

PREPARED BY: Doug Nichols
 DATE PREPARED: April 8, 2008
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LB 736

Revision: 02

Updated to reflect amendments adopted through April 1, 2008.

FISCAL NOTE
LEGISLATIVE FISCAL ANALYST ESTIMATE

ESTIMATE OF FISCAL IMPACT – STATE AGENCIES *				
	FY 2008-09		FY 2009-10	
	EXPENDITURES	REVENUE	EXPENDITURES	REVENUE
GENERAL FUNDS				See Below
CASH FUNDS	36,000			See Below
FEDERAL FUNDS		See Below		See Below
OTHER FUNDS				
TOTAL FUNDS	36,000		0	

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

This bill, as amended, would change certain driving under the influence penalties and provide indigent assistance for ignition interlock devices. This act becomes operative on January 1, 2009.

The Department of Motor Vehicles (DMV) notes that this amended bill would require changes to the driving record and modifications to the interlock work file. They estimate 480 hours of programming and testing at a one-time cost of \$36,000. The amended bill also provides for a fee for an interlock permit, in addition to other fees. In a phone conversation with the Legislative Fiscal Office analyst (LFO), DMV stated that the revenue from these fees is indeterminate at this time.

The Nebraska Department of Roads (NDOR) notes that this amended bill could place Nebraska in non-compliance with the federal mandates for minimum DUI repeat offenders. They have requested a ruling from the Federal Highway Administration regarding this issue. If this amended bill did place Nebraska in non-compliance, then 3% of the federal apportionments for the National Highway System, Surface Transportation Program and Interstate Maintenance would be transferred to the Office of Highway Safety at DMV. The NDOR notes that 3% amounts to \$5.7 million per year. This \$5.7 million would show as a federal revenue reduction at NDOR and a federal revenue gain at DMV.

The Nebraska State Patrol estimates no fiscal impact.

DEPARTMENT OF ADMINISTRATIVE SERVICES

REVIEWED BY	Mike Salzwedel	DATE	3/25/08	PHONE	471-2526
COMMENTS					
DEPARTMENT OF MOTOR VEHICLES: No basis to disagree, however, the Department should attempt to combine all changes required of their systems in order to reduce overall programming expenses.					
DEPARTMENT OF ROADS: No basis to disagree.					