

LEGISLATIVE BILL 372

Approved by the Governor May 26, 2009

Introduced by Campbell, 25.

FOR AN ACT relating to driver's licenses; to amend section 60-484.02, Revised Statutes Cumulative Supplement, 2008; to change provisions relating to the release of driver's license digital images or digital signatures; to change a penalty; and to repeal the original section. Be it enacted by the people of the State of Nebraska,

Section 1. Section 60-484.02, Revised Statutes Cumulative Supplement, 2008, is amended to read:

60-484.02 (1) Each applicant for an operator's license or state identification card shall have his or her digital image taken. Digital images shall be preserved for use as prescribed in sections 60-4,119, 60-4,151, and 60-4,180. The images shall be used for issuing operators' licenses and state identification cards. The images may be retrieved only by the Department of Motor Vehicles for issuing renewal, duplicate, and replacement operators' licenses and state identification cards and may not be otherwise released except in accordance with subsection (3) of this section.

(2) Upon application for an operator's license or state identification card, each applicant shall provide his or her signature in a form prescribed by the department. Digital signatures shall be preserved for use on original, renewal, duplicate, and replacement operators' licenses and state identification cards and may not be otherwise released except in accordance with subsection (3) of this section.

(3) No officer, employee, agent, or contractor of the department or a law enforcement officer shall release a digital image or a digital signature except to a federal, state, or local law enforcement agency, a certified law enforcement officer employed in an investigative position by a state or federal agency, or a driver licensing agency of another state for the purpose of carrying out the functions of the agency or assisting another agency in carrying out its functions upon the verification of the identity of the person requesting the release of the information and the verification of the purpose of the requester in requesting the release. Any officer, employee, agent, or contractor of the department or law enforcement officer that knowingly discloses or knowingly permits disclosure of a digital image or digital signature in violation of this section shall be guilty of a Class I misdemeanor. ~~IV felony and shall be subject to removal from office or discharge in the discretion of the Governor or agency head, as appropriate.~~

Sec. 2. Original section 60-484.02, Revised Statutes Cumulative Supplement, 2008, is repealed.