

LEGISLATURE OF NEBRASKA
ONE HUNDRED NINTH LEGISLATURE
FIRST SESSION

LEGISLATIVE BILL 120

FINAL READING

Introduced by Hardin, 48; Lippincott, 34; Raybould, 28.

Read first time January 10, 2025

Committee: Transportation and Telecommunications

1 A BILL FOR AN ACT relating to the Motor Vehicle Operator's License Act;
2 to amend section 60-484.02, Revised Statutes Cumulative Supplement,
3 2024; to provide an exception for when a digital image may be
4 released; to harmonize provisions; and to repeal the original
5 section.

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

1 **Section 1.** Section 60-484.02, Revised Statutes Cumulative
2 Supplement, 2024, is amended to read:

3 60-484.02 (1) Each applicant for an operator's license or state
4 identification card shall have his or her digital image captured. Digital
5 images shall be preserved for use as prescribed in sections 60-4,119,
6 60-4,151, and 60-4,180. The images shall be used for issuing operators'
7 licenses and state identification cards. The images may be retrieved only
8 by the Department of Motor Vehicles for issuing renewal and replacement
9 operators' licenses and state identification cards and may not be
10 otherwise released except in accordance with subsection (3) of this
11 section.

12 (2) Upon application for an operator's license or state
13 identification card, each applicant shall provide his or her signature in
14 a form prescribed by the department. Digital signatures shall be
15 preserved for use on original, renewal, and replacement operators'
16 licenses and state identification cards and may not be otherwise released
17 except in accordance with subsection (4) of this section.

18 (3)(a) ~~(3)~~ No officer, employee, agent, or contractor of the
19 department or law enforcement officer shall release a digital image
20 except:

21 (i) ~~(a)~~ to a federal, state, or local law enforcement agency, a
22 certified law enforcement officer employed in an investigative position
23 by a federal, state, or local agency, or a driver licensing agency of
24 another state for the purpose of carrying out the functions of the agency
25 or assisting another agency in carrying out its functions upon the
26 verification of the identity of the person requesting the release of the
27 information and the verification of the purpose of the requester in
28 requesting the release;

29 (ii) ~~(b)~~ to the office of the Secretary of State for the
30 purpose of voter registration and voter identification as prescribed in
31 the Election Act upon the verification of the identity of the person

1 requesting the release of the information and the verification of the
2 purpose of the requester in requesting the release; or -

3 (iii) To the Nebraska State Patrol in order to be posted on the
4 Nebraska State Patrol Missing Persons Clearinghouse website if the
5 portrayed individual has been deemed missing and cannot be located. The
6 Nebraska State Patrol and the Department of Motor Vehicles may enter into
7 an agreement for the release, use, protection, storage, and retention of
8 such digital images in accordance with this section and the Uniform Motor
9 Vehicle Records Disclosure Act. The Nebraska State Patrol shall do the
10 following relating to digital images that are released to the Nebraska
11 State Patrol:

12 (A) Carry out protection protocols to prevent the fraudulent use of
13 such digital images;

14 (B) Create, and update as necessary, security measures for the
15 access, storage, and retention of such digital images; and

16 (C) Remove any such digital image from the Nebraska State Patrol
17 Missing Persons Clearinghouse website within three business days after
18 the Nebraska State Patrol is notified that the individual portrayed in
19 such digital image has been located.

20 (b) No employee or official in the office of the Secretary of State
21 shall release a digital image except to a federal, state, or local law
22 enforcement agency, a certified law enforcement officer employed in an
23 investigative position by a federal, state, or local agency, or a driver
24 licensing agency of another state for the purpose of carrying out the
25 functions of the agency or assisting another agency in carrying out its
26 functions upon the verification of the identity of the person requesting
27 the release of the information and the verification of the purpose of the
28 requester in requesting the release.

29 (c) Any officer, employee, agent, or contractor of the department,
30 law enforcement officer, or employee or official in the office of the
31 Secretary of State that knowingly discloses or knowingly permits

1 disclosure of a digital image in violation of this section shall be
2 guilty of a Class I misdemeanor.

3 (4)(a) ~~(4)~~ No officer, employee, agent, or contractor of the
4 department or law enforcement officer shall release a digital signature
5 except:

6 (i) ~~To (a)~~ to a federal, state, or local law enforcement agency, a
7 certified law enforcement officer employed in an investigative position
8 by a federal, state, or local agency, or a driver licensing agency of
9 another state for the purpose of carrying out the functions of the agency
10 or assisting another agency in carrying out its functions upon the
11 verification of the identity of the person requesting the release of the
12 information and the verification of the purpose of the requester in
13 requesting the release; or

14 (ii) ~~To (b)~~ to the office of the Secretary of State for the purpose
15 of voter registration and voter identification as prescribed in the
16 Election Act upon the verification of the identity of the person
17 requesting the release of the information and the verification of the
18 purpose of the requester in requesting the release.

19 (b) No employee or official in the office of the Secretary of State
20 shall release a digital signature except to a federal, state, or local
21 law enforcement agency, a certified law enforcement officer employed in
22 an investigative position by a federal, state, or local agency, or a
23 driver licensing agency of another state for the purpose of carrying out
24 the functions of the agency or assisting another agency in carrying out
25 its functions upon the verification of the identity of the person
26 requesting the release of the information and the verification of the
27 purpose of the requester in requesting the release.

28 (c) Any officer, employee, agent, or contractor of the department,
29 law enforcement officer, or employee or official in the office of the
30 Secretary of State that knowingly discloses or knowingly permits
31 disclosure of a digital signature in violation of this section shall be

1 guilty of a Class I misdemeanor.

2 (5) The department shall develop a process for the release of
3 digital images to the Secretary of State for the purpose of voter
4 identification as prescribed by the Election Act. The process shall
5 include proper measures for access, security, storage, and retention of
6 the digital image and verification of the release of the digital image to
7 any officer, agent, or contractor of the Secretary of State. The
8 Secretary of State and the department shall enter into an agreement for
9 the release, use, protection, storage, and retention of digital images as
10 prescribed under this section and the Uniform Motor Vehicle Records
11 Disclosure Act. The department may adopt and promulgate rules and
12 regulations to carry out this subsection.

13 **Sec. 2.** Original section 60-484.02, Revised Statutes Cumulative
14 Supplement, 2024, is repealed.