

**FISCAL NOTE**  
**LEGISLATIVE FISCAL ANALYST ESTIMATE**

<b>ESTIMATE OF FISCAL IMPACT – STATE AGENCIES (See narrative for political subdivision estimates)</b>				
	<b>FY 2020-21</b>		<b>FY 2021-22</b>	
	<b>EXPENDITURES</b>	<b>REVENUE</b>	<b>EXPENDITURES</b>	<b>REVENUE</b>
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.**

LB768 is an update bill that proposes the following:

- Updating 4-111, 38-129, 60-484.04 to mirror the most recent amendment to the federal REAL ID Act of 2005 (REAL ID Modification Act) to provide that an unexpired foreign passport and valid Form I-94 (Arrival-Departure Record) for eligible citizens of the Federated States of Micronesia, the Republic of Palau, and the Republic of the Marshall Islands is acceptable identity documentation for the purposes of obtaining a professional or commercial license or a credential under the Uniform Credentialing Act.
- Updating the definition of manufactured home (60-107) to mirror the definition established under the National Manufactured Housing Construction and Safety Standards Act of 1974 as it existed on January 1, 2020.
- Updating the definition of low-speed vehicle (60-119.01, 60-336.01, 60-628.01, & 60-501) to mirror the definition established under 45 CFR part 571 as it existed on January 1, 2020.
- Establishing that beginning January 1, 2021, that a transfer of any motor vehicle with a manufacturer’s model year of 2011 or newer and an age of less than twenty years is subject to the odometer reporting requirements of 60-192.
- Updating the definition of access aisle found at 60-302.01 to reflect the federal regulations in existence on January 1, 2020.
- Updating the statutory registration application requirements at 60-386 to reflect federal regulations in effect on January 1, 2020.
- Updating the statutory requirements found at 60-3,113.04 related to the design, size, configuration, color and construction of a handicapped or disabled parking permit to reflect federal regulations existing on January 1, 2020.
- Updating the Motor Vehicle Registration Act to adopt the International Registration Plan as it existed on January 1, 2020 (60-3,193.01).
- Updating the Motor Vehicle Operator’s License Act to reflect the federal regulations in existence on January 1, 2020 (60-429.01).
- Updating 60-479.01 to reflect the federal regulations in effect on January 1, 2020 related to fraudulent document recognition training, criminal history record information checks, and lawful status checks.
- Updating 60-484.04 to reflect the most recent amendment to the federal REAL ID Act of 2005 (REAL ID Modification Act) to provide that an unexpired foreign passport and valid Form I-94 (Arrival-Departure Record) for eligible citizens of the Federated States of Micronesia, the Republic of Palau, and the Republic of the Marshall Islands is acceptable to verify lawful status when an individual is satisfying the verification requirements for obtaining an operator’s license or state identification card.
- Updating 60-484.05 to be inclusive of the most recent amendment to the federal REAL ID Act of 2005 (REAL ID Modification Act) that provides an unexpired foreign passport and valid Form I-94 (Arrival-Departure Record) for eligible citizens of the Federated States of Micronesia, the Republic of Palau, and the Republic of the Marshall Islands is sufficient to verify lawful status.

- Updating 60-4,111.01 to reference the federal Fair Credit Reporting Act as it existed on January 1, 2020.
- Updating 60-4,132 and 60-3,134 to reference various federal acts and regulations as they existed on January 1, 2020.
- Updating the restrictions to a commercial driver's license at 60-4,138. The restriction of "operation of a commercial motor vehicle which is not a Class A bus" is changed to "...Class A passenger vehicle", and "operation of a commercial motor vehicle which is not a Class A or Class B bus" is changed to "...Class A or Class B passenger vehicle".
- Updating 60-4,141 to add two (2) types of restriction that a Commercial Learner's Permit bear. One being the operation of a commercial motor vehicle which is not a Class A passenger vehicle and the other being the operation of a commercial motor vehicle that is not a Class A or Class B passenger vehicle.
- Updating 60-4,147.02 to reflect the USA PATRIOT Act as it existed on January 1, 2020 as it relates to a hazardous materials endorsement.
- Updating 60-4,168 to include as a reason for the lifetime disqualification from operating a commercial motor vehicle, the use of a commercial motor vehicle in the commission of a felony involving an act or practice of severe forms of trafficking in persons as defined and describe in 22 USC 7102(11) as it existed on January 1, 2020.
- Updating the definition of occupant protection system found at 60-6,265 to reference various federal regulations as they existed on January 1, 2020.
- Updating the provision that requires the Director of Motor Vehicles (DMV) to adopt standards for an informal dispute settlement procedure to reference 16 CFR part 703 as it existed on January 1, 2020.
- Updating 60-2909.01 to reference various federal laws and regulations related to the disclosure by the DMV of motor vehicle records, including sensitive personal information (not including a Social Security Number) as they existed on January 1, 2020.
- Updating the definition of bulk packaging found at 75-362 to include "a large packaging in which hazardous materials are loaded with an intermediate for of containment, such as one or more articles or inner packagings".
- Adding a definition of large bulk packaging to 75-362.
- Updating the definition of nonbulk packaging found at 75-362 to include "a maximum net mass of 400 kilograms (882 pounds) or less for a bag or box conforming to the applicable requirements for specification packagings, include the maximum net mass limitations provided in subpart L of 49 CFR 178", notwithstanding the definition of bulk packaging.
- Updating 75-363 and 75-364 to reference specific sections of Title 49 of the Code of Federal Regulations as they existed on January 1, 2020 as being adopted as Nebraska law.
- Updating 75-366 to reference the federal motor carrier safety regulations and federal hazardous materials regulations, as the existed on January 1, 2020 with regard to the State Patrol Enforcing the provisions of Chapter 75, article 3.
- Updating 75-392 to reference the Unified Carrier registration plan and agreement definition authorized pursuant to 49 USC 14504a as it existed on January 1, 2020.
- Updating 75-393 to reference the Unified Carrier Registration Act of 2005, 49 USC 13908 as it existed on January 1, 2020 in relation to the authorization by the Director of the DMV to participate in the unified carrier registration plan and agreement.

The following agencies provided fiscal notes (see attached) indicating no fiscal impact is anticipated; Public Service Commission, Supreme Court, State Patrol, and the Motor Vehicle Industry Licensing Board. No basis to disagree with their assessments is present.

The Department of Transportation and Department of Motor Vehicles were asked to provide fiscal notes but did not do so in the allotted time allowing for inclusion of their assessment. Absent fiscal notes from these two (2) agencies, there does not appear to be a direct fiscal impact for either agency that is not able to be absorbed within their existing appropriation.

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

**2020**

**LB<sup>(1)</sup> 768**

**FISCAL NOTE**

State Agency OR Political Subdivision Name: <sup>(2)</sup> Nebraska Public Service Commission

Prepared by: <sup>(3)</sup> Suzanne Hinzman Date Prepared: <sup>(4)</sup> 01/16/2020 Phone: <sup>(5)</sup> 402-471-0240

**ESTIMATE PROVIDED BY STATE AGENCY OR POLITICAL SUBDIVISION**

	<u>FY 2020-21</u>		<u>FY 2021-22</u>	
	<u>EXPENDITURES</u>	<u>REVENUE</u>	<u>EXPENDITURES</u>	<u>REVENUE</u>
GENERAL FUNDS	_____	_____	_____	_____
CASH FUNDS	_____	_____	_____	_____
FEDERAL FUNDS	_____	_____	_____	_____
OTHER FUNDS	_____	_____	_____	_____
<b>TOTAL FUNDS</b>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>

Explanation of Estimate:

This bill has no fiscal impact for the Public Service Commission.

**BREAKDOWN BY MAJOR OBJECTS OF EXPENDITURE**

Personal Services:

<u>POSITION TITLE</u>	<u>NUMBER OF POSITIONS</u>		<u>2020-21</u>	<u>2021-22</u>
	<u>20-21</u>	<u>21-22</u>	<u>EXPENDITURES</u>	<u>EXPENDITURES</u>
Benefits.....	_____	_____	_____	_____
Operating.....	_____	_____	_____	_____
Travel.....	_____	_____	_____	_____
Capital outlay.....	_____	_____	_____	_____
Aid.....	_____	_____	_____	_____
Capital improvements.....	_____	_____	_____	_____
<b>TOTAL.....</b>	_____	_____	<u>0</u>	<u>0</u>

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

**2020**

**LB<sup>(1)</sup> 768**

**FISCAL NOTE**

State Agency OR Political Subdivision Name: <sup>(2)</sup> 05 Supreme Court

Prepared by: <sup>(3)</sup> Eric Asboe Date Prepared: <sup>(4)</sup> 1/15/20 Phone: <sup>(5)</sup> 1-4138

ESTIMATE PROVIDED BY STATE AGENCY OR POLITICAL SUBDIVISION

	<u>FY 2020-21</u>		<u>FY 2021-22</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>2020-21</u>	<u>2021-22</u>
	<u>20-21</u>	<u>21-22</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.

**2020**

**LB<sup>(1)</sup> 768**

**FISCAL NOTE**

State Agency OR Political Subdivision Name: <sup>(2)</sup> Nebraska State Patrol

Prepared by: <sup>(3)</sup> Carol Aversman Date Prepared: <sup>(4)</sup> 1/15/2020 Phone: <sup>(5)</sup> \_\_\_\_\_

**ESTIMATE PROVIDED BY STATE AGENCY OR POLITICAL SUBDIVISION**

	<u>FY 2020-21</u>		<u>FY 2021-22</u>	
	<u>EXPENDITURES</u>	<u>REVENUE</u>	<u>EXPENDITURES</u>	<u>REVENUE</u>
GENERAL FUNDS	_____	_____	_____	_____
CASH FUNDS	_____	_____	_____	_____
FEDERAL FUNDS	_____	_____	_____	_____
OTHER FUNDS	_____	_____	_____	_____
<b>TOTAL FUNDS</b>	<b>=====</b>	<b>=====</b>	<b>=====</b>	<b>=====</b>

Explanation of Estimate:

**There is no fiscal impact, if passed.**

**BREAKDOWN BY MAJOR OBJECTS OF EXPENDITURE**

**Personal Services:**

<u>POSITION TITLE</u>	<u>NUMBER OF POSITIONS</u>		<u>2020-21</u>	<u>2021-22</u>
	<u>20-21</u>	<u>21-22</u>	<u>EXPENDITURES</u>	<u>EXPENDITURES</u>
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
Benefits.....	_____	_____	_____	_____
Operating.....	_____	_____	_____	_____
Travel.....	_____	_____	_____	_____
Capital outlay.....	_____	_____	_____	_____
Aid.....	_____	_____	_____	_____
Capital improvements.....	_____	_____	_____	_____
<b>TOTAL.....</b>	<b>_____</b>	<b>_____</b>	<b>_____</b>	<b>_____</b>

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

**2020**

**LB<sup>(1)</sup> 768**

**FISCAL NOTE**

State Agency OR Political Subdivision Name: <sup>(2)</sup> Motor Vehicle Industry Licensing Board

Prepared by: <sup>(3)</sup> Joshua Eickmeier Date Prepared: <sup>(4)</sup> 1/13/2020 Phone: <sup>(5)</sup> (402) 471-2148

ESTIMATE PROVIDED BY STATE AGENCY OR POLITICAL SUBDIVISION

	<u>FY 2020-21</u>		<u>FY 2021-22</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: It would appear that there would be no fiscal impact to our Agency.

BREAKDOWN BY MAJOR OBJECTS OF EXPENDITURE

Personal Services:

<u>POSITION TITLE</u>	<u>NUMBER OF POSITIONS</u>		<u>2020-21</u>	<u>2021-22</u>
	<u>20-21</u>	<u>21-22</u>	<u>EXPENDITURES</u>	<u>EXPENDITURES</u>
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
Benefits.....	_____	_____	_____	_____
Operating.....	_____	_____	_____	_____
Travel.....	_____	_____	_____	_____
Capital outlay.....	_____	_____	_____	_____
Aid.....	_____	_____	_____	_____
Capital improvements.....	_____	_____	_____	_____
TOTAL.....	_____	_____	_____	_____