

E AND R AMENDMENTS TO LB 750

Introduced by McKinney, 11, Chairman Enrollment and Review

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

3           Section 1. Section 30-2715.01, Revised Statutes Cumulative  
4 Supplement, 2020, is amended to read:

5           30-2715.01 (1) Subject to section 30-2333, a person who owns any of  
6 the following for which a certificate of title may be issued pursuant to  
7 the Motor Vehicle Certificate of Title Act or the State Boat Act may use  
8 a transfer-on-death certificate of title as prescribed in this section: A  
9 a ~~motor~~ vehicle or a motorboat. Such person may provide for the transfer  
10 of such property ~~vehicle~~ upon his or her death or the death of the last  
11 survivor of a joint tenancy with right of survivorship by including in  
12 the certificate of title a designation of beneficiary or beneficiaries to  
13 whom such property ~~the vehicle~~ will be transferred on the death of the  
14 owner or the last survivor, subject to the rights of all lienholders,  
15 whether created before, simultaneously with, or after the creation of the  
16 transfer-on-death interest. A trust may be the beneficiary of a transfer-  
17 on-death certificate of title. The certificate of title shall include the  
18 name of the owner, the name of any tenant-in-common owner or the name of  
19 any joint-tenant-with-right-of-survivorship owner, followed in substance  
20 by the words transfer on death to (name of beneficiary or beneficiaries  
21 or name of trustee if a trust is to be the beneficiary). The abbreviation  
22 TOD may be used instead of the words transfer on death to.

23           (2) A transfer-on-death beneficiary shall have no interest in such  
24 property ~~the motor vehicle~~ until the death of the owner or the last  
25 survivor of the joint-tenant-with-right-of-survivorship owners. A  
26 beneficiary designation may be changed at any time by the owner or by the  
27 joint-tenant-with-right-of-survivorship owners then surviving without the

1 consent of any beneficiary by filing an application for a subsequent  
2 certificate of title.

3 (3) Ownership of property ~~a motor vehicle~~ which has a designation of  
4 beneficiary as provided in subsection (1) of this section and for which  
5 an application for a subsequent certificate of title has not been filed  
6 shall vest in the designated beneficiary or beneficiaries on the death of  
7 the owner or the last of the joint-tenant-with-right-of-survivorship  
8 owners, subject to the rights of all lienholders.

9 Sec. 2. Section 39-1302, Revised Statutes Cumulative Supplement,  
10 2020, is amended to read:

11 39-1302 For purposes of sections 39-1301 to 39-1393, unless the  
12 context otherwise requires:

13 (1) Abandon means ~~shall mean~~ to reject all or part of the  
14 department's rights and responsibilities relating to all or part of a  
15 fragment, section, or route on the state highway system;

16 (2) Alley means ~~shall mean~~ an established passageway for vehicles  
17 and pedestrians affording a secondary means of access in the rear to  
18 properties abutting on a street or highway;

19 (3) Approach or exit road means ~~shall mean~~ any highway or ramp  
20 designed and used solely for the purpose of providing ingress or egress  
21 to or from an interchange or rest area of a highway. An approach road  
22 shall begin at the point where it intersects with any highway not a part  
23 of the highway for which such approach road provides access and shall  
24 terminate at the point where it merges with an acceleration lane of a  
25 highway. An exit road shall begin at the point where it intersects with a  
26 deceleration lane of a highway and shall terminate at the point where it  
27 intersects any highway not a part of a highway from which the exit road  
28 provides egress;

29 (4) Arterial highway means ~~shall mean~~ a highway primarily for  
30 through traffic, usually on a continuous route;

31 (5) Beltway means ~~shall mean~~ the roads and streets not designated as

1 a part of the state highway system and that are under the primary  
2 authority of a county or municipality, if the location of the beltway has  
3 been approved by (a) record of decision or finding of no significant  
4 impact and (b) the applicable local planning authority as a part of the  
5 comprehensive plan;

6 (6) Business means ~~shall mean~~ any lawful activity conducted  
7 primarily for the purchase and resale, manufacture, processing, or  
8 marketing of products, commodities, or other personal property or for the  
9 sale of services to the public or by a nonprofit corporation;

10 (7) Channel means ~~shall mean~~ a natural or artificial watercourse;

11 (8) Commercial activity means ~~shall mean~~ those activities generally  
12 recognized as commercial by zoning authorities in this state, and  
13 industrial activity means ~~shall mean~~ those activities generally  
14 recognized as industrial by zoning authorities in this state, except that  
15 none of the following shall be considered commercial or industrial:

16 (a) Outdoor advertising structures;

17 (b) General agricultural, forestry, ranching, grazing, farming, and  
18 related activities, including wayside fresh produce stands;

19 (c) Activities normally or regularly in operation less than three  
20 months of the year;

21 (d) Activities conducted in a building principally used as a  
22 residence;

23 (e) Railroad tracks and minor sidings; and

24 (f) Activities more than six hundred sixty feet from the nearest  
25 edge of the right-of-way of the road or highway;

26 (9) Connecting link means ~~shall mean~~ the roads, streets, and  
27 highways designated as part of the state highway system and which are  
28 within the corporate limits of any city or village in this state;

29 (10) Controlled-access facility means ~~shall mean~~ a highway or street  
30 especially designed for through traffic and over, from, or to which  
31 owners or occupants of abutting land or other persons have no right or

1 easement or only a controlled right or easement of access, light, air, or  
2 view by reason of the fact that their property abuts upon such  
3 controlled-access facility or for any other reason. Such highways or  
4 streets may be freeways, or they may be parkways;

5 (11) Department means ~~shall mean~~ the Department of Transportation;

6 (12) Displaced person means ~~shall mean~~ any individual, family,  
7 business, or farm operation which moves from real property acquired for  
8 state highway purposes or for a federal-aid highway;

9 (13) Easement means ~~shall mean~~ a right acquired by public authority  
10 to use or control property for a designated highway purpose;

11 (14) Expressway means ~~shall mean~~ a divided arterial highway for  
12 through traffic with full or partial control of access which may have  
13 grade separations at intersections;

14 (15) Extreme weather event means a weather event that generates  
15 extraordinary costs related to such event for construction,  
16 reconstruction, relocation, improvement, or maintenance occurring on or  
17 after January 1, 2023, resulting from weather conditions including, but  
18 not limited to, snow, rain, drought, flood, storm, extreme heat, or  
19 extreme cold;

20 (16) (15) Family means ~~shall mean~~ two or more persons living  
21 together in the same dwelling unit who are related to each other by  
22 blood, marriage, adoption, or legal guardianship;

23 (17) (16) Farm operation means ~~shall mean~~ any activity conducted  
24 primarily for the production of one or more agricultural products or  
25 commodities for sale and home use and customarily producing such products  
26 or commodities in sufficient quantity to be capable of contributing  
27 materially to the operator's support;

28 (18) Faulty engineering means a defect in the design of,  
29 construction of, workmanship on, or the materials or systems used on a  
30 project that results in failure of a component part or the structural  
31 integrity of a structure and that such failure causes damage;

1           (19) ~~(17)~~ Federal-aid primary roads means ~~shall mean~~ roads, streets,  
2 and highways, whether a part of the state highway system, county road  
3 systems, or city streets, which have been designated as federal-aid  
4 primary roads by the Nebraska Department of Transportation and approved  
5 by the United States Secretary of Transportation and shown on the maps  
6 provided for in section 39-1311;

7           (20) ~~(18)~~ Freeway means ~~shall mean~~ an expressway with full control  
8 of access;

9           (21) ~~(19)~~ Frontage road means ~~shall mean~~ a local street or road  
10 auxiliary to an arterial highway for service to abutting property and  
11 adjacent areas and for control of access;

12           (22) ~~(20)~~ Full control of access means ~~shall mean~~ that the right of  
13 owners or occupants of abutting land or other persons to access or view  
14 is fully controlled by public authority having jurisdiction and that such  
15 control is exercised to give preference to through traffic by providing  
16 access connections with selected public roads only and by prohibiting  
17 crossings or intersections at grade or direct private driveway  
18 connections;

19           (23) ~~(21)~~ Grade separation means ~~shall mean~~ a crossing of two  
20 highways at different levels;

21           (24) ~~(22)~~ Highway means ~~shall mean~~ a road or street, including the  
22 entire area within the right-of-way, which has been designated a part of  
23 the state highway system;

24           (25) Highway approach means the portion of a county road located  
25 within the right-of-way of a highway;

26           (26) ~~(23)~~ Individual means ~~shall mean~~ a person who is not a member  
27 of a family;

28           (27) ~~(24)~~ Interchange means ~~shall mean~~ a grade-separated  
29 intersection with one or more turning roadways for travel between any of  
30 the highways radiating from and forming part of such intersection;

31           (28) ~~(25)~~ Map means ~~shall mean~~ a drawing or other illustration or a

1 series of drawings or illustrations which may be considered together to  
2 complete a representation;

3 (29) ~~(26)~~ Mileage means ~~shall mean~~ the aggregate distance in miles  
4 without counting double mileage where there are one-way or divided roads,  
5 streets, or highways;

6 (30) ~~(27)~~ Parking lane means ~~shall mean~~ an auxiliary lane primarily  
7 for the parking of vehicles;

8 (31) ~~(28)~~ Parkway means ~~shall mean~~ an arterial highway for  
9 noncommercial traffic, with full or partial control of access, and  
10 usually located within a park or a ribbon of park-like development;

11 (32) ~~(29)~~ Relinquish means ~~shall mean~~ to surrender all or part of  
12 the rights and responsibilities relating to all or part of a fragment,  
13 section, or route on the state highway system to a political or  
14 governmental subdivision or public corporation of Nebraska;

15 (33) ~~(30)~~ Right of access means ~~shall mean~~ the rights of ingress and  
16 egress to or from a road, street, or highway and the rights of owners or  
17 occupants of land abutting a road, street, or highway or other persons to  
18 a way or means of approach, light, air, or view;

19 (34) ~~(31)~~ Right-of-way means ~~shall mean~~ land, property, or interest  
20 therein, usually in a strip, acquired for or devoted to a road, street,  
21 or highway;

22 (35) ~~(32)~~ Road means ~~shall mean~~ a public way for the purposes of  
23 vehicular travel, including the entire area within the right-of-way. A  
24 road designated as part of the state highway system may be called a  
25 highway, while a road in an urban area may be called a street;

26 (36) ~~(33)~~ Roadside means ~~shall mean~~ the area adjoining the outer  
27 edge of the roadway. Extensive areas between the roadways of a divided  
28 highway may also be considered roadside;

29 (37) ~~(34)~~ Roadway means ~~shall mean~~ the portion of a highway,  
30 including shoulders, for vehicular use;

31 (38) ~~(35)~~ Separation structure means ~~shall mean~~ that part of any

1 bridge or road which is directly overhead of the roadway of any part of a  
2 highway;

3 ~~(39)~~ ~~(36)~~ State highway purposes has ~~shall have~~ the same meaning set  
4 forth in subsection (2) of section 39-1320;

5 ~~(40)~~ ~~(37)~~ State highway system means ~~shall mean~~ the roads, streets,  
6 and highways shown on the map provided for in section 39-1311 as forming  
7 a group of highway transportation lines for which the Nebraska Department  
8 of Transportation shall be the primary authority. The state highway  
9 system shall include, but not be limited to, rights-of-way, connecting  
10 links, drainage facilities, and the bridges, appurtenances, easements,  
11 and structures used in conjunction with such roads, streets, and  
12 highways;

13 ~~(41)~~ ~~(38)~~ Street means ~~shall mean~~ a public way for the purposes of  
14 vehicular travel in a city or village and shall include the entire area  
15 within the right-of-way;

16 ~~(42)~~ ~~(39)~~ Structure means ~~shall mean~~ anything constructed or  
17 erected, the use of which requires permanent location on the ground or  
18 attachment to something having a permanent location;

19 ~~(43)~~ ~~(40)~~ Title means ~~shall mean~~ the evidence of a person's right to  
20 property or the right itself;

21 ~~(44)~~ ~~(41)~~ Traveled way means ~~shall mean~~ the portion of the roadway  
22 for the movement of vehicles, exclusive of shoulders and auxiliary lanes;

23 ~~(45)~~ ~~(42)~~ Unzoned commercial or industrial area for purposes of  
24 control of outdoor advertising means ~~shall mean~~ all areas within six  
25 hundred sixty feet of the nearest edge of the right-of-way of the  
26 interstate and federal-aid primary systems which are not zoned by state  
27 or local law, regulation, or ordinance and on which there is located one  
28 or more permanent structures devoted to a business or industrial activity  
29 or on which a commercial or industrial activity is conducted, whether or  
30 not a permanent structure is located thereon, the area between such  
31 activity and the highway, and the area along the highway extending

1 outward six hundred feet from and beyond each edge of such activity and,  
2 in the case of the primary system, may include the unzoned lands on both  
3 sides of such road or highway to the extent of the same dimensions if  
4 those lands on the opposite side of the highway are not deemed scenic or  
5 having aesthetic value as determined by the department. In determining  
6 such an area, measurements shall be made from the furthest or outermost  
7 edges of the regularly used area of the commercial or industrial  
8 activity, structures, normal points of ingress and egress, parking lots,  
9 and storage and processing areas constituting an integral part of such  
10 commercial or industrial activity;

11 (46) ~~(43)~~ Visible, for purposes of section 39-1320, in reference to  
12 advertising signs, displays, or devices, means ~~shall mean~~ the message or  
13 advertising content of such sign, display, or device is capable of being  
14 seen without visual aid by a person of normal visual acuity. A sign shall  
15 be considered visible even though the message or advertising content may  
16 be seen but not read;

17 (47) ~~(44)~~ Written instrument means ~~shall mean~~ a deed or any other  
18 document that states a contract, agreement, gift, or transfer of  
19 property; and

20 (48) ~~(45)~~ Zoned commercial or industrial areas means ~~shall mean~~  
21 those areas within six hundred sixty feet of the nearest edge of the  
22 right-of-way of the Highway Beautification Control System defined in  
23 section 39-201.01, zoned by state or local zoning authorities for  
24 industrial or commercial activities.

25 Sec. 3. Section 39-1320, Revised Statutes Cumulative Supplement,  
26 2020, is amended to read:

27 39-1320 (1) The department is hereby authorized to acquire, either  
28 temporarily or permanently, lands, real or personal property or any  
29 interests therein, or any easements deemed to be necessary or desirable  
30 for present or future state highway purposes by gift, agreement,  
31 purchase, exchange, condemnation, or otherwise. Such lands or real



1 property may be acquired in fee simple or in any lesser estate. It is the  
2 intention of the Legislature that all property leased or purchased from  
3 the owner shall receive a fair price.

4 (2) State highway purposes, as referred to in subsection (1) of this  
5 section or otherwise in sections 39-1301 to 39-1362 and 39-1393, shall  
6 include provision for, but shall not be limited to, the following:

7 (a) The construction, reconstruction, relocation, improvement, and  
8 maintenance of the state highway system and highway approaches. The  
9 right-of-way for such highways shall be of such width as is deemed  
10 necessary by the department;

11 (b) Adequate drainage in connection with any highway, cuts, fills,  
12 or channel changes and the maintenance thereof;

13 (c) Controlled-access facilities, including air, light, view, and  
14 frontage and service roads to highways;

15 (d) Weighing stations, shops, storage buildings and yards, and road  
16 maintenance or construction sites;

17 (e) Road material sites, sites for the manufacture of road  
18 materials, and access roads to such sites;

19 (f) The preservation of objects of attraction or scenic value  
20 adjacent to, along, or in close proximity to highways and the culture of  
21 trees and flora which may increase the scenic beauty of such highways;

22 (g) Roadside areas or parks adjacent to or near any highway;

23 (h) The exchange of property for other property to be used for  
24 rights-of-way or other purposes set forth in subsection (1) or (2) of  
25 this section if the interests of the state will be served and acquisition  
26 costs thereby reduced;

27 (i) The maintenance of an unobstructed view of any portion of a  
28 highway so as to promote the safety of the traveling public;

29 (j) The construction and maintenance of stock trails and cattle  
30 passes;

31 (k) The erection and maintenance of marking and warning signs and

1 traffic signals;

2 (l) The construction and maintenance of sidewalks and highway  
3 illumination;

4 (m) The control of outdoor advertising which is visible from the  
5 nearest edge of the right-of-way of the Highway Beautification Control  
6 System as defined in section 39-201.01 to comply with the provisions of  
7 23 U.S.C. 131, as amended;

8 (n) The relocation of or giving assistance in the relocation of  
9 individuals, families, businesses, or farm operations occupying premises  
10 acquired for state highway or federal-aid road purposes; and

11 (o) The establishment and maintenance of wetlands to replace or to  
12 mitigate damage to wetlands affected by highway construction,  
13 reconstruction, or maintenance. The replacement lands shall be capable of  
14 being used to create wetlands comparable to the wetlands area affected.  
15 The area of the replacement lands may exceed the wetlands area affected.  
16 Lands may be acquired to establish a large or composite wetlands area,  
17 sometimes called a wetlands bank, not larger than an area which is one  
18 hundred fifty percent of the lands reasonably expected to be necessary  
19 for the mitigation of future impact on wetlands brought about by highway  
20 construction, reconstruction, or maintenance during the six-year plan or  
21 program as required by section 39-2115 or an annual plan or program under  
22 section 39-2118. For purposes of this section, wetlands shall have the  
23 definition found in 33 C.F.R. 328.3(c).

24 (3) The procedure to condemn property authorized by subsection (1)  
25 of this section or elsewhere in sections 39-1301 to 39-1362 and 39-1393  
26 shall be exercised in the manner set forth in sections 76-704 to 76-724  
27 or as provided by section 39-1323, as the case may be.

28 Sec. 4. Section 39-1337, Reissue Revised Statutes of Nebraska, is  
29 amended to read:

30 39-1337 (1) The construction, maintenance, protection, and control  
31 of the state highway system shall be under the authority and

1 responsibility of the department, except as otherwise provided in  
2 sections 39-1339 and 39-1372.

3 (2) The construction, reconstruction, relocation, improvement, or  
4 maintenance of a highway approach damaged or destroyed due to (a) an  
5 extreme weather event or (b) faulty engineering shall be under the  
6 authority and responsibility of the department. The department may seek  
7 reimbursement from any party responsible for causing faulty engineering.

8 (3) The relative urgency of proposed improvements on the state  
9 highway system and highway approaches shall be determined by a  
10 sufficiency rating established by the department, insofar as the use of  
11 such a rating is deemed practicable. The sufficiency rating shall  
12 include, but not be limited to, the following factors: (a) ~~(1)~~ Surface  
13 condition, (b) ~~(2)~~ economic factors, (c) ~~(3)~~ safety, and (d) ~~(4)~~ service.

14 Sec. 5. Section 60-107, Reissue Revised Statutes of Nebraska, is  
15 amended to read:

16 60-107 Cabin trailer means a trailer or a semitrailer, which is  
17 designed, constructed, and equipped as a dwelling place, living abode, or  
18 sleeping place, whether used for such purposes or instead permanently or  
19 temporarily for the advertising, sale, display, or promotion of  
20 merchandise or services or for any other commercial purpose except  
21 transportation of property for hire or transportation of property for  
22 distribution by a private carrier. Cabin trailer does not mean a trailer  
23 or semitrailer which is permanently attached to real estate. There are  
24 four classes of cabin trailers:

25 (1) Camping trailer which includes cabin trailers one hundred two  
26 inches or less in width and forty feet or less in length and adjusted  
27 mechanically smaller for towing;

28 (2) Mobile home which includes cabin trailers more than one hundred  
29 two inches in width or more than forty feet in length;

30 (3) Travel trailer which includes cabin trailers not more than one  
31 hundred two inches in width nor more than forty feet in length from front

1 hitch to rear bumper, except as provided in subdivision (2)(k) of section  
2 60-6,288; and

3 (4) Manufactured home means a structure, transportable in one or  
4 more sections, which in the traveling mode is eight body feet or more in  
5 width or forty body feet or more in length or when erected on site is  
6 three hundred twenty or more square feet and which is built on a  
7 permanent frame and designed to be used as a dwelling with or without a  
8 permanent foundation when connected to the required utilities and  
9 includes the plumbing, heating, air conditioning, and electrical systems  
10 contained in the structure, except that manufactured home includes any  
11 structure that meets all of the requirements of this subdivision other  
12 than the size requirements and with respect to which the manufacturer  
13 voluntarily files a certification required by the United States Secretary  
14 of Housing and Urban Development and complies with the standards  
15 established under the National Manufactured Housing Construction and  
16 Safety Standards Act of 1974, as such act existed on January 1, 2022  
17 ~~2021~~, 42 U.S.C. 5401 et seq.

18 Sec. 6. Section 60-119.01, Reissue Revised Statutes of Nebraska, is  
19 amended to read:

20 60-119.01 Low-speed vehicle means a (1) four-wheeled motor vehicle  
21 (a) whose speed attainable in one mile is more than twenty miles per hour  
22 and not more than twenty-five miles per hour on a paved, level surface,  
23 (b) whose gross vehicle weight rating is less than three thousand pounds,  
24 and (c) that complies with 49 C.F.R. part 571, as such part existed on  
25 January 1, 2022 ~~2021~~, or (2) three-wheeled motor vehicle (a) whose  
26 maximum speed attainable is not more than twenty-five miles per hour on a  
27 paved, level surface, (b) whose gross vehicle weight rating is less than  
28 three thousand pounds, and (c) which is equipped with a windshield and an  
29 occupant protection system. A motorcycle with a sidecar attached is not a  
30 low-speed vehicle.

31 Sec. 7. Section 60-142.11, Reissue Revised Statutes of Nebraska, is

1 amended to read:

2 60-142.11 The owner of an assembled vehicle may apply for a  
3 certificate of title by presenting a certificate of title for one major  
4 component part, a notarized bill of sale for all other major component  
5 parts replaced, a statement that an inspection has been conducted on the  
6 vehicle, and a vehicle identification number as described in section  
7 60-148. The certificate of title shall indicate the year of the vehicle  
8 as the year application for title was made and the make of the vehicle as  
9 assembled.

10 Sec. 8. Section 60-144, Reissue Revised Statutes of Nebraska, is  
11 amended to read:

12 60-144 (1)(a)(i) Except as provided in subdivisions (b), (c), and  
13 (d) of this subsection, the county treasurer shall be responsible for  
14 issuing and filing certificates of title for vehicles, and each county  
15 shall issue and file such certificates of title using the Vehicle Title  
16 and Registration System which shall be provided and maintained by the  
17 department. Application for a certificate of title shall be made upon a  
18 form prescribed by the department. All applications shall be accompanied  
19 by the appropriate fee or fees.

20 ~~(ii) This subdivision applies beginning on an implementation date~~  
21 ~~designated by the director. The director shall designate an~~  
22 ~~implementation date which is on or before January 1, 2021.~~ In addition to  
23 the information required under subdivision (1)(a)(i) of this section, the  
24 application for a certificate of title shall contain (A)(I) the full  
25 legal name as defined in section 60-468.01 of each owner or (II) the name  
26 of each owner as such name appears on the owner's motor vehicle  
27 operator's license or state identification card and (B)(I) the motor  
28 vehicle operator's license number or state identification card number of  
29 each owner, if applicable, and one or more of the identification elements  
30 as listed in section 60-484 of each owner, if applicable, and (II) if any  
31 owner is a business entity, a nonprofit organization, an estate, a trust,

1 or a church-controlled organization, its tax identification number.

2 (b) The department shall issue and file certificates of title for  
3 Nebraska-based fleet vehicles. Application for a certificate of title  
4 shall be made upon a form prescribed by the department. All applications  
5 shall be accompanied by the appropriate fee or fees.

6 (c) The department shall issue and file certificates of title for  
7 state-owned vehicles. Application for a certificate of title shall be  
8 made upon a form prescribed by the department. All applications shall be  
9 accompanied by the appropriate fee or fees.

10 (d) The department shall issue certificates of title pursuant to  
11 subsection (2) of section 60-142.01 and section 60-142.06. Application  
12 for a certificate of title shall be made upon a form prescribed by the  
13 department. All applications shall be accompanied by the appropriate fee  
14 or fees.

15 (e) The department shall issue certificates of title pursuant to  
16 section 60-142.09. Application for a certificate of title shall be made  
17 upon a form prescribed by the department. All applications shall be  
18 accompanied by the appropriate fee or fees.

19 (2) If the owner of an all-terrain vehicle, a utility-type vehicle,  
20 or a minibike resides in Nebraska, the application shall be filed with  
21 the county treasurer of the county in which the owner resides.

22 (3)(a) If a vehicle has situs in Nebraska, the application for a  
23 certificate of title may be filed with the county treasurer of any  
24 county.

25 (b) If a motor vehicle dealer licensed under the Motor Vehicle  
26 Industry Regulation Act applies for a certificate of title for a vehicle,  
27 the application may be filed with the county treasurer of any county.

28 (c) An approved licensed dealer participating in the electronic  
29 dealer services system pursuant to section 60-1507 may apply for a  
30 certificate of title for a vehicle to the county treasurer of any county  
31 or the department in a manner provided by the electronic dealer services

1 system.

2 (4) If the owner of a vehicle is a nonresident, the application  
3 shall be filed in the county in which the transaction is consummated.

4 (5) The application shall be filed within thirty days after the  
5 delivery of the vehicle.

6 (6) All applicants registering a vehicle pursuant to section  
7 60-3,198 shall file the application for a certificate of title with the  
8 Division of Motor Carrier Services of the department. The division shall  
9 deliver the certificate to the applicant if there are no liens on the  
10 vehicle. If there are one or more liens on the vehicle, the certificate  
11 of title shall be handled as provided in section 60-164. All certificates  
12 of title issued by the division shall be issued in the manner prescribed  
13 for the county treasurer in section 60-152.

14 Sec. 9. Section 60-149, Reissue Revised Statutes of Nebraska, is  
15 amended to read:

16 60-149 (1)(a) If a certificate of title has previously been issued  
17 for a vehicle in this state, the application for a new certificate of  
18 title shall be accompanied by the certificate of title duly assigned  
19 except as otherwise provided in the Motor Vehicle Certificate of Title  
20 Act.

21 (b) Except for manufactured homes or mobile homes as provided in  
22 subsection (2) of this section, if a certificate of title has not  
23 previously been issued for the vehicle in this state or if a certificate  
24 of title is unavailable, the application shall be accompanied by:

25 (i) A manufacturer's or importer's certificate except as otherwise  
26 provided in subdivision (viii) of this subdivision;

27 (ii) A duly certified copy of the manufacturer's or importer's  
28 certificate;

29 (iii) An affidavit by the owner affirming ownership in the case of  
30 an all-terrain vehicle, a utility-type vehicle, or a minibike;

31 (iv) A certificate of title from another state;

1 (v) A court order issued by a court of record, a manufacturer's  
2 certificate of origin, or an assigned registration certificate, if the  
3 law of the state from which the vehicle was brought into this state does  
4 not have a certificate of title law;

5 (vi) Evidence of ownership as provided for in section 30-24,125,  
6 sections 52-601.01 to 52-605, sections 60-1901 to 60-1911, or sections  
7 60-2401 to 60-2411;

8 (vii) Documentation prescribed in section 60-142.01, 60-142.02,  
9 60-142.04, 60-142.05, 60-142.09, or 60-142.11 or documentation of  
10 compliance with section 76-1607;

11 (viii) A manufacturer's or importer's certificate and an affidavit  
12 by the owner affirming ownership in the case of a minitruck; or

13 (ix) In the case of a motor vehicle, a trailer, an all-terrain  
14 vehicle, a utility-type vehicle, or a minibike, an affidavit by the  
15 holder of a motor vehicle auction dealer's license as described in  
16 subdivision (11) of section 60-1406 affirming that the certificate of  
17 title is unavailable and that the vehicle (A) is a salvage vehicle  
18 through payment of a total loss settlement, (B) is a salvage vehicle  
19 purchased by the auction dealer, or (C) has been donated to an  
20 organization operating under section 501(c)(3) of the Internal Revenue  
21 Code as defined in section 49-801.01.

22 (c) If the application for a certificate of title in this state is  
23 accompanied by a valid certificate of title issued by another state which  
24 meets that state's requirements for transfer of ownership, then the  
25 application may be accepted by this state.

26 (d) If a certificate of title has not previously been issued for the  
27 vehicle in this state and the applicant is unable to provide such  
28 documentation, the applicant may apply for a bonded certificate of title  
29 as prescribed in section 60-167.

30 (2)(a) If the application for a certificate of title for a  
31 manufactured home or a mobile home is being made in accordance with



1 subdivision (4)(b) of section 60-137 or if the certificate of title for a  
2 manufactured home or a mobile home is unavailable, the application shall  
3 be accompanied by proof of ownership in the form of:

4 (i) A duly assigned manufacturer's or importer's certificate;

5 (ii) A certificate of title from another state;

6 (iii) A court order issued by a court of record;

7 (iv) Evidence of ownership as provided for in section 30-24,125,  
8 sections 52-601.01 to 52-605, sections 60-1901 to 60-1911, or sections  
9 60-2401 to 60-2411, or documentation of compliance with section 76-1607;  
10 or

11 (v) Assessment records for the manufactured home or mobile home from  
12 the county assessor and an affidavit by the owner affirming ownership.

13 (b) If the applicant cannot produce proof of ownership described in  
14 subdivision (a) of this subsection, he or she may submit to the  
15 department such evidence as he or she may have, and the department may  
16 thereupon, if it finds the evidence sufficient, issue the certificate of  
17 title or authorize the county treasurer to issue a certificate of title,  
18 as the case may be.

19 (3) For purposes of this section, certificate of title includes a  
20 salvage certificate, a salvage branded certificate of title, or any other  
21 document of ownership issued by another state or jurisdiction for a  
22 salvage vehicle. Only a salvage branded certificate of title shall be  
23 issued to any vehicle conveyed upon a salvage certificate, a salvage  
24 branded certificate of title, or any other document of ownership issued  
25 by another state or jurisdiction for a salvage vehicle. A previously  
26 salvage branded certificate of title may be issued if, prior to  
27 application, the applicant's vehicle has been repaired and inspected as  
28 provided in section 60-146.

29 (4) The county treasurer shall retain the evidence of title  
30 presented by the applicant and on which the certificate of title is  
31 issued.

1           (5)(a) If an affidavit is submitted under subdivision (1)(b)(ix) of  
2 this section, the holder of a motor vehicle auction dealer's license  
3 shall certify that (i) it has made at least two written attempts and has  
4 been unable to obtain the properly endorsed certificate of title to the  
5 property noted in the affidavit from the owner and (ii) thirty days have  
6 expired after the mailing of a written notice regarding the intended  
7 disposition of the property noted in the affidavit by certified mail,  
8 return receipt requested, to the last-known address of the owner and to  
9 any lien or security interest holder of record of the property noted in  
10 the affidavit.

11           (b) The notice under subdivision (5)(a)(ii) of this section shall  
12 contain a description of the property noted in the affidavit and a  
13 statement that title to the property noted in the affidavit shall vest in  
14 the holder of the motor vehicle auction dealer's license thirty days  
15 after the date such notice was mailed.

16           (c) The mailing of notice and the expiration of thirty days under  
17 subdivision (5)(a)(ii) of this section shall extinguish any lien or  
18 security interest of a lienholder or security interest holder in the  
19 property noted in the affidavit, unless the lienholder or security  
20 interest holder has claimed such property within such thirty-day period.  
21 The holder of a motor vehicle auction dealer's license shall transfer  
22 possession of the property noted in the affidavit to the lienholder or  
23 security interest holder claiming such property.

24           Sec. 10. Section 60-151, Reissue Revised Statutes of Nebraska, is  
25 amended to read:

26           60-151 (1) The certificate of title for a vehicle shall be obtained  
27 in the name of the purchaser upon application signed by the purchaser,  
28 except that (a) for titles to be held by a married couple, applications  
29 may be accepted upon the signature of either spouse as a signature for  
30 himself or herself and as agent for his or her spouse and (b) for an  
31 applicant providing proof that he or she is a handicapped or disabled

1 person as defined in section 60-331.02, applications may be accepted upon  
2 the signature of the applicant's parent, legal guardian, foster parent,  
3 or agent.

4 ~~(2) This subsection applies beginning on an implementation date~~  
5 ~~designated by the director. The director shall designate an~~  
6 ~~implementation date which is on or before January 1, 2021.~~ If the  
7 purchaser of a vehicle does not obtain a certificate of title in  
8 accordance with subsection (1) of this section within thirty days after  
9 the sale of the vehicle, the seller of such vehicle may request the  
10 department to update the electronic certificate of title record. The  
11 department shall update such record upon receiving evidence of a sale  
12 satisfactory to the director.

13 Sec. 11. Section 60-169, Reissue Revised Statutes of Nebraska, is  
14 amended to read:

15 60-169 (1)(a) Except as otherwise provided in subdivision (c) of  
16 this subsection, each owner of a vehicle and each person mentioned as  
17 owner in the last certificate of title, when the vehicle is dismantled,  
18 destroyed, or changed in such a manner that it loses its character as a  
19 vehicle or changed in such a manner that it is not the vehicle described  
20 in the certificate of title, shall surrender his or her certificate of  
21 title to any county treasurer or to the department. If the certificate of  
22 title is surrendered to a county treasurer, he or she shall, with the  
23 consent of any holders of any liens noted thereon, enter a cancellation  
24 upon the records and shall notify the department of such cancellation.  
25 Beginning on the implementation date designated by the director pursuant  
26 to subsection (3) of section 60-1508, a wrecker or salvage dealer shall  
27 report electronically to the department using the electronic reporting  
28 system. If the certificate is surrendered to the department, it shall,  
29 with the consent of any holder of any lien noted thereon, enter a  
30 cancellation upon its records.

31 (b) This subdivision applies to all licensed wrecker or salvage

1 dealers and, except as otherwise provided in this subdivision, to each  
2 vehicle located on the premises of such dealer. For each vehicle required  
3 to be reported under 28 C.F.R. 25.56, as such regulation existed on  
4 January 1, 2022 ~~2019~~, the information obtained by the department under  
5 this section may be reported to the National Motor Vehicle Title  
6 Information System in a format that will satisfy the requirement for  
7 reporting under 28 C.F.R. 25.56, as such regulation existed on January 1,  
8 2022 ~~2019~~. Such report shall include:

9 (i) The name, address, and contact information for the reporting  
10 entity;

11 (ii) The vehicle identification number;

12 (iii) The date the reporting entity obtained such motor vehicle;

13 (iv) The name of the person from whom such motor vehicle was  
14 obtained, for use only by a law enforcement or other appropriate  
15 government agency;

16 (v) A statement of whether the motor vehicle was or will be crushed,  
17 disposed of, offered for sale, or used for another purpose; and

18 (vi) Whether the motor vehicle is intended for export outside of the  
19 United States.

20 The department may set and collect a fee, not to exceed the cost of  
21 reporting to the National Motor Vehicle Title Information System, from  
22 wrecker or salvage dealers for electronic reporting to the National Motor  
23 Vehicle Title Information System, which shall be remitted to the State  
24 Treasurer for credit to the Department of Motor Vehicles Cash Fund. This  
25 subdivision does not apply to any vehicle reported by a wrecker or  
26 salvage dealer to the National Motor Vehicle Title Information System as  
27 required under 28 C.F.R. 25.56, as such regulation existed on January 1,  
28 2022 ~~2019~~.

29 (c)(i) In the case of a mobile home or manufactured home for which a  
30 certificate of title has been issued, if such mobile home or manufactured  
31 home is affixed to real property in which each owner of the mobile home

1 or manufactured home has any ownership interest, the certificate of title  
2 may be surrendered for cancellation to the county treasurer of the county  
3 where such mobile home or manufactured home is affixed to real property  
4 if at the time of surrender the owner submits to the county treasurer an  
5 affidavit of affixture on a form provided by the department that contains  
6 all of the following, as applicable:

7 (A) The names and addresses of all of the owners of record of the  
8 mobile home or manufactured home;

9 (B) A description of the mobile home or manufactured home that  
10 includes the name of the manufacturer, the year of manufacture, the  
11 model, and the manufacturer's serial number;

12 (C) The legal description of the real property upon which the mobile  
13 home or manufactured home is affixed and the names of all of the owners  
14 of record of the real property;

15 (D) A statement that the mobile home or manufactured home is affixed  
16 to the real property;

17 (E) The written consent of each holder of a lien duly noted on the  
18 certificate of title to the release of such lien and the cancellation of  
19 the certificate of title;

20 (F) A copy of the certificate of title surrendered for cancellation;  
21 and

22 (G) The name and address of an owner, a financial institution, or  
23 another entity to which notice of cancellation of the certificate of  
24 title may be delivered.

25 (ii) The person submitting an affidavit of affixture pursuant to  
26 subdivision (c)(i) of this subsection shall swear or affirm that all  
27 statements in the affidavit are true and material and further acknowledge  
28 that any false statement in the affidavit may subject the person to  
29 penalties relating to perjury under section 28-915.

30 (2) If a certificate of title of a mobile home or manufactured home  
31 is surrendered to the county treasurer, along with the affidavit required

1 by subdivision (1)(c) of this section, he or she shall enter a  
2 cancellation upon his or her records, notify the department of such  
3 cancellation, forward a duplicate original of the affidavit to the  
4 department, and deliver a duplicate original of the executed affidavit  
5 under subdivision (1)(c) of this section to the register of deeds for the  
6 county in which the real property is located to be filed by the register  
7 of deeds. The county treasurer shall be entitled to collect fees from the  
8 person submitting the affidavit in accordance with section 33-109 to  
9 cover the costs of filing such affidavit. Following the cancellation of a  
10 certificate of title for a mobile home or manufactured home, the county  
11 treasurer or designated county official shall not issue a certificate of  
12 title for such mobile home or manufactured home, except as provided in  
13 subsection (5) of this section.

14 (3) If a mobile home or manufactured home is affixed to real estate  
15 before June 1, 2006, a person who is the holder of a lien or security  
16 interest in both the mobile home or manufactured home and the real estate  
17 to which it is affixed on such date may enforce its liens or security  
18 interests by accepting a deed in lieu of foreclosure or in the manner  
19 provided by law for enforcing liens on the real estate.

20 (4) A mobile home or manufactured home for which the certificate of  
21 title has been canceled and for which an affidavit of affixture has been  
22 duly recorded pursuant to subsection (2) of this section shall be treated  
23 as part of the real estate upon which such mobile home or manufactured  
24 home is located. Any lien thereon shall be perfected and enforced in the  
25 same manner as a lien on real estate. The owner of such mobile home or  
26 manufactured home may convey ownership of the mobile home or manufactured  
27 home only as a part of the real estate to which it is affixed.

28 (5)(a) If each owner of both the mobile home or manufactured home  
29 and the real estate described in subdivision (1)(c) of this section  
30 intends to detach the mobile home or manufactured home from the real  
31 estate, the owner shall do both of the following: (i) Before detaching

1 the mobile home or manufactured home, record an affidavit of detachment  
2 in the office of the register of deeds in the county in which the  
3 affidavit is recorded under subdivision (1)(c) of this section; and (ii)  
4 apply for a certificate of title for the mobile home or manufactured home  
5 pursuant to section 60-147.

6 (b) The affidavit of detachment shall contain all of the following:

7 (i) The names and addresses of all of the owners of record of the  
8 mobile home or manufactured home;

9 (ii) A description of the mobile home or manufactured home that  
10 includes the name of the manufacturer, the year of manufacture, the  
11 model, and the manufacturer's serial number;

12 (iii) The legal description of the real estate from which the mobile  
13 home or manufactured home is to be detached and the names of all of the  
14 owners of record of the real estate;

15 (iv) A statement that the mobile home or manufactured home is to be  
16 detached from the real property;

17 (v) A statement that the certificate of title of the mobile home or  
18 manufactured home has previously been canceled;

19 (vi) The name of each holder of a lien of record against the real  
20 estate from which the mobile home or manufactured home is to be detached,  
21 with the written consent of each holder to the detachment; and

22 (vii) The name and address of an owner, a financial institution, or  
23 another entity to which the certificate of title may be delivered.

24 (6) An owner of an affixed mobile home or manufactured home for  
25 which the certificate of title has previously been canceled pursuant to  
26 subsection (2) of this section shall not detach the mobile home or  
27 manufactured home from the real estate before a certificate of title for  
28 the mobile home or manufactured home is issued by the county treasurer or  
29 department. If a certificate of title is issued by the county treasurer  
30 or department, the mobile home or manufactured home is no longer  
31 considered part of the real property. Any lien thereon shall be perfected

1 pursuant to section 60-164. The owner of such mobile home or manufactured  
2 home may convey ownership of the mobile home or manufactured home only by  
3 way of a certificate of title.

4 (7) For purposes of this section:

5 (a) A mobile home or manufactured home is affixed to real estate if  
6 the wheels, towing hitches, and running gear are removed and it is  
7 permanently attached to a foundation or other support system; and

8 (b) Ownership interest means the fee simple interest in real estate  
9 or an interest as the lessee under a lease of the real property that has  
10 a term that continues for at least twenty years after the recording of  
11 the affidavit under subsection (2) of this section.

12 (8) Upon cancellation of a certificate of title in the manner  
13 prescribed by this section, the county treasurer and the department may  
14 cancel and destroy all certificates and all memorandum certificates in  
15 that chain of title.

16 Sec. 12. Section 60-302.01, Reissue Revised Statutes of Nebraska, is  
17 amended to read:

18 60-302.01 Access aisle means a space adjacent to a handicapped  
19 parking space or passenger loading zone which is constructed and designed  
20 in compliance with the federal Americans with Disabilities Act of 1990  
21 and the federal regulations adopted in response to the act, as the act  
22 and the regulations existed on January 1, 2022 ~~2021~~.

23 Sec. 13. Section 60-336.01, Reissue Revised Statutes of Nebraska, is  
24 amended to read:

25 60-336.01 Low-speed vehicle means a (1) four-wheeled motor vehicle  
26 (a) whose speed attainable in one mile is more than twenty miles per hour  
27 and not more than twenty-five miles per hour on a paved, level surface,  
28 (b) whose gross vehicle weight rating is less than three thousand pounds,  
29 and (c) that complies with 49 C.F.R. part 571, as such part existed on  
30 January 1, 2022 ~~2021~~, or (2) three-wheeled motor vehicle (a) whose  
31 maximum speed attainable is not more than twenty-five miles per hour on a



1 paved, level surface, (b) whose gross vehicle weight rating is less than  
2 three thousand pounds, and (c) which is equipped with a windshield and an  
3 occupant protection system. A motorcycle with a sidecar attached is not a  
4 low-speed vehicle.

5 Sec. 14. Section 60-386, Reissue Revised Statutes of Nebraska, is  
6 amended to read:

7 60-386 (1) Each new application shall contain, in addition to other  
8 information as may be required by the department, the name and  
9 residential and mailing address of the applicant and a description of the  
10 motor vehicle or trailer, including the color, the manufacturer, the  
11 identification number, the United States Department of Transportation  
12 number if required by 49 C.F.R. 390.5 through 390.21, as such regulations  
13 existed on January 1, 2022 ~~2021~~, and the weight of the motor vehicle or  
14 trailer required by the Motor Vehicle Registration Act. For trailers  
15 which are not required to have a certificate of title under section  
16 60-137 and which have no identification number, the assignment of an  
17 identification number shall be required and the identification number  
18 shall be issued by the county treasurer or department. With the  
19 application the applicant shall pay the proper registration fee and shall  
20 state whether the motor vehicle is propelled by alternative fuel and, if  
21 alternative fuel, the type of fuel. The application shall also contain a  
22 notification that bulk fuel purchasers may be subject to federal excise  
23 tax liability. The department shall include such notification in the  
24 notices required by section 60-3,186.

25 (2) In addition to the information required under subsection (1) of  
26 this section, the application for registration shall contain (a)(i) the  
27 full legal name as defined in section 60-468.01 of each owner or (ii) the  
28 name of each owner as such name appears on the owner's motor vehicle  
29 operator's license or state identification card and (b)(i) the motor  
30 vehicle operator's license number or state identification card number of  
31 each owner, if applicable, and one or more of the identification elements

1 as listed in section 60-484 of each owner, if applicable, and (ii) if any  
2 owner is a business entity, a nonprofit organization, an estate, a trust,  
3 or a church-controlled organization, its tax identification number.

4 Sec. 15. Section 60-392, Reissue Revised Statutes of Nebraska, is  
5 amended to read:

6 60-392 (1) Except as provided otherwise in this section,  
7 registration ~~Registration~~ may be renewed annually in a manner designated  
8 by the department and upon payment of the same fee as provided for the  
9 original registration. On making an application for renewal, the  
10 registration certificate for the preceding registration period or renewal  
11 notice or other evidence designated by the department shall be presented  
12 with the application. A person may renew an ~~his or her~~ annual  
13 registration up to thirty days prior to the date of expiration.

14 (2) The certificate of registration and license plates issued by the  
15 department shall be valid during the registration period for which they  
16 are issued, and when validation decals issued pursuant to section  
17 60-3,101 have been affixed to the license plates, the plates shall also  
18 be valid for the registration period designated by such validation  
19 decals. If a person renews an ~~his or her~~ annual registration up to thirty  
20 days prior to the date of expiration, the registration shall be valid for  
21 such time period as well.

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

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

31 (5) The registration period for apportioned vehicles as provided in

1 section 60-3,198 shall be renewed monthly, quarterly, or annually at the  
2 discretion of the director. Such registration period expires on the last  
3 day of the registration period and renewal is delinquent on the first day  
4 of the second full month following such expiration date. The department  
5 may adopt and promulgate rules and regulations to establish a staggered  
6 registration system for apportioned vehicles registered pursuant to  
7 section 60-3,198, including the collection of eighteen or fewer months of  
8 registration fees expire December 31 of each year and shall become  
9 delinquent February 1 of the following year.

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

12 60-3,101 (1) License ~~Except for license plates issued pursuant to~~  
13 ~~sections 60-3,203 and 60-3,228,~~ license plates shall be issued every six  
14 years beginning with the license plates issued in the year 2005.

15 (2) In ~~Except for plates issued pursuant to such sections,~~ in the  
16 years in which plates are not issued, in lieu of issuing such license  
17 plates, the department shall furnish to every person whose motor vehicle  
18 or trailer is registered one or two validation decals, as the case may  
19 be. Such ~~which~~ validation decals shall bear the year for which issued  
20 and be so constructed as to permit them to be permanently affixed to the  
21 plates.

22 (3) This section shall not apply to license plates issued pursuant  
23 to sections 60-3,203 and 60-3,228.

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

26 60-3,102 (1) Whenever ~~Except as provided in subsection (2) of this~~  
27 ~~section, whenever~~ new license plates, including duplicate or replacement  
28 license plates, are issued to any person, a fee per plate shall be  
29 charged in addition to all other required fees. The license plate fee  
30 shall be determined by the department and shall only cover the cost of  
31 the license plate and validation decals but shall not exceed:

1        (a) Three three dollars and fifty cents through December 31, 2022;  
2        and -

3        (b) Four dollars and twenty-five cents beginning January 1, 2023.

4        (2) All fees collected pursuant to this section shall be remitted to  
5        the State Treasurer for credit to the Highway Trust Fund.

6        (3) This section shall not apply to (2) Beginning January 1, 2021,  
7        no license plate fee under this section shall be charged for license  
8        plates issued pursuant to section 60-3,122, 60-3,122.02, 60-3,123,  
9        60-3,124, or 60-3,125.

10        Sec. 18. Section 60-3,113.04, Reissue Revised Statutes of Nebraska,  
11        is amended to read:

12        60-3,113.04 (1) A handicapped or disabled parking permit shall be of  
13        a design, size, configuration, color, and construction and contain such  
14        information as specified in the regulations adopted by the United States  
15        Department of Transportation in 23 C.F.R. part 1235, UNIFORM SYSTEM FOR  
16        PARKING FOR PERSONS WITH DISABILITIES, as such regulations existed on  
17        January 1, 2022 ~~2021~~.

18        (2) No handicapped or disabled parking permit shall be issued to any  
19        person or for any motor vehicle if any permit has been issued to such  
20        person or for such motor vehicle and such permit has been suspended  
21        pursuant to section 18-1741.02. At the expiration of such suspension, a  
22        permit may be renewed in the manner provided for renewal in sections  
23        60-3,113.02, 60-3,113.03, and 60-3,113.05.

24        (3) A duplicate handicapped or disabled parking permit may be  
25        provided up to two times during any single permit period if a permit is  
26        destroyed, lost, or stolen. Such duplicate permit shall be issued as  
27        provided in section 60-3,113.02 or 60-3,113.03, whichever is applicable,  
28        except that a new certification by a physician, a physician assistant, or  
29        an advanced practice registered nurse need not be provided. A duplicate  
30        permit shall be valid for the remainder of the period for which the  
31        original permit was issued. If a person has been issued two duplicate

1 permits under this subsection and needs another permit, such person shall  
2 reapply for a new permit under section 60-3,113.02 or 60-3,113.03,  
3 whichever is applicable.

4 Sec. 19. Section 60-3,119, Reissue Revised Statutes of Nebraska, is  
5 amended to read:

6 60-3,119 (1) Application for personalized message license plates  
7 shall be made to the department. The department shall make available  
8 through each county treasurer forms to be used for such applications.

9 (2) Each initial application shall be accompanied by a fee of forty  
10 dollars. The fees shall be remitted to the State Treasurer. ~~The Until~~  
11 ~~January 1, 2021, the State Treasurer shall credit twenty-five percent of~~  
12 ~~the fee to the Highway Trust Fund and seventy-five percent of the fee to~~  
13 ~~the Department of Motor Vehicles Cash Fund. Beginning January 1, 2021,~~  
14 the State Treasurer shall credit forty percent of the fee to the Highway  
15 Trust Fund and sixty percent of the fee to the Department of Motor  
16 Vehicles Cash Fund.

17 (3) An application for renewal of a license plate previously  
18 approved and issued shall be accompanied by a fee of forty dollars.  
19 County treasurers collecting fees pursuant to this subsection shall remit  
20 them to the State Treasurer. ~~The Until January 1, 2021, the State~~  
21 ~~Treasurer shall credit twenty-five percent of the fee to the Highway~~  
22 ~~Trust Fund and seventy-five percent of the fee to the Department of Motor~~  
23 ~~Vehicles Cash Fund. Beginning January 1, 2021, the State Treasurer shall~~  
24 credit forty percent of the fee to the Highway Trust Fund and sixty  
25 percent of the fee to the Department of Motor Vehicles Cash Fund.

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

28 60-3,122 (1) Any person may, in addition to the application required  
29 by section 60-385, apply to the department for license plates designed by  
30 the department to indicate that he or she is a survivor of the Japanese  
31 attack on Pearl Harbor if he or she:

1 (a) Was a member of the United States Armed Forces on December 7,  
2 1941;

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

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

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

10 (2) Pearl Harbor license plates shall be issued upon the applicant  
11 paying the license plate fee as provided in subsection (3) of this  
12 section and furnishing proof satisfactory to the department that the  
13 applicant fulfills the requirements provided by subsection (1) of this  
14 section. Any number of motor vehicles, trailers, or semitrailers owned by  
15 the applicant may be so licensed at any one time. Motor vehicles and  
16 trailers registered under section 60-3,198 shall not be so licensed.

17 ~~(3) No Until January 1, 2021, the applicant for Pearl Harbor license~~  
18 ~~plates shall pay the license plate fee required under section 60-3,102.~~  
19 ~~Beginning January 1, 2021, no license plate fee shall be required for~~  
20 ~~Pearl Harbor license plates.~~

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

24 (5) License ~~Beginning January 1, 2021, license plates issued under~~  
25 ~~this section shall not require the payment of any additional license~~  
26 ~~plate fees and shall be permanently attached to the vehicle to which the~~  
27 ~~plates are registered as long as the vehicle is properly registered by~~  
28 ~~the applicant annually.~~

29 ~~(6) This subsection applies beginning on an implementation date~~  
30 ~~designated by the director. The director shall designate an~~  
31 ~~implementation date that is on or before January 1, 2021. The county~~

1 treasurer or the department may issue temporary license stickers to the  
2 applicant under this section for the applicant to lawfully operate the  
3 vehicle pending receipt of the license plates. No charge in addition to  
4 the registration fee shall be made for the issuance of a temporary  
5 license sticker under this subsection. The department shall furnish  
6 temporary license stickers for issuance by the county treasurer at no  
7 cost to the counties. The department may adopt and promulgate rules and  
8 regulations regarding the design and issuance of temporary license  
9 stickers.

10 Sec. 21. Section 60-3,122.02, Reissue Revised Statutes of Nebraska,  
11 is amended to read:

12 60-3,122.02 (1) Any person who is a surviving spouse, whether  
13 remarried or not, or an ancestor, including a stepparent, a descendant,  
14 including a stepchild, a foster parent or a person in loco parentis, or a  
15 sibling of a person who died while in good standing on active duty in the  
16 military service of the United States may apply to the department for  
17 Gold Star Family plates in lieu of regular license plates on an  
18 application prescribed and provided by the department for any motor  
19 vehicle, trailer, or semitrailer, except for a motor vehicle or trailer  
20 registered under section 60-3,198. An applicant receiving a Gold Star  
21 Family plate for a farm truck with a gross weight of over sixteen tons  
22 shall affix the appropriate tonnage decal to the plate. The department  
23 shall make forms available for such applications through the county  
24 treasurers. In order to be eligible for Gold Star Family plates, a person  
25 shall register with the Department of Veterans' Affairs pursuant to  
26 section 80-414. The plates shall be issued upon payment of the license  
27 fee described in subsection (2) of this section and verification by the  
28 Department of Motor Vehicles of an applicant's eligibility using the  
29 registry established by the Department of Veterans' Affairs pursuant to  
30 section 80-414.

31 (2)(a) No additional fee shall be required for consecutively

1 numbered Gold Star Family plates issued under this section and such  
2 plates shall not require the payment of any additional license plate fees  
3 and shall be permanently attached to the vehicle to which the plates are  
4 registered as long as the vehicle is properly registered by the applicant  
5 annually.

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

15 (ii) No license plate fee under section 60-3,102 shall be required  
16 for personalized message Gold Star Family plates issued under this  
17 section, other than the renewal fee provided for in subdivision (2)(b)(i)  
18 of this section. Such plates shall be permanently attached to the vehicle  
19 to which the plates are registered as long as the vehicle is properly  
20 registered by the applicant annually and the renewal fee provided for in  
21 subdivision (2)(b)(i) of this section is paid.

22 (3)(a) When the department receives an application for Gold Star  
23 Family plates, the department may deliver the plates and registration  
24 certificate to the applicant by United States mail or to the county  
25 treasurer of the county in which the motor vehicle or trailer is  
26 registered and the delivery of the plates and registration certificate  
27 shall be made through a secure process and system. ~~If Beginning on an~~  
28 ~~implementation date designated by the director on or before January 1,~~  
29 ~~2022,~~ if delivery of the plates and registration certificate is made by  
30 the department to the applicant, the department may charge a postage and  
31 handling fee in an amount not more than necessary to recover the cost of



1 postage and handling for the specific items mailed to the registrant. The  
2 department shall remit the fee to the State Treasurer for credit to the  
3 Department of Motor Vehicles Cash Fund. The county treasurer or the  
4 department shall issue Gold Star Family plates in lieu of regular license  
5 plates when the applicant complies with the other provisions of the Motor  
6 Vehicle Registration Act for registration of the motor vehicle or  
7 trailer. If Gold Star Family plates are lost, stolen, or mutilated, the  
8 licensee shall be issued replacement license plates upon request and  
9 without charge.

10 (b) The county treasurer or the department may issue temporary  
11 license stickers to the applicant under this section for the applicant to  
12 lawfully operate the vehicle pending receipt of the license plates. No  
13 charge in addition to the registration fee shall be made for the issuance  
14 of a temporary license sticker under this subdivision. The department  
15 shall furnish temporary license stickers for issuance by the county  
16 treasurer at no cost to the counties. The department may adopt and  
17 promulgate rules and regulations regarding the design and issuance of  
18 temporary license stickers.

19 (4) The owner of a motor vehicle or trailer bearing Gold Star Family  
20 plates may apply to the county treasurer to have such plates transferred  
21 at no cost to a motor vehicle other than the vehicle for which such  
22 plates were originally purchased if such vehicle is owned by the owner of  
23 the plates. The owner may have the unused portion of the fee for the  
24 plates, if any, credited to the other vehicle which will bear the plates  
25 at the rate of eight and one-third percent per month for each full month  
26 left in the registration period.

27 (5) If the cost of manufacturing Gold Star Family plates at any time  
28 exceeds the amount charged for license plates pursuant to section  
29 60-3,102, any money to be credited to the Nebraska Veteran Cemetery  
30 System Operation Fund shall instead be credited first to the Highway  
31 Trust Fund in an amount equal to the difference between the manufacturing

1 costs of Gold Star Family plates and the amount charged pursuant to  
2 section 60-3,102 with respect to such plates and the remainder shall be  
3 credited to the Nebraska Veteran Cemetery System Operation Fund.

4 Sec. 22. Section 60-3,122.03, Reissue Revised Statutes of Nebraska,  
5 is amended to read:

6 60-3,122.03 (1) The department shall design license plates to be  
7 known as Military Honor Plates.

8 ~~(2)(a) Until January 1, 2021, the department shall create designs~~  
9 ~~honoring persons who have served or are serving in the United States~~  
10 ~~Army, United States Army Reserve, United States Navy, United States Navy~~  
11 ~~Reserve, United States Marine Corps, United States Marine Corps Reserve,~~  
12 ~~United States Coast Guard, United States Coast Guard Reserve, United~~  
13 ~~States Air Force, United States Air Force Reserve, or National Guard; and~~

14 ~~(2) The (b) Beginning January 1, 2021, the department shall create~~  
15 ~~designs honoring persons who have served or are serving in the United~~  
16 ~~States Army, United States Army Reserve, United States Navy, United~~  
17 ~~States Navy Reserve, United States Marine Corps, United States Marine~~  
18 ~~Corps Reserve, United States Coast Guard, United States Coast Guard~~  
19 ~~Reserve, United States Air Force, United States Air Force Reserve, Air~~  
20 ~~National Guard, or Army National Guard.~~

21 (3) There shall be ~~eleven such designs until January 1, 2021, and~~  
22 ~~twelve such designs beginning January 1, 2021,~~ one for each of such armed  
23 forces reflecting its official emblem, official seal, or other official  
24 image. The issuance of plates for each of such armed forces shall be  
25 conditioned on the approval of the armed forces owning the copyright to  
26 the official emblem, official seal, or other official image.

27 (4) ~~The By January 1, 2021,~~ the department shall create five  
28 additional designs honoring persons who are serving or have served in the  
29 armed forces of the United States and who have been awarded the  
30 Afghanistan Campaign Medal, Iraq Campaign Medal, Global War on Terrorism  
31 Expeditionary Medal, Southwest Asia Service Medal, or Vietnam Service

1 Medal.

2 (5) A person may qualify for a Military Honor Plate by registering  
3 with the Department of Veterans' Affairs pursuant to section 80-414. The  
4 Department of Motor Vehicles shall verify the applicant's eligibility for  
5 a plate created pursuant to this section by consulting the registry  
6 established by the Department of Veterans' Affairs.

7 (6) The design shall be selected on the basis of limiting the  
8 manufacturing cost of each plate to an amount less than or equal to the  
9 amount charged for license plates pursuant to section 60-3,102. The  
10 Department of Motor Vehicles shall make applications available for each  
11 type of plate when it is designed. The department may adopt and  
12 promulgate rules and regulations to carry out this section and section  
13 60-3,122.04.

14 (7) One type of Military Honor Plates shall be alphanumeric plates.  
15 The department shall:

- 16 (a) Assign a designation up to five characters; and  
17 (b) Not use a county designation.

18 (8) One type of Military Honor Plates shall be personalized message  
19 plates. Such plates shall be issued subject to the same conditions  
20 specified for personalized message license plates in section 60-3,118,  
21 except that a maximum of five characters may be used.

22 (9) The department shall cease to issue Military Honor Plates  
23 beginning with the next license plate issuance cycle after the license  
24 plate issuance cycle that begins in 2023 pursuant to section 60-3,101 if  
25 the total number of registered vehicles that obtained such plates is less  
26 than five hundred per year within any prior consecutive two-year period.

27 Sec. 23. Section 60-3,123, Reissue Revised Statutes of Nebraska, is  
28 amended to read:

29 60-3,123 (1) Any person who was captured and incarcerated by an  
30 enemy of the United States during a period of conflict with such enemy  
31 and who was discharged or otherwise separated with a characterization of

1 honorable from or is currently serving in the United States Armed Forces  
2 may, in addition to the application required in section 60-385, apply to  
3 the department for license plates designed to indicate that he or she is  
4 a former prisoner of war.

5 (2) In order to be eligible for license plates under this section, a  
6 person shall register with the Department of Veterans' Affairs pursuant  
7 to section 80-414. The license plates shall be issued upon the applicant  
8 paying the license plate fee as provided in subsection (3) of this  
9 section and verification by the Department of Motor Vehicles of an  
10 applicant's eligibility using the registry established by the Department  
11 of Veterans' Affairs pursuant to section 80-414. Any number of motor  
12 vehicles, trailers, or semitrailers owned by the applicant may be so  
13 licensed at any one time. Motor vehicles and trailers registered under  
14 section 60-3,198 shall not be so licensed.

15 ~~(3) No Until January 1, 2021, the applicant for license plates under~~  
16 ~~this section shall pay the license plate fee required under section~~  
17 ~~60-3,102. Beginning January 1, 2021, no license plate fee shall be~~  
18 ~~required for license plates under this section.~~

19 (4) If the license plates issued under this section are lost,  
20 stolen, or mutilated, the recipient of the license plates shall be issued  
21 replacement license plates upon request and without charge.

22 (5) ~~License Beginning January 1, 2021, license plates issued under~~  
23 ~~this section shall not require the payment of any additional license~~  
24 ~~plate fees and shall be permanently attached to the vehicle to which the~~  
25 ~~plates are registered as long as the vehicle is properly registered by~~  
26 ~~the applicant annually.~~

27 (6) ~~This subsection applies beginning on an implementation date~~  
28 ~~designated by the director. The director shall designate an~~  
29 ~~implementation date that is on or before January 1, 2021. The county~~  
30 ~~treasurer or the department may issue temporary license stickers to the~~  
31 ~~applicant under this section for the applicant to lawfully operate the~~

1 vehicle pending receipt of the license plates. No charge in addition to  
2 the registration fee shall be made for the issuance of a temporary  
3 license sticker under this subsection. The department shall furnish  
4 temporary license stickers for issuance by the county treasurer at no  
5 cost to the counties. The department may adopt and promulgate rules and  
6 regulations regarding the design and issuance of temporary license  
7 stickers.

8 Sec. 24. Section 60-3,124, Reissue Revised Statutes of Nebraska, is  
9 amended to read:

10 60-3,124 (1) Any person who is a veteran of the United States Armed  
11 Forces, who was discharged or otherwise separated with a characterization  
12 of honorable or general (under honorable conditions), and who is  
13 classified by the United States Department of Veterans Affairs as one  
14 hundred percent service-connected disabled may, in addition to the  
15 application required in section 60-385, apply to the Department of Motor  
16 Vehicles for license plates designed by the department to indicate that  
17 the applicant is a disabled veteran. The inscription on the license  
18 plates shall be D.A.V. immediately below the license plate number to  
19 indicate that the holder of the license plates is a disabled veteran.

20 (2) In order to be eligible for license plates under this section, a  
21 person shall register with the Department of Veterans' Affairs pursuant  
22 to section 80-414. The plates shall be issued upon the applicant paying  
23 the license plate fee as provided in subsection (3) of this section and  
24 verification by the Department of Motor Vehicles of an applicant's  
25 eligibility using the registry established by the Department of Veterans'  
26 Affairs pursuant to section 80-414. Any number of motor vehicles,  
27 trailers, or semitrailers owned by the applicant may be so licensed at  
28 any one time. Motor vehicles and trailers registered under section  
29 60-3,198 shall not be so licensed.

30 (3) ~~No Until January 1, 2021, the applicant for license plates under~~  
31 ~~this section shall pay the license plate fee required under section~~

1 ~~60-3,102. Beginning January 1, 2021, no~~ license plate fee shall be  
2 required for license plates under this section.

3 (4) If the license plates issued under this section are lost,  
4 stolen, or mutilated, the recipient of the plates shall be issued  
5 replacement license plates as provided in section 60-3,157.

6 (5) License ~~Beginning January 1, 2021, license~~ plates issued under  
7 this section shall not require the payment of any additional license  
8 plate fees and shall be permanently attached to the vehicle to which the  
9 plates are registered as long as the vehicle is properly registered by  
10 the applicant annually.

11 (6) ~~This subsection applies beginning on an implementation date~~  
12 ~~designated by the director. The director shall designate an~~  
13 ~~implementation date that is on or before January 1, 2021.~~ The county  
14 treasurer or the department may issue temporary license stickers to the  
15 applicant under this section for the applicant to lawfully operate the  
16 vehicle pending receipt of the license plates. No charge in addition to  
17 the registration fee shall be made for the issuance of a temporary  
18 license sticker under this subsection. The department shall furnish  
19 temporary license stickers for issuance by the county treasurer at no  
20 cost to the counties. The department may adopt and promulgate rules and  
21 regulations regarding the design and issuance of temporary license  
22 stickers.

23 Sec. 25. Section 60-3,125, Reissue Revised Statutes of Nebraska, is  
24 amended to read:

25 60-3,125 (1) Any person may, in addition to the application required  
26 by section 60-385, apply to the department for license plates designed by  
27 the department to indicate that the applicant has received from the  
28 federal government an award of a Purple Heart. The inscription of the  
29 plates shall be designed so as to include a facsimile of the award and  
30 beneath any numerical designation upon the plates pursuant to section  
31 60-370 the words Purple Heart separately on one line and the words Combat

1 Wounded on the line below.

2 (2) In order to be eligible for license plates under this section, a  
3 person shall register with the Department of Veterans' Affairs pursuant  
4 to section 80-414. The license plates shall be issued upon payment of the  
5 license plate fee as provided in subsection (3) of this section and  
6 verification by the Department of Motor Vehicles of an applicant's  
7 eligibility using the registry established by the Department of Veterans'  
8 Affairs pursuant to section 80-414. Any number of motor vehicles,  
9 trailers, or semitrailers owned by the applicant may be so licensed at  
10 any one time. Motor vehicles and trailers registered under section  
11 60-3,198 shall not be so licensed.

12 (3) ~~No~~ Until January 1, 2021, the applicant for license plates under  
13 ~~this section shall pay the license plate fee required under section~~  
14 ~~60-3,102. Beginning January 1, 2021, no~~ license plate fee shall be  
15 required for license plates under this section.

16 (4) If license plates issued pursuant to this section are lost,  
17 stolen, or mutilated, the recipient of the plates shall be issued  
18 replacement license plates upon request and without charge.

19 (5) License ~~Beginning January 1, 2021, license~~ plates issued under  
20 this section shall not require the payment of any additional license  
21 plate fees and shall be permanently attached to the vehicle to which the  
22 plates are registered as long as the vehicle is properly registered by  
23 the applicant annually.

24 (6) ~~This subsection applies beginning on an implementation date~~  
25 ~~designated by the director. The director shall designate an~~  
26 ~~implementation date that is on or before January 1, 2021. The county~~  
27 treasurer or the department may issue temporary license stickers to the  
28 applicant under this section for the applicant to lawfully operate the  
29 vehicle pending receipt of the license plates. No charge in addition to  
30 the registration fee shall be made for the issuance of a temporary  
31 license sticker under this subsection. The department shall furnish

1 temporary license stickers for issuance by the county treasurer at no  
2 cost to the counties. The department may adopt and promulgate rules and  
3 regulations regarding the design and issuance of temporary license  
4 stickers.

5 Sec. 26. Section 60-3,126, Reissue Revised Statutes of Nebraska, is  
6 amended to read:

7 60-3,126 (1) Any person who holds an unrevoked and unexpired amateur  
8 radio station license issued by the Federal Communications Commission and  
9 is the owner of a motor vehicle, trailer, or semitrailer, except for  
10 motor vehicles and trailers registered under section 60-3,198, may, in  
11 addition to the application required by section 60-385, apply to the  
12 department for license plates upon which shall be inscribed the official  
13 amateur radio call letters of such applicant.

14 (2) Such license plates shall be issued, in lieu of the usual  
15 numbers and letters, to such an applicant upon payment of the regular  
16 license fee and the payment of an additional fee of five dollars and  
17 furnishing proof that the applicant holds such an unrevoked and unexpired  
18 amateur radio station license. The additional fee shall be remitted to  
19 the State Treasurer for credit to the Highway Trust Fund. Only one such  
20 motor vehicle or trailer owned by an applicant shall be so registered at  
21 any one time.

22 (3) An applicant applying for renewal of amateur radio station  
23 license plates shall again furnish proof that he or she holds an  
24 unrevoked and unexpired amateur radio station license issued by the  
25 Federal Communications Commission.

26 (4) The department shall prescribe the size and design of the  
27 license plates and furnish such plates to the persons applying for and  
28 entitled to the same upon the payment of the required fee.

29 ~~(5) This subsection applies beginning on an implementation date~~  
30 ~~designated by the director. The director shall designate an~~  
31 ~~implementation date that is on or before January 1, 2021. The county~~



1 treasurer or the department may issue temporary license stickers to the  
2 applicant under this section for the applicant to lawfully operate the  
3 vehicle pending receipt of the license plates. No charge in addition to  
4 the registration fee shall be made for the issuance of a temporary  
5 license sticker under this subsection. The department shall furnish  
6 temporary license stickers for issuance by the county treasurer at no  
7 cost to the counties. The department may adopt and promulgate rules and  
8 regulations regarding the design and issuance of temporary license  
9 stickers.

10 Sec. 27. Section 60-3,128, Reissue Revised Statutes of Nebraska, is  
11 amended to read:

12 60-3,128 (1) A person may apply to the department for Nebraska  
13 Cornhusker Spirit Plates in lieu of regular license plates on an  
14 application prescribed and provided by the department for any motor  
15 vehicle, trailer, or semitrailer, except for motor vehicles or trailers  
16 registered under section 60-3,198. An applicant receiving a spirit plate  
17 for a farm truck with a gross weight of over sixteen tons or for a  
18 commercial motor vehicle registered for a gross weight of five tons or  
19 over shall affix the appropriate tonnage decal to the spirit plate. The  
20 department shall make forms available for such applications through the  
21 county treasurers. Each application for initial issuance or renewal of  
22 spirit plates shall be accompanied by a fee of seventy dollars. Fees  
23 collected pursuant to this subsection shall be remitted to the State  
24 Treasurer. The State Treasurer shall credit sixty percent of the fees for  
25 initial issuance and renewal of spirit plates to the Department of Motor  
26 Vehicles Cash Fund and forty percent of the fees to the Highway Trust  
27 Fund.

28 (2)(a) When the department receives an application for spirit  
29 plates, the department may deliver the plates and registration  
30 certificate to the applicant by United States mail or to the county  
31 treasurer of the county in which the motor vehicle or trailer is

1 registered and the delivery of the plates and registration certificate  
2 shall be made through a secure process and system. ~~If Beginning on an~~  
3 ~~implementation date designated by the director on or before January 1,~~  
4 ~~2022,~~ if delivery of the plates and registration certificate is made by  
5 the department to the applicant, the department may charge a postage and  
6 handling fee in an amount not more than necessary to recover the cost of  
7 postage and handling for the specific items mailed to the registrant. The  
8 department shall remit the fee to the State Treasurer for credit to the  
9 Department of Motor Vehicles Cash Fund. The county treasurer or the  
10 department shall issue spirit plates in lieu of regular license plates  
11 when the applicant complies with the other provisions of law for  
12 registration of the motor vehicle or trailer. If spirit plates are lost,  
13 stolen, or mutilated, the licensee shall be issued replacement license  
14 plates pursuant to section 60-3,157.

15 (b) The county treasurer or the department may issue temporary  
16 license stickers to the applicant under this section for the applicant to  
17 lawfully operate the vehicle pending receipt of the license plates. No  
18 charge in addition to the registration fee shall be made for the issuance  
19 of a temporary license sticker under this subdivision. The department  
20 shall furnish temporary license stickers for issuance by the county  
21 treasurer at no cost to the counties. The department may adopt and  
22 promulgate rules and regulations regarding the design and issuance of  
23 temporary license stickers.

24 (3)(a) The owner of a motor vehicle or trailer bearing spirit plates  
25 may make application to the county treasurer to have such spirit plates  
26 transferred to a motor vehicle or trailer other than the motor vehicle or  
27 trailer for which such plates were originally purchased if such motor  
28 vehicle or trailer is owned by the owner of the spirit plates.

29 (b) The owner may have the unused portion of the spirit plate fee  
30 credited to the other motor vehicle or trailer which will bear the spirit  
31 plate at the rate of eight and one-third percent per month for each full

1 month left in the registration period.

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

6 Sec. 28. Section 60-3,130.02, Reissue Revised Statutes of Nebraska,  
7 is amended to read:

8 60-3,130.02 (1) An initial processing fee of ten dollars shall be  
9 submitted with an application under section 60-3,130 to defray the costs  
10 of issuing the first plate to each collector and to establish a distinct  
11 identification number for each collector. A fee of fifty dollars for each  
12 vehicle so registered shall also be submitted with the application. When  
13 the department receives an application for historical license plates, the  
14 department may deliver the plates and registration certificate to the  
15 applicant by United States mail. The department may charge a postage and  
16 handling fee in an amount not more than necessary to recover the cost of  
17 postage and handling for the specific items mailed to the registrant. The  
18 department shall remit the fee to the State Treasurer for credit to the  
19 Department of Motor Vehicles Cash Fund.

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

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

25 Sec. 29. Section 60-3,135.01, Reissue Revised Statutes of Nebraska,  
26 is amended to read:

27 60-3,135.01 (1) The department shall either modify an existing plate  
28 design or design license plates to identify special interest motor  
29 vehicles, to be known as special interest motor vehicle license plates.  
30 The department, in designing such special interest motor vehicle license  
31 plates, shall include the words special interest and limit the

1 manufacturing cost of each plate to an amount less than or equal to the  
2 amount charged for license plates pursuant to section 60-3,102. The  
3 department shall choose the design of the plate. The department shall  
4 make applications available for this type of plate when it is designed.

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

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

8 (b) Not use a county designation.

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

13 (4) A person may apply to the department for a special interest  
14 motor vehicle license plate in lieu of regular license plates on an  
15 application prescribed and provided by the department for any special  
16 interest motor vehicle, except that no motor vehicle registered under  
17 section 60-3,198, autocycle, motorcycle, or trailer shall be eligible for  
18 special interest motor vehicle license plates. The department shall make  
19 forms available for such applications through the county treasurers.

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

23 (6)(a) In addition to all other fees required to register a motor  
24 vehicle, each application for initial issuance or renewal of a special  
25 interest motor vehicle license plate shall be accompanied by a special  
26 interest motor vehicle license plate fee of fifty dollars. Twenty-five  
27 dollars of the special interest motor vehicle license plate fee shall be  
28 remitted to the State Treasurer for credit to the Department of Motor  
29 Vehicles Cash Fund, and twenty-five dollars of the special interest motor  
30 vehicle license plate fee shall be remitted to the State Treasurer for  
31 credit to the Highway Trust Fund.

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

4 (7) When the department receives an application for a special  
5 interest motor vehicle license plate, the department may deliver the  
6 plate and registration certificate to the applicant by United States mail  
7 or to the county treasurer of the county in which the special interest  
8 motor vehicle is registered and the delivery of the plate and  
9 registration certificate shall be made through a secure process and  
10 system. ~~If Beginning on an implementation date designated by the director~~  
11 ~~on or before January 1, 2022, if~~ delivery of the plates and registration  
12 certificate is made by the department to the applicant, the department  
13 may charge a postage and handling fee in an amount not more than  
14 necessary to recover the cost of postage and handling for the specific  
15 items mailed to the registrant. The department shall remit the fee to the  
16 State Treasurer for credit to the Department of Motor Vehicles Cash Fund.  
17 The county treasurer or the department shall issue the special interest  
18 motor vehicle license plate in lieu of regular license plates when the  
19 applicant complies with the other provisions of the Motor Vehicle  
20 Registration Act for registration of the special interest motor vehicle.

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

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

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

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

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

16 Sec. 30. Section 60-3,193.01, Reissue Revised Statutes of Nebraska,  
17 is amended to read:

18 60-3,193.01 For purposes of the Motor Vehicle Registration Act, the  
19 International Registration Plan is adopted and incorporated by reference  
20 as the plan existed on January 1, 2022 ~~2021~~.

21 Sec. 31. Section 60-3,198, Reissue Revised Statutes of Nebraska, is  
22 amended to read:

23 60-3,198 (1)(a) Any owner engaged in operating a fleet of  
24 apportionable vehicles in this state in interjurisdiction commerce may,  
25 in lieu of registration of such apportionable vehicles under the general  
26 provisions of the Motor Vehicle Registration Act, register and license  
27 such fleet for operation in this state by filing a statement and the  
28 application required by section 60-3,203 with the Division of Motor  
29 Carrier Services of the department. The statement shall be in such form  
30 and contain such information as the division requires, declaring the  
31 total mileage operated by such vehicles in all jurisdictions and in this

1 state during the preceding year and describing and identifying each such  
2 apportionable vehicle to be operated in this state during the ensuing  
3 license period year.

4 (b)(i) Until July 1, 2021, upon receipt of such statement and  
5 application, the division shall determine the total fee payment, which  
6 shall be equal to the amount of fees due pursuant to section 60-3,203 and  
7 the amount obtained by applying the formula provided in section 60-3,204  
8 to a fee of thirty-two dollars per ton based upon gross vehicle weight of  
9 the empty weights of a truck or truck-tractor and the empty weights of  
10 any trailer or combination thereof with which it is to be operated in  
11 combination at any one time plus the weight of the maximum load to be  
12 carried thereon at any one time, and shall notify the applicant of the  
13 amount of payment required to be made. Mileage operated in noncontracting  
14 reciprocity jurisdictions by apportionable vehicles based in Nebraska  
15 shall be applied to the portion of the formula for determining the  
16 Nebraska injurisdiction fleet distance.

17 (ii) Beginning July 1, 2021, and until July 1, 2025, upon receipt of  
18 such statement and application, the division shall determine the total  
19 fee payment, which shall be equal to the amount of fees due pursuant to  
20 section 60-3,203 and the amount obtained by applying the formula provided  
21 in section 60-3,204 to a fee of thirty-five dollars per ton based upon  
22 gross vehicle weight of the empty weights of a truck or truck-tractor and  
23 the empty weights of any trailer or combination thereof with which it is  
24 to be operated in combination at any one time plus the weight of the  
25 maximum load to be carried thereon at any one time, and shall notify the  
26 applicant of the amount of payment required to be made. Mileage operated  
27 in noncontracting reciprocity jurisdictions by apportionable vehicles  
28 based in Nebraska shall be applied to the portion of the formula for  
29 determining the Nebraska injurisdiction fleet distance.

30 (iii) Beginning July 1, 2025, upon receipt of such statement and  
31 application, the division shall determine the total fee payment, which

1 shall be equal to the amount of fees due pursuant to section 60-3,203 and  
2 the amount obtained by applying the formula provided in section 60-3,204  
3 to a fee of thirty-three dollars and fifty cents per ton based upon gross  
4 vehicle weight of the empty weights of a truck or truck-tractor and the  
5 empty weights of any trailer or combination thereof with which it is to  
6 be operated in combination at any one time plus the weight of the maximum  
7 load to be carried thereon at any one time, and shall notify the  
8 applicant of the amount of payment required to be made. Mileage operated  
9 in noncontracting reciprocity jurisdictions by apportionable vehicles  
10 based in Nebraska shall be applied to the portion of the formula for  
11 determining the Nebraska injurisdiction fleet distance.

12 (c) Temporary authority which permits the operation of a fleet or an  
13 addition to a fleet in this state while the application is being  
14 processed may be issued upon application to the division if necessary to  
15 complete processing of the application.

16 (d) Upon completion of such processing and receipt of the  
17 appropriate fees, the division shall issue to the applicant a sufficient  
18 number of distinctive registration certificates which provide a list of  
19 the jurisdictions in which the apportionable vehicle has been  
20 apportioned, the weight for which registered, and such other evidence of  
21 registration for display on the apportionable vehicle as the division  
22 determines appropriate for each of the apportionable vehicles of his or  
23 her fleet, identifying it as a part of an interjurisdiction fleet  
24 proportionately registered. Such registration certificates may be  
25 displayed as a legible paper copy or electronically as authorized by the  
26 department. All fees received as provided in this section shall be  
27 remitted to the State Treasurer for credit to the Motor Carrier Services  
28 Division Distributive Fund.

29 (e) The apportionable vehicles so registered shall be exempt from  
30 all further registration and license fees under the Motor Vehicle  
31 Registration Act for movement or operation in the State of Nebraska



1 except as provided in section 60-3,203. The proportional registration and  
2 licensing provision of this section shall apply to apportionable vehicles  
3 added to such fleets and operated in this state during the license period  
4 ~~year~~ except with regard to permanent license plates issued under section  
5 60-3,203.

6 (f) The right of applicants to proportional registration under this  
7 section shall be subject to the terms and conditions of any reciprocity  
8 agreement, contract, or consent made by the division.

9 (g) When a nonresident fleet owner has registered his or her  
10 apportionable vehicles, his or her apportionable vehicles shall be  
11 considered as fully registered for both interjurisdiction and  
12 intrajurisdiction commerce when the jurisdiction of base registration for  
13 such fleet accords the same consideration for fleets with a base  
14 registration in Nebraska. Each apportionable vehicle of a fleet  
15 registered by a resident of Nebraska shall be considered as fully  
16 registered for both interjurisdiction and intrajurisdiction commerce.

17 (2) Mileage proportions for interjurisdiction fleets not operated in  
18 this state during the preceding year shall be determined by the division  
19 upon the application of the applicant on forms to be supplied by the  
20 division which shall show the operations of the preceding year in other  
21 jurisdictions and estimated operations in Nebraska or, if no operations  
22 were conducted the previous year, a full statement of the proposed method  
23 of operation.

24 (3) Any owner complying with and being granted proportional  
25 registration shall preserve the records on which the application is made  
26 for a period of three years following the current registration period  
27 ~~year~~. Upon request of the division, the owner shall make such records  
28 available to the division at its office for audit as to accuracy of  
29 computation and payments or pay the costs of an audit at the home office  
30 of the owner by a duly appointed representative of the division if the  
31 office where the records are maintained is not within the State of

1 Nebraska. The division may enter into agreements with agencies of other  
2 jurisdictions administering motor vehicle registration laws for joint  
3 audits of any such owner. All payments received to cover the costs of an  
4 audit shall be remitted by the division to the State Treasurer for credit  
5 to the Motor Carrier Division Cash Fund. No deficiency shall be assessed  
6 and no claim for credit shall be allowed for any license registration  
7 period year for which records on which the application was made are no  
8 longer required to be maintained.

9 (4) If the division claims that a greater amount of fee is due under  
10 this section than was paid, the division shall notify the owner of the  
11 additional amount claimed to be due. The owner may accept such claim and  
12 pay the amount due, or he or she may dispute the claim and submit to the  
13 division any information which he or she may have in support of his or  
14 her position. If the dispute cannot otherwise be resolved within the  
15 division, the owner may petition for an appeal of the matter. The  
16 director shall appoint a hearing officer who shall hear the dispute and  
17 issue a written decision. Any appeal shall be in accordance with the  
18 Administrative Procedure Act. Upon expiration of the time for perfecting  
19 an appeal if no appeal is taken or upon final judicial determination if  
20 an appeal is taken, the division shall deny the owner the right to  
21 further registration for a fleet license until the amount finally  
22 determined to be due, together with any costs assessed against the owner,  
23 has been paid.

24 (5) Every applicant who licenses any apportionable vehicles under  
25 this section and section 60-3,203 shall have his or her registration  
26 certificates issued only after all fees under such sections are paid and,  
27 if applicable, proof has been furnished of payment, in the form  
28 prescribed by the director as directed by the United States Secretary of  
29 the Treasury, of the federal heavy vehicle use tax imposed by 26 U.S.C.  
30 4481 of the Internal Revenue Code as defined in section 49-801.01.

31 (6)(a) In the event of the transfer of ownership of any registered

1 apportionable vehicle, (b) in the case of loss of possession because of  
2 fire, natural disaster, theft, or wrecking, junking, or dismantling of  
3 any registered apportionable vehicle, (c) when a salvage branded  
4 certificate of title is issued for any registered apportionable vehicle,  
5 (d) whenever a type or class of registered apportioned vehicle is  
6 subsequently declared by legislative act or court decision to be illegal  
7 or ineligible to be operated or towed on the public roads and no longer  
8 subject to registration fees and taxes, (e) upon trade-in or surrender of  
9 a registered apportionable vehicle under a lease, or (f) in case of a  
10 change in the situs of a registered apportionable vehicle to a location  
11 outside of this state, its registration shall expire, except that if the  
12 registered owner or lessee applies to the division after such transfer or  
13 loss of possession and accompanies the application with a fee of one  
14 dollar and fifty cents, he or she may have any remaining credit of  
15 vehicle fees and taxes from the previously registered apportionable  
16 vehicle applied toward payment of any vehicle fees and taxes due and  
17 owing on another registered apportionable vehicle. If such registered  
18 apportionable vehicle has a greater gross vehicle weight than that of the  
19 previously registered apportionable vehicle, the registered owner or  
20 lessee of the registered apportionable vehicle shall additionally pay  
21 only the registration fee for the increased gross vehicle weight for the  
22 remaining months of the registration period ~~year~~ based on the factors  
23 determined by the division in the original fleet application.

24 (7) Whenever a Nebraska-based fleet owner files an application with  
25 the division to delete a registered apportionable vehicle from a fleet of  
26 registered apportionable vehicles (a) because of a transfer of ownership  
27 of the registered apportionable vehicle, (b) because of loss of  
28 possession due to fire, natural disaster, theft, or wrecking, junking, or  
29 dismantling of the registered apportionable vehicle, (c) because a  
30 salvage branded certificate of title is issued for the registered  
31 apportionable vehicle, (d) because a type or class of registered

1 apportioned vehicle is subsequently declared by legislative act or court  
2 decision to be illegal or ineligible to be operated or towed on the  
3 public roads and no longer subject to registration fees and taxes, (e)  
4 because of a trade-in or surrender of the registered apportionable  
5 vehicle under a lease, or (f) because of a change in the situs of the  
6 registered apportionable vehicle to a location outside of this state, the  
7 registered owner may, by returning the registration certificate or  
8 certificates and such other evidence of registration used by the division  
9 or, if such certificate or certificates or such other evidence of  
10 registration is unavailable, then by making an affidavit to the division  
11 of such transfer or loss, receive a refund of that portion of the unused  
12 registration fee based upon the number of unexpired months remaining in  
13 the registration period year from the date of transfer or loss. No refund  
14 shall be allowed for any fees paid under section 60-3,203. When such  
15 apportionable vehicle is transferred or lost within the same month as  
16 acquired, no refund shall be allowed for such month. Such refund may be  
17 in the form of a credit against any registration fees that have been  
18 incurred or are, at the time of the refund, being incurred by the  
19 registered apportionable vehicle owner. The Nebraska-based fleet owner  
20 shall make a claim for a refund under this subsection within the  
21 registration period or shall be deemed to have forfeited his or her right  
22 to the refund.

23 (8) In case of addition to the registered fleet during the  
24 registration period year, the owner engaged in operating the fleet shall  
25 pay the proportionate registration fee from the date the vehicle was  
26 placed into service or, if the vehicle was previously registered, the  
27 date the prior registration expired or the date Nebraska became the base  
28 jurisdiction for the fleet, whichever is first, for the remaining balance  
29 of the registration period year. The fee for any permanent license plate  
30 issued for such addition pursuant to section 60-3,203 shall be the full  
31 fee required by such section, regardless of the number of months

1 remaining in the license period year.

2 (9) In lieu of registration under subsections (1) through (8) of  
3 this section, the title holder of record may apply to the division for  
4 special registration, to be known as an unladen-weight registration, for  
5 any commercial motor vehicle or combination of vehicles which have been  
6 registered to a Nebraska-based fleet owner within the current or previous  
7 registration period year. Such registration shall be valid only for a  
8 period of thirty days and shall give no authority to operate the vehicle  
9 except when empty. The fee for such registration shall be twenty dollars  
10 for each vehicle, which fee shall be remitted to the State Treasurer for  
11 credit to the Highway Trust Fund. The issuance of such permits shall be  
12 governed by section 60-3,179.

13 (10) Any person may, in lieu of registration under subsections (1)  
14 through (8) of this section or for other jurisdictions as approved by the  
15 director, purchase a trip permit for any nonresident truck, truck-  
16 tractor, bus, or truck or truck-tractor combination. A trip permit shall  
17 be issued before any person required to obtain a trip permit enters this  
18 state with such vehicle. The trip permit shall be issued by the director  
19 through Internet sales from the department's website. The trip permit  
20 shall be valid for a period of seventy-two hours. The fee for the trip  
21 permit shall be twenty-five dollars for each truck, truck-tractor, bus,  
22 or truck or truck-tractor combination. The fee collected by the director  
23 shall be remitted to the State Treasurer for credit to the Highway Cash  
24 Fund.

25 Sec. 32. Section 60-3,203, Reissue Revised Statutes of Nebraska, is  
26 amended to read:

27 60-3,203 (1)(a) ~~(1)~~ Upon application and payment of the fees  
28 required pursuant to this section and section 60-3,198, the Division of  
29 Motor Carrier Services of the department shall issue to the owner of any  
30 fleet of apportionable commercial vehicles with a base registration in  
31 Nebraska a permanent license plate for each truck, truck-tractor, and

1 trailer in the fleet. The application shall be accompanied by a fee of  
2 three dollars for each truck or truck-tractor and six dollars per  
3 trailer. The application shall be on a form developed by the division.

4 (b) The department may deliver the plates and registration  
5 certificate to the applicant by United States mail. The department may  
6 charge a postage and handling fee in an amount not more than necessary to  
7 recover the cost of postage and handling for the specific items mailed to  
8 the registrant.

9 (c) The department shall remit fees collected pursuant to this  
10 subsection to the State Treasurer for credit to the Motor Carrier  
11 Division Cash Fund.

12 (2) Fleets of apportionable vehicles license plates shall display a  
13 distinctive license plate provided by the department pursuant to this  
14 section.

15 (3) Any license plate issued pursuant to this section shall remain  
16 affixed to the front of the truck or truck-tractor or to the rear of the  
17 trailer or semitrailer as long as the apportionable vehicle is registered  
18 pursuant to section 60-3,198 by the owner making the original application  
19 pursuant to subsection (1) of this section. Upon transfer of ownership of  
20 the truck, truck-tractor, or trailer or transfer of ownership of the  
21 fleet or at any time the truck, truck-tractor, or trailer is no longer  
22 registered pursuant to section 60-3,198, the license plate shall cease to  
23 be active and shall be processed according to the rules and regulations  
24 of the department.

25 (4) The renewal fee for each permanent plate shall be two dollars  
26 and shall be assessed and collected in each license period year after the  
27 period year in which the permanent license plates are initially issued at  
28 the time all other renewal fees are collected pursuant to section  
29 60-3,198 unless a truck, truck-tractor, or trailer has been deleted from  
30 the fleet registration.

31 (5)(a) If a permanent license plate is lost or destroyed, the owner

1 shall submit an affidavit to that effect to the division prior to any  
2 deletion of the truck, truck-tractor, or trailer from the fleet  
3 registration. If the truck, truck-tractor, or trailer is not deleted from  
4 the fleet registration, a replacement permanent license plate may be  
5 issued upon payment of a fee of three dollars for each truck or truck-  
6 tractor and six dollars per trailer.

7 (b) If the registration certificate for any fleet vehicle is lost or  
8 stolen, the division shall collect a fee of one dollar for replacement of  
9 such certificate.

10 (6) If a truck, truck-tractor, or trailer for which a permanent  
11 license plate has been issued pursuant to this section is deleted from  
12 the fleet registration due to loss of possession by the registrant, the  
13 plate shall be returned to the division.

14 (7) The registrant shall be liable for the full amount of the  
15 registration fee due for any truck, truck-tractor, or trailer not deleted  
16 from the fleet registration renewal.

17 (8) All fees collected pursuant to this section other than those  
18 collected pursuant to subdivisions (1)(b) and (c) of this section shall  
19 be remitted to the State Treasurer for credit to the Highway Cash Fund.

20 Sec. 33. Section 60-3,221, Reissue Revised Statutes of Nebraska, is  
21 amended to read:

22 60-3,221 (1) Except as otherwise provided in the Motor Vehicle  
23 Registration Act:

24 (a) A cabin trailer shall only be towed by a properly registered:

25 (i) Passenger car;

26 (ii) Commercial motor vehicle or apportionable vehicle;

27 (iii) Farm truck;

28 (iv) Local truck;

29 (v) Minitruck;

30 (vi) Recreational vehicle;~~or~~

31 (vii) Bus;or

- 1           (viii) Former military vehicle;  
2           (b) A utility trailer shall only be towed by:  
3           (i) A properly registered passenger car;  
4           (ii) A properly registered commercial motor vehicle or apportionable  
5 vehicle;  
6           (iii) A properly registered farm truck;  
7           (iv) A properly registered local truck;  
8           (v) A properly registered minitruck;  
9           (vi) A properly registered recreational vehicle;  
10          (vii) A properly registered motor vehicle which is engaged in soil  
11 and water conservation pursuant to section 60-3,149;  
12          (viii) A properly registered well-boring apparatus;  
13          (ix) A dealer-plated vehicle;  
14          (x) A personal-use dealer-plated vehicle;  
15          (xi) A properly registered bus;~~or~~  
16          (xii) A properly registered public power district motor vehicle or,  
17 beginning January 1, 2023, a properly registered metropolitan utilities  
18 district motor vehicle; or  
19          (xiii) A properly registered former military vehicle;  
20          (c) A farm trailer shall only be towed by a properly registered:  
21          (i) Passenger car;  
22          (ii) Commercial motor vehicle;  
23          (iii) Farm truck;~~or~~  
24          (iv) Minitruck; or  
25          (v) Former military vehicle;  
26          (d) A commercial trailer shall only be towed by:  
27          (i) A properly registered motor vehicle which is engaged in soil and  
28 water conservation pursuant to section 60-3,149;  
29          (ii) A properly registered local truck;  
30          (iii) A properly registered well-boring apparatus;  
31          (iv) A properly registered commercial motor vehicle or apportionable



1 vehicle;

2 (v) A dealer-plated vehicle;

3 (vi) A personal-use dealer-plated vehicle;

4 (vii) A properly registered bus;

5 (viii) A properly registered farm truck; or

6 (ix) A properly registered public power district motor vehicle or,  
7 beginning January 1, 2023, a properly registered metropolitan utilities  
8 district motor vehicle;

9 (e) A fertilizer trailer shall only be towed by a properly  
10 registered:

11 (i) Passenger car;

12 (ii) Commercial motor vehicle or apportionable vehicle;

13 (iii) Farm truck; or

14 (iv) Local truck;

15 (f) A pole and cable reel trailer shall only be towed by a properly  
16 registered:

17 (i) Commercial motor vehicle or apportionable vehicle;

18 (ii) Local truck; or

19 (iii) Public power district motor vehicle or, beginning January 1,  
20 2023, metropolitan utilities district motor vehicle;

21 (g) A dealer-plated trailer shall only be towed by:

22 (i) A dealer-plated vehicle;

23 (ii) A properly registered passenger car;

24 (iii) A properly registered commercial motor vehicle or  
25 apportionable vehicle;

26 (iv) A properly registered farm truck;

27 (v) A properly registered minitruck;~~or~~

28 (vi) A personal-use dealer-plated vehicle; or

29 (vii) A properly registered former military vehicle;

30 (h) Trailers registered pursuant to section 60-3,198 as part of an  
31 apportioned fleet shall only be towed by:

1 (i) A properly registered motor vehicle which is engaged in soil and  
2 water conservation pursuant to section 60-3,149;

3 (ii) A properly registered local truck;

4 (iii) A properly registered well-boring apparatus;

5 (iv) A properly registered commercial motor vehicle or apportionable  
6 vehicle;

7 (v) A dealer-plated vehicle;

8 (vi) A personal-use dealer-plated vehicle;

9 (vii) A properly registered bus; or

10 (viii) A properly registered farm truck; and

11 (i) A trailer registered as a historical vehicle pursuant to  
12 sections 60-3,130 to 60-3,134 shall only be towed by:

13 (i) A motor vehicle properly registered as a historical vehicle  
14 pursuant to sections 60-3,130 to 60-3,134;

15 (ii) A properly registered passenger car;

16 (iii) A properly registered commercial motor vehicle or  
17 apportionable vehicle; or

18 (iv) A properly registered local truck.

19 (2) Nothing in this section shall be construed to waive compliance  
20 with the Nebraska Rules of the Road or Chapter 75.

21 (3) Nothing in this section shall be construed to prohibit any motor  
22 vehicle or trailer from displaying dealer license plates or In Transit  
23 stickers authorized by section 60-376.

24 Sec. 34. Section 60-3,226, Reissue Revised Statutes of Nebraska, is  
25 amended to read:

26 60-3,226 (1) The department shall design license plates to be known  
27 as Mountain Lion Conservation Plates. The department shall create designs  
28 reflecting support for the conservation of the mountain lion population.  
29 The design shall be selected on the basis of limiting the manufacturing  
30 cost of each plate to an amount less than or equal to the amount charged  
31 for license plates pursuant to section 60-3,102. ~~The department shall~~

1 ~~make applications available for this type of plate by October 1, 2016.~~  
2 The department may adopt and promulgate rules and regulations to carry  
3 out this section and section 60-3,227.

4 (2) One type of Mountain Lion Conservation Plates shall be  
5 alphanumeric plates. The department shall:

6 (a) Assign a designation up to five characters; and

7 (b) Not use a county designation.

8 (3) One type of Mountain Lion Conservation Plates shall be  
9 personalized message plates. Such plates shall be issued subject to the  
10 same conditions specified for personalized message license plates in  
11 section 60-3,118, except that a maximum of five characters may be used.

12 (4) The department shall cease to issue Mountain Lion Conservation  
13 Plates beginning with the next license plate issuance cycle after the  
14 license plate issuance cycle that begins in 2023 pursuant to section  
15 60-3,101 if the total number of registered vehicles that obtained such  
16 plates is less than five hundred per year within any prior consecutive  
17 two-year period.

18 Sec. 35. Section 60-3,232, Reissue Revised Statutes of Nebraska, is  
19 amended to read:

20 60-3,232 (1) The department shall design license plates to be known  
21 as Choose Life License Plates. The department shall create designs  
22 reflecting support for the protection of Nebraska's children. The design  
23 shall be selected on the basis of limiting the manufacturing cost of each  
24 plate to an amount less than or equal to the amount charged for license  
25 plates pursuant to section 60-3,102. ~~The department shall make~~  
26 ~~applications available for this type of plate beginning January 1, 2018.~~  
27 The department may adopt and promulgate rules and regulations to carry  
28 out this section and section 60-3,233.

29 (2) One type of Choose Life License Plates shall be alphanumeric  
30 plates. The department shall:

31 (a) Assign a designation up to five characters; and

1 (b) Not use a county designation.

2 (3) One type of Choose Life License Plates shall be personalized  
3 message plates. Such plates shall be issued subject to the same  
4 conditions specified for personalized message license plates in section  
5 60-3,118, except that a maximum of five characters may be used.

6 (4) The department shall cease to issue Choose Life License Plates  
7 beginning with the next license plate issuance cycle after the license  
8 plate issuance cycle that begins in 2023 pursuant to section 60-3,101 if  
9 the total number of registered vehicles that obtained such plates is less  
10 than five hundred per year within any prior consecutive two-year period.

11 Sec. 36. Section 60-3,233, Reissue Revised Statutes of Nebraska, is  
12 amended to read:

13 60-3,233 (1) A person may apply to the department for Choose Life  
14 License Plates in lieu of regular license plates on an application  
15 prescribed and provided by the department for any motor vehicle or  
16 trailer, except for a motor vehicle or trailer registered under section  
17 60-3,198. An applicant receiving a Choose Life License Plate for a farm  
18 truck with a gross weight of over sixteen tons or a commercial truck or  
19 truck-tractor with a gross weight of five tons or over shall affix the  
20 appropriate tonnage decal to the plate. The department shall make forms  
21 available for such applications through the county treasurers. The  
22 license plates shall be issued upon payment of the license fee described  
23 in subsection (2) of this section.

24 (2)(a) In addition to all other fees required for registration under  
25 the Motor Vehicle Registration Act, each application for initial issuance  
26 of alphanumeric Choose Life License Plates shall be accompanied by a fee  
27 of five dollars. An application for renewal of such plates shall be  
28 accompanied by a fee of five dollars. County treasurers collecting fees  
29 pursuant to this subdivision shall remit them to the State Treasurer. The  
30 State Treasurer shall credit five dollars of the fee to the Health and  
31 Human Services Cash Fund to supplement federal funds available to the

1 Department of Health and Human Services for the Temporary Assistance for  
2 Needy Families program, 42 U.S.C. 601, et seq.

3 (b) In addition to all other fees required for registration under  
4 the Motor Vehicle Registration Act, each application for initial issuance  
5 or renewal of personalized message Choose Life License Plates shall be  
6 accompanied by a fee of forty dollars. County treasurers collecting fees  
7 pursuant to this subdivision shall remit them to the State Treasurer. The  
8 State Treasurer shall credit twenty-five percent of the fee for initial  
9 issuance and renewal of such plates to the Department of Motor Vehicles  
10 Cash Fund and seventy-five percent of the fee to the Health and Human  
11 Services Cash Fund to supplement federal funds available to the  
12 Department of Health and Human Services for the Temporary Assistance for  
13 Needy Families program.

14 (3)(a) When the department receives an application for Choose Life  
15 License Plates, the department shall deliver the plates and registration  
16 certificate to the applicant by United States mail or to the county  
17 treasurer of the county in which the motor vehicle or trailer is  
18 registered and the delivery of the plates and registration certificate  
19 shall be made through a secure process and system. The department may  
20 charge a postage and handling fee in an amount not more than necessary to  
21 recover the cost of postage and handling for the specific items mailed to  
22 the registrant. The department shall remit the fee to the State Treasurer  
23 for credit to the Department of Motor Vehicles Cash Fund. The county  
24 treasurer shall issue Choose Life License Plates in lieu of regular  
25 license plates when the applicant complies with the other provisions of  
26 the Motor Vehicle Registration Act for registration of the motor vehicle  
27 or trailer. If Choose Life License Plates are lost, stolen, or mutilated,  
28 the licensee shall be issued replacement license plates upon request  
29 pursuant to section 60-3,157.

30 (b) ~~This subdivision applies beginning on an implementation date~~  
31 ~~designated by the director. The director shall designate an~~

1 ~~implementation date that is on or before January 1, 2021.~~ The county  
2 treasurer or the department may issue temporary license stickers to the  
3 applicant under this section for the applicant to lawfully operate the  
4 vehicle pending receipt of the license plates. No charge in addition to  
5 the registration fee shall be made for the issuance of a temporary  
6 license sticker under this subdivision. The department shall furnish  
7 temporary license stickers for issuance by the county treasurer at no  
8 cost to the counties. The department may adopt and promulgate rules and  
9 regulations regarding the design and issuance of temporary license  
10 stickers.

11 (4) The owner of a motor vehicle or trailer bearing Choose Life  
12 License Plates may apply to the county treasurer to have such plates  
13 transferred to a motor vehicle other than the vehicle for which such  
14 plates were originally purchased if such vehicle is owned by the owner of  
15 the plates. The owner may have the unused portion of the fee for the  
16 plates credited to the other vehicle which will bear the plates at the  
17 rate of eight and one-third percent per month for each full month left in  
18 the registration period. Application for such transfer shall be  
19 accompanied by a fee of three dollars. Fees collected pursuant to this  
20 subsection shall be remitted to the State Treasurer for credit to the  
21 Department of Motor Vehicles Cash Fund.

22 (5) If the cost of manufacturing Choose Life License Plates at any  
23 time exceeds the amount charged for license plates pursuant to section  
24 60-3,102, any money to be credited to the Health and Human Services Cash  
25 Fund to supplement federal funds available to the Department of Health  
26 and Human Services for the Temporary Assistance for Needy Families  
27 program shall instead be credited first to the Highway Trust Fund in an  
28 amount equal to the difference between the manufacturing costs of Choose  
29 Life License Plates and the amount charged pursuant to section 60-3,102  
30 with respect to such plates and the remainder shall be credited to the  
31 Health and Human Services Cash Fund to supplement federal funds available

1 to the Department of Health and Human Services for the Temporary  
2 Assistance for Needy Families program.

3 Sec. 37. Section 60-3,237, Reissue Revised Statutes of Nebraska, is  
4 amended to read:

5 60-3,237 (1) The department shall design license plates to be known  
6 as Wildlife Conservation Plates. The department shall create no more than  
7 three designs reflecting support for the conservation of Nebraska  
8 wildlife, including sandhill cranes, bighorn sheep, and ornate box  
9 turtles. Each design shall be selected on the basis of limiting the  
10 manufacturing cost of each plate to an amount less than or equal to the  
11 amount charged for license plates pursuant to section 60-3,102. The  
12 ~~department shall make applications available for this type of plate by~~  
13 ~~January 1, 2021.~~ The department may adopt and promulgate rules and  
14 regulations to carry out this section and section 60-3,238.

15 (2) One type of Wildlife Conservation Plates shall be alphanumeric  
16 plates. The department shall:

17 (a) Assign a designation up to five characters; and

18 (b) Not use a county designation.

19 (3) One type of Wildlife Conservation Plates shall be personalized  
20 message plates. Such plates shall be issued subject to the same  
21 conditions specified for personalized message license plates in section  
22 60-3,118, except that a maximum of five characters may be used.

23 (4) The department shall cease to issue Wildlife Conservation Plates  
24 beginning with the next license plate issuance cycle after the license  
25 plate issuance cycle that begins in 2023 pursuant to section 60-3,101 if  
26 the total number of registered vehicles that obtained such plates is less  
27 than five hundred per year within any prior consecutive two-year period.

28 Sec. 38. Section 60-3,241, Reissue Revised Statutes of Nebraska, is  
29 amended to read:

30 60-3,241 (1) The department shall design license plates to be known  
31 as Sammy's Superheroes license plates for childhood cancer awareness. The

1 design shall include a blue handprint over a yellow ribbon and the words  
2 "childhood cancer awareness". The design shall be selected on the basis  
3 of limiting the manufacturing cost of each plate to an amount less than  
4 or equal to the amount charged for license plates pursuant to section  
5 60-3,102. ~~The department shall make applications available for this type~~  
6 ~~of plate beginning January 1, 2021.~~ The department may adopt and  
7 promulgate rules and regulations to carry out this section and section  
8 60-3,242.

9 (2) One type of Sammy's Superheroes license plates for childhood  
10 cancer awareness shall be alphanumeric plates. The department shall:

11 (a) Assign a designation up to five characters; and

12 (b) Not use a county designation.

13 (3) One type of Sammy's Superheroes license plates for childhood  
14 cancer awareness shall be personalized message plates. Such plates shall  
15 be issued subject to the same conditions specified for personalized  
16 message license plates in section 60-3,118, except that a maximum of five  
17 characters may be used.

18 (4) The department shall cease to issue Sammy's Superheroes license  
19 plates for childhood cancer awareness beginning with the next license  
20 plate issuance cycle after the license plate issuance cycle that begins  
21 in 2023 pursuant to section 60-3,101 if the total number of registered  
22 vehicles that obtained such plates is less than five hundred per year  
23 within any prior consecutive two-year period.

24 Sec. 39. Section 60-3,243, Reissue Revised Statutes of Nebraska, is  
25 amended to read:

26 60-3,243 (1) The department shall design license plates to be known  
27 as Support Our Troops Plates. The department shall create a design  
28 reflecting support for troops from all branches of the armed forces. The  
29 design shall be selected on the basis of limiting the manufacturing cost  
30 of each plate to an amount less than or equal to the amount charged for  
31 license plates pursuant to section 60-3,102. ~~The department shall make~~



1 ~~applications available for this type of plate by January 1, 2021.~~ The  
2 department may adopt and promulgate rules and regulations to carry out  
3 this section and section 60-3,244.

4 (2) One type of Support Our Troops Plates shall be alphanumeric  
5 plates. The department shall:

6 (a) Assign a designation up to five characters; and

7 (b) Not use a county designation.

8 (3) One type of Support Our Troops Plates shall be personalized  
9 message plates. Such plates shall be issued subject to the same  
10 conditions specified for personalized message license plates in section  
11 60-3,118, except that a maximum of five characters may be used.

12 (4) The department shall cease to issue Support Our Troops Plates  
13 beginning with the next license plate issuance cycle after the license  
14 plate issuance cycle that begins in 2023 pursuant to section 60-3,101 if  
15 the total number of registered vehicles that obtained such plates is less  
16 than five hundred per year within any prior consecutive two-year period.

17 Sec. 40. Section 60-3,245, Reissue Revised Statutes of Nebraska, is  
18 amended to read:

19 60-3,245 (1) The department shall design license plates to be known  
20 as Donate Life Plates. The design shall support organ and tissue  
21 donation, registration as a donor on the Donor Registry of Nebraska, and  
22 the federally designated organ procurement organization for Nebraska. The  
23 design shall be selected on the basis of limiting the manufacturing cost  
24 of each plate to an amount less than or equal to the amount charged for  
25 license plates pursuant to section 60-3,102. ~~The department shall make~~  
26 ~~applications available for this type of plate beginning January 1, 2021.~~  
27 The department may adopt and promulgate rules and regulations to carry  
28 out this section and section 60-3,246.

29 (2) One type of Donate Life Plates shall be alphanumeric plates. The  
30 department shall:

31 (a) Assign a designation up to five characters; and

1 (b) Not use a county designation.

2 (3) One type of Donate Life Plates shall be personalized message  
3 plates. Such plates shall be issued subject to the same conditions  
4 specified for personalized message license plates in section 60-3,118,  
5 except that a maximum of five characters may be used.

6 (4) The department shall cease to issue Donate Life Plates beginning  
7 with the next license plate issuance cycle after the license plate  
8 issuance cycle that begins in 2023 pursuant to section 60-3,101 if the  
9 total number of registered vehicles that obtained such plates is less  
10 than five hundred per year within any prior consecutive two-year period.

11 Sec. 41. Section 60-3,247, Reissue Revised Statutes of Nebraska, is  
12 amended to read:

13 60-3,247 (1) The department shall design license plates to be known  
14 as Down Syndrome Awareness Plates. The design shall include the words  
15 "Down syndrome awareness" inside a heart-shaped yellow and blue ribbon.  
16 The design shall be selected on the basis of limiting the manufacturing  
17 cost of each plate to an amount less than or equal to the amount charged  
18 for license plates pursuant to section 60-3,102. ~~The department shall~~  
19 ~~make applications available for this type of plate beginning January 1,~~  
20 ~~2021.~~ The department may adopt and promulgate rules and regulations to  
21 carry out this section and section 60-3,248.

22 (2) One type of Down Syndrome Awareness Plates shall be alphanumeric  
23 plates. The department shall:

24 (a) Assign a designation up to five characters; and

25 (b) Not use a county designation.

26 (3) One type of Down Syndrome Awareness Plates shall be personalized  
27 message plates. Such plates shall be issued subject to the same  
28 conditions specified for personalized message license plates in section  
29 60-3,118, except that a maximum of five characters may be used.

30 (4) The department shall cease to issue Down Syndrome Awareness  
31 Plates beginning with the next license plate issuance cycle after the

1 license plate issuance cycle that begins in 2023 pursuant to section  
2 60-3,101 if the total number of registered vehicles that obtained such  
3 plates is less than five hundred per year within any prior consecutive  
4 two-year period.

5 Sec. 42. Section 60-3,249, Reissue Revised Statutes of Nebraska, is  
6 amended to read:

7 60-3,249 (1) The department shall design license plates to be known  
8 as Pets for Vets Plates. The design shall support veterans and companion  
9 or therapy pet animals. The design shall be selected on the basis of  
10 limiting the manufacturing cost of each plate to an amount less than or  
11 equal to the amount charged for license plates pursuant to section  
12 60-3,102. ~~The department shall make applications available for this type~~  
13 ~~of plate beginning January 1, 2021.~~ The department may adopt and  
14 promulgate rules and regulations to carry out this section and section  
15 60-3,250.

16 (2) One type of Pets for Vets Plates shall be alphanumeric plates.  
17 The department shall:

18 (a) Assign a designation up to five characters; and

19 (b) Not use a county designation.

20 (3) One type of Pets for Vets Plates shall be personalized message  
21 plates. Such plates shall be issued subject to the same conditions  
22 specified for personalized message license plates in section 60-3,118,  
23 except that a maximum of five characters may be used.

24 (4) The department shall cease to issue Pets for Vets Plates  
25 beginning with the next license plate issuance cycle after the license  
26 plate issuance cycle that begins in 2023 pursuant to section 60-3,101 if  
27 the total number of registered vehicles that obtained such plates is less  
28 than five hundred per year within any prior consecutive two-year period.

29 Sec. 43. Section 60-3,251, Reissue Revised Statutes of Nebraska, is  
30 amended to read:

31 60-3,251 (1) The department shall design license plates to be known

1 as Support the Arts Plates. The design shall be selected in consultation  
2 with the Nebraska Arts Council and shall support the arts in Nebraska.  
3 The design shall be selected on the basis of limiting the manufacturing  
4 cost of each plate to an amount less than or equal to the amount charged  
5 for license plates pursuant to section 60-3,102. ~~The department shall~~  
6 ~~make applications available for this type of plate beginning January 1,~~  
7 ~~2021.~~ The department may adopt and promulgate rules and regulations to  
8 carry out this section and section 60-3,252.

9 (2) One type of Support the Arts Plates shall be alphanumeric  
10 plates. The department shall:

11 (a) Assign a designation up to five characters; and

12 (b) Not use a county designation.

13 (3) One type of Support the Arts Plates shall be personalized  
14 message plates. Such plates shall be issued subject to the same  
15 conditions specified for personalized message license plates in section  
16 60-3,118, except that a maximum of five characters may be used.

17 (4) The department shall cease to issue Support the Arts Plates  
18 beginning with the next license plate issuance cycle after the license  
19 plate issuance cycle that begins in 2023 pursuant to section 60-3,101 if  
20 the total number of registered vehicles that obtained such plates is less  
21 than five hundred per year within any prior consecutive two-year period.

22 Sec. 44. Section 60-3,253, Reissue Revised Statutes of Nebraska, is  
23 amended to read:

24 60-3,253 (1) The department shall design license plates to be known  
25 as The Good Life Is Outside Plates. The design shall reflect the  
26 importance of safe walking and biking in Nebraska and the value of our  
27 recreational trails. The design shall be selected on the basis of  
28 limiting the manufacturing cost of each plate to an amount less than or  
29 equal to the amount charged for license plates pursuant to section  
30 60-3,102. ~~The department shall make applications available for this type~~  
31 ~~of plate beginning January 1, 2021.~~ The department may adopt and

1 promulgate rules and regulations to carry out this section and section  
2 60-3,254.

3 (2) One type of The Good Life Is Outside Plates shall be  
4 alphanumeric plates. The department shall:

5 (a) Assign a designation up to five characters; and

6 (b) Not use a county designation.

7 (3) One type of The Good Life Is Outside Plates shall be  
8 personalized message plates. Such plates shall be issued subject to the  
9 same conditions specified for personalized message license plates in  
10 section 60-3,118, except that a maximum of five characters may be used.

11 (4) The department shall cease to issue The Good Life Is Outside  
12 Plates beginning with the next license plate issuance cycle after the  
13 license plate issuance cycle that begins in 2023 pursuant to section  
14 60-3,101 if the total number of registered vehicles that obtained such  
15 plates is less than five hundred per year within any prior consecutive  
16 two-year period.

17 Sec. 45. Section 60-462, Reissue Revised Statutes of Nebraska, is  
18 amended to read:

19 60-462 Sections 60-462 to 60-4,189 and section 48 of this act shall  
20 be known and may be cited as the Motor Vehicle Operator's License Act.

21 Sec. 46. Section 60-462.01, Reissue Revised Statutes of Nebraska, is  
22 amended to read:

23 60-462.01 For purposes of the Motor Vehicle Operator's License Act,  
24 the following federal regulations are adopted as Nebraska law as they  
25 existed on January 1, 2022 ~~2021~~:

26 The parts, subparts, and sections of Title 49 of the Code of Federal  
27 Regulations, as referenced in the Motor Vehicle Operator's License Act.

28 Sec. 47. Section 60-463, Reissue Revised Statutes of Nebraska, is  
29 amended to read:

30 60-463 For purposes of the Motor Vehicle Operator's License Act, the  
31 definitions found in sections 60-463.01 to 60-478 and section 48 of this

1 act shall be used.

2       Sec. 48. Mobile operator's or driver's license means an operator's  
3 or driver's license electronically stored on or accessed via an  
4 electronic device.

5       Sec. 49. Section 60-479.01, Reissue Revised Statutes of Nebraska, is  
6 amended to read:

7       60-479.01 (1) All persons handling source documents or engaged in  
8 the issuance of new, renewed, or reissued operators' licenses or state  
9 identification cards shall have periodic fraudulent document recognition  
10 training.

11       (2) All persons and agents of the department involved in the  
12 recording of verified application information or verified operator's  
13 license and state identification card information, involved in the  
14 manufacture or production of licenses or cards, or who have the ability  
15 to affect information on such licenses or cards shall be subject to a  
16 criminal history record information check, including a check of prior  
17 employment references, and a lawful status check as required by 6 C.F.R.  
18 part 37, as such part existed on January 1, ~~2022~~ 2021. Such persons and  
19 agents shall provide fingerprints which shall be submitted to the Federal  
20 Bureau of Investigation. The bureau shall use its records for the  
21 criminal history record information check.

22       (3) Upon receipt of a request pursuant to subsection (2) of this  
23 section, the Nebraska State Patrol shall undertake a search for criminal  
24 history record information relating to such applicant, including  
25 transmittal of the applicant's fingerprints to the Federal Bureau of  
26 Investigation for a national criminal history record information check.  
27 The criminal history record information check shall include information  
28 concerning the applicant from federal repositories of such information  
29 and repositories of such information in other states, if authorized by  
30 federal law. The Nebraska State Patrol shall issue a report to the  
31 employing public agency that shall include the criminal history record

1 information concerning the applicant. The cost of any background check  
2 shall be borne by the employer of the person or agent.

3 (4) Any person convicted of any disqualifying offense as provided in  
4 6 C.F.R. part 37, as such part existed on January 1, 2022 ~~2021~~, shall not  
5 be involved in the recording of verified application information or  
6 verified operator's license and state identification card information,  
7 involved in the manufacture or production of licenses or cards, or  
8 involved in any capacity in which such person would have the ability to  
9 affect information on such licenses or cards. Any employee or prospective  
10 employee of the department shall be provided notice that he or she will  
11 undergo such criminal history record information check prior to  
12 employment or prior to any involvement with the issuance of operators'  
13 licenses or state identification cards.

14 Sec. 50. Section 60-481, Reissue Revised Statutes of Nebraska, is  
15 amended to read:

16 60-481 (1) The director pursuant to law shall publish on the  
17 website of the department a synopsis or summary of the statutory driving  
18 rules of this state. Such summary shall contain , together with such  
19 cautionary and advisory comments as determined by the director, including  
20 a description of how to legally operate a motor vehicle in order to avoid  
21 arrest.

22 (2) The director may provide to him or her seem fit, and shall  
23 deliver a copy of the such synopsis or summary described in subsection  
24 (1) of this section without charge upon request by a member of the public  
25 with each operator's license. Such rules shall contain a summary of the  
26 state's laws for operating a motor vehicle to avoid arrest.

27 Sec. 51. Section 60-490, Reissue Revised Statutes of Nebraska, is  
28 amended to read:

29 60-490 (1) Operators' licenses issued to persons required to use  
30 bioptic or telescopic lenses as provided in section 60-4,118 shall expire  
31 annually on the licensee's birthday for all such licenses issued prior to

1 ~~January 1, 2007, and on the licensee's birthday in the second year after~~  
2 ~~issuance, unless specifically restricted to a shorter renewal period as~~  
3 ~~determined under section 60-4,118, for all such licenses issued on or~~  
4 ~~after January 1, 2007.~~

5 (2) Except for state identification cards issued to persons less  
6 than twenty-one years of age, all state identification cards expire on  
7 the cardholder's birthday in the fifth year after issuance. A state  
8 identification card issued to a person who is less than twenty-one years  
9 of age expires on his or her twenty-first birthday or on his or her  
10 birthday in the fifth year after issuance, whichever comes first.

11 (3) Except as otherwise provided in subsection (1) of this section  
12 and section 60-4,147.05 and except for operators' licenses issued to  
13 persons less than twenty-one years of age, operators' licenses issued  
14 pursuant to the Motor Vehicle Operator's License Act expire on the  
15 licensee's birthday in the fifth year after issuance. An operator's  
16 license issued to a person less than twenty-one years of age expires on  
17 his or her twenty-first birthday. Except as otherwise provided in section  
18 60-4,147.05, the Department of Motor Vehicles shall mail out a renewal  
19 notice for each operator's license at least thirty days before the  
20 expiration of the operator's license.

21 (4)(a) The expiration date shall be stated on each operator's  
22 license or state identification card.

23 (b) Except as otherwise provided in section 60-4,147.05, licenses  
24 and state identification cards issued to persons who are twenty-one years  
25 of age or older which expire under this section may be renewed within a  
26 ninety-day period before the expiration date. Any person who is twenty-  
27 one years of age or older and who is the holder of a valid operator's  
28 license or state identification card may renew his or her license or card  
29 prior to the ninety-day period before the expiration date on such license  
30 or card if such applicant furnishes proof that he or she will be absent  
31 from the state during the ninety-day period prior to such expiration



1 date.

2 (c) A person who is twenty years of age may apply for an operator's  
3 license or a state identification card within sixty days prior to his or  
4 her twenty-first birthday. The operator's license or state identification  
5 card may be issued within ten days prior to such birthday.

6 (d) A person who is under twenty years of age and who holds a state  
7 identification card may apply for renewal within a ninety-day period  
8 prior to the expiration date.

9 Sec. 52. Section 60-4,111.01, Reissue Revised Statutes of Nebraska,  
10 is amended to read:

11 60-4,111.01 (1) The Department of Motor Vehicles, the courts, or law  
12 enforcement agencies may store or compile information acquired from an  
13 operator's license or a state identification card for their statutorily  
14 authorized purposes.

15 (2) Except as otherwise provided in subsection (3) or (4) of this  
16 section, no person having use of or access to machine-readable  
17 information encoded on an operator's license or a state identification  
18 card shall compile, store, preserve, trade, sell, or share such  
19 information. Any person who trades, sells, or shares such information  
20 shall be guilty of a Class IV felony. Any person who compiles, stores, or  
21 preserves such information except as authorized in subsection (3) or (4)  
22 of this section shall be guilty of a Class IV felony.

23 (3)(a) For purposes of compliance with and enforcement of  
24 restrictions on the purchase of alcohol, lottery tickets, and tobacco  
25 products, a retailer who sells any of such items pursuant to a license  
26 issued or a contract under the applicable statutory provision may scan  
27 machine-readable information encoded on an operator's license or a state  
28 identification card presented for the purpose of such a sale. The  
29 retailer may store only the following information obtained from the  
30 license or card: Age and license or card identification number. The  
31 retailer shall post a sign at the point of sale of any of such items

1 stating that the license or card will be scanned and that the age and  
2 identification number will be stored. The stored information may only be  
3 used by a law enforcement agency for purposes of enforcement of the  
4 restrictions on the purchase of alcohol, lottery tickets, and tobacco  
5 products and may not be shared with any other person or entity.

6 (b) For purposes of compliance with the provisions of sections  
7 28-458 to 28-462, a seller who sells methamphetamine precursors pursuant  
8 to such sections may scan machine-readable information encoded on an  
9 operator's license or a state identification card presented for the  
10 purpose of such a sale. The seller may store only the following  
11 information obtained from the license or card: Name, age, address, type  
12 of identification presented by the customer, the governmental entity that  
13 issued the identification, and the number on the identification. The  
14 seller shall post a sign at the point of sale stating that the license or  
15 card will be scanned and stating what information will be stored. The  
16 stored information may only be used by law enforcement agencies,  
17 regulatory agencies, and the exchange for purposes of enforcement of the  
18 restrictions on the sale or purchase of methamphetamine precursors  
19 pursuant to sections 28-458 to 28-462 and may not be shared with any  
20 other person or entity. For purposes of this subsection, the terms  
21 exchange, methamphetamine precursor, and seller have the same meanings as  
22 in section 28-458.

23 (c) The retailer or seller shall utilize software that stores only  
24 the information allowed by this subsection. A programmer for computer  
25 software designed to store such information shall certify to the retailer  
26 that the software stores only the information allowed by this subsection.  
27 Intentional or grossly negligent programming by the programmer which  
28 allows for the storage of more than the age and identification number or  
29 wrongfully certifying the software shall be a Class IV felony.

30 (d) A retailer or seller who knowingly stores more information than  
31 authorized under this subsection from the operator's license or state

1 identification card shall be guilty of a Class IV felony.

2 (e) Information scanned, compiled, stored, or preserved pursuant to  
3 subdivision (a) of this subsection may not be retained longer than  
4 eighteen months unless required by state or federal law.

5 (4) In order to approve a negotiable instrument, an electronic funds  
6 transfer, or a similar method of payment, a person having use of or  
7 access to machine-readable information encoded on an operator's license  
8 or a state identification card may:

9 (a) Scan, compile, store, or preserve such information in order to  
10 provide the information to a check services company subject to and in  
11 compliance with the federal Fair Credit Reporting Act, 15 U.S.C. 1681 et  
12 seq., as such act existed on January 1, 2022 ~~2021~~, for the purpose of  
13 effecting, administering, or enforcing a transaction requested by the  
14 holder of the license or card or preventing fraud or other criminal  
15 activity; or

16 (b) Scan and store such information only as necessary to protect  
17 against or prevent actual or potential fraud, unauthorized transactions,  
18 claims, or other liability or to resolve a dispute or inquiry by the  
19 holder of the license or card.

20 (5) Except as provided in subdivision (4)(a) of this section,  
21 information scanned, compiled, stored, or preserved pursuant to this  
22 section may not be traded or sold to or shared with a third party; used  
23 for any marketing or sales purpose by any person, including the retailer  
24 who obtained the information; or, unless pursuant to a court order,  
25 reported to or shared with any third party. A person who violates this  
26 subsection shall be guilty of a Class IV felony.

27 Sec. 53. Section 60-4,115, Reissue Revised Statutes of Nebraska, is  
28 amended to read:

29 60-4,115 (1) Fees for operators' licenses and state identification  
30 cards shall be collected by department personnel or the county treasurer  
31 and distributed according to the table in subsection (2) of this section,

1 except for the ignition interlock permit and associated fees as outlined  
2 in subsection (4) of this section and the 24/7 sobriety program permit  
3 and associated fees as outlined in subsection (5) of this section. County  
4 officials shall remit the county portion of the fees collected to the  
5 county treasurer for placement in the county general fund. All other fees  
6 collected shall be remitted to the State Treasurer for credit to the  
7 appropriate fund.

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

			Department		
			County	of Motor	State
	Document	Total	General	Vehicles	General
		Fee	Fund	Cash Fund	Fund
14	State identification card:				
15	Valid for 1 year or less	5.00	2.75	1.25	1.00
16	Valid for more than 1 year				
17	but not more than 2 years	10.00	2.75	4.00	3.25
18	Valid for more than 2 years				
19	but not more than 3 years	14.00	2.75	5.25	6.00
20	Valid for more than 3 years				
21	but not more than 4 years	19.00	2.75	8.00	8.25
22	Valid for more than 4 years				
23	for person under 21	24.00	2.75	10.25	11.00
24	<u>Valid for 5 years</u>	<u>24.00</u>	<u>3.50</u>	<u>13.25</u>	<u>7.25</u>
25	<del>Valid for 5 years</del>	<del>24.00</del>	<del>3.50</del>	<del>10.25</del>	<del>10.25</del>
26	Replacement	11.00	2.75	6.00	2.25
27	Class O or M operator's				
28	license:				
29	Valid for 1 year or less	5.00	2.75	1.25	1.00

1	Valid for more than 1 year				
2	but not more than 2 years	10.00	2.75	4.00	3.25
3	Valid for more than 2 years				
4	but not more than 3 years	14.00	2.75	5.25	6.00
5	Valid for more than 3 years				
6	but not more than 4 years	19.00	2.75	8.00	8.25
7	<u>Valid for 5 years</u>	<u>24.00</u>	<u>3.50</u>	<u>13.25</u>	<u>7.25</u>
8	<del>Valid for 5 years</del>	<del>24.00</del>	<del>3.50</del>	<del>10.25</del>	<del>10.25</del>
9	Bioptic or telescopic lens				
10	restriction:				
11	Valid for 1 year or less	5.00	0	5.00	0
12	Valid for more than 1 year				
13	but not more than 2 years	10.00	2.75	4.00	3.25
14	Replacement	11.00	2.75	6.00	2.25
15	Add, change, or remove class,				
16	endorsement, or restriction	5.00	0	5.00	0
17	Provisional operator's permit:				
18	Original	15.00	2.75	12.25	0
19	Bioptic or telescopic lens				
20	restriction:				
21	Valid for 1 year or less	5.00	0	5.00	0
22	Valid for more than 1 year				
23	but not more than 2 years	15.00	2.75	12.25	0
24	Replacement	11.00	2.75	6.00	2.25
25	Add, change, or remove class,				
26	endorsement, or restriction	5.00	0	5.00	0
27	LPD-learner's permit:				
28	Original	8.00	.25	5.00	2.75
29	Replacement	11.00	2.75	6.00	2.25

1	Add, change, or remove class,				
2	endorsement, or restriction	5.00	0	5.00	0
3	LPE-learner's permit:				
4	Original	8.00	.25	5.00	2.75
5	Replacement	11.00	2.75	6.00	2.25
6	Add, change, or remove class,				
7	endorsement, or restriction	5.00	0	5.00	0
8	School permit:				
9	Original	8.00	.25	5.00	2.75
10	Replacement	11.00	2.75	6.00	2.25
11	Add, change, or remove class,				
12	endorsement, or restriction	5.00	0	5.00	0
13	Farm permit:				
14	Original or renewal	5.00	.25	0	4.75
15	Replacement	5.00	.25	0	4.75
16	Add, change, or remove class,				
17	endorsement, or restriction	5.00	0	5.00	0
18	Driving permits:				
19	Employment	45.00	0	5.00	40.00
20	Medical hardship	45.00	0	5.00	40.00
21	Replacement	10.00	.25	5.00	4.75
22	Add, change, or remove class,				
23	endorsement, or restriction	5.00	0	5.00	0
24	Commercial driver's license:				
25	Valid for 1 year or less	11.00	1.75	5.00	4.25
26	Valid for more than 1 year				
27	but not more than 2 years	22.00	1.75	5.00	15.25
28	Valid for more than 2 years				
29	but not more than 3 years	33.00	1.75	5.00	26.25

1	Valid for more than 3 years				
2	but not more than 4 years	44.00	1.75	5.00	37.25
3	Valid for 5 years	55.00	1.75	5.00	48.25
4	Bioptic or telescopic lens				
5	restriction:				
6	Valid for one year or less	11.00	1.75	5.00	4.25
7	Valid for more than 1 year				
8	but not more than 2 years	22.00	1.75	5.00	15.25
9	Replacement	11.00	2.75	6.00	2.25
10	Add, change, or remove class,				
11	endorsement, or restriction	10.00	1.75	5.00	3.25
12	CLP-commercial learner's				
13	permit:				
14	Original or renewal	10.00	.25	5.00	4.75
15	Replacement	10.00	.25	5.00	4.75
16	Add, change, or remove class,				
17	endorsement, or restriction	10.00	.25	5.00	4.75
18	Seasonal permit:				
19	Original or renewal	10.00	.25	5.00	4.75
20	Replacement	10.00	.25	5.00	4.75
21	Add, change, or remove class,				
22	endorsement, or restriction	10.00	.25	5.00	4.75

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

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

1 Department of Motor Vehicles Ignition Interlock Fund.

2 (b) The fee for a replacement ignition interlock permit shall be  
3 eleven dollars. Two dollars and seventy-five cents of the fee shall be  
4 remitted to the county treasurer for credit to the county general fund.  
5 Six dollars of the fee shall be remitted to the State Treasurer for  
6 credit to the Department of Motor Vehicles Cash Fund. Two dollars and  
7 twenty-five cents of the fee shall be remitted to the State Treasurer for  
8 credit to the General Fund.

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

13 (5)(a) The fee for a 24/7 sobriety program permit shall be forty-  
14 five dollars. Twenty-five dollars of the fee shall be remitted to the  
15 State Treasurer for credit to the Department of Motor Vehicles Cash Fund.  
16 Fifteen dollars of the fee shall be remitted to the State Treasurer for  
17 credit to the General Fund. Five dollars of the fee shall be remitted to  
18 the county treasurer ~~State Treasurer~~ for credit to the county general  
19 fund ~~of the participant's county of residence~~.

20 (b) The fee for a replacement 24/7 sobriety program permit shall be  
21 eleven dollars. Two dollars and seventy-five cents of the fee shall be  
22 remitted to the county treasurer for credit to the county general fund ~~of~~  
23 ~~the participant's county of residence~~. Six dollars of the fee shall be  
24 remitted to the State Treasurer for credit to the Department of Motor  
25 Vehicles Cash Fund. Two dollars and twenty-five cents of the fee shall be  
26 remitted to the State Treasurer for credit to the General Fund.

27 (c) The fee for adding, changing, or removing a class, endorsement,  
28 or restriction on a 24/7 sobriety program permit shall be five dollars.  
29 The fee shall be remitted to the State Treasurer for credit to the  
30 Department of Motor Vehicles Cash Fund.

31 (6) The department and its agents may collect an identity security



1 surcharge to cover the cost of security and technology practices used to  
2 protect the identity of applicants for and holders of operators' licenses  
3 and state identification cards and to reduce identity theft, fraud, and  
4 forgery and counterfeiting of such licenses and cards to the maximum  
5 extent possible. The surcharge shall be in addition to all other required  
6 fees for operators' licenses and state identification cards. The amount  
7 of the surcharge shall be determined by the department. The surcharge  
8 shall not exceed eight dollars. The surcharge shall be remitted to the  
9 State Treasurer for credit to the Department of Motor Vehicles Cash Fund.

10 Sec. 54. Section 60-4,122, Reissue Revised Statutes of Nebraska, is  
11 amended to read:

12 60-4,122 (1) Except as otherwise provided in subsections (2), (3),  
13 and (8) of this section, no original or renewal operator's license shall  
14 be issued to any person until such person has demonstrated his or her  
15 ability to operate a motor vehicle safely as provided in section  
16 60-4,114.

17 (2) Except as otherwise provided in this section and section  
18 60-4,127, any person who renews his or her Class O or Class M license  
19 shall demonstrate his or her ability to drive and maneuver a motor  
20 vehicle safely as provided in subdivision (3)(b) of section 60-4,114 only  
21 at the discretion of department personnel, except that a person required  
22 to use bioptic or telescopic lenses shall be required to demonstrate his  
23 or her ability to drive and maneuver a motor vehicle safely each time he  
24 or she renews his or her license.

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

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

5 (5) Any person who renews a state identification card shall appear  
6 before department personnel and present his or her current state  
7 identification card or shall follow the procedure for electronic renewal  
8 in subsection (9) of this section. Proof of identification shall be  
9 required as prescribed in sections 60-484 and 60-4,181 and the  
10 information and documentation required by section 60-484.04.

11 ~~(6)(a) If a (6) A nonresident who applies for an initial operator's~~  
12 ~~license in this state presents a physical or mobile and who holds a valid~~  
13 ~~operator's license from the individual's another state which is his or~~  
14 ~~her state of residence, the department may choose not to require such~~  
15 ~~individual may not be required to demonstrate his or her knowledge of the~~  
16 ~~motor vehicle laws of this state if he or she surrenders to the~~  
17 ~~department his or her valid out-of-state operator's license.~~

18 (b) A physical operator's license described in subdivision (a) of  
19 this subsection shall be surrendered to the department.

20 (c) Upon issuing an initial operator's license described in  
21 subdivision (a) of this subsection, the department shall notify the state  
22 that issued the valid operator's license described in subdivision (a) of  
23 this subsection to invalidate such license.

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

31 (8)(a) A qualified licensee as determined by the department who is

1 twenty-one years of age or older, whose license expires prior to his or  
2 her seventy-second birthday, and who has a digital image and digital  
3 signature preserved in the digital system may renew his or her Class O or  
4 Class M license twice by electronic means in a manner prescribed by the  
5 department using the preserved digital image and digital signature  
6 without taking any examination required under section 60-4,114 if such  
7 renewal is prior to or within one year after the expiration of the  
8 license, if his or her driving record abstract maintained in the records  
9 of the department shows that such person's license is not impounded,  
10 suspended, revoked, or canceled, and if his or her driving record  
11 indicates that he or she is otherwise eligible. Every licensee, including  
12 a licensee who is out of the state at the time of renewal, must apply for  
13 renewal in person at least once every sixteen years and have a new  
14 digital image and digital signature captured.

15 (b) In order to allow for an orderly progression through the various  
16 types of operators' licenses issued to persons under twenty-one years of  
17 age, a qualified holder of an operator's license who is under twenty-one  
18 years of age and who has a digital image and digital signature preserved  
19 in the digital system may apply for an operator's license by electronic  
20 means in a manner prescribed by the department using the preserved  
21 digital image and digital signature if the applicant has passed any  
22 required examinations prior to application, if his or her driving record  
23 abstract maintained in the records of the department shows that such  
24 person's operator's license is not impounded, suspended, revoked, or  
25 canceled, and if his or her driving record indicates that he or she is  
26 otherwise eligible.

27 (9) Any person who is twenty-one years of age or older and who has  
28 been issued a state identification card with a digital image and digital  
29 signature may electronically renew his or her state identification card  
30 by electronic means in a manner prescribed by the department using the  
31 preserved digital image and digital signature. Every person renewing a

1 state identification card under this subsection, including a person who  
2 is out of the state at the time of renewal, must apply for renewal in  
3 person at least once every sixteen years and have a new digital image and  
4 digital signature captured.

5 (10) In addition to services available at driver license offices,  
6 the department may develop requirements for using electronic means for  
7 online issuance of operators' licenses and state identification cards to  
8 qualified holders as determined by the department.

9 Sec. 55. Section 60-4,124, Reissue Revised Statutes of Nebraska, is  
10 amended to read:

11 60-4,124 (1) A person who is younger than sixteen years and three  
12 months of age but is older than fourteen years and two months of age may  
13 be issued a school permit if such person either resides outside a city of  
14 the metropolitan, primary, or first class or attends a school which is  
15 outside a city of the metropolitan, primary, or first class and if such  
16 person has held an LPE-learner's permit for two months. A school permit  
17 shall not be issued until such person has demonstrated that he or she is  
18 capable of successfully operating a motor vehicle, moped, or motorcycle  
19 and has in his or her possession an issuance certificate authorizing the  
20 county treasurer to issue a school permit. In order to obtain an issuance  
21 certificate, the applicant shall present (a) proof of successful  
22 completion of a department-approved driver safety course which includes  
23 behind-the-wheel driving specifically emphasizing (i) the effects of the  
24 consumption of alcohol on a person operating a motor vehicle, (ii)  
25 occupant protection systems, (iii) risk assessment, and (iv) railroad  
26 crossing safety and (b)(i) proof of successful completion of a written  
27 examination and driving test administered by a driver safety course  
28 instructor or (ii) a certificate in a form prescribed by the department,  
29 signed by a parent, guardian, or licensed driver at least twenty-one  
30 years of age, verifying that the applicant has completed fifty hours of  
31 lawful motor vehicle operation, under conditions that reflect department-

1 approved driver safety course curriculum, with a parent, guardian, or  
2 adult at least twenty-one years of age, who has a current Nebraska  
3 operator's license or who is licensed in another state. The department  
4 may waive the written examination if the applicant has been issued an  
5 LPE-learner's permit or LPD-learner's permit and if such permit is valid  
6 or has expired no more than one year prior to application. The written  
7 examination shall not be waived if the permit being applied for contains  
8 a class or endorsement which is different from the class or endorsement  
9 of the LPE-learner's permit.

10 (2) A person holding a school permit may operate a motor vehicle,  
11 moped, or motorcycle or an autocycle:

12 (a) To and from where he or she attends school, or property used by  
13 the school he or she attends for purposes of school events or functions,  
14 over the most direct and accessible route by the nearest highway from his  
15 or her place of residence to transport such person or any family member  
16 who resides with such person to attend duly scheduled courses of  
17 instruction and extracurricular or school-related activities at the  
18 school he or she attends or on property used by the school he or she  
19 attends; or

20 (b) Under the personal supervision of a licensed operator. Such  
21 licensed operator shall be at least twenty-one years of age and licensed  
22 by this state or another state and shall (i) for all motor vehicles other  
23 than autocycles, motorcycles, or mopeds, actually occupy the seat beside  
24 the permitholder, (ii) in the case of an autocycle, actually occupy the  
25 seat beside or behind the permitholder, or (iii) in the case of a  
26 motorcycle, other than an autocycle, or a moped, if the permitholder is  
27 within visual contact of and under the supervision of, in the case of a  
28 motorcycle, a licensed motorcycle operator or, in the case of a moped, a  
29 licensed motor vehicle operator.

30 (3) The holder of a school permit shall not use any type of  
31 interactive wireless communication device while operating a motor vehicle

1 on the highways of this state. Enforcement of this subsection shall be  
2 accomplished only as a secondary action when the holder of the school  
3 permit has been cited or charged with a violation of some other law.

4 (4) A person who is younger than sixteen years of age but is over  
5 fourteen years of age may be issued an LPE-learner's permit, which permit  
6 shall be valid for a period of six ~~three~~ months. An LPE-learner's permit  
7 shall not be issued until such person successfully completes a written  
8 examination prescribed by the department and demonstrates that he or she  
9 has sufficient powers of eyesight to safely operate a motor vehicle,  
10 moped, or motorcycle or an autocycle.

11 (5)(a) While holding the LPE-learner's permit, the person may  
12 operate a motor vehicle on the highways of this state if (i) for all  
13 motor vehicles other than autocycles, motorcycles, or mopeds, he or she  
14 has seated next to him or her a person who is a licensed operator, (ii)  
15 in the case of an autocycle, he or she has seated next to or behind him  
16 or her a person who is a licensed operator, or (iii) in the case of a  
17 motorcycle, other than an autocycle, or a moped, he or she is within  
18 visual contact of and is under the supervision of a person who, in the  
19 case of a motorcycle, is a licensed motorcycle operator or, in the case  
20 of a moped, is a licensed motor vehicle operator. Such licensed motor  
21 vehicle or motorcycle operator shall be at least twenty-one years of age  
22 and licensed by this state or another state.

23 (b) The holder of an LPE-learner's permit shall not use any type of  
24 interactive wireless communication device while operating a motor vehicle  
25 on the highways of this state. Enforcement of this subdivision shall be  
26 accomplished only as a secondary action when the holder of the LPE-  
27 learner's permit has been cited or charged with a violation of some other  
28 law.

29 (6) Department personnel or the county treasurer shall collect the  
30 fee and surcharge prescribed in section 60-4,115 from each successful  
31 applicant for a school or LPE-learner's permit. All school permits shall

1 be subject to impoundment or revocation under the terms of section  
2 60-496. Any person who violates the terms of a school permit shall be  
3 guilty of an infraction and shall not be eligible for another school,  
4 farm, LPD-learner's, or LPE-learner's permit until he or she has attained  
5 the age of sixteen years.

6 (7) Any person who holds a permit issued under this section and has  
7 violated subdivision (3)(b) or (c) of section 28-306, subdivision (3)(b)  
8 or (c) of section 28-394, or section 28-1254, 60-6,196, 60-6,197,  
9 60-6,197.06, or 60-6,198 shall not be eligible for an ignition interlock  
10 permit.

11 Sec. 56. Section 60-4,130.03, Reissue Revised Statutes of Nebraska,  
12 is amended to read:

13 60-4,130.03 (1) Any person less than twenty-one years of age who  
14 holds an operator's license or a provisional operator's permit and who  
15 has accumulated, within any twelve-month period, a total of six or more  
16 points on his or her driving record pursuant to section 60-4,182 shall be  
17 notified by the Department of Motor Vehicles of that fact and ordered to  
18 attend and successfully complete a driver improvement course consisting  
19 of at least four ~~eight~~ hours of department-approved instruction. Notice  
20 shall be sent by regular United States mail to the last-known address as  
21 shown in the records of the department. If such person fails to complete  
22 the driver improvement course within three months after the date of  
23 notification, he or she shall have his or her operator's license  
24 suspended by the department.

25 (2) The director shall issue an order summarily suspending an  
26 operator's license until the licensee turns twenty-one years of age. Such  
27 order shall be sent by regular United States mail to the last-known  
28 address as shown in the records of the department. Such person shall not  
29 have his or her operator's license reinstated until he or she (a) has  
30 successfully completed the driver improvement course or has attained the  
31 age of twenty-one years and (b) has complied with section 60-4,100.01.

1           Sec. 57. Section 60-4,130.04, Reissue Revised Statutes of Nebraska,  
2 is amended to read:

3           60-4,130.04 Commercial driver safety course instructors shall  
4 possess competence as outlined in rules and regulations adopted and  
5 promulgated by the Department of Motor Vehicles. Instructors who teach  
6 the department-approved driver safety course in a public school or  
7 institution and possess competence as outlined in a driver's education  
8 endorsement shall be eligible to sign a form prescribed by the department  
9 or electronically submit test results to the department showing  
10 successful completion of the driver safety course. Each public school or  
11 institution offering a department-approved driver safety course shall be  
12 required to obtain a certificate and pay the fee pursuant to section  
13 60-4,130.05. ~~The Nebraska Safety Center shall offer a department-approved~~  
14 ~~driver safety course at least once each year in any county where no~~  
15 ~~approved course is offered.~~

16           Sec. 58. Section 60-4,132, Reissue Revised Statutes of Nebraska, is  
17 amended to read:

18           60-4,132 The purposes of sections 60-462.01, 60-4,133, and 60-4,137  
19 to 60-4,172 are to implement the requirements mandated by the federal  
20 Commercial Motor Vehicle Safety Act of 1986, 49 U.S.C. 31100 et seq., the  
21 federal Motor Carrier Safety Improvement Act of 1999, Public Law 106-159,  
22 49 U.S.C. 101 et seq., section 1012 of the federal Uniting and  
23 Strengthening America by Providing Appropriate Tools Required to  
24 Intercept and Obstruct Terrorism Act of 2001, USA PATRIOT Act, 49 U.S.C.  
25 5103a, and federal regulations as such acts and regulations existed on  
26 January 1, 2022 ~~2021~~, and to reduce or prevent commercial motor vehicle  
27 accidents, fatalities, and injuries by: (1) Permitting drivers to hold  
28 only one operator's license; (2) disqualifying drivers for specified  
29 offenses and serious traffic violations; and (3) strengthening licensing  
30 and testing standards.

31           Sec. 59. Section 60-4,134, Reissue Revised Statutes of Nebraska, is



1 amended to read:

2 60-4,134 In conformance with section 7208 of the federal Fixing  
3 America's Surface Transportation Act and 49 C.F.R. 383.3(i), as such  
4 section and regulation existed on January 1, 2022 ~~2021~~, no hazardous  
5 materials endorsement authorizing the holder of a Class A commercial  
6 driver's license to operate a commercial motor vehicle transporting  
7 diesel fuel shall be required if such driver is (1) operating within the  
8 state and acting within the scope of his or her employment as an employee  
9 of a custom harvester operation, an agrichemical business, a farm retail  
10 outlet and supplier, or a livestock feeder and (2) operating a service  
11 vehicle that is (a) transporting diesel in a quantity of one thousand  
12 gallons or less and (b) clearly marked with a flammable or combustible  
13 placard, as appropriate.

14 Sec. 60. Section 60-4,138, Reissue Revised Statutes of Nebraska, is  
15 amended to read:

16 60-4,138 (1) Commercial drivers' licenses and restricted commercial  
17 drivers' licenses shall be issued by the department in compliance with 49  
18 C.F.R. parts 380, 383, 384, and 391, shall be classified as provided in  
19 subsection (2) of this section, and shall bear such endorsements and  
20 restrictions as are provided in subsections (3) and (4) of this section.

21 (2) Commercial motor vehicle classifications for purposes of  
22 commercial drivers' licenses shall be as follows:

23 (a) Class A Combination Vehicle – Any combination of motor vehicles  
24 and towed vehicles with a gross vehicle weight rating of more than  
25 twenty-six thousand pounds if the gross vehicle weight rating of the  
26 vehicles being towed are in excess of ten thousand pounds;

27 (b) Class B Heavy Straight Vehicle – Any single commercial motor  
28 vehicle with a gross vehicle weight rating of twenty-six thousand one  
29 pounds or more or any such commercial motor vehicle towing a vehicle with  
30 a gross vehicle weight rating not exceeding ten thousand pounds; and

31 (c) Class C Small Vehicle – Any single commercial motor vehicle with

1 a gross vehicle weight rating of less than twenty-six thousand one pounds  
2 or any such commercial motor vehicle towing a vehicle with a gross  
3 vehicle weight rating not exceeding ten thousand pounds comprising:

4 (i) Motor vehicles designed to transport sixteen or more passengers,  
5 including the driver; and

6 (ii) Motor vehicles used in the transportation of hazardous  
7 materials and required to be placarded pursuant to section 75-364.

8 (3) The endorsements to a commercial driver's license shall be as  
9 follows:

10 (a) T – Double/triple trailers;

11 (b) P – Passenger;

12 (c) N – Tank vehicle;

13 (d) H – Hazardous materials;

14 (e) X – Combination tank vehicle and hazardous materials; and

15 (f) S – School bus.

16 (4) The restrictions to a commercial driver's license shall be as  
17 follows:

18 (a) E – No manual transmission equipped commercial motor vehicle;

19 (b) K – Operation of a commercial motor vehicle only in intrastate  
20 commerce;

21 (c) L – Operation of only a commercial motor vehicle which is not  
22 equipped with air brakes;

23 (d) M – Operation of a commercial motor vehicle which is not a Class  
24 A passenger vehicle;

25 (e) N – Operation of a commercial motor vehicle which is not a Class  
26 A or Class B passenger vehicle;

27 (f) O – No tractor-trailer commercial motor vehicle;

28 (g) V – Operation of a commercial motor vehicle for drivers with  
29 medical variance documentation. The documentation shall be required to be  
30 carried on the driver's person while operating a commercial motor  
31 vehicle; and

1 (h) Z – No full air brake equipped commercial motor vehicle.

2 Sec. 61. Section 60-4,139.01, Reissue Revised Statutes of Nebraska,  
3 is amended to read:

4 60-4,139.01 ~~An Beginning September 30, 2005,~~ an applicant for a  
5 school bus endorsement shall satisfy the following three requirements:

6 (1) Pass the knowledge and skills test for obtaining a passenger  
7 vehicle endorsement;

8 (2) Have knowledge covering at least the following three topics:

9 (a) Loading and unloading children, including the safe operation of  
10 stop signal devices, external mirror systems, flashing lights, and other  
11 warning and passenger safety devices required for school buses by state  
12 or federal law or regulation;

13 (b) Emergency exits and procedures for safely evacuating passengers  
14 in an emergency; and

15 (c) State and federal laws and regulations related to safely  
16 traversing highway-rail grade crossings; and

17 (3) Take a driving skills test in a school bus of the same vehicle  
18 group as the school bus the applicant will drive.

19 Sec. 62. Section 60-4,147.02, Reissue Revised Statutes of Nebraska,  
20 is amended to read:

21 60-4,147.02 No endorsement authorizing the driver to operate a  
22 commercial motor vehicle transporting hazardous materials shall be  
23 issued, renewed, or transferred by the Department of Motor Vehicles  
24 unless the endorsement is issued, renewed, or transferred in conformance  
25 with the requirements of section 1012 of the federal Uniting and  
26 Strengthening America by Providing Appropriate Tools Required to  
27 Intercept and Obstruct Terrorism Act of 2001, USA PATRIOT Act, 49 U.S.C.  
28 5103a, including all amendments and federal regulations adopted pursuant  
29 thereto as of January 1, 2022 ~~2021~~, for the issuance of licenses to  
30 operate commercial motor vehicles transporting hazardous materials.

31 Sec. 63. Section 60-4,149.01, Reissue Revised Statutes of Nebraska,

1 is amended to read:

2 60-4,149.01 (1) A commercial driver's license examiner shall not  
3 require the commercial driver's license knowledge examination, except the  
4 hazardous material portion of the examination and any knowledge  
5 examinations not previously taken for that class of commercial motor  
6 vehicle or endorsement, if the applicant renews his or her commercial  
7 driver's license prior to its expiration or within one year after its  
8 expiration and if the applicant's driving record abstract maintained in  
9 the department's computerized records shows that his or her commercial  
10 driver's license is not suspended, revoked, canceled, or disqualified.

11 (2)(a) If a ~~(2)~~ A nonresident who applies for a commercial driver's  
12 license in this state presents a physical or mobile holds a valid  
13 commercial driver's license from another state, the department may choose  
14 not to require such individual shall not be required to take the  
15 commercial driver's license knowledge examination.

16 (b) Subdivision (a) of this subsection shall not apply to , except  
17 the hazardous material portion of the examination and any knowledge  
18 examinations not previously taken for that class of commercial motor  
19 vehicle or endorsement, if the nonresident commercial driver's license  
20 holder surrenders his or her valid out of state commercial driver's  
21 license to licensing staff.

22 (c) A physical commercial driver's license described in subdivision  
23 (a) of this subsection shall be surrendered to the department.

24 (d) Upon issuing a commercial driver's license described in  
25 subdivision (a) of this subsection, the department shall notify the state  
26 that issued the valid commercial driver's license described in  
27 subdivision (a) of this subsection to invalidate such license.

28 Sec. 64. Section 60-4,168, Reissue Revised Statutes of Nebraska, is  
29 amended to read:

30 60-4,168 (1) Except as provided in subsections (2) and (3) of this  
31 section, a person shall be disqualified from operating a commercial motor

1 vehicle for one year upon his or her first conviction, after April 1,  
2 1992, in this or any other state for:

3 (a) Operating a commercial motor vehicle in violation of section  
4 60-6,196 or 60-6,197 or under the influence of a controlled substance or,  
5 beginning September 30, 2005, operating any motor vehicle in violation of  
6 section 60-6,196 or 60-6,197 or under the influence of a controlled  
7 substance;

8 (b) Operating a commercial motor vehicle in violation of section  
9 60-4,163 or 60-4,164;

10 (c) Leaving the scene of an accident involving a commercial motor  
11 vehicle operated by the person or, beginning September 30, 2005, leaving  
12 the scene of an accident involving any motor vehicle operated by the  
13 person;

14 (d) Using a commercial motor vehicle in the commission of a felony  
15 other than a felony described in subdivision (3)(b) of this section or,  
16 beginning September 30, 2005, using any motor vehicle in the commission  
17 of a felony other than a felony described in subdivision (3)(b) of this  
18 section;

19 (e) Beginning September 30, 2005, operating a commercial motor  
20 vehicle after his or her commercial driver's license has been suspended,  
21 revoked, or canceled or the driver is disqualified from operating a  
22 commercial motor vehicle; or

23 (f) Beginning September 30, 2005, causing a fatality through the  
24 negligent or criminal operation of a commercial motor vehicle.

25 (2) Except as provided in subsection (3) of this section, if any of  
26 the offenses described in subsection (1) of this section occurred while a  
27 person was transporting hazardous material in a commercial motor vehicle  
28 which required placarding pursuant to section 75-364, the person shall,  
29 upon conviction or administrative determination, be disqualified from  
30 operating a commercial motor vehicle for three years.

31 (3) A person shall be disqualified from operating a commercial motor

1 vehicle for life if, after April 1, 1992, he or she:

2 (a) Is convicted of or administratively determined to have committed  
3 a second or subsequent violation of any of the offenses described in  
4 subsection (1) of this section or any combination of those offenses  
5 arising from two or more separate incidents;

6 (b) Beginning September 30, 2005, used a commercial motor vehicle in  
7 the commission of a felony involving the manufacturing, distributing, or  
8 dispensing of a controlled substance; or

9 (c) Used a commercial motor vehicle in the commission of a felony  
10 involving an act or practice of severe forms of trafficking in persons,  
11 as defined and described in 22 U.S.C. 7102(11), as such section existed  
12 on January 1, 2022 ~~2021~~.

13 (4)(a) A person is disqualified from operating a commercial motor  
14 vehicle for a period of not less than sixty days if he or she is  
15 convicted in this or any other state of two serious traffic violations,  
16 or not less than one hundred twenty days if he or she is convicted in  
17 this or any other state of three serious traffic violations, arising from  
18 separate incidents occurring within a three-year period while operating a  
19 commercial motor vehicle.

20 (b) A person is disqualified from operating a commercial motor  
21 vehicle for a period of not less than sixty days if he or she is  
22 convicted in this or any other state of two serious traffic violations,  
23 or not less than one hundred twenty days if he or she is convicted in  
24 this or any other state of three serious traffic violations, arising from  
25 separate incidents occurring within a three-year period while operating a  
26 motor vehicle other than a commercial motor vehicle if the convictions  
27 have resulted in the revocation, cancellation, or suspension of the  
28 person's operator's license or driving privileges.

29 (5)(a) A person who is convicted of operating a commercial motor  
30 vehicle in violation of a federal, state, or local law or regulation  
31 pertaining to one of the following six offenses at a highway-rail grade

1 crossing shall be disqualified for the period of time specified in  
2 subdivision (5)(b) of this section:

3 (i) For drivers who are not required to always stop, failing to slow  
4 down and check that the tracks are clear of an approaching train;

5 (ii) For drivers who are not required to always stop, failing to  
6 stop before reaching the crossing, if the tracks are not clear;

7 (iii) For drivers who are always required to stop, failing to stop  
8 before driving onto the crossing;

9 (iv) For all drivers, failing to have sufficient space to drive  
10 completely through the crossing without stopping;

11 (v) For all drivers, failing to obey a traffic control device or the  
12 directions of an enforcement official at the crossing; or

13 (vi) For all drivers, failing to negotiate a crossing because of  
14 insufficient undercarriage clearance.

15 (b)(i) A person shall be disqualified for not less than sixty days  
16 if the person is convicted of a first violation described in this  
17 subsection.

18 (ii) A person shall be disqualified for not less than one hundred  
19 twenty days if, during any three-year period, the person is convicted of  
20 a second violation described in this subsection in separate incidents.

21 (iii) A person shall be disqualified for not less than one year if,  
22 during any three-year period, the person is convicted of a third or  
23 subsequent violation described in this subsection in separate incidents.

24 (6) A person shall be disqualified from operating a commercial motor  
25 vehicle for at least one year if, on or after July 8, 2015, the person  
26 has been convicted of fraud related to the issuance of his or her CLP-  
27 commercial learner's permit or commercial driver's license.

28 (7) If the department receives credible information that a CLP-  
29 commercial learner's permit holder or a commercial driver's license  
30 holder is suspected, but has not been convicted, on or after July 8,  
31 2015, of fraud related to the issuance of his or her CLP-commercial

1 learner's permit or commercial driver's license, the department must  
2 require the driver to retake the skills and knowledge tests. Within  
3 thirty days after receiving notification from the department that  
4 retesting is necessary, the affected CLP-commercial learner's permit  
5 holder or commercial driver's license holder must make an appointment or  
6 otherwise schedule to take the next available test. If the CLP-commercial  
7 learner's permit holder or commercial driver's license holder fails to  
8 make an appointment within thirty days, the department must disqualify  
9 his or her CLP-commercial learner's permit or commercial driver's  
10 license. If the driver fails either the knowledge or skills test or does  
11 not take the test, the department must disqualify his or her CLP-  
12 commercial learner's permit or commercial driver's license. If the holder  
13 of a CLP-commercial learner's permit or commercial driver's license has  
14 had his or her CLP-commercial learner's permit or commercial driver's  
15 license disqualified, he or she must reapply for a CLP-commercial  
16 learner's permit or commercial driver's license under department  
17 procedures applicable to all applicants for a CLP-commercial learner's  
18 permit or commercial driver's license.

19 (8) For purposes of this section, controlled substance has the same  
20 meaning as in section 28-401.

21 (9) For purposes of this section, conviction means an unvacated  
22 adjudication of guilt, or a determination that a person has violated or  
23 failed to comply with the law, in a court of original jurisdiction or by  
24 an authorized administrative tribunal, an unvacated forfeiture of bail or  
25 collateral deposited to secure the person's appearance in court, a plea  
26 of guilty or nolo contendere accepted by the court, the payment of a fine  
27 or court costs, or a violation of a condition of release without bail,  
28 regardless of whether or not the penalty is rebated, suspended, or  
29 probated.

30 (10) For purposes of this section, serious traffic violation means:

31 (a) Speeding at or in excess of fifteen miles per hour over the



1 legally posted speed limit;

2 (b) Willful reckless driving as described in section 60-6,214 or  
3 reckless driving as described in section 60-6,213;

4 (c) Improper lane change as described in section 60-6,139;

5 (d) Following the vehicle ahead too closely as described in section  
6 60-6,140;

7 (e) A violation of any law or ordinance related to motor vehicle  
8 traffic control, other than parking violations or overweight or vehicle  
9 defect violations, arising in connection with an accident or collision  
10 resulting in death to any person;

11 (f) Beginning September 30, 2005, operating a commercial motor  
12 vehicle without a commercial driver's license;

13 (g) Beginning September 30, 2005, operating a commercial motor  
14 vehicle without a commercial driver's license in the operator's  
15 possession;

16 (h) Beginning September 30, 2005, operating a commercial motor  
17 vehicle without the proper class of commercial driver's license and any  
18 endorsements, if required, for the specific vehicle group being operated  
19 or for the passengers or type of cargo being transported on the vehicle;

20 (i) Beginning October 27, 2013, texting while driving as described  
21 in section 60-6,179.02; and

22 (j) Using a handheld mobile telephone as described in section  
23 60-6,179.02.

24 (11) Each period of disqualification imposed under this section  
25 shall be served consecutively and separately.

26 Sec. 65. Section 60-4,174, Reissue Revised Statutes of Nebraska, is  
27 amended to read:

28 60-4,174 ~~(1)~~The director shall adopt and promulgate such rules and  
29 regulations for the administration and enforcement of sections 60-4,173  
30 to 60-4,179 as are necessary to protect the public. The director or his  
31 or her authorized representative shall examine applicants for Driver

1 Training School and Instructor's Licenses, license successful applicants,  
2 and inspect school facilities and equipment. The director shall  
3 administer and enforce such sections and may call upon the Commissioner  
4 of Education for assistance in developing and formulating appropriate  
5 rules and regulations.

6 ~~(2) Rules and regulations which have been adopted and promulgated~~  
7 ~~pursuant to this section prior to July 18, 2008, shall remain in effect~~  
8 ~~and be applicable to all driver training schools and instructors until~~  
9 ~~such time as new rules and regulations are adopted and promulgated.~~

10 Sec. 66. Section 60-4,183, Reissue Revised Statutes of Nebraska, is  
11 amended to read:

12 60-4,183 Whenever it comes to the attention of the director that any  
13 person has, as disclosed by the records of the director, accumulated a  
14 total of twelve or more points within any period of two years, as set out  
15 in section 60-4,182, the director shall (1) summarily revoke the  
16 operator's license of such person and (2) require such person to attend  
17 and successfully complete a driver improvement ~~driver's education and~~  
18 ~~training~~ course consisting of at least four hours of instruction approved  
19 by the Department of Motor Vehicles.

20 Such instruction shall be successfully completed before the  
21 operator's license may be reinstated. Each person who attends such  
22 instruction shall pay the cost of such course.

23 Such revocation shall be for a period of six months from the date of  
24 the signing of the order of revocation or six months from the date of the  
25 release of such person from the jail or a Department of Correctional  
26 Services adult correctional facility, whichever is the later, unless a  
27 longer period of revocation was directed by the terms of the abstract of  
28 the judgment of conviction transmitted to the director by the trial  
29 court.

30 Any motor vehicle except a commercial motor vehicle may be operated  
31 under an employment driving permit as provided by section 60-4,129 or a

1 medical hardship driving permit as provided by section 60-4,130.01.

2 Sec. 67. Section 60-4,188, Reissue Revised Statutes of Nebraska, is  
3 amended to read:

4 60-4,188 Any person who has fewer than twelve points assessed  
5 against his or her driving record under section 60-4,182 may voluntarily  
6 enroll in a driver improvement ~~driver's education and training~~ course  
7 approved by the Department of Motor Vehicles. Upon notification of  
8 successful completion of such a course by the conducting organization,  
9 the department shall reduce by two the number of points assessed against  
10 such person's driving record within the previous two years. This section  
11 shall only apply to persons who have successfully completed such driver  
12 improvement ~~driver's education and training~~ course prior to committing  
13 any traffic offense for which a conviction and point assessment against  
14 their driving record would otherwise result in a total of twelve or more  
15 points assessed against their record. No person required to enroll in a  
16 driver improvement ~~driver's education and training~~ course pursuant to  
17 section 60-4,130, 60-4,130.03, or 60-4,183 shall be eligible for a  
18 reduction in points assessed against his or her driving record upon the  
19 successful completion of such course. If a person has only one point  
20 assessed against his or her record within the previous two years, upon  
21 notification of successful completion of such a course by the conducting  
22 organization, the department shall reduce one point from such person's  
23 driving record. Such reduction shall be allowed only once within a five-  
24 year period. Notification of completion of an approved driver improvement  
25 ~~driver's education and training~~ course shall be sent to the department,  
26 upon successful completion thereof, by the conducting organization. Such  
27 course shall consist of at least four hours of instruction and shall  
28 follow such other guidelines as are established by the department.

29 Sec. 68. Section 60-501, Reissue Revised Statutes of Nebraska, is  
30 amended to read:

31 60-501 For purposes of the Motor Vehicle Safety Responsibility Act,

1 unless the context otherwise requires:

2 (1) Department means Department of Motor Vehicles;

3 (2) Former military vehicle means a motor vehicle that was  
4 manufactured for use in any country's military forces and is maintained  
5 to accurately represent its military design and markings, regardless of  
6 the vehicle's size or weight, but is no longer used, or never was used,  
7 by a military force;

8 (3) Golf car vehicle means a vehicle that has at least four wheels,  
9 has a maximum level ground speed of less than twenty miles per hour, has  
10 a maximum payload capacity of one thousand two hundred pounds, has a  
11 maximum gross vehicle weight of two thousand five hundred pounds, has a  
12 maximum passenger capacity of not more than four persons, and is designed  
13 and manufactured for operation on a golf course for sporting and  
14 recreational purposes;

15 (4) Judgment means any judgment which shall have become final by the  
16 expiration of the time within which an appeal might have been perfected  
17 without being appealed, or by final affirmation on appeal, rendered by a  
18 court of competent jurisdiction of any state or of the United States, (a)  
19 upon a cause of action arising out of the ownership, maintenance, or use  
20 of any motor vehicle for damages, including damages for care and loss of  
21 services, because of bodily injury to or death of any person or for  
22 damages because of injury to or destruction of property, including the  
23 loss of use thereof, or (b) upon a cause of action on an agreement of  
24 settlement for such damages;

25 (5) License means any license issued to any person under the laws of  
26 this state pertaining to operation of a motor vehicle within this state;

27 (6) Low-speed vehicle means a (a) four-wheeled motor vehicle (i)  
28 whose speed attainable in one mile is more than twenty miles per hour and  
29 not more than twenty-five miles per hour on a paved, level surface, (ii)  
30 whose gross vehicle weight rating is less than three thousand pounds, and  
31 (iii) that complies with 49 C.F.R. part 571, as such part existed on

1 January 1, 2022 ~~2021~~, or (b) three-wheeled motor vehicle (i) whose  
2 maximum speed attainable is not more than twenty-five miles per hour on a  
3 paved, level surface, (ii) whose gross vehicle weight rating is less than  
4 three thousand pounds, and (iii) which is equipped with a windshield and  
5 an occupant protection system. A motorcycle with a sidecar attached is  
6 not a low-speed vehicle;

7 (7) Minitruck means a foreign-manufactured import vehicle or  
8 domestic-manufactured vehicle which (a) is powered by an internal  
9 combustion engine with a piston or rotor displacement of one thousand  
10 five hundred cubic centimeters or less, (b) is sixty-seven inches or less  
11 in width, (c) has a dry weight of four thousand two hundred pounds or  
12 less, (d) travels on four or more tires, (e) has a top speed of  
13 approximately fifty-five miles per hour, (f) is equipped with a bed or  
14 compartment for hauling, (g) has an enclosed passenger cab, (h) is  
15 equipped with headlights, taillights, turnsignals, windshield wipers, a  
16 rearview mirror, and an occupant protection system, and (i) has a four-  
17 speed, five-speed, or automatic transmission;

18 (8) Motor vehicle means any self-propelled vehicle which is designed  
19 for use upon a highway, including trailers designed for use with such  
20 vehicles, minitrucks, and low-speed vehicles. Motor vehicle includes a  
21 former military vehicle. Motor vehicle does not include (a) mopeds as  
22 defined in section 60-637, (b) traction engines, (c) road rollers, (d)  
23 farm tractors, (e) tractor cranes, (f) power shovels, (g) well drillers,  
24 (h) every vehicle which is propelled by electric power obtained from  
25 overhead wires but not operated upon rails, (i) electric personal  
26 assistive mobility devices as defined in section 60-618.02, (j) off-road  
27 designed vehicles, including, but not limited to, golf car vehicles, go-  
28 carts, riding lawnmowers, garden tractors, all-terrain vehicles and  
29 utility-type vehicles as defined in section 60-6,355, minibikes as  
30 defined in section 60-636, and snowmobiles as defined in section 60-663,  
31 and (k) bicycles as defined in section 60-611;

1 (9) Nonresident means every person who is not a resident of this  
2 state;

3 (10) Nonresident's operating privilege means the privilege conferred  
4 upon a nonresident by the laws of this state pertaining to the operation  
5 by him or her of a motor vehicle or the use of a motor vehicle owned by  
6 him or her in this state;

7 (11) Operator means every person who is in actual physical control  
8 of a motor vehicle;

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

17 (13) Person means every natural person, firm, partnership, limited  
18 liability company, association, or corporation;

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

29 (15) Registration means registration certificate or certificates and  
30 registration plates issued under the laws of this state pertaining to the  
31 registration of motor vehicles;

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

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

7 Sec. 69. Section 60-628.01, Reissue Revised Statutes of Nebraska, is  
8 amended to read:

9 60-628.01 Low-speed vehicle means a (1) four-wheeled motor vehicle  
10 (a) whose speed attainable in one mile is more than twenty miles per hour  
11 and not more than twenty-five miles per hour on a paved, level surface,  
12 (b) whose gross vehicle weight rating is less than three thousand pounds,  
13 and (c) that complies with 49 C.F.R. part 571, as such part existed on  
14 January 1, 2022 ~~2021~~, or (2) three-wheeled motor vehicle (a) whose  
15 maximum speed attainable is not more than twenty-five miles per hour on a  
16 paved, level surface, (b) whose gross vehicle weight rating is less than  
17 three thousand pounds, and (c) which is equipped with a windshield and an  
18 occupant protection system. A motorcycle with a sidecar attached is not a  
19 low-speed vehicle.

20 Sec. 70. Section 60-699, Reissue Revised Statutes of Nebraska, is  
21 amended to read:

22 60-699 (1) The operator of any vehicle involved in an accident  
23 resulting in injuries or death to any person or damage to the property of  
24 any one person, including such operator, to an apparent extent that  
25 equals or exceeds one thousand five hundred dollars shall within ten days  
26 forward a report of such accident to the Department of Transportation.  
27 Such report shall not be required if the accident is investigated by a  
28 peace officer. If the operator is physically incapable of making the  
29 report, the owner of the motor vehicle involved in the accident shall,  
30 within ten days from the time he or she learns of the accident, report  
31 the matter in writing to the Department of Transportation. The Department

1 of Transportation or Department of Motor Vehicles may require operators  
2 involved in accidents to file supplemental reports of accidents upon  
3 forms furnished by it whenever the original report is insufficient in the  
4 opinion of either department. The operator or the owner of the motor  
5 vehicle shall make such other and additional reports relating to the  
6 accident as either department requires. Such records shall be retained  
7 for the period of time specified by the State Records Administrator  
8 pursuant to the Records Management Act.

9 (2) The report of accident required by this section shall be in two  
10 parts. Part I shall be in such form as the Department of Transportation  
11 may prescribe and shall disclose full information concerning the  
12 accident. Part II shall be in such form as the Department of Motor  
13 Vehicles may prescribe and shall disclose sufficient information to  
14 disclose whether or not the financial responsibility requirements of the  
15 Motor Vehicle Safety Responsibility Act are met through the carrying of  
16 liability insurance.

17 (3) Upon receipt of a report of accident, the Department of  
18 Transportation shall determine the reportability and classification of  
19 the accident and enter all information into a computerized database. Upon  
20 completion, the Department of Transportation shall electronically send  
21 Part II of the report to the Department of Motor Vehicles for purposes of  
22 section 60-506.01.

23 (4) Such reports shall be without prejudice. Except as provided in  
24 section 84-712.05, a report regarding an accident made by a peace  
25 officer, made to or filed with a peace officer in the peace officer's  
26 office or department, or filed with or made by or to any other law  
27 enforcement agency of the state shall be open to public inspection, but  
28 an accident report filed by the operator or owner of a motor vehicle  
29 pursuant to this section shall not be open to public inspection. Date of  
30 birth information, excluding the year of birth, and operator's license  
31 number information of an operator or owner included in any report



1 required under this section shall be confidential and shall not be a  
2 public record under section 84-712.01. Year of birth or age information  
3 of an operator or owner included in any report required under this  
4 section shall not be confidential and shall be a public record under  
5 section 84-712.01. Nothing in this section prohibits a peace officer or a  
6 law enforcement agency from disclosing the age of an operator or owner  
7 included in any report required under this section. The fact that a  
8 report by an operator or owner has been so made shall be admissible in  
9 evidence solely to prove compliance with this section, but no such report  
10 or any part of or statement contained in the report shall be admissible  
11 in evidence for any other purpose in any trial, civil or criminal,  
12 arising out of such accidents nor shall the report be referred to in any  
13 way or be any evidence of the negligence or due care of either party at  
14 the trial of any action at law to recover damages.

15 (5) The failure by any person to report an accident as provided in  
16 this section or to correctly give the information required in connection  
17 with the report shall be a Class V misdemeanor.

18 Sec. 71. Section 60-6,265, Reissue Revised Statutes of Nebraska, is  
19 amended to read:

20 60-6,265 For purposes of sections 60-6,266 to 60-6,273:

21 (1) Occupant protection system means a system utilizing a lap belt,  
22 a shoulder belt, or any combination of belts installed in a motor vehicle  
23 which (a) restrains drivers and passengers and (b) conforms to Federal  
24 Motor Vehicle Safety Standards, 49 C.F.R. 571.207, 571.208, 571.209, and  
25 571.210, as such standards existed on January 1, 2022 ~~2021~~, or, as a  
26 minimum standard, to the federal motor vehicle safety standards for  
27 passenger restraint systems applicable for the motor vehicle's model  
28 year; and

29 (2) Three-point safety belt system means a system utilizing a  
30 combination of a lap belt and a shoulder belt installed in a motor  
31 vehicle which restrains drivers and passengers.

1           Sec. 72. Section 60-1515, Reissue Revised Statutes of Nebraska, is  
2 amended to read:

3           60-1515 (1) The Legislature hereby finds and declares that a  
4 statewide system for the collection, storage, and transfer of data on  
5 vehicle titles and registration and the cooperation of state and local  
6 government in implementing such a system is essential to the efficient  
7 operation of state and local government in vehicle titling and  
8 registration. The Legislature hereby finds and declares that the  
9 electronic issuance of operators' licenses and state identification cards  
10 using a digital system as described in section 60-484.01 and the  
11 cooperation of state and local government in implementing such a system  
12 is essential to the efficient operation of state and local government in  
13 issuing operators' licenses and state identification cards.

14           (2) It is therefor the intent of the Legislature that the Department  
15 of Motor Vehicles shall use a portion of the fees appropriated by the  
16 Legislature to the Department of Motor Vehicles Cash Fund as follows:

17           (a) To pay for the cost of issuing motor vehicle titles and  
18 registrations on a system designated by the department. The costs shall  
19 include, but not be limited to, software and software maintenance,  
20 programming, processing charges, and equipment including such terminals,  
21 printers, or other devices as deemed necessary by the department after  
22 consultation with the county to support the issuance of motor vehicle  
23 titles and registrations. The costs shall not include the cost of county  
24 personnel or physical facilities provided by the counties;

25           (b) To fund the centralization of renewal notices for motor vehicle  
26 registration and to furnish to the counties the certificate of  
27 registration forms specified in section 60-390. The certificate of  
28 registration form shall be prescribed by the department;

29           (c) To pay for the costs of an operator's license system as  
30 specified in sections 60-484.01 and 60-4,119 and designated by the  
31 department. The costs shall be limited to such terminals, printers,

1 software, programming, and other equipment or devices as deemed necessary  
2 by the department to support the issuance of such licenses and state  
3 identification cards in the counties and by the department; and

4 (d) To pay for the motor vehicle insurance database created under  
5 section 60-3,136.

6 (3) The department shall utilize three dollars of each fee allocated  
7 to the Department of Motor Vehicles Cash Fund from state identification  
8 cards valid for five years and Class O or M operators' licenses valid for  
9 five years to open and operate an additional operators' licensing service  
10 center.

11 Sec. 73. Section 60-2705, Reissue Revised Statutes of Nebraska, is  
12 amended to read:

13 60-2705 The Director of Motor Vehicles shall adopt standards for an  
14 informal dispute settlement procedure which substantially comply with the  
15 provisions of 16 C.F.R. part 703, as such part existed on January 1, 2022  
16 ~~2021~~.

17 If a manufacturer has established or participates in a dispute  
18 settlement procedure certified by the Director of Motor Vehicles within  
19 the guidelines of such standards, the provisions of section 60-2703  
20 concerning refunds or replacement shall not apply to any consumer who has  
21 not first resorted to such a procedure.

22 Sec. 74. Section 60-2909.01, Reissue Revised Statutes of Nebraska,  
23 is amended to read:

24 60-2909.01 The department and any officer, employee, agent, or  
25 contractor of the department having custody of a motor vehicle record  
26 shall, upon the verification of identity and purpose of a requester,  
27 disclose and make available the requested motor vehicle record, including  
28 the sensitive personal information in the record, other than the social  
29 security number, for the following purposes:

30 (1) For use by any federal, state, or local governmental agency,  
31 including any court or law enforcement agency, in carrying out the

1 agency's functions or by a private person or entity acting on behalf of a  
2 governmental agency in carrying out the agency's functions;

3 (2) For use in connection with any civil, criminal, administrative,  
4 or arbitral proceeding in any federal, state, or local court or  
5 governmental agency or before any self-regulatory body, including service  
6 of process, investigation in anticipation of litigation, and execution or  
7 enforcement of judgments and orders, or pursuant to an order of a  
8 federal, state, or local court, an administrative agency, or a self-  
9 regulatory body;

10 (3) For use by any insurer or insurance support organization, or by  
11 a self-insured entity, or its agents, employees, or contractors, in  
12 connection with claims investigation activities, anti-fraud activities,  
13 rating, or underwriting;

14 (4) For use by an employer or the employer's agent or insurer to  
15 obtain or verify information relating to a holder of a commercial  
16 driver's license or CLP-commercial learner's permit that is required  
17 under the Commercial Motor Vehicle Safety Act of 1986, 49 U.S.C. 31301 et  
18 seq., as such act existed on January 1, 2022 ~~2021~~, or pursuant to  
19 sections 60-4,132 and 60-4,141; and

20 (5) For use by employers of a holder of a commercial driver's  
21 license or CLP-commercial learner's permit and by the Commercial Driver  
22 License Information System as provided in section 60-4,144.02 and 49  
23 C.F.R. 383.73, as such regulation existed on January 1, 2022 ~~2021~~.

24 Sec. 75. Section 66-1401, Reissue Revised Statutes of Nebraska, is  
25 amended to read:

26 66-1401 Sections 66-1401 to 66-1427 and section 77 of this act shall  
27 be known and may be cited as the International Fuel Tax Agreement Act.

28 Sec. 76. Section 66-1421, Reissue Revised Statutes of Nebraska, is  
29 amended to read:

30 66-1421 (1)(a) No penalty shall be imposed upon any person who  
31 voluntarily reports an underpayment of tax by filing an amended return if

1 the original return is filed on time.

2 (b) Except as provided in subsection (3) of this section, interest  
3 shall not be waived on any additional tax due as reported on any amended  
4 return, and such interest shall be computed from the date such tax was  
5 due.

6 (2) The department may in its discretion waive all or any portion of  
7 the penalties incurred upon sufficient showing by the taxpayer that the  
8 failure to file or pay is not due to negligence, intentional disregard of  
9 the law, rules, or regulations, intentional evasion of the tax, or fraud  
10 committed with intent to evade the tax or that such penalties should  
11 otherwise be waived.

12 (3) The department may in its discretion waive any and all interest  
13 incurred upon sufficient showing by the taxpayer that such interest  
14 should be waived.

15 ~~(4) All penalties collected by the department under this section~~  
16 ~~shall be remitted to the State Treasurer for credit to the Highway Trust~~  
17 ~~Fund.~~

18 Sec. 77. All taxes, interest, and penalties collected pursuant to  
19 the International Fuel Tax Agreement Act shall be remitted to the State  
20 Treasurer for credit to the Highway Trust Fund, except as otherwise  
21 provided under the act or an agreement entered into pursuant to the act.

22 Sec. 78. Section 75-126, Reissue Revised Statutes of Nebraska, is  
23 amended to read:

24 75-126 (1) Except as otherwise provided in this section, no common  
25 carrier shall:

26 (a) Charge, demand, collect, or receive from any person a greater or  
27 lesser compensation for any services rendered than it charges, demands,  
28 collects, or receives from any other person for doing a like or  
29 contemporaneous service unless required under section 86-465;

30 (b) Make or give any undue or unreasonable preference or advantage  
31 to any particular person;

1 (c) Subject any type of traffic to any undue or unreasonable  
2 prejudice, delay, or disadvantage in any respect whatsoever;

3 (d) Charge or receive any greater compensation in the aggregate for  
4 the transportation of a like kind of property or passengers for a shorter  
5 than for a longer distance over the same line or route, except as the  
6 commission may prescribe in special cases to prevent manifest injuries,  
7 except that no manifest injustice shall be imposed upon any person at  
8 intermediate points. This section shall not prevent the commission from  
9 making group or emergency rates;

10 (e) Demand, charge, or collect, by any device whatsoever, a lesser  
11 or greater compensation for any service rendered than that filed with or  
12 prescribed by the commission; or

13 (f) Change any rate, schedule, or classification in any manner  
14 whatsoever before application has been made to the commission and  
15 permission granted for that purpose, except as otherwise provided in  
16 section 86-155.

17 (2) This section shall not prohibit any common carrier from, and a  
18 common carrier shall not be subject to any fine, penalty, or forfeiture  
19 for, performing services free or at reduced rates to:

20 (a) The United States, the State of Nebraska, or any governmental  
21 subdivision thereof;

22 (b) The employees, both present and retired, of such common carrier;

23 (c) Any person when the object is to provide relief in case of any  
24 disaster;

25 (d) Any person who transports property for charitable purposes;

26 (e) Ministers and others giving their entire time to religious or  
27 charitable work; ~~or~~

28 (f) Any person who is legally blind or visually handicapped; ~~or~~

29 (g) Any person who is sixty-five years of age or older.

30 Sec. 79. Section 75-363, Revised Statutes Supplement, 2021, is  
31 amended to read:

1           75-363 (1) The parts, subparts, and sections of Title 49 of the Code  
2 of Federal Regulations listed below, as modified in this section, or any  
3 other parts, subparts, and sections referred to by such parts, subparts,  
4 and sections, in existence and effective as of January 1, 2022 ~~2021~~, are  
5 adopted as Nebraska law.

6           (2) Except as otherwise provided in this section, the regulations  
7 shall be applicable to:

8           (a) All motor carriers, drivers, and vehicles to which the federal  
9 regulations apply; and

10           (b) All motor carriers transporting persons or property in  
11 intrastate commerce to include:

12           (i) All vehicles of such motor carriers with a gross vehicle weight  
13 rating, gross combination weight rating, gross vehicle weight, or gross  
14 combination weight over ten thousand pounds;

15           (ii) All vehicles of such motor carriers designed or used to  
16 transport more than eight passengers, including the driver, for  
17 compensation, or designed or used to transport more than fifteen  
18 passengers, including the driver, and not used to transport passengers  
19 for compensation;

20           (iii) All vehicles of such motor carriers transporting hazardous  
21 materials required to be placarded pursuant to section 75-364; and

22           (iv) All drivers of such motor carriers if the drivers are operating  
23 a commercial motor vehicle as defined in section 60-465 which requires a  
24 commercial driver's license.

25           (3) The Legislature hereby adopts, as modified in this section, the  
26 following parts of Title 49 of the Code of Federal Regulations:

27           (a) Part 382 - CONTROLLED SUBSTANCES AND ALCOHOL USE AND TESTING;

28           (b) Part 385 - SAFETY FITNESS PROCEDURES;

29           (c) Part 386 - RULES OF PRACTICE FOR FMCSA PROCEEDINGS;

30           (d) Part 387 - MINIMUM LEVELS OF FINANCIAL RESPONSIBILITY FOR MOTOR  
31 CARRIERS;

1 (e) Part 390 - FEDERAL MOTOR CARRIER SAFETY REGULATIONS; GENERAL;

2 (f) Part 391 - QUALIFICATIONS OF DRIVERS AND LONGER COMBINATION  
3 VEHICLE (LCV) DRIVER INSTRUCTORS;

4 (g) Part 392 - DRIVING OF COMMERCIAL MOTOR VEHICLES;

5 (h) Part 393 - PARTS AND ACCESSORIES NECESSARY FOR SAFE OPERATION;

6 (i) Part 395 - HOURS OF SERVICE OF DRIVERS;

7 (j) Part 396 - INSPECTION, REPAIR, AND MAINTENANCE;

8 (k) Part 397 - TRANSPORTATION OF HAZARDOUS MATERIALS; DRIVING AND  
9 PARKING RULES; and

10 (l) Part 398 - TRANSPORTATION OF MIGRANT WORKERS.

11 (4) The provisions of subpart E - Physical Qualifications And  
12 Examinations of 49 C.F.R. part 391 - QUALIFICATIONS OF DRIVERS AND LONGER  
13 COMBINATION VEHICLE (LCV) DRIVER INSTRUCTORS shall not apply to any  
14 driver subject to this section who: (a) Operates a commercial motor  
15 vehicle exclusively in intrastate commerce; and (b) holds, or has held, a  
16 commercial driver's license issued by this state prior to July 30, 1996.

17 (5) The regulations adopted in subsection (3) of this section shall  
18 not apply to farm trucks registered pursuant to section 60-3,146 with a  
19 gross weight of sixteen tons or less. The following parts and sections of  
20 49 C.F.R. chapter III shall not apply to drivers of farm trucks  
21 registered pursuant to section 60-3,146 and operated solely in intrastate  
22 commerce:

23 (a) All of part 391;

24 (b) Section 395.8 of part 395; and

25 (c) Section 396.11 of part 396.

26 (6) The following parts and subparts of 49 C.F.R. chapter III shall  
27 not apply to the operation of covered farm vehicles:

28 (a) Part 382 - CONTROLLED SUBSTANCES AND ALCOHOL USE AND TESTING;

29 (b) Part 391, subpart E - Physical Qualifications and Examinations;

30 (c) Part 395 - HOURS OF SERVICE OF DRIVERS; and

31 (d) Part 396 - INSPECTION, REPAIR, AND MAINTENANCE.



1 (7) Part 393 - PARTS AND ACCESSORIES NECESSARY FOR SAFE OPERATION  
2 and Part 396 - INSPECTION, REPAIR, AND MAINTENANCE shall not apply to  
3 fertilizer and agricultural chemical application and distribution  
4 equipment transported in units with a capacity of three thousand five  
5 hundred gallons or less.

6 (8) For purposes of this section, intrastate motor carriers shall  
7 not include any motor carrier or driver excepted from 49 C.F.R. chapter  
8 III by section 390.3(f) of part 390.

9 (9)(a) Part 395 - HOURS OF SERVICE OF DRIVERS shall apply to motor  
10 carriers and drivers who engage in intrastate commerce as defined in  
11 section 75-362, except that no motor carrier who engages in intrastate  
12 commerce shall permit or require any driver used by it to drive nor shall  
13 any driver drive:

14 (i) More than twelve hours following ten consecutive hours off duty;  
15 or

16 (ii) For any period after having been on duty sixteen hours  
17 following ten consecutive hours off duty.

18 (b) No motor carrier who engages in intrastate commerce shall permit  
19 or require a driver of a commercial motor vehicle, regardless of the  
20 number of motor carriers using the driver's services, to drive, nor shall  
21 any driver of a commercial motor vehicle drive, for any period after:

22 (i) Having been on duty seventy hours in any seven consecutive days  
23 if the employing motor carrier does not operate every day of the week; or

24 (ii) Having been on duty eighty hours in any period of eight  
25 consecutive days if the employing motor carrier operates motor vehicles  
26 every day of the week.

27 (10) Part 395 - HOURS OF SERVICE OF DRIVERS, as adopted in  
28 subsections (3) and (9) of this section, shall not apply to drivers  
29 transporting agricultural commodities or farm supplies for agricultural  
30 purposes during planting and harvesting season when:

31 (a) The transportation of such agricultural commodities is from the

1 source of the commodities to a location within a one-hundred-fifty-air-  
2 mile radius of the source of the commodities;

3 (b) The transportation of such farm supplies is from a wholesale or  
4 retail distribution point of the farm supplies to a farm or other  
5 location where the farm supplies are intended to be used which is within  
6 a one-hundred-fifty-air-mile radius of the wholesale or retail  
7 distribution point; or

8 (c) The transportation of such farm supplies is from a wholesale  
9 distribution point of the farm supplies to a retail distribution point of  
10 the farm supplies which is within a one-hundred-fifty-air-mile radius of  
11 the wholesale distribution point.

12 (11) 49 C.F.R. 390.21 - Marking of self-propelled CMVs and  
13 intermodal equipment shall not apply to farm trucks and farm truck-  
14 tractors registered pursuant to section 60-3,146 and operated solely in  
15 intrastate commerce.

16 (12) 49 C.F.R. 392.9a - Operating authority shall not apply to  
17 Nebraska motor carriers operating commercial motor vehicles solely in  
18 intrastate commerce.

19 (13) No motor carrier shall permit or require a driver of a  
20 commercial motor vehicle to violate, and no driver of a commercial motor  
21 vehicle shall violate, any out-of-service order.

22 Sec. 80. Section 75-364, Revised Statutes Supplement, 2021, is  
23 amended to read:

24 75-364 The parts, subparts, and sections of Title 49 of the Code of  
25 Federal Regulations listed below, or any other parts, subparts, and  
26 sections referred to by such parts, subparts, and sections, in existence  
27 and effective as of January 1, 2022 ~~2021~~, are adopted as part of Nebraska  
28 law and shall be applicable to all motor carriers whether engaged in  
29 interstate or intrastate commerce, drivers of such motor carriers, and  
30 vehicles of such motor carriers:

31 (1) Part 107 - HAZARDOUS MATERIALS PROGRAM PROCEDURES, subpart F -

1 Registration of Cargo Tank and Cargo Tank Motor Vehicle Manufacturers,  
2 Assemblers, Repairers, Inspectors, Testers, and Design Certifying  
3 Engineers;

4 (2) Part 107 - HAZARDOUS MATERIALS PROGRAM PROCEDURES, subpart G -  
5 Registration of Persons Who Offer or Transport Hazardous Materials;

6 (3) Part 171 - GENERAL INFORMATION, REGULATIONS, AND DEFINITIONS;

7 (4) Part 172 - HAZARDOUS MATERIALS TABLE, SPECIAL PROVISIONS,  
8 HAZARDOUS MATERIALS COMMUNICATIONS, EMERGENCY RESPONSE INFORMATION,  
9 TRAINING REQUIREMENTS, AND SECURITY PLANS;

10 (5) Part 173 - SHIPPERS - GENERAL REQUIREMENTS FOR SHIPMENTS AND  
11 PACKAGINGS;

12 (6) Part 177 - CARRIAGE BY PUBLIC HIGHWAY;

13 (7) Part 178 - SPECIFICATIONS FOR PACKAGINGS; and

14 (8) Part 180 - CONTINUING QUALIFICATION AND MAINTENANCE OF  
15 PACKAGINGS.

16 Sec. 81. Section 75-366, Revised Statutes Supplement, 2021, is  
17 amended to read:

18 75-366 For the purpose of enforcing Chapter 75, article 3, any  
19 officer of the Nebraska State Patrol may, upon demand, inspect the  
20 accounts, records, and equipment of any motor carrier or shipper. Any  
21 officer of the Nebraska State Patrol shall have the authority to enforce  
22 the federal motor carrier safety regulations, as such regulations existed  
23 on January 1, 2022 ~~2021~~, and federal hazardous materials regulations, as  
24 such regulations existed on January 1, 2022 ~~2021~~, and is authorized to  
25 enter upon, inspect, and examine any and all lands, buildings, and  
26 equipment of any motor carrier, any shipper, and any other person subject  
27 to the federal Interstate Commerce Act, the federal Department of  
28 Transportation Act, and other related federal laws and to inspect and  
29 copy any and all accounts, books, records, memoranda, correspondence, and  
30 other documents of a motor carrier, a shipper, and any other person  
31 subject to Chapter 75, article 3, for the purposes of enforcing Chapter

1 75, article 3. To promote uniformity of enforcement, the carrier  
2 enforcement division of the Nebraska State Patrol shall cooperate and  
3 consult with the Public Service Commission and the Division of Motor  
4 Carrier Services.

5 Sec. 82. Section 75-369.03, Revised Statutes Cumulative Supplement,  
6 2020, is amended to read:

7 75-369.03 (1) The Superintendent of Law Enforcement and Public  
8 Safety may issue an order imposing a civil penalty against a motor  
9 carrier transporting persons or property in interstate commerce for a  
10 violation of sections 75-392 to 75-3,100 or against a motor carrier  
11 transporting persons or property in intrastate commerce for a violation  
12 or violations of section 75-363 or 75-364 based upon an inspection  
13 conducted pursuant to section 75-366 in an amount which shall not exceed  
14 eight hundred forty-eight dollars for any single violation in any  
15 proceeding or series of related proceedings against any person or motor  
16 carrier as defined in 49 C.F.R. 390.5 as adopted in section 75-363.

17 (2) The superintendent shall issue an order imposing a civil penalty  
18 in an amount not to exceed sixteen thousand nine hundred forty-one ~~four~~  
19 ~~hundred fifty-three~~ dollars against a motor carrier transporting persons  
20 or property in interstate commerce for a violation of subdivision (2)(e)  
21 of section 60-4,162 based upon a conviction of such a violation.

22 (3) The superintendent shall issue an order imposing a civil penalty  
23 against a driver operating a commercial motor vehicle, as defined in  
24 section 60-465, that requires a commercial driver's license or CLP-  
25 commercial learner's permit, in violation of an out-of-service order. The  
26 civil penalty shall be in an amount not less than three thousand two  
27 hundred sixty-eight ~~one hundred seventy-four~~ dollars for a first  
28 violation and not less than six thousand five hundred thirty-six ~~three~~  
29 ~~hundred forty-eight~~ dollars for a second or subsequent violation.

30 (4) The superintendent shall issue an order imposing a civil penalty  
31 against a motor carrier who knowingly allows, requires, permits, or

1 authorizes the operation of a commercial motor vehicle, as defined in  
2 section 60-465, that requires a commercial driver's license or CLP-  
3 commercial learner's permit, in violation of an out-of-service order. The  
4 civil penalty shall be not less than five thousand nine hundred two seven  
5 ~~hundred thirty-two~~ dollars but not more than thirty-two thousand six  
6 hundred seventy-nine ~~thirty-one thousand seven hundred thirty-seven~~  
7 dollars per violation.

8 (5) Upon the discovery of any violation by a motor carrier  
9 transporting persons or property in interstate commerce of section  
10 75-307, 75-363, or 75-364 or sections 75-392 to 75-3,100 based upon an  
11 inspection conducted pursuant to section 75-366, the superintendent shall  
12 immediately refer such violation to the appropriate federal agency for  
13 disposition, and upon the discovery of any violation by a motor carrier  
14 transporting persons or property in intrastate commerce of section 75-307  
15 based upon such inspection, the superintendent shall refer such violation  
16 to the Public Service Commission for disposition.

17 Sec. 83. Section 75-392, Revised Statutes Supplement, 2021, is  
18 amended to read:

19 75-392 For purposes of sections 75-392 to 75-3,100:

- 20 (1) Director means the Director of Motor Vehicles;  
21 (2) Division means the Division of Motor Carrier Services of the  
22 Department of Motor Vehicles; and  
23 (3) Unified carrier registration plan and agreement means the plan  
24 and agreement established and authorized pursuant to 49 U.S.C. 14504a, as  
25 such section existed on January 1, 2022 ~~2021~~.

26 Sec. 84. Section 75-393, Revised Statutes Supplement, 2021, is  
27 amended to read:

28 75-393 The director may participate in the unified carrier  
29 registration plan and agreement pursuant to the Unified Carrier  
30 Registration Act of 2005, 49 U.S.C. 13908, as the act existed on January  
31 1, 2022 ~~2021~~, and may file on behalf of this state the plan required by

1 such plan and agreement for enforcement of the act in this state.

2       Sec. 85. Sections 53, 72, and 86 of this act become operative on  
3 July 1, 2022. Sections 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15,  
4 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33,  
5 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51,  
6 52, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70,  
7 71, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, and 87 of this act  
8 become operative three calendar months after the adjournment of this  
9 legislative session. The other sections of this act become operative on  
10 their effective date.

11       Sec. 86. Original sections 60-4,115 and 60-1515, Reissue Revised  
12 Statutes of Nebraska, are repealed.

13       Sec. 87. Original sections 39-1337, 60-107, 60-119.01, 60-142.11,  
14 60-144, 60-149, 60-151, 60-169, 60-302.01, 60-336.01, 60-386, 60-392,  
15 60-3,101, 60-3,102, 60-3,113.04, 60-3,119, 60-3,122, 60-3,122.02,  
16 60-3,122.03, 60-3,123, 60-3,124, 60-3,125, 60-3,126, 60-3,128,  
17 60-3,130.02, 60-3,135.01, 60-3,193.01, 60-3,198, 60-3,203, 60-3,221,  
18 60-3,226, 60-3,232, 60-3,233, 60-3,237, 60-3,241, 60-3,243, 60-3,245,  
19 60-3,247, 60-3,249, 60-3,251, 60-3,253, 60-462, 60-462.01, 60-463,  
20 60-479.01, 60-481, 60-490, 60-4,111.01, 60-4,122, 60-4,124, 60-4,130.03,  
21 60-4,130.04, 60-4,132, 60-4,134, 60-4,138, 60-4,139.01, 60-4,147.02,  
22 60-4,149.01, 60-4,168, 60-4,174, 60-4,183, 60-4,188, 60-501, 60-628.01,  
23 60-699, 60-6,265, 60-2705, 60-2909.01, 66-1401, 66-1421, and 75-126,  
24 Reissue Revised Statutes of Nebraska, sections 30-2715.01, 39-1302,  
25 39-1320, and 75-369.03, Revised Statutes Cumulative Supplement, 2020, and  
26 sections 75-363, 75-364, 75-366, 75-392, and 75-393, Revised Statutes  
27 Supplement, 2021, are repealed.

28       Sec. 88. Since an emergency exists, this act takes effect when  
29 passed and approved according to law.

30       2. On page 1, strike beginning with "motor" in line 1 through line  
31 17 and insert "transportation; to amend sections 39-1337, 60-107,

1 60-119.01, 60-142.11, 60-144, 60-149, 60-151, 60-169, 60-302.01,  
2 60-336.01, 60-386, 60-392, 60-3,101, 60-3,102, 60-3,113.04, 60-3,119,  
3 60-3,122, 60-3,122.02, 60-3,122.03, 60-3,123, 60-3,124, 60-3,125,  
4 60-3,126, 60-3,128, 60-3,130.02, 60-3,135.01, 60-3,193.01, 60-3,198,  
5 60-3,203, 60-3,221, 60-3,226, 60-3,232, 60-3,233, 60-3,237, 60-3,241,  
6 60-3,243, 60-3,245, 60-3,247, 60-3,249, 60-3,251, 60-3,253, 60-462,  
7 60-462.01, 60-463, 60-479.01, 60-481, 60-490, 60-4,111.01, 60-4,115,  
8 60-4,122, 60-4,124, 60-4,130.03, 60-4,130.04, 60-4,132, 60-4,134,  
9 60-4,138, 60-4,139.01, 60-4,147.02, 60-4,149.01, 60-4,168, 60-4,174,  
10 60-4,183, 60-4,188, 60-501, 60-628.01, 60-699, 60-6,265, 60-1515,  
11 60-2705, 60-2909.01, 66-1401, 66-1421, and 75-126, Reissue Revised  
12 Statutes of Nebraska, sections 30-2715.01, 39-1302, 39-1320, and  
13 75-369.03, Revised Statutes Cumulative Supplement, 2020, and sections  
14 75-363, 75-364, 75-366, 75-392, and 75-393, Revised Statutes Supplement,  
15 2021; to change provisions relating to transfer-on-death certificates of  
16 title as prescribed, state highways and the Department of Transportation  
17 as prescribed, the Motor Vehicle Certificate of Title Act, the Motor  
18 Vehicle Registration Act, the Motor Vehicle Operator's License Act, the  
19 Motor Vehicle Safety Responsibility Act, the Nebraska Rules of the Road,  
20 the Department of Motor Vehicles Cash Fund, the International Fuel Tax  
21 Agreement Act, and motor carriers and civil penalties as prescribed; to  
22 provide for a postage and handling fee as prescribed; to define terms; to  
23 adopt certain updates to federal laws and regulations; to eliminate  
24 obsolete provisions; to harmonize provisions; to provide operative dates;  
25 to repeal the original sections; and to declare an emergency."