PREPARED BY: DATE PREPARED: PHONE: Shelly Glaser January 18, 2023 402-471-0052

LB 66

Revision: 00

FISCAL NOTE

LEGISLATIVE FISCAL ANALYST ESTIMATE

ESTIMATE OF FISCAL IMPACT – STATE AGENCIES (See narrative for political subdivision estimates)									
	FY 202	23-24	FY 2024-25						
	EXPENDITURES	REVENUE	EXPENDITURES REVENUE						
GENERAL FUNDS									
CASH FUNDS	See Below	See Below	See Below	See Below					
FEDERAL FUNDS									
OTHER FUNDS									
TOTAL FUNDS	See Below	See Below	See Below	See Below					

Any Fiscal Notes received from state agencies and political subdivisions are attached following the Legislative Fiscal Analyst Estimate.

LB66 outlines the provisions for licensing and registering all-terrain vehicles (ATVs) and utility-terrain vehicles (UTVs) under the Motor Vehicle Registration Act for operation on roadways. The bill would prohibit ATVs and UTVs from operating on the National System of Interstate and Defense Highways, highways that are part of the State Highway System, expressways, freeways, and highways that have been banned by an ordinance adopted by a county or municipality, city or village. Registration and licensing fees would be charged.

Expenditures:

The Nebraska Department of Motor Vehicles (NDMV) estimates 30,000 ATVs and UTVs would be registered and licensed in FY2023-24 and 50,000 in FY2024-25, as a result of LB66. The NDMV estimates total Cash Fund expenditures for plates, decals, forms, renewal notices and such to be \$146,810 in FY2023-24 and \$59,060 in FY2024-25.

The Nebraska Motor Vehicle Industry Licensing Board (NMVILB) declares LB66 would cause ATVs and UTVs to fall under the Motor Vehicle Industry Regulation Act's definition of a "motor vehicle" (see NMVILB Fiscal Note attached) and as such manufacturers and retailers of ATVs and UTVs would need to be licensed annually by the NMVILB. As the number of ATV and UTV manufacturers and dealers is unknown at this time, an estimation of future revenues and expenditures is speculative.

The Nebraska Game and Parks Commission (NGPC) owns and operates ATVs and UTVs some of which would need to be registered and licensed for roadway use under LB66. NGPC can accommodate for any potential expenditures within existing appropriations.

NRS 60-3,186(d)(3) requires the proceeds from motor vehicle taxes be treated as property tax revenue. The proceeds are considered "other receipts" in the Tax Equity and Educational Opportunities Support Act (TEEOSA) formula. Because there is a potential increase in receipts to those local school systems or districts that receive equalization aid, there is a corresponding General Fund impact (i.e. decrease in General Fund expenditures). This amount would appear to be negligible based on the DMV estimates outlined above. Further, the amount not determinable. Any General Fund impact would not be realized until FY26.

Revenues:

The Nebraska Department of Motor Vehicles (NDMV) estimates registration and licensing to increase Cash Fund revenues by \$60,000 for FY2023-24 and \$100,000 in FY2024-25. Increases in Other Fund revenues (which would include Trust Funds, Other State Agency Funds, or County Funds) are approximated to be \$918,000 in FY2023-24 and \$1,386,500 in FY2024-25. NDMV is approximating total revenues to be \$978,000 in FY2023-24 and \$1,486,500 in FY2024-25.

The Nebraska Game and Parks Commission (NGPC) is concerned that LB66 would result in the sales and use tax from ATVs and UTVs registered as motor vehicles to go to the Highway Trust Fund, instead of the NGPC Capital Maintenance Fund which currently receives ATV and UTV sales and use tax receipts per State Statute (see NGPC's Fiscal Note attached). The FY2021-22 receipts totaled \$2,024,145. Utilizing this number in lieu of a future unknown number of sales and use tax of the ATVs and UTVs, LB66 would result in a Cash Fund revenue loss of the entire amount of \$2,024,145 in both FY2023-24 and FY2024-25.

The Nebraska Department of Transportation (NDOT) has stated the unknown number of ATVs and UTVs registering and licensing under LB66 would cause an indeterminate, minimal increase in revenues to the State Highway Trust Fund.

The Nebraska Association of County Officials (NACO) stated this bill would have a positive fiscal impact for counties for the Highway Trust Fund (county share) and County General Fund. However, there would be additional staff time needed for the additional workload.

The Nebraska State Patrol (NSP), Nebraska State Treasurer (NST), and the Lancaster County Treasurer all have indicated no fiscal impact.

There is no basis to disagree with the NDMV, NMVILB, NGPC, NDOT, NACO, NSP, NST, and the Lancaster County Treasurer estimates.

	ADMINISTRATIVE SERVICES STATE BUDGET DIVISION: REVIEW OF AGENCY & POLT. SUB. RESPONSE						
LB:	LB: 66 AM: AGENCY/POLT. SUB: Game and Parks Commission						
REVI	EWED BY:	Lee Will	DATE:	1/19/2023	PHONE: (402) 471-4175		
COMMENTS: The Game and Parks Commission's assessment of fiscal impact seems reasonable given the assumptions used.							

	ADMINIST	RATIVE SERV	ICES STATE BUDGET DIV	ISION: REVIEW	OF AGENCY & POLT. SUB. RESPONSE		
LB:	66	AM:	AGENCY/POLT.	SUB: State Trea	surer		
REV	EWED BY:	Lee Will	DATE:	1/12/2023	PHONE: (402) 471-4175		
COMMENTS: Concur with the State Treasurer's assessment of no fiscal impact.							

ADMINISTRATIVE SERVICES STATE BUDGET DIVISION: REVIEW OF AGENCY & POLT. SUB. RESPONSE							
LB:	LB: 66 AM: AGENCY/POLT. SUB: Motor Vehicle Industry Licensing Board						
REV	IEWED BY:	Lee Will	DATE:	1/19/2023	PHONE: (402) 471-4175		
COMMENTS: The Motor Vehicle Industry Licensing Board's assessment of fiscal impact seems reasonable given the assumptions used.							

ADMINISTRATIVE SERVICES STATE BUDGET DIVISION: REVIEW OF AGENCY & POLT. SUB. RESPONSE							
LB: 66	AM:	AGENCY/POLT. SUB: Nebraska State Patrol (064)					
REVIEWE	D BY: Joe Wilcox	DATE: 01/13/2023	PHONE: (402) 471-4178				
COMMENTS: Concur with the Nebraska State Patrol estimate of No Fiscal Impact to the Agency from LB 66.							

	ADMINIST	RATIVE SERV	ICES STATE BUDGET DI	VISION: REVIEW	V OF AGENCY & POLT. SUB. RESPONSE		
LB:	LB: 66 AM: AGENCY/POLT. SUB: Lancaster County Treasurer						
REVI	EWED BY:	Lee Will	DATE:	1/17/2023	PHONE: (402) 471-4175		
COMMENTS: Concur with the Lancaster County Treasurer's assessment of no fiscal impact.							

ADMINISTRATIVE SERVICES STATE BUDGET DIVISION: REVIEW OF AGENCY & POLT. SUB. RESPONSE

LB: 66 AM: AGENCY/POLT. SUB: Nebraska Association of County Officials (NACO)

REVIEWED BY: Lee Will DATE: 1/18/2023 PHONE: (402) 471-4175

COMMENTS: NACO's assessment of fiscal impact seems reasonable given the assumptions used.

LB ⁽¹⁾ 66					FISCAL NOTE
State Agency OR Political	l Subdivision Name: (2)	Motor Vehicles			
Prepared by: (3) Bart	Moore	Date Prepared: (4)	January 13, 2023	Phone: (5)	402-471-3902
	ESTIMATE PROVI	DED BY STATE AGEN	NCY OR POLITICAL	SUBDIVIS	ION
FY		2023-24		FY 2024-	-25
	EXPENDITURES	REVENUE	EXPENDITU		REVENUE
GENERAL FUNDS		-			
CASH FUNDS	146,810	60,000	59,060		100,000
FEDERAL FUNDS					
OTHER FUNDS		918,000			1,386,500
TOTAL FUNDS	146,810	978,000	59,060		1,486,500

Explanation of Estimate:

This legislation will allow for more vehicles to be registered. The department estimates as increase of 30,000 vehicles during FY 2023-24 and 50,000 during FY 2024-25. As a result, the following additional revenues will be realized:

Fee	FY24	FY25
Reg Fee, Highway Trust (\$3)	\$ 90,000	\$150,000
Plate Fee, Highway Trust (\$4.10)	\$123,000	\$61,500
MV Tax (base \$25)	\$450,000	\$750,000
MV Fee (base \$5)	\$150,000	\$250,000
EMS Fund (50¢)	\$15,000	\$25,000
Rec Road Fund (\$1.50)	\$45,000	\$75,000
County Gen (\$1.50)	\$45,000	\$75,000
DMV Cash (\$2.00)	\$60,000	\$100,000

Only the DMV portion of these funds are shown in the Cash Fund, the remaining funds are either Trust Funds, Other State Agency Funds, or County Funds.

Expenditures:

Program 090 – License Plates = \$144,310 for Plates and Decals in FY 2023-24 and \$37,810 in FY 2024-25 Program 070 – Enforcement of Standards = \$2,500 for forms in FY 2023-24 and \$21,250 in FY 2024-25 for forms and renewal notices.

RREAKD	OWN BY MAJ	OR OBJECTS O	F EXPENDITURE	
Personal Services:	O VVIV DI IVIII	OR OBOLECTS O	<u> </u>	
POSITION TITLE	NUMBER OF <u>23-24</u>	F POSITIONS <u>24-25</u>	2023-24 EXPENDITURES	2024-25 EXPENDITURES
				
Benefits				
Operating			146,810	59,060
Travel				
Capital outlay				

Aid		
Capital improvements		
TOTAL	146,810	59,060

Aid.....

Capital improvements.....

TOTAL.....

LB (1)	66 cr	nange pro	visions regar	ding regulati	ion and operatio	n of ATV & U	JTV	FISCAL NOTE
State Ag	ency OR I	Political Su	ıbdivision Nam	e: (2) Neb	raska Game	and Parks	Commission	
Prepare	d by: (3)	Christin	a Peters	Da	ate Prepared: (4)	1/12/2023	Phone: ((402) 471-5403
		ES	TIMATE PR	OVIDED BY	Y STATE AGEN	NCY OR POL	ITICAL SUBDIV	ISION
				FY 2023-2	24		FY 20	24-25
			<u>EXPENDITU</u>		REVENUE	EXP	<u>ENDITURES</u>	REVENUE
GENER	AL FUN	DS						
CASH F	UNDS				(2,024,145)			(2,024,145)
FEDER	AL FUN	DS						
OTHER	R FUNDS	3						
TOTAL	FUNDS	; _						
road use roadway vehicle, The maj recreation would be needed potentia. The age registere NGPC Commission 2703 on 1204.01, The amore estimate	e") as more safety of second as more capital Marctions of the sale call-terra	otor vehicles such vehicles such vehicles such vehicles such vehicles such vehicles daintenan occurring ital Maint or lease of in vehicles the FY21 mber of A	cles and producy's interpred of provide less owned ildlife manage the costs of met, flag, etcures. If that the largues would rece Fund, won or after Costs as defined incompleted of motorboats as defined incompleted.	evide for a retation that gal access and operagement are registering). NGPC anguage of the equire those hich currenctober 1, 20 all of the process as defined in section 60 receipts from TVs that we	mechanism to licensing and to some roads ted by NGPC eas. When a new the vehicle, a would make in the bill would refer taxes to go that y receives the sold and before roceeds of the sold in section 37-10-103, and utilities and ATV/UTV ould be registed.	license and registration ways. are used with eed to use of acquiring the ternal adjusted to the Highwose receipts October 1, 2 ales and use 204, personal ty-type vehicles ales tax was alex tax was al	register them for is not necessarily thin the perimeter on roadways is it is license plate, a timents to compete and use tax years. Trust Fund. To sper State Status 1027, credit to the taxes imposed put I watercraft as decless as defined in seconds.	ers of the park, dentified, NGPC and purchasing any ensate for any ensate for any ex from ATV/UTVs This would impact the te 77-27,132(2)(a): Game and Parks arsuant to section 77-fined in section 37-fection 60-135.01;
			BREAKD	OWN BY M	AJOR OBJECT	S OF EXPE	NDITURE	
Personal	Services:	:			R OF POSITIO			2024 25
	POSIT	ION TIT	LE	NUMBEI <u>23-24</u>			2023-24 ENDITURES	2024-25 EXPENDITURES
Benefits	S			-				
Travel.				••••				
Capital	outlay			• • • •				

LB ⁽¹⁾ 66					FISCAL NOTE	
State Agency OR Political Subdivision Name: (2	Nebraska Department of Transportation					
Prepared by: (3) Liza Alderman	Date	Prepared: (4)	1/13/23	Phone:	(5) 402-479-4692	
ESTIMATE PROV	VIDED BY S	STATE AGEN	CY OR POLI	TICAL SUBDI	VISION	
E7	V anag aa			EV ac	004. 05	
EXPENDITURE	<u>Y 2023-24</u> E <u>S</u> <u>I</u>	REVENUE	EXPEN	DITURES	<u>024-25</u> <u>REVENUE</u>	
GENERAL FUNDS						
CASH FUNDS						
FEDERAL FUNDS						
OTHER FUNDS						
TOTAL FUNDS						
LB 66 proposes to allow all-terrain veh Motor Vehicle Registration Act to opera Defense Highways, highways that are highways when prohibited by an ordina for an ATV and UTV is three dollars. In The passing of LB 66 may cause a mir shared by Nebraska Dept. of Transpor unknown number of ATVs and UTVs w	ate on any l part of the s ance adopte a addition, o nimal increa tation and o	highway exce State Highwa ed by a count one plate will ase in revenu cities/counties	ept on the Na by System, e by, city, or vil be issued to e to the Stat s. The amou	ational Systen xpressways, f lage. The prop ATVs and UT e Highway Tront is indeterm	n of Interstate and freeways, and posed registration fee TVs. ust Fund, which is	
BREAKDO Personal Services:	WN BY MA	JOR OBJECTS	S OF EXPEN	<u>DITURE</u>		
1		F POSITIONS		023-24	2024-25	
POSITION TITLE	<u>23-24</u>	<u>24-25</u>	EXPEN	<u>IDITURES</u>	<u>EXPENDITURES</u>	
Benefits						
Operating						
Travel						
Capital outlay						
Aid						
Capital improvements						
TOTAL						

LB ⁽¹⁾ 66				F	FISCAL NOTE	
State Agency OR Political Subdivision	Name: (2) Moto	Motor Vehicle Industry Licensing Board				
Prepared by: (3) Josh Eickmeier		Date Prepared: (4) 1/13/23 Ph		Phone: (5)	402-471-2148	
ESTIMAT	<u>ΓΕ PROVIDED Β</u>	Y STATE AGENC	Y OR POLITICAL	<u> SUBDIVISI</u>	ON	
EXPEN	<u>FY 2023-2</u> <u>DITURES</u>	<u>4</u> <u>REVENUE</u>	<u>EXPENDITU</u>	<u>FY 2024-</u> URES	<u>25</u> <u>REVENUE</u>	
GENERAL FUNDS						
CASH FUNDS						
FEDERAL FUNDS						
OTHER FUNDS						
TOTAL FUNDS						
and UTV manufacturers and de and expenditures is speculative. Our Agency is cash funded, so increase then we would require	e. there would not	be a General Fu	nd impact, howe			
	EAKDOWN BY 1	MAJOR OBJECTS	OF EXPENDITU	<u>RE</u>		
Personal Services:	NUMBER	R OF POSITIONS	2023-24		2024-25	
POSITION TITLE	<u>23-24</u>	<u>24-25</u>	<u>EXPENDITU</u>	<u>JRES</u>	EXPENDITURES	
Benefits		<u> </u>				
Operating						
Travel						
Capital outlay						
Aid						
Capital improvements						

LB ⁽¹⁾ 66				FISCAL NOTE
State Agency OR Political Subdi	vision Name: (2)	State Treasurer		
Prepared by: (3) Jason Walters		Date Prepared: (4)	Phone: (5)	402-471-2793
EST	IMATE PROVID	ED BY STATE AGENC	Y OR POLITICAL SUBDIVIS	ION
	EV 00	08 04	EV 2024	as
EX	PENDITURES	<u>23-24</u> <u>REVENUE</u>	<u>FY 2024</u> <u>EXPENDITURES</u>	REVENUE
GENERAL FUNDS				
CASH FUNDS				
FEDERAL FUNDS				
OTHER FUNDS				
TOTAL FUNDS				
Explanation of Estimate:				
- 10 ·	BREAKDOWN	BY MAJOR OBJECTS	OF EXPENDITURE	
Personal Services: POSITION TITLE		MBER OF POSITIONS 3-24 24-25	2023-24 EXPENDITURES	2024-25 EXPENDITURES
Benefits				
Operating				
Travel				
Capital outlay				
Aid				
Capital improvements				
TOTAL.				

TOTAL.....

LB ⁽¹⁾ 66					FISCAL NOTE
State Agency OR	Political Subdivision Name: (2)	Nebraska State P	atrol		
Prepared by: (3)	Carol Aversman	Date Prepared: (4)	01-09-2023	Phone: (5)	402-471-4545
	ESTIMATE PROV	IDED BY STATE AGEN	NCY OR POLITIC	AL SUBDIVIS	ION
	FY	2023-24		FY 2024	-25
	EXPENDITURES		EXPENDIT		REVENUE
GENERAL FUN	IDS				
CASH FUNDS			_		
FEDERAL FUN	DS				
OTHER FUNDS	<u></u>				
TOTAL FUNDS					
Explanation of E	Estimate:				
NO FISCAL IN	ΙΡΔCΤ				
	DDEAKDON	WN BY MAJOR OBJECT	C OF EXPENDIT	TIDE	
Personal Service		WN BI WIAJOR OBJECT	IS OF EAFENDII	<u>UKE</u>	
DOCIT	N TION TITLE	UMBER OF POSITION			2024-25 EXPENDITURES
FOSIT	ION IIILE	<u>23-24</u> <u>24-25</u>	<u>EXPENDIT</u>	IUNES	<u>EAFENDITURES</u>
			_		
Benefits					
Capital outlay					
Aid					
Capital improve	ments				

LB ⁽¹⁾ 66					FISCAL NOTE		
State Agency OR	Political Subdivision Name:	Lancaster County	Lancaster County Treasurer				
Prepared by: (3)	Rachel Garver	Date Prepared: (4)	January 10, 2023	Phone: (5)	402-441-7425		
	ESTIMATE PRO	OVIDED BY STATE AGE	NCY OR POLITICAI	_SUBDIVIS	SION		
	_	TW 0000 04		DV 2024			
	<u>EXPENDITUR</u>	FY 2023-24 RES REVENUE	<u>FY 202</u> <u>EXPENDITURES</u>		REVENUE		
GENERAL FUN	TDS						
CASH FUNDS							
FEDERAL FUN	DS						
OTHER FUNDS	<u></u>						
TOTAL FUNDS							
							
Explanation of E	Estimate:						
D 16 '		OWN BY MAJOR OBJECT	<u> IS OF EXPENDITU</u>	<u>RE</u>			
Personal Service	es :	NUMBER OF POSITION	IS 2023-24		2024-25		
POSIT	TION TITLE	<u>23-24</u> <u>24-25</u>	<u>EXPENDITU</u>		EXPENDITURES		
			_				
n C.							
				<u></u>			
_							
	ments		_				
TOTAL			-				

TOTAL.....

LB (1)	66							FISCAL NOTE
State Age	State Agency OR Political Subdivision Name: (2) Nebraska Association of County Officials (NACO)						NACO)	
Prepared	l by: (3)	Elaine	e Menzel	Da	te Prepared: ⁽⁴⁾	1/11/2023	Phone:	(5) 402.434.5660
			ESTIMATE PRO	VIDED B	Y STATE AGEN	NCY OR POLI	ΓΙCAL SUBDΙ	VISION
<u>FY</u> EXPENDITURES			<u>Y 2023-24</u> E <u>S</u>	<u>4</u> <u>REVENUE</u>	EXPEN	FY 20 DITURES	<u>2024-25</u> <u>REVENUE</u>	
GENERA	AL FUN	DS						
CASH FU	JNDS						_	
FEDERA	L FUN	OS						
OTHER:	FUNDS					<u>-</u>		
TOTAL	FUNDS							
Explanat		stimate:		_ =				
1								
Assump registered Highway next two years).	otion in 20 ed in 20 y Trust o fiscal y	2022 by 224. Ba (the co years) a	unty share of reg	there wo ssumption gistration eral fund	uld be 30,000 ans, there would and plate fees (approximatel)	ATVs/UTVs rolling and approximately \$45,000 and	egistered in 2 e fiscal impac ately \$285,00 d \$75,000 for	t for counties for the 0 and \$370,000 for the the next two fiscal
n 1	С.		BREAKDO	WN BY N	AJOR OBJECT	S OF EXPEN	DITURE	
Personal	Service	S:		NUMBER	OF POSITION	S 20	023-24	2024-25
	POSIT	ION TI	TLE	<u>23-24</u>	<u>24-25</u>	EXPEN	<u>IDITURES</u>	<u>EXPENDITURES</u>
						<u>-</u>		
Benefits.								
_	_							
-								
Capital in	mprover	nents						