

Revised to reflect AM758 and Committee Amendment AM316.

FISCAL NOTE

LEGISLATIVE FISCAL ANALYST ESTIMATE

ESTIMATE OF FISCAL IMPACT – STATE AGENCIES (See narrative for political subdivision estimates)				
	FY 2025-26		FY 2026-27	
	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.

LB561 as amended by AM758 to Committee Amendment AM316, would modify the Nebraska Rules of the Road, by creating a special permit provision which would allow for overweight raw-milk vehicles to:

- 1) Apply for and be granted a special by the Nebraska Department of Transportation (NDOT) to transport a larger quantity of raw milk produced at dairy farms via an overweight raw-milk vehicle to the processing facilities;
- 2) Operate using a continuing or continuous permit if approved, which would only be available for the operation of vehicles carrying only raw milk from a dairy farm to a milk processing facility;
- 3) Not exceed a gross weight of 107,500 pounds;
- 4) Not surpass the weight limits calculated using the federal bridge formula in 23 U.S.C. 127, as such section existed on January 1, 2025, for each single axle and each group of axles on the truck-tractor and the hauling tanker trailer; and
- 5) Exceed 40 ft. in length (inclusive of front and rear bumpers and including the load) if granted an exception by NDOT for the overweight raw-milk vehicle, and if such length is determined by NDOT to be reasonable and necessary to comply with all weight limits for single axles and groups of axles.

This bill also sets the requirements that prior to January 1, 2026, NDOT must:

- 1) Create a bridge map indicating the bridges which can support overweight raw-milk vehicles, and identify prohibited bridge structures that cannot hold this weight;
- 2) Review the bridge map yearly and make any necessary updates to the map; and
- 3) Publish the most recent version of the bridge map on their public website.

Next, the bill stipulates that an overweight raw-milk vehicle shall:

- 1) Carry a physical or digital copy of the bridge map showing those bridge structures identified as prohibited by NDOT;
- 2) Not enter any prohibited bridge structure; and
- 3) Not travel on the National System of Interstate and Defense Highways unless authorized by NDOT on the overweight raw-milk vehicle permit, pursuant to written approval from the Federal Highway Administration for such authorization.

LB561 as amended specifies the following:

- 1) NDOT may revoke the overweight raw-milk vehicle permit for any violation above by providing written notice to the holder of the revoked permit and may do so utilizing the U.S.P.S.;
- 2) The revocation notices only become effective once the written notice has been received by the holder of the revoked permit;
- 3) Revocations may be appealed by the holder of the revoked permit, in accordance with the Administrative Procedure Act;
- 4) If NDOT determines that overweight raw-milk vehicle permits put Nebraska at risk of losing federal aid funding, then NDOT shall revoke all such permits;
- 5) If an overweight raw-milk vehicle enters a prohibited bridge structure and is the proximate cause of damage to the prohibited structure, the owner of the overweight raw-milk vehicle shall be liable for all costs associated with repairing such damage;
- 6) NDOT may bring an action to recover the associated costs of repairing such damage in the district court of the county where the prohibited bridge structure is located or in the district court of Lancaster County; and
- 7) Recovered money shall be remitted to the State Treasurer for credit to the Roads Operations Cash Fund.

All of the above provisions of the bill contain an emergency clause.

Expenditures:

NDOT has indicated that with the newly adopted amendments to the bill, the agency anticipates only a minimal fiscal impact which can be absorbed within the agency's existing appropriation.

The Nebraska Supreme Court has concluded there would be a minimal fiscal impact for judicial education, which can be absorbed with their existing appropriation.

The Nebraska Department of Motor Vehicles (DMV) has indicated no fiscal impact.

The Nebraska Association of County Officials (NACO) has specified there would be an insignificant impact to counties.

There is no basis to disagree with these estimations of fiscal impact by the NDOT, the Nebraska Supreme Court, DMV, nor NACO.

ADMINISTRATIVE SERVICES STATE BUDGET DIVISION: REVIEW OF AGENCY & POLT. SUB. RESPONSE			
LB: 561	AM: 316	AGENCY/POLT. SUB: 05 Supreme Court	
REVIEWED BY: Joe Massey		DATE: 3/3/2025	PHONE: (402) 471-4181
COMMENTS: No basis to disagree with the 05 Supreme Court assessment of minimal fiscal impact from LB 561 AM 316.			

ADMINISTRATIVE SERVICES STATE BUDGET DIVISION: REVIEW OF AGENCY & POLT. SUB. RESPONSE			
LB: 561	AM: 316	AGENCY/POLT. SUB: : Department of Motor Vehicles	
REVIEWED BY: Joe Massey		DATE: 4/24/2025	PHONE: (402) 471-4181
COMMENTS: The Department of Motor Vehicle's assessment of no net fiscal impact from LB561 AM 316 appears reasonable.			

ADMINISTRATIVE SERVICES STATE BUDGET DIVISION: REVIEW OF AGENCY & POLT. SUB. RESPONSE			
LB: 561	AM: 316	AGENCY/POLT. SUB: Nebraska Association of County Officials	
REVIEWED BY: Joe Massey		DATE: 3/5/2025	PHONE: (402) 471-4181
COMMENTS: No basis to disagree with the Nebraska Association of County Official's assessment of no fiscal impact from LB 561 AM 316.			

State Agency OR Political Subdivision Name: ⁽²⁾ Nebraska Department of Transportation

Prepared by: ⁽³⁾ Jenessa Boynton

Date Prepared: ⁽⁴⁾ 4/25/2025

Phone: ⁽⁵⁾ 402-479-4691

ESTIMATE PROVIDED BY STATE AGENCY OR POLITICAL SUBDIVISION

	FY 2025-26		FY 2026-27	
	EXPENDITURES	REVENUE	EXPENDITURES	REVENUE
GENERAL FUNDS				
CASH FUNDS				
FEDERAL FUNDS				
OTHER FUNDS				
TOTAL FUNDS				

Explanation of Estimate:
LB561 AM316 would allow vehicles carrying raw milk from a dairy farm to processing facilities to operate overweight vehicles if the gross weight is less than 107,500 pounds and the tanker trailer weight per axle meets the weight limit identified in 23 U.S.C. 127, as of January 1, 2025. Travel on the National System of Interstate and Defense Highways is prohibited unless authorized on the overweight raw-milk vehicle permit from the Nebraska Department of Transportation (NDOT) pursuant to written approval from the Federal Highway Administration.

NDOT would be required to create a map of prohibited bridge structures in which an overweight vehicle should not travel. The map shall be updated annually and published on a public website. Overweight raw-milk vehicles are required to carry a copy of the map, and if a prohibited bridge is entered the owner of the vehicle is liable for costs to repair.

LB561 AM758 directs the money recovered for costs associated with repairing bridge structure damage to the Roads Operations Cash.

If enacted, minimal fiscal impact is anticipated and can be accomplished within existing appropriations.

BREAKDOWN BY MAJOR OBJECTS OF EXPENDITURE

Personal Services:

POSITION TITLE	NUMBER OF POSITIONS		2025-26	2026-27
	25-26	26-27	EXPENDITURES	EXPENDITURES
Benefits.....				
Operating.....				
Travel.....				
Capital outlay.....				
Aid.....				
Capital improvements.....				
TOTAL.....				

State Agency OR Political Subdivision Name: ⁽²⁾ Department of Motor Vehicles

Prepared by: ⁽³⁾ Bart Moore

Date Prepared: ⁽⁴⁾ Febr 27, 2025

Phone: ⁽⁵⁾ 402-471-3902

ESTIMATE PROVIDED BY STATE AGENCY OR POLITICAL SUBDIVISION

	FY 2025-26		FY 2026-27	
	EXPENDITURES	REVENUE	EXPENDITURES	REVENUE
GENERAL FUNDS				
CASH FUNDS				
FEDERAL FUNDS				
OTHER FUNDS				
TOTAL FUNDS				

Explanation of Estimate:

No Fiscal Impact

BREAKDOWN BY MAJOR OBJECTS OF EXPENDITURE

Personal Services:				
POSITION TITLE	NUMBER OF POSITIONS		2025-26	2026-27
	25-26	26-27	EXPENDITURES	EXPENDITURES
Benefits.....				
Operating.....				
Travel.....				
Capital outlay.....				
Aid.....				
Capital improvements.....				
TOTAL.....				

State Agency OR Political Subdivision Name: ⁽²⁾ Nebraska Association of County Officials (NACO)

Prepared by: ⁽³⁾ Elaine Menzel

Date Prepared: ⁽⁴⁾ 4/24/2025

Phone: ⁽⁵⁾ 402.434.5660

ESTIMATE PROVIDED BY STATE AGENCY OR POLITICAL SUBDIVISION

	FY 2025-26		FY 2026-27	
	EXPENDITURES	REVENUE	EXPENDITURES	REVENUE
GENERAL FUNDS				
CASH FUNDS				
FEDERAL FUNDS				
OTHER FUNDS				
TOTAL FUNDS				

Explanation of Estimate:

LB561, AM316 would modify the weight limit on overweight raw-milk vehicles by allowing the Department of Transportation to issue exceptions to the vehicle length limits and directs the department to create a map of bridges that can support overweight vehicles.

Any overweight raw-milk vehicle that enters a prohibited bridge structure and is the proximate cause of damage to the prohibited bridge structure is liable for all costs associated with repairing such damage.

It is anticipated that this bill, as amended, would have an insignificant impact on counties due, in part, to the ability for a county to recover damages when an overweight raw-milk vehicle enters a prohibited bridge structure and causes damage.

BREAKDOWN BY MAJOR OBJECTS OF EXPENDITURE

Personal Services:

POSITION TITLE	NUMBER OF POSITIONS		2025-26	2026-27
	25-26	26-27	EXPENDITURES	EXPENDITURES
Benefits.....				
Operating.....				
Travel.....				
Capital outlay.....				
Aid.....				
Capital improvements.....				
TOTAL.....				

State Agency OR Political Subdivision Name: ⁽²⁾ 05 Supreme Court

Prepared by: ⁽³⁾ Eric Asboe

Date Prepared: ⁽⁴⁾ 3/1/2025

Phone: ⁽⁵⁾ 402-326-9215

ESTIMATE PROVIDED BY STATE AGENCY OR POLITICAL SUBDIVISION

	FY 2025-26		FY 2026-27	
	EXPENDITURES	REVENUE	EXPENDITURES	REVENUE
GENERAL FUNDS				
CASH FUNDS				
FEDERAL FUNDS				
OTHER FUNDS				
TOTAL FUNDS				

Explanation of Estimate:

Minimal fiscal impact to provide judicial education. Any impact on judicial workload is not estimated to be significant. No additional resources required.

BREAKDOWN BY MAJOR OBJECTS OF EXPENDITURE

Personal Services:

POSITION TITLE	NUMBER OF POSITIONS		2025-26	2026-27
	25-26	26-27	EXPENDITURES	EXPENDITURES
Benefits.....				
Operating.....				
Travel.....				
Capital outlay.....				
Aid.....				
Capital improvements.....				
TOTAL.....				