

FISCAL NOTE
LEGISLATIVE FISCAL ANALYST ESTIMATE

ESTIMATE OF FISCAL IMPACT – STATE AGENCIES (See narrative for political subdivision estimates)				
	FY 2019-20		FY 2020-21	
	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.

This bill would change load provisions and penalties for commercial motor vehicles and commercial trailers.

The bill states that no person shall drive a commercial motor vehicle or commercial trailer upon any highway unless the cargo or contents are properly distributed and adequately secured to prevent the falling of cargo or contents from the vehicle.

Violation is a Class III misdemeanor (Maximum — three months imprisonment, or five hundred dollars fine, or both; Minimum — none).

The bill also provides that in lieu of issuing a citation for a misdemeanor, the Superintendent of Law Enforcement and Public Safety (Nebraska State Patrol) may assess the owner of the vehicle a civil penalty for each violation of one thousand dollars.

This bill could impact county jails. Misdemeanor sentences are generally served in county jails if jail time is imposed. If the impact of this bill is to increase the number of people serving time in county jails by more than current law, this could result in additional costs to counties. Misdemeanor penalties also carry the possibility of a fine being imposed. Any fines assessed pursuant to convictions will accrue to the county where the violation occurs to be used for the support of public schools.

Funds from civil penalties assessed under this bill are deposited as follows: Seventy-five per cent in a fund for state highways and twenty-five per cent to the county general fund where the fine or penalty is paid.