

LEGISLATURE OF NEBRASKA

ONE HUNDRED SECOND LEGISLATURE

FIRST SESSION

LEGISLATIVE BILL 185

Introduced by Fulton, 29.

Read first time January 07, 2011

Committee: Transportation and Telecommunications

A BILL

1 FOR AN ACT relating to motor vehicles; to amend sections 18-1736,
2 18-1737, 60-163, 60-180, 60-308, 60-366, 60-373, 60-376,
3 60-378, 60-380, 60-383, 60-392, 60-395, 60-396, 60-397,
4 60-398, 60-399, 60-3,100, 60-3,101, 60-3,102, 60-3,105,
5 60-3,106, 60-3,107, 60-3,108, 60-3,109, 60-3,113,
6 60-3,114, 60-3,119, 60-3,120, 60-3,121, 60-3,122,
7 60-3,122.02, 60-3,123, 60-3,124, 60-3,125, 60-3,126,
8 60-3,128, 60-3,130, 60-3,130.01, 60-3,130.02,
9 60-3,130.05, 60-3,134, 60-3,135, 60-3,145, 60-3,146,
10 60-3,147, 60-3,149, 60-3,150, 60-3,151, 60-3,157,
11 60-3,167, 60-3,175, 60-3,183, 60-3,205, 60-501, 60-653,
12 60-683, 60-6,197.01, 60-1306, 60-1901, 60-1902, 60-1903,
13 60-1908, 66-1406.02, and 81-2005, Reissue Revised
14 Statutes of Nebraska; to provide for one license plate
15 and In Transit decal per vehicle; to change provisions
16 relating to license plates; to harmonize provisions; to
17 provide an operative date; and to repeal the original

1 sections.

2 Be it enacted by the people of the State of Nebraska,

1 Section 1. Section 18-1736, Reissue Revised Statutes of
2 Nebraska, is amended to read:

3 18-1736 (1) A city or village may designate parking
4 spaces, including access aisles, for the exclusive use of (a)
5 handicapped or disabled persons whose motor vehicles display the
6 distinguishing license ~~plates~~plate issued to a handicapped or
7 disabled ~~persons~~person pursuant to section 60-3,113, (b) handicapped
8 or disabled persons whose motor vehicles display a distinguishing
9 license plate issued to a handicapped or disabled person by another
10 state, (c) such other handicapped or disabled persons or temporarily
11 handicapped or disabled persons, as certified by the city or village,
12 whose motor vehicles display the permit specified in section 18-1739,
13 and (d) such other motor vehicles, as certified by the city or
14 village, which display the permit specified in section 18-1739. All
15 such permits shall be displayed by hanging the permit from the motor
16 vehicle's rearview mirror so as to be clearly visible through the
17 front windshield. The permit shall be displayed on the dashboard only
18 when there is no rearview mirror.

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

1 (3) For purposes of sections 18-1736 to 18-1742, access
2 aisle means a space adjacent to a handicapped parking space or
3 passenger loading zone which is constructed and designed in
4 compliance with the federal Americans with Disabilities Act of 1990
5 and the federal rules and regulations adopted and promulgated in
6 response to the act, as the act and the rules and regulations existed
7 on May 31, 2001.

8 Sec. 2. Section 18-1737, Reissue Revised Statutes of
9 Nebraska, is amended to read:

10 18-1737 (1) Any city or village, any state agency, and
11 any person in lawful possession of any offstreet parking facility may
12 designate stalls or spaces, including access aisles, in such facility
13 owned or operated by the city, village, state agency, or person for
14 the exclusive use of handicapped or disabled persons whose motor
15 vehicles display the distinguishing license ~~plates~~plate issued to
16 such individuals pursuant to section 60-3,113, such other handicapped
17 or disabled persons or temporarily handicapped or disabled persons,
18 as certified by the city or village, whose motor vehicles display the
19 permit specified in section 18-1739, and such other motor vehicles,
20 as certified by the city or village, which display such permit. Such
21 designation shall be made by posting aboveground and immediately
22 adjacent to and visible from each stall or space, including access
23 aisles, a sign which is in conformance with the Manual on Uniform
24 Traffic Control Devices adopted pursuant to section 60-6,118 and the
25 federal Americans with Disabilities Act of 1990 and the federal rules

1 and regulations adopted and promulgated in response to the act, as
2 the act and the rules and regulations existed on May 31, 2001.

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 state
6 agency providing onstreet parking or owning, operating, or providing
7 an offstreet parking facility may cause the removal, from a stall or
8 space, including access aisles, designated exclusively for
9 handicapped or disabled persons or temporarily handicapped or
10 disabled persons or motor vehicles for the transportation of
11 handicapped or disabled persons or temporarily handicapped or
12 disabled persons, of any vehicle not displaying the proper permit or
13 the distinguishing license ~~plates~~plate specified in this section if
14 there is posted aboveground and immediately adjacent to and visible
15 from such stall or space, including access aisles, a sign which
16 clearly and conspicuously states the area so designated as a tow-in
17 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 permit or when the handicapped or disabled

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

21 (4) For purposes of this section and section 18-1741.01,
22 state agency means any division, department, board, bureau,
23 commission, or agency of the State of Nebraska created by the
24 Constitution of Nebraska or established by act of the Legislature,
25 including the University of Nebraska and the Nebraska state colleges,

1 when the entity owns, leases, controls, or manages property which
2 includes offstreet parking facilities.

3 Sec. 3. Section 60-163, Reissue Revised Statutes of
4 Nebraska, is amended to read:

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

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

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

3 60-180 (1) A person who operates in this state a vehicle
4 for which a certificate of title is required without having such
5 certificate in accordance with the Motor Vehicle Certificate of Title
6 Act or upon which the certificate of title has been canceled is
7 guilty of a Class III misdemeanor.

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

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

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

24 (5) A person who purports to sell or transfer a vehicle
25 without delivering to the purchaser or transferee thereof a

1 certificate of title or a manufacturer's or importer's certificate
2 thereto duly assigned to such purchaser as provided in the Motor
3 Vehicle Certificate of Title Act is guilty of a Class III
4 misdemeanor.

5 (6) A person who knowingly alters or defaces a
6 certificate of title or manufacturer's or importer's certificate is
7 guilty of a Class III misdemeanor.

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

12 Sec. 5. Section 60-308, Reissue Revised Statutes of
13 Nebraska, is amended to read:

14 60-308 (1) Apportionable vehicle means any motor vehicle
15 or trailer used or intended for use in two or more member
16 jurisdictions that allocate or proportionally register motor vehicles
17 or trailers and used for the transportation of persons for hire or
18 designed, used, or maintained primarily for the transportation of
19 property.

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

25 (3) An apportionable vehicle that is a power unit shall

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

14 Sec. 6. Section 60-366, Reissue Revised Statutes of
15 Nebraska, is amended to read:

16 60-366 (1) Any nonresident owner who desires to register
17 a motor vehicle or trailer in this state shall register in the county
18 where the motor vehicle or trailer is domiciled or where the owner
19 conducts a bona fide business.

20 (2) A nonresident owner, except as provided in subsection
21 (3) of this section, owning any motor vehicle or trailer which has
22 been properly registered in the state, country, or other place of
23 which the owner is a resident, and which at all times, when operated
24 or towed in this state, has displayed upon it the license plate ~~or~~
25 ~~plates~~ issued for such motor vehicle or trailer in the place of

1 residence of such owner, may operate or permit the operation or tow
2 or permit the towing of such motor vehicle or trailer within the
3 state without registering such motor vehicle or trailer or paying any
4 fees to this state.

5 (3) Any nonresident owner gainfully employed or present
6 in this state, operating a motor vehicle or towing a trailer in this
7 state, shall register such motor vehicle or trailer in the same
8 manner as a Nebraska resident, after thirty days of continuous
9 employment or presence in this state, unless the state of his or her
10 legal residence grants immunity from such requirements to residents
11 of this state operating a motor vehicle or towing a trailer in that
12 state. Any nonresident owner who operates a motor vehicle or tows a
13 trailer in this state for thirty or more continuous days shall
14 register such motor vehicle or trailer in the same manner as a
15 Nebraska resident unless the state of his or her legal residence
16 grants immunity from such requirements to residents of this state
17 operating a motor vehicle or towing a trailer in that state.

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

20 60-373 (1) Each licensed motor vehicle dealer or trailer
21 dealer as defined in sections 60-1401.26 and 60-1401.37,
22 respectively, doing business in this state, in lieu of registering
23 each motor vehicle or trailer which such dealer owns of a type
24 otherwise required to be registered, or any full-time or part-time
25 employee or agent of such dealer may, if the motor vehicle or trailer

1 displays a dealer number ~~plates~~ plate:

2 (a) Operate or tow the motor vehicle or trailer upon the
3 highways of this state solely for purposes of transporting, testing,
4 demonstrating, or use in the ordinary course and conduct of business
5 as a motor vehicle or trailer dealer. Such use may include personal
6 or private use by the dealer and personal or private use by any bona
7 fide employee licensed pursuant to the Motor Vehicle Industry
8 Regulation Act, if the employee can be verified by payroll records
9 maintained at the dealership as ordinarily working more than thirty
10 hours per week or fifteen hundred hours per year at the dealership;

11 (b) Operate or tow the motor vehicle or trailer upon the
12 highways of this state for transporting industrial equipment held by
13 the licensee for purposes of demonstration, sale, rental, or
14 delivery; or

15 (c) Sell the motor vehicle or trailer.

16 (2) Each licensed manufacturer as defined in section
17 60-1401.24 which actually manufactures or assembles motor vehicles or
18 trailers within this state, in lieu of registering each motor vehicle
19 or trailer which such manufacturer owns of a type otherwise required
20 to be registered, or any employee of such manufacturer may operate or
21 tow the motor vehicle or trailer upon the highways of this state
22 solely for purposes of transporting, testing, demonstrating to
23 prospective customers, or use in the ordinary course and conduct of
24 business as a motor vehicle or trailer manufacturer, upon the
25 condition that any such motor vehicle or trailer display thereon, in

1 the manner prescribed in section 60-3,100, a dealer number plates
2 plate as provided for in section 60-3,114.

3 (3) In no event shall such plates be used on motor
4 vehicles or trailers hauling other than automotive or trailer
5 equipment, complete motor vehicles, or trailers which are inventory
6 of such licensed dealer or manufacturer unless there is issued by the
7 department a special permit specifying the hauling of other products.
8 This section shall not be construed to allow a dealer to operate a
9 motor vehicle or trailer with a dealer number plates~~plate~~ for the
10 delivery of parts inventory. A dealer may use such motor vehicle or
11 trailer to pick up parts to be used for the motor vehicle or trailer
12 inventory of the dealer.

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

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

1 charge or registration of such motor vehicle or trailer. A sticker
2 shall be displayed on the ~~front and rear windows~~ rear window or the
3 rear side ~~windows~~ window of such motor vehicle, except a motorcycle,
4 and displayed on the ~~front and rear~~ of each such trailer. On the
5 sticker shall be plainly printed in black letters the words In
6 Transit. One In Transit sticker shall be displayed on a motorcycle,
7 which sticker may be one-half the size required for other motor
8 vehicles. Such ~~stickers~~ sticker shall include a registration number,
9 which registration number shall be different for each sticker ~~or pair~~
10 ~~of stickers~~ issued, and the contents of such sticker and the
11 numbering system shall be as prescribed by the department. Each
12 dealer issuing such ~~stickers~~ a sticker shall keep a record of the
13 registration number of each sticker ~~or pair of stickers~~ on the
14 invoice of such sale. Such sticker shall allow such owner to operate
15 the motor vehicle or tow such trailer for a period of thirty days in
16 order to effect proper registration of the new or used motor vehicle
17 or trailer. When any person, firm, or corporation has had a motor
18 vehicle or trailer previously registered and a license plates ~~plate~~
19 assigned to such person, firm, or corporation, such owner may operate
20 the motor vehicle or tow such trailer for a period of thirty days in
21 order to effect transfer of ~~plates~~ the plate to the new or used motor
22 vehicle or trailer. Upon demand of proper authorities, there shall be
23 presented by the person in charge of such motor vehicle or trailer,
24 for examination, a duly executed bill of sale therefor or other
25 satisfactory evidence of the right of possession by such person of

1 such motor vehicle or trailer.

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

4 60-378 (1) Any transporter doing business in this state
5 may, in lieu of registering each motor vehicle or trailer which such
6 transporter is transporting, upon payment of a fee of ten dollars,
7 apply to the department for a transporter's certificate and one
8 transporter license plate. Additional pairs of transporter
9 certificates and transporter license plates may be procured for a fee
10 of ten dollars each. ~~Transporter license plates~~ A transporter license
11 plate shall be displayed (a) upon the motor vehicle or trailer being
12 transported or (b) upon a properly registered truck or truck-tractor
13 which is a work or service vehicle in the process of towing a trailer
14 which is itself being delivered by the transporter, and such
15 registered truck or truck-tractor shall also display a transporter
16 plate upon the front thereof. The applicant for a transporter plate
17 shall keep for six years a record of each motor vehicle or trailer
18 transported by him or her under this section, and such record shall
19 be available to the department for inspection. Each applicant shall
20 file with the department proof of his or her status as a bona fide
21 transporter.

22 (2) Transporter license plates may be the same size as
23 license plates issued for motorcycles, shall bear thereon a mark to
24 distinguish them as transporter plates, and shall be serially
25 numbered so as to distinguish them from each other. Such a license

1 ~~plates~~plate may only be displayed upon the front of a driven motor
2 vehicle of a lawful combination or upon the front of a motor vehicle
3 driven singly or upon the rear of a trailer being towed.

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

6 60-380 Any motor vehicle or trailer owned by a dealer
7 licensed under the Motor Vehicle Industry Regulation Act and bearing
8 other than a dealer license ~~plates~~plate shall be conclusively
9 presumed not to be a part of the dealer's inventory and not for
10 demonstration or sale and therefor not eligible for any exemption
11 from taxes or fees applicable to a motor vehicles or trailers ~~vehicle~~
12 or trailer with a dealer license ~~plates~~plate.

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

15 60-383 (1) A film vehicle, subject to approval by the
16 Department of Economic Development, may be registered upon
17 application to the Department of Motor Vehicles. The Department of
18 Motor Vehicles may provide a distinctive license ~~plates~~plate for
19 such film ~~vehicles~~vehicle. Such license ~~plates~~plate shall be the
20 same size and of the same basic design as a regular license ~~plates~~
21 plate issued pursuant to section 60-3,100.

22 (2) The registration for a film ~~vehicles~~vehicle shall be
23 issued only with the payment of the fees required by section 60-3,102
24 and this section. The registration shall be valid for six months from
25 the date of issuance and may be renewed for a period not to exceed

1 three months upon payment of the renewal fee specified in this
2 section.

3 (3) The six-month registration fee for a film vehicle
4 shall be fifty dollars for a film vehicle with a gross vehicle weight
5 of sixteen thousand pounds or less and one hundred fifty dollars for
6 a film vehicle with a gross vehicle weight of more than sixteen
7 thousand pounds. The three-month renewal fee shall be twenty-five
8 dollars. All fees collected by the Department of Motor Vehicles under
9 this section shall be remitted to the State Treasurer for credit to
10 the Highway Trust Fund.

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

13 60-392 (1) Registration may be renewed annually in a
14 manner designated by the department and upon payment of the same fee
15 as provided for the original registration. On making an application
16 for renewal, the registration certificate for the preceding
17 registration period or renewal notice or other evidence designated by
18 the department shall be presented with the application. A person may
19 renew his or her annual registration up to thirty days prior to the
20 date of expiration.

21 (2) The certificate of registration and license ~~plates~~
22 plate issued by the department shall be valid during the registration
23 period for which they are issued, and when a validation decal ~~decal~~
24 issued pursuant to section 60-3,101 ~~have~~ has been affixed to the
25 license ~~plates, plate, the plates~~ plate shall also be valid for the

1 registration period designated by such validation ~~decals~~. decal. If a
2 person renews his or her annual registration up to thirty days prior
3 to the date of expiration, the registration shall be valid for such
4 time period as well.

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

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

14 (5) The registration period for apportioned vehicles as
15 provided in section 60-3,198 shall expire December 31 of each year
16 and shall become delinquent February 1 of the following year.

17 Sec. 13. Section 60-395, Reissue Revised Statutes of
18 Nebraska, is amended to read:

19 60-395 (1) Except as otherwise provided in subsection (2)
20 of this section and sections 60-3,121, 60-3,122.02, and 60-3,128, the
21 registration shall expire and the registered owner or lessee may, by
22 returning the registration certificate, the license ~~plates~~, plate,
23 and, when appropriate, the validation ~~decals~~ decal and by either
24 making application on a form prescribed by the department to the
25 county treasurer or designated county official of the occurrence of

1 an event described in subdivisions (a) through (e) of this subsection
2 or, in the case of a change in situs, displaying to the county
3 treasurer or designated county official the registration certificate
4 of such other state as evidence of a change in situs, receive a
5 refund of that part of the unused fees and taxes on motor vehicles or
6 trailers based on the number of unexpired months remaining in the
7 registration period from the date of any of the following events:

8 (a) Upon transfer of ownership of any motor vehicle or
9 trailer;

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

12 (c) When a salvage branded certificate of title is
13 issued;

14 (d) Whenever a type or class of motor vehicle or trailer
15 previously registered is subsequently declared by legislative act or
16 court decision to be illegal or ineligible to be operated or towed on
17 the public roads and no longer subject to registration fees, the
18 motor vehicle tax imposed in section 60-3,185, and the motor vehicle
19 fee imposed in section 60-3,190;

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

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

24 (2) If the date of the event falls within the same
25 calendar month in which the motor vehicle or trailer is acquired, no

1 refund shall be allowed for such month.

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

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

14 (5) For purposes of this section, the date of the event
15 shall be: (a) In the case of a transfer or loss, the date of the
16 transfer or loss; (b) in the case of a change in the situs, the date
17 of registration in another state; (c) in the case of a trade-in or
18 surrender under a lease, the date of trade-in or surrender; (d) in
19 the case of a legislative act, the effective date of the act; and (e)
20 in the case of a court decision, the date the decision is rendered.

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

25 (7) If a motor vehicle or trailer was reported stolen

1 under section 60-178, a refund under this section shall not be
2 reduced for a lost plate charge and a credit under this section may
3 be reduced for a lost plate charge but the applicant shall not be
4 required to pay the plate fee for a new plates. plate.

5 (8) The county treasurer or designated county official
6 shall refund the motor vehicle fee and registration fee from the fees
7 which have not been transferred to the State Treasurer. The county
8 treasurer shall make payment to the claimant from the undistributed
9 motor vehicle taxes of the taxing unit where the tax money was
10 originally distributed. No refund of less than two dollars shall be
11 paid.

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

14 60-396 Whenever the registered owner files an application
15 with the county treasurer or designated county official showing that
16 a motor vehicle or trailer is disabled and has been removed from
17 service, the registered owner may, by returning the registration
18 certificate, the license ~~plates, plate,~~ and, when appropriate, the
19 validation ~~decals decal~~ or, in the case of the unavailability of such
20 registration certificate, license plate, or validation decal, ~~or~~
21 ~~certificates, license plates, or validation decals,~~ then by making an
22 affidavit to the county treasurer or designated county official of
23 such disablement and removal from service, receive a credit for a
24 portion of the registration fee from the fee deposited with the State
25 Treasurer at the time of registration based upon the number of

1 unexpired months remaining in the registration year except as
2 otherwise provided in sections 60-3,121, 60-3,122.02, and 60-3,128.
3 The owner shall also receive a credit for the unused portion of the
4 motor vehicle tax and fee based upon the number of unexpired months
5 remaining in the registration year. When the owner registers a
6 replacement motor vehicle or trailer at the time of filing such
7 affidavit, the credit may be immediately applied against the
8 registration fee and the motor vehicle tax and fee for the
9 replacement motor vehicle or trailer. When no such replacement motor
10 vehicle or trailer is so registered, the county treasurer or
11 designated county official shall forward the application and
12 affidavit, if any, to the State Treasurer who shall determine the
13 amount, if any, of the allowable credit for the registration fee and
14 issue a credit certificate to the owner. For the motor vehicle tax
15 and fee, the county treasurer or designated county official shall
16 determine the amount, if any, of the allowable credit and issue a
17 credit certificate to the owner. When such motor vehicle or trailer
18 is removed from service within the same month in which it was
19 registered, no credits shall be allowed for such month. The credits
20 may be applied against taxes and fees for new or replacement motor
21 vehicles or trailers incurred within one year after cancellation of
22 registration of the motor vehicle or trailer for which the credits
23 were allowed. When any such motor vehicle or trailer is reregistered
24 within the same registration year in which its registration has been
25 canceled, the taxes and fees shall be that portion of the

1 registration fee and the motor vehicle tax and fee for the remainder
2 of the registration year.

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

5 60-397 If a motor vehicle or trailer has a salvage
6 branded certificate of title issued as a result of an insurance
7 company acquiring the motor vehicle or trailer through a total loss
8 settlement, the prior owner of the motor vehicle or trailer who is a
9 party to the settlement may receive a refund or credit of unused fees
10 and taxes by (1) filing an application with the county treasurer or
11 designated county official within sixty days after the date of the
12 settlement stating that title to the motor vehicle or trailer was
13 transferred as a result of the settlement and (2) returning the
14 registration certificate, the license ~~plates,~~plate, and, when
15 appropriate, the validation ~~decals~~decal or, in the case of the
16 unavailability of the registration certificate, license ~~plates,~~
17 plate, or validation ~~decals,~~decal, filing an affidavit with the
18 county treasurer or designated county official regarding the transfer
19 of title due to the settlement and the unavailability of the
20 certificate, license ~~plates,~~plate, or validation ~~decals.~~ decal. The
21 owner may receive a refund or credit of the registration fees and
22 motor vehicle taxes and fees for the unexpired months remaining in
23 the registration year determined based on the date when the motor
24 vehicle or trailer was damaged and became unavailable for service.
25 When the owner registers a replacement motor vehicle or trailer at

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

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

15 60-398 A nonresident may, if he or she applies within
16 ninety days from his or her original registration date and surrenders
17 the registration certificate and license ~~plates which were~~ plate
18 assigned to him or her, receive from the county treasurer or
19 designated county official, or the department if registration was
20 pursuant to section 60-3,198, a refund in the amount of fifty percent
21 of the original license fee, fifty percent of the motor vehicle tax
22 imposed in section 60-3,185, and fifty percent of the motor vehicle
23 fee imposed in section 60-3,190, except that no refunds shall be made
24 on any license surrendered after the ninth month of the registration
25 period for which the motor vehicle or trailer was registered.

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

3 60-399 (1) Except as otherwise specifically provided, no
4 person shall operate or park or cause to be operated or parked a
5 motor vehicle or tow or park or cause to be towed or parked a trailer
6 on the highways unless such motor vehicle or trailer has displayed
7 the proper ~~number of plates~~ license plate as required in the Motor
8 Vehicle Registration Act.

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

23 (2) All letters, numbers, printing, writing, and other
24 identification marks upon such ~~plates~~ plate and certificate shall be
25 kept clear and distinct and free from grease, dust, or other blurring

1 matter, so that they shall be plainly visible at all times during
2 daylight and under artificial light in the nighttime.

3 Sec. 18. Section 60-3,100, Reissue Revised Statutes of
4 Nebraska, is amended to read:

5 60-3,100 (1) The department shall issue to every person
6 whose motor vehicle or trailer is registered one fully reflectorized
7 license ~~plates~~ plate upon which shall be displayed (a) the
8 registration number consisting of letters and numerals assigned to
9 such motor vehicle or trailer in figures not less than two and one-
10 half inches nor more than three inches in height and (b) also the
11 word Nebraska suitably lettered so as to be attractive. ~~Two license~~
12 ~~plates shall be issued for every motor vehicle, except that one plate~~
13 ~~shall be issued for dealers, motorcycles, minitrucks, truck tractors,~~
14 ~~trailers, buses, and apportionable vehicles. The license plates~~ plate
15 shall be of a color designated by the director. The color of the
16 ~~plates~~ plate shall be changed each time the license ~~plates~~ are plate
17 is changed. Each time the license ~~plates~~ are plate is changed, the
18 director shall secure competitive bids for materials pursuant to
19 sections 81-145 to 81-162. Motorcycle, minitruck, and trailer license
20 plate letters and numerals may be one-half the size of those required
21 in this section.

22 (2) ~~When two license plates are issued, one shall be~~
23 ~~prominently displayed at all times on the front and one on the rear~~
24 ~~of the registered motor vehicle or trailer. When only one plate is~~
25 ~~issued, it~~ The license plate shall be prominently displayed on the

1 rear of the registered motor vehicle or trailer. ~~When only one plate~~
2 ~~is issued~~ except for motor vehicles registered pursuant to section
3 60-3,198 and truck-tractors, on which it shall be prominently
4 displayed on the front of the apportionable vehicle.

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

7 60-3,101 Except for permanent license plates issued
8 pursuant to section 60-3,203, license plates shall be issued every
9 six years beginning with the license plates issued in the year 2005.
10 Except for plates issued pursuant to such section, in the years in
11 which plates are not issued, in lieu of issuing such license plates,
12 the department shall furnish to every person whose motor vehicle or
13 trailer is registered ~~one or two validation decals, as the case may~~
14 ~~be, which validation decals shall bear~~ a validation decal bearing the
15 year for which it is issued and ~~be~~ so constructed as to permit ~~them~~
16 it to be permanently affixed to the ~~plates. plate.~~

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

19 60-3,102 Whenever a new license plates, plate, including
20 a duplicate or replacement license plates, are plate, is issued to
21 any person, a ~~fee per plate~~ fee shall be charged in addition to all
22 other required fees. The plate fee shall be determined by the
23 department and shall only cover the cost of the license plate and
24 validation ~~decals~~ decal but shall not exceed three dollars and fifty
25 cents. All fees collected pursuant to this section shall be remitted

1 to the State Treasurer for credit to the Highway Trust Fund.

2 Sec. 21. Section 60-3,105, Reissue Revised Statutes of
3 Nebraska, is amended to read:

4 60-3,105 (1) The department may provide a distinctive
5 license plate for all motor vehicles owned or operated by the state,
6 counties, municipalities, or school districts. Motor vehicles owned
7 or operated by the state, counties, municipalities, or school
8 districts shall display ~~such a distinctive license plates~~ plate when
9 such license ~~plates are~~ plate is issued or shall display an
10 undercover license ~~plates~~ plate when such license ~~plates are~~ plate is
11 issued under section 60-3,135.

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

23 Sec. 22. Section 60-3,106, Reissue Revised Statutes of
24 Nebraska, is amended to read:

25 60-3,106 (1) The department may provide a distinctive

1 license plate for ~~all trailers~~ each trailer owned or operated by the
 2 state, counties, municipalities, or school districts. ~~Trailers~~ Each
 3 trailer owned or operated by the state, counties, municipalities, or
 4 school districts shall display such distinctive license ~~plates~~ plate
 5 when such license ~~plates~~ are plate is issued or shall display an
 6 undercover license ~~plates~~ plate when such license ~~plates~~ are plate is
 7 issued under section 60-3,135.

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

19 Sec. 23. Section 60-3,107, Reissue Revised Statutes of
 20 Nebraska, is amended to read:

21 60-3,107 The department may provide a distinctive license
 22 ~~plates~~ plate issued for use on a motor vehicles vehicle which ~~are~~ is
 23 tax exempt pursuant to subdivision (6) of section 60-3,185. ~~License~~
 24 ~~plates~~ A license plate on such a motor vehicles vehicle shall
 25 display, in addition to the license number, the words tax exempt.

1 Sec. 24. Section 60-3,108, Reissue Revised Statutes of
2 Nebraska, is amended to read:

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

9 Sec. 25. Section 60-3,109, Reissue Revised Statutes of
10 Nebraska, is amended to read:

11 60-3,109 (1) Any owner of well-boring apparatus and well-
12 servicing equipment may make application to the county treasurer or
13 designated county official for a license ~~plates.~~ plate.

14 (2) ~~Well-boring~~ A well-boring apparatus and well-
15 servicing equipment license ~~plates~~ plate shall display thereon, in
16 addition to the license number, the words special equipment.

17 Sec. 26. Section 60-3,113, Reissue Revised Statutes of
18 Nebraska, is amended to read:

19 60-3,113 (1) The department shall, without the payment of
20 any fee except the taxes and fees required by sections 60-3,100,
21 60-3,102, 60-3,185, and 60-3,190, issue a license ~~plates~~ plate for
22 one motor vehicle not used for hire and a license plate for one
23 motorcycle not used for hire to:

24 (a) Any permanently handicapped or disabled person as
25 defined in section 18-1738 or his or her parent, legal guardian,

1 foster parent, or agent upon application and proof of a permanent
2 handicap or disability; or

3 (b) A trust which owns the motor vehicle or motorcycle if
4 a designated beneficiary of the trust qualifies under subdivision (a)
5 of this subsection.

6 Beginning January 1, 2005, an application and proof of
7 disability in the form and with the information required by section
8 18-1738 shall be filed before a license plate is issued or
9 reissued.

10 (2) The license plate ~~or plates~~ shall carry the
11 internationally accepted wheelchair symbol, which symbol is a
12 representation of a person seated in a wheelchair surrounded by a
13 border six units wide by seven units high, and such other letters or
14 numbers as the director prescribes. Such license plate ~~or plates~~
15 shall be used by such person in lieu of the usual license plate. ~~or~~
16 ~~plates.~~

17 (3) The department shall compile and maintain a registry
18 of the names, addresses, and license numbers of all persons who
19 obtain a special license plate pursuant to this section and
20 all persons who obtain a handicapped or disabled parking permit as
21 described in section 18-1739.

22 Sec. 27. Section 60-3,114, Reissue Revised Statutes of
23 Nebraska, is amended to read:

24 60-3,114 (1) Any licensed dealer or manufacturer may,
25 upon payment of a fee of thirty dollars, make an application, on a

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

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

21 Sec. 28. Section 60-3,119, Reissue Revised Statutes of
22 Nebraska, is amended to read:

23 60-3,119 (1) Application for a personalized message
24 license ~~plates~~ plate shall be made to the department. The department
25 shall make available through each county treasurer or designated

1 county official forms to be used for such applications.

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

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

14 Sec. 29. Section 60-3,120, Reissue Revised Statutes of
15 Nebraska, is amended to read:

16 60-3,120 When the department approves an application for
17 a personalized message license plates, ~~plate,~~ it shall notify the
18 applicant and deliver the license ~~plates~~ plate to the county
19 treasurer or designated county official of the county in which the
20 motor vehicle or cabin trailer is to be registered. The county
21 treasurer or designated county official shall deliver such ~~plates~~
22 plate to the applicant, in lieu of a regular license plates, ~~plate,~~
23 when the applicant complies with the other provisions of law for
24 registration of the motor vehicle or cabin trailer.

25 Sec. 30. Section 60-3,121, Reissue Revised Statutes of

1 Nebraska, is amended to read:

2 60-3,121 (1) The owner of a motor vehicle or cabin
3 trailer bearing a personalized message license plates-plate may make
4 application to the county treasurer or designated county official to
5 have such license plates-plate transferred to a motor vehicle or
6 cabin trailer other than the motor vehicle or cabin trailer for which
7 such license plates-were-plate was originally purchased if such motor
8 vehicle or cabin trailer is owned by the owner of the license plates-
9 plate.

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

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

18 Sec. 31. Section 60-3,122, Reissue Revised Statutes of
19 Nebraska, is amended to read:

20 60-3,122 (1) Any person may, in addition to the
21 application required by section 60-385, apply to the department for a
22 license plates-plate designed by the department to indicate that he
23 or she is a survivor of the Japanese attack on Pearl Harbor if he or
24 she:

25 (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 of
4 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 ~~plates~~plate 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 that
13 the applicant fulfills the requirements provided by subsection (1) of
14 this section. The additional fee shall be remitted to the State
15 Treasurer for credit to the Nebraska Veteran Cemetery System
16 Operation Fund. Any number of motor vehicles, trailers, semitrailers,
17 or cabin trailers owned by the applicant may be so licensed at any
18 one time. Motor vehicles and trailers registered under section
19 60-3,198 shall not be so licensed.

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

24 Sec. 32. Section 60-3,122.02, Reissue Revised Statutes of
25 Nebraska, is amended to read:

1 60-3,122.02 (1) A person may apply to the department for
2 a Gold Star Family ~~plates~~ plate in lieu of a regular license ~~plates~~
3 plate on an application prescribed and provided by the department for
4 any motor vehicle, trailer, semitrailer, or cabin trailer, except for
5 a motor vehicle or trailer registered under section 60-3,198. An
6 applicant receiving a Gold Star Family plate for a farm truck with a
7 gross weight of over sixteen tons shall affix the appropriate tonnage
8 decal to the plate. The department shall make forms available for
9 such applications through the county treasurers or designated county
10 officials. The license ~~plates~~ plate shall be issued upon payment of
11 the license fee described in subsection (2) of this section and
12 furnishing proof satisfactory to the department that the applicant is
13 a surviving spouse, whether remarried or not, or an ancestor,
14 including a stepparent, a descendant, including a stepchild, a foster
15 parent or a person in loco parentis, or a sibling of a person who
16 died while in good standing on active duty in the military service of
17 the United States.

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

1 Veteran Cemetery System Operation Fund.

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

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

23 (4) The owner of a motor vehicle or cabin trailer bearing
24 a Gold Star Family ~~plates~~plate may apply to the county treasurer or
25 designated county official to have such ~~plates~~plate transferred to a

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

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

19 Sec. 33. Section 60-3,123, Reissue Revised Statutes of
20 Nebraska, is amended to read:

21 60-3,123 (1) Any person who was captured and incarcerated
22 by an enemy of the United States during a period of conflict with
23 such enemy and who was discharged or otherwise separated with a
24 characterization of honorable from or is currently serving in the
25 United States Armed Forces may, in addition to the application

1 required in section 60-385, apply to the department for a license
2 ~~plates~~ plate designed to indicate that he or she is a former prisoner
3 of war.

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

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

17 Sec. 34. Section 60-3,124, Reissue Revised Statutes of
18 Nebraska, is amended to read:

19 60-3,124 (1) Any person who is a veteran of the United
20 States Armed Forces, who was discharged or otherwise separated with a
21 characterization of honorable or general (under honorable
22 conditions), and who is classified by the United States Department of
23 Veterans Affairs as one hundred percent service-connected disabled
24 may, in addition to the application required in section 60-385, apply
25 to the Department of Motor Vehicles for a license ~~plates~~ plate

1 designed by the department to indicate that the applicant is a
2 disabled veteran. The inscription on the license ~~plates~~plate shall
3 be D.A.V. immediately below the license plate number to indicate that
4 the holder of the license ~~plates~~plate is a disabled veteran.

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

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

18 Sec. 35. Section 60-3,125, Reissue Revised Statutes of
19 Nebraska, is amended to read:

20 60-3,125 (1) Any person may, in addition to the
21 application required by section 60-385, apply to the department for a
22 license ~~plates~~plate designed by the department to indicate that the
23 applicant has received from the federal government an award of a
24 Purple Heart. The inscription of the ~~plates~~plate shall be designed
25 so as to include a facsimile of the award and beneath any numerical

1 designation upon the ~~plates~~plate pursuant to section 60-370 the
2 words Purple Heart separately on one line and the words Combat
3 Wounded on the line below.

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

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

17 Sec. 36. Section 60-3,126, Reissue Revised Statutes of
18 Nebraska, is amended to read:

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

1 amateur radio call letters of such applicant.

2 (2) Such license ~~plates~~ plate shall be issued, in lieu of
3 the usual numbers and letters, to such an applicant upon payment of
4 the regular license fee and the payment of an additional fee of five
5 dollars and furnishing proof that the applicant holds such an
6 unrevoked and unexpired amateur radio station license. The additional
7 fee shall be remitted to the State Treasurer for credit to the
8 Highway Trust Fund. Only one such motor vehicle or trailer owned by
9 an applicant shall be so registered at any one time.

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

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

18 Sec. 37. Section 60-3,128, Reissue Revised Statutes of
19 Nebraska, is amended to read:

20 60-3,128 (1) A person may apply to the department for a
21 Nebraska Cornhusker Spirit ~~Plates~~ Plate in lieu of a regular license
22 ~~plates~~ plate on an application prescribed and provided by the
23 department for any motor vehicle, trailer, semitrailer, or cabin
24 trailer, except for motor vehicles or trailers registered under
25 section 60-3,198. An applicant receiving a spirit plate for a farm

1 truck with a gross weight of over sixteen tons or for a commercial
2 motor vehicle registered for a gross weight of five tons or over
3 shall affix the appropriate tonnage decal to the spirit plate. The
4 department shall make forms available for such applications through
5 the county treasurers or designated county officials. Each
6 application for initial issuance or renewal of a spirit plates~~plate~~
7 shall be accompanied by a fee of seventy dollars. Fees collected
8 pursuant to this subsection shall be remitted to the State Treasurer.
9 The State Treasurer shall credit forty-three percent of the fees for
10 initial issuance and renewal of spirit plates to the Department of
11 Motor Vehicles Cash Fund. The State Treasurer shall credit fifty-
12 seven percent of the fees to the Spirit Plate Proceeds Fund until the
13 fund has been credited five million dollars from such fees and
14 thereafter to the Highway Trust Fund.

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

25 (3)(a) The owner of a motor vehicle or cabin trailer

1 bearing a spirit plates~~plate~~ may make application to the county
2 treasurer or designated county official to have such spirit ~~plates~~
3 plate transferred to a motor vehicle or cabin trailer other than the
4 motor vehicle or cabin trailer for which such ~~plates were~~plate was
5 originally purchased if such motor vehicle or cabin trailer is owned
6 by the owner of the spirit ~~plates~~plate.

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

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

15 Sec. 38. Section 60-3,130, Reissue Revised Statutes of
16 Nebraska, is amended to read:

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

24 (2) Each collector applying for such a license plate or
25 plates, other than a nonprofit organization described in sections

1 21-608 and 21-609, must own and have registered one or more motor
2 vehicles with a regular license plates~~plate~~ which he or she uses for
3 regular transportation.

4 (3) A motor vehicle or trailer manufactured, assembled
5 from a kit, or otherwise assembled as a reproduction or facsimile of
6 a historical vehicle shall not be eligible for a historical license
7 plate or plates unless it has been in existence for thirty years or
8 more. The age of the motor vehicle or trailer shall be calculated
9 from the year reflected on the certificate of title.

10 Sec. 39. Section 60-3,130.01, Reissue Revised Statutes of
11 Nebraska, is amended to read:

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

1 the same type.

2 Sec. 40. Section 60-3,130.02, Reissue Revised Statutes of
3 Nebraska, is amended to read:

4 60-3,130.02 (1) An initial processing fee of ten dollars
5 shall be submitted with an application under section 60-3,130 to
6 defray the costs of issuing the first historical license plate or
7 plates to each collector and to establish a distinct identification
8 number for each collector. A fee of fifty dollars for each vehicle so
9 registered shall also be submitted with the application.

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

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

16 Sec. 41. Section 60-3,130.05, Reissue Revised Statutes of
17 Nebraska, is amended to read:

18 60-3,130.05 ~~License~~ A license plate or plates issued or
19 used pursuant to section 60-3,130 or 60-3,130.04 shall be valid while
20 the vehicle is owned by the applicant without the payment of any
21 additional fee, tax, or license.

22 Sec. 42. Section 60-3,134, Reissue Revised Statutes of
23 Nebraska, is amended to read:

24 60-3,134 Any motor vehicle or trailer that qualifies as
25 ~~an~~ a historical vehicle which is used for the same general purposes

1 and under the same conditions as a motor vehicles or trailers vehicle
2 or trailer registered with a regular license plates ~~plate~~ shall be
3 required to be registered with a regular license plates, ~~plate,~~
4 regardless of its age, and shall be subject to the payment of the
5 same taxes and fees required of a motor vehicles or trailers vehicle
6 or trailer registered with a regular license plates. ~~plate.~~

7 Sec. 43. Section 60-3,135, Reissue Revised Statutes of
8 Nebraska, is amended to read:

9 60-3,135 (1)(a) Undercover license plates may be issued
10 to federal, state, county, city, or village law enforcement agencies
11 and shall be used only for legitimate criminal investigatory
12 purposes. Undercover license plates may also be issued to the
13 Nebraska State Patrol, the Game and Parks Commission, deputy state
14 sheriffs employed by the Nebraska Brand Committee and State Fire
15 Marshal for state law enforcement purposes, persons employed by the
16 Tax Commissioner for state revenue enforcement purposes, the
17 Department of Health and Human Services for the purposes of
18 communicable disease control, the prevention and control of those
19 communicable diseases which endanger the public health, the
20 enforcement of drug control laws, or other investigation purposes,
21 the Department of Agriculture for special investigative purposes, and
22 the Insurance Fraud Prevention Division of the Department of
23 Insurance for investigative purposes. ~~Undercover license plates~~ An
24 undercover license plate shall not be used on a personally owned
25 ~~vehicles~~ vehicle or for personal use of a government-owned vehicles.

1 vehicle.

2 (b) The director shall prescribe a form for agencies to
3 apply for undercover license plates. The form shall include a space
4 for the name and signature of the contact person for the requesting
5 agency, a statement that the undercover license plates are to be used
6 only for legitimate criminal investigatory purposes, and a statement
7 that undercover license plates are not to be used on personally owned
8 vehicles or for personal use of government-owned vehicles.

9 (2) The agency shall include the name and signature of
10 the contact person for the agency on the form and pay the fee
11 prescribed in section 60-3,102. If the undercover license plate or
12 plates will be used for the investigation of a specific event rather
13 than for ongoing investigations, the agency shall designate on the
14 form an estimate of the length of time the undercover license plate
15 or plates will be needed. The contact person in the agency shall sign
16 the form and verify the information contained in the form.

17 (3) Upon receipt of a completed form, the director shall
18 determine whether the undercover license plate or plates will be used
19 by an approved agency for a legitimate purpose pursuant to subsection
20 (1) of this section. If the director determines that the undercover
21 license plate or plates will be used for such a purpose, he or she
22 may issue the undercover license plate or plates in the form and
23 under the conditions he or she determines to be necessary. The
24 decision of the director regarding issuance of the undercover license
25 plate or plates is final.

1 (4) The department shall keep records pertaining to
2 undercover license plates confidential, and such records shall not be
3 subject to public disclosure.

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

6 (a) The undercover license plate or plates expire and are
7 not renewed;

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

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

12 (6) A state agency, board, or commission that uses motor
13 vehicles from the transportation services bureau of the Department of
14 Administrative Services shall notify the bureau immediately after an
15 undercover license ~~plates have~~ plate has been assigned to ~~the~~ a motor
16 vehicle and shall provide the equipment and license plate number and
17 the undercover license plate number to the bureau. The transportation
18 services bureau shall maintain a list of state-owned motor vehicles
19 which have been assigned an undercover license ~~plates.~~ plate. The
20 list shall be confidential and not be subject to public disclosure.

21 (7) The contact person shall be held accountable to keep
22 proper records of the number of undercover plates possessed by the
23 agency, the particular license plate numbers for each motor vehicle,
24 and the person who is assigned to the motor vehicle. This record
25 shall be confidential and not be subject to public disclosure.

1 Sec. 44. Section 60-3,145, Reissue Revised Statutes of
2 Nebraska, is amended to read:

3 60-3,145 (1) The registration fee on local trucks shall
4 be based on the gross vehicle weight as provided in section 60-3,147,
5 and local trucks shall be registered at a fee of thirty percent of
6 the commercial motor vehicle registration fee, except that (a) no
7 local truck shall be registered for a fee of less than eighteen
8 dollars, (b) the registration fee for each truck with a factory-rated
9 capacity of one ton or less shall be eighteen dollars, and (c)
10 commercial pickup trucks with a gross load of over three tons shall
11 be registered for the fee provided for commercial motor vehicles.

12 (2) ~~Local~~ A local truck license ~~plates~~ plate shall
13 display, in addition to the registration number, the designation of a
14 local motor ~~vehicles.~~ vehicle.

15 Sec. 45. Section 60-3,146, Reissue Revised Statutes of
16 Nebraska, is amended to read:

17 60-3,146 (1) For the registration of farm trucks, except
18 for trucks or combinations of trucks or truck-tractors and trailers
19 having a gross vehicle weight exceeding sixteen tons, the
20 registration fee shall be eighteen dollars for up to and including
21 five tons gross vehicle weight, and in excess of five tons the fee
22 shall be twenty-two dollars.

23 (2) For a truck or a combination of a truck or truck-
24 tractor and trailer weighing in excess of sixteen tons registered as
25 a farm truck, except as provided in sections 60-3,111 and 60-3,151,

1 the registration fee shall be based upon the gross vehicle weight.
2 The registration fee on such trucks weighing in excess of sixteen
3 tons shall be at the following rates: For a gross weight in excess of
4 sixteen tons up to and including twenty tons, forty dollars plus five
5 dollars for each ton of gross weight over seventeen tons, and for
6 gross weight exceeding twenty tons, sixty-five dollars plus ten
7 dollars for each ton of gross weight over twenty tons.

8 (3) ~~Farm~~ A farm truck license ~~plates~~ plate shall display,
9 in addition to the registration number, the designation farm and the
10 words NOT FOR HIRE.

11 (4) Farm trucks with a gross weight of over sixteen tons
12 license plates shall also display the weight that such farm truck is
13 licensed for, using a decal on the license ~~plates~~ plate in letters
14 and numerals of such size and design as shall be determined and
15 issued by the department.

16 Sec. 46. Section 60-3,147, Reissue Revised Statutes of
17 Nebraska, is amended to read:

18 60-3,147 (1) The registration fee on commercial motor
19 vehicles, except those motor vehicles registered under section
20 60-3,198, shall be based upon the gross vehicle weight, not to exceed
21 the maximum authorized by section 60-6,294.

22 (2) The registration fee on commercial motor vehicles,
23 except for motor vehicles and trailers registered under section
24 60-3,198, shall be based on the gross vehicle weight on such
25 commercial motor vehicles plus the gross vehicle weight of any

1 trailer or combination with which it is operated, except that for the
2 purpose of determining the registration fee, the gross vehicle weight
3 of a commercial motor vehicle towing or hauling a disabled or wrecked
4 motor vehicle properly registered for use on the highways shall be
5 only the gross vehicle weight of the towing commercial motor vehicle
6 fully equipped and not including the weight of the motor vehicle
7 being towed or hauled.

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

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

13 (b) For a gross vehicle weight exceeding three tons and
14 not exceeding four tons, twenty-five dollars;

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

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

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

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

25 (4)(a) For fractional tons in excess of the twenty

1 percent or the tolerance of one thousand pounds, as provided in
2 section 60-6,300, the fee shall be computed on the basis of the next
3 higher bracket.

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

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

12 (5)(a) Such fee may be paid one-half at the time of
13 registration and one-half on the first day of the seventh month of
14 the registration period when the license fee exceeds two hundred ten
15 dollars. When the second half is paid, the county treasurer or
16 designated county official shall furnish a registration certificate
17 and license ~~plates~~plate issued by the department which shall be
18 displayed on such commercial motor vehicle in the manner provided by
19 law. In addition to the registration fee, the department shall
20 collect a sufficient fee to cover the cost of issuing the certificate
21 and license ~~plates~~plate.

22 (b) If such second half is not paid within thirty days
23 following the first day of the seventh month, the registration of
24 such commercial motor vehicle shall be canceled and the registration
25 certificate and license ~~plates~~plate shall be returned to the county

1 treasurer or designated county official.

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

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

7 (7) A license plate ~~or plates~~ issued to a commercial
8 motor vehicle with a gross weight of five tons or over shall display,
9 in addition to the registration number, the weight that the
10 commercial motor vehicle is licensed for, using a decal on the
11 license plate ~~or plates~~ of the commercial motor vehicle in letters
12 and numerals of such size and design as shall be determined and
13 issued by the department.

14 Sec. 47. Section 60-3,149, Reissue Revised Statutes of
15 Nebraska, is amended to read:

16 60-3,149 (1) For the registration of trucks or
17 combinations of trucks, truck-tractors, or trailers which are not for
18 hire and engaged in soil and water conservation work and used for the
19 purpose of transporting pipe and equipment exclusively used by such
20 contractors for soil and water conservation construction, the
21 registration fee shall be one-half of the rate for similar commercial
22 motor vehicles registered under section 60-3,147, except that no
23 commercial motor vehicle or commercial trailer registered under this
24 section shall be registered for a fee of less than eighteen dollars.

25 (2) ~~Such license plates~~ The license plate shall display,

1 in addition to the registration number, the letter A.

2 Sec. 48. Section 60-3,150, Reissue Revised Statutes of
3 Nebraska, is amended to read:

4 60-3,150 For registration purposes, a truck-tractor and
5 semitrailer unit and a commercial trailer shall be considered as
6 separate units. The registration fee of the truck-tractor shall be
7 the fee provided for commercial motor vehicles. Each semitrailer and
8 each commercial trailer shall be registered upon the payment of a fee
9 of one dollar. The department shall provide an appropriate license
10 plate or, when appropriate, validation decal to identify such
11 semitrailers. If any truck or truck-tractor, operated under the
12 classification designated as local, farm, or A or with ~~plates~~
13 license plate issued under section 60-3,113 is operated outside of
14 the limits of its respective classification, it shall thereupon come
15 under the classification of commercial motor vehicle.

16 Sec. 49. Section 60-3,151, Reissue Revised Statutes of
17 Nebraska, is amended to read:

18 60-3,151 (1) For the registration of any commercial
19 trailer or semitrailer, the fee shall be one dollar.

20 (2) The fee for a utility trailer shall be one
21 dollar for each one thousand pounds gross vehicle weight or fraction
22 thereof, up to and including nine thousand pounds. ~~Utility trailer~~
23 ~~license plates~~ A utility trailer license plate shall display, in
24 addition to the registration number, the letter X. ~~Trailers~~ A trailer
25 other than a farm trailer of more than nine thousand pounds

1 must be registered as a commercial trailers. trailer.

2 (3) The fee for a cabin trailers~~trailer~~ having a gross
3 vehicle weight of one thousand pounds or less shall be nine dollars
4 and more than one thousand pounds, but less than two thousand pounds,
5 shall be twelve dollars. ~~Cabin trailers~~ A cabin trailer having a
6 gross vehicle weight of two thousand pounds or more shall be
7 registered for a fee of fifteen dollars.

8 (4) ~~Recreational vehicles~~ A recreational vehicle having a
9 gross vehicle weight of eight thousand pounds or less shall be
10 registered for a fee of eighteen dollars, those having a gross
11 vehicle weight of more than eight thousand pounds but less than
12 twelve thousand pounds shall be registered for thirty dollars, and
13 ~~those~~ a recreational vehicle having a gross vehicle weight of twelve
14 thousand pounds or over shall be registered for forty-two dollars.
15 When living quarters are added to a registered truck, a recreational
16 vehicle registration may be obtained without surrender of the truck
17 registration, in which event both the truck license plate and
18 recreational vehicle license ~~plates~~ plate shall be displayed on the
19 vehicle. ~~Recreational vehicle license plates~~ registered truck. A
20 recreational vehicle license plate shall be the same size and of the
21 same basic design as a regular license plates~~plate~~ issued pursuant
22 to section 60-3,100.

23 (5) ~~Farm trailers~~ A farm trailer shall be licensed for a
24 fee of one dollar, except that when a farm trailer is used with a
25 registered farm truck, such farm trailer may, at the option of the

1 owner, be registered as a separate unit for a fee of three dollars
2 per ton gross vehicle weight and, if so registered, shall not be
3 considered a truck and trailer combination for purposes of sections
4 60-3,145 and 60-3,146. ~~Farm trailer license plates~~ A farm trailer
5 license plate shall display, in addition to the registration number,
6 the letter X.

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

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

16 Sec. 50. Section 60-3,157, Reissue Revised Statutes of
17 Nebraska, is amended to read:

18 60-3,157 If a license plate or registration certificate
19 is lost or mutilated or has become illegible, the person to whom such
20 license plate and registration certificate has been issued shall
21 immediately apply to the county treasurer or designated county
22 official for a duplicate registration certificate or for a new
23 ~~license plates, plate,~~ accompanying his or her application with a fee
24 of one dollar for a duplicate registration certificate and a fee of
25 two dollars and fifty cents for a duplicate or replacement license

1 plate. No fee shall be required under this section if the vehicle or
2 trailer was reported stolen under section 60-178.

3 Sec. 51. Section 60-3,167, Reissue Revised Statutes of
4 Nebraska, is amended to read:

5 60-3,167 (1) It shall be unlawful for any owner of a
6 motor vehicle or trailer which is being operated or towed with an In
7 Transit ~~stickers~~ ~~sticker~~ pursuant to section 60-376, which is being
8 operated or towed pursuant to section 60-365 or 60-369, or which is
9 required to be registered in this state and which is operated or
10 towed on a public highway of this state to allow the operation or
11 towing of the motor vehicle or trailer on a public highway of this
12 state without having a current and effective automobile liability
13 policy, evidence of insurance, or proof of financial responsibility.
14 The owner shall be presumed to know of the operation or towing of his
15 or her motor vehicle or trailer on a highway of this state in
16 violation of this section when the motor vehicle or trailer is being
17 operated or towed by a person other than the owner. An owner of a
18 motor vehicle or trailer who operates or tows the motor vehicle or
19 trailer or allows the operation or towing of the motor vehicle or
20 trailer in violation of this section shall be guilty of a Class II
21 misdemeanor and shall be advised by the court that his or her motor
22 vehicle operator's license, motor vehicle certificate of
23 registration, and license ~~plates~~ plate will be suspended by the
24 department until he or she complies with sections 60-505.02 and
25 60-528. Upon conviction the owner shall have his or her motor vehicle

1 operator's license, motor vehicle certificate of registration, and
2 license ~~plates~~plate suspended by the department until he or she
3 complies with sections 60-505.02 and 60-528. The owner shall also be
4 required to comply with section 60-528 for a continuous period of
5 three years after the violation. This subsection shall not apply to
6 motor vehicles or trailers registered in another state.

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

18 (3) The department shall, for any person convicted for a
19 violation of this section, reinstate such person's operator's
20 license, motor vehicle certificate of registration, and license
21 ~~plates~~plate and rescind any order requiring such person to comply
22 with section 60-528 without cost to such person upon presentation to
23 the director that, at the time such person was cited for a violation
24 of this section, a current and effective automobile liability policy
25 or proof of financial responsibility was in existence for the motor

1 vehicle or trailer at the time the citation was issued.

2 Sec. 52. Section 60-3,175, Reissue Revised Statutes of
3 Nebraska, is amended to read:

4 60-3,175 It shall be unlawful to own or operate a motor
5 vehicle or trailer with a historical license plate or plates in
6 violation of section 60-3,130, 60-3,131, or 60-3,134. Upon conviction
7 of a violation of any provision of such sections, a person shall be
8 guilty of a Class V misdemeanor.

9 Sec. 53. Section 60-3,183, Reissue Revised Statutes of
10 Nebraska, is amended to read:

11 60-3,183 (1) The director may revoke, suspend, cancel, or
12 refuse to issue or renew a registration certificate under sections
13 60-3,198 to 60-3,203 upon receipt of notice under the federal
14 Performance and Registration Information Systems Management Program
15 that the ability of the applicant or registration certificate holder
16 to operate has been terminated or denied by a federal agency.

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

24 Sec. 54. Section 60-3,205, Reissue Revised Statutes of
25 Nebraska, is amended to read:

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

4 (i) If the applicant or certificate holder has had his or
5 her license issued under the International Fuel Tax Agreement Act
6 revoked or the director refused to issue or refused to renew such
7 license; or

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

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

17 (c) The applicant or certificate holder may, within
18 thirty days after the date of the mailing of the notice, petition the
19 director for a hearing to contest the proposed action. The hearing
20 shall be commenced in accordance with the rules and regulations
21 adopted and promulgated by the department. If a petition is filed,
22 the director shall, within twenty days after receipt of the petition,
23 set a hearing date at which the applicant or certificate holder may
24 show cause why the proposed action should not be taken. The director
25 shall give the applicant or certificate holder reasonable notice of

1 the time and place of the hearing. If the director's decision is
2 adverse to the applicant or certificate holder, the applicant or
3 certificate holder may appeal the decision in accordance with the
4 Administrative Procedure Act.

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

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

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

18 (2)(a) The director may suspend, revoke, cancel, or
19 refuse to issue or renew a registration certificate under the
20 International Registration Plan Act or a license under the
21 International Fuel Tax Agreement Act if the applicant, licensee, or
22 certificate holder has issued to the department a check or draft
23 which has been returned because of insufficient funds, no funds, or a
24 stop-payment order. The director may take such action no sooner than
25 seven days after the written notice required in subdivision (1)(b) of

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

4 (b) If the director takes an action pursuant to this
5 subsection, the director shall reinstate the registration certificate
6 or license without delay upon the payment of certified funds by the
7 applicant, licensee, or certificate holder for any fees due and
8 reasonable administrative costs, not to exceed twenty-five dollars,
9 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, 2006,
13 shall remain in effect, unless changed or eliminated by the director
14 or the department, except for those portions involving a stay upon
15 the filing of a petition to contest any action taken pursuant to this
16 subsection, in which case this subsection shall supersede those
17 provisions.

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

1 Sec. 55. Section 60-501, Reissue Revised Statutes of
2 Nebraska, is amended to read:

3 60-501 For purposes of the Motor Vehicle Safety
4 Responsibility Act, unless the context otherwise requires:

5 (1) Department means Department of Motor Vehicles;

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

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

20 (4) Minitruck means a foreign-manufactured import vehicle
21 or domestic-manufactured vehicle which (a) is powered by an internal
22 combustion engine with a piston or rotor displacement of one thousand
23 cubic centimeters or less, (b) is sixty-seven inches or less in
24 width, (c) has a dry weight of four thousand two hundred pounds or
25 less, (d) travels on four or more tires, (e) has a top speed of

1 approximately fifty-five miles per hour, (f) is equipped with a bed
2 or compartment for hauling, (g) has an enclosed passenger cab, (h) is
3 equipped with headlights, taillights, turnsignals, windshield wipers,
4 a rearview mirror, and an occupant protection system, and (i) has a
5 four-speed, five-speed, or automatic transmission;

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

19 (6) Nonresident means every person who is not a resident
20 of this state;

21 (7) Nonresident's operating privilege means the privilege
22 conferred upon a nonresident by the laws of this state pertaining to
23 the operation by him or her of a motor vehicle or the use of a motor
24 vehicle owned by him or her in this state;

25 (8) Operator means every person who is in actual physical

1 control of a motor vehicle;

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

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

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

22 (12) Registration means registration ~~certificate~~ or
23 certificates and ~~registration~~ license plates issued under the laws of
24 this state pertaining to the registration of motor vehicles;

25 (13) State means any state, territory, or possession of

1 the United States, the District of Columbia, or any province of the
2 Dominion of Canada; and

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

6 Sec. 56. Section 60-653, Reissue Revised Statutes of
7 Nebraska, is amended to read:

8 60-653 Registration shall mean the registration
9 ~~certificate or certificates~~ and license plates issued under the Motor
10 Vehicle Registration Act.

11 Sec. 57. Section 60-683, Reissue Revised Statutes of
12 Nebraska, is amended to read:

13 60-683 All peace officers are hereby specifically
14 directed and authorized and it shall be deemed and considered a part
15 of the official duties of each of such officers to enforce the
16 provisions of the Nebraska Rules of the Road, including the specific
17 enforcement of maximum speed limits, and any other law regulating the
18 operation of vehicles or the use of the highways. To perform the
19 official duties imposed by this section, the Superintendent of Law
20 Enforcement and Public Safety and all officers of the Nebraska State
21 Patrol shall have the powers stated in section 81-2005. All other
22 peace officers shall have the power:

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

1 the operation of vehicles or the use of the highways, if and when
2 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 of
5 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 of
14 such vehicle and the license ~~plates~~plate 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 of any
17 defects revealed by such motor vehicle inspection as may lead the
18 inspecting officer to reasonably believe that such motor vehicle is
19 being operated in violation of the statutes of Nebraska or the rules
20 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 in
23 any place where such a vehicle is held for sale or wrecking;

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

1 and

2 (7) To investigate traffic accidents for the purpose of
3 carrying on a study of traffic accidents and enforcing motor vehicle
4 and highway safety laws.

5 Sec. 58. Section 60-6,197.01, Reissue Revised Statutes of
6 Nebraska, is amended to read:

7 60-6,197.01 (1) Upon conviction for a violation described
8 in section 60-6,197.06 or a second or subsequent violation of section
9 60-6,196 or 60-6,197, the court shall impose either of the following
10 restrictions:

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

1 discretion of the court, of the registration of such motor vehicle or
2 motor vehicles, including the license ~~plates;~~ plate; and

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

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

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

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

21 (2) In addition to the restrictions required by
22 subdivision (1)(b) of this section, the court may require a person
23 convicted of a second or subsequent violation of section 60-6,196 or
24 60-6,197 to use a continuous alcohol monitoring device and abstain
25 from alcohol use for a period of time not to exceed the maximum term

1 of license revocation ordered by the court. A continuous alcohol
2 monitoring device shall not be ordered for a person convicted of a
3 second or subsequent violation unless the installation of an ignition
4 interlock device is also required.

5 Sec. 59. Section 60-1306, Reissue Revised Statutes of
6 Nebraska, is amended to read:

7 60-1306 The carrier enforcement officers shall have the
8 power (1) of peace officers solely for the purpose of enforcing the
9 International Fuel Tax Agreement Act and the provisions of law
10 relating to the size, weight, and load and the Motor Vehicle
11 Registration Act pertaining to buses, motor trucks, truck-tractors,
12 semitrailers, trailers, and towed vehicles, (2) when in uniform, to
13 require the driver thereof to stop and exhibit his or her operator's
14 license and registration issued for the vehicle and submit to an
15 inspection of such vehicle, the license ~~plates,~~plate, the
16 registration thereon, and licenses and permits required under the
17 motor fuel laws, (3) to make arrests upon view and without warrant
18 for any violation committed in their presence of the provisions of
19 the Motor Vehicle Operator's License Act or of any other law
20 regulating the operation of vehicles or the use of the highways while
21 in the performance of their duties referred to in subdivisions (1)
22 and (2) of this section and of sections 60-1308, 60-1309, and 75-362
23 to 75-369.07, (4) to make arrests upon view and without warrant for
24 any violation committed in their presence which is a misdemeanor or
25 felony under the laws of this state while in the performance of their

1 duties referred to in subdivisions (1) and (2) of this section and of
2 sections 60-1308, 60-1309, and 75-362 to 75-369.07, and (5) to make
3 arrests on warrant for any violation which is a misdemeanor or felony
4 under the laws of this state while in the performance of their duties
5 referred to in subdivisions (1) and (2) of this section and of
6 sections 60-1308, 60-1309, and 75-362 to 75-369.07.

7 Any funds used to arm carrier enforcement officers shall
8 be paid solely from the Carrier Enforcement Cash Fund. The amount of
9 funds shall be determined by the Superintendent of Law Enforcement
10 and Public Safety.

11 Sec. 60. Section 60-1901, Reissue Revised Statutes of
12 Nebraska, is amended to read:

13 60-1901 (1) A motor vehicle is an abandoned vehicle:

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

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

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

24 (d) If left unattended for more than seven days on
25 private property if left initially without permission of the owner,

1 or after permission of the owner is terminated;

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

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

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

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

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

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

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

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

23 (3) For purposes of this section:

24 (a) Public property means any public right-of-way,
25 street, highway, alley, or park or other state, county, or

1 municipally owned property; and

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

4 (4) No motor vehicle subject to forfeiture under section
5 28-431 shall be an abandoned vehicle under this section.

6 Sec. 61. Section 60-1902, Reissue Revised Statutes of
7 Nebraska, is amended to read:

8 60-1902 If an abandoned vehicle, at the time of
9 abandonment, has no license ~~plates~~plate of the current year or valid
10 In Transit ~~stickers~~sticker issued pursuant to section 60-376 affixed
11 and is of a wholesale value, taking into consideration the condition
12 of the vehicle, of two hundred fifty dollars or less, title shall
13 immediately vest in the local authority or state agency having
14 jurisdiction thereof as provided in section 60-1904. Any certificate
15 of title issued under this section to the local authority or state
16 agency shall be issued at no cost to such authority or agency.

17 Sec. 62. Section 60-1903, Reissue Revised Statutes of
18 Nebraska, is amended to read:

19 60-1903 (1) Except for vehicles governed by section
20 60-1902, the local authority or state agency having custody of an
21 abandoned vehicle shall make an inquiry concerning the last-
22 registered owner of such vehicle as follows:

23 (a) Abandoned vehicle with a license ~~plates~~plate
24 affixed, to the jurisdiction which issued such license ~~plates;~~plate;
25 or

1 (b) Abandoned vehicle with no license ~~plates~~plate
2 affixed, to the Department of Motor Vehicles.

3 (2) The local authority or state agency shall notify the
4 last-registered owner, if any, that the vehicle in question has been
5 determined to be an abandoned vehicle and that, if unclaimed, either
6 (a) it will be sold or will be offered at public auction after five
7 days from the date such notice was mailed or (b) title will vest in
8 the local authority or state agency thirty days after the date such
9 notice was mailed. If the agency described in subdivision (1)(a) or
10 (b) of this section also notifies the local authority or state agency
11 that a lien or mortgage exists, such notice shall also be sent to the
12 lienholder or mortgagee. Any person claiming such vehicle shall be
13 required to pay the cost of removal and storage of such vehicle.

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

21 (4) After title to the abandoned vehicle vests pursuant
22 to subsection (3) of this section, the local authority or state
23 agency may retain for use, sell, or auction the abandoned vehicle. If
24 the local authority or state agency has determined that the vehicle
25 should be retained for use, the local authority or state agency

1 shall, at the same time that the notice, if any, is mailed, publish
2 in a newspaper of general circulation in the jurisdiction an
3 announcement that the local authority or state agency intends to
4 retain the abandoned vehicle for its use and that title will vest in
5 the local authority or state agency thirty days after the
6 publication.

7 Sec. 63. Section 60-1908, Reissue Revised Statutes of
8 Nebraska, is amended to read:

9 60-1908 No person other than one authorized by the
10 appropriate local authority or state agency shall destroy, deface, or
11 remove any part of a vehicle which is left unattended on a highway or
12 other public place without a license plates~~plate~~ affixed or which is
13 abandoned. Anyone violating this section shall be guilty of a Class V
14 misdemeanor.

15 Sec. 64. Section 66-1406.02, Reissue Revised Statutes of
16 Nebraska, is amended to read:

17 66-1406.02 (1) The director may suspend, revoke, cancel,
18 or refuse to issue or renew a license under the International Fuel
19 Tax Agreement Act:

20 (a) If the applicant's or licensee's registration
21 certificate issued pursuant to the International Registration Plan
22 Act has been suspended, revoked, or canceled or the director refused
23 to issue or renew such certificate;

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

1 (c) If the applicant's or licensee's security has been
2 canceled;

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

5 (e) If the applicant or licensee failed to file any
6 report or return required by the motor fuel laws, filed an incomplete
7 report or return required by the motor fuel laws, did not file any
8 report or return required by the motor fuel laws electronically, or
9 did not file a report or return required by the motor fuel laws on
10 time;

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

13 (g) If the applicant or licensee filed any false report,
14 return, statement, or affidavit, required by the motor fuel laws,
15 knowing it to be false;

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

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

21 (2) Prior to taking any action pursuant to subsection (1)
22 of this section, the director shall notify and advise the applicant
23 or licensee of the proposed action and the reasons for such action in
24 writing, by registered or certified mail, to his or her last-known
25 business address as shown on the application or license. The notice

1 shall also include an advisement of the procedures in subsection (3)
2 of this section.

3 (3) The applicant or licensee may, within thirty days
4 after the mailing of the notice, petition the director in writing for
5 a hearing to contest the proposed action. The hearing shall be
6 commenced in accordance with the rules and regulations adopted and
7 promulgated by the Department of Motor Vehicles. If a petition is
8 filed, the director shall, within twenty days after receipt of the
9 petition, set a hearing date at which the applicant or licensee may
10 show cause why the proposed action should not be taken. The director
11 shall give the applicant or licensee reasonable notice of the time
12 and place of the hearing. If the director's decision is adverse to
13 the applicant or licensee, the applicant or licensee may appeal the
14 decision in accordance with the Administrative Procedure Act.

15 (4) Except as provided in subsection (2) of section
16 60-3,205 and subsection (8) of this section, the filing of the
17 petition shall stay any action by the director until a hearing is
18 held and a final decision and order is issued.

19 (5) Except as provided in subsection (2) of section
20 60-3,205 and subsection (8) of this section, if no petition is filed
21 at the expiration of thirty days after the date on which the
22 notification was mailed, the director may take the proposed action
23 described in the notice.

24 (6) Except as provided in subsection (2) of section
25 60-3,205 and subsection (8) of this section, if, in the judgment of

1 the director, the applicant or licensee has complied with or is no
2 longer in violation of the provisions for which the director took
3 action under this section, the director may reinstate the license
4 without delay. An applicant for reinstatement, issuance, or renewal
5 of a license within three years after the date of suspension,
6 revocation, cancellation, or refusal to issue or renew shall submit a
7 fee of one hundred dollars to the director. The director shall remit
8 the fee to the State Treasurer for credit to the Highway Cash Fund.

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

13 (8) Any person who receives notice from the director of
14 action taken pursuant to subsection (1) of this section shall, within
15 three business days, return such registration certificate and license
16 ~~plates~~plate issued pursuant to section 60-3,198 to the department.
17 If any person fails to return the registration certificate and
18 license ~~plates~~plate to the department, the department shall notify
19 the Nebraska State Patrol that any such person is in violation of
20 this section.

21 Sec. 65. Section 81-2005, Reissue Revised Statutes of
22 Nebraska, is amended to read:

23 81-2005 On and after July 20, 2002, the Superintendent of
24 Law Enforcement and Public Safety and all officers of the Nebraska
25 State Patrol, except all carrier enforcement officers assigned to the

1 carrier enforcement division, shall have the power:

2 (1) Of peace officers for the purpose of enforcing the
3 Motor Vehicle Operator's License Act, the Motor Vehicle Registration
4 Act, the Nebraska Rules of the Road, and any other law regulating the
5 registration or operation of vehicles or the use of the highways;

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

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

16 (4) At all times to direct all traffic in conformity with
17 law or, in the event of a fire or other emergency or in order to
18 expedite traffic or insure safety, to direct traffic as conditions
19 may require notwithstanding the provisions of law;

20 (5) When in uniform, to require the driver of a vehicle
21 to stop and exhibit his or her operator's license and registration
22 ~~card~~certificate issued for the vehicle and submit to an inspection
23 of such vehicle and the license ~~plates~~plate and registration ~~card~~
24 ~~thereon~~certificate and to require the drivers of motor vehicles to
25 present such vehicles within five days for correction of any defects

1 revealed by such motor vehicle inspection as may lead the inspecting
2 officer to reasonably believe that such motor vehicle is being
3 operated in violation of the statutes of Nebraska or the rules and
4 regulations of the Director of Motor Vehicles;

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

9 (7) To serve warrants relating to the enforcement of the
10 laws regulating the operation of vehicles or the use of the highways;

11 (8) To investigate traffic accidents for the purpose of
12 carrying on a study of traffic accidents and enforcing motor vehicle
13 and highway safety laws; and

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

17 Carrier enforcement officers appointed to the carrier
18 enforcement division before July 20, 2002, shall have the powers and
19 duties prescribed in sections 60-1301 to 60-1309.

20 Sec. 66. This act becomes operative on January 1, 2012.

21 Sec. 67. Original sections 18-1736, 18-1737, 60-163,
22 60-180, 60-308, 60-366, 60-373, 60-376, 60-378, 60-380, 60-383,
23 60-392, 60-395, 60-396, 60-397, 60-398, 60-399, 60-3,100, 60-3,101,
24 60-3,102, 60-3,105, 60-3,106, 60-3,107, 60-3,108, 60-3,109, 60-3,113,
25 60-3,114, 60-3,119, 60-3,120, 60-3,121, 60-3,122, 60-3,122.02,

1 60-3,123, 60-3,124, 60-3,125, 60-3,126, 60-3,128, 60-3,130,
2 60-3,130.01, 60-3,130.02, 60-3,130.05, 60-3,134, 60-3,135, 60-3,145,
3 60-3,146, 60-3,147, 60-3,149, 60-3,150, 60-3,151, 60-3,157, 60-3,167,
4 60-3,175, 60-3,183, 60-3,205, 60-501, 60-653, 60-683, 60-6,197.01,
5 60-1306, 60-1901, 60-1902, 60-1903, 60-1908, 66-1406.02, and 81-2005,
6 Reissue Revised Statutes of Nebraska, are repealed.