

Revised to clarify language.

FISCAL NOTE
LEGISLATIVE FISCAL ANALYST ESTIMATE

| ESTIMATE OF FISCAL IMPACT – STATE AGENCIES (See narrative for political subdivision estimates) | | | | |
|---|---------------------|----------------|---------------------|----------------|
| | FY 2024-25 | | FY 2025-26 | |
| | EXPENDITURES | REVENUE | EXPENDITURES | REVENUE |
| GENERAL FUNDS | | | | |
| CASH FUNDS | | | | |
| FEDERAL FUNDS | | | | |
| OTHER FUNDS | | | | |
| TOTAL FUNDS | | | | |

Any Fiscal Notes received from state agencies and political subdivisions are attached following the Legislative Fiscal Analyst Estimate.

LB1340 amends §28-306, §60-6,179.01, and §60-6,179.02 to make the using a handheld wireless communication device to read, manually type, or send a written communication, while operating a motor vehicle in motion, a Class IIIA felony (motor vehicle homicide), if it is the proximate cause of an unintentional death while operating the vehicle. Exemptions include law enforcement officers, firefighters, ambulance drivers, or emergency medical technicians; and persons operating a motor vehicle in an emergency situation.

This bill in §60-682.01 increases the fines on any person for traveling over the maximum speed limit of any highway or freeway. These fines are in addition to a traffic infraction if found guilty. The fines would be changed as follows:

- Increasing the fine from \$10.00 to \$50.00 for traveling 1 to 5mph over the maximum posted speed limit, plus traffic infraction;
- Increasing the fine from \$25.00 to \$75.00 for over 5mph but not over 10mph, plus traffic infraction;
- Increasing the fine from \$75.00 to \$125.00 for over 10mph but not over 15mph, plus traffic infraction;
- Increasing the fine from \$125.00 to \$200.00 for over 15mph but not over 20mph, plus traffic infraction;
- Increasing the fine from \$200.00 to \$300.00 for over 20mph but not over 35mph, plus traffic infraction;
- Increasing the fine from \$200.00 to \$300.00 for over 20mph but not over 35mph, plus traffic infraction;
- Increasing the fine from \$300.00 to \$400.00 for over 35mph, plus a person found guilty of this speed will receive a Class I misdemeanor in lieu of a traffic infraction; and
- All of the above fines will be doubled if the violation occurs within a maintenance/repair/construction zone which is identified by posted or moving signs as being under maintenance, repair, or construction.

LB1340 alters §60-4, 124 by allowing holders of LPD-learner's permits, LPE-learner's permits, or SCP-school permits to be charged with a first action violation, if using any type of interactive wireless communication device while operating a motor vehicle on the highways of this state.

LB1340 modifies §60-6,165 to allow peace officers or other authorized employees of law enforcement agencies as specified, the ability to remove vehicles standing upon a highway in violation of any of the provisions of the Nebraska Rules of the Road or the Motor Vehicle Registration Act from highways, or have the driver in charge of the vehicle move it off the roadway.

Expenditures:

The DMV has indicated they would need to make changes to the driver manuals and incur additional programming expenses for DMV employees, which can be absorbed by the agency's existing appropriations.

The Nebraska Supreme Court is estimating minimal fiscal impact for additional judicial education as a result of LB1340, with no extra appropriation is necessary.

There would be no fiscal impact to the Nebraska State Patrol.

Additionally, the Lancaster County Sheriff's Office has indicated they would have an increased workload if this bill were to pass, however they cannot quantify the fiscal impact at this time.

There is no basis to disagree with these estimations of minimal or no fiscal impact.

Revenues:

The increase in fines associated with passage of this bill, would be a revenue increase to the local school districts in the counties where the violations occur.

| ADMINISTRATIVE SERVICES STATE BUDGET DIVISION: REVIEW OF AGENCY & POLT. SUB. RESPONSE | | |
|---|----------------|---|
| LB: 1340 | AM: | AGENCY/POLT. SUB: Nebraska Supreme Court (005) |
| REVIEWED BY: Joe Wilcox | DATE: 02/20/24 | PHONE: (402) 471-4178 |
| COMMENTS: No disagreement with the Nebraska Supreme Court estimate of Minimal Fiscal Impact to the Judicial Branch from LB 1340, with no additional resources required. | | |

| ADMINISTRATIVE SERVICES STATE BUDGET DIVISION: REVIEW OF AGENCY & POLT. SUB. RESPONSE | | |
|--|------------------|--|
| LB: 1340 | AM: | AGENCY/POLT. SUB: Nebraska Department of Motor Vehicles (024) |
| REVIEWED BY: Joe Wilcox | DATE: 01/23/2024 | PHONE: (402) 471-4178 |
| COMMENTS: No disagreement with the Nebraska Department of Motor Vehicles (DMV) estimate of No Fiscal Impact to the Agency from LB 1340, as any increases in costs can be absorbed within existing resources. | | |

| ADMINISTRATIVE SERVICES STATE BUDGET DIVISION: REVIEW OF AGENCY & POLT. SUB. RESPONSE | | |
|---|------------------|--|
| LB: 1340 | AM: | AGENCY/POLT. SUB: Nebraska State Patrol (064) |
| REVIEWED BY: Joe Wilcox | DATE: 02/01/2024 | PHONE: (402) 471-4178 |
| COMMENTS: No disagreement with the Nebraska State Patrol estimate of No Fiscal Impact to the Agency from the provisions of LB 1340. | | |

| ADMINISTRATIVE SERVICES STATE BUDGET DIVISION: REVIEW OF AGENCY & POLT. SUB. RESPONSE | | |
|--|------------------|--|
| LB: 1340 | AM: | AGENCY/POLT. SUB: Lancaster County Sheriff's Office |
| REVIEWED BY: Joe Wilcox | DATE: 01/18/2024 | PHONE: (402) 471-4178 |
| COMMENTS: No reason to disagree with the Lancaster County Sheriff's Office estimate of indeterminate Fiscal Impact to the County Sheriff from LB 1340. | | |

Please complete ALL (5) blanks in the first three lines.

2024

LB⁽¹⁾ 1340

FISCAL NOTE

State Agency OR Political Subdivision Name: ⁽²⁾ Lancaster County Sheriff's Office

Prepared by: ⁽³⁾ Sheriff Terry Wagner Date Prepared: ⁽⁴⁾ 1/18/2024 Phone: ⁽⁵⁾ 402 441 6500

ESTIMATE PROVIDED BY STATE AGENCY OR POLITICAL SUBDIVISION

| | <u>FY 2024-25</u> | | <u>FY 2025-26</u> | |
|---------------|---------------------|----------------|---------------------|----------------|
| | <u>EXPENDITURES</u> | <u>REVENUE</u> | <u>EXPENDITURES</u> | <u>REVENUE</u> |
| GENERAL FUNDS | _____ | _____ | _____ | _____ |
| CASH FUNDS | _____ | _____ | _____ | _____ |
| FEDERAL FUNDS | _____ | _____ | _____ | _____ |
| OTHER FUNDS | _____ | _____ | _____ | _____ |
| TOTAL FUNDS | <u>0.00</u> | <u>0.00</u> | <u>0.00</u> | <u>0.00</u> |

Explanation of Estimate: There is no credible way to estimate the workload of enforcing this statute.

BREAKDOWN BY MAJOR OBJECTS OF EXPENDITURE

Personal Services:

| <u>POSITION TITLE</u> | <u>NUMBER OF POSITIONS</u> | | <u>2024-25</u> | <u>2025-26</u> |
|---------------------------|----------------------------|--------------|---------------------|---------------------|
| | <u>24-25</u> | <u>25-26</u> | <u>EXPENDITURES</u> | <u>EXPENDITURES</u> |
| _____ | _____ | _____ | _____ | _____ |
| _____ | _____ | _____ | _____ | _____ |
| Benefits..... | _____ | _____ | _____ | _____ |
| Operating..... | _____ | _____ | _____ | _____ |
| Travel..... | _____ | _____ | _____ | _____ |
| Capital outlay..... | _____ | _____ | _____ | _____ |
| Aid..... | _____ | _____ | _____ | _____ |
| Capital improvements..... | _____ | _____ | _____ | _____ |
| TOTAL..... | _____ | _____ | _____ | _____ |

Please complete ALL (5) blanks in the first three lines.

2024

LB⁽¹⁾ 1340

FISCAL NOTE

State Agency OR Political Subdivision Name: ⁽²⁾ Motor Vehicles

Prepared by: ⁽³⁾ Bart Moore Date Prepared: ⁽⁴⁾ January 22, 2024 Phone: ⁽⁵⁾ 402-471-3902

ESTIMATE PROVIDED BY STATE AGENCY OR POLITICAL SUBDIVISION

| | <u>FY 2024-25</u> | | <u>FY 2025-26</u> | |
|---------------|---------------------|----------------|---------------------|----------------|
| | <u>EXPENDITURES</u> | <u>REVENUE</u> | <u>EXPENDITURES</u> | <u>REVENUE</u> |
| GENERAL FUNDS | _____ | _____ | _____ | _____ |
| CASH FUNDS | _____ | _____ | _____ | _____ |
| FEDERAL FUNDS | _____ | _____ | _____ | _____ |
| OTHER FUNDS | _____ | _____ | _____ | _____ |
| TOTAL FUNDS | ===== | ===== | ===== | ===== |

Explanation of Estimate:

There will be some required changes to our drivers' manual, and additional programming for DMV employees. All of these costs will be absorbed within current agency appropriations.

BREAKDOWN BY MAJOR OBJECTS OF EXPENDITURE

Personal Services:

| <u>POSITION TITLE</u> | <u>NUMBER OF POSITIONS</u> | | <u>2024-25</u> | <u>2025-26</u> |
|---------------------------|----------------------------|--------------|---------------------|---------------------|
| | <u>24-25</u> | <u>25-26</u> | <u>EXPENDITURES</u> | <u>EXPENDITURES</u> |
| _____ | _____ | _____ | _____ | _____ |
| _____ | _____ | _____ | _____ | _____ |
| Benefits..... | _____ | _____ | _____ | _____ |
| Operating..... | _____ | _____ | _____ | _____ |
| Travel..... | _____ | _____ | _____ | _____ |
| Capital outlay..... | _____ | _____ | _____ | _____ |
| Aid..... | _____ | _____ | _____ | _____ |
| Capital improvements..... | _____ | _____ | _____ | _____ |
| TOTAL..... | _____ | _____ | _____ | _____ |

Please complete ALL (5) blanks in the first three lines.

2024

LB⁽¹⁾ 1340

FISCAL NOTE

State Agency OR Political Subdivision Name: ⁽²⁾ Nebraska State Patrol

Prepared by: ⁽³⁾ Carol Aversman Date Prepared: ⁽⁴⁾ 01-31-2024 Phone: ⁽⁵⁾ 402-479-4545

ESTIMATE PROVIDED BY STATE AGENCY OR POLITICAL SUBDIVISION

| | <u>FY 2024-25</u> | | <u>FY 2025-26</u> | |
|---------------|---------------------|----------------|---------------------|----------------|
| | <u>EXPENDITURES</u> | <u>REVENUE</u> | <u>EXPENDITURES</u> | <u>REVENUE</u> |
| GENERAL FUNDS | _____ | _____ | _____ | _____ |
| CASH FUNDS | _____ | _____ | _____ | _____ |
| FEDERAL FUNDS | _____ | _____ | _____ | _____ |
| OTHER FUNDS | _____ | _____ | _____ | _____ |
| TOTAL FUNDS | ===== | ===== | ===== | ===== |

Explanation of Estimate:

No Fiscal Impact.

BREAKDOWN BY MAJOR OBJECTS OF EXPENDITURE

Personal Services:

| <u>POSITION TITLE</u> | <u>NUMBER OF POSITIONS</u> | | <u>2024-25</u> | <u>2025-26</u> |
|---------------------------|----------------------------|--------------|---------------------|---------------------|
| | <u>24-25</u> | <u>25-26</u> | <u>EXPENDITURES</u> | <u>EXPENDITURES</u> |
| Benefits..... | _____ | _____ | _____ | _____ |
| Operating..... | _____ | _____ | _____ | _____ |
| Travel..... | _____ | _____ | _____ | _____ |
| Capital outlay..... | _____ | _____ | _____ | _____ |
| Aid..... | _____ | _____ | _____ | _____ |
| Capital improvements..... | _____ | _____ | _____ | _____ |
| TOTAL..... | _____ | _____ | _____ | _____ |

Please complete ALL (5) blanks in the first three lines.

2024

LB⁽¹⁾ 1340

FISCAL NOTE

State Agency OR Political Subdivision Name: ⁽²⁾ 05 Supreme Court

Prepared by: ⁽³⁾ Eric Asboe Date Prepared: ⁽⁴⁾ 2/20/2024 Phone: ⁽⁵⁾ 402-326-9215

ESTIMATE PROVIDED BY STATE AGENCY OR POLITICAL SUBDIVISION

| | <u>FY 2024-25</u> | | <u>FY 2025-26</u> | |
|---------------|---------------------|----------------|---------------------|----------------|
| | <u>EXPENDITURES</u> | <u>REVENUE</u> | <u>EXPENDITURES</u> | <u>REVENUE</u> |
| GENERAL FUNDS | _____ | _____ | _____ | _____ |
| CASH FUNDS | _____ | _____ | _____ | _____ |
| FEDERAL FUNDS | _____ | _____ | _____ | _____ |
| OTHER FUNDS | _____ | _____ | _____ | _____ |
| TOTAL FUNDS | ===== | ===== | ===== | ===== |

Explanation of Estimate:

Minimal fiscal impact to provide judicial education. No additional resources required.

BREAKDOWN BY MAJOR OBJECTS OF EXPENDITURE

Personal Services:

| <u>POSITION TITLE</u> | <u>NUMBER OF POSITIONS</u> | | <u>2024-25</u> | <u>2025-26</u> |
|---------------------------|----------------------------|--------------|---------------------|---------------------|
| | <u>24-25</u> | <u>25-26</u> | <u>EXPENDITURES</u> | <u>EXPENDITURES</u> |
| Benefits..... | _____ | _____ | _____ | _____ |
| Operating..... | _____ | _____ | _____ | _____ |
| Travel..... | _____ | _____ | _____ | _____ |
| Capital outlay..... | _____ | _____ | _____ | _____ |
| Aid..... | _____ | _____ | _____ | _____ |
| Capital improvements..... | _____ | _____ | _____ | _____ |
| TOTAL..... | _____ | _____ | _____ | _____ |