total By Object Type		-	6,000	6,000	12,000

3.C – FTE Detail

None.

Part 4 – Capital Budget Impact

None.

Part 5 – New Rule Making Required

None.

Individual State Agency Fiscal Note

Bill Number: 6115 S SB	Title: Speed safety cameras	Agency: 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:

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

Estimated Capital Budget Impact:

NONE

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

Check applicable boxes and follow corresponding instructions:

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

Legislative Contact: Brandon Popovac	Phone: 360-786-7465	Date: 02/06/2024
Agency Preparation: Nicole Daane	Phone: 360-705-7340	Date: 02/12/2024
Agency Approval: Dina Swires	Phone: 360-705-7297	Date: 02/12/2024
OFM Review: Maria Thomas	Phone: (360) 229-4717	Date: 02/13/2024

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

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

III. B - Expenditures by Object Or Purpose

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

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

NONE

III. D - Expenditures By Program (optional)

NONE

Part IV: Capital Budget Impact

IV. A - Capital Budget Expenditures

NONE

IV. B - Expenditures by Object Or Purpose

NONE

IV. C - Capital Budget Breakout

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

NONE

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

NONE

Part V: New Rule Making Required

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

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

Bill Number: 6115 SSB	Title: Concerning Speed Safety Camera Systems on State Highways	Agency: 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

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. \$0 for the first violation.
2. \$248 for the second violation, and for each violation thereafter.

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.

Individual State Agency Fiscal Note

Agency Contacts:

Preparer: Nicole Daane	Phone: 564-669-4537	Date: 02/06/2024
Approval: Dina Swires	Phone: 206-276-5763	Date: 02/06/2024
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.

Summary: RCW 46.63.200 authorizes the Washington State Department of Transportation (WSDOT) to run 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.

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. This bill sets up the monetary penalties for speed safety camera system violations. A first violation will result in a \$0 penalty, while every violation thereafter will result in a \$248 penalty.

Individual State Agency Fiscal Note

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 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. \$0 for the first violation.
2. \$248 for the second violation, and for each violation thereafter.

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 \$9 million annually based on using six camera systems and approximately 257,125 infractions issued from July 1, 2024, through

Individual State Agency Fiscal Note

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.

257,125 – First offense infractions issued at (\$0)
+ 39,340 – Second offense infractions issued (\$248), based on a 15.3% recidivism rate.
296,465 Tickets (assumed)

$39,340 * \$248 = \$9,756,320$ estimated revenue

The 15.3% recidivism rate was used during the 2023 session and assumes the number of infractions we could expect to see from the original assumption of 257,125. These numbers are indeterminate and an estimation from 2021 Pennsylvania SSCS Program data.

See attached – WSDOT Financial Model

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.

Washington State Patrol - Infraction Certification Costs

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

Office of Administrative Hearings – Adjudication costs

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

Part III: Expenditure Detail

III. A - Expenditures by Object or Purpose

N/A

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

LOCAL GOVERNMENT FISCAL NOTE

Department of Commerce

Bill Number: 6115 S SB

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: 02/08/2024
Leg. Committee Contact: Brandon Popovac	Phone: 360-786-7465	Date: 02/06/2024
Agency Approval: Alice Zillah	Phone: 360-725-5035	Date: 02/08/2024
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.

CHANGES BETWEEN THIS VERSION AND PREVIOUS BILL VERSION:

The proposed substitute bill would remove the warning period requirements in section 4 that the original bill would have included, and would specify that the penalty for an infraction detected by a speed camera safety system in a state highway work zone would be \$0 for the first violation.

These changes would not result in local government expenditure or revenue impacts.

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.

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