

JUDICIAL IMPACT FISCAL NOTE

Bill Number: 1480 EHB	Title: Driver License Suspension	Agency: 055 – Admin Office of the Courts (AOC)
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Part I: Estimates

No Fiscal Impact

Estimated Cash Receipts to:

	FY 2018	FY 2019	2017-19	2019-21	2021-23
Total:					

Estimated Expenditures from:

STATE	FY 2018	FY 2019	2017-19	2019-21	2021-23
FTE – Staff Years					
Account					
General Fund – State (001-1)	27,825		27,825		
State Subtotal	27,825		27,825		
COUNTY					
County FTE Staff Years					
Account					
Local - Counties					
Counties Subtotal					
CITY					
City FTE Staff Years					
Account					
Local – Cities					
Cities Subtotal					
Local Subtotal					
Total Estimated Expenditures:	27,825		27,825		

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 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.

Legislative Contact:	Phone:	Date:
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Agency Approval: Ramsey Radwan	Phone: 360-357-2406	Date:
OFM Review:	Phone:	Date:

Part II: Narrative Explanation

This bill would require the Department of Licensing (DOL) to meet additional requirements to provide for the suspension of a driver's license.

Part II.A – Brief Description of what the Measure does that has fiscal impact on the Courts

This bill would amend RCW 46.20.289 to add conditions for when DOL will suspend a driver's license for failure to appear.

The bill separates out "fails to respond to" and "fails to comply with terms of" a notice of infraction to add suspension for those that will only occur when the person has received (1) one or more other traffic infractions, (2) for moving violations, (3) that have been incurred on one or more separate occasions, and (4) that remain outstanding at the time the determination of qualification to receive a driver's license suspension occurs.

Currently, the type or reason for failure to appear is not separately coded in the Judicial Information System (JIS).

This bill differs from 1480 HB:

Section 1, amending RCW 46.20.289 has been changed to provide that license suspension under this Section will occur when the person has received one (instead of two) or more other traffic infractions for moving violations that have been incurred on one (instead of two) of more separate occasions, and remain outstanding at the time the determination of qualification to receive a driver's license suspension occurs.

II.B - Cash Receipt Impact

Indeterminate.

There would be a potential reduction to revenue based on the assumption there will be fewer Driving While License Suspended 3rd Degree (DWLS3) per RCW 46.20.342(1)(c). Many people charged with DWLS3 that resolve their cases have only one FTA. Because all DWLS3 cases are not charged under the exact reason why they are suspended, there is no way to estimate the potential reduction in revenue.

II.C – Expenditures

This bill modifies the circumstances under which DOL would suspend a person's driving privileges. Under current law, DOL must suspend a person's driving privileges when one of five circumstances is present: the person failed to respond to a notice of traffic infraction for a moving violation, failed to appear at a requested hearing for a moving violation, violated a written promise to appear in a court for a moving violation, failed to comply with a notice of traffic infraction or failed to comply with a criminal complaint or citation (RCW 46.20.289).

A different statute, RCW 46.63.070, requires the court to notify DOL when a person fails to respond to a notice of traffic infraction or fails to appear at a hearing for a traffic infraction.

Courts also have a duty to notify DOL when a person fails to respond to a notice of infraction under IRLJ 2.5. Current practice is to notify DOL when a person generally fails to appear (an "FTA"), and not to associate it with a particular type or reason for failure to appear.

This bill would require that, for failure to respond to a notice of a traffic infraction for a moving violation or for failure to comply with notice of a traffic infraction only, DOL shall suspend the person's license if, in addition to the current failure, the person (1) has one or more other traffic infractions for moving violations (which are defined by a DOL WAC), (2) on one or more separate occasions, (3) which remain outstanding at the time DOL determines if the license should be suspended.

Part III: Expenditure Detail

This bill would require changes to the JIS. Systems would need to be updated to add a reason for the FTA and allow for manual update for this purpose, disabling the JIS automatic FTA process.

To provide context, in December 2016, the Washington district and municipal courts issued more than 30,000 FTA's; approximately 22,000 were for traffic infractions and about 8,700 for criminal traffic cases. This bill would result in each of these FTA's requiring a manual process to add the additional "reason for FTA" code.

It is estimated that the required modifications to JIS will require 525 hours of AOC staff time, which equates to a one-time cost of \$27,825. It is important to note that the passage of several bills requiring JIS modifications would have a cumulative impact and could exceed current resources.

III.A – Expenditures by Object or Purpose

	FY 2018	FY 2019	2017-19	2019-21	2021-23
FTE – Staff Years					
A – Salaries & Wages					
B – Employee Benefits					
C – Prof. Service Contracts					
E – Goods and Services	27,825				
G – Travel					
J – Capital Outlays					
P – Debt Service					
Total:	27,825				

III.B – Detail:

Job Classification	Salary	FY 2018	FY 2019	2017-19	2019-21	2021-23
Total FTE's						

Part IV: Capital Budget Impact

None.

Part V: New Rule Making Required

None.