

Multiple Agency Fiscal Note Summary

Bill Number: 1315 HB	Title: Impaired driving
-----------------------------	--------------------------------

Estimated Cash Receipts

Agency Name	2025-27			2027-29			2029-31		
	GF-State	NGF-Outlook	Total	GF-State	NGF-Outlook	Total	GF-State	NGF-Outlook	Total
Department of Licensing	Non-zero but indeterminate cost and/or savings. Please see discussion.								
Total \$	0	0	0	0	0	0	0	0	0

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	.0	13,500	13,500	13,500	.0	0	0	0	.0	0	0	0
Administrative Office of the Courts	In addition to the estimate above, there are additional indeterminate costs and/or savings. Please see individual fiscal note.											
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
Washington State Patrol	.0	0	0	122,116	.0	0	0	0	.0	0	0	0
Criminal Justice Training Commission	.0	0	0	0	.0	0	0	0	.0	0	0	0
Traffic Safety Commission	.0	0	0	1,435,000	.0	0	0	0	.0	0	0	0
Department of Licensing	.0	0	0	6,000	.0	0	0	0	.0	0	0	0
Department of Licensing	In addition to the estimate above, there are additional indeterminate costs and/or savings. Please see individual fiscal note.											
Department of Children, Youth, and Families	Non-zero but indeterminate cost and/or savings. Please see discussion.											
Department of Corrections	Non-zero but indeterminate cost and/or savings. Please see discussion.											
The Evergreen State College	.3	94,602	94,602	94,602	.2	50,083	50,083	50,083	.0	0	0	0
Total \$	1.3	108,102	108,102	1,990,995	1.2	50,083	50,083	333,535	1.0	0	0	283,452

Agency Name	2025-27			2027-29			2029-31		
	FTEs	GF-State	Total	FTEs	GF-State	Total	FTEs	GF-State	Total
Local Gov. Courts	Non-zero but indeterminate cost and/or savings. Please see discussion.								
Loc School dist-SPI									
Local Gov. Other			335,770						
Local Gov. Other	In addition to the estimate above, there are additional indeterminate costs and/or savings. Please see individual fiscal note.								
Local Gov. Total			335,770						

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	.0	0	0	.0	0	0	.0	0	0
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
Washington State Patrol	.0	0	0	.0	0	0	.0	0	0
Criminal Justice Training Commission	.0	0	0	.0	0	0	.0	0	0
Traffic Safety Commission	.0	0	0	.0	0	0	.0	0	0
Department of Licensing	.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	.0	0	0	.0	0	0	.0	0	0
The Evergreen State College	.0	0	0	.0	0	0	.0	0	0
Total \$	0.0	0	0	0.0	0	0	0.0	0	0

Agency Name	2025-27			2027-29			2029-31		
	FTEs	GF-State	Total	FTEs	GF-State	Total	FTEs	GF-State	Total
Local Gov. Courts	Non-zero but indeterminate cost and/or savings. Please see discussion.								
Loc School dist-SPI									
Local Gov. Other	Non-zero but indeterminate cost and/or savings. Please see discussion.								
Local Gov. Total									

Estimated Capital Budget Breakout

Prepared by: Danya Clevenger, OFM	Phone: (360) 688-6413	Date Published: Final 2/16/2025
--	---------------------------------	---

Judicial Impact Fiscal Note

Bill Number: 1315 HB	Title: Impaired driving	Agency: 055-Administrative Office of the Courts
-----------------------------	--------------------------------	--

Part I: Estimates

No Fiscal Impact

Estimated Cash Receipts to:

NONE

Estimated Expenditures from:

STATE	FY 2026	FY 2027	2025-27	2027-29	2029-31
State FTE Staff Years					
Account					
General Fund-State 001-1	13,500		13,500		
State Subtotal \$	13,500		13,500		
COUNTY	FY 2026	FY 2027	2025-27	2027-29	2029-31
County FTE Staff Years					
Account					
Local - Counties					
Counties Subtotal \$					
CITY	FY 2026	FY 2027	2025-27	2027-29	2029-31
City FTE Staff Years					
Account					
Local - Cities					
Cities Subtotal \$					

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

Estimated Capital Budget Impact:

NONE

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

Check applicable boxes and follow corresponding instructions:

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

Legislative Contact: Lena Langer	Phone: 360-786-7192	Date: 01/15/2025
Agency Preparation: Devon Dieckman	Phone: 3607044020	Date: 02/11/2025
Agency Approval: Chris Stanley	Phone: 360-357-2406	Date: 02/11/2025
OFM Review: Gaius Horton	Phone: (360) 819-3112	Date: 02/12/2025

199,413.00

Request # 043-1

Part II: Narrative Explanation

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

Section 2 of this bill establishes stricter blood alcohol concentration (BAC) limits lowering it from .08 to .05. This stricter limit will likely increase the DUI caseloads of the courts requiring adjustments in case management.

Section 13 of this bill is likely to increase costs for training judicial officers and managing probation caseloads for adult offenders.

II. B - Cash Receipts Impact

None

II. C - Expenditures

Updating necessary law tables and DUI sentencing grid will take \$3,500 in staff time. Additional training for judges, commissioners, and court partners is estimated to cost \$10,000.

The increase in caseloads is indeterminate. Currently the BAC is .08 and there is no data from which we can draw an estimate of case load increases from when the BAC is lowered to .05.

Part III: Expenditure Detail

III. A - Expenditure By Object or Purpose (State)

<i>State</i>	FY 2026	FY 2027	2025-27	2027-29	2029-31
FTE Staff Years					
Salaries and Wages					
Employee Benefits					
Professional Service Contracts					
Goods and Other Services	13,500		13,500		
Travel					
Capital Outlays					
Inter Agency/Fund Transfers					
Grants, Benefits & Client Services					
Debt Service					
Interagency Reimbursements					
Intra-Agency Reimbursements					
Total \$	13,500		13,500		

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

III. B - Expenditure By Object or Purpose (County)

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

III. C - Expenditure By Object or Purpose (City)

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

III. D - FTE Detail

NONE

III. E - Expenditures By Program (optional)

NONE

Part IV: Capital Budget Impact

IV. A - Capital Budget Expenditures

NONE

IV. B1 - Expenditures by Object Or Purpose (State)

NONE

IV. B2 - Expenditures by Object Or Purpose (County)

NONE

IV. B3 - Expenditures by Object Or Purpose (City)

NONE

IV. C - Capital Budget Breakout

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

NONE

None

Individual State Agency Fiscal Note

Bill Number: 1315 HB	Title: Impaired driving	Agency: 101-Caseload Forecast Council
-----------------------------	--------------------------------	--

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

Bill Number: 1315 HB	Title: Impaired driving	Agency: 195-Liquor and Cannabis Board
-----------------------------	--------------------------------	--

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
Account					
Liquor Revolving Account-State 501-1	178,051	141,726	319,777	283,452	283,452
Total \$	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
Total \$			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-					
Total \$	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
Total FTEs		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
Total \$	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

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

<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

Bill Number: 1315 HB	Title: Impaired driving	Agency: 225-Washington State Patrol
-----------------------------	--------------------------------	--

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
Account					
State Patrol Highway Account-State 081-1	122,116	0	122,116	0	0
Total \$	122,116	0	122,116	0	0

Estimated Capital Budget Impact:

NONE

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

Check applicable boxes and follow corresponding instructions:

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

Legislative Contact: Lena Langer	Phone: 360-786-7192	Date: 01/15/2025
Agency Preparation: Yvonne Ellison	Phone: 360-596-4042	Date: 02/13/2025
Agency Approval: Mario Buono	Phone: (360) 596-4046	Date: 02/13/2025
OFM Review: Maria Thomas	Phone: (360) 229-4717	Date: 02/14/2025

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.

The proposed legislation will have a fiscal impact to the Washington State Patrol (WSP).

The proposed legislation makes changes to Title 46 RCW – Motor Vehicles, changing current impaired driving laws to reduce the alcohol concentration level at which a person is guilty of driving while under the influence from 0.08 to 0.05.

Section 5(4)(a)(vii) changes the allowable test result range for the liquid simulator solution, external standard, or dry gas external standard used to verify the accuracy of the breath test instrument from a range of 0.072-0.088 to 0.045-0.055.

If enacted, this legislation would become effective 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.

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.

All current Driving Under the Influence (DUI) Arrest Reports will need to be replaced with new forms updated to reflect the applicable changes. We estimate one-time printing costs of approximately \$24,000.

All Draeger Alcotest 9510 breath test instruments will need software updates to be in compliance with the proposed changes. The cost for this is not currently known, but the company's minimum charge for software changes is \$5,000. If the actual costs are significantly more, we may request additional funding in the 2026 supplemental budget.

All current dry gas standards for the Draeger Alcotest instruments will need to be replaced. We currently have 262 Draeger instruments deployed across the state, and each Draeger instrument requires two dry gas external standard canisters to operate. The current cost of these canisters is \$115.50 each. We estimate that a one-time appropriation of \$61,000 will be needed to replace all the existing 0.080 canisters with the 0.050 canisters. These will then be replenished through normal supply ordering.

We base our estimate for agency indirect costs on the approved federal indirect cost rate of 31.34 percent. We apply this indirect cost rate percentage to all categories of expenditure with only two exceptions: capital equipment and expenditures after \$25,000 of each projected contract. Indirect costs include, but are not limited to, computer and telecommunications support, payroll processing, vendor payments, general accounting, procurement administration, inventory control, and human resource management.

Additional rulemaking will be required as a result of this proposed legislation. Rulemaking within the WSP requires input from various individuals including the Government and Media Relations Captain and Legislative Analyst, the captain(s) of the impacted division(s), the Assistant Chief for the impacted bureau(s), the Risk Management Division Commander, and the Chief or his designee.

The costs associated with legislative rule making are dependent upon the individuals working on the effort and how much time is required of each but include the Government and Media Relations staff (8.5 hours), Subject Matter Expert (SME – 16 hours), and various reviewers (2.5 hours). The estimated cost for such rule making will be approximately \$3,910.

If the proposed legislation results in increased DUI arrests there is a potential for increased overtime costs, courtroom testimony, and Department of Licensing hearings. There is also a potential for an increase in consumables and repair costs for evidentiary breath test instruments, as well as an increase in courtroom testimony for Breath Test Technicians. We are unable to estimate the potential impacts as there is no reliable way to determine in advance how frequently any of these may occur, but if the impact is significant, we will seek additional funding through the legislative process.

Part III: Expenditure Detail

III. A - Operating Budget Expenditures

Account	Account Title	Type	FY 2026	FY 2027	2025-27	2027-29	2029-31
081-1	State Patrol Highway Account	State	122,116	0	122,116	0	0
Total \$			122,116	0	122,116	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	2,322		2,322		
B-Employee Benefits	655		655		
C-Professional Service Contracts					
E-Goods and Other Services	90,000		90,000		
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-Indirect Costs	29,139		29,139		
Total \$	122,116	0	122,116	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

Part V: New Rule Making Required

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

Rulemaking is required for this proposed legislation. Changes will be needed for WAC 448-16-050 to reflect the new requirements for external standards.

Individual State Agency Fiscal Note

Bill Number: 1315 HB	Title: Impaired driving	Agency: 227-Criminal Justice Training Commission
-----------------------------	--------------------------------	---

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: Francesca Heard	Phone: 206-610-8870	Date: 02/14/2025
Agency Approval: Francesca Heard	Phone: 206-610-8870	Date: 02/14/2025
OFM Review: Danya Clevenger	Phone: (360) 688-6413	Date: 02/16/2025

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.

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 46.61.524; 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.

This bill has no significant fiscal impact to the Criminal Justice Training Commission.

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.

This bill has no significant fiscal impact to the Criminal Justice Training Commission.

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: 1315 HB	Title: Impaired driving	Agency: 228-Traffic Safety Commission
-----------------------------	--------------------------------	--

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
Account					
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
Total \$	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.

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: 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
Total \$			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-					
Total \$	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

Bill Number: 1315 HB	Title: Impaired driving	Agency: 240-Department of Licensing
-----------------------------	--------------------------------	--

Part I: Estimates

No Fiscal Impact

Estimated Cash Receipts to:

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

Estimated Operating Expenditures from:

	FY 2026	FY 2027	2025-27	2027-29	2029-31
Account					
Highway Safety Account-State 106 -1	6,000	0	6,000	0	0
Total \$	6,000	0	6,000	0	0

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

Estimated Capital Budget Impact:

NONE

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

Check applicable boxes and follow corresponding instructions:

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

Legislative Contact: Lena Langer	Phone: 360-786-7192	Date: 01/15/2025
Agency Preparation: Oliver Einarsson	Phone: 3606345462	Date: 02/13/2025
Agency Approval: Gerrit Eades	Phone: (360) 902-3931	Date: 02/13/2025
OFM Review: Kyle Siefering	Phone: (360) 995-3825	Date: 02/13/2025

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 2 amends RCW 46.61.503 to include verbiage which stipulates that upon conviction 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 changing the blood alcohol concentration from 0.08 to 0.05 when determining a person's guilt of being in physical control of a motor vehicle while driving under the influence.

Section 4 amends RCW 46.61.5055 which stipulates conditions of probation include not driving or being in physical control of a motor vehicle while having an alcohol concentration of 0.05 or more.

Section 5 amends RCW 46.61.506 by stating a person's alcohol concentration of less than .05 may still be considered with other competent evidence in determining if a person was under the influence, and allows a breath test to be admissible if result of the test did lie between 0.045 and 0.055.

Section 6 amends RCW 46.20.308 to change the BAC threshold for implied consent from 0.08 to 0.05.

Section 7 amends RCW 46.20.3101 to change the BAC threshold for implied consent from 0.08 to 0.05.

Section 8 amends RCW 46.61.500 to add that when a reckless driving conviction is a result of a charge that was originally filed as a violation of RCW 46.61.502 or 2246.61.504, or an equivalent local ordinance, 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 to add that 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 46.61.504, or an equivalent local ordinance, 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 to state that a violation of RCW 46.61.502 or 46.61.504 may not be prosecuted more than three years after its commission.

II. B - Cash receipts Impact

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

Please see attached fiscal note.

II. C - Expenditures

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

Please see attached fiscal note.

Part III: Expenditure Detail

III. A - Operating Budget Expenditures

Account	Account Title	Type	FY 2026	FY 2027	2025-27	2027-29	2029-31
106-1	Highway Safety Account	State	6,000	0	6,000	0	0
Total \$			6,000	0	6,000	0	0

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

III. B - Expenditures by Object Or Purpose

	FY 2026	FY 2027	2025-27	2027-29	2029-31
FTE Staff Years					
A-Salaries and Wages					
B-Employee Benefits					
C-Professional Service Contracts					
E-Goods and Other Services	6,000		6,000		
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 \$	6,000	0	6,000	0	0

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

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

NONE

III. D - Expenditures By Program (optional)

NONE

Part IV: Capital Budget Impact

IV. A - Capital Budget Expenditures

NONE

IV. B - Expenditures by Object Or Purpose

NONE

IV. C - Capital Budget Breakout

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

NONE

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

NONE

Part V: New Rule Making Required

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

Individual State Agency Fiscal Note

Agency 240 – Department of Licensing

Bill Number: HB 1315

Bill Title: Concerning Impaired Driving

Part 1: Estimates

No Fiscal Impact

Estimated Cash Receipts:

INDETERMINATE; PLEASE SEE NARRATIVE

Estimated Expenditures:

PARTIALLY INDETERMINATE; PLEASE SEE NARRATIVE

Operating Expenditures	Fund	FY 26	FY 27	25-27 Total	27-29 Total	29-31 Total
Highway Safety	106	6,000	-	6,000	-	-
Account Totals		6,000	-	6,000	-	-

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:	Phone:	Date: 2/14/2025
Agency Preparation: Oliver Einarsson	Phone: (360)	Date: 2/14/2025
Agency Approval: Gerrit Eades	Phone: (360) 867-8233	Date: 2/14/2025

Request #	1
Bill #	1315 HB

Part 2 – Explanation

This bill reduces the breath or blood alcohol concentration (BAC) limit of 0.08 or higher to 0.05 or higher for a person guilty of:

- Driving while under the influence (DUI) of intoxicating liquor, cannabis, or any drug; or,
- Being in actual physical control (PC) of a motor vehicle while under the influence of intoxicating liquor or any drug.
- Sets an effective date of July 1, 2026.

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

Section 2 amends RCW 46.61.503 to include verbiage which stipulates that upon conviction 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 changing the blood alcohol concentration from 0.08 to 0.05 when determining a person's guilt of being in physical control of a motor vehicle while driving under the influence.

Section 4 amends RCW 46.61.5055 which stipulates conditions of probation include not driving or being in physical control of a motor vehicle while having an alcohol concentration of 0.05 or more.

Section 5 amends RCW 46.61.506 by stating a person's alcohol concentration of less than .05 may still be considered with other competent evidence in determining if a person was under the influence, and allows a breath test to be admissible if result of the test did lie between 0.045 and 0.055.

Section 6 amends RCW 46.20.308 to change the BAC threshold for implied consent from 0.08 to 0.05.

Section 7 amends RCW 46.20.3101 to change the BAC threshold for implied consent from 0.08 to 0.05.

Section 8 amends RCW 46.61.500 to add that when a reckless driving conviction is a result of a charge that was originally filed as a violation of RCW 46.61.502 or 2246.61.504, or an equivalent local ordinance, 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 to add that 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 46.61.504, or an equivalent local ordinance, 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 to state that a violation of RCW 46.61.502 or 46.61.504 may not be prosecuted more than three years after its commission.

Section 14 sets an effective date of July 1, 2026

2.B - Cash receipts Impact

Cash receipts impacts are indeterminate. Persons convicted of a DUI or PC offense under the provisions of this bill will be subject to driver’s license suspension. When they are eligible to reinstate their driving privilege, they must pay a \$170 alcohol reissue fee, collected by the Department of Licensing (DOL). The department does not have an estimate of changes in DUI-related convictions based on the proposed change in BAC levels, therefore cash receipts impacts cannot be determined.

2.C – Expenditures

DOL expenditures are partially indeterminate. Costs related to information systems technology are available. Changes to department operations, including driver records, reviews and hearings conducted by the driver hearings unit, field office transactions to pay reissue fees, and additional call to DOL’s Customer Service Center, are functions of changes in DUI-related convictions based on the proposed change in BAC levels. The Department does not have estimates for changes in DUI-related convictions, therefore estimates for operations impacts are indeterminate. DOL will track operational impacts following implementation and will request additional resources as needed.

Information Services:

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

Any change requires a process to ensure changes are correctly applied to the system. This involves Project Managers that manage the team that completes the update, business analyst that documents and reviews the system changes, architect services that analyzes how the update could have an effect on other systems or DOL processes, developers who create the change, and testers and quality assurance teams that ensure the update is working correctly.

What DOL will implement:

Testing to confirm blood alcohol content of .05 is taking action for the appropriate suspension codes.

Description	Rate	2026	2027	2028	2029	2030	2031	Total Cost
Test to verify individual components meet requirements; ensure that other business transactions have not been impacted.	\$ 27,144	5,400	-	-	-	-	-	5,400
Office of the Chief Information Officer designated rate of 10%	\$ 29,145	500	-	-	-	-	-	500
Totals		5,900	-	-	-	-	-	5,900

Part 3 – Expenditure Detail

3.A – Operating Budget Expenditures

Operating Expenditures	Fund	FY 26	FY 27	25-27 Total	27-29 Total	29-31 Total
Highway Safety	106	6,000	-	6,000	-	-
Account Totals		6,000	-	6,000	-	-

3.B – Expenditures by Object or Purpose

Object of Expenditure	FY 26	FY 27	25-27 Total	27-29 Total	29-31 Total
Goods and Services	6,000	-	6,000	-	-
Total By Object Type	6,000	-	6,000	-	-

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: 1315 HB	Title: Impaired driving	Agency: 307-Department of Children, Youth, and Families
-----------------------------	--------------------------------	--

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: Missy 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

Bill Number: 1315 HB	Title: Impaired driving	Agency: 310-Department of Corrections
-----------------------------	--------------------------------	--

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: Melanie Rogers	Phone: (360) 725-8510	Date: 01/24/2025
Agency Approval: Wendi Gunther	Phone: 360-725-8428	Date: 01/24/2025
OFM Review: Danya Clevenger	Phone: (360) 688-6413	Date: 02/16/2025

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.

HB 1315 lowers the breath or blood alcohol concentration (BAC) limit for operating a motor vehicle from 0.08 to 0.05.

Section 1(1)(a) amends RCW 46.61.502 by reducing the BAC level for driving under the influence from 0.08 to 0.05.

Section 3(1)(a) 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(11)(a) 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.

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.

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 fiscal impact of this bill is indeterminate, assumed to be less than \$50,000 per fiscal year (FY).

DOC INDETERMINATE COSTS

This bill reduces the breath or blood alcohol concentration level for several alcohol-related offenses from 0.08 to 0.05.

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.

Additionally, as Class B and C felony offenses ranked at Seriousness Level IV on the adult felony sentencing grid, felony driving under the influence and felony actual physical control are punishable by standard range terms of confinement of between 3-9 months in jail and 63-84 months in prison (actual physical control 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. The CFC cannot reliably predict the bed impacts resulting from the bill.

The offenses of felony driving under the influence and actual physical control 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 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. As such, 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 Community Custody caseload.

The DOC assumes this bill would likely result in an Average Daily Population (ADP) and Community Custody caseload increase, although the impacts cannot be reliably estimated. Therefore, the fiscal impact is indeterminate, assumed to be less than \$50,000 per FY.

DOC STANDARD ASSUMPTIONS

1. The estimated ADP impact to DOC prison facilities/institutions and/or community supervision/violator caseloads is based on projections from CFC.

2. We assume a Direct Variable Cost (DVC) of \$7,808 per incarcerated individual per FY to facilitate cost discussions during legislative session for bills. This cost estimate includes prison and health services' direct variable costs. It does not include staffing or dollars necessary for staffing needed at the facility outside of the living/housing units. The DVC is calculated by DOC and reviewed and approved with the Office of Financial Management, Senate, and House staff each legislative session.

3. For illustration purposes only, the average annual Community Supervision caseload model is \$6,072 per ADP (not including startup costs), regardless of the supervised risk level based on the workload model. If ADP impacts are applicable to this fiscal note, the calculated rate per community supervision ADP includes direct supervision and ancillary units, such as Hearings, Records, and Training, that are directly affected by supervision population changes. The estimate will vary based on the risk level of the supervised individuals, which requires different staffing levels. The population trend data used is based on the Risk Level Classification tool and provides a risk level of 42.8% high violent, 27.3% high non-violent, 21% moderate, 7.9% low, and 1.0% unclassified. (June – November 2017).

4. The DOC assumes that any increase in community supervision caseload will result in an increased need for violator beds. For illustration, the FY2024 average percentage of supervised individuals who served jail time and were billed by the local jurisdictions for violating their conditions of supervision was a rate of 2.0%. The current average daily cost for jail beds is \$123.24 per day, inclusive of all risk levels and healthcare costs. The rate is an average, and actual rates vary by local correctional facilities.

5. We assume additional impacts will result when ADP caseload changes in either prison or community and resources will be necessary. The DOC will evaluate the fiscal impacts and may submit future budget requests to cover these costs should the legislation be enacted into session 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

Bill Number: 1315 HB	Title: Impaired driving	Agency: 376-The Evergreen State College
-----------------------------	--------------------------------	--

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
Account					
General Fund-State 001-1	0	94,602	94,602	50,083	0
Total \$	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
Total \$			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-					
Total \$	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	
Total FTEs			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.

LOCAL GOVERNMENT FISCAL NOTE

Department of Commerce

Bill Number: 1315 HB	Title: Impaired driving
-----------------------------	--------------------------------

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

Legislation Impacts:

- Cities:** One-time cost of approximately \$252,075 for law enforcement training on modified criminal offenses; indeterminate increase law enforcement costs incurred from participating in processing additional incidents of gross misdemeanor and felony offenses; indeterminate increased jail costs as a result of increased incidents of gross misdemeanor and felony offenses; indeterminate costs for court-ordered substance use disorder assessment and treatment
- Counties:** One-time cost of approximately \$83,695 for law enforcement training on modified criminal offenses; indeterminate increased local law enforcement, prosecution, and public defense costs incurred from participating in processing additional incidents of gross misdemeanor and felony offenses; indeterminate increased jail costs as a result of additional incidents of gross misdemeanor and felony offenses; indeterminate costs for court-ordered substance use disorder assessment and treatment
- Special Districts:**
- Specific jurisdictions only:**
- Variance occurs due to:**

Part II: Estimates

- No fiscal impacts.
- Expenditures represent one-time costs:** Approximately \$335,770 to provide training to local law enforcement officers on modified criminal offenses
- Legislation provides local option:
- Key variables cannot be estimated with certainty at this time:** Number of additional incidents of driving while under the influence and actual physical control of a vehicle while under the influence at the gross misdemeanor and felony levels; number of cases where courts may order substance use disorder assessment and treatment, and associated costs

Estimated revenue impacts to:

None

Estimated expenditure impacts to:

Jurisdiction	FY 2026	FY 2027	2025-27	2027-29	2029-31
City	252,075		252,075		
County	83,695		83,695		
TOTAL \$	335,770		335,770		
GRAND TOTAL \$					335,770

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

Part III: Preparation and Approval

Fiscal Note Analyst: James Vogl	Phone: 360-480-9429	Date: 01/22/2025
Leg. Committee Contact: Lena Langer	Phone: 360-786-7192	Date: 01/15/2025
Agency Approval: Alice Zillah	Phone: 360-725-5035	Date: 01/22/2025
OFM Review: Danya Clevenger	Phone: (360) 688-6413	Date: 02/16/2025

Part IV: Analysis

A. SUMMARY OF BILL

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

Section 1 of the proposed legislation would amend RCW 46.61.502, changing references to an alcohol concentration of 0.08 to 0.05 throughout.

Section 2 would amend RCW 46.61.503, requiring that upon conviction for driving or being in physical control of a motor vehicle after consuming alcohol or cannabis, the court must order an expanded substance use disorder assessment, and if deemed appropriate by the assessment, treatment.

Section 3 would amend RCW 46.61.504, changing references to an alcohol concentration of 0.08 to 0.05 throughout.

Section 4 would amend RCW 46.61.5055, changing references to an alcohol concentration of 0.08 to 0.05 throughout. The amendments in this section would also remove the existing requirements for suspending or converting the mandatory minimum terms of imprisonment and electronic home monitoring for convictions of RCW 46.61.502 or 46.61.504 where a person's alcohol concentration was less than 0.15 but they had a prior conviction, or where a person's alcohol concentration was at least 0.15. Confinement terms for these offenses would be able to be reduced to four or six days in jail, respectively, in addition to the existing modified terms of electronic home monitoring.

Section 5 would amend RCW 46.61.506, changing references to an alcohol concentration of 0.08 to 0.05 throughout.

Section 6 would amend RCW 46.20.308, changing references to an alcohol concentration of 0.08 to 0.05 throughout.

Section 7 would amend RCW 46.20.3101, changing references to an alcohol concentration of 0.08 to 0.05 throughout.

Section 8 would amend RCW 46.61.500, requiring that when a reckless driving conviction is the result of a charge originally filed as a violation of RCW 46.61.502 or 46.61.504, or an equivalent local ordinance, the court would be required to order an expanded substance use disorder assessment, and if deemed appropriate by the assessment, treatment.

Section 9 would amend RCW 46.61.5249, requiring that when a negligent driving in the first degree conviction is the result of a charge originally filed as a violation of RCW 46.61.502 or 46.61.504, or an equivalent local ordinance, the court would be required to order an expanded substance use disorder assessment, and if deemed appropriate by the assessment, treatment.

Section 10 would amend RCW 9A.04.080, changing the statute of limitations for violations of RCW 46.61.502 or 46.61.504 from two to three years.

Section 14 specifies that the proposed legislation would take effect July 1, 2026.

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 could result in both determinate and indeterminate increases in local government expenditures.

According to the Washington Association of Sheriffs and Police Chiefs (WASPC), all local law enforcement officers would need to go through training regarding the modifications this bill would make to existing criminal offenses. WASPC estimates that approximately 30 minutes of training would be required per law enforcement officer. This training would require a one-time cost of \$252,075 for cities and \$83,695 for counties, for a total one-time cost to local governments of \$335,770.

The 2023 Crime in Washington Report conducted by WASPC states that there are 6,722 commissioned officers in police departments and 2,293 commissioned officers in sheriff's departments, for a total of 9,015 commissioned law enforcement employees that would require training. The 2025 Local Government Fiscal Note Program Criminal Justice Cost Model estimates the average hourly salary (including benefits and overhead) for an officer employed by a city to be \$75, and the same figure for an officer employed by a county to be \$73. If every officer in Washington had to complete approximately 30 minutes of training, the cost to local governments would be:

Cities:

6,722 officers X 0.5 hours X \$75 = \$252,075

Counties:

2,293 officers X 0.5 hours X \$73 = \$83,695

Total:

\$252,075 + \$83,695 = \$335,770

Training materials and time required may differ among different departments, however.

According to the Washington State Caseload Forecast Council's (CFC) fiscal note for this bill, reducing the alcohol concentration threshold for driving under the influence (DUI) and actual physical control of a vehicle while under the influence (APC) from 0.08 to 0.05 could result in an increased number of incidents of these offenses at both the gross misdemeanor and felony levels. CFC cannot reliably predict how many more incidents of these offenses may occur as a result of the proposed changes in this bill, however.

City and county jails would incur increased costs as a result of increased incidents of DUI and APC at both the gross misdemeanor and felony levels. At the gross misdemeanor level, these offenses are punishable by a term of confinement of 0-364 days in jail. At the felony level, DUI and APC are punishable by a term of confinement of between 3-9 months in jail, and 63-84 months in prison, depending on a person's criminal history.

It is unknown how many more incidents of DUI or APC may occur which result in sentences that include a term of confinement in jail, however, so the total increase in local government jail expenditures as a result of increased incidents of these offenses is indeterminate. The 2025 Local Government Fiscal Note Program Criminal Justice Cost Model estimates that the average daily jail bed rate is approximately \$145 per day.

According to the CFC fiscal note for this bill, lowering the alcohol concentration for DUI and APC from 0.08 to 0.05 could also result in increased juvenile incidents of these offenses at the gross misdemeanor level, punishable by between 0-30 days in local juvenile detention. An increase in juvenile incidents of these offenses at the gross misdemeanor level would result in an increased demand for county juvenile detention beds.

It is unknown how many more juvenile incidents of DUI and APC may occur as a result of this bill's provisions, however, so the total increase in county juvenile detention expenditures as a result of increased juvenile incidents of these offenses is indeterminate. The Local Government Fiscal Note Program does not have detailed information on the costs of juvenile detention, however the average daily rate for juvenile detention beds is generally higher than the same figure for a jail bed.

Local law enforcement, prosecutors and public defenders would incur increased costs as a result of processing additional incidents of DUI and APC. It is unknown how many more incidents of the impacted offenses may occur, however, so the total increase in local government expenditures as a result of processing these increased incidents is indeterminate. According to the 2025 Local Government Fiscal Note Program Criminal Justice Cost Model, the combined law

enforcement, prosecution and public defense costs to process an incident of DUI at the gross misdemeanor, and class B and C felony levels are approximately \$8,411.

The CFC indicates that increasing the statute of limitations for DUI and APC at the gross misdemeanor level could increase both adult and juvenile incidents of these offenses. Additional incidents of these offenses due to the increased statute of limitations could create additional law enforcement, prosecutor and public defender costs, as well as increased demand for both jail and local juvenile detention beds. It is unknown, however, how many additional incidents of these offenses may be prosecuted and result in convictions as a result of the increased statute of limitations, so the resulting impact on local government expenditures is indeterminate.

Finally, the requirements in sections 2, 8 and 9 that would direct courts, upon conviction for specified offenses, to order expanded substance use disorder assessment and if necessary, treatment, could create indeterminate additional local government expenditures. Providing these assessments and treatment for indigent defendants could create costs for local governments, however the Local Government Fiscal Note Program does not have detailed information about the per-case costs of these services, so any resulting local government expenditure impact is indeterminate.

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:

Crime in Washington Report, 2023

Local government fiscal note for SB 5067, 2025

Local Government Fiscal Note Program Criminal Justice Cost Model, 2025

Washington Association of Sheriffs and Police Chiefs

Washington State Caseload Forecast Council