

FISCAL NOTE

LEGISLATIVE FISCAL ANALYST ESTIMATE

ESTIMATE OF FISCAL IMPACT – STATE AGENCIES *

	FY 1999-2000		FY 2000-2001	
	EXPENDITURES	REVENUE	EXPENDITURES	REVENUE
GENERAL FUNDS		7,750		16,200
CASH FUNDS	19,000	6,975	19,600	14,580
FEDERAL FUNDS		\$1,300,000 to \$1,500,000		\$1,300,000 to \$1,500,000
OTHER FUNDS				
TOTAL FUNDS	19,000	\$1,314,725 to \$1,514,725	19,600	\$1,330,780 to \$1,530,780

*Does not include impact on political subdivisions. See narrative for political subdivision estimates.

LB 239 reduces the concentration of alcohol in the blood from .10 to .08 of one gram for conviction of driving under the influence in a motor vehicle or a motorboat. The reduction of the threshold should result in additional arrests and administrative license revocations (ALR). The Department of Motor Vehicles (DMV) indicates that recent information on states, which have gone to a .08 threshold, shows a sustainable increase in the number of arrests and convictions for driving under the influence.

Assuming a 5% increase in license revocations, there will be approximately 460 additional ALR's in 1999-2000 and 483 in 2000-01. DMV will have an estimated increase of 187 ALR hearings in 1999-00 and 196 ALR hearings in 2000-01. It is assumed the agency may need to contract for outside hearing officers if a 5% increase in ALR hearings occurs. Using an average case cost of \$100 for contractual services, the increased cost for hearings will be about \$19,000 in 1999-00 and \$19,600 in 2000-01.

Persons whose licenses are revoked must pay a \$95 reinstatement fee. The allocation of the \$95 reinstatement fee is \$50 to the General Fund and \$45 to the DMV Cash Fund. The revenue increase from reinstatement fees is projected to be about \$14,725 (\$7,750 General, \$6,975 Cash) in 1999-00 based on a September implementation date, a 2-6 month suspension period, and an estimated reinstatement rate of 67%. In 2000-01, revenue from reinstatement fees is estimated to increase by \$30,780 (\$16,200 General, \$14,580 Cash).

The Supreme Court may have an increased number of trials due to the reduced threshold. Depending upon the number of arrests, there may be some need for an increase in resources. However, no fiscal impact is projected at this time. Any additional revenue from fines assessed for convictions will accrue to the public schools.

The Department of Roads indicates the passage of the bill will qualify the state to receive from \$1.3 million to \$1.5 million of federal incentive grants. The grant funds may be used for highway construction and/or highway safety projects.