

LEGISLATIVE BILL 215

Approved by the Governor March 10, 2011

Introduced by Fischer, 43; Janssen, 15.

FOR AN ACT relating to the Motor Vehicle Operator's License Act; to amend sections 60-462, 60-462.02, 60-479, 60-479.01, 60-484, 60-487, 60-4,113, 60-4,114, 60-4,115, 60-4,117, 60-4,120, 60-4,121, 60-4,122, 60-4,127, 60-4,144, 60-4,149, 60-4,150, 60-4,151, and 60-4,181, Reissue Revised Statutes of Nebraska; to adopt certain federal regulations; to provide powers and duties for the Department of Motor Vehicles regarding the design, production, issuance, and renewal of operators' licenses and state identification cards; to provide implementation dates; to change provisions relating to issuance and renewal of operators' licenses and state identification cards; to eliminate obsolete provisions; to harmonize provisions; to repeal the original sections; and to declare an emergency.

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

Section 1. Section 60-462, Reissue Revised Statutes of Nebraska, is amended to read:

60-462 Sections 60-462 to 60-4,188 and sections 6 to 9 of this act shall be known and may be cited as the Motor Vehicle Operator's License Act.

Sec. 2. Section 60-462.02, Reissue Revised Statutes of Nebraska, is amended to read:

60-462.02 It is the intent of the Legislature that the department develop, implement, and maintain processes for the issuance of operators' licenses and state identification cards designed to protect the identity of applicants for and holders of such licenses and cards and reduce identity theft, fraud, forgery, and counterfeiting to the maximum extent possible with respect to such licenses and cards. ~~The director shall designate an implementation date for such processes which date is on or before August 1, 2009.~~ The department shall adopt security and technology practices to enhance the enrollment, production, data storage, and credentialing system of such licenses and cards in order to maximize the integrity of the process.

Sec. 3. Section 60-479, Reissue Revised Statutes of Nebraska, is amended to read:

60-479 Sections 60-479.01 to 60-4,111.01 and 60-4,182 to 60-4,188 and sections 6 to 9 of this act shall apply to any operator's license subject to the Motor Vehicle Operator's License Act.

Sec. 4. Section 60-479.01, Reissue Revised Statutes of Nebraska, is amended to read:

60-479.01 ~~This section applies beginning on an implementation date designated by the director pursuant to section 60-462.02.~~ (1) All persons handling source documents or engaged in the issuance of new, renewed, or reissued operators' licenses or state identification cards shall have periodic fraudulent document recognition training.

(2) This subsection applies beginning on an implementation date designated by the director on or before January 1, 2014. All persons and agents of the department involved in the recording of verified application information or verified operator's license and state identification card information, involved in the manufacture or production of licenses or cards, or who have the ability to affect information on such licenses or cards shall be subject to a criminal history record information check, including a check of prior employment references, and a lawful status check. The cost of any background check shall be borne by the employer of the person or agent. Any person convicted of any disqualifying offense as provided in 6 C.F.R. part 37, as such part existed on January 1, 2011, shall not be involved in the recording of verified application information or verified operator's license and state identification card information, involved in the manufacture or production of licenses or cards, or involved in any capacity in which such person would have the ability to affect information on such licenses or cards. Any employee or prospective employee of the department shall be provided notice that he or she will undergo such criminal history record information check prior to employment or prior to any involvement with the issuance of operators' licenses or state identification cards.

Sec. 5. Section 60-484, Reissue Revised Statutes of Nebraska, is amended to read:

60-484 ~~(1)(a) This subsection applies until the implementation date designated by the director pursuant to section 60-462.02. Except as otherwise provided in the Motor Vehicle Operator's License Act, no resident of the State~~

of Nebraska shall operate a motor vehicle upon the alleys or highways of the State of Nebraska until the person has obtained an operator's license for that purpose.

(b) Application for an operator's license may be made in a manner prescribed by the department. Such application may be made to an examiner in any county. The examiner shall personally conduct the examination of the applicant and deliver to each successful applicant an examiner's certificate containing the statements made pursuant to subdivision (c) of this subsection.

(c) In addition to any other information and questions necessary to comply with the requirements and purposes of the act, the applicant (i) shall provide his or her name, age, post office address, place of residence unless the applicant is a program participant under the Address Confidentiality Act, date of birth, gender, social security number, and brief description of himself or herself, (ii) may complete the voter registration portion pursuant to section 32-308, (iii) shall be provided the advisement language required by subsection (5) of section 60-6,197, (iv) shall answer the following:

(A) Have you within the last three months (e.g. due to diabetes, epilepsy, mental illness, head injury, stroke, heart condition, neurological disease, etc.):

(I) lost voluntary control or consciousness ... yes ... no

(II) experienced vertigo or multiple episodes of dizziness or fainting ... yes ... no

(III) experienced disorientation ... yes ... no

(IV) experienced seizures ... yes ... no

(V) experienced impairment of memory, memory loss ... yes ... no

Please explain:

(B) Do you experience any condition which affects your ability to operate a motor vehicle? (e.g. due to loss of, or impairment of, foot, leg, hand, arm, neurological or neuromuscular disease, etc.) ... yes ... no

Please explain:

(C) Since the issuance of your last driver's license/permit has your health or medical condition changed or worsened? ... yes ... no

Please explain, including how the above affects your ability to drive: and (v) may answer the following:

(A) Do you wish to register to vote as part of this application process?

OPTIONAL - YOU ARE NOT REQUIRED TO ANSWER ANY OF THE FOLLOWING QUESTIONS:

(B) Do you wish to be an organ and tissue donor?

(C) Do you wish to receive any additional specific information regarding organ and tissue donation and the Donor Registry of Nebraska?

(D) Do you wish to donate \$1 to promote the Organ and Tissue Donor Awareness and Education Fund?

(d) Application for an operator's license shall be made under oath or affirmation of the applicant.

(e) The social security number shall not be printed on the operator's license and shall be used only (i) to furnish driver record information to the United States Selective Service System under section 60-483, (ii) with the permission of the director in connection with the verification of the status of an individual's driving record in this state or any other state, (iii) for purposes of child support enforcement pursuant to section 42-358.08 or 43-512.06, or (iv) to furnish information regarding an applicant for or holder of a commercial driver's license with a hazardous materials endorsement to the Transportation Security Administration of the United States Department of Homeland Security or its agent.

(f)(i) Except for an individual under the age of eighteen years, each individual applying for an operator's license or a state identification card shall furnish proof of date of birth and identity by a valid Nebraska operator's license, a valid Nebraska learner's permit, a valid Nebraska school permit, a valid operator's license from another state or jurisdiction of the United States, a certified birth certificate, a certified birth registration, a valid United States passport, a valid United States military identification card, United States military discharge papers, other United States-based identification as approved by the director, or information preserved in the digital system implemented under section 60-484.01.

(ii) Any individual under the age of eighteen years applying for an operator's license or a state identification card shall provide a certified copy of his or her birth certificate, a certified birth registration, or other reliable proof of his or her identity and age accompanied by a certification signed by a parent or guardian explaining the inability to produce a copy of such birth certificate. The applicant may be required to furnish proof to the examiner that the parent or guardian signing the certification is in fact the

parent or guardian of such applicant.

~~(2)(a)~~ (1)(a) This subsection applies beginning on until the implementation date designated by the director pursuant to section ~~60-462.02~~ on or before January 1, 2014. Except as otherwise provided in the Motor Vehicle Operator's License Act, no resident of the State of Nebraska shall operate a motor vehicle upon the alleys or highways of this state until the person has obtained an operator's license for that purpose.

(b) Application for an operator's license or a state identification card shall be made in a manner prescribed by the department. Such application may be made to department personnel in any county. Department personnel shall conduct the examination of the applicant and deliver to each successful applicant an issuance certificate containing the statements made pursuant to subdivision (c) of this subsection.

(c) The applicant (i) shall provide his or her full legal name, date of birth, mailing address, gender, race or ethnicity, and social security number, two forms of proof of address of his or her principal residence unless the applicant is a program participant under the Address Confidentiality Act, evidence of identity as required by subdivision ~~(2)(f)~~ (1)(f) of this subsection, and a brief physical description of himself or herself, (ii) may complete the voter registration portion pursuant to section 32-308, (iii) shall be provided the advisement language required by subsection (5) of section 60-6,197, (iv) shall answer the following:

(A) Have you within the last three months (e.g. due to diabetes, epilepsy, mental illness, head injury, stroke, heart condition, neurological disease, etc.):

- (I) lost voluntary control or consciousness ... yes ... no
- (II) experienced vertigo or multiple episodes of dizziness or fainting ... yes ... no
- (III) experienced disorientation ... yes ... no
- (IV) experienced seizures ... yes ... no
- (V) experienced impairment of memory, memory loss ... yes ... no

Please explain:

(B) Do you experience any condition which affects your ability to operate a motor vehicle? (e.g. due to loss of, or impairment of, foot, leg, hand, arm; neurological or neuromuscular disease, etc.) ... yes ... no

Please explain:

(C) Since the issuance of your last driver's license/permit, has your health or medical condition changed or worsened? ... yes ... no

Please explain, including how the above affects your ability to drive:, and (v) may answer the following:

(A) Do you wish to register to vote as part of this application process?

OPTIONAL - YOU ARE NOT REQUIRED TO ANSWER ANY OF THE FOLLOWING QUESTIONS:

- (B) Do you wish to be an organ and tissue donor?
- (C) Do you wish to receive any additional specific information regarding organ and tissue donation and the Donor Registry of Nebraska?
- (D) Do you wish to donate \$1 to promote the Organ and Tissue Donor Awareness and Education Fund?

(d) Application for an operator's license or state identification card shall include a signed oath, affirmation, or declaration of the applicant that the information provided on the application for the license or card is true and correct.

(e) The social security number shall not be printed on the operator's license or state identification card and shall be used only (i) to furnish information to the United States Selective Service System under section 60-483, (ii) with the permission of the director in connection with the verification of the status of an individual's driving record in this state or any other state, (iii) for purposes of child support enforcement pursuant to section 42-358.08 or 43-512.06, (iv) to furnish information regarding an applicant for or holder of a commercial driver's license with a hazardous materials endorsement to the Transportation Security Administration of the United States Department of Homeland Security or its agent, or (v) to furnish information to the Department of Revenue under section 77-362.02.

(f)(i) Each individual applying for an operator's license or a state identification card shall furnish proof of date of birth and identity with documents containing a photograph or with nonphoto identity documents which include his or her full legal name and date of birth. Such documents shall include, but not be limited to, any valid Nebraska operator's license or Nebraska state identification card, a valid operator's license or identification card from another state or jurisdiction of the United States, a certified birth certificate, a valid United States passport, or any other

United States-based identification as approved by the director.

(ii) Any individual under the age of eighteen years applying for an operator's license or a state identification card shall provide a certified copy of his or her birth certificate or, if such individual is unable to provide a certified copy of his or her birth certificate, other reliable proof of his or her identity and age, as required in subdivision ~~(2)(f)(i)~~ (1)(f)(i) of this section, accompanied by a certification signed by a parent or guardian explaining the inability to produce a copy of such birth certificate. The applicant also may be required to furnish proof to department personnel that the parent or guardian signing the certification is in fact the parent or guardian of such applicant.

(iii) An applicant may present other documents as proof of identification and age designated by the director. Any documents accepted shall be recorded according to a written exceptions process established by the director.

(2)(a) This subsection applies beginning on an implementation date designated by the director on or before January 1, 2014. Except as otherwise provided in the Motor Vehicle Operator's License Act, no resident of the State of Nebraska shall operate a motor vehicle upon the alleys or highways of this state until the person has obtained an operator's license for that purpose.

(b) Application for an operator's license or a state identification card shall be made in a manner prescribed by the department. Such application may be made to department personnel in any county. Department personnel shall conduct the examination of the applicant and deliver to each successful applicant an issuance certificate containing the statements made pursuant to subdivision (c) of this subsection.

(c) The applicant shall provide his or her full legal name, date of birth, mailing address, gender, race or ethnicity, and social security number, two forms of proof of address of his or her principal residence unless the applicant is a program participant under the Address Confidentiality Act, evidence of identity as required by subdivision (2)(f) of this subsection, and a brief physical description of himself or herself. The applicant (i) may also complete the voter registration portion pursuant to section 32-308, (ii) shall be provided the advisement language required by subsection (5) of section 60-6,197, (iii) shall answer the following:

(A) Have you within the last three months (e.g. due to diabetes, epilepsy, mental illness, head injury, stroke, heart condition, neurological disease, etc.):

(I) lost voluntary control or consciousness ... yes ... no

(II) experienced vertigo or multiple episodes of dizziness or fainting ... yes ... no

(III) experienced disorientation ... yes ... no

(IV) experienced seizures ... yes ... no

(V) experienced impairment of memory, memory loss ... yes ... no

Please explain:

(B) Do you experience any condition which affects your ability to operate a motor vehicle? (e.g. due to loss of, or impairment of, foot, leg, hand, arm; neurological or neuromuscular disease, etc.) ... yes ... no

Please explain:

(C) Since the issuance of your last driver's license/permit, has your health or medical condition changed or worsened? ... yes ... no

Please explain, including how the above affects your ability to drive:, and (iv) may answer the following:

(A) Do you wish to register to vote as part of this application process?

OPTIONAL - YOU ARE NOT REQUIRED TO ANSWER ANY OF THE FOLLOWING QUESTIONS:

(B) Do you wish to be an organ and tissue donor?

(C) Do you wish to receive any additional specific information regarding organ and tissue donation and the Donor Registry of Nebraska?

(D) Do you wish to donate \$1 to promote the Organ and Tissue Donor Awareness and Education Fund?

(d) Application for an operator's license or state identification card shall include a signed oath, affirmation, or declaration of the applicant that the information provided on the application for the license or card is true and correct.

(e) The social security number shall not be printed on the operator's license or state identification card and shall be used only (i) to furnish information to the United States Selective Service System under section 60-483, (ii) with the permission of the director in connection with the verification of the status of an individual's driving record in this state or any other state, (iii) for purposes of child support enforcement pursuant

to section 42-358.08 or 43-512.06, (iv) to furnish information regarding an applicant for or holder of a commercial driver's license with a hazardous materials endorsement to the Transportation Security Administration of the United States Department of Homeland Security or its agent, or (v) to furnish information to the Department of Revenue under section 77-362.02.

(f) (i) Each individual applying for an operator's license or a state identification card shall furnish proof of date of birth and identity with documents containing a photograph or with nonphoto identity documents which include his or her full legal name and date of birth. Such documents shall be those provided in subsection (2) of section 7 of this act.

(ii) Any individual under the age of eighteen years applying for an operator's license or a state identification card shall provide a certified copy of his or her birth certificate or, if such individual is unable to provide a certified copy of his or her birth certificate, other reliable proof of his or her identity and age, as required in subdivision (2) (f) (i) of this section, accompanied by a certification signed by a parent or guardian explaining the inability to produce a copy of such birth certificate. The applicant also may be required to furnish proof to department personnel that the parent or guardian signing the certification is in fact the parent or guardian of such applicant.

(iii) An applicant may present other documents as proof of identification and age designated by the director. Any documents accepted shall be recorded according to a written exceptions process established by the director.

(g) No person shall be a holder of an operator's license and a state identification card at the same time.

Sec. 6. This section applies beginning on an implementation date designated by the director on or before January 1, 2014. The department shall retain copies of source documents presented by all individuals applying for or holding operators' licenses or state identification cards. Copies retained by the department shall be held in secured storage and managed to meet the requirements of the Uniform Motor Vehicle Records Disclosure Act and sections 60-484 and 60-484.02.

Sec. 7. (1) This section applies beginning on an implementation date designated by the director on or before January 1, 2014.

(2) Before being issued any type of operator's license or a state identification card under the Motor Vehicle Operator's License Act, the department shall require an applicant to present valid documentary evidence that he or she has lawful status in the United States. Lawful status may be shown by:

(a) A valid, unexpired United States passport;

(b) A certified copy of a birth certificate filed with a state office of vital statistics or equivalent agency in the individual's state of birth;

(c) A Consular Report of Birth Abroad (CRBA) issued by the United States Department of State, Form FS-240, DS-1350, or FS-545;

(d) A valid, unexpired Permanent Resident Card (Form I-551) issued by the United States Department of Homeland Security or Bureau of United States Citizenship and Immigration Services;

(e) An unexpired employment authorization document (EAD) issued by the United States Department of Homeland Security, Form I-766 or Form I-688B;

(f) An unexpired foreign passport with a valid, unexpired United States visa affixed accompanied by the approved I-94 form documenting the applicant's most recent admittance into the United States;

(g) A Certificate of Naturalization issued by the United States Department of Homeland Security, Form N-550 or Form N-570;

(h) A Certificate of Citizenship, Form N-560 or Form N-561, issued by the United States Department of Homeland Security;

(i) A driver's license or identification card issued in compliance with the standards established by the REAL ID Act of 2005, Public Law 109-13, division B, section 1, 119 Stat. 302; or

(j) Such other documents as the director may approve.

(3) (a) If an applicant presents one of the documents listed under subdivision (2) (a), (b), (c), (d), (g), or (h) of this section, the verification of the applicant's identity in the manner prescribed in section 60-484 will also provide satisfactory evidence of lawful status.

(b) If the applicant presents one of the identity documents listed under subdivision (2) (e), (f), or (i) of this section, the verification of the identity documents does not provide satisfactory evidence of lawful status. The applicant must also present a second document from subsection (2) of this section or documentation issued by the United States Department of Homeland Security or other federal agencies demonstrating lawful status as determined

by the Bureau of United States Citizenship and Immigration Services.

(4) An applicant may present other documents as designated by the director as proof of lawful status. Any documents accepted shall be recorded according to a written exceptions process established by the director.

Sec. 8. (1) The department shall only issue an operator's license or a state identification card that is temporary to any applicant who presents documentation under section 60-484 and subsection (2) of section 7 of this act that shows his or her lawful presence in the United States is temporary. An operator's license or a state identification card that is temporary shall be valid only during the period of time of the applicant's authorized stay in the United States or, if there is no definite end to the period of authorized stay, a period of one year.

(2) An operator's license or state identification card that is temporary shall clearly indicate that it is temporary with a special notation on the front of the license or card and shall state the date on which it expires.

(3) An operator's license or state identification card that is temporary may be renewed only upon presentation of valid documentary evidence that the status by which the applicant qualified for the operator's license or state identification card that is temporary has been extended by the United States Department of Homeland Security.

Sec. 9. This section applies beginning on an implementation date designated by the director on or before January 1, 2014. Before issuing any operator's license or state identification card under the Motor Vehicle Operator's License Act, the department may verify, with the issuing agency, the issuance, validity, and completeness of each document required to be presented by a person pursuant to section 60-484 and section 7 of this act.

Sec. 10. Section 60-487, Reissue Revised Statutes of Nebraska, is amended to read:

60-487 (1) If any magistrate or judge finds in his or her judgment of conviction that the application or ~~examiner's~~ issuance certificate pursuant to which the director has issued an operator's license under the Motor Vehicle Operator's License Act contains any false or fraudulent statement deliberately and knowingly made to any officer as to any matter material to the issuance of such license or does not contain required or correct information or that the person to whom the license was issued was not eligible to receive such license, then the license shall be absolutely void from the date of issue and such motor vehicle operator shall be deemed to be not licensed to operate a motor vehicle. Such license shall be at once canceled of record in his or her office by the director upon receipt of a copy of such judgment of conviction. The director may, upon his or her own motion, summarily cancel any license for any of the reasons set forth in this section if such reason or reasons affirmatively appear on his or her official records.

(2) If the director determines, in a check of an applicant's license status and record prior to issuing a commercial driver's license, or at any time after the commercial driver's license is issued, that the applicant falsified information contained in the application, the director may summarily cancel the person's commercial driver's license or his or her pending application as provided in subsection (1) of this section and disqualify the person from operating a commercial motor vehicle for sixty days.

Sec. 11. Section 60-4,113, Reissue Revised Statutes of Nebraska, is amended to read:

60-4,113 ~~(1)~~ This subsection applies until the implementation date designated by the director pursuant to section 60-462.02. In and for each county in the State of Nebraska, the director shall appoint as his or her agents one or more examiners who shall examine all applicants for an operator's license as provided in section 60-4,114 except as otherwise provided in subsection ~~(8)~~ of section 60-4,122. The director may, in his or her discretion, also appoint one or more examining officers with similar powers as are set forth in section 60-4,114. The same examiner may be assigned to one or more counties by the director. Each county shall furnish office space for the administration of the operator's license examination. The examiner shall conduct the examination of applicants and deliver to each successful applicant a certificate entitling such applicant to secure an operator's license. If the examiner refuses to issue such certificate for cause, he or she shall state such cause in writing and deliver the same to the applicant. The successful applicant shall, within ninety days, present his or her certificate to the county treasurer who shall immediately issue the operator's license and collect the fee therefor. The county treasurer shall report the issuance of such licenses to the department within five days after issuance.

~~(2)(a)~~ This subsection applies beginning on the implementation date designated by the director pursuant to section 60-462.02. (1) In and for each county in the State of Nebraska, the director shall appoint as his or her agents one or more department personnel who shall examine all applicants for a state identification card or an operator's license as provided in section 60-4,114 except as otherwise provided in subsection (8) of section 60-4,122. The same department personnel may be assigned to one or more counties by the director. Each county shall furnish office space for the administration of the operator's license examination. The department personnel shall conduct the examination of applicants and deliver to each successful applicant an issuance certificate. The certificate may be presented to the county treasurer of any county within ninety days after issuance, and the county treasurer shall collect the fee and surcharge as provided in section 60-4,115 and issue a receipt which is valid for up to thirty days. If an operator's license is being issued, the receipt shall also authorize driving privileges for such thirty-day period. If the department personnel refuse to issue an issuance certificate for cause, the department personnel shall state such cause in writing and deliver such written cause to the applicant.

~~(b)~~ (2) The department may provide for the central production and issuance of operators' licenses and state identification cards. Production shall take place at a secure production facility designated by the director. The licenses and cards shall be of such a design and produced in such a way as to discourage, to the maximum extent possible, fraud in applicant enrollment, identity theft, and the forgery and counterfeiting of such licenses and cards. Delivery of an operator's license or state identification card shall be to the mailing address provided by the applicant at the time of application.

Sec. 12. Section 60-4,114, Reissue Revised Statutes of Nebraska, is amended to read:

60-4,114 (1) The county treasurer may employ such additional clerical help as may be necessary to assist him or her in the performance of the ministerial duties required of him or her under the Motor Vehicle Operator's License Act and, for such additional expense, shall be reimbursed as set out in section 60-4,115.

(2) The director may, in his or her discretion, appoint ~~one or more examining officers who shall personally~~ department personnel to examine all applicants who apply for an initial license or whose licenses have been revoked or canceled to ascertain such person's ability to operate a motor vehicle properly and safely.

(3) Except as otherwise provided in section 60-4,122, the application process, in addition to the other requisites of the act, shall include the following:

(a) An inquiry into the medical condition and visual ability of the applicant to operate a motor vehicle;

(b) An inquiry into the applicant's ability to drive and maneuver a motor vehicle; and

(c) An inquiry touching upon the applicant's knowledge of the motor vehicle laws of this state, which shall include sufficient questions to indicate familiarity with the provisions thereof; + and

~~(d) An inquiry into the applicant's knowledge of the laws for operating a motor vehicle to avoid arrest.~~

(4) If an applicant is denied or refused a certificate for license, ~~by the examiners,~~ such applicant shall have the right to an immediate appeal to the director from the decision of such examiners. It shall be the duty of the director to review the appeal and issue a final order, to be made not later than ten days after the receipt of the appeal by the director, except that if the director requests the advice of the Health Advisory Board on the matter, the director shall have up to forty-five days after the day a medical or vision problem is referred to him or her to consult with members of the board to obtain the medical opinion necessary to make a decision and shall issue a final order not later than ten days following receipt of the medical opinion. After consideration of the advice of the board, the director shall make a determination of the applicant's physical or mental ability to operate a motor vehicle and shall issue a final order. The order shall be in writing, shall be accompanied by findings of fact and conclusions of law, and shall be sent by registered or certified mail to the applicant's last-known address. The order may be appealed as provided in section 60-4,105.

Sec. 13. Section 60-4,115, Reissue Revised Statutes of Nebraska, is amended to read:

60-4,115 (1) Fees for operators' licenses and state identification cards shall be collected and distributed according to the table in subsection (2) of this section, except for the ignition interlock permit and associated fees as outlined in subsection (4) of this section. County officials shall

remit the county portion of the fees collected to the county treasurer for placement in the county general fund. All other fees collected shall be remitted to the State Treasurer for credit to the appropriate fund. The State Treasurer shall transfer an amount equal to three dollars and fifty cents times the number of original or renewal Class M licenses issued pursuant to section 60-4,127 during the previous year from the Department of Motor Vehicles Cash Fund to the Motorcycle Safety Education Fund.

(2) The fees provided in this subsection in the following dollar amounts apply for operators' licenses and state identification cards.

Document	Total Fee	Department			
		County General Fund	of Motor Vehicles Cash Fund	State General Fund	
State identification card:					
Valid for 1 year or less		5.00	2.75	1.25	1.00
Valid for more than 1 year but not more than 2 years		10.00	2.75	4.00	3.25
Valid for more than 2 years but not more than 3 years		14.00	2.75	5.25	6.00
Valid for more than 3 years but not more than 4 years		19.00	2.75	8.00	8.25
Valid for more than 4 years for person under 21		24.00	2.75	10.25	11.00
Valid for 5 years		24.00	3.50	10.25	10.25
Duplicate or replacement		11.00	2.75	6.00	2.25
Class O or M operator's license:					
Valid for 1 year or less		5.00	2.75	1.25	1.00
Valid for more than 1 year but not more than 2 years		10.00	2.75	4.00	3.25
Valid for more than 2 years but not more than 3 years		14.00	2.75	5.25	6.00
Valid for more than 3 years but not more than 4 years		19.00	2.75	8.00	8.25
Valid for 5 years		24.00	3.50	10.25	10.25
Bioptic or telescopic lens restriction:					
Valid for 1 year or less		5.00	0	5.00	0
Valid for more than 1 year but not more than 2 years		10.00	2.75	4.00	3.25
Duplicate or replacement		11.00	2.75	6.00	2.25
Add, change, or remove class, endorsement, or restriction		5.00	0	5.00	0

Provisional operator's permit:

Original	15.00	2.75	12.25	0
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Bioptic or telescopic lens restriction:

Valid for 1 year or less	5.00	0	5.00	0
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Valid for more than 1 year

but not more than 2 years	15.00	2.75	12.25	0
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Duplicate or replacement	11.00	2.75	6.00	2.25
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Add, change, or remove class,

endorsement, or restriction	5.00	0	5.00	0
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LPD-learner's permit:

Original	8.00	.25	5.00	2.75
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Duplicate or replacement	11.00	2.75	6.00	2.25
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Add, change, or remove class,

endorsement, or restriction	5.00	0	5.00	0
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LPE-learner's permit:

Original	8.00	.25	5.00	2.75
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Duplicate or replacement	11.00	2.75	6.00	2.25
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Add, change, or remove class,

endorsement, or restriction	5.00	0	5.00	0
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School permit:

Original	8.00	.25	5.00	2.75
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Duplicate or replacement	11.00	2.75	6.00	2.25
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Add, change, or remove class,

endorsement, or restriction	5.00	0	5.00	0
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Farm permit:

Original or renewal	5.00	.25	0	4.75
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Duplicate or replacement	5.00	.25	0	4.75
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Temporary	5.00	.25	0	4.75
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Add, change, or remove class,

endorsement, or restriction	5.00	0	5.00	0
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Driving permits:

Employment	45.00	0	5.00	40.00
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Medical hardship	45.00	0	5.00	40.00
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Duplicate or replacement	10.00	.25	5.00	4.75
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Add, change, or remove class,

endorsement, or restriction	5.00	0	5.00	0
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Commercial driver's license:

Valid for 1 year or less	11.00	1.75	5.00	4.25
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Valid for more than 1 year				
but not more than 2 years	22.00	1.75	5.00	15.25
Valid for more than 2 years				
but not more than 3 years	33.00	1.75	5.00	26.25
Valid for more than 3 years				
but not more than 4 years	44.00	1.75	5.00	37.25
Valid for 5 years	55.00	1.75	5.00	48.25
Bioptic or telescopic lens restriction:				
Valid for one year or less	11.00	1.75	5.00	4.25
Valid for more than 1 year				
but not more than 2 years	22.00	1.75	5.00	15.25
Duplicate or replacement	11.00	2.75	6.00	2.25
Add, change, or remove class,				
endorsement, or restriction	10.00	1.75	5.00	3.25
LPC-learner's permit:				
Original or renewal	10.00	.25	5.00	4.75
Duplicate or replacement	10.00	.25	5.00	4.75
Add, change, or remove class,				
endorsement, or restriction	10.00	.25	5.00	4.75
Seasonal permit:				
Original or renewal	10.00	.25	5.00	4.75
Duplicate or replacement	10.00	.25	5.00	4.75
Add, change, or remove class,				
endorsement, or restriction	10.00	.25	5.00	4.75
School bus permit:				
Original or renewal	5.00	0	5.00	0
Duplicate or replacement	5.00	0	5.00	0
Add, change, or remove class,				
endorsement, or restriction	5.00	0	5.00	0

(3) If the department issues an operator's license or a state identification card, the department shall remit the county portion of the fees to the State Treasurer for credit to the Department of Motor Vehicles Cash Fund.

(4) (a) The fee for an ignition interlock permit shall be forty-five dollars. Five dollars of the fee shall be remitted to the State Treasurer for credit to the Department of Motor Vehicles Cash Fund. Forty dollars of the fee shall be remitted to the State Treasurer for credit to the Probation Cash Fund.

(b) The fee for a duplicate or replacement ignition interlock permit shall be ten dollars. Twenty-five cents of the fee shall be remitted to the county treasurer for credit to the county general fund. Five dollars of the fee shall be remitted to the State Treasurer for credit to the Department of Motor Vehicles Cash Fund. Four dollars and seventy-five cents of the fee shall be remitted to the State Treasurer for credit to the Probation Cash Fund.

(c) The fee for adding, changing, or removing a class, endorsement, or restriction on an ignition interlock permit shall be five dollars. The fee shall be remitted to the State Treasurer for credit to the Department of Motor

Vehicles Cash Fund.

(5) ~~This subsection applies beginning on the implementation date designated by the director pursuant to section 60-462.02.~~ The department and its agents may collect an identity security surcharge to cover the cost of security and technology practices used to protect the identity of applicants for and holders of operators' licenses and state identification cards and to reduce identity theft, fraud, and forgery and counterfeiting of such licenses and cards to the maximum extent possible. The surcharge shall be in addition to all other required fees for operators' licenses and state identification cards. The amount of the surcharge shall be determined by the department. The surcharge shall not exceed eight dollars. The surcharge shall be remitted to the State Treasurer for credit to the Department of Motor Vehicles Cash Fund.

Sec. 14. Section 60-4,117, Reissue Revised Statutes of Nebraska, is amended to read:

60-4,117 ~~(1)(a)~~ This subsection applies until the implementation date designated by the director pursuant to section 60-462.02. Upon presentation of the certificate for an operator's license issued by the examining officer to the applicant for such license, the county treasurer shall issue such license to the applicant. The license shall be in full force and effect until the expiration date thereon, until officially revoked, suspended, canceled by an order of the director, or until ordered revoked or impounded by a court of competent jurisdiction.

~~(b)~~ The operator's license shall be in a form prescribed by the department. The license may include security features prescribed by the department. The license shall be conspicuously marked Nebraska Operator's License, shall be, to the maximum extent practicable, tamper proof, and shall include the following information:

- ~~(i)~~ The name and residential and post office address of the holder;
- ~~(ii)~~ The holder's color photograph or digital image;
- ~~(iii)~~ A physical description of the holder, including sex, height, weight, and eye and hair colors;
- ~~(iv)~~ The holder's date of birth;
- ~~(v)~~ The holder's signature;
- ~~(vi)~~ The class of motor vehicle which the holder is authorized to operate and any endorsements or restrictions;
- ~~(vii)~~ The dates between which the license is valid;
- ~~(viii)~~ The organ and tissue donation information specified in section 60-494; and
- ~~(ix)~~ Such other facts and information as the director may determine.

~~(c)~~ Machine-readable information encoded on an operator's license shall be limited to the information appearing on the face of the license.

~~(2)(a)~~ This subsection applies beginning on the implementation date designated by the director pursuant to section 60-462.02. (1) Upon presentation of an issuance certificate for an operator's license or state identification card issued by department personnel to the applicant, the county treasurer shall collect the applicable fee and surcharge as prescribed in section 60-4,115 and issue a receipt which is valid for up to thirty days. If there is cause for an operator's license to be issued, the receipt shall also authorize driving privileges for such thirty-day period. The license or card shall be delivered as provided in section 60-4,113.

~~(b)~~ (2) The operator's license and state identification card shall be in a form prescribed by the department. The license and card may include security features prescribed by the department. The license and card shall be conspicuously marked Nebraska Operator's License or Nebraska Identification Card, shall be, to the maximum extent practicable, tamper and forgery proof, and shall include the following information:

- ~~(i)~~ (a) The full legal name and principal residence address of the holder;
- ~~(ii)~~ (b) The holder's full facial digital image;
- ~~(iii)~~ (c) A physical description of the holder, including gender, height, weight, and eye and hair colors;
- ~~(iv)~~ (d) The holder's date of birth;
- ~~(v)~~ (e) The holder's signature;
- ~~(vi)~~ (f) The class of motor vehicle which the holder is authorized to operate and any applicable endorsements or restrictions;
- ~~(vii)~~ (g) The issuance and expiration date of the license or card;
- ~~(viii)~~ (h) The organ and tissue donation information specified in section 60-494; and
- ~~(ix)~~ (i) Such other marks and information as the director may determine.

~~(c)~~ (3) Each operator's license and state identification card shall contain the following encoded, machine-readable information: The holder's full

legal name; date of birth; gender; race or ethnicity; document issue date; document expiration date; principal residence address; unique identification number; revision date; inventory control number; and state of issuance.

Sec. 15. Section 60-4,120, Reissue Revised Statutes of Nebraska, is amended to read:

60-4,120 (1) Except as provided in subsection (4) of this section for persons temporarily out of the state, any person duly licensed or holding a valid state identification card issued under the Motor Vehicle Operator's License Act who loses his or her operator's license or card may obtain a duplicate upon filing with the county treasurer or the ~~Department of Motor Vehicles~~ department an application showing such loss and furnishing proof of identification in accordance with section 60-484. If satisfied that the loss is genuine, the issuer shall cause to be issued, upon the payment of the fee prescribed in section 60-4,115, a duplicate license or card. ~~No more than two duplicates of a license or card may be issued in this manner.~~ Upon the issuance of any duplicate or replacement license or card, the license or card from which the duplicate or replacement is issued shall be void.

(2) If any person changes his or her name because of marriage or divorce or by court order or a common-law name change, he or she shall apply to the county treasurer for a replacement operator's license or state identification card and furnish proof of identification in accordance with section 60-484. If any person changes his or her address, the person shall apply to the county treasurer for a replacement operator's license or state identification card and furnish satisfactory evidence of such change. The application shall be made within sixty days after the change of name or address. The license or card shall be issued upon payment of the fee prescribed in section 60-4,115.

(3) In the event a mutilated and unreadable operator's license is held by any person duly licensed under the act or a mutilated and unreadable state identification card which was issued under the act is held by a person, such person may obtain a replacement license or card upon showing the original mutilated or unreadable license or card to the county treasurer. A replacement license or card may be issued, without a photograph, to any person who is out of the state at the time of application for the replacement license or card. Such license or card shall state on its face that it shall become invalid thirty days after such person resumes residence in the state. If the county treasurer is satisfied that the license or card is mutilated or unreadable, the county treasurer shall cause to be issued, upon the payment of the fee prescribed in section 60-4,115, a replacement license or card.

(4) If any person duly licensed under the act loses his or her operator's license or if any holder of a state identification card loses his or her card while temporarily out of the state, he or she may apply for a duplicate operator's license or card without a photograph by filing with the county treasurer an application and affidavit showing such loss. Upon the officer being satisfied that the loss is genuine, the officer shall cause to be issued, upon the payment of the fee prescribed in section 60-4,115, a duplicate operator's license or card without a photograph. Upon the issuance of the duplicate, the original license or card shall be void.

(5) Any person holding a valid operator's license or state identification card without a photograph shall surrender such license or card to the treasurer of his or her county of residence within thirty days after resuming residency in this state. After the thirty-day period, such license or card shall be considered invalid. Upon the timely surrender of the license or card and payment of the fee prescribed in section 60-4,115, such person shall be issued an operator's license or card with a color photograph or digital image of the licensee included.

(6) An application form for a replacement or duplicate operator's license or state identification card shall include a voter registration portion pursuant to section 32-308 and the following specific question: Do you wish to register to vote as part of this application process?

(7) An applicant may obtain a replacement or duplicate operator's license or state identification card pursuant to subsection (1), (3), or (4) of this section by electronic means in a manner prescribed by the department. If the applicant has a digital image and digital signature preserved in the digital system, the replacement or duplicate shall be issued with the preserved digital image and digital signature.

Sec. 16. Section 60-4,121, Reissue Revised Statutes of Nebraska, is amended to read:

60-4,121 (1) The operator's license of any person serving on active duty, other than members of the National Guard or reserves activated for training purposes only, outside the State of Nebraska as a member of the United States Armed Forces, or the spouse of any such person or a dependent of

such member of the armed forces, shall be valid during such person's period of active duty and for not more than sixty days immediately following such person's date of separation from service, and shall be renewed after the expiration date without examination upon written application to the county treasurer who issued the license. No person shall be permitted to renew a license in such manner more than twice.

(2) The county treasurer also shall issue a renewal license, without examination, to any person who is serving in the armed forces of the United States, or the spouse of any such person or a dependent of such member of the armed forces, and who makes application for renewal within ninety days prior to the expiration date of his or her license while the member is still on active duty upon proof that such member is still on active duty. If such person is twenty years of age, he or she may be issued a renewal license in such manner within ten days prior to his or her twenty-first birthday.

(3) The county treasurer also shall issue a renewal license, without examination, to any person whose license expired while serving in the armed forces of the United States, or the spouse of any such person or a dependent of such member of the armed forces, and who makes application for renewal within sixty days after his or her (a) discharge or return to the State of Nebraska to reside, whichever is later, or (b) return to the State of Nebraska while the member is still on active duty upon proof that such member is still on active duty.

(4) (2) Each individual who is applying for renewal of his or her operator's license shall submit his or her previous license to the examiner department personnel or, when the previous license is unavailable, furnish proof of identification in accordance with section 60-484.

Sec. 17. Section 60-4,122, Reissue Revised Statutes of Nebraska, is amended to read:

60-4,122 (1) Except as otherwise provided in subsections (2), (3), and (8) of this section, no original or renewal operator's license shall be issued to any person until such person has demonstrated his or her ability to operate a motor vehicle safely as provided in section 60-4,114.

(2) Except as otherwise provided in this section and section 60-4,127, any person who renews his or her Class O or Class M license shall demonstrate his or her ability to drive and maneuver a motor vehicle safely as provided in subdivision (3)(b) of section 60-4,114 only at the discretion of department personnel, except that a person required to use bioptic or telescopic lenses shall be required to demonstrate his or her ability to drive and maneuver a motor vehicle safely each time he or she renews his or her license.

(3) Any person who renews his or her Class O or Class M license prior to or within one year after its expiration may not be required to demonstrate his or her knowledge of the motor vehicle laws of this state as provided in subdivision (3)(c) of section 60-4,114 if his or her driving record abstract maintained in the computerized records of the department shows that such person's license is not suspended, revoked, or canceled.

(4) Except for operators' licenses issued to persons required to use bioptic or telescopic lenses, any person who renews his or her operator's license which has been valid for fifteen months or less shall not be required to take any examination required under section 60-4,114.

(5) Any person who renews a state identification card shall appear before department personnel and present his or her current state identification card or shall follow the procedure for electronic renewal in subsection (9) of this section. Proof of identification shall be required as prescribed in sections 60-484 and 60-4,181 and also, beginning on an implementation date designated by the director on or before January 1, 2014, the information and documentation required by section 7 of this act.

(6) A nonresident who applies for an initial operator's license in this state and who holds a valid operator's license from another state which is his or her state of residence may not be required to demonstrate his or her knowledge of the motor vehicle laws of this state if he or she surrenders to the examiner department his or her valid out-of-state operator's license.

(7) An applicant for an original operator's license may not be required to demonstrate his or her knowledge of the motor vehicle laws of this state if he or she has been issued a Nebraska LPD-learner's permit that is valid or has been expired for no more than one year. The written examination shall not be waived if the original operator's license being applied for contains a class or endorsement which is different from the class or endorsement of the Nebraska LPD-learner's permit.

(8) A qualified licensee as determined by the department who is twenty-one years of age or older and less than sixty-five years of age and who has a digital image and digital signature preserved in the digital system

may renew his or her Class O or Class M license once by electronic means in a manner prescribed by the department using the preserved digital image and digital signature without taking any examination required under section 60-4,114 if such renewal is prior to or within one year after the expiration of the license and if his or her driving record abstract maintained in the records of the department shows that such person's license is not suspended, revoked, or canceled. Every licensee must apply for renewal in person at least once every ten years and have a new digital image and digital signature taken.

(9) Any person who is twenty-one years of age or older and who has been issued a state identification card with a digital image and digital signature may electronically renew his or her state identification card once by electronic means in a manner prescribed by the department using the preserved digital image and digital signature. Every holder of a state identification card shall apply for renewal in person at least once every ten years and have a new digital image and digital signature taken.

Sec. 18. Section 60-4,127, Reissue Revised Statutes of Nebraska, is amended to read:

60-4,127 (1) No person shall operate a motorcycle on the alleys or highways of the State of Nebraska until such person has obtained a Class M license. No such license shall be issued until the applicant has (a) met the vision and physical requirements established under section 60-4,118 for operation of a motor vehicle and (b) successfully completed an examination, including the actual operation of a motorcycle, prescribed by the director, except that the required examination may be waived, including the actual operation of a motorcycle, if the applicant presents proof of successful completion of a motorcycle safety course under the Motorcycle Safety Education Act within the immediately preceding forty-eight months.

~~(2)(a) This subdivision applies until the implementation date designated by the director pursuant to section 60-462.02. Any applicant who qualifies for a Class M license shall be issued a license for such operation by the county treasurer as provided for the issuance of an operator's license. If the applicant is the holder of an operator's license, the county treasurer shall, upon receipt of the examiner's certificate, have endorsed on the license the authorization to operate a motorcycle. Fees for Class M licenses shall be as provided by section 60-4,115.~~

~~(b) This subdivision applies beginning on the implementation date designated by the director pursuant to section 60-462.02. (2) Upon presentation of an issuance certificate, the county treasurer shall collect the fee and surcharge for a Class M license as prescribed by section 60-4,115 and issue a receipt with driving privileges which is valid for up to thirty days. The license shall be delivered as provided in section 60-4,113. If the applicant is the holder of an operator's license, the county treasurer shall, upon receipt of the examiner's issuance certificate, have endorsed on the license the authorization to operate a motorcycle. Fees for Class M licenses shall be as provided by section 60-4,115.~~

Sec. 19. Section 60-4,144, Reissue Revised Statutes of Nebraska, is amended to read:

60-4,144 ~~(1)(a) This subsection applies until the implementation date designated by the director pursuant to section 60-462.02. Application for any original or renewal commercial driver's license or application for any change of class of commercial motor vehicle, endorsement, or restriction may be made in a manner prescribed by the department. Such application may be made to an examiner in any county. The examiner shall personally conduct the examination of the applicant and deliver to each successful applicant an examiner's certificate containing the statements made pursuant to subdivision (b) of this subsection.~~

~~(b) The application or examiner's certificate shall include the voter registration portion pursuant to section 32-308, the advisement language required by subsection (5) of section 60-6,197, and the following:~~

~~(i) The full name, the current mailing address, and the residential address of the applicant, except that if the applicant is a program participant under the Address Confidentiality Act, he or she need not supply his or her residential address;~~

~~(ii) A physical description of the applicant, including sex, height, weight, and eye and hair colors;~~

~~(iii) The applicant's date of birth;~~

~~(iv) The applicant's social security number;~~

~~(v) The applicant's signature;~~

~~(vi) Certification that the commercial motor vehicle in which the applicant takes any driving skills examination is representative of the class of commercial motor vehicle that the applicant operates or expects to operate;~~

~~(vii) The certification required pursuant to section 60-4,145 or~~

60-4,146-

(viii) Beginning September 30, 2005, the names of all states where the applicant has been licensed to operate any type of motor vehicle in the ten years prior to the date of application;

(ix) The following specific questions:

(A) Have you within the last three months (e.g. due to diabetes, epilepsy, mental illness, head injury, stroke, heart condition, neurological disease, etc.):

(I) lost voluntary control or consciousness ... yes ... no

(II) experienced vertigo or multiple episodes of dizziness or fainting ... yes ... no

(III) experienced disorientation ... yes ... no

(IV) experienced seizures ... yes ... no

(V) experienced impairment of memory, memory loss ... yes ... no

Please explain:

(B) Do you experience any condition which affects your ability to operate a motor vehicle? (e.g. due to loss of or impairment of foot, leg, hand, or arm, neurological or neuromuscular disease, etc.) ... yes ... no

Please explain:

(C) Since the issuance of your last driver's license/permit has your health or medical condition changed or worsened? ... yes ... no

Please explain, including how the above affects your ability to drive:

(x) Do you wish to register to vote as part of this application process?

OPTIONAL - YOU ARE NOT REQUIRED TO ANSWER ANY OF THE FOLLOWING QUESTIONS:

(xi) Do you wish to be an organ and tissue donor?

(xii) Do you wish to receive any additional specific information regarding organ and tissue donation and the Donor Registry of Nebraska?

(xiii) Do you wish to donate \$1 to promote the Organ and Tissue Donor Awareness and Education Fund?

(e) Application shall be made under oath or affirmation of the applicant.

(2) This subsection applies beginning on the implementation date designated by the director pursuant to section 60-462.02. An applicant for any original or renewal commercial driver's license or an applicant for a change of class of commercial motor vehicle, endorsement, or restriction shall demonstrate his or her knowledge and skills for operating a commercial motor vehicle as prescribed in the Motor Vehicle Operator's License Act. An applicant for a commercial driver's license shall provide the information and documentation required by this section and section 60-484 and also, beginning on an implementation date designated by the director on or before January 1, 2014, the information and documentation required by section 7 of this act. Such information and documentation shall include:

(a) (1) Certification that the commercial motor vehicle in which the applicant takes any driving skills examination is representative of the class of commercial motor vehicle that the applicant operates or expects to operate;

(b) (2) The certification required pursuant to section 60-4,145 or 60-4,146; and

(c) (3) The names of all states where the applicant has been licensed to operate any type of motor vehicle in the ten years prior to the date of application.

Sec. 20. Section 60-4,149, Reissue Revised Statutes of Nebraska, is amended to read:

60-4,149 (1) The examination for commercial drivers' licenses by the department shall occur in and for each county of the State of Nebraska. Each county shall furnish office space for the administration of the examinations, except that two or more counties may, with the permission of the director, establish a separate facility to jointly conduct the examinations for such licenses.

(2) Except as provided for by section 60-4,157, all commercial driver's license examinations shall be conducted by department personnel designated by the director. Each successful applicant shall be issued a certificate entitling the applicant to secure a commercial driver's license. If department personnel refuse to issue such certificate for cause, he or she shall state such cause in writing and deliver the same to the applicant. Department personnel shall not be required to hold a commercial driver's license to administer a driving skills examination and occupy the seat beside an applicant for a commercial driver's license.

(3)(a) This subdivision applies until the implementation date designated by the director pursuant to section 60-462.02. The successful

applicant shall, within thirty days, present his or her certificate to the county treasurer who shall immediately issue the commercial driver's license and collect the fee. The county treasurer shall report the issuance of commercial drivers' licenses and LPC-learners' permits to the department within five days after issuance.

(b) This subdivision applies beginning on the implementation date designated by the director pursuant to section 60-462.02. (3) The successful applicant shall, within thirty days, present his or her issuance certificate to the county treasurer who shall collect the fee and surcharge as provided in section 60-4,115 and issue a receipt with driving privileges which is valid for up to thirty days. The commercial driver's license shall be delivered to the applicant as provided in section 60-4,113.

Sec. 21. Section 60-4,150, Reissue Revised Statutes of Nebraska, is amended to read:

60-4,150 (1) Any person holding a commercial driver's license who loses his or her license, who requires issuance of a replacement license because of a change of name or address, or whose license is mutilated or unreadable may obtain a duplicate or replacement commercial driver's license by filing an application and by furnishing proof of identification in accordance with section 60-484.

(2) The application for a replacement license because of a change of name or address shall be made within sixty days after the change of name or address.

(3)(a) This subdivision applies until the implementation date designated by the director pursuant to section 60-462.02. Upon the examiner being satisfied that a duplicate or replacement commercial driver's license should be issued, the applicant shall receive such license upon payment of the fee prescribed in section 60-4,115 to the county treasurer.

(b) This subdivision applies beginning on the implementation date designated by the director pursuant to section 60-462.02. (3) A duplicate or replacement commercial driver's license shall be delivered to the applicant as provided in section 60-4,113 after the county treasurer collects the fee and surcharge prescribed in section 60-4,115 and issues the applicant a receipt with driving privileges which is valid for up to thirty days.

(4) Duplicate and replacement commercial drivers' licenses shall be issued in the manner provided for the issuance of original and renewal commercial drivers' licenses as provided for by section 60-4,149. Upon issuance of any duplicate or replacement commercial driver's license, the commercial driver's license for which the duplicate or replacement license is issued shall be void.

Sec. 22. Section 60-4,151, Reissue Revised Statutes of Nebraska, is amended to read:

60-4,151 (1)(a) The commercial driver's license shall be conspicuously marked Nebraska Commercial Driver's License and shall be, to the maximum extent practicable, tamper and forgery proof.

(b) This subdivision applies until the implementation date designated by the director pursuant to section 60-462.02. The commercial driver's license shall include the following information:

- (i) The name and residential address of the holder;
- (ii) The holder's color photograph or digital image;
- (iii) A physical description of the holder, including sex, height, weight, and eye and hair colors;
- (iv) The holder's date of birth;
- (v) The holder's signature;
- (vi) The class of commercial motor vehicle or vehicles which the holder is authorized to operate, including any endorsements or restrictions;
- (vii) The dates between which the commercial driver's license is valid; and
- (viii) The organ and tissue donor information specified in section 60-494.

(c) This subdivision applies beginning on the implementation date designated by the director pursuant to section 60-462.02. (b) The form of the commercial driver's license shall also comply with section 60-4,117.

(2) The restricted commercial driver's license shall be conspicuously marked Nebraska Restricted Commercial Driver's License and shall be, to the maximum extent practicable, tamper and forgery proof. The restricted commercial driver's license shall contain such additional information as deemed necessary by the director.

(3) The seasonal permit shall contain such information as deemed necessary by the director but shall include the time period during which the commercial motor vehicle operating privilege is effective. The seasonal permit shall be valid only when held in conjunction with a restricted commercial

driver's license.

Sec. 23. Section 60-4,181, Reissue Revised Statutes of Nebraska, is amended to read:

60-4,181 (1)(a) This subsection applies until the implementation date designated by the director pursuant to section 60-462.02. A state identification card shall be issued by the county treasurer after the person requesting the card (i) files an application or examiner's certificate with an examining officer, (ii) furnishes two forms of proof of identification described in section 60-484, and (iii) pays the fee prescribed in section 60-4,115 to the county treasurer. The state identification card shall contain the organ and tissue donor information specified in section 60-494.

(b) The application or examiner's certificate shall include the name, age, post office address, place of residence unless the applicant is a program participant under the Address Confidentiality Act, date of birth, sex, social security number, and physical description of the applicant, the voter registration portion pursuant to section 32-308, and the following:

(i) Do you wish to register to vote as part of this application process?

(ii) Do you wish to be an organ and tissue donor?

(iii) Do you wish to receive any additional specific information regarding organ and tissue donation and the Donor Registry of Nebraska?

(iv) Do you wish to donate \$1 to promote the Organ and Tissue Donor Awareness and Education Fund?

(c) Each state identification card shall contain the following encoded, machine-readable information: The holder's full legal name, date of birth, gender, document issue date, document expiration date, principal residence address, unique identification number, revision date, inventory control number, and state of issuance.

(2) This subsection applies beginning on the implementation date designated by the director pursuant to section 60-462.02. (1) Each applicant for a state identification card shall provide the information and documentation required by section 60-484 and also, beginning on an implementation date designated by the director on or before January 1, 2014, the information and documentation required by section 7 of this act. The form of the state identification card shall comply with section 60-4,117. Upon presentation of an applicant's issuance certificate, the county treasurer shall collect the fee and surcharge as prescribed in section 60-4,115 and issue a receipt to the applicant which is valid up to thirty days. The state identification card shall be delivered to the applicant as provided in section 60-4,113.

(3) (2) The director may summarily cancel any state identification card, and any judge or magistrate may order a state identification card canceled in a judgment of conviction, if the application or examiner's issuance certificate for the card contains any false or fraudulent statements which were deliberately and knowingly made as to any matter material to the issuance of the card or if the application or examiner's certificate or issuance certificate does not contain required or correct information. Any state identification card so obtained shall be void from the date of issuance. Any judgment of conviction ordering cancellation of a state identification card shall be transmitted to the director who shall cancel the card.

(3) This subsection applies beginning on an implementation date designated by the director on or before January 1, 2014. No person shall be a holder of a state identification card and an operator's license at the same time.

Sec. 24. Original sections 60-462, 60-462.02, 60-479, 60-479.01, 60-484, 60-487, 60-4,113, 60-4,114, 60-4,115, 60-4,117, 60-4,120, 60-4,121, 60-4,122, 60-4,127, 60-4,144, 60-4,149, 60-4,150, 60-4,151, and 60-4,181, Reissue Revised Statutes of Nebraska, are repealed.

Sec. 25. Since an emergency exists, this act takes effect when passed and approved according to law.