

AMENDMENTS TO LB 216

Introduced by Pahls

1           1. Strike the original sections and all amendments  
2 thereto and insert the following new sections:

3           Section 1. Section 18-1736, Revised Statutes Supplement,  
4 2011, is amended to read:

5           18-1736 (1) A city or village may designate parking  
6 spaces, including access aisles, for the exclusive use of (a)  
7 handicapped or disabled persons whose motor vehicles display the  
8 distinguishing license plate or plates issued to a handicapped  
9 or disabled ~~persons~~ person pursuant to section 60-3,113, (b)  
10 handicapped or disabled persons whose motor vehicles display a  
11 distinguishing license plate issued to a handicapped or disabled  
12 person by another state, (c) such other handicapped or disabled  
13 persons or temporarily handicapped or disabled persons whose motor  
14 vehicles display a handicapped or disabled parking permit, and (d)  
15 such other motor vehicles which display a handicapped or disabled  
16 parking permit.

17           (2) If a city or village so designates a parking space  
18 or access aisle, it shall be indicated by posting aboveground and  
19 immediately adjacent to and visible from each space or access aisle  
20 a sign as described in section 18-1737. In addition to such sign,  
21 the space or access aisle may also be indicated by blue paint on  
22 the curb or edge of the paved portion of the street adjacent to the  
23 space or access aisle.

1 (3) For purposes of sections 18-1736 to 18-1742:

2 (a) Access aisle has the same meaning as in section  
3 60-302.01;

4 (b) Handicapped or disabled parking permit has the same  
5 meaning as in section 60-331.01;

6 (c) Handicapped or disabled person has the same meaning  
7 as in section 60-331.02; and

8 (d) Temporarily handicapped or disabled person has the  
9 same meaning as in section 60-352.01.

10 Sec. 2. Section 18-1737, Revised Statutes Supplement,  
11 2011, is amended to read:

12 18-1737 (1) Any city or village, any state agency,  
13 and any person in lawful possession of any offstreet parking  
14 facility may designate stalls or spaces, including access aisles,  
15 in such facility owned or operated by the city, village, state  
16 agency, or person for the exclusive use of handicapped or  
17 disabled persons whose motor vehicles display the distinguishing  
18 license plate or plates issued to such individuals pursuant to  
19 section 60-3,113, such other handicapped or disabled persons or  
20 temporarily handicapped or disabled persons whose motor vehicles  
21 display a handicapped or disabled parking permit, and such other  
22 motor vehicles which display a handicapped or disabled parking  
23 permit. Such designation shall be made by posting aboveground and  
24 immediately adjacent to and visible from each stall or space,  
25 including access aisles, a sign which is in conformance with the  
26 Manual on Uniform Traffic Control Devices adopted pursuant to  
27 section 60-6,118 and the federal Americans with Disabilities Act of

1 1990 and the federal regulations adopted in response to the act, as  
2 the act and the regulations existed on January 1, 2011.

3 (2) The owner or person in lawful possession of an  
4 offstreet parking facility, after notifying the police or sheriff's  
5 department, as the case may be, and any city, village, or  
6 state agency providing onstreet parking or owning, operating, or  
7 providing an offstreet parking facility may cause the removal, from  
8 a stall or space, including access aisles, designated exclusively  
9 for handicapped or disabled persons or temporarily handicapped  
10 or disabled persons or motor vehicles for the transportation  
11 of handicapped or disabled persons or temporarily handicapped  
12 or disabled persons, of any vehicle not displaying the proper  
13 handicapped or disabled parking permit or the distinguishing  
14 license plate or plates specified in this section if there is  
15 posted aboveground and immediately adjacent to and visible from  
16 such stall or space, including access aisles, a sign which clearly  
17 and conspicuously states the area so designated as a tow-in zone.

18 (3) A person who parks a vehicle in any onstreet parking  
19 space or access aisle which has been designated exclusively for  
20 handicapped or disabled persons or temporarily handicapped or  
21 disabled persons or motor vehicles for the transportation of  
22 handicapped or disabled persons or temporarily handicapped or  
23 disabled persons, or in any so exclusively designated parking space  
24 or access aisle in any offstreet parking facility, without properly  
25 displaying the proper license plates or handicapped or disabled  
26 parking permit or when the handicapped or disabled person to whom  
27 or for whom, as the case may be, the license plate or permit

1 is issued will not enter or exit the vehicle while it is parked  
2 in the designated space or access aisle shall be guilty of a  
3 handicapped parking infraction as defined in section 18-1741.01  
4 and shall be subject to the penalties and procedures set forth in  
5 sections 18-1741.01 to 18-1741.07. The display on a motor vehicle  
6 of a distinguishing license plate or permit issued to a handicapped  
7 or disabled person by and under the duly constituted authority of  
8 another state shall constitute a full and complete defense in any  
9 action for a handicapped parking infraction as defined in section  
10 18-1741.01. If the identity of the person who parked the vehicle in  
11 violation of this section cannot be readily determined, the owner  
12 or person in whose name the vehicle is registered shall be held  
13 prima facie responsible for such violation and shall be guilty and  
14 subject to the penalties and procedures described in this section.  
15 In the case of a privately owned offstreet parking facility, a  
16 city or village shall not require the owner or person in lawful  
17 possession of such facility to inform the city or village of a  
18 violation of this section prior to the city or village issuing the  
19 violator a handicapped parking infraction citation.

20 (4) For purposes of this section and section 18-1741.01,  
21 state agency means any division, department, board, bureau,  
22 commission, or agency of the State of Nebraska created by the  
23 Constitution of Nebraska or established by act of the Legislature,  
24 including the University of Nebraska and the Nebraska state  
25 colleges, when the entity owns, leases, controls, or manages  
26 property which includes offstreet parking facilities.

27 Sec. 3. Section 60-163, Reissue Revised Statutes of

1 Nebraska, is amended to read:

2           60-163 (1) The department shall check with its records  
3 all duplicate certificates of title received from a county clerk  
4 or designated county official. If it appears that a certificate  
5 of title has been improperly issued, the department shall cancel  
6 the same. Upon cancellation of any certificate of title, the  
7 department shall notify the county clerk or designated county  
8 official who issued the same, and such county clerk or designated  
9 county official shall thereupon enter the cancellation upon his  
10 or her records. The department shall also notify the person  
11 to whom such certificate of title was issued, as well as any  
12 lienholders appearing thereon, of the cancellation and shall demand  
13 the surrender of such certificate of title, but the cancellation  
14 shall not affect the validity of any lien noted thereon. The  
15 holder of such certificate of title shall return the same to the  
16 department forthwith.

17           (2) If a certificate of registration has been issued to  
18 the holder of a certificate of title so canceled, the department  
19 shall immediately cancel the same certificate of registration and  
20 demand the return of such certificate of registration and license  
21 plate or plates or tag or tags, and the holder of such certificate  
22 of registration and license plate or plates or tag or tags shall  
23 return the same to the department forthwith.

24           Sec. 4. Section 60-180, Reissue Revised Statutes of  
25 Nebraska, is amended to read:

26           60-180 (1) A person who operates in this state a vehicle  
27 for which a certificate of title is required without having such

1 certificate in accordance with the Motor Vehicle Certificate of  
2 Title Act or upon which the certificate of title has been canceled  
3 is guilty of a Class III misdemeanor.

4 (2) A person who is a dealer or acting on behalf of a  
5 dealer and who acquires, purchases, holds, or displays for sale a  
6 new vehicle without having obtained a manufacturer's or importer's  
7 certificate or a certificate of title therefor as provided for in  
8 the Motor Vehicle Certificate of Title Act is guilty of a Class III  
9 misdemeanor.

10 (3) A person who fails to surrender any certificate of  
11 title or any certificate of registration or license plate or plates  
12 or tag or tags upon cancellation of the same by the department and  
13 notice thereof as prescribed in the Motor Vehicle Certificate of  
14 Title Act is guilty of a Class III misdemeanor.

15 (4) A person who fails to surrender the certificate of  
16 title to the county clerk or designated county official as provided  
17 in section 60-169 in case of the destruction or dismantling or  
18 change of a vehicle in such respect that it is not the vehicle  
19 described in the certificate of title is guilty of a Class III  
20 misdemeanor.

21 (5) A person who purports to sell or transfer a vehicle  
22 without delivering to the purchaser or transferee thereof a  
23 certificate of title or a manufacturer's or importer's certificate  
24 thereto duly assigned to such purchaser as provided in the  
25 Motor Vehicle Certificate of Title Act is guilty of a Class  
26 III misdemeanor.

27 (6) A person who knowingly alters or defaces a

1 certificate of title or manufacturer's or importer's certificate is  
2 guilty of a Class III misdemeanor.

3 (7) Except as otherwise provided in section 60-179, a  
4 person who violates any of the other provisions of the Motor  
5 Vehicle Certificate of Title Act or any rules or regulations  
6 adopted and promulgated pursuant to the act is guilty of a Class  
7 III misdemeanor.

8 Sec. 5. Section 60-301, Revised Statutes Supplement,  
9 2011, is amended to read:

10 60-301 Sections 60-301 to 60-3,222 and section 22 of  
11 this act shall be known and may be cited as the Motor Vehicle  
12 Registration Act.

13 Sec. 6. Section 60-308, Reissue Revised Statutes of  
14 Nebraska, is amended to read:

15 60-308 (1) Apportionable vehicle means any motor vehicle  
16 or trailer used or intended for use in two or more member  
17 jurisdictions that allocate or proportionally register motor  
18 vehicles or trailers and used for the transportation of persons  
19 for hire or designed, used, or maintained primarily for the  
20 transportation of property.

21 (2) Apportionable vehicle does not include any  
22 recreational vehicle, motor vehicle displaying a restricted plate  
23 or plates, city pickup and delivery vehicle, bus used in the  
24 transportation of chartered parties, or government-owned motor  
25 vehicle.

26 (3) An apportionable vehicle that is a power unit shall  
27 (a) have two axles and a gross vehicle weight or registered

1 gross vehicle weight in excess of twenty-six thousand pounds or  
2 eleven thousand seven hundred ninety-three and four hundred one  
3 thousandths kilograms, (b) have three or more axles, regardless  
4 of weight, or (c) be used in combination when the weight of such  
5 combination exceeds twenty-six thousand pounds or eleven thousand  
6 seven hundred ninety-three and four hundred one thousandths  
7 kilograms gross vehicle weight. Vehicles or combinations of  
8 vehicles having a gross vehicle weight of twenty-six thousand  
9 pounds or eleven thousand seven hundred ninety-three and four  
10 hundred one thousandths kilograms or less and two-axle vehicles  
11 and buses used in the transportation of chartered parties may be  
12 proportionally registered at the option of the registrant.

13           Sec. 7. Section 60-373, Reissue Revised Statutes of  
14 Nebraska, is amended to read:

15           60-373 (1) Each licensed motor vehicle dealer or  
16 trailer dealer as defined in sections 60-1401.26 and 60-1401.37,  
17 respectively, doing business in this state, in lieu of registering  
18 each motor vehicle or trailer which such dealer owns of a type  
19 otherwise required to be registered, or any full-time or part-time  
20 employee or agent of such dealer may, if the motor vehicle or  
21 trailer displays a dealer number plates+plate:

22           (a) Operate or tow the motor vehicle or trailer upon  
23 the highways of this state solely for purposes of transporting,  
24 testing, demonstrating, or use in the ordinary course and conduct  
25 of business as a motor vehicle or trailer dealer. Such use  
26 may include personal or private use by the dealer and personal  
27 or private use by any bona fide employee licensed pursuant to

1 the Motor Vehicle Industry Regulation Act, if the employee can  
2 be verified by payroll records maintained at the dealership as  
3 ordinarily working more than thirty hours per week or fifteen  
4 hundred hours per year at the dealership;

5 (b) Operate or tow the motor vehicle or trailer upon the  
6 highways of this state for transporting industrial equipment held  
7 by the licensee for purposes of demonstration, sale, rental, or  
8 delivery; or

9 (c) Sell the motor vehicle or trailer.

10 (2) Each licensed manufacturer as defined in section  
11 60-1401.24 which actually manufactures or assembles motor vehicles  
12 or trailers within this state, in lieu of registering each motor  
13 vehicle or trailer which such manufacturer owns of a type otherwise  
14 required to be registered, or any employee of such manufacturer may  
15 operate or tow the motor vehicle or trailer upon the highways  
16 of this state solely for purposes of transporting, testing,  
17 demonstrating to prospective customers, or use in the ordinary  
18 course and conduct of business as a motor vehicle or trailer  
19 manufacturer, upon the condition that any such motor vehicle  
20 or trailer display thereon, in the manner prescribed in section  
21 60-3,100, a dealer number plates plate as provided for in section  
22 60-3,114.

23 (3) In no event shall such plates be used on motor  
24 vehicles or trailers hauling other than automotive or trailer  
25 equipment, complete motor vehicles, or trailers which are inventory  
26 of such licensed dealer or manufacturer unless there is issued by  
27 the department a special permit specifying the hauling of other

1 products. This section shall not be construed to allow a dealer  
2 to operate a motor vehicle or trailer with a dealer number plates  
3 plate for the delivery of parts inventory. A dealer may use such  
4 motor vehicle or trailer to pick up parts to be used for the motor  
5 vehicle or trailer inventory of the dealer.

6 Sec. 8. Section 60-376, Reissue Revised Statutes of  
7 Nebraska, is amended to read:

8 60-376 Subject to all the provisions of law relating to  
9 motor vehicles and trailers not inconsistent with this section, any  
10 motor vehicle dealer or trailer dealer who is regularly engaged  
11 within this state in the business of buying and selling motor  
12 vehicles and trailers, who regularly maintains within this state an  
13 established place of business, and who desires to effect delivery  
14 of any motor vehicle or trailer bought or sold by him or her from  
15 the point where purchased or sold to points within or outside this  
16 state may, solely for the purpose of such delivery by himself or  
17 herself, his or her agent, or a bona fide purchaser, operate such  
18 motor vehicle or tow such trailer on the highways of this state  
19 without charge or registration of such motor vehicle or trailer.

20 A sticker shall be displayed on the ~~front and rear windows~~ rear  
21 window or the rear side ~~windows~~ window of such motor vehicle,  
22 except a motorcycle, and displayed on the ~~front and rear~~ of each  
23 such trailer. On the sticker shall be plainly printed in black  
24 letters the words In Transit. One In Transit sticker shall be  
25 displayed on a motorcycle, which sticker may be one-half the size  
26 required for other motor vehicles. Such ~~stickers~~ sticker shall  
27 include a registration number, which registration number shall be

1 different for each sticker ~~or pair of stickers~~ issued, and the  
2 contents of such sticker and the numbering system shall be as  
3 prescribed by the department. Each dealer issuing such ~~stickers a~~  
4 sticker shall keep a record of the registration number of each  
5 sticker ~~or pair of stickers~~ on the invoice of such sale. Such  
6 sticker shall allow such owner to operate the motor vehicle or  
7 tow such trailer for a period of thirty days in order to effect  
8 proper registration of the new or used motor vehicle or trailer.  
9 When any person, firm, or corporation has had a motor vehicle or  
10 trailer previously registered and a license plates plate assigned  
11 to such person, firm, or corporation, such owner may operate the  
12 motor vehicle or tow such trailer for a period of thirty days in  
13 order to effect transfer of ~~plates~~ the plate to the new or used  
14 motor vehicle or trailer. Upon demand of proper authorities, there  
15 shall be presented by the person in charge of such motor vehicle  
16 or trailer, for examination, a duly executed bill of sale therefor  
17 or other satisfactory evidence of the right of possession by such  
18 person of such motor vehicle or trailer.

19           Sec. 9. Section 60-378, Reissue Revised Statutes of  
20 Nebraska, is amended to read:

21           60-378 (1) Any transporter doing business in this state  
22 may, in lieu of registering each motor vehicle or trailer which  
23 such transporter is transporting, upon payment of a fee of ten  
24 dollars, apply to the department for a transporter's certificate  
25 and one transporter license plate. Additional pairs of transporter  
26 certificates and transporter license plates may be procured for a  
27 fee of ten dollars each. ~~Transporter license plates~~ A transporter

1 license plate shall be displayed (a) upon the motor vehicle  
2 or trailer being transported or (b) upon a properly registered  
3 truck or truck-tractor which is a work or service vehicle in the  
4 process of towing a trailer which is itself being delivered by the  
5 transporter, and such registered truck or truck-tractor shall also  
6 display a transporter plate upon the front thereof. The applicant  
7 for a transporter plate shall keep for six years a record of each  
8 motor vehicle or trailer transported by him or her under this  
9 section, and such record shall be available to the department for  
10 inspection. Each applicant shall file with the department proof of  
11 his or her status as a bona fide transporter.

12 (2) Transporter license plates may be the same size as  
13 license plates issued for motorcycles, shall bear thereon a mark  
14 to distinguish them as transporter plates, and shall be serially  
15 numbered so as to distinguish them from each other. Such a license  
16 plates plate may only be displayed upon the front of a driven  
17 motor vehicle of a lawful combination or upon the front of a motor  
18 vehicle driven singly or upon the rear of a trailer being towed.

19 Sec. 10. Section 60-380, Reissue Revised Statutes of  
20 Nebraska, is amended to read:

21 60-380 Any motor vehicle or trailer owned by a dealer  
22 licensed under the Motor Vehicle Industry Regulation Act and  
23 bearing other than a dealer license plates plate shall be  
24 conclusively presumed not to be a part of the dealer's inventory  
25 and not for demonstration or sale and therefor not eligible for  
26 any exemption from taxes or fees applicable to a motor vehicles or  
27 trailers vehicle or trailer with a dealer license plates. plate.

1           Sec. 11. Section 60-383, Reissue Revised Statutes of  
2 Nebraska, is amended to read:

3           60-383 (1) A film vehicle, subject to approval by  
4 the Department of Economic Development, may be registered upon  
5 application to the Department of Motor Vehicles. The Department of  
6 Motor Vehicles may provide a distinctive license plate or plates  
7 for such film ~~vehicles.~~ vehicle. Such license plate or plates shall  
8 be the same size and of the same basic design as a regular license  
9 ~~plates~~ plate issued pursuant to section 60-3,100.

10           (2) The registration for a film vehicles vehicle shall  
11 be issued only with the payment of the fees required by section  
12 60-3,102 and this section. The registration shall be valid for  
13 six months from the date of issuance and may be renewed for a  
14 period not to exceed three months upon payment of the renewal fee  
15 specified in this section.

16           (3) The six-month registration fee for a film vehicle  
17 shall be fifty dollars for a film vehicle with a gross vehicle  
18 weight of sixteen thousand pounds or less and one hundred fifty  
19 dollars for a film vehicle with a gross vehicle weight of more  
20 than sixteen thousand pounds. The three-month renewal fee shall  
21 be twenty-five dollars. All fees collected by the Department of  
22 Motor Vehicles under this section shall be remitted to the State  
23 Treasurer for credit to the Highway Trust Fund.

24           Sec. 12. Section 60-392, Reissue Revised Statutes of  
25 Nebraska, is amended to read:

26           60-392 (1) Registration may be renewed annually in a  
27 manner designated by the department and upon payment of the

1 same fee as provided for the original registration. On making  
2 an application for renewal, the registration certificate for  
3 the preceding registration period or renewal notice or other  
4 evidence designated by the department shall be presented with the  
5 application. A person may renew his or her annual registration up  
6 to thirty days prior to the date of expiration.

7 (2) The certificate of registration and a license plate  
8 or plates issued by the department shall be valid during the  
9 registration period for which they are issued, and when a  
10 validation decals decal issued pursuant to section 60-3,101 ~~have~~  
11 has been affixed to the each license plates, plate, the plate or  
12 plates shall ~~also~~ be valid for the registration period designated  
13 by such validation ~~decals-~~ decal. If a person renews his or  
14 her annual registration up to thirty days prior to the date of  
15 expiration, the registration shall be valid for such time period as  
16 well.

17 (3) The registration period for motor vehicles and  
18 trailers required to be registered as provided in section 60-362  
19 shall expire on the first day of the month one year from the month  
20 of issuance, and renewal shall become due on such day and shall  
21 become delinquent on the first day of the following month.

22 (4) Subsections (1) through (3) of this section do  
23 not apply to dealer's license plates, repossession plates, and  
24 transporter plates as provided in sections 60-373, 60-375, 60-378,  
25 and 60-379, which plates shall be issued for a calendar year.

26 (5) The registration period for apportioned vehicles as  
27 provided in section 60-3,198 shall expire December 31 of each year

1 and shall become delinquent February 1 of the following year.

2           Sec. 13. Section 60-395, Revised Statutes Supplement,  
3 2011, is amended to read:

4           60-395 (1) Except as otherwise provided in subsection (2)  
5 of this section and sections 60-3,121, 60-3,122.02, and 60-3,128,  
6 the registration shall expire and the registered owner or lessee  
7 may, by returning the registration certificate, the license plate  
8 or plates, and, when appropriate, the validation decal or decals  
9 and by either making application on a form prescribed by the  
10 department to the county treasurer or designated county official of  
11 the occurrence of an event described in subdivisions (a) through  
12 (e) of this subsection or, in the case of a change in situs,  
13 displaying to the county treasurer or designated county official  
14 the registration certificate of such other state as evidence of a  
15 change in situs, receive a refund of that part of the unused fees  
16 and taxes on motor vehicles or trailers based on the number of  
17 unexpired months remaining in the registration period from the date  
18 of any of the following events:

19           (a) Upon transfer of ownership of any motor vehicle or  
20 trailer;

21           (b) In case of loss of possession because of fire, theft,  
22 dismantlement, or junking;

23           (c) When a salvage branded certificate of title is  
24 issued;

25           (d) Whenever a type or class of motor vehicle or trailer  
26 previously registered is subsequently declared by legislative act  
27 or court decision to be illegal or ineligible to be operated or

1 towed on the public roads and no longer subject to registration  
2 fees, the motor vehicle tax imposed in section 60-3,185, the motor  
3 vehicle fee imposed in section 60-3,190, and the alternative fuel  
4 fee imposed in section 60-3,191;

5 (e) Upon a trade-in or surrender of a motor vehicle under  
6 a lease; or

7 (f) In case of a change in the situs of a motor vehicle  
8 or trailer to a location outside of this state.

9 (2) If the date of the event falls within the same  
10 calendar month in which the motor vehicle or trailer is acquired,  
11 no refund shall be allowed for such month.

12 (3) If the transferor or lessee acquires another motor  
13 vehicle at the time of the transfer, trade-in, or surrender, the  
14 transferor or lessee shall have the credit provided for in this  
15 section applied toward payment of the motor vehicle fees and taxes  
16 then owing. Otherwise, the transferor or lessee shall file a claim  
17 for refund with the county treasurer or designated county official  
18 upon an application form prescribed by the department.

19 (4) The registered owner or lessee shall make a claim for  
20 refund or credit of the fees and taxes for the unexpired months  
21 in the registration period within sixty days after the date of the  
22 event or shall be deemed to have forfeited his or her right to such  
23 refund or credit.

24 (5) For purposes of this section, the date of the event  
25 shall be: (a) In the case of a transfer or loss, the date of  
26 the transfer or loss; (b) in the case of a change in the situs,  
27 the date of registration in another state; (c) in the case of

1 a trade-in or surrender under a lease, the date of trade-in or  
2 surrender; (d) in the case of a legislative act, the effective date  
3 of the act; and (e) in the case of a court decision, the date the  
4 decision is rendered.

5 (6) Application for registration or for reassignment of a  
6 license plate or plates and, when appropriate, a validation decal  
7 or decals to another motor vehicle or trailer shall be made within  
8 thirty days of the date of purchase.

9 (7) If a motor vehicle or trailer was reported stolen  
10 under section 60-178, a refund under this section shall not be  
11 reduced for a lost plate charge and a credit under this section may  
12 be reduced for a lost plate charge but the applicant shall not be  
13 required to pay the plate fee for a new plate or plates.

14 (8) The county treasurer or designated county official  
15 shall refund the motor vehicle fee and registration fee from  
16 the fees which have not been transferred to the State Treasurer.  
17 The county treasurer shall make payment to the claimant from the  
18 undistributed motor vehicle taxes of the taxing unit where the  
19 tax money was originally distributed. No refund of less than two  
20 dollars shall be paid.

21 Sec. 14. Section 60-396, Reissue Revised Statutes of  
22 Nebraska, is amended to read:

23 60-396 Whenever the registered owner files an application  
24 with the county treasurer or designated county official showing  
25 that a motor vehicle or trailer is disabled and has been  
26 removed from service, the registered owner may, by returning  
27 the registration certificate, the license plate or plates, and,

1 when appropriate, the validation decal or decals or, in the case of  
2 the unavailability of such registration certificate, license plate  
3 or plates, or validation decal or decals, ~~or certificates, license~~  
4 plates, ~~or validation decals,~~ then by making an affidavit to the  
5 county treasurer or designated county official of such disablement  
6 and removal from service, receive a credit for a portion of the  
7 registration fee from the fee deposited with the State Treasurer at  
8 the time of registration based upon the number of unexpired months  
9 remaining in the registration year except as otherwise provided  
10 in sections 60-3,121, 60-3,122.02, and 60-3,128. The owner shall  
11 also receive a credit for the unused portion of the motor vehicle  
12 tax and fee based upon the number of unexpired months remaining  
13 in the registration year. When the owner registers a replacement  
14 motor vehicle or trailer at the time of filing such affidavit, the  
15 credit may be immediately applied against the registration fee and  
16 the motor vehicle tax and fee for the replacement motor vehicle  
17 or trailer. When no such replacement motor vehicle or trailer is  
18 so registered, the county treasurer or designated county official  
19 shall forward the application and affidavit, if any, to the State  
20 Treasurer who shall determine the amount, if any, of the allowable  
21 credit for the registration fee and issue a credit certificate to  
22 the owner. For the motor vehicle tax and fee, the county treasurer  
23 or designated county official shall determine the amount, if any,  
24 of the allowable credit and issue a credit certificate to the  
25 owner. When such motor vehicle or trailer is removed from service  
26 within the same month in which it was registered, no credits shall  
27 be allowed for such month. The credits may be applied against

1 taxes and fees for new or replacement motor vehicles or trailers  
2 incurred within one year after cancellation of registration of the  
3 motor vehicle or trailer for which the credits were allowed. When  
4 any such motor vehicle or trailer is reregistered within the same  
5 registration year in which its registration has been canceled, the  
6 taxes and fees shall be that portion of the registration fee and  
7 the motor vehicle tax and fee for the remainder of the registration  
8 year.

9           Sec. 15. Section 60-397, Reissue Revised Statutes of  
10 Nebraska, is amended to read:

11           60-397 If a motor vehicle or trailer has a salvage  
12 branded certificate of title issued as a result of an insurance  
13 company acquiring the motor vehicle or trailer through a total loss  
14 settlement, the prior owner of the motor vehicle or trailer who  
15 is a party to the settlement may receive a refund or credit of  
16 unused fees and taxes by (1) filing an application with the county  
17 treasurer or designated county official within sixty days after  
18 the date of the settlement stating that title to the motor vehicle  
19 or trailer was transferred as a result of the settlement and  
20 (2) returning the registration certificate, the license plate or  
21 plates, and, when appropriate, the validation decal or decals or,  
22 in the case of the unavailability of the registration certificate,  
23 license plate or plates, or validation decal or decals, filing an  
24 affidavit with the county treasurer or designated county official  
25 regarding the transfer of title due to the settlement and the  
26 unavailability of the certificate, license plate or plates, or  
27 validation decal or decals. The owner may receive a refund or

1 credit of the registration fees and motor vehicle taxes and  
2 fees for the unexpired months remaining in the registration year  
3 determined based on the date when the motor vehicle or trailer  
4 was damaged and became unavailable for service. When the owner  
5 registers a replacement motor vehicle or trailer at the time  
6 of filing such affidavit, the credit may be immediately applied  
7 against the registration fee and the motor vehicle tax and fee for  
8 the replacement motor vehicle or trailer. When no such replacement  
9 motor vehicle or trailer is so registered, the county treasurer  
10 or designated county official shall refund the unused registration  
11 fees. If the motor vehicle or trailer was damaged and became  
12 unavailable for service during the same month in which it was  
13 registered, no refund or credit shall be allowed for such month.  
14 When any such motor vehicle or trailer is reregistered within the  
15 same registration year in which its registration has been canceled,  
16 the taxes and fees shall be that portion of the registration  
17 fee and the motor vehicle tax and fee for the remainder of the  
18 registration year.

19           Sec. 16. Section 60-398, Reissue Revised Statutes of  
20 Nebraska, is amended to read:

21           60-398 A nonresident may, if he or she applies within  
22 ninety days from his or her original registration date and  
23 surrenders the registration certificate and license ~~plates which~~  
24 were plate or plates assigned to him or her, receive from the  
25 county treasurer or designated county official, or the department  
26 if registration was pursuant to section 60-3,198, a refund in the  
27 amount of fifty percent of the original license fee, fifty percent

1 of the motor vehicle tax imposed in section 60-3,185, and fifty  
2 percent of the motor vehicle fee imposed in section 60-3,190,  
3 except that no refunds shall be made on any license surrendered  
4 after the ninth month of the registration period for which the  
5 motor vehicle or trailer was registered.

6 Sec. 17. Section 60-399, Reissue Revised Statutes of  
7 Nebraska, is amended to read:

8 60-399 (1) Except as otherwise specifically provided, no  
9 person shall operate or park or cause to be operated or parked a  
10 motor vehicle or tow or park or cause to be towed or parked a  
11 trailer on the highways unless such motor vehicle or trailer has  
12 displayed the proper ~~number of plates~~ license plate or plates as  
13 required in the Motor Vehicle Registration Act.

14 In each registration period in which a new license plate  
15 or plates are not issued, a previously issued license plate or  
16 plates shall have affixed thereto the validation decal or decals  
17 issued pursuant to section 60-3,101. In all cases such license  
18 plate or plates shall be securely fastened in an upright position  
19 to the motor vehicle or trailer so as to prevent such plate or  
20 plates from swinging and at a minimum distance of twelve inches  
21 from the ground to the bottom of the license plate. No person  
22 shall attach to or display on such motor vehicle or trailer  
23 any (a) license plate or registration certificate other than as  
24 assigned to it for the current registration period, (b) fictitious  
25 or altered license ~~plates~~ plate or registration certificate, (c)  
26 license ~~plates~~ plate or registration certificate that has been  
27 canceled by the department, or (d) license ~~plates~~ plate lacking a

1 current validation ~~deals~~ decal.

2 (2) All letters, numbers, printing, writing, and other  
3 identification marks upon such plate or plates and certificate  
4 shall be kept clear and distinct and free from grease, dust, or  
5 other blurring matter, so that they shall be plainly visible at all  
6 times during daylight and under artificial light in the nighttime.

7 Sec. 18. Section 60-3,100, Revised Statutes Supplement,  
8 2011, is amended to read:

9 60-3,100 (1) The department shall issue to every person  
10 whose motor vehicle or trailer is registered fully reflectorized  
11 license plates upon which shall be displayed (a) the registration  
12 number consisting of letters and numerals assigned to such motor  
13 vehicle or trailer in figures not less than two and one-half inches  
14 nor more than three inches in height and (b) also the word Nebraska  
15 suitably lettered so as to be attractive. Two license plates shall  
16 be issued for every motor vehicle, except that one plate shall  
17 be issued for dealers, motorcycles, minitrucks, truck-tractors,  
18 trailers, buses, and apportionable vehicles, special interest motor  
19 vehicles that use the special interest motor vehicle license plate  
20 authorized by and issued under section 22 of this act, and, until  
21 January 1, 2017, any motor vehicle whose owner requests that only  
22 one license plate be issued for the motor vehicle. The license  
23 ~~plates~~ plate shall be of a color designated by the director.  
24 The color of the ~~plates~~ plate shall be changed each time the  
25 license ~~plates~~ are plate is changed. Each time the license ~~plates~~  
26 are plate is changed, the director shall secure competitive bids  
27 for materials pursuant to sections 81-145 to 81-162. Motorcycle,

1 minitruck, low-speed vehicle, and trailer license plate letters  
2 and numerals may be one-half the size of those required in this  
3 section. When one license plate is issued at the request of the  
4 owner of the motor vehicle, a special decal indicating that only  
5 one license plate was issued shall be provided for placement upon  
6 such license plate. Such decal shall be designed by the department.

7 (2) When two license plates are issued, one shall be  
8 prominently displayed at all times on the front and one on the  
9 rear of the registered motor vehicle or trailer. When only one  
10 plate is issued, it shall be prominently displayed on the rear of  
11 the registered motor vehicle or trailer. When only one plate is  
12 issued for motor vehicles registered pursuant to section 60-3,198  
13 and truck-tractors, it shall be prominently displayed on the front  
14 of the apportionable vehicle.

15 Sec. 19. Section 60-3,101, Reissue Revised Statutes of  
16 Nebraska, is amended to read:

17 60-3,101 Except for permanent license plates issued  
18 pursuant to section 60-3,203, license plates shall be issued every  
19 six years beginning with the license plates issued in the year  
20 2005. Except for license plates issued pursuant to such section,  
21 in the years in which license plates are not issued, in lieu of  
22 issuing ~~such~~ the license plates, the department shall furnish to  
23 every person whose motor vehicle or trailer is registered one or  
24 two validation decals, as the case may be, ~~which validation decals~~  
25 ~~shall bear~~ bearing the year for which they are issued. and A  
26 validation decal shall be ~~se~~ constructed so as to permit ~~them~~ it to  
27 be permanently affixed to the ~~plates.~~ license plate.

1           Sec. 20. Section 60-3,102, Reissue Revised Statutes of  
2 Nebraska, is amended to read:

3           60-3,102 Whenever a new license plate or plates,  
4 including a duplicate or replacement license plate or plates,  
5 are issued to any person, a fee ~~per~~ plate fee shall be charged  
6 in addition to all other required fees. The plate fee shall be  
7 determined by the department and shall only cover the cost of the  
8 license plate and validation ~~decals~~ decal but shall not exceed  
9 three dollars and fifty cents, except that the plate fee when only  
10 one license plate is issued shall be seventy dollars. All fees  
11 collected pursuant to this section shall be remitted to the State  
12 Treasurer for credit to the Highway Trust Fund.

13           Sec. 21. Section 60-3,104, Reissue Revised Statutes of  
14 Nebraska, is amended to read:

15           60-3,104 The department shall issue the following types  
16 of license plates:

17           (1) Amateur radio station license plates issued pursuant  
18 to section 60-3,126;

19           (2) Apportionable vehicle license plates issued pursuant  
20 to section 60-3,203;

21           (3) Boat dealer license plates issued pursuant to section  
22 60-379;

23           (4) Bus license plates issued pursuant to section  
24 60-3,144;

25           (5) Commercial motor vehicle license plates issued  
26 pursuant to section 60-3,147;

27           (6) Dealer or manufacturer license plates issued pursuant

- 1 to sections 60-3,114 and 60-3,115;
- 2 (7) Disabled veteran license plates issued pursuant to  
3 section 60-3,124;
- 4 (8) Farm trailer license plates issued pursuant to  
5 section 60-3,151;
- 6 (9) Farm truck license plates issued pursuant to section  
7 60-3,146;
- 8 (10) Farm trucks with a gross weight of over sixteen tons  
9 license plates issued pursuant to section 60-3,146;
- 10 (11) Fertilizer trailer license plates issued pursuant to  
11 section 60-3,151;
- 12 (12) Film vehicle license plates issued pursuant to  
13 section 60-383;
- 14 (13) Gold Star Family license plates issued pursuant to  
15 sections 60-3,122.01 and 60-3,122.02;
- 16 (14) Handicapped or disabled person license plates issued  
17 pursuant to section 60-3,113;
- 18 (15) Historical vehicle license plates issued pursuant to  
19 sections 60-3,130 to 60-3,134;
- 20 (16) Local truck license plates issued pursuant to  
21 section 60-3,145;
- 22 (17) Minitruck license plates issued pursuant to section  
23 60-3,100;
- 24 (18) Motor vehicle license plates for motor vehicles  
25 owned or operated by the state, counties, municipalities, or school  
26 districts issued pursuant to section 60-3,105;
- 27 (19) Motor vehicles exempt pursuant to section 60-3,107;

1                   (20) Motorcycle license plates issued pursuant to section  
2 60-3,100;

3                   (21) Nebraska Cornhusker Spirit Plates issued pursuant to  
4 sections 60-3,127 to 60-3,129;

5                   (22) Nonresident owner thirty-day license plates issued  
6 pursuant to section 60-382;

7                   (23) Passenger car having a seating capacity of ten  
8 persons or less and not used for hire issued pursuant to section  
9 60-3,143;

10                  (24) Passenger car having a seating capacity of ten  
11 persons or less and used for hire issued pursuant to section  
12 60-3,143;

13                  (25) Pearl Harbor license plates issued pursuant to  
14 section 60-3,122;

15                  (26) Personal-use dealer license plates issued pursuant  
16 to section 60-3,116;

17                  (27) Personalized message license plates for motor  
18 vehicles and cabin trailers, except commercial motor vehicles  
19 registered for over ten tons gross weight, issued pursuant to  
20 sections 60-3,118 to 60-3,121;

21                  (28) Prisoner-of-war license plates issued pursuant to  
22 section 60-3,123;

23                  (29) Purple Heart license plates issued pursuant to  
24 section 60-3,125;

25                  (30) Recreational vehicle license plates issued pursuant  
26 to section 60-3,151;

27                  (31) Repossession license plates issued pursuant to

1 section 60-375;

2 (32) Special interest motor vehicle license plates issued  
3 pursuant to section 22 of this act;

4 ~~(32)~~ (33) Specialty license plates issued pursuant to  
5 sections 60-3,104.01 and 60-3,104.02;

6 ~~(33)~~ (34) Trailer license plates issued for trailers  
7 owned or operated by the state, counties, municipalities, or school  
8 districts issued pursuant to section 60-3,106;

9 ~~(34)~~ (35) Trailer license plates issued pursuant to  
10 section 60-3,100;

11 ~~(35)~~ (36) Trailers exempt pursuant to section 60-3,108;

12 ~~(36)~~ (37) Transporter license plates issued pursuant to  
13 section 60-378;

14 ~~(37)~~ (38) Trucks or combinations of trucks,  
15 truck-tractors, or trailers which are not for hire and  
16 engaged in soil and water conservation work and used for the  
17 purpose of transporting pipe and equipment exclusively used by such  
18 contractors for soil and water conservation construction license  
19 plates issued pursuant to section 60-3,149;

20 ~~(38)~~ (39) Utility trailer license plates issued pursuant  
21 to section 60-3,151; and

22 ~~(39)~~ (40) Well-boring apparatus and well-servicing  
23 equipment license plates issued pursuant to section 60-3,109.

24 Sec. 22. (1) The department shall either modify an  
25 existing plate design or design license plates to identify special  
26 interest motor vehicles, to be known as special interest motor  
27 vehicle license plates. The department, in designing such special

1 interest motor vehicle license plates, shall include the words  
2 special interest and limit the manufacturing cost of each plate  
3 to an amount less than or equal to the amount charged for license  
4 plates pursuant to section 60-3,102. The Department of Motor  
5 Vehicles shall choose the design of the plate. The department shall  
6 make applications available for this type of plate when it is  
7 designed.

8 (2) One type of special interest motor vehicle license  
9 plate shall be alphanumeric plates. The department shall:

10 (a) Assign a designation up to seven characters; and

11 (b) Not use a county designation.

12 (3) One type of special interest motor vehicle license  
13 plate shall be personalized message plates. Such plates shall be  
14 issued subject to the same conditions specified for personalized  
15 message license plates in section 60-3,118.

16 (4) A person may apply to the department for a special  
17 interest motor vehicle license plate in lieu of regular license  
18 plates on an application prescribed and provided by the department  
19 for any special interest motor vehicle, except for a motor vehicle  
20 registered under section 60-3,198, motorcycle, or trailer. The  
21 department shall make forms available for such applications through  
22 the county treasurers or designated county officials.

23 (5) The form shall contain a description of the special  
24 interest motor vehicle owned and sought to be registered, including  
25 the make, body type, model, serial number, and year of manufacture.

26 (6) (a) In addition to all other fees required to register  
27 a motor vehicle, each application for initial issuance or renewal

1 of a special interest motor vehicle license plate shall be  
2 accompanied by a special interest motor vehicle license plate fee  
3 of fifty dollars. Twenty-five dollars of the special interest motor  
4 vehicle fee shall be remitted to the State Treasurer for credit to  
5 the Department of Motor Vehicles Cash Fund and twenty-five dollars  
6 of the special interest motor vehicle fee shall be remitted to the  
7 State Treasurer for credit to the Highway Trust Fund.

8 (b) If a special interest motor vehicle license plate is  
9 lost, stolen, or mutilated the owner shall be issued a replacement  
10 license plate pursuant to section 60-3,157.

11 (7) When the department receives an application for a  
12 special interest motor vehicle license plate, the department shall  
13 deliver the plate to the county treasurer or designated county  
14 official of the county in which the special interest motor vehicle  
15 is registered. The county treasurer or designated county official  
16 shall issue the special interest motor vehicle license plate in  
17 lieu of regular license plates when the applicant complies with  
18 the other provisions of the Motor Vehicle Registration Act for  
19 registration of the special interest motor vehicle.

20 (8) If the cost of manufacturing special interest motor  
21 vehicle license plates at any time exceeds the amount charged  
22 for license plates pursuant to section 60-3,102, any money to  
23 be credited to the Department of Motor Vehicles Cash Fund under  
24 this section shall instead be credited first to the Highway  
25 Trust Fund in an amount equal to the difference between the  
26 manufacturing costs of special interest motor vehicle license  
27 plates and the amount charged pursuant to section 60-3,102 with

1 respect to such license plates and the remainder shall be credited  
2 to the Department of Motor Vehicles Cash Fund.

3 (9) The special interest motor vehicle license plate  
4 shall be affixed to the rear of the special interest motor vehicle.

5 (10) A special interest motor vehicle shall not be used  
6 for the same purposes and under the same conditions as other motor  
7 vehicles of the same type and shall not be used for business or  
8 occupation or regularly for transportation to and from work. A  
9 special interest motor vehicle may be driven on the public streets  
10 and roads only for occasional transportation, public displays,  
11 parades, and related pleasure or hobby activities.

12 (11) It shall be unlawful to own or operate a motor  
13 vehicle with special interest motor vehicle license plates in  
14 violation of this section. Upon conviction of a violation of any  
15 provision of this section, a person shall be guilty of a Class V  
16 misdemeanor.

17 (12) For purposes of this section, special interest motor  
18 vehicle means a motor vehicle of any age which is being collected,  
19 preserved, restored, or maintained by the owner as a leisure  
20 pursuit and not used for general transportation of persons or  
21 cargo.

22 Sec. 23. Section 60-3,105, Reissue Revised Statutes of  
23 Nebraska, is amended to read:

24 60-3,105 (1) The department may provide a distinctive  
25 license plate for all motor vehicles owned or operated by  
26 the state, counties, municipalities, or school districts. Motor  
27 vehicles owned or operated by the state, counties, municipalities,

1 or school districts shall display ~~such~~ a distinctive license plate  
2 or plates when such license plate or plates are issued or shall  
3 display an undercover license plate or plates when such license  
4 plate or plates are issued under section 60-3,135.

5 (2) Any motor vehicle owned or leased and used by any  
6 city or village of this state, any rural fire protection district,  
7 the Civil Air Patrol, any public school district, any county, the  
8 state, the United States Government, any entity formed pursuant  
9 to the Interlocal Cooperation Act, the Integrated Solid Waste  
10 Management Act, or the Joint Public Agency Act, or any municipal  
11 public body or authority used in operating a public passenger  
12 transportation system, and exempt from a distinct marking as  
13 provided in section 81-1021, may carry a license plate or plates  
14 of the same design and size as are provided in subsection (1) of  
15 this section or an undercover license plate or plates issued under  
16 section 60-3,135.

17 Sec. 24. Section 60-3,106, Reissue Revised Statutes of  
18 Nebraska, is amended to read:

19 60-3,106 (1) The department may provide a distinctive  
20 license plate for all ~~trailers~~ each trailer owned or operated  
21 by the state, counties, municipalities, or school districts.  
22 ~~Trailers~~ Each trailer owned or operated by the state, counties,  
23 municipalities, or school districts shall display such distinctive  
24 license ~~plates~~ plate when such license ~~plates~~ are plate is issued  
25 or shall display an undercover license plates plate when such  
26 license ~~plates~~ are plate is issued under section 60-3,135.

27 (2) Any trailer owned or leased and used by any city

1 or village of this state, any rural fire protection district,  
2 the Civil Air Patrol, any public school district, any county, the  
3 state, the United States Government, any entity formed pursuant  
4 to the Interlocal Cooperation Act, the Integrated Solid Waste  
5 Management Act, or the Joint Public Agency Act, or any municipal  
6 public body or authority used in operating a public passenger  
7 transportation system, and exempt from a distinct marking as  
8 provided in section 81-1021, may carry a license plates plate the  
9 same design and size as are provided in subsection (1) of this  
10 section or an undercover license plate or plates issued under  
11 section 60-3,135.

12           Sec. 25. Section 60-3,107, Reissue Revised Statutes of  
13 Nebraska, is amended to read:

14           60-3,107 The department may provide a distinctive license  
15 plate or plates issued for use on a motor vehicles vehicle which  
16 are is tax exempt pursuant to subdivision (6) of section 60-3,185.  
17 License plates A license plate or plates on such a motor vehicles  
18 vehicle shall display, in addition to the license number, the words  
19 tax exempt.

20           Sec. 26. Section 60-3,108, Reissue Revised Statutes of  
21 Nebraska, is amended to read:

22           60-3,108 The department may provide a distinctive license  
23 plates plate issued for use on trailers a trailer which is tax  
24 exempt pursuant to subdivision (6) of section 60-3,185. License  
25 plates A license plate on such trailers trailer shall display, in  
26 addition to the license number, the word exempt which shall appear  
27 at the bottom of the license plates. words tax exempt.

1           Sec. 27. Section 60-3,109, Reissue Revised Statutes of  
2 Nebraska, is amended to read:

3           60-3,109 (1) Any owner of well-boring apparatus and  
4 well-servicing equipment may make application to the county  
5 treasurer or designated county official for a license plate or  
6 plates.

7           (2) ~~Well-boring~~ A well-boring apparatus and  
8 well-servicing equipment license plate or plates shall display  
9 thereon, in addition to the license number, the words special  
10 equipment.

11          Sec. 28. Section 60-3,113, Revised Statutes Supplement,  
12 2011, is amended to read:

13          60-3,113 (1) The department shall, without the payment of  
14 any fee except the taxes and fees required by sections 60-3,102,  
15 60-3,185, 60-3,190, and 60-3,191, issue a license plate or plates  
16 for one motor vehicle not used for hire and a license plate for one  
17 motorcycle not used for hire to:

18           (a) Any permanently handicapped or disabled person or  
19 his or her parent, legal guardian, foster parent, or agent upon  
20 application and proof of a permanent handicap or disability; or

21           (b) A trust which owns the motor vehicle or motorcycle if  
22 a designated beneficiary of the trust qualifies under subdivision  
23 (a) of this subsection.

24          An application and proof of disability in the form and  
25 with the information required by section 18-1738 or 60-3,113.02  
26 shall be submitted before a license plate or plates are issued or  
27 reissued.

1           (2) The license plate or plates shall carry the  
2 internationally accepted wheelchair symbol, which symbol is a  
3 representation of a person seated in a wheelchair surrounded by a  
4 border six units wide by seven units high, and such other letters  
5 or numbers as the director prescribes. Such license plate or plates  
6 shall be used by such person in lieu of the usual license plate  
7 or plates.

8           (3) The department shall compile and maintain a registry  
9 of the names, addresses, and license numbers of all persons who  
10 obtain a special license plate or plates pursuant to this section  
11 and all persons who obtain a handicapped or disabled parking  
12 permit.

13           Sec. 29. Section 60-3,113.07, Revised Statutes  
14 Supplement, 2011, is amended to read:

15           60-3,113.07 (1) This section applies beginning on the  
16 implementation date designated by the director under section  
17 60-3,113.01.

18           (2) No person shall knowingly provide false information  
19 on an application for a handicapped or disabled parking permit. Any  
20 person who violates this subsection shall be guilty of a Class III  
21 misdemeanor.

22           (3) If the director discovers evidence of fraud in an  
23 application for a handicapped or disabled parking permit or a  
24 license plate or plates issued under section 60-3,113, the director  
25 may summarily cancel such permit or license plate or plates and  
26 send notice of cancellation to the applicant.

27           Sec. 30. Section 60-3,114, Reissue Revised Statutes of

1 Nebraska, is amended to read:

2           60-3,114 (1) Any licensed dealer or manufacturer may,  
3 upon payment of a fee of thirty dollars, make an application, on  
4 a form approved by the Nebraska Motor Vehicle Industry Licensing  
5 Board, to the county treasurer or designated county official of  
6 the county in which his or her place of business is located for  
7 a certificate and one dealer license plate for the type of motor  
8 vehicle or trailer the dealer has been authorized by the Nebraska  
9 Motor Vehicle Industry Licensing Board to sell and demonstrate.  
10 One additional dealer license plate may be procured for the type  
11 of motor vehicle or trailer the dealer has sold during the last  
12 previous period of October 1 through September 30 for each twenty  
13 motor vehicles or trailers sold at retail during such period or one  
14 additional dealer license plate for each thirty motor vehicles or  
15 trailers sold at wholesale during such period, but not to exceed  
16 a total of five additional dealer license plates in the case of  
17 motor vehicles or trailers sold at wholesale, or, in the case of  
18 a manufacturer, for each ten motor vehicles or trailers actually  
19 manufactured or assembled within the state within the last previous  
20 period of October 1 through September 30 for a fee of fifteen  
21 dollars each.

22           (2) ~~Dealer~~ A dealer or manufacturer license ~~plates~~ plate  
23 shall display, in addition to the registration number, the letters  
24 DLR.

25           Sec. 31. Section 60-3,119, Reissue Revised Statutes of  
26 Nebraska, is amended to read:

27           60-3,119 (1) Application for a personalized message

1 license plate or plates shall be made to the department. The  
2 department shall make available through each county treasurer or  
3 designated county official forms to be used for such applications.

4 (2) Each initial application shall be accompanied by a  
5 fee of forty dollars. The fees shall be remitted to the State  
6 Treasurer. The State Treasurer shall credit twenty-five percent of  
7 the fee to the Highway Trust Fund and seventy-five percent of the  
8 fee to the Department of Motor Vehicles Cash Fund.

9 (3) An application for renewal of a personalized message  
10 license plate or plates previously approved and issued shall be  
11 accompanied by a fee of forty dollars, unless one plate is issued  
12 in which case the fee shall be seventy dollars. County treasurers  
13 or designated county officials collecting fees pursuant to this  
14 subsection shall remit them to the State Treasurer. The State  
15 Treasurer shall credit twenty-five percent of the fee to the  
16 Highway Trust Fund and seventy-five percent of the fee to the  
17 Department of Motor Vehicles Cash Fund.

18 Sec. 32. Section 60-3,120, Reissue Revised Statutes of  
19 Nebraska, is amended to read:

20 60-3,120 When the department approves an application for  
21 a personalized message license plate or plates, it shall notify the  
22 applicant and deliver the license plate or plates to the county  
23 treasurer or designated county official of the county in which the  
24 motor vehicle or cabin trailer is to be registered. The county  
25 treasurer or designated county official shall deliver such plate  
26 or plates to the applicant, in lieu of a regular license plate or  
27 plates, when the applicant complies with the other provisions of

1 law for registration of the motor vehicle or cabin trailer.

2           Sec. 33. Section 60-3,121, Reissue Revised Statutes of  
3 Nebraska, is amended to read:

4           60-3,121 (1) The owner of a motor vehicle or cabin  
5 trailer bearing a personalized message license plate or plates  
6 may make application to the county treasurer or designated county  
7 official to have such license plate or plates transferred to  
8 a motor vehicle or cabin trailer other than the motor vehicle  
9 or cabin trailer for which such license plate or plates were  
10 originally purchased if such motor vehicle or cabin trailer is  
11 owned by the owner of the license plate or plates.

12           (2) The owner may have the unused portion of the message  
13 plate fee credited to the other motor vehicle or cabin trailer  
14 which will bear the license plate at the rate of eight and  
15 one-third percent per month for each full month left in the  
16 registration period.

17           (3) Application for such transfer shall be accompanied by  
18 a fee of three dollars. The fees shall be remitted to the State  
19 Treasurer for credit to the Department of Motor Vehicles Cash Fund.

20           Sec. 34. Section 60-3,122, Reissue Revised Statutes of  
21 Nebraska, is amended to read:

22           60-3,122 (1) Any person may, in addition to the  
23 application required by section 60-385, apply to the department for  
24 a license plate or plates designed by the department to indicate  
25 that he or she is a survivor of the Japanese attack on Pearl Harbor  
26 if he or she:

27           (a) Was a member of the United States Armed Forces on

1 December 7, 1941;

2 (b) Was on station on December 7, 1941, during the hours  
3 of 7:55 a.m. to 9:45 a.m. Hawaii time at Pearl Harbor, the island  
4 of Oahu, or offshore at a distance not to exceed three miles;

5 (c) Was discharged or otherwise separated with a  
6 characterization of honorable from the United States Armed Forces;  
7 and

8 (d) Holds a current membership in a Nebraska Chapter of  
9 the Pearl Harbor Survivors Association.

10 (2) The license plate or plates shall be issued upon the  
11 applicant paying the regular license fee and an additional fee of  
12 five dollars and furnishing proof satisfactory to the department  
13 that the applicant fulfills the requirements provided by subsection  
14 (1) of this section. The additional fee shall be remitted to  
15 the State Treasurer for credit to the Nebraska Veteran Cemetery  
16 System Operation Fund. Any number of motor vehicles, trailers,  
17 semitrailers, or cabin trailers owned by the applicant may be so  
18 licensed at any one time. Motor vehicles and trailers registered  
19 under section 60-3,198 shall not be so licensed.

20 (3) If the license plate or plates issued pursuant to  
21 this section are lost, stolen, or mutilated, the recipient of the  
22 plate or plates shall be issued a replacement license plate or  
23 plates upon request and without charge.

24 Sec. 35. Section 60-3,122.02, Reissue Revised Statutes of  
25 Nebraska, is amended to read:

26 60-3,122.02 (1) A person may apply to the department for  
27 a Gold Star Family plate or plates in lieu of a regular license

1 plate or plates on an application prescribed and provided by the  
2 department for any motor vehicle, trailer, semitrailer, or cabin  
3 trailer, except for a motor vehicle or trailer registered under  
4 section 60-3,198. An applicant receiving a Gold Star Family plate  
5 for a farm truck with a gross weight of over sixteen tons shall  
6 affix the appropriate tonnage decal to the plate. The department  
7 shall make forms available for such applications through the county  
8 treasurers or designated county officials. The license plate or  
9 plates shall be issued upon payment of the license fee described  
10 in subsection (2) of this section and furnishing proof satisfactory  
11 to the department that the applicant is a surviving spouse,  
12 whether remarried or not, or an ancestor, including a stepparent,  
13 a descendant, including a stepchild, a foster parent or a person  
14 in loco parentis, or a sibling of a person who died while in  
15 good standing on active duty in the military service of the United  
16 States.

17 (2) (a) Each application for initial issuance of a  
18 consecutively numbered Gold Star Family plate or plates shall be  
19 accompanied by a fee of five dollars. An application for renewal of  
20 such plate or plates shall be accompanied by a fee of five dollars.  
21 County treasurers or designated county officials collecting fees  
22 for renewals pursuant to this subdivision shall remit them to the  
23 State Treasurer. The State Treasurer shall credit five dollars of  
24 the fee for initial issuance and renewal of such plates to the  
25 Nebraska Veteran Cemetery System Operation Fund.

26 (b) Each application for initial issuance of a  
27 personalized message Gold Star Family plate or plates shall

1 be accompanied by a fee of forty dollars. An application for  
2 renewal of such plate or plates shall be accompanied by a fee of  
3 forty dollars. County treasurers or designated county officials  
4 collecting fees for renewals pursuant to this subdivision shall  
5 remit them to the State Treasurer. The State Treasurer shall credit  
6 twenty-five percent of the fee for initial issuance and renewal  
7 of such plates to the Department of Motor Vehicles Cash Fund and  
8 seventy-five percent of the fee to the Nebraska Veteran Cemetery  
9 System Operation Fund.

10 (3) When the department receives an application for a  
11 Gold Star Family plate or plates, the department shall deliver  
12 the plate or plates to the county treasurer or designated county  
13 official of the county in which the motor vehicle or cabin trailer  
14 is registered. The county treasurer or designated county official  
15 shall issue the Gold Star Family plate or plates in lieu of a  
16 regular license plate or plates when the applicant complies with  
17 the other provisions of the Motor Vehicle Registration Act for  
18 registration of the motor vehicle or cabin trailer. If a Gold Star  
19 Family plate or plates are lost, stolen, or mutilated, the licensee  
20 shall be issued a replacement license plate or plates upon request  
21 and without charge.

22 (4) The owner of a motor vehicle or cabin trailer  
23 bearing a Gold Star Family plate or plates may apply to the  
24 county treasurer or designated county official to have such plate  
25 or plates transferred to a motor vehicle other than the vehicle  
26 for which such plate or plates were originally purchased if such  
27 vehicle is owned by the owner of the plate or plates. The owner

1 may have the unused portion of the fee for the plate or plates  
2 credited to the other vehicle which will bear the plate or plates  
3 at the rate of eight and one-third percent per month for each  
4 full month left in the registration period. Application for such  
5 transfer shall be accompanied by a fee of three dollars. Fees  
6 collected pursuant to this subsection shall be remitted to the  
7 State Treasurer for credit to the Department of Motor Vehicles Cash  
8 Fund.

9 (5) If the cost of manufacturing Gold Star Family plates  
10 at any time exceeds the amount charged for license plates pursuant  
11 to section 60-3,102, any money to be credited to the Nebraska  
12 Veteran Cemetery System Operation Fund shall instead be credited  
13 first to the Highway Trust Fund in an amount equal to the  
14 difference between the manufacturing costs of Gold Star Family  
15 plates and the amount charged pursuant to section 60-3,102 with  
16 respect to such plates and the remainder shall be credited to the  
17 Nebraska Veteran Cemetery System Operation Fund.

18 Sec. 36. Section 60-3,123, Reissue Revised Statutes of  
19 Nebraska, is amended to read:

20 60-3,123 (1) Any person who was captured and incarcerated  
21 by an enemy of the United States during a period of conflict with  
22 such enemy and who was discharged or otherwise separated with a  
23 characterization of honorable from or is currently serving in the  
24 United States Armed Forces may, in addition to the application  
25 required in section 60-385, apply to the department for a license  
26 plate or plates designed to indicate that he or she is a former  
27 prisoner of war.

1           (2) The license plate or plates shall be issued upon the  
2 applicant paying the regular license fee and an additional fee of  
3 five dollars and furnishing proof satisfactory to the department  
4 that the applicant was formerly a prisoner of war. The additional  
5 fee shall be remitted to the State Treasurer for credit to the  
6 Nebraska Veteran Cemetery System Operation Fund. Any number of  
7 motor vehicles, trailers, semitrailers, or cabin trailers owned by  
8 the applicant may be so licensed at any one time. Motor vehicles  
9 and trailers registered under section 60-3,198 shall not be so  
10 licensed.

11           (3) If the license plate or plates issued under this  
12 section are lost, stolen, or mutilated, the recipient of the  
13 license plate or plates shall be issued a replacement license plate  
14 or plates upon request and without charge.

15           Sec. 37. Section 60-3,124, Reissue Revised Statutes of  
16 Nebraska, is amended to read:

17           60-3,124 (1) Any person who is a veteran of the United  
18 States Armed Forces, who was discharged or otherwise separated  
19 with a characterization of honorable or general (under honorable  
20 conditions), and who is classified by the United States Department  
21 of Veterans Affairs as one hundred percent service-connected  
22 disabled may, in addition to the application required in section  
23 60-385, apply to the Department of Motor Vehicles for a license  
24 plate or plates designed by the department to indicate that the  
25 applicant is a disabled veteran. The inscription on the license  
26 plate or plates shall be D.A.V. immediately below the license plate  
27 number to indicate that the holder of the license plate or plates

1 is a disabled veteran.

2 (2) The plate or plates shall be issued upon the  
3 applicant paying the regular license fee and an additional fee  
4 of five dollars and furnishing proof satisfactory to the department  
5 that the applicant is a disabled veteran. The additional fee  
6 shall be remitted to the State Treasurer for credit to the  
7 Nebraska Veteran Cemetery System Operation Fund. Any number of  
8 motor vehicles, trailers, semitrailers, or cabin trailers owned by  
9 the applicant may be so licensed at any one time. Motor vehicles  
10 and trailers registered under section 60-3,198 shall not be so  
11 licensed.

12 (3) If the license plate or plates issued under this  
13 section are lost, stolen, or mutilated, the recipient of the plate  
14 or plates shall be issued a replacement license plate or plates as  
15 provided in section 60-3,157.

16 Sec. 38. Section 60-3,125, Reissue Revised Statutes of  
17 Nebraska, is amended to read:

18 60-3,125 (1) Any person may, in addition to the  
19 application required by section 60-385, apply to the department for  
20 a license plate or plates designed by the department to indicate  
21 that the applicant has received from the federal government an  
22 award of a Purple Heart. The inscription of the plate or plates  
23 shall be designed so as to include a facsimile of the award and  
24 beneath any numerical designation upon the plate or plates pursuant  
25 to section 60-370 the words Purple Heart separately on one line and  
26 the words Combat Wounded on the line below.

27 (2) The license plate or plates shall be issued upon

1 payment of the regular license fee and an additional fee of  
2 five dollars and furnishing proof satisfactory to the department  
3 that the applicant was awarded the Purple Heart. The additional  
4 fee shall be remitted to the State Treasurer for credit to the  
5 Nebraska Veteran Cemetery System Operation Fund. Any number of  
6 motor vehicles, trailers, semitrailers, or cabin trailers owned by  
7 the applicant may be so licensed at any one time. Motor vehicles  
8 and trailers registered under section 60-3,198 shall not be so  
9 licensed.

10 (3) If a license plate or plates issued pursuant to this  
11 section are lost, stolen, or mutilated, the recipient of the plate  
12 or plates shall be issued a replacement license plate or plates  
13 upon request and without charge.

14 Sec. 39. Section 60-3,126, Reissue Revised Statutes of  
15 Nebraska, is amended to read:

16 60-3,126 (1) Any person who holds an unrevoked and  
17 unexpired amateur radio station license issued by the Federal  
18 Communications Commission and is the owner of a motor vehicle,  
19 trailer, semitrailer, or cabin trailer, except for motor vehicles  
20 and trailers registered under section 60-3,198, may, in addition to  
21 the application required by section 60-385, apply to the department  
22 for a license plate or plates upon which shall be inscribed the  
23 official amateur radio call letters of such applicant.

24 (2) Such license plate or plates shall be issued, in lieu  
25 of the usual numbers and letters, to such an applicant upon payment  
26 of the regular license fee and the payment of an additional fee of  
27 five dollars, unless one plate is issued in which case the regular

1 license fee shall be seventy dollars, and furnishing proof that  
2 the applicant holds such an unrevoked and unexpired amateur radio  
3 station license. The additional fee shall be remitted to the State  
4 Treasurer for credit to the Highway Trust Fund. Only one such motor  
5 vehicle or trailer owned by an applicant shall be so registered at  
6 any one time.

7 (3) An applicant applying for renewal of an amateur radio  
8 station license plate or plates shall again furnish proof that  
9 he or she holds an unrevoked and unexpired amateur radio station  
10 license issued by the Federal Communications Commission.

11 (4) The department shall prescribe the size and design  
12 of the license ~~plates~~ plate and furnish such plate or plates to  
13 the ~~persons~~ person applying for and entitled to the ~~same~~ plate or  
14 plates upon the payment of the required fee.

15 Sec. 40. Section 60-3,128, Reissue Revised Statutes of  
16 Nebraska, is amended to read:

17 60-3,128 (1) A person may apply to the department for  
18 a Nebraska Cornhusker Spirit Plates Plate in lieu of a regular  
19 license plate or plates on an application prescribed and provided  
20 by the department for any motor vehicle, trailer, semitrailer, or  
21 cabin trailer, except for motor vehicles or trailers registered  
22 under section 60-3,198. An applicant receiving a spirit plate for  
23 a farm truck with a gross weight of over sixteen tons or for a  
24 commercial motor vehicle registered for a gross weight of five  
25 tons or over shall affix the appropriate tonnage decal to the  
26 spirit plate. The department shall make forms available for such  
27 applications through the county treasurers or designated county

1 officials. Each application for initial issuance or renewal of a  
2 spirit plate or plates shall be accompanied by a fee of seventy  
3 dollars. Fees collected pursuant to this subsection shall be  
4 remitted to the State Treasurer. The State Treasurer shall credit  
5 forty-three percent of the fees for initial issuance and renewal of  
6 spirit plates to the Department of Motor Vehicles Cash Fund. The  
7 State Treasurer shall credit fifty-seven percent of the fees to the  
8 Spirit Plate Proceeds Fund until the fund has been credited five  
9 million dollars from such fees and thereafter to the Highway Trust  
10 Fund.

11 (2) When the department receives an application for a  
12 spirit plate or plates, it shall deliver the plate or plates to  
13 the county treasurer or designated county official of the county  
14 in which the motor vehicle or cabin trailer is registered. The  
15 county treasurer or designated county official shall issue the  
16 spirit plate or plates in lieu of a regular license plate or plates  
17 when the applicant complies with the other provisions of law for  
18 registration of the motor vehicle or cabin trailer. If a spirit  
19 plate or plates are lost, stolen, or mutilated, the licensee shall  
20 be issued a replacement license plate or plates pursuant to section  
21 60-3,157.

22 (3) (a) The owner of a motor vehicle or cabin trailer  
23 bearing a spirit plate or plates may make application to the county  
24 treasurer or designated county official to have such spirit plate  
25 or plates transferred to a motor vehicle or cabin trailer other  
26 than the motor vehicle or cabin trailer for which such plate or  
27 plates were originally purchased if such motor vehicle or cabin

1 trailer is owned by the owner of the spirit plate or plates.

2 (b) The owner may have the unused portion of the spirit  
3 plate fee credited to the other motor vehicle or cabin trailer  
4 which will bear the spirit plate at the rate of eight and one-third  
5 percent per month for each full month left in the registration  
6 period.

7 (c) Application for such transfer shall be accompanied by  
8 a fee of three dollars. Fees collected pursuant to this subsection  
9 shall be remitted to the State Treasurer for credit to the  
10 Department of Motor Vehicles Cash Fund.

11 Sec. 41. Section 60-3,130, Reissue Revised Statutes of  
12 Nebraska, is amended to read:

13 60-3,130 (1) Except as provided in section 60-3,134, a  
14 person presenting a certificate of title issued pursuant to section  
15 60-142.01 or 60-142.02 or a certificate of title indicating that  
16 the vehicle is thirty or more years old may apply for a historical  
17 license plate or plates or may use a license plate or plates of the  
18 year of manufacture in lieu of a regular license plates plate as  
19 provided in sections 60-3,130 to 60-3,134.

20 (2) Each collector applying for such a license plate or  
21 plates, other than a nonprofit organization described in sections  
22 21-608 and 21-609, must own and have registered one or more motor  
23 vehicles with a regular license plate or plates which he or she  
24 uses for regular transportation.

25 (3) A motor vehicle or trailer manufactured, assembled  
26 from a kit, or otherwise assembled as a reproduction or facsimile  
27 of a historical vehicle shall not be eligible for a historical

1 license plate or plates unless it has been in existence for thirty  
2 years or more. The age of the motor vehicle or trailer shall be  
3 calculated from the year reflected on the certificate of title.

4           Sec. 42. Section 60-3,130.01, Reissue Revised Statutes of  
5 Nebraska, is amended to read:

6           60-3,130.01 The application under section 60-3,130 shall  
7 be made on a form prescribed and furnished by the department.  
8 The form shall contain (1) a description of the vehicle owned and  
9 sought to be registered, including the make, body type, model,  
10 vehicle identification number, and year of manufacture, (2) a  
11 description of any vehicle owned by the applicant and registered  
12 by him or her with a regular license plate or plates and used for  
13 regular transportation, which description shall include make, body  
14 type, model, vehicle identification number, year of manufacture,  
15 and the Nebraska registration number assigned to the vehicle, and  
16 (3) an affidavit sworn to by the vehicle owner that the historical  
17 vehicle is being collected, preserved, restored, and maintained by  
18 the applicant as a hobby and not for the general use of the vehicle  
19 for the same purposes and under the same circumstances as other  
20 motor vehicles of the same type.

21           Sec. 43. Section 60-3,130.02, Reissue Revised Statutes of  
22 Nebraska, is amended to read:

23           60-3,130.02 (1) An initial processing fee of ten dollars  
24 shall be submitted with an application under section 60-3,130 to  
25 defray the costs of issuing the first historical license plate or  
26 plates to each collector and to establish a distinct identification  
27 number for each collector. A fee of fifty dollars for each vehicle

1 so registered shall also be submitted with the application.

2 (2) For use of a license plate or plates as provided  
3 in section 60-3,130.04, a fee of twenty-five dollars shall be  
4 submitted with the application in addition to the fees specified in  
5 subsection (1) of this section.

6 (3) The fees shall be remitted to the State Treasurer for  
7 credit to the Highway Trust Fund.

8 Sec. 44. Section 60-3,130.05, Reissue Revised Statutes of  
9 Nebraska, is amended to read:

10 60-3,130.05 ~~License~~ A license plate or plates issued or  
11 used pursuant to section 60-3,130 or 60-3,130.04 shall be valid  
12 while the vehicle is owned by the applicant without the payment of  
13 any additional fee, tax, or license.

14 Sec. 45. Section 60-3,134, Reissue Revised Statutes of  
15 Nebraska, is amended to read:

16 60-3,134 Any motor vehicle or trailer that qualifies as  
17 ~~an~~ a historical vehicle which is used for the same general purposes  
18 and under the same conditions as a motor vehicles or trailers  
19 vehicle or trailer registered with a regular license plate or  
20 plates shall be required to be registered with a regular license  
21 plate or plates, regardless of its age, and shall be subject to the  
22 payment of the same taxes and fees required of a motor vehicles or  
23 ~~trailers~~ vehicle or trailer registered with a regular license plate  
24 or plates.

25 Sec. 46. Section 60-3,135, Reissue Revised Statutes of  
26 Nebraska, is amended to read:

27 60-3,135 (1)(a) Undercover license plates may be issued

1 to federal, state, county, city, or village law enforcement  
2 agencies and shall be used only for legitimate criminal  
3 investigatory purposes. Undercover license plates may also be  
4 issued to the Nebraska State Patrol, the Game and Parks Commission,  
5 deputy state sheriffs employed by the Nebraska Brand Committee  
6 and State Fire Marshal for state law enforcement purposes,  
7 persons employed by the Tax Commissioner for state revenue  
8 enforcement purposes, the Department of Health and Human Services  
9 for the purposes of communicable disease control, the prevention  
10 and control of those communicable diseases which endanger the  
11 public health, the enforcement of drug control laws, or other  
12 investigation purposes, the Department of Agriculture for special  
13 investigative purposes, and the Insurance Fraud Prevention Division  
14 of the Department of Insurance for investigative purposes.  
15 ~~Undercover license plates~~ An undercover license plate or plates  
16 shall not be used on a personally owned vehicle or for  
17 personal use of a government-owned vehicle.

18 (b) The director shall prescribe a form for agencies to  
19 apply for undercover license plates. The form shall include a space  
20 for the name and signature of the contact person for the requesting  
21 agency, a statement that the undercover license plates are to be  
22 used only for legitimate criminal investigatory purposes, and a  
23 statement that undercover license plates are not to be used on  
24 personally owned vehicles or for personal use of government-owned  
25 vehicles.

26 (2) The agency shall include the name and signature of  
27 the contact person for the agency on the form and pay the fee

1 prescribed in section 60-3,102. If the undercover license plate  
2 or plates will be used for the investigation of a specific event  
3 rather than for ongoing investigations, the agency shall designate  
4 on the form an estimate of the length of time the undercover  
5 license plate or plates will be needed. The contact person in the  
6 agency shall sign the form and verify the information contained in  
7 the form.

8 (3) Upon receipt of a completed form, the director shall  
9 determine whether the undercover license plate or plates will be  
10 used by an approved agency for a legitimate purpose pursuant to  
11 subsection (1) of this section. If the director determines that the  
12 undercover license plate or plates will be used for such a purpose,  
13 he or she may issue the undercover license plate or plates in the  
14 form and under the conditions he or she determines to be necessary.  
15 The decision of the director regarding issuance of the undercover  
16 license plate or plates is final.

17 (4) The department shall keep records pertaining to  
18 undercover license plates confidential, and such records shall not  
19 be subject to public disclosure.

20 (5) The contact person shall return the undercover  
21 license plate or plates to the department if:

22 (a) The undercover license plate or plates expire and are  
23 not renewed;

24 (b) The purpose for which the undercover license plate or  
25 plates were issued has been completed or terminated; or

26 (c) The director requests ~~their~~ the return of the  
27 undercover license plate or plates.

1           (6) A state agency, board, or commission that uses motor  
2 vehicles from the transportation services bureau of the Department  
3 of Administrative Services shall notify the bureau immediately  
4 after an undercover license plate or plates have been assigned to  
5 ~~the~~ a motor vehicle and shall provide the equipment and license  
6 plate number and the undercover license plate number to the  
7 bureau. The transportation services bureau shall maintain a list of  
8 state-owned motor vehicles which have been assigned an undercover  
9 license plate or plates. The list shall be confidential and not be  
10 subject to public disclosure.

11           (7) The contact person shall be held accountable to keep  
12 proper records of the number of undercover plates possessed by  
13 the agency, the particular license plate numbers for each motor  
14 vehicle, and the person who is assigned to the motor vehicle.  
15 This record shall be confidential and not be subject to public  
16 disclosure.

17           Sec. 47. Section 60-3,145, Reissue Revised Statutes of  
18 Nebraska, is amended to read:

19           60-3,145 (1) The registration fee on local trucks shall  
20 be based on the gross vehicle weight as provided in section  
21 60-3,147, and local trucks shall be registered at a fee of thirty  
22 percent of the commercial motor vehicle registration fee, except  
23 that (a) no local truck shall be registered for a fee of less  
24 than eighteen dollars, (b) the registration fee for each truck  
25 with a factory-rated capacity of one ton or less shall be eighteen  
26 dollars, and (c) commercial pickup trucks with a gross load of over  
27 three tons shall be registered for the fee provided for commercial

1 motor vehicles.

2 (2) ~~Local~~ A local truck license plate or plates shall  
3 display, in addition to the registration number, the designation of  
4 a local motor vehicles- vehicle.

5 Sec. 48. Section 60-3,146, Reissue Revised Statutes of  
6 Nebraska, is amended to read:

7 60-3,146 (1) For the registration of farm trucks, except  
8 for trucks or combinations of trucks or truck-tractors and  
9 trailers having a gross vehicle weight exceeding sixteen tons,  
10 the registration fee shall be eighteen dollars for up to and  
11 including five tons gross vehicle weight, and in excess of five  
12 tons the fee shall be twenty-two dollars.

13 (2) For a truck or a combination of a truck or  
14 truck-tractor and trailer weighing in excess of sixteen tons  
15 registered as a farm truck, except as provided in sections 60-3,111  
16 and 60-3,151, the registration fee shall be based upon the gross  
17 vehicle weight. The registration fee on such trucks weighing in  
18 excess of sixteen tons shall be at the following rates: For a  
19 gross weight in excess of sixteen tons up to and including twenty  
20 tons, forty dollars plus five dollars for each ton of gross weight  
21 over seventeen tons, and for gross weight exceeding twenty tons,  
22 sixty-five dollars plus ten dollars for each ton of gross weight  
23 over twenty tons.

24 (3) ~~Farm~~ A farm truck license plate or plates shall  
25 display, in addition to the registration number, the designation  
26 farm and the words NOT FOR HIRE.

27 (4) Farm trucks with a gross weight of over sixteen tons

1 license plates shall also display the weight that such farm truck  
2 is licensed for, using a decal on the license plate or plates in  
3 letters and numerals of such size and design as shall be determined  
4 and issued by the department.

5           Sec. 49. Section 60-3,147, Reissue Revised Statutes of  
6 Nebraska, is amended to read:

7           60-3,147 (1) The registration fee on commercial motor  
8 vehicles, except those motor vehicles registered under section  
9 60-3,198, shall be based upon the gross vehicle weight, not to  
10 exceed the maximum authorized by section 60-6,294.

11           (2) The registration fee on commercial motor vehicles,  
12 except for motor vehicles and trailers registered under section  
13 60-3,198, shall be based on the gross vehicle weight on such  
14 commercial motor vehicles plus the gross vehicle weight of any  
15 trailer or combination with which it is operated, except that  
16 for the purpose of determining the registration fee, the gross  
17 vehicle weight of a commercial motor vehicle towing or hauling  
18 a disabled or wrecked motor vehicle properly registered for use  
19 on the highways shall be only the gross vehicle weight of the  
20 towing commercial motor vehicle fully equipped and not including  
21 the weight of the motor vehicle being towed or hauled.

22           (3) Except as provided in subsection (4) of this section,  
23 the registration fee on such commercial motor vehicles shall be at  
24 the following rates:

25           (a) For a gross vehicle weight of three tons or less,  
26 eighteen dollars;

27           (b) For a gross vehicle weight exceeding three tons and

1 not exceeding four tons, twenty-five dollars;

2 (c) For a gross vehicle weight exceeding four tons and  
3 not exceeding five tons, thirty-five dollars;

4 (d) For a gross vehicle weight exceeding five tons and  
5 not exceeding six tons, sixty dollars;

6 (e) For a gross vehicle weight exceeding six tons but not  
7 exceeding seven tons, eighty-five dollars;

8 (f) For a gross vehicle weight in excess of seven tons,  
9 the fee shall be that for a commercial motor vehicle having a gross  
10 vehicle weight of seven tons and, in addition thereto, twenty-five  
11 dollars for each ton of gross vehicle weight over seven tons.

12 (4) (a) For fractional tons in excess of the twenty  
13 percent or the tolerance of one thousand pounds, as provided in  
14 section 60-6,300, the fee shall be computed on the basis of the  
15 next higher bracket.

16 (b) The fees provided by this section shall be  
17 reduced ten percent for motor vehicles used exclusively for the  
18 transportation of agricultural products.

19 (c) Fees for commercial motor vehicles with a gross  
20 vehicle weight in excess of thirty-six tons shall be increased by  
21 twenty percent for all such commercial motor vehicles operated on  
22 any highway not a part of the National System of Interstate and  
23 Defense Highways.

24 (5) (a) Such fee may be paid one-half at the time of  
25 registration and one-half on the first day of the seventh month of  
26 the registration period when the license fee exceeds two hundred  
27 ten dollars. When the second half is paid, the county treasurer or

1 designated county official shall furnish a registration certificate  
2 and license plate or plates issued by the department which shall be  
3 displayed on such commercial motor vehicle in the manner provided  
4 by law. In addition to the registration fee, the department  
5 shall collect a sufficient fee to cover the cost of issuing the  
6 certificate and license plate or plates.

7 (b) If such second half is not paid within thirty days  
8 following the first day of the seventh month, the registration  
9 of such commercial motor vehicle shall be canceled and the  
10 registration certificate and license plate or plates shall be  
11 returned to the county treasurer or designated county official.

12 (c) Such fee shall be paid prior to any subsequent  
13 registration or renewal of registration.

14 (6) ~~License plates~~ A license plate or plates issued under  
15 this section shall be the same size and of the same basic design as  
16 a regular license plate or plates issued under section 60-3,100.

17 (7) A license plate or plates issued to a commercial  
18 motor vehicle with a gross weight of five tons or over shall  
19 display, in addition to the registration number, the weight that  
20 the commercial motor vehicle is licensed for, using a decal on the  
21 license plate or plates of the commercial motor vehicle in letters  
22 and numerals of such size and design as shall be determined and  
23 issued by the department.

24 Sec. 50. Section 60-3,149, Reissue Revised Statutes of  
25 Nebraska, is amended to read:

26 60-3,149 (1) For the registration of trucks or  
27 combinations of trucks, truck-tractors, or trailers which are not

1 for hire and engaged in soil and water conservation work and used  
2 for the purpose of transporting pipe and equipment exclusively used  
3 by such contractors for soil and water conservation construction,  
4 the registration fee shall be one-half of the rate for similar  
5 commercial motor vehicles registered under section 60-3,147, except  
6 that no commercial motor vehicle or commercial trailer registered  
7 under this section shall be registered for a fee of less than  
8 eighteen dollars.

9 (2) ~~Such license plates~~ The license plate or plates shall  
10 display, in addition to the registration number, the letter A.

11 Sec. 51. Section 60-3,150, Reissue Revised Statutes of  
12 Nebraska, is amended to read:

13 60-3,150 For registration purposes, a truck-tractor and  
14 semitrailer unit and a commercial trailer shall be considered  
15 as separate units. The registration fee of the truck-tractor  
16 shall be the fee provided for commercial motor vehicles. Each  
17 semitrailer and each commercial trailer shall be registered upon  
18 the payment of a fee of one dollar. The department shall provide an  
19 appropriate license plate or, when appropriate, validation decal to  
20 identify such semitrailers. If any truck or truck-tractor, operated  
21 under the classification designated as local, farm, or A or with  
22 ~~plates~~ a license plate or plates issued under section 60-3,113 is  
23 operated outside of the limits of its respective classification, it  
24 shall thereupon come under the classification of commercial motor  
25 vehicle.

26 Sec. 52. Section 60-3,151, Reissue Revised Statutes of  
27 Nebraska, is amended to read:

1                   60-3,151 (1) For the registration of any commercial  
2 trailer or semitrailer, the fee shall be one dollar.

3                   (2) The fee for a utility trailers trailer shall be  
4 one dollar for each one thousand pounds gross vehicle weight or  
5 fraction thereof, up to and including nine thousand pounds. ~~Utility~~  
6 ~~trailer license plates~~ A utility trailer license plate shall  
7 display, in addition to the registration number, the letter X.  
8 ~~Trailers~~ A trailer other than a farm trailers trailer of more than  
9 nine thousand pounds must be registered as a commercial trailers-  
10 trailer.

11                   (3) The fee for a cabin trailers trailer having a gross  
12 vehicle weight of one thousand pounds or less shall be nine dollars  
13 and more than one thousand pounds, but less than two thousand  
14 pounds, shall be twelve dollars. ~~Cabin trailers~~ A cabin trailer  
15 having a gross vehicle weight of two thousand pounds or more shall  
16 be registered for a fee of fifteen dollars.

17                   (4) ~~Recreational vehicles~~ A recreational vehicle having  
18 a gross vehicle weight of eight thousand pounds or less shall be  
19 registered for a fee of eighteen dollars, ~~these~~ a recreational  
20 vehicle having a gross vehicle weight of more than eight thousand  
21 pounds but less than twelve thousand pounds shall be registered  
22 for thirty dollars, and ~~these~~ a recreational vehicle having a  
23 gross vehicle weight of twelve thousand pounds or over shall  
24 be registered for forty-two dollars. When living quarters are  
25 added to a registered truck, a recreational vehicle registration  
26 may be obtained without surrender of the truck registration,  
27 in which event both the truck license plate or plates and

1 recreational vehicle license plate or plates shall be displayed  
2 on the ~~vehicle~~. ~~Recreational vehicle license plates~~ registered  
3 truck. A recreational vehicle license plate shall be the same size  
4 and of the same basic design as a regular license plates plate  
5 issued pursuant to section 60-3,100.

6 (5) ~~Farm trailers~~ A farm trailer shall be licensed for a  
7 fee of one dollar, except that when a farm trailer is used with  
8 a registered farm truck, such farm trailer may, at the option of  
9 the owner, be registered as a separate unit for a fee of three  
10 dollars per ton gross vehicle weight and, if so registered, shall  
11 not be considered a truck and trailer combination for purposes  
12 of sections 60-3,145 and 60-3,146. ~~Farm trailer license plates~~  
13 A farm trailer license plate shall display, in addition to the  
14 registration number, the letter X.

15 (6) ~~Fertilizer trailers~~ A fertilizer trailer shall be  
16 registered for a fee of one dollar. ~~Fertilizer trailer license~~  
17 ~~plates~~ A fertilizer trailer license plate shall display, in  
18 addition to the registration number, the letter X.

19 (7) ~~Trailers~~ A trailer used to haul poles and cable  
20 reels owned and operated exclusively by a public utility companies  
21 company shall be licensed at a fee based on two dollars for each  
22 one-thousand-pound load to be hauled or any fraction thereof, and  
23 such load shall not exceed sixteen thousand pounds.

24 Sec. 53. Section 60-3,157, Reissue Revised Statutes of  
25 Nebraska, is amended to read:

26 60-3,157 If a license plate or plates or registration  
27 certificate is lost or mutilated or has become illegible, the

1 person to whom such license plate or plates and registration  
2 certificate has been issued shall immediately apply to the  
3 county treasurer or designated county official for a duplicate  
4 registration certificate or for a new license plate or plates,  
5 accompanying his or her application with a fee of one dollar for  
6 a duplicate registration certificate and a fee of two dollars and  
7 fifty cents for a duplicate or replacement license plate. No fee  
8 shall be required under this section if the vehicle or trailer was  
9 reported stolen under section 60-178.

10           Sec. 54. Section 60-3,167, Reissue Revised Statutes of  
11 Nebraska, is amended to read:

12           60-3,167 (1) It shall be unlawful for any owner of a  
13 motor vehicle or trailer which is being operated or towed with  
14 an In Transit ~~stickers~~ sticker pursuant to section 60-376, which  
15 is being operated or towed pursuant to section 60-365 or 60-369,  
16 or which is required to be registered in this state and which  
17 is operated or towed on a public highway of this state to allow  
18 the operation or towing of the motor vehicle or trailer on a  
19 public highway of this state without having a current and effective  
20 automobile liability policy, evidence of insurance, or proof of  
21 financial responsibility. The owner shall be presumed to know of  
22 the operation or towing of his or her motor vehicle or trailer  
23 on a highway of this state in violation of this section when the  
24 motor vehicle or trailer is being operated or towed by a person  
25 other than the owner. An owner of a motor vehicle or trailer  
26 who operates or tows the motor vehicle or trailer or allows the  
27 operation or towing of the motor vehicle or trailer in violation of

1 this section shall be guilty of a Class II misdemeanor and shall  
2 be advised by the court that his or her motor vehicle operator's  
3 license, motor vehicle certificate of registration, and license  
4 plate or plates will be suspended by the department until he or she  
5 complies with sections 60-505.02 and 60-528. Upon conviction the  
6 owner shall have his or her motor vehicle operator's license, motor  
7 vehicle certificate of registration, and license plate or plates  
8 suspended by the department until he or she complies with sections  
9 60-505.02 and 60-528. The owner shall also be required to comply  
10 with section 60-528 for a continuous period of three years after  
11 the violation. This subsection shall not apply to motor vehicles or  
12 trailers registered in another state.

13 (2) An owner who is unable to produce a current and  
14 effective automobile liability policy, evidence of insurance, or  
15 proof of financial responsibility upon the request of a law  
16 enforcement officer shall be allowed ten days after the date of the  
17 request to produce proof to the appropriate prosecutor or county  
18 attorney that a current and effective automobile liability policy  
19 or proof of financial responsibility was in existence for the motor  
20 vehicle or trailer at the time of such request. Upon presentation  
21 of such proof, the citation shall be dismissed by the prosecutor or  
22 county attorney without cost to the owner and no prosecution for  
23 the offense cited shall occur.

24 (3) The department shall, for any person convicted for  
25 a violation of this section, reinstate such person's operator's  
26 license, motor vehicle certificate of registration, and license  
27 plate or plates and rescind any order requiring such person to

1 comply with section 60-528 without cost to such person upon  
2 presentation to the director that, at the time such person was  
3 cited for a violation of this section, a current and effective  
4 automobile liability policy or proof of financial responsibility  
5 was in existence for the motor vehicle or trailer at the time the  
6 citation was issued.

7           Sec. 55. Section 60-3,175, Reissue Revised Statutes of  
8 Nebraska, is amended to read:

9           60-3,175 It shall be unlawful to own or operate a motor  
10 vehicle or trailer with a historical license plate or plates  
11 in violation of section 60-3,130, 60-3,131, or 60-3,134. Upon  
12 conviction of a violation of any provision of such sections, a  
13 person shall be guilty of a Class V misdemeanor.

14           Sec. 56. Section 60-3,183, Reissue Revised Statutes of  
15 Nebraska, is amended to read:

16           60-3,183 (1) The director may revoke, suspend, cancel, or  
17 refuse to issue or renew a registration certificate under sections  
18 60-3,198 to 60-3,203 upon receipt of notice under the federal  
19 Performance and Registration Information Systems Management Program  
20 that the ability of the applicant or registration certificate  
21 holder to operate has been terminated or denied by a federal  
22 agency.

23           (2) Any person who receives notice from the director of  
24 action taken pursuant to subsection (1) of this section shall,  
25 within three business days, return such registration certificate  
26 and license plate or plates to the department. If any person fails  
27 to return the registration certificate and license plate or plates

1 to the department, the department shall notify the Nebraska State  
2 Patrol that any such person is in violation of this section.

3 Sec. 57. Section 60-3,205, Reissue Revised Statutes of  
4 Nebraska, is amended to read:

5 60-3,205 (1) (a) The director may suspend, revoke, cancel,  
6 or refuse to issue or renew a registration certificate under the  
7 International Registration Plan Act:

8 (i) If the applicant or certificate holder has had his or  
9 her license issued under the International Fuel Tax Agreement Act  
10 revoked or the director refused to issue or refused to renew such  
11 license; or

12 (ii) If the applicant or certificate holder is in  
13 violation of sections 75-392 to 75-399.

14 (b) Prior to taking action under this section, the  
15 director shall notify and advise the applicant or certificate  
16 holder of the proposed action and the reasons for such action in  
17 writing, by registered or certified mail, to his or her last-known  
18 business address as shown on the application for the certificate  
19 or renewal. The notice shall also include an advisement of the  
20 procedures in subdivision (c) of this subsection.

21 (c) The applicant or certificate holder may, within  
22 thirty days after the date of the mailing of the notice,  
23 petition the director for a hearing to contest the proposed  
24 action. The hearing shall be commenced in accordance with the rules  
25 and regulations adopted and promulgated by the department. If a  
26 petition is filed, the director shall, within twenty days after  
27 receipt of the petition, set a hearing date at which the applicant

1 or certificate holder may show cause why the proposed action should  
2 not be taken. The director shall give the applicant or certificate  
3 holder reasonable notice of the time and place of the hearing. If  
4 the director's decision is adverse to the applicant or certificate  
5 holder, the applicant or certificate holder may appeal the decision  
6 in accordance with the Administrative Procedure Act.

7 (d) Except as provided in subsections (2) and (3) of this  
8 section, the filing of the petition shall stay any action by the  
9 director until a hearing is held and a final decision and order is  
10 issued.

11 (e) Except as provided in subsections (2) and (3) of this  
12 section, if no petition is filed at the expiration of thirty days  
13 after the date on which the notification was mailed, the director  
14 may take the proposed action described in the notice.

15 (f) If, in the judgment of the director, the applicant or  
16 certificate holder has complied with or is no longer in violation  
17 of the provisions for which the director took action under this  
18 subsection, the director may reinstate the registration certificate  
19 without delay.

20 (2) (a) The director may suspend, revoke, cancel, or  
21 refuse to issue or renew a registration certificate under the  
22 International Registration Plan Act or a license under the  
23 International Fuel Tax Agreement Act if the applicant, licensee, or  
24 certificate holder has issued to the department a check or draft  
25 which has been returned because of insufficient funds, no funds, or  
26 a stop-payment order. The director may take such action no sooner  
27 than seven days after the written notice required in subdivision

1 (1) (b) of this section has been provided. Any petition to contest  
2 such action filed pursuant to subdivision (1) (c) of this section  
3 shall not stay such action of the director.

4 (b) If the director takes an action pursuant to  
5 this subsection, the director shall reinstate the registration  
6 certificate or license without delay upon the payment of certified  
7 funds by the applicant, licensee, or certificate holder for  
8 any fees due and reasonable administrative costs, not to exceed  
9 twenty-five dollars, incurred in taking such action.

10 (c) The rules, regulations, and orders of the director  
11 and the department that pertain to hearings commenced in accordance  
12 with this section and that are in effect prior to March 17,  
13 2006, shall remain in effect, unless changed or eliminated by the  
14 director or the department, except for those portions involving a  
15 stay upon the filing of a petition to contest any action taken  
16 pursuant to this subsection, in which case this subsection shall  
17 supersede those provisions.

18 (3) Any person who receives notice from the director  
19 of action taken pursuant to subsection (1) or (2) of this  
20 section shall, within three business days, return such registration  
21 certificate and license plate or plates to the department as  
22 provided in this section. If any person fails to return the  
23 registration certificate and license plate or plates to the  
24 department, the department shall notify the Nebraska State Patrol  
25 that any such person is in violation of this section.

26 Sec. 58. Section 60-501, Revised Statutes Supplement,  
27 2011, is amended to read:

1                   60-501 For purposes of the Motor Vehicle Safety  
2 Responsibility Act, unless the context otherwise requires:

3                   (1) Department means Department of Motor Vehicles;

4                   (2) Judgment means any judgment which shall have become  
5 final by the expiration of the time within which an appeal might  
6 have been perfected without being appealed, or by final affirmation  
7 on appeal, rendered by a court of competent jurisdiction of any  
8 state or of the United States, (a) upon a cause of action arising  
9 out of the ownership, maintenance, or use of any motor vehicle for  
10 damages, including damages for care and loss of services, because  
11 of bodily injury to or death of any person or for damages because  
12 of injury to or destruction of property, including the loss of  
13 use thereof, or (b) upon a cause of action on an agreement of  
14 settlement for such damages;

15                  (3) License means any license issued to any person under  
16 the laws of this state pertaining to operation of a motor vehicle  
17 within this state;

18                  (4) Low-speed vehicle means a four-wheeled motor vehicle  
19 (a) whose speed attainable in one mile is more than twenty miles  
20 per hour and not more than twenty-five miles per hour on a paved,  
21 level surface, (b) whose gross vehicle weight rating is less than  
22 three thousand pounds, and (c) that complies with 49 C.F.R. part  
23 571, as such part existed on January 1, 2011;

24                  (5) Minitruck means a foreign-manufactured import vehicle  
25 or domestic-manufactured vehicle which (a) is powered by an  
26 internal combustion engine with a piston or rotor displacement  
27 of one thousand cubic centimeters or less, (b) is sixty-seven

1 inches or less in width, (c) has a dry weight of four thousand  
2 two hundred pounds or less, (d) travels on four or more tires,  
3 (e) has a top speed of approximately fifty-five miles per hour,  
4 (f) is equipped with a bed or compartment for hauling, (g)  
5 has an enclosed passenger cab, (h) is equipped with headlights,  
6 taillights, turnsignals, windshield wipers, a rearview mirror,  
7 and an occupant protection system, and (i) has a four-speed,  
8 five-speed, or automatic transmission;

9 (6) Motor vehicle means any self-propelled vehicle which  
10 is designed for use upon a highway, including trailers designed  
11 for use with such vehicles, minitrucks, and low-speed vehicles.  
12 Motor vehicle does not include (a) mopeds as defined in section  
13 60-637, (b) traction engines, (c) road rollers, (d) farm tractors,  
14 (e) tractor cranes, (f) power shovels, (g) well drillers, (h)  
15 every vehicle which is propelled by electric power obtained from  
16 overhead wires but not operated upon rails, (i) electric personal  
17 assistive mobility devices as defined in section 60-618.02, and  
18 (j) off-road designed vehicles, including, but not limited to, golf  
19 carts, go-carts, riding lawnmowers, garden tractors, all-terrain  
20 vehicles and utility-type vehicles as defined in section 60-6,355,  
21 minibikes as defined in section 60-636, and snowmobiles as defined  
22 in section 60-663;

23 (7) Nonresident means every person who is not a resident  
24 of this state;

25 (8) Nonresident's operating privilege means the privilege  
26 conferred upon a nonresident by the laws of this state pertaining  
27 to the operation by him or her of a motor vehicle or the use of a

1 motor vehicle owned by him or her in this state;

2 (9) Operator means every person who is in actual physical  
3 control of a motor vehicle;

4 (10) Owner means a person who holds the legal title of a  
5 motor vehicle, or in the event (a) a motor vehicle is the subject  
6 of an agreement for the conditional sale or lease thereof with the  
7 right of purchase upon performance of the conditions stated in the  
8 agreement and with an immediate right of possession vested in the  
9 conditional vendee or lessee or (b) a mortgagor of a vehicle is  
10 entitled to possession, then such conditional vendee or lessee or  
11 mortgagor shall be deemed the owner for the purposes of the act;

12 (11) Person means every natural person, firm,  
13 partnership, limited liability company, association, or  
14 corporation;

15 (12) Proof of financial responsibility means evidence  
16 of ability to respond in damages for liability, on account of  
17 accidents occurring subsequent to the effective date of such proof,  
18 arising out of the ownership, maintenance, or use of a motor  
19 vehicle, (a) in the amount of twenty-five thousand dollars because  
20 of bodily injury to or death of one person in any one accident,  
21 (b) subject to such limit for one person, in the amount of fifty  
22 thousand dollars because of bodily injury to or death of two  
23 or more persons in any one accident, and (c) in the amount of  
24 twenty-five thousand dollars because of injury to or destruction of  
25 property of others in any one accident;

26 (13) Registration means registration ~~certificate or~~  
27 certificates and ~~registration~~ license plates issued under the laws

1 of this state pertaining to the registration of motor vehicles;

2 (14) State means any state, territory, or possession of  
3 the United States, the District of Columbia, or any province of the  
4 Dominion of Canada; and

5 (15) The forfeiture of bail, not vacated, or of  
6 collateral deposited to secure an appearance for trial shall be  
7 regarded as equivalent to conviction of the offense charged.

8 Sec. 59. Section 60-653, Reissue Revised Statutes of  
9 Nebraska, is amended to read:

10 60-653 Registration shall mean the registration  
11 ~~certificate or~~ certificates and license plates issued under the  
12 Motor Vehicle Registration Act.

13 Sec. 60. Section 60-683, Reissue Revised Statutes of  
14 Nebraska, is amended to read:

15 60-683 All peace officers are hereby specifically  
16 directed and authorized and it shall be deemed and considered a  
17 part of the official duties of each of such officers to enforce  
18 the provisions of the Nebraska Rules of the Road, including the  
19 specific enforcement of maximum speed limits, and any other law  
20 regulating the operation of vehicles or the use of the highways.  
21 To perform the official duties imposed by this section, the  
22 Superintendent of Law Enforcement and Public Safety and all  
23 officers of the Nebraska State Patrol shall have the powers stated  
24 in section 81-2005. All other peace officers shall have the power:

25 (1) To make arrests upon view and without warrant for  
26 any violation committed in their presence of any of the provisions  
27 of the Motor Vehicle Operator's License Act or of any other law

1 regulating the operation of vehicles or the use of the highways, if  
2 and when designated or called upon to do so as provided by law;

3 (2) To make arrests upon view and without warrant for any  
4 violation committed in their presence of any provision of the laws  
5 of this state relating to misdemeanors or felonies, if and when  
6 designated or called upon to do so as provided by law;

7 (3) At all times to direct all traffic in conformity with  
8 law or, in the event of a fire or other emergency or in order to  
9 expedite traffic or insure safety, to direct traffic as conditions  
10 may require;

11 (4) When in uniform, to require the driver of a vehicle  
12 to stop and exhibit his or her operator's license and registration  
13 certificate issued for the vehicle and submit to an inspection  
14 of such vehicle and the license plate or plates and registration  
15 certificate for the vehicle and to require the driver of a motor  
16 vehicle to present the vehicle within five days for correction  
17 of any defects revealed by such motor vehicle inspection as may  
18 lead the inspecting officer to reasonably believe that such motor  
19 vehicle is being operated in violation of the statutes of Nebraska  
20 or the rules and regulations of the Director of Motor Vehicles;

21 (5) To inspect any vehicle of a type required to be  
22 registered according to law in any public garage or repair shop or  
23 in any place where such a vehicle is held for sale or wrecking;

24 (6) To serve warrants relating to the enforcement of  
25 the laws regulating the operation of vehicles or the use of the  
26 highways; and

27 (7) To investigate traffic accidents for the purpose

1 of carrying on a study of traffic accidents and enforcing motor  
2 vehicle and highway safety laws.

3 Sec. 61. Section 60-6,197.01, Reissue Revised Statutes of  
4 Nebraska, is amended to read:

5 60-6,197.01 (1) Upon conviction for a violation described  
6 in section 60-6,197.06 or a second or subsequent violation of  
7 section 60-6,196 or 60-6,197, the court shall impose either of the  
8 following restrictions:

9 (a) (i) The court shall order all motor vehicles owned by  
10 the person so convicted immobilized at the owner's expense for a  
11 period of time not less than five days and not more than eight  
12 months and shall notify the Department of Motor Vehicles of the  
13 period of immobilization. Any immobilized motor vehicle shall be  
14 released to the holder of a bona fide lien on the motor vehicle  
15 executed prior to such immobilization when possession of the motor  
16 vehicle is requested as provided by law by such lienholder for  
17 purposes of foreclosing and satisfying such lien. If a person tows  
18 and stores a motor vehicle pursuant to this subdivision at the  
19 direction of a peace officer or the court and has a lien upon such  
20 motor vehicle while it is in his or her possession for reasonable  
21 towing and storage charges, the person towing the vehicle has the  
22 right to retain such motor vehicle until such lien is paid. For  
23 purposes of this subdivision, immobilized or immobilization means  
24 revocation or suspension, at the discretion of the court, of the  
25 registration of such motor vehicle or motor vehicles, including the  
26 license plate or plates; and

27 (ii) (A) Any immobilized motor vehicle shall be released

1 by the court without any legal or physical restraints to any  
2 registered owner who is not the registered owner convicted of a  
3 second or subsequent violation of section 60-6,196 or 60-6,197  
4 if an affidavit is submitted to the court by such registered  
5 owner stating that the affiant is employed, that the motor vehicle  
6 subject to immobilization is necessary to continue that employment,  
7 that such employment is necessary for the well-being of the  
8 affiant's dependent children or parents, that the affiant will not  
9 authorize the use of the motor vehicle by any person known by the  
10 affiant to have been convicted of a second or subsequent violation  
11 of section 60-6,196 or 60-6,197, that affiant will immediately  
12 report to a local law enforcement agency any unauthorized use of  
13 the motor vehicle by any person known by the affiant to have been  
14 convicted of a second or subsequent conviction of section 60-6,196  
15 or 60-6,197, and that failure to release the motor vehicle would  
16 cause undue hardship to the affiant.

17 (B) A registered owner who executes an affidavit pursuant  
18 to subdivision (1)(a)(ii)(A) of this section which is acted upon  
19 by the court and who fails to immediately report an unauthorized  
20 use of the motor vehicle which is the subject of the affidavit is  
21 guilty of a Class IV misdemeanor and may not file any additional  
22 affidavits pursuant to subdivision (1)(a)(ii)(A) of this section.

23 (C) The department shall adopt and promulgate rules and  
24 regulations to implement the provisions of subdivision (1)(a) of  
25 this section; or

26 (b) As an alternative to subdivision (1)(a) of this  
27 section, the court shall order the convicted person, in order to

1 operate a motor vehicle, to obtain an ignition interlock permit and  
2 install an ignition interlock device on each motor vehicle owned or  
3 operated by the convicted person if he or she was sentenced to an  
4 operator's license revocation of at least one year. If the person's  
5 operator's license has been revoked for at least a one-year period,  
6 after a minimum of a forty-five-day no driving period, the person  
7 may operate a motor vehicle with an ignition interlock permit  
8 and an ignition interlock device pursuant to this subdivision and  
9 shall retain the ignition interlock permit and ignition interlock  
10 device for not less than the remainder of a one-year period or  
11 period of revocation ordered by the court, whichever is longer. No  
12 ignition interlock permit may be issued until sufficient evidence  
13 is presented to the department that an ignition interlock device is  
14 installed on each vehicle and that the applicant is eligible for  
15 use of an ignition interlock device.

16 (2) In addition to the restrictions required by  
17 subdivision (1)(b) of this section, the court may require a person  
18 convicted of a second or subsequent violation of section 60-6,196  
19 or 60-6,197 to use a continuous alcohol monitoring device and  
20 abstain from alcohol use for a period of time not to exceed  
21 the maximum term of license revocation ordered by the court. A  
22 continuous alcohol monitoring device shall not be ordered for a  
23 person convicted of a second or subsequent violation unless the  
24 installation of an ignition interlock device is also required.

25 Sec. 62. Section 60-1306, Reissue Revised Statutes of  
26 Nebraska, is amended to read:

27 60-1306 The carrier enforcement officers shall have the

1 power (1) of peace officers solely for the purpose of enforcing  
2 the International Fuel Tax Agreement Act and the provisions of  
3 law relating to the size, weight, and load and the Motor Vehicle  
4 Registration Act pertaining to buses, motor trucks, truck-tractors,  
5 semitrailers, trailers, and towed vehicles, (2) when in uniform,  
6 to require the driver thereof to stop and exhibit his or her  
7 operator's license and registration issued for the vehicle and  
8 submit to an inspection of such vehicle, the license plate or  
9 plates, the registration thereon, and licenses and permits required  
10 under the motor fuel laws, (3) to make arrests upon view and  
11 without warrant for any violation committed in their presence of  
12 the provisions of the Motor Vehicle Operator's License Act or of  
13 any other law regulating the operation of vehicles or the use of  
14 the highways while in the performance of their duties referred  
15 to in subdivisions (1) and (2) of this section and of sections  
16 60-1308, 60-1309, and 75-362 to 75-369.07, (4) to make arrests  
17 upon view and without warrant for any violation committed in their  
18 presence which is a misdemeanor or felony under the laws of this  
19 state while in the performance of their duties referred to in  
20 subdivisions (1) and (2) of this section and of sections 60-1308,  
21 60-1309, and 75-362 to 75-369.07, and (5) to make arrests on  
22 warrant for any violation which is a misdemeanor or felony under  
23 the laws of this state while in the performance of their duties  
24 referred to in subdivisions (1) and (2) of this section and of  
25 sections 60-1308, 60-1309, and 75-362 to 75-369.07.

26 Any funds used to arm carrier enforcement officers shall  
27 be paid solely from the Carrier Enforcement Cash Fund. The

1 amount of funds shall be determined by the Superintendent of  
2 Law Enforcement and Public Safety.

3 Sec. 63. Section 60-1901, Reissue Revised Statutes of  
4 Nebraska, is amended to read:

5 60-1901 (1) A motor vehicle is an abandoned vehicle:

6 (a) If left unattended, with no license plate or plates  
7 or valid In Transit ~~stickers~~ sticker issued pursuant to the Motor  
8 Vehicle Registration Act affixed thereto, for more than six hours  
9 on any public property;

10 (b) If left unattended for more than twenty-four hours on  
11 any public property, except a portion thereof on which parking is  
12 legally permitted;

13 (c) If left unattended for more than forty-eight hours,  
14 after the parking of such vehicle has become illegal, if left  
15 on a portion of any public property on which parking is legally  
16 permitted;

17 (d) If left unattended for more than seven days on  
18 private property if left initially without permission of the owner,  
19 or after permission of the owner is terminated;

20 (e) If left for more than thirty days in the custody of  
21 a law enforcement agency after the agency has sent a letter to the  
22 last-registered owner under section 60-1903.01; or

23 (f) If removed from private property by a municipality  
24 pursuant to a municipal ordinance.

25 (2) An all-terrain vehicle, a utility-type vehicle, or a  
26 minibike is an abandoned vehicle:

27 (a) If left unattended for more than twenty-four hours on

1 any public property, except a portion thereof on which parking is  
2 legally permitted;

3 (b) If left unattended for more than forty-eight hours,  
4 after the parking of such vehicle has become illegal, if left  
5 on a portion of any public property on which parking is legally  
6 permitted;

7 (c) If left unattended for more than seven days on  
8 private property if left initially without permission of the owner,  
9 or after permission of the owner is terminated;

10 (d) If left for more than thirty days in the custody of  
11 a law enforcement agency after the agency has sent a letter to the  
12 last-registered owner under section 60-1903.01; or

13 (e) If removed from private property by a municipality  
14 pursuant to a municipal ordinance.

15 (3) For purposes of this section:

16 (a) Public property means any public right-of-way,  
17 street, highway, alley, or park or other state, county, or  
18 municipally owned property; and

19 (b) Private property means any privately owned property  
20 which is not included within the definition of public property.

21 (4) No motor vehicle subject to forfeiture under section  
22 28-431 shall be an abandoned vehicle under this section.

23 Sec. 64. Section 60-1902, Reissue Revised Statutes of  
24 Nebraska, is amended to read:

25 60-1902 If an abandoned vehicle, at the time of  
26 abandonment, has no license plate or plates of the current year or  
27 valid In Transit ~~stickers~~ sticker issued pursuant to section 60-376

1 affixed and is of a wholesale value, taking into consideration  
2 the condition of the vehicle, of two hundred fifty dollars or  
3 less, title shall immediately vest in the local authority or state  
4 agency having jurisdiction thereof as provided in section 60-1904.  
5 Any certificate of title issued under this section to the local  
6 authority or state agency shall be issued at no cost to such  
7 authority or agency.

8 Sec. 65. Section 60-1903, Reissue Revised Statutes of  
9 Nebraska, is amended to read:

10 60-1903 (1) Except for vehicles governed by section  
11 60-1902, the local authority or state agency having custody  
12 of an abandoned vehicle shall make an inquiry concerning the  
13 last-registered owner of such vehicle as follows:

14 (a) Abandoned vehicle with a license plate or plates  
15 affixed, to the jurisdiction which issued such license plate or  
16 plates; or

17 (b) Abandoned vehicle with no license plate or plates  
18 affixed, to the Department of Motor Vehicles.

19 (2) The local authority or state agency shall notify the  
20 last-registered owner, if any, that the vehicle in question has  
21 been determined to be an abandoned vehicle and that, if unclaimed,  
22 either (a) it will be sold or will be offered at public auction  
23 after five days from the date such notice was mailed or (b) title  
24 will vest in the local authority or state agency thirty days  
25 after the date such notice was mailed. If the agency described  
26 in subdivision (1)(a) or (b) of this section also notifies the  
27 local authority or state agency that a lien or mortgage exists,

1 such notice shall also be sent to the lienholder or mortgagee. Any  
2 person claiming such vehicle shall be required to pay the cost of  
3 removal and storage of such vehicle.

4 (3) Title to an abandoned vehicle, if unclaimed, shall  
5 vest in the local authority or state agency (a) five days after the  
6 date the notice is mailed if the vehicle will be sold or offered at  
7 public auction under subdivision (2)(a) of this section, (b) thirty  
8 days after the date the notice is mailed if the local authority or  
9 state agency will retain the vehicle, or (c) if the last-registered  
10 owner cannot be ascertained, when notice of such fact is received.

11 (4) After title to the abandoned vehicle vests pursuant  
12 to subsection (3) of this section, the local authority or state  
13 agency may retain for use, sell, or auction the abandoned vehicle.  
14 If the local authority or state agency has determined that the  
15 vehicle should be retained for use, the local authority or state  
16 agency shall, at the same time that the notice, if any, is mailed,  
17 publish in a newspaper of general circulation in the jurisdiction  
18 an announcement that the local authority or state agency intends  
19 to retain the abandoned vehicle for its use and that title will  
20 vest in the local authority or state agency thirty days after the  
21 publication.

22 Sec. 66. Section 60-1908, Reissue Revised Statutes of  
23 Nebraska, is amended to read:

24 60-1908 No person other than one authorized by the  
25 appropriate local authority or state agency shall destroy, deface,  
26 or remove any part of a vehicle which is left unattended on a  
27 highway or other public place without a license plate or plates

1 affixed or which is abandoned. Anyone violating this section shall  
2 be guilty of a Class V misdemeanor.

3 Sec. 67. Section 66-1406.02, Reissue Revised Statutes of  
4 Nebraska, is amended to read:

5 66-1406.02 (1) The director may suspend, revoke, cancel,  
6 or refuse to issue or renew a license under the International Fuel  
7 Tax Agreement Act:

8 (a) If the applicant's or licensee's registration  
9 certificate issued pursuant to the International Registration Plan  
10 Act has been suspended, revoked, or canceled or the director  
11 refused to issue or renew such certificate;

12 (b) If the applicant or licensee is in violation of  
13 sections 75-392 to 75-399;

14 (c) If the applicant's or licensee's security has been  
15 canceled;

16 (d) If the applicant or licensee failed to provide  
17 additional security as required;

18 (e) If the applicant or licensee failed to file any  
19 report or return required by the motor fuel laws, filed an  
20 incomplete report or return required by the motor fuel laws, did  
21 not file any report or return required by the motor fuel laws  
22 electronically, or did not file a report or return required by the  
23 motor fuel laws on time;

24 (f) If the applicant or licensee failed to pay taxes  
25 required by the motor fuel laws due within the time provided;

26 (g) If the applicant or licensee filed any false report,  
27 return, statement, or affidavit, required by the motor fuel laws,

1 knowing it to be false;

2 (h) If the applicant or licensee would no longer be  
3 eligible to obtain a license; or

4 (i) If the applicant or licensee committed any other  
5 violation of the International Fuel Tax Agreement Act or the rules  
6 and regulations adopted and promulgated under the act.

7 (2) Prior to taking any action pursuant to subsection  
8 (1) of this section, the director shall notify and advise the  
9 applicant or licensee of the proposed action and the reasons for  
10 such action in writing, by registered or certified mail, to his  
11 or her last-known business address as shown on the application  
12 or license. The notice shall also include an advisement of the  
13 procedures in subsection (3) of this section.

14 (3) The applicant or licensee may, within thirty days  
15 after the mailing of the notice, petition the director in writing  
16 for a hearing to contest the proposed action. The hearing shall be  
17 commenced in accordance with the rules and regulations adopted and  
18 promulgated by the Department of Motor Vehicles. If a petition is  
19 filed, the director shall, within twenty days after receipt of the  
20 petition, set a hearing date at which the applicant or licensee  
21 may show cause why the proposed action should not be taken. The  
22 director shall give the applicant or licensee reasonable notice of  
23 the time and place of the hearing. If the director's decision is  
24 adverse to the applicant or licensee, the applicant or licensee may  
25 appeal the decision in accordance with the Administrative Procedure  
26 Act.

27 (4) Except as provided in subsection (2) of section

1 60-3,205 and subsection (8) of this section, the filing of the  
2 petition shall stay any action by the director until a hearing is  
3 held and a final decision and order is issued.

4 (5) Except as provided in subsection (2) of section  
5 60-3,205 and subsection (8) of this section, if no petition is  
6 filed at the expiration of thirty days after the date on which the  
7 notification was mailed, the director may take the proposed action  
8 described in the notice.

9 (6) Except as provided in subsection (2) of section  
10 60-3,205 and subsection (8) of this section, if, in the judgment of  
11 the director, the applicant or licensee has complied with or is no  
12 longer in violation of the provisions for which the director took  
13 action under this section, the director may reinstate the license  
14 without delay. An applicant for reinstatement, issuance, or renewal  
15 of a license within three years after the date of suspension,  
16 revocation, cancellation, or refusal to issue or renew shall submit  
17 a fee of one hundred dollars to the director. The director shall  
18 remit the fee to the State Treasurer for credit to the Highway Cash  
19 Fund.

20 (7) Suspension of, revocation of, cancellation of, or  
21 refusal to issue or renew a license by the director shall not  
22 relieve any person from making or filing the reports or returns  
23 required by the motor fuel laws in the manner or within the time  
24 required.

25 (8) Any person who receives notice from the director of  
26 action taken pursuant to subsection (1) of this section shall,  
27 within three business days, return such registration certificate

1 and license plate or plates issued pursuant to section 60-3,198  
2 to the department. If any person fails to return the registration  
3 certificate and license plate or plates to the department, the  
4 department shall notify the Nebraska State Patrol that any such  
5 person is in violation of this section.

6 Sec. 68. Section 81-2005, Reissue Revised Statutes of  
7 Nebraska, is amended to read:

8 81-2005 On and after July 20, 2002, the Superintendent of  
9 Law Enforcement and Public Safety and all officers of the Nebraska  
10 State Patrol, except all carrier enforcement officers assigned to  
11 the carrier enforcement division, shall have the power:

12 (1) Of peace officers for the purpose of enforcing  
13 the Motor Vehicle Operator's License Act, the Motor Vehicle  
14 Registration Act, the Nebraska Rules of the Road, and any other law  
15 regulating the registration or operation of vehicles or the use of  
16 the highways;

17 (2) To make arrests upon view and without warrant for  
18 any violation committed in their presence of any of the provisions  
19 of the Motor Vehicle Operator's License Act, the Motor Vehicle  
20 Registration Act, the Nebraska Rules of the Road, or any other law  
21 regulating the operation of vehicles or the use of the highways, if  
22 and when designated or called upon to do so as provided by law;

23 (3) To make arrests upon view and without warrant for  
24 any violation committed in their presence of any provision of the  
25 laws of the state relating to misdemeanors or felonies, if and when  
26 designated or called upon to do so as provided by law;

27 (4) At all times to direct all traffic in conformity with

1 law or, in the event of a fire or other emergency or in order to  
2 expedite traffic or insure safety, to direct traffic as conditions  
3 may require notwithstanding the provisions of law;

4 (5) When in uniform, to require the driver of a vehicle  
5 to stop and exhibit his or her operator's license and registration  
6 ~~card~~ certificate issued for the vehicle and submit to an inspection  
7 of such vehicle and the license plate or plates and registration  
8 ~~card thereon~~ certificate and to require the drivers of motor  
9 vehicles to present such vehicles within five days for correction  
10 of any defects revealed by such motor vehicle inspection as may  
11 lead the inspecting officer to reasonably believe that such motor  
12 vehicle is being operated in violation of the statutes of Nebraska  
13 or the rules and regulations of the Director of Motor Vehicles;

14 (6) To inspect any vehicle of a type required to be  
15 registered under the Motor Vehicle Registration Act in any public  
16 garage or repair shop or in any place where such vehicles are held  
17 for sale or wrecking;

18 (7) To serve warrants relating to the enforcement of  
19 the laws regulating the operation of vehicles or the use of the  
20 highways;

21 (8) To investigate traffic accidents for the purpose  
22 of carrying on a study of traffic accidents and enforcing motor  
23 vehicle and highway safety laws; and

24 (9) To operate weighing stations and portable scales and  
25 to perform carrier enforcement powers and duties prescribed in  
26 sections 60-1301 to 60-1309.

27 Carrier enforcement officers appointed to the carrier

1 enforcement division before July 20, 2002, shall have the powers  
2 and duties prescribed in sections 60-1301 to 60-1309.

3           Sec. 69. This act becomes operative on January 1, 2013.

4           Sec. 70. Original sections 60-163, 60-180, 60-308,  
5 60-373, 60-376, 60-378, 60-380, 60-383, 60-392, 60-396,  
6 60-397, 60-398, 60-399, 60-3,101, 60-3,102, 60-3,104, 60-3,105,  
7 60-3,106, 60-3,107, 60-3,108, 60-3,109, 60-3,114, 60-3,119,  
8 60-3,120, 60-3,121, 60-3,122, 60-3,122.02, 60-3,123, 60-3,124,  
9 60-3,125, 60-3,126, 60-3,128, 60-3,130, 60-3,130.01, 60-3,130.02,  
10 60-3,130.05, 60-3,134, 60-3,135, 60-3,145, 60-3,146, 60-3,147,  
11 60-3,149, 60-3,150, 60-3,151, 60-3,157, 60-3,167, 60-3,175,  
12 60-3,183, 60-3,205, 60-653, 60-683, 60-6,197.01, 60-1306, 60-1901,  
13 60-1902, 60-1903, 60-1908, 66-1406.02, and 81-2005, Reissue Revised  
14 Statutes of Nebraska, and sections 18-1736, 18-1737, 60-301,  
15 60-395, 60-3,100, 60-3,113, 60-3,113.07, and 60-501, Revised  
16 Statutes Supplement, 2011, are repealed.