

LEGISLATURE OF NEBRASKA
ONE HUNDRED EIGHTH LEGISLATURE
FIRST SESSION

LEGISLATIVE BILL 266

Introduced by Brewer, 43; Blood, 3; Holdcroft, 36.

Read first time January 10, 2023

Committee: Transportation and Telecommunications

- 1 A BILL FOR AN ACT relating to Military Honor Plates; to amend section
- 2 60-3,122.04, Reissue Revised Statutes of Nebraska; to change
- 3 eligibility for Military Honor Plates as prescribed; and to repeal
- 4 the original section.
- 5 Be it enacted by the people of the State of Nebraska,

1 Section 1. Section 60-3,122.04, Reissue Revised Statutes of
2 Nebraska, is amended to read:

3 60-3,122.04 (1) An eligible person may apply to the department for
4 Military Honor Plates in lieu of regular license plates on an application
5 prescribed and provided by the department for any motor vehicle, trailer,
6 or semitrailer, except for a motor vehicle or trailer registered under
7 section 60-3,198. An applicant receiving a Military Honor Plate for a
8 farm truck with a gross weight of over sixteen tons shall affix the
9 appropriate tonnage decal to the plate. The department shall make forms
10 available for such applications through the county treasurers. The
11 license plates shall be issued upon payment of the license fee described
12 in subsection (2) of this section and verification by the department of
13 an applicant's eligibility using the registry established by the
14 Department of Veterans' Affairs pursuant to section 80-414. To be
15 eligible an applicant shall be (a) active duty or reserve duty armed
16 forces personnel serving in any of the armed forces listed in subsection
17 (2) of section 60-3,122.03, (b) a veteran of any of such armed forces who
18 was discharged or otherwise separated with a characterization of
19 honorable or general (under honorable conditions), (c) a current or
20 former commissioned officer of the United States Public Health Service or
21 National Oceanic and Atmospheric Administration who has been detailed
22 directly to any branch of such armed forces for service on active or
23 reserve duty and who was discharged or otherwise separated with a
24 characterization of honorable or general (under honorable conditions) as
25 proven with valid orders from the United States Department of Defense, a
26 statement of service provided by the United States Public Health Service,
27 or a report of transfer or discharge provided by the National Oceanic and
28 Atmospheric Administration, ~~or~~ (d) a person who is serving or has served
29 in the armed forces of the United States and who has 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, or (e) the surviving spouse of any person described in subdivision
2 (a), (b), (c), or (d) of this subsection who is deceased if such deceased
3 person had applied and was approved for Military Honor Plates at the time
4 of such person's death. Any person using Military Honor Plates shall
5 surrender the plates to the county treasurer if such person is no longer
6 eligible for the plates. Regular plates shall be issued to any such
7 person upon surrender of the Military Honor Plates for a three-dollar
8 transfer fee and forfeiture of any of the remaining annual fee. The
9 three-dollar transfer fee shall be remitted to the State Treasurer for
10 credit to the Department of Motor Vehicles Cash Fund.

11 (2)(a) In addition to all other fees required for registration under
12 the Motor Vehicle Registration Act, each application for initial issuance
13 or renewal of alphanumeric Military Honor Plates shall be accompanied by
14 a fee of five dollars. County treasurers collecting fees pursuant to this
15 subdivision shall remit them to the State Treasurer. The State Treasurer
16 shall credit five dollars of the fee to the Nebraska Veteran Cemetery
17 System Operation Fund.

18 (b) In addition to all other fees required for registration under
19 the Motor Vehicle Registration Act, each application for initial issuance
20 or renewal of personalized message Military Honor Plates shall be
21 accompanied by a fee of forty dollars. County treasurers collecting fees
22 pursuant to this subdivision shall remit them to the State Treasurer. The
23 State Treasurer shall credit twenty-five percent of the fee for initial
24 issuance and renewal of such plates to the Department of Motor Vehicles
25 Cash Fund and seventy-five percent of the fee to the Nebraska Veteran
26 Cemetery System Operation Fund.

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

1 shall be made through a secure process and system. Beginning on an
2 implementation date designated by the director on or before January 1,
3 2022, if delivery of the plates and registration certificate is made by
4 the department to the applicant, the department may charge a postage and
5 handling fee in an amount not more than necessary to recover the cost of
6 postage and handling for the specific items mailed to the registrant. The
7 department shall remit the fee to the State Treasurer for credit to the
8 Department of Motor Vehicles Cash Fund. The county treasurer or the
9 department shall issue Military Honor Plates in lieu of regular license
10 plates when the applicant complies with the other provisions of the Motor
11 Vehicle Registration Act for registration of the motor vehicle or
12 trailer. If Military Honor Plates are lost, stolen, or mutilated, the
13 licensee shall be issued replacement license plates upon request pursuant
14 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 (4) The owner of a motor vehicle or trailer bearing Military Honor
25 Plates may apply to the county treasurer to have such plates transferred
26 to a motor vehicle or trailer other than the motor vehicle or trailer for
27 which such plates were originally purchased if such motor vehicle or
28 trailer is owned by the owner of the plates. The owner may have the
29 unused portion of the fee for the plates credited to the other motor
30 vehicle or trailer which will bear the plates at the rate of eight and
31 one-third percent per month for each full month left in the registration

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

5 (5) If the cost of manufacturing Military Honor Plates at any time
6 exceeds the amount charged for license plates pursuant to section
7 60-3,102, any money to be credited to the Nebraska Veteran Cemetery
8 System Operation Fund shall instead be credited first to the Highway
9 Trust Fund in an amount equal to the difference between the manufacturing
10 costs of Military Honor Plates and the amount charged pursuant to section
11 60-3,102 with respect to such plates and the remainder shall be credited
12 to the Nebraska Veteran Cemetery System Operation Fund.

13 (6) If the director discovers evidence of fraud in an application
14 for Military Honor Plates or that the holder is no longer eligible to
15 have Military Honor Plates, the director may summarily cancel the plates
16 and registration and send notice of the cancellation to the holder of the
17 license plates.

18 Sec. 2. Original section 60-3,122.04, Reissue Revised Statutes of
19 Nebraska, is repealed.