

Mike Lovelace February 25, 2011 471-0050

LB 589

Revision: 00

FISCAL NOTE

LEGISLATIVE FISCAL ANALYST ESTIMATE

ESTIMATE OF FISCAL IMPACT – STATE AGENCIES *						
	FY 2011	-12	FY 2012-13			
_	EXPENDITURES	REVENUE_	EXPENDITURES	REVENUE		
GENERAL FUNDS						
CASH FUNDS	See below		See below			
FEDERAL FUNDS						
OTHER FUNDS						
TOTAL FUNDS						

The use of the state highway system is under the control of the Department of Roads who has the authority to issue permits, at their discretion, to allow encroachments such as lane closures for special events put on by a county, city or village. LB 589 would place in statute a list of criteria, which if met, would require the Department to issue a permit authorizing the encroachment on the state highway system by the requesting entity.

The Department of Roads indicates that the fiscal impact is indeterminate since it is not known how many permit requests will be received nor how long each event will last, which makes determining administrative costs related to permit issuance and lane closure set-up and monitoring costs difficult to estimate with any degree of accuracy. The Department also raises the question of tort liability for incidents from a party other than the county, city or village requesting the permit. There is no basis to disagree with the Department's conclusion that the fiscal impact is indeterminate.

DEPARTMENT OF ADMINISTRATIVE SERVICES

REVIEWED BY David J. Spatz DATE 2/10/11 PHONE 471-4179

COMMENTS

DEPARTMENT OF ROADS: Concur with Department of Roads' analysis and estimate of indeterminate fiscal impact.

^{*}Does not include any impact on political subdivisions. See narrative for political subdivision estimates.

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FISCAL NOTE LB589 Department of Roads

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Date Prepared	1/24/2011
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LEGISLATIVE FISCAT

Estimate Provided By State Agency or Political Subdivision

	FY 201	FY 2011-2012		FY 2012-2013	
	Expenditures	Revenue	Expenditures	Revenue	
General Funds					
Cash Funds					
Federal Funds					
Other Funds			=		
Total Funds.				<u> </u>	

Explanation of Estimate:

LB 589 would allow for encroachments onto the state highway system, including full and partial lane closures, by a county, city or village for special events as so designated.

The roadway must be located within their official zoning jurisdiction,

for special events as formally designated.

The entitiy must waive any and all rights of recovery against the Department of Roads for damages or liability.

They must obtain a special event permit from the Department of Roads.

The fiscal impact is very uncertain for several reasons:

- A) It is unknown how many or for how long of a time period would a special events permit be requested.
- B) Because of item "A", it is unknown what the administrative costs would be to issue the permit and monitor the oversight of the highway closure.
- C) The unknown potential tort liability for any incident from a party other than the county, city or village.

The fiscal impact is indeterminate.

Major Objects of Expenditure

	Number	of Positions	FY 2011-2012	FY 2012-2013
Position Title	FY 2011-2012	FY 2012-2013	Expenditures	Expenditures
		Benefits		
		Operating		
		Travel		
		Capital outlay		
		Aid		
		Capital improvements		
		Total		