

# Multiple Agency Fiscal Note Summary

<b>Bill Number:</b> 1315 HB	<b>Title:</b> Impaired driving
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## Estimated Cash Receipts

NONE

Agency Name	2025-27		2027-29		2029-31	
	GF- State	Total	GF- State	Total	GF- State	Total
Local Gov. Courts	Fiscal note not available					
Loc School dist-SPI						
Local Gov. Other	Fiscal note not available					
Local Gov. Total						

## Estimated Operating Expenditures

Agency Name	2025-27				2027-29				2029-31			
	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											
Caseload Forecast Council	.0	0	0	0	.0	0	0	0	.0	0	0	0
Liquor and Cannabis Board	1.0	0	0	319,777	1.0	0	0	283,452	1.0	0	0	283,452
Traffic Safety Commission	.0	0	0	1,435,000	.0	0	0	0	.0	0	0	0
Department of Children, Youth, and Families	Non-zero but indeterminate cost and/or savings. Please see discussion.											
Department of Corrections	Fiscal note not available											
The Evergreen State College	.3	94,602	94,602	94,602	.2	50,083	50,083	50,083	.0	0	0	0
<b>Total \$</b>	<b>1.3</b>	<b>94,602</b>	<b>94,602</b>	<b>1,849,379</b>	<b>1.2</b>	<b>50,083</b>	<b>50,083</b>	<b>333,535</b>	<b>1.0</b>	<b>0</b>	<b>0</b>	<b>283,452</b>

Agency Name	2025-27			2027-29			2029-31		
	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	Fiscal note not available								
Local Gov. Total									

## Estimated Capital Budget Expenditures

Agency Name	2025-27			2027-29			2029-31		
	FTEs	Bonds	Total	FTEs	Bonds	Total	FTEs	Bonds	Total
Administrative Office of the Courts	Fiscal note not available								
Caseload Forecast Council	.0	0	0	.0	0	0	.0	0	0
Liquor and Cannabis Board	.0	0	0	.0	0	0	.0	0	0
Traffic Safety Commission	.0	0	0	.0	0	0	.0	0	0
Department of Children, Youth, and Families	.0	0	0	.0	0	0	.0	0	0
Department of Corrections	Fiscal note not available								
The Evergreen State College	.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	2025-27			2027-29			2029-31		
	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	Fiscal note not available								
Local Gov. Total									

## Estimated Capital Budget Breakout

<b>Prepared by:</b> Danya Clevenger, OFM	<b>Phone:</b> (360) 688-6413	<b>Date Published:</b> Preliminary 1/20/2025
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# Individual State Agency Fiscal Note

<b>Bill Number:</b> 1315 HB	<b>Title:</b> Impaired driving	<b>Agency:</b> 101-Caseload Forecast Council
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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: Lena Langer	Phone: 360-786-7192	Date: 01/15/2025
Agency Preparation: Clela Steelhammer	Phone: 360-664-9381	Date: 01/17/2025
Agency Approval: Clela Steelhammer	Phone: 360-664-9381	Date: 01/17/2025
OFM Review: Danya Clevenger	Phone: (360) 688-6413	Date: 01/20/2025

## 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.

### 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.*

See attached.

## 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.*

# HB 1315

## CONCERNING IMPAIRED DRIVING

### 101 – Caseload Forecast Council

### January 16, 2025

#### SUMMARY

**A brief description of what the measure does that has fiscal impact.**

- Section 1 Amends RCW 46.61.502 by reducing the blood alcohol concentration (BAC) level for driving under the influence from 0.08 to 0.05.
- Section 2 Amends RCW 46.61.503 by adding the requirement that upon conviction of a misdemeanor under this section, the court shall order an expanded substance use disorder assessment and treatment, if deemed appropriate by the assessment.
- Section 3 Amends RCW 46.61.504 by reducing the BAC level for actual physical control of a vehicle from 0.08 to 0.05.
- Section 4 Amends RCW 46.61.5055 by reducing the BAC level for probation provisions for non-felony driving under the influence and actual physical control from 0.08 to 0.05 and establishing a minimum of 4 days of confinement for individuals convicted of a misdemeanor violation of 46.61.502 or 46.61.504 with one prior offense in seven years, when in lieu of the mandatory minimum imprisonment of 30 days when BAC is less than .15 and a minimum of 6 days when at least .15.
- Section 5 Amends RCW 46.61.506 by reducing the BAC level for evidence provisions for driving under the influence and actual physical control from 0.08 to 0.05, and by lowering the results of the BAC test from between .072 to .080 to .045 to .055.
- Section 8 Amends RCW 46.61.500 by adding the requirement that upon conviction of the gross misdemeanor offense of Reckless Driving originally filed as a violation of RCW 46.61.502 or 46.61.502, the court shall order an expanded substance use disorder assessment and treatment, if deemed appropriate by the assessment.
- Section 9 Amends RCW 46.61.5249 by adding the requirement that upon conviction of the misdemeanor offense of Negligent Driving in the First Degree originally filed as a violation of RCW 46.61.502 or 46.61.502, the court shall order an expanded substance use disorder assessment and treatment, if deemed appropriate by the assessment.
- Section 10 Amends RCW 9A.04.080 by extending the statute of limitations for violations of gross misdemeanor offenses under RCW 46.61.502 or 46.61.504 to three years after its commission.
- Section 11 Adds a new section to chapter 43.59 RCW, requiring the Traffic Safety Commission to develop and implement a public information campaign related to the adjustments to the BAC threshold for impaired driving established under this act, and includes requirements for the campaign.
- Section 13 Adds a new section to chapter 66.08 RCW, requiring the Washington State Institute for Public Policy to conduct an evaluation of the act during the first two years of implementation.

Section 14 States the act takes effect July 1, 2026.

## **EXPENDITURES**

### **Assumptions.**

None.

### **Impact on the Caseload Forecast Council.**

None.

### **Impact Summary**

This bill:

- Lowers the BAC level for several alcohol-related offenses from 0.08 to 0.05; and
- Extends the statute of limitations for two gross misdemeanor offenses.

This bill impacts two gross misdemeanor and two felony offenses by reducing the BAC limit of the offenses.

The Caseload Forecast Council (CFC) has no information concerning how the numerous amendments reducing the BAC level will increase the number of incidents of driving under the influence, operating a vessel under the influence, and actual physical control. As such, the CFC cannot reliably predict bed impacts resulting from the bill.

### **Impact on prison and jail beds.**

As gross misdemeanor offenses, driving under the influence (DUI) and actual physical control (APC) are punishable by a term of confinement of 0-364 days in jail. Minimum terms for driving under the influence and actual physical control depend on the individual's number of prior offenses in seven years and his/her BAC level. Therefore, any impact should manifest itself as an increased need for jail beds.

Additionally, as Class B and C felony offenses ranked at Seriousness Level IV on the adult felony sentencing grid, felony DUI and felony APC are punishable by standard range terms of confinement of between 3-9 months in jail and 63-84 months in prison (felony APC is limited to 60 months by the statutory maximum sentence for Class C felonies), depending on the individual's prior history. Therefore, any impact should manifest itself as an increased need for both jail beds and prison beds.

### **Impacts on DOC Supervision Population.**

The offenses of felony DUI and APC are defined as Crimes Against a Person offenses. As such, an individual assessed as high risk to reoffend in the community is required to be supervised by the Department of Corrections (DOC) upon release. For high-risk individuals releasing from prison, one year of community custody is required; and, for high-risk individuals releasing from jail, up to one year of community custody is allowed at the discretion of the court.

Given the above, any additional convictions for the offenses based under the provisions of this bill by an individual assessed as high risk to reoffend may increase of the DOC's Community Custody caseload.

**Impact on local detention and Juvenile Rehabilitation beds.**

As gross misdemeanor offenses ranked at Category D on the Juvenile Sentencing Grid, driving under the influence, operating a vessel under the influence, and actual physical control are punishable by a standard range term of Local Sanctions (0-30 days in local juvenile detention).

While Felony level driving under the influence and actual physical control are ranked at Category B+ and are punishable by a standard range term of confinement in a Juvenile Rehabilitation for juveniles adjudicated for the offense, it is assumed there would be no impact to JR as there have been no convictions for the felony level offenses.

Therefore, increased incidence of this offense would likely only impact local juvenile detention beds.

As for the increase to the statute of limitations, CFC has no data concerning the length of time between the commission or discovery of offenses and the commencing of prosecution, and, therefore, cannot reliably predict local bed impacts resulting from the bill. However, as the bill increases the statute of limitations for two gross misdemeanor offenses, there is the possibility that more offenses may be prosecuted, resulting in more adjudications, which would increase the need for local beds.  
beds.



# Individual State Agency Fiscal Note

<b>Bill Number:</b> 1315 HB	<b>Title:</b> Impaired driving	<b>Agency:</b> 195-Liquor and Cannabis Board
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## Part I: Estimates

**No Fiscal Impact**

### Estimated Cash Receipts to:

NONE

### Estimated Operating Expenditures from:

	FY 2026	FY 2027	2025-27	2027-29	2029-31
FTE Staff Years	1.0	1.0	1.0	1.0	1.0
<b>Account</b>					
Liquor Revolving Account-State 501-1	178,051	141,726	319,777	283,452	283,452
<b>Total \$</b>	178,051	141,726	319,777	283,452	283,452

### 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: Lena Langer	Phone: 360-786-7192	Date: 01/15/2025
Agency Preparation: Aaron Hanson	Phone: 360-664-1701	Date: 01/17/2025
Agency Approval: Aaron Hanson	Phone: 360-664-1701	Date: 01/17/2025
OFM Review: Gwen Stamey	Phone: (360) 790-1166	Date: 01/17/2025

## 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 46.61.502 by reducing the threshold for driving under the influence of alcohol from .08 to .05 alcohol concentration on a person's breath or blood.

### II. B - Cash receipts Impact

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

### II. C - Expenditures

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

The Washington State Liquor and Cannabis Board ("Board") keeps detailed statistics on all of its enforcement activities and tracks this activity using a unit of measure called a Field Increment (FI). All direct enforcement activities such as premise checks, inspections and investigations are tracked to determine how many FI's are needed to accomplish each activity. Each FI is equivalent to 1/10th of an hour (6 minutes). For example, if a tavern premise check takes 2 FI's and two officers, it is anticipated that one check will consume 4 FI's. Using historical data to factor out indirect activities such as driving time, training, office time and leave, it has been determined that officers are available for an average of 4,220 FI's each year.

The Enforcement division has determined that the workload impacts from this bill will require 1.0 FTE LCB Enforcement Officer 2 (LEO2) ongoing beginning in FY26. The division received 456 complaints of over service in calendar year 2024. With the reduction of alcohol concentration from .08 to .05 the agency assumes an increase in the number of complaints received that must be investigated. Furthermore, there will be a need for more education on the law change and on signs of impairment. Please see the attached "HB 1315 Impaired Driving - Enforcement Field Increment Calculator.pdf" for workload calculations.

FY26+ - 1.0 FTE LCB Enforcement Officer 2 - \$141,726/yr (\$118,656 salary/benefits, \$23,070 in associated costs). Onetime costs in FY26 of \$36,325 for equipment purchases.

## Part III: Expenditure Detail

### III. A - Operating Budget Expenditures

Account	Account Title	Type	FY 2026	FY 2027	2025-27	2027-29	2029-31
501-1	Liquor Revolving Account	State	178,051	141,726	319,777	283,452	283,452
<b>Total \$</b>			178,051	141,726	319,777	283,452	283,452

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

	FY 2026	FY 2027	2025-27	2027-29	2029-31
FTE Staff Years	1.0	1.0	1.0	1.0	1.0
A-Salaries and Wages	86,712	86,712	173,424	173,424	173,424
B-Employee Benefits	31,944	31,944	63,888	63,888	63,888
C-Professional Service Contracts					
E-Goods and Other Services	25,535	9,470	35,005	18,940	18,940
G-Travel	13,100	12,600	25,700	25,200	25,200
J-Capital Outlays	20,760	1,000	21,760	2,000	2,000
M-Inter Agency/Fund Transfers					
N-Grants, Benefits & Client Services					
P-Debt Service					
S-Interagency Reimbursements					
T-Intra-Agency Reimbursements					
9-					
<b>Total \$</b>	178,051	141,726	319,777	283,452	283,452

**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 2026	FY 2027	2025-27	2027-29	2029-31
LCB Enforcement Officer 2	86,712	1.0	1.0	1.0	1.0	1.0
<b>Total FTEs</b>		1.0	1.0	1.0	1.0	1.0

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

Program	FY 2026	FY 2027	2025-27	2027-29	2029-31
Enforcement Division (060)	178,051	141,726	319,777	283,452	283,452
<b>Total \$</b>	178,051	141,726	319,777	283,452	283,452

**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.*

**Enforcement Field Increment (FI) Calculator**

**HB 1315 Impaired Driving**

	Number of events	Time Factor	Staffing Factor	FI Total
Complaint Investigations Liquor	91	10	1.3	1186
License Support and Education	91	7	1	638
Liquor Premises check	137	3	1.3	534

<b>Total FI's</b>	<b>2,358</b>
<b>Total Field Increments per FTE</b>	4,220
<b>FTE's required</b>	0.56
<b>Round</b>	<b>1.00</b>

<u>Factors</u>	<u>Values</u>
Complaint Investigations Liquor	20%
License Support and Education	20%
Liquor Premises check	1.5

**Overservice Complaints**  
 456                      CY2024

checks per  
complaint

# Individual State Agency Fiscal Note

<b>Bill Number:</b> 1315 HB	<b>Title:</b> Impaired driving	<b>Agency:</b> 228-Traffic Safety Commission
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## Part I: Estimates

**No Fiscal Impact**

### Estimated Cash Receipts to:

NONE

### Estimated Operating Expenditures from:

	FY 2026	FY 2027	2025-27	2027-29	2029-31
<b>Account</b>					
Highway Safety Account-State 106-1	100,000	100,000	200,000	0	0
Highway Safety Account-Federal 106-2	820,000	415,000	1,235,000	0	0
<b>Total \$</b>	920,000	515,000	1,435,000	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.*

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

Legislative Contact: Lena Langer	Phone: 360-786-7192	Date: 01/15/2025
Agency Preparation: Mark McKechnie	Phone: 3607259889	Date: 01/20/2025
Agency Approval: Mark McKechnie	Phone: 3607259889	Date: 01/20/2025
OFM Review: Brooke Gore	Phone: (564) 669-0703	Date: 01/20/2025

## 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.*

SB 1315 requires Washington Traffic Safety Commission to publicize the change in law regarding DUI and the adoption of the lower BAC limit of 0.05 percent. The agency will use federal funds to develop messaging and distribute statewide. \$200,000 in state funds are requested to cover expenses that may not be allowed by federal funds, including messaging developed in collaboration with hospitality stakeholders (Section 11).

AN ACT Relating to impaired driving; amending RCW 46.61.502, 46.61.503, 46.61.504, 46.61.5055, 46.61.506, 46.20.308, 46.20.3101, 46.61.500, and 46.61.5249; reenacting and amending RCW 9A.04.080; adding a new section to chapter 43.59 RCW; adding a new section to chapter 66.44 RCW; adding a new section to chapter 66.08 RCW; prescribing penalties; providing an effective date; and providing an expiration date.

#### Sections:

1. Amending RCW 46.61.502: Modifies the BAC limit for driving while under the influence of intoxicating liquor within two hours from 0.08 to 0.05 percent. -- NO IMPACT
2. Amending RCW 46.61.503: Adds requirement for court to order assessment and treatment (if applicable) for person under 21 convicted of DUI. -- No IMPACT
3. Amending RCW 46.61.504: Modifies the BAC limit for being in actual physical control of a motor vehicle while under the influence of intoxicating liquor within two hours from 0.08 to 0.05 percent. -- NO IMPACT
4. Amending RCW 46.61.5055: Section prescribes penalties for DUI and physical control offenses based upon BAC limits. Changes the conditions of probation in Subsection 11 so that it is a violation of probation to drive or have physical control of a vehicle while having a BAC concentration of 0.05 percent within two hours of driving. Modifies the penalty for alcohol concentration less than 0.15; reduces minimum jail time that may not be waived from 30 days to 4 days. Modifies penalty for alcohol concentration of 0.15 or higher; reduces minimum jail time that may not be waived from 45 days to 6 days. -- NO IMPACT
5. Amending RCW 46.61.506: In any civil or criminal action or proceeding where a person is alleged to drive or control a vehicle under the influence of intoxicating liquor, a BAC of less than 0.05 percent (changed from 0.08) may be considered evidence in determining whether the person was under the influence. In the subsection that states that a breath test performed by an instrument approved by the state toxicologist shall be admissible as prima facie evidence, modifies the range for the result of the test of liquid simulator solution external standard or dry gas external standard result from 0.072-0.088 to 0.045-0.055 (plus or minus 10 percent of the new 0.05 BAC standard). -- NO IMPACT
6. Amending RCW 46.20.308: States that any person who operates a motor vehicle in this state is deemed to have given consent for tests of his or her breath for determining blood alcohol concentration if the person is arrested and the officer has reasonable grounds to believe that the person had been driving or was in physical control of a vehicle while under the influence of intoxicating liquor or any drug. Specifies that a person age 21 or over will be subject to suspension of the driving license for 90 days if the BAC concentration was 0.05 or greater (modified from 0.08). Modifies BAC limit from 0.08 to 0.05 in other subsections where the current level is 0.08. Adds provision: No witness fee is required if the witness was a law enforcement officer who wrote a report submitted under this section. -- NO IMPACT
7. Amending RCW 46.20.3101: Modifies the criteria for suspension of a person's driving license when the person has been administered a test that indicated that the person's breath or blood alcohol concentration was 0.05 percent (reduced from 0.08). -- NO IMPACT
8. Amending RCW 46.61.500 Adds: When a reckless driving conviction is the result of a charge that was originally filed as a violation of RCW 46.61.502 or 46.61.504, or equivalent local ordinance, the court shall order an expanded substance use disorder assessment and treatment, if deemed appropriate by the assessment. -- NO IMPACT  
Amending RCW 46.25.090: Modifies criteria for disqualifying a person with a commercial driver's license from driving a commercial motor vehicle if the person operates a noncommercial motor vehicle with a BAC of 0.05 percent (changed from 0.08). -- NO IMPACT
9. Amending 46.61.5249 Adds: When a conviction for negligent driving in the first degree is a result of a charge that was

originally filed as a violation of RCW 46.61.502 or .504, or an equivalent local ordinance, the court shall order an expanded substance use disorder assessment and treatment, if deemed appropriate by the assessment. -- NO IMPACT

10. RCW 9A.04.080 Adds: Prosecution for 46.61.502 or .504 may not be prosecuted more than three years after its commission. -- NO IMPACT

11. Adding a new section to chapter 43.59 RCW: Washington Traffic Safety Commission shall implement public information campaign related to this act, including television, radio and online advertisements in all areas of the state; multiple print advertisements in the largest newspapers in each county; content in the top nine most significant non-English-speaking languages spoken in the state; consider equity outcomes; ensure at least 10 percent of advertisements are developed in conjunction with hospitality stakeholders to educate drivers about safe alternatives to driving while patronizing hospitality businesses. -- FISCAL IMPACT

12. Adding a new section to chapter 66.44 RCW: Legislative findings regarding civil liability as established in statute and case law: vendor owes duty not to sell or serve alcohol to a person who is obviously intoxicated, and civil liability does not depend upon finding of blood or breath alcohol concentration. Legislature finds that this act does not change current civil law or liability for licensed commercial or quasi-commercial vendor. -- NO IMPACT

13. Adding a new section to chapter 66.08 RCW: WSIPP must conduct evaluation of the impacts of this act during the first two years of implementation, including number of serious and fatal traffic crashes, DUI adjudications, equity outcomes, sales and other business effects on the hospitality industry. Due October 1, 2027. Section expires Nov. 1, 2028. -- NO IMPACT

14. Establishing effective date: July 1, 2026 -- NO IMPACT

**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.*

No impact

**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.*

Section 11 of the bill includes the following requirement: Washington Traffic Safety Commission shall implement public information campaign related to this act, including television, radio and online advertisements in all areas of the state; multiple print advertisements in the largest newspapers in each county; content in the top nine most significant non-English-speaking languages spoken in the state; consider equity outcomes; ensure at least 10 percent of advertisements are developed in conjunction with hospitality stakeholders to educate drivers about safe alternatives to driving while patronizing hospitality businesses.

State funds are requested to pay for expenses that may not be allowed for use of federal funds, such as newspaper advertisements in every county and communication materials developed in conjunction with hospitality stakeholders. The development of public messaging and distribution through television, radio, and online advertisements are expected to be paid for using federal funds.

**Part III: Expenditure Detail**

**III. A - Operating Budget Expenditures**

Account	Account Title	Type	FY 2026	FY 2027	2025-27	2027-29	2029-31
106-1	Highway Safety Account	State	100,000	100,000	200,000	0	0
106-2	Highway Safety Account	Federal	820,000	415,000	1,235,000	0	0
<b>Total \$</b>			920,000	515,000	1,435,000	0	0

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

	FY 2026	FY 2027	2025-27	2027-29	2029-31
FTE Staff Years					
A-Salaries and Wages					
B-Employee Benefits					
C-Professional Service Contracts	920,000	515,000	1,435,000		
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>	920,000	515,000	1,435,000	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)**

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

No impact.

**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> 1315 HB	<b>Title:</b> Impaired driving	<b>Agency:</b> 307-Department of Children, Youth, and Families
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## Part I: Estimates

**No Fiscal Impact**

**Estimated Cash Receipts to:**

NONE

**Estimated Operating Expenditures from:**

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

**Estimated Capital Budget Impact:**

NONE

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

Check applicable boxes and follow corresponding instructions:

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

Legislative Contact: Lena Langer	Phone: 360-786-7192	Date: 01/15/2025
Agency Preparation: Melissa Jones	Phone: (360) 688-0134	Date: 01/17/2025
Agency Approval: Crystal Lester	Phone: 360-628-3960	Date: 01/17/2025
OFM Review: Danya Clevenger	Phone: (360) 688-6413	Date: 01/20/2025

## 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 46.61.502 by reducing the blood alcohol concentration (BAC) level for driving under the influence from 0.08 to 0.05.

Section 2 Amends RCW 46.61.503 by adding the requirement that upon conviction of a misdemeanor under this section, the court shall order an expanded substance use disorder assessment and treatment, if deemed appropriate by the assessment.

Section 3 Amends RCW 46.61.504 by reducing the BAC level for actual physical control of a vehicle from 0.08 to 0.05.

Section 4 Amends RCW 46.61.5055 by reducing the BAC level for probation provisions for non-felony driving under the influence and actual physical control from 0.08 to 0.05 and establishing a minimum of 4 days of confinement for individuals convicted of a misdemeanor violation of 46.61.502 or 46.61.504 with one prior offense in seven years, when in lieu of the mandatory minimum imprisonment of 30 days when BAC is less than .15 and a minimum of 6 days when at least .15.

Section 5 Amends RCW 46.61.506 by reducing the BAC level for evidence provisions for driving under the influence and actual physical control from 0.08 to 0.05, and by lowering the results of the BAC test from between .072 to .080 to .045 to .055.

Section 8 Amends RCW 46.61.500 by adding the requirement that upon conviction of the gross misdemeanor offense of Reckless Driving originally filed as a violation of RCW 46.61.502 or 46.61.502, the court shall order an expanded substance use disorder assessment and treatment, if deemed appropriate by the assessment.

Section 9 Amends RCW 46.61.5249 by adding the requirement that upon conviction of the misdemeanor offense of Negligent Driving in the First Degree originally filed as a violation of RCW 46.61.502 or 46.61.502, the court shall order an expanded substance use disorder assessment and treatment, if deemed appropriate by the assessment.

Section 10 Amends RCW 9A.04.080 by extending the statute of limitations for violations of gross misdemeanor offenses under RCW 46.61.502 or 46.61.504 to three years after its commission.

Section 11 Adds a new section to chapter 43.59 RCW, requiring the Traffic Safety Commission to develop and implement a public information campaign related to the adjustments to the BAC threshold for impaired driving established under this act, and includes requirements for the campaign.

Section 13 Adds a new section to chapter 66.08 RCW, requiring the Washington State Institute for Public Policy to conduct an evaluation of the act during the first two years of implementation.

Section 14 States the act takes effect July 1, 2026.

### 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.

Fiscal impact is indeterminate.

This bill may potentially result in an increase in the number of convictions and DCYF does not have data regarding how many individuals will be impacted, therefore, the caseload forecast and per capita adjustments are unknown at this time.

DCYF assumes the impact will result when the ADP caseload changes in the JR residential facilities forecast. The impact would be reflected in the forecasted maintenance level budget step. DCYF will true up our fiscal impact in subsequent budget submittals if the legislation is enacted into law.

### 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

<b>Bill Number:</b> 1315 HB	<b>Title:</b> Impaired driving	<b>Agency:</b> 376-The Evergreen State College
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## Part I: Estimates

**No Fiscal Impact**

### Estimated Cash Receipts to:

NONE

### Estimated Operating Expenditures from:

	FY 2026	FY 2027	2025-27	2027-29	2029-31
FTE Staff Years	0.0	0.6	0.3	0.2	0.0
<b>Account</b>					
General Fund-State 001-1	0	94,602	94,602	50,083	0
<b>Total \$</b>	0	94,602	94,602	50,083	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: Lena Langer	Phone: 360-786-7192	Date: 01/15/2025
Agency Preparation: Catherine Nicolai	Phone: (360) 664-9087	Date: 01/17/2025
Agency Approval: Lisa Dawn-Fisher	Phone: 564-233-1577	Date: 01/17/2025
OFM Review: Ramona Nabors	Phone: (360) 742-8948	Date: 01/18/2025

## Part II: Narrative Explanation

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

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

Sec. 13(1) of HB 1315 directs the Washington State Institute for Public Policy (WSIPP) to "conduct an evaluation of the impacts of this act during the first two years of implementation. By October 1, 2027, the institute must submit a report to the appropriate committees of the legislature detailing the results of its evaluation. The evaluation must include, but is not limited to, the impact of this act on:

- (a) The number of serious and fatal traffic crashes;
  - (b) Driving under the influence arrests and adjudications for driving under the influence offenses;
  - (c) Equity outcomes on overburdened communities as defined in RCW 70A.02.010;
  - (d) Sales and other business effects on the hospitality industry in the state; and
  - (e) Sales and other business effects on breweries, wineries, and distilleries in the state.
- (2) This section expires November 1, 2028."

### 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.

In order to complete the assignment outlined in Sec. 13(1) of HB 1315, WSIPP would assign the following resources:

FY27:

- 0.54 FTE Researcher to scope the study, submit data requests, process the data, and begin analysis.
- 0.06 FTE Methods Review for study design.

FY28

- 0.26 FTE Researcher to finish data analysis, and write the report.
- 0.06 FTE Editing/Publication to publish the report.

\*Goods and other services include a 12% indirect rate for The Evergreen State College.

## Part III: Expenditure Detail

### III. A - Operating Budget Expenditures

Account	Account Title	Type	FY 2026	FY 2027	2025-27	2027-29	2029-31
001-1	General Fund	State	0	94,602	94,602	50,083	0
<b>Total \$</b>			0	94,602	94,602	50,083	0

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

	FY 2026	FY 2027	2025-27	2027-29	2029-31
FTE Staff Years		0.6	0.3	0.2	
A-Salaries and Wages		65,722	65,722	34,664	
B-Employee Benefits		18,744	18,744	10,053	
C-Professional Service Contracts					
E-Goods and Other Services		10,136	10,136	5,366	
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	94,602	94,602	50,083	0

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

Job Classification	Salary	FY 2026	FY 2027	2025-27	2027-29	2029-31
Editing/Publication	100,088				0.0	
Methods Review	125,796		0.1	0.0		
Researcher	100,088		0.5	0.3	0.1	
<b>Total FTEs</b>			0.6	0.3	0.2	0.0

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

NONE

**Part IV: Capital Budget Impact**

**IV. A - Capital Budget Expenditures**

NONE

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

NONE

**IV. C - Capital Budget Breakout**

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

NONE

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

NONE

**Part V: New Rule Making Required**

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