

LEGISLATURE OF NEBRASKA
ONE HUNDRED THIRD LEGISLATURE
FIRST SESSION
LEGISLATIVE BILL 137

Introduced by Avery, 28.

Read first time January 11, 2013

Committee: Government, Military and Veterans Affairs

A BILL

- 1 FOR AN ACT relating to state government; to establish state fleet
2 card programs; to create a fund; and to declare an
3 emergency.
4 Be it enacted by the people of the State of Nebraska,

1 Section 1. (1) State fleet card programs shall be created
2 and shall be administered separately by the Department of Roads and
3 the University of Nebraska. The Department of Roads shall administer
4 a fleet card program on behalf of state government and political
5 subdivisions other than the University of Nebraska under a contract
6 through the State Treasurer. The State Treasurer shall determine the
7 type of fleet card or cards utilized in the state fleet card program.
8 The State Treasurer shall contract with one or more financial
9 institutions, card-issuing banks, credit card companies, charge card
10 companies, debit card companies, or third-party merchant banks
11 capable of operating a fleet card program on behalf of the state,
12 including the University of Nebraska, and political subdivisions that
13 participate in the state contract for such services. Rules and
14 regulations may be adopted and promulgated as needed by the
15 Department of Roads or the University of Nebraska for the operation
16 of the state fleet card programs. The rules and regulations shall
17 provide authorization instructions for all transactions. Expenses
18 associated with the state fleet card programs shall be considered as
19 an administrative or operational expense.

20 (2) For purposes of this section, fleet card means a
21 payment card used for gasoline, diesel, and other fuels. Fleet cards
22 may also be used to pay for vehicle and equipment maintenance and
23 expenses at the discretion of the program administrator. The
24 Department of Roads and the University of Nebraska shall each
25 designate a program administrator.

1 (3) Any state official, agency, board, or commission may
2 utilize a state fleet card for the purchase of goods and services
3 described in subsection (2) of this section for and on behalf of the
4 State of Nebraska. Any political subdivision may utilize a fleet card
5 for the purchase of goods and services described in subsection (2) of
6 this section for lawful government purposes of the political
7 subdivision. No disbursements or cash back on fleet card transactions
8 shall be allowed.

9 (4) Vendors accepting a state fleet card shall obtain
10 authorization for all transactions in accordance with instructions
11 from the program administrator. Transaction authorization shall be
12 from the financial institution, card-issuing bank, credit card
13 company, charge card company, debit card company, or third-party
14 merchant bank contracted to provide such service to the State of
15 Nebraska. Each transaction shall be authorized in accordance with the
16 instructions provided by the program administrator for each state
17 official, agency, board, or commission or each political subdivision.

18 (5) Detailed transaction information for the purposes of
19 tracking expenditures shall include fleet card identification,
20 merchant name and address, transaction number, date, time, product,
21 quantity, cost, and equipment meter reading if applicable. A state
22 fleet card program may require an itemized receipt for purpose of
23 tracking expenditures of a state fleet card purchase from a
24 commercial vendor as acceptable detailed transaction information. If
25 detailed transaction information is not provided, the program

1 administrator shall have the authority to temporarily or permanently
2 suspend state fleet card purchases in accordance with rules and
3 regulations.

4 (6) No officer or employee of the state or of a political
5 subdivision shall use a state fleet card for any unauthorized use.

6 Sec. 2. The State Fleet Card Distributive Fund is hereby
7 created. All rebates received by the state from the fleet card
8 program entered into by the State of Nebraska pursuant to section 1
9 of this act shall be credited to the fund. The fund may consist of
10 fleet card rebates received on behalf of state officers, agencies,
11 boards, and commissions and political subdivisions and shall be
12 administered by the State Treasurer. Fleet card rebates shall be
13 distributed by the State Treasurer, consistent with volume spent and
14 contract terms, to: (1) The University of Nebraska; (2) any political
15 subdivisions participating in the state fleet card program; and (3)
16 the State Treasurer for distribution to the remainder of state
17 government. The State Treasurer or his or her designee is authorized
18 to distribute through the fund or through a vendor contractual
19 agreement the remaining program rebates. Rebates received by the
20 contractor selected by the State Treasurer may be disbursed to
21 participating political subdivisions under the contract consistent
22 with volume spent and contract terms.

23 Sec. 3. Since an emergency exists, this act takes effect
24 when passed and approved according to law.