

LEGISLATIVE BILL 575

Approved by the Governor April 14, 1986

Introduced by Lynch, 13

AN ACT relating to motor vehicles; to amend sections 60-406.04 and 60-415, Reissue Revised Statutes of Nebraska, 1943; to change provisions relating to the issuance of certain licenses as prescribed; to provide for and change fees for certain licenses and permits as prescribed; and to repeal the original sections.

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

Section 1. That section 60-406.04, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

60-406.04. (1) All motor vehicle operators' licenses, except limited, special, and learners' permits, temporary licenses and permits as provided by subsections (3) and (4) of section 60-415, and licenses issued pursuant to subsection (2) of this section, shall have a color photograph of the licensee affixed thereto. Such license shall be issued by the county treasurer. The Director of Motor Vehicles shall negotiate and enter into a contract to provide the necessary equipment, supplies, and forms for the photographs. All costs incurred by the department under this section shall be paid by the state out of appropriations made to the Department of Motor Vehicles. All costs of taking and affixing the photographs shall be paid by the county from the fees provided pursuant to section 60-409.

(2) Any person who, at the time of renewal of his or her motor vehicle operator's license, is out of the state may be issued, after proper application, a license without an affixed photograph upon payment of a fee as provided in section 60-409. Such application shall be made to the county treasurer of the county in which the applicant resides.

(3) Any motor vehicle operator's license requiring an affixed color photograph of the licensee issued after the effective date of this act to a minor as defined in section 53-103, as such definition may be amended from time to time by the Legislature, shall have a different background color in such photograph than the background color used in the photograph affixed to the

motor vehicle operator's license of a person who is not a minor. When a person is no longer a minor, he or she may apply for a replacement license with a photograph having the background color used for persons who are not minors. The fee for such replacement license shall be the same as the fee for a replacement license issued for a change of address pursuant to subsection (2) of section 60-415.

Sec. 2. That section 60-415, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

60-415. (1) Except as provided in subsection (4) of this section for persons temporarily out of the state, any person duly licensed under the provisions of this act who loses his or her license or permit may obtain a duplicate upon filing with the county treasurer an application and affidavit showing such loss and furnishing proof of identification in accordance with subsection (3) of section 60-407. Upon the officer being satisfied that the loss is genuine, the officer shall cause to be issued, upon the payment of a fee of ~~two~~ two five dollars, a duplicate license or permit. No more than two duplicates of a license may be issued in this manner. Upon the issuance of any duplicate or replacement license or permit, the license or permit from which the duplicate or replacement license or permit is issued shall be void. The ~~two-dollar~~ two-dollar five-dollar fee shall be handled by the treasurers in the same manner as original or renewal license fees, except that such duplicate license or permit fee in each instance shall be credited, allocated, and accounted for by the county treasurer as in the cases of original and renewal motor vehicle operators' license fees as provided in section 60-409.

(2) If any person changes his or her name because of marriage, or divorce, or by court order, or a common law name change, he or she shall apply to the county treasurer for a replacement motor vehicle operator's license and furnish proof of identification in accordance with subsection (3) of section 60-407. Such license shall be issued upon payment of a fee of ~~two~~ two five dollars. Such application shall be made within thirty days after the change of name. If any person changes his or her address, the person shall apply to the county treasurer for a replacement motor vehicle operator's license and furnish satisfactory evidence of such change. Such license shall be issued upon payment of a fee of ~~two~~ two five dollars.

(3) In the event a mutilated and unreadable

license or permit is held by any person duly licensed under the provisions of this act, such person may obtain a replacement license or permit upon showing the original mutilated or unreadable license or permit to the county treasurer. A replacement license may be issued, without an affixed photograph, to any person who is out of the state at the time of application for the replacement license. Such license or permit shall state on its face that it shall become invalid thirty days after such person resumes residence in the state. If the county treasurer is satisfied that the license or permit is mutilated or unreadable, the county treasurer shall cause to be issued, upon the payment of a fee of ~~two~~ five dollars, a replacement license or permit. The fee shall be handled by the treasurer in the same manner as the original or renewal license fee, except that the replacement license or permit fee in each instance shall be credited, allocated, and accounted for by the county treasurer as in the cases of original and renewal motor vehicle operators' license fees as provided in section 60-409.

(4) If any person duly licensed under the provisions of sections 60-401 to ~~60-440~~ 60-430.06 loses his or her license while temporarily out of the state, he or she may apply for a duplicate operator's license without an affixed photograph by filing with the county treasurer an application and affidavit showing such loss. Upon the officer being satisfied that the loss is genuine, the officer shall cause to be issued, upon the payment of a fee of ~~two~~ five dollars, a duplicate operator's license without an affixed photograph. Upon the issuance of the duplicate license, the original license shall be void.

(5) Any person holding a valid operator's license without an affixed photograph shall surrender such license to the treasurer of his or her county of residence within thirty days of resuming residency in this state. After the thirty-day period, such license shall be considered invalid. Upon the timely surrender of the license and payment of a fee of ~~two~~ five dollars, such person shall be issued an operator's license with a color photograph of the licensee affixed to it.

Sec. 3. That original sections 60-406.04 and 60-415, Reissue Revised Statutes of Nebraska, 1943, are repealed.