## E AND R AMENDMENTS TO LB383

Introduced by Murante, 49, Chairman Enrollment and Review

1	1. Strike the original sections and all amendments
2	thereto and insert the following new sections:
3	Section 1. Section 60-301, Revised Statutes Cumulative
4	Supplement, 2012, is amended to read:
5	60-301 Sections 60-301 to 60-3,222 <u>and sections 9 and 10</u>
6	of this act shall be known and may be cited as the Motor Vehicle
7	Registration Act.
8	Sec. 2. Section 60-393, Revised Statutes Cumulative
9	Supplement, 2012, is amended to read:
10	60-393 Any owner who has two or more motor vehicles
11	or trailers required to be registered under the Motor Vehicle
12	Registration Act may register all such motor vehicles or trailers
13	on a calendar-year basis or on an annual basis for the same
14	registration period beginning in a month chosen by the owner. When
15	electing to establish the same registration period for all such
16	motor vehicles or trailers, the owner shall pay the registration
17	fee, the motor vehicle tax imposed in section 60-3,185, the motor
18	vehicle fee imposed in section 60-3,190, and the alternative fuel
19	fee imposed in section 60-3,191 on each motor vehicle for the
20	number of months necessary to extend its current registration
21	period to the registration period under which all such motor
22	vehicles or trailers will be registered. Credit shall be given for
23	registration paid on each motor vehicle or trailer when the motor

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vehicle or trailer has a later expiration date than that chosen
 by the owner except as otherwise provided in sections 60-3,121,
 60-3,122.02, and 60-3,128 and section 10 of this act. Thereafter
 all such motor vehicles or trailers shall be registered on an
 annual basis starting in the month chosen by the owner.

6 Sec. 3. Section 60-395, Revised Statutes Cumulative
7 Supplement, 2012, is amended to read:

8 60-395 (1) Except as otherwise provided in subsection (2) of this section and sections 60-3,121, 60-3,122.02, and 60-3,128 9 10 and section 10 of this act, the registration shall expire and 11 the registered owner or lessee may, by returning the registration certificate, the license plates, and, when appropriate, the 12 validation decals and by either making application on a form 13 14 prescribed by the department to the county treasurer of the 15 occurrence of an event described in subdivisions (a) through (e) of 16 this subsection or, in the case of a change in situs, displaying 17 to the county treasurer the registration certificate of such other state as evidence of a change in situs, receive a refund 18 19 of that part of the unused fees and taxes on motor vehicles or 20 trailers based on the number of unexpired months remaining in the 21 registration period from the date of any of the following events: 22 (a) Upon transfer of ownership of any motor vehicle or

23 trailer;

(b) In case of loss of possession because of fire, theft,
dismantlement, or junking;

26 (c) When a salvage branded certificate of title is27 issued;

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1 (d) Whenever a type or class of motor vehicle or trailer 2 previously registered is subsequently declared by legislative act 3 or court decision to be illegal or ineligible to be operated or 4 towed on the public roads and no longer subject to registration 5 fees, the motor vehicle tax imposed in section 60-3,185, the motor 6 vehicle fee imposed in section 60-3,190, and the alternative fuel 7 fee imposed in section 60-3,191;

8 (e) Upon a trade-in or surrender of a motor vehicle under
9 a lease; or

10 (f) In case of a change in the situs of a motor vehicle11 or trailer to a location outside of this state.

12 (2) If the date of the event falls within the same
13 calendar month in which the motor vehicle or trailer is acquired,
14 no refund shall be allowed for such month.

15 (3) If the transferor or lessee acquires another motor 16 vehicle at the time of the transfer, trade-in, or surrender, the 17 transferor or lessee shall have the credit provided for in this 18 section applied toward payment of the motor vehicle fees and taxes 19 then owing. Otherwise, the transferor or lessee shall file a claim 20 for refund with the county treasurer upon an application form 21 prescribed by the department.

(4) The registered owner or lessee shall make a claim for refund or credit of the fees and taxes for the unexpired months in the registration period within sixty days after the date of the event or shall be deemed to have forfeited his or her right to such refund or credit.

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(5) For purposes of this section, the date of the event

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1 shall be: (a) In the case of a transfer or loss, the date of 2 the transfer or loss; (b) in the case of a change in the situs, 3 the date of registration in another state; (c) in the case of 4 a trade-in or surrender under a lease, the date of trade-in or 5 surrender; (d) in the case of a legislative act, the effective date 6 of the act; and (e) in the case of a court decision, the date the 7 decision is rendered.

8 (6) Application for registration or for reassignment of 9 license plates and, when appropriate, validation decals to another 10 motor vehicle or trailer shall be made within thirty days of the 11 date of purchase.

12 (7) If a motor vehicle or trailer was reported stolen 13 under section 60-178, a refund under this section shall not be 14 reduced for a lost plate charge and a credit under this section may 15 be reduced for a lost plate charge but the applicant shall not be 16 required to pay the plate fee for new plates.

17 (8) The county treasurer shall refund the motor vehicle 18 fee and registration fee from the fees which have not been 19 transferred to the State Treasurer. The county treasurer shall make 20 payment to the claimant from the undistributed motor vehicle taxes 21 of the taxing unit where the tax money was originally distributed. 22 No refund of less than two dollars shall be paid.

Sec. 4. Section 60-396, Revised Statutes Cumulative
Supplement, 2012, is amended to read:

25 60-396 Whenever the registered owner files an application
26 with the county treasurer showing that a motor vehicle or trailer
27 is disabled and has been removed from service, the registered owner

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may, by returning the registration certificate, the license plates, 1 2 and, when appropriate, the validation decals or, in the case of the 3 unavailability of such registration certificate or certificates, 4 license plates, or validation decals, then by making an affidavit 5 to the county treasurer of such disablement and removal from service, receive a credit for a portion of the registration fee 6 7 from the fee deposited with the State Treasurer at the time of 8 registration based upon the number of unexpired months remaining 9 in the registration year except as otherwise provided in sections 10 60-3,121, 60-3,122.02, and 60-3,128 and section 10 of this act. The owner shall also receive a credit for the unused portion of 11 12 the motor vehicle tax and fee based upon the number of unexpired 13 months remaining in the registration year. When the owner registers 14 a replacement motor vehicle or trailer at the time of filing 15 such affidavit, the credit may be immediately applied against 16 the registration fee and the motor vehicle tax and fee for the 17 replacement motor vehicle or trailer. When no such replacement 18 motor vehicle or trailer is so registered, the county treasurer shall forward the application and affidavit, if any, to the State 19 Treasurer who shall determine the amount, if any, of the allowable 20 21 credit for the registration fee and issue a credit certificate to 22 the owner. For the motor vehicle tax and fee, the county treasurer 23 shall determine the amount, if any, of the allowable credit and issue a credit certificate to the owner. When such motor vehicle 24 25 or trailer is removed from service within the same month in which 26 it was registered, no credits shall be allowed for such month. 27 The credits may be applied against taxes and fees for new or

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replacement motor vehicles or trailers incurred within one year 1 2 after cancellation of registration of the motor vehicle or trailer 3 for which the credits were allowed. When any such motor vehicle or 4 trailer is reregistered within the same registration year in which 5 its registration has been canceled, the taxes and fees shall be that portion of the registration fee and the motor vehicle tax and 6 fee for the remainder of the registration year. 7 8 Sec. 5. Section 60-3,104, Revised Statutes Cumulative Supplement, 2012, is amended to read: 9 10 60-3,104 The department shall issue the following types 11 of license plates: 12 (1) Amateur radio station license plates issued pursuant to section 60-3,126; 13 14 (2) Apportionable vehicle license plates issued pursuant 15 to section 60-3,203; 16 (3) Boat dealer license plates issued pursuant to section 17 60-379; (4) Bus license plates issued pursuant to section 18 60-3,144; 19 20 (5) Commercial motor vehicle license plates issued pursuant to section 60-3,147; 21 22 (6) Dealer or manufacturer license plates issued pursuant 23 to sections 60-3,114 and 60-3,115; 24 (7) Disabled veteran license plates issued pursuant to 25 section 60-3,124; (8) Farm trailer license plates issued pursuant to 26 27 section 60-3,151;

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ER236 ER236 LB383 LB383 MLU-04/03/2014 MLU-04/03/2014 1 (9) Farm truck license plates issued pursuant to section 60-3,146; 2 3 (10) Farm trucks with a gross weight of over sixteen tons 4 license plates issued pursuant to section 60-3,146; 5 (11) Fertilizer trailer license plates issued pursuant to 6 section 60-3,151; 7 (12) Film vehicle license plates issued pursuant to 8 section 60-383; 9 (13) Gold Star Family license plates issued pursuant to 10 sections 60-3,122.01 and 60-3,122.02; 11 (14) Handicapped or disabled person license plates issued 12 pursuant to section 60-3,113; (15) Historical vehicle license plates issued pursuant to 13 14 sections 60-3,130 to 60-3,134; 15 (16) Local truck license plates issued pursuant to 16 section 60-3,145; 17 (17) Military Honor Plates issued pursuant to sections 9 and 10 of this act; 18 19 (17) (18) Minitruck license plates issued pursuant to 20 section 60-3,100; 21 (18) (19) Motor vehicle license plates for motor vehicles 22 owned or operated by the state, counties, municipalities, or school 23 districts issued pursuant to section 60-3,105; 24 (19) (20) Motor vehicles exempt pursuant to section 60-3, 107;25 26 (20) (21) Motorcycle license plates issued pursuant to 27 section 60-3,100;

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ER236 ER236 LB383 LB383 MLU-04/03/2014 MLU-04/03/2014 1 (21) (22) Nebraska Cornhusker Spirit Plates issued pursuant to sections 60-3,127 to 60-3,129; 2 3 (22) (23) Nonresident owner thirty-day license plates 4 issued pursuant to section 60-382; 5 (23) (24) Passenger car having a seating capacity of ten persons or less and not used for hire issued pursuant to section 6 7 60-3,143; (24) (25) Passenger car having a seating capacity of 8 9 ten persons or less and used for hire issued pursuant to section 10 60-3, 143;11 (25) (26) Pearl Harbor license plates issued pursuant to 12 section 60-3,122; (26) (27) Personal-use dealer license plates issued 13 14 pursuant to section 60-3,116; 15 (27) (28) Personalized message license plates for motor vehicles and cabin trailers, except commercial motor vehicles 16 17 registered for over ten tons gross weight, issued pursuant to sections 60-3,118 to 60-3,121; 18 19 (28) (29) Prisoner-of-war license plates issued pursuant 20 to section 60-3,123; (29) (30) Purple Heart license plates issued pursuant to 21 22 section 60-3,125; 23 (30) (31) Recreational vehicle license plates issued pursuant to section 60-3,151; 24 25 (31) (32) Repossession license plates issued pursuant to 26 section 60-375; 27 (33) Special interest motor vehicle license plates

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issued pursuant to section 60-3,135.01; 1 (33) (34) Specialty license plates issued pursuant to 2 3 sections 60-3,104.01 and 60-3,104.02; (34) (35) Trailer license plates issued for trailers 4 5 owned or operated by the state, counties, municipalities, or school 6 districts issued pursuant to section 60-3,106; 7 (35) (36) Trailer license plates issued pursuant to 8 section 60-3,100; 9 (36) (37) Trailers exempt pursuant to section 60-3,108; 10 (37) (38) Transporter license plates issued pursuant to 11 section 60-378; 12 (38) (39) Trucks or combinations of trucks, 13 truck-tractors, or trailers which are not for hire and 14 engaged in soil and water conservation work and used for the 15 purpose of transporting pipe and equipment exclusively used by such 16 contractors for soil and water conservation construction license 17 plates issued pursuant to section 60-3,149; (39) (40) Utility trailer license plates issued pursuant 18 19 to section 60-3,151; and 20 (40) (41) Well-boring apparatus and well-servicing 21 equipment license plates issued pursuant to section 60-3,109. Sec. 6. Section 60-3,123, Reissue Revised Statutes of 22 Nebraska, is amended to read: 23 24 60-3,123 (1) Any person who was captured and incarcerated by an enemy of the United States during a period of conflict with 25 26 such enemy and who was discharged or otherwise separated with a 27 characterization of honorable from or is currently serving in the

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

5 (2) The license plates shall be issued upon the applicant paying the regular license fee and an additional fee of five 6 7 dollars and furnishing proof satisfactory to the department that 8 the applicant was formerly a prisoner of war. The additional 9 fee shall be remitted to the State Treasurer for credit to the 10 Nebraska Veteran Cemetery System Operation Fund. Any number of 11 motor vehicles, trailers, semitrailers, or cabin trailers owned by 12 the applicant may be so licensed at any one time. Motor vehicles and trailers registered under section 60-3,198 shall not be so 13 14 licensed.

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

Sec. 7. Section 60-3,125, Reissue Revised Statutes of
Nebraska, is amended to read:

21 60-3,125 (1) Any person may, in addition to the 22 application required by section 60-385, apply to the department 23 for license plates designed by the department to indicate that the 24 applicant has received from the federal government an award of a 25 Purple Heart. The inscription of the plates shall be designed so 26 as to include a facsimile of the award and beneath any numerical 27 designation upon the plates pursuant to section 60-370 the words

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Purple Heart separately on one line and the words Combat Wounded
 on the line below.

3 (2) The license plates shall be issued upon payment of 4 the regular license fee and an additional fee of five dollars and 5 furnishing proof satisfactory to the department that the applicant was awarded the Purple Heart. The additional fee shall be remitted 6 7 to the State Treasurer for credit to the Nebraska Veteran Cemetery 8 System Operation Fund. Any number of motor vehicles, trailers, 9 semitrailers, or cabin trailers owned by the applicant may be so 10 licensed at any one time. Motor vehicles and trailers registered 11 under section 60-3,198 shall not be so licensed.

12 (3) If license plates issued pursuant to this section are
13 lost, stolen, or mutilated, the recipient of the plates shall be
14 issued replacement license plates upon request and without charge.

15 Sec. 8. Section 60-3,130.04, Revised Statutes Supplement,
16 2013, is amended to read:

17 60-3,130.04 (1) An owner of a historical vehicle eligible for registration under section 60-3,130 may use a license plate 18 or plates designed by this state in the year corresponding to the 19 model year when the vehicle was manufactured in lieu of the plates 20 21 designed pursuant to section 60-3,130.03 subject to the approval of 22 the department. The department shall inspect the plate or plates 23 and may approve the plate or plates if it is determined that the 24 model-year license plate or plates are legible and serviceable and 25 that the license plate numbers do not conflict with or duplicate 26 other numbers assigned and in use. An original-issued license plate 27 or plates that have been restored to original condition may be used

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1 when approved by the department.

2 (2) The department may consult with a recognized car club 3 in determining whether the year of the license plate or plates 4 to be used corresponds to the model year when the vehicle was 5 manufactured.

6 (3) If only one license plate is used on the vehicle, the 7 license plate shall be placed on the rear of the vehicle. The owner 8 of a historical vehicle may use only one plate on the vehicle even 9 for years in which two license plates were issued for vehicles in 10 general.

11 (4) License plates used pursuant to this section 12 corresponding to the year of manufacture of the vehicle shall not be personalized message license plates, Pearl Harbor license 13 14 plates, prisoner-of-war license plates, disabled veteran license 15 plates, Purple Heart license plates, amateur radio station license 16 plates, Nebraska Cornhusker Spirit Plates, handicapped or disabled 17 person license plates, specialty license plates, or special 18 interest motor vehicle license plates, or Military Honor Plates.

19 Sec. 9. (1) The department shall design license plates to be known as Military Honor Plates. The department shall create 20 21 designs honoring persons who have served or are serving in the 22 United States Army, United States Navy, United States Marine Corps, 23 United States Coast Guard, United States Air Force, or National Guard. There shall be six designs, one for each of such armed 24 25 forces reflecting its official emblem, official seal, or other 26 official image. The issuance of plates for each of such armed 27 forces shall be conditioned on the approval of the armed forces

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1 owning the copyright to the official emblem, official seal, or 2 other official image. A person may qualify for a Military Honor Plate by registering with the Department of Veterans' Affairs 3 4 pursuant to section 80-414. The Department of Motor Vehicles shall 5 verify the applicant's eligibility for a plate created pursuant 6 to this section by consulting the registry established by the 7 Department of Veterans' Affairs. 8 (2) The design shall be selected on the basis of limiting

9 the manufacturing cost of each plate to an amount less than 10 or equal to the amount charged for license plates pursuant to 11 section 60-3,102. The Department of Motor Vehicles shall make 12 applications available for each type of plate when it is designed. 13 The department may adopt and promulgate rules and regulations to 14 carry out this section and section 10 of this act.

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

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

18 (b) Not use a county designation.

19 <u>(4) One type of Military Honor Plates shall be</u> 20 personalized message plates. Such plates shall be issued subject 21 to the same conditions specified for personalized message license 22 plates in section 60-3,118, except that a maximum of five 23 characters may be used.

Sec. 10. <u>(1) Beginning January 2, 2016, an eligible</u> person may apply to the department for Military Honor Plates in lieu of regular license plates on an application prescribed and provided by the department for any motor vehicle, trailer,

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1 semitrailer, or cabin trailer, except for a motor vehicle or 2 trailer registered under section 60-3,198. An applicant receiving 3 a Military Honor Plate for a farm truck with a gross weight of 4 over sixteen tons shall affix the appropriate tonnage decal to 5 the plate. The department shall make forms available for such 6 applications through the county treasurers. The license plates 7 shall be issued upon payment of the license fee described in 8 subsection (2) of this section and verification by the department 9 of an applicant's eligibility using the registry established by 10 the Department of Veterans' Affairs pursuant to section 80-414. 11 To be eligible an applicant shall be (a) active duty armed 12 forces personnel serving in any of the armed forces listed in subsection (1) of section 9 of this act or (b) a veteran of any 13 14 of such armed forces who was discharged or otherwise separated 15 with a characterization of honorable or general (under honorable 16 conditions). Any person using Military Honor Plates shall surrender 17 the plates to the county treasurer if such person is no longer 18 eligible for the plates. Regular plates shall be issued to any such person upon surrender of the Military Honor Plates for a 19 three-dollar transfer fee and forfeiture of any of the remaining 20 21 annual fee. The three-dollar transfer fee shall be remitted to the 22 State Treasurer for credit to the Department of Motor Vehicles Cash 23 Fund.

24 (2) (a) In addition to all other fees required for
25 registration under the Motor Vehicle Registration Act, each
26 application for initial issuance or renewal of alphanumeric
27 Military Honor Plates shall be accompanied by a fee of five

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<u>dollars. County treasurers collecting fees pursuant to this</u>
 <u>subdivision shall remit them to the State Treasurer. The State</u>
 <u>Treasurer shall credit five dollars of the fee to the Nebraska</u>
 Veteran Cemetery System Operation Fund.

5 (b) In addition to all other fees required for 6 registration under the Motor Vehicle Registration Act, each 7 application for initial issuance or renewal of personalized 8 message Military Honor Plates shall be accompanied by a fee of 9 forty dollars. County treasurers collecting fees pursuant to this 10 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 13 Vehicles Cash Fund and seventy-five percent of the fee to the 14 Nebraska Veteran Cemetery System Operation Fund.

15 (3) When the Department of Motor Vehicles receives an 16 application for Military Honor Plates, the department shall deliver 17 the plates to the county treasurer of the county in which the 18 motor vehicle or cabin trailer is registered. The county treasurer 19 shall issue Military Honor Plates in lieu of regular license plates 20 when the applicant complies with the other provisions of the Motor 21 Vehicle Registration Act for registration of the motor vehicle 22 or cabin trailer. If Military Honor Plates are lost, stolen, or 23 mutilated, the licensee shall be issued replacement license plates 24 upon request pursuant to section 60-3,157.

25 (4) The owner of a motor vehicle or cabin trailer bearing
26 Military Honor Plates may apply to the county treasurer to have
27 such plates transferred to a motor vehicle other than the vehicle

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1 for which such plates were originally purchased if such vehicle is 2 owned by the owner of the plates. The owner may have the unused portion of the fee for the plates credited to the other vehicle 3 4 which will bear the plates at the rate of eight and one-third 5 percent per month for each full month left in the registration 6 period. Application for such transfer shall be accompanied by a fee 7 of three dollars. Fees collected pursuant to this subsection shall 8 be remitted to the State Treasurer for credit to the Department of 9 Motor Vehicles Cash Fund.

10 (5) If the cost of manufacturing Military Honor Plates at 11 any time exceeds the amount charged for license plates pursuant to 12 section 60-3,102, any money to be credited to the Nebraska Veteran 13 Cemetery System Operation Fund shall instead be credited first 14 to the Highway Trust Fund in an amount equal to the difference 15 between the manufacturing costs of Military Honor Plates and the 16 amount charged pursuant to section 60-3,102 with respect to such 17 plates and the remainder shall be credited to the Nebraska Veteran 18 Cemetery System Operation Fund.

19 (6) If the director discovers evidence of fraud in an 20 application for Military Honor Plates or that the holder is no 21 longer eligible to have Military Honor Plates, the director may 22 summarily cancel the plates and registration and send notice of the 23 cancellation to the holder of the license plates.

24 Sec. 11. Section 80-414, Revised Statutes Supplement, 25 2013, is amended to read:

26 80-414 (1) The Department of Veterans' Affairs shall
27 create and maintain a registry of residents of Nebraska who meet

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the requirements of subdivision (1)(a) or (b) of section 10 of 1 2 this act or subsection (1) of section 60-4,189. The Department of 3 Veterans' Affairs may adopt and promulgate rules and regulations 4 governing the establishment and maintenance of the registry. The 5 registry may be used to assist the department in carrying out the duties of the department and shall provide for the collection 6 7 of sufficient information to identify an individual who qualifies for Military Honor Plates or a notation of "veteran" on his or 8 9 her operator's license or state identification card issued by the 10 Department of Motor Vehicles. The registry may include information 11 such as identifying information on an individual, an individual's 12 records on active duty in the armed forces of the United States, or an individual's status of active duty, retired, discharged, or 13 14 other.

15 (2) Any resident of Nebraska who meets the requirements 16 of subdivision (1)(a) or (b) of section 10 of this act or 17 subsection (1) of section 60-4,189 shall register with the Department of Veterans' Affairs using the registry created by 18 19 this section before being eligible for Military Honor Plates or a 20 notation of "veteran" on his or her operator's license or state 21 identification card issued by the Department of Motor Vehicles. No 22 person shall be deemed eligible until his or her status has been 23 verified on the registry.

(3) The Department of Motor Vehicles may adopt and
promulgate rules and regulations governing use of the registry
of the Department of Veterans' Affairs for determination of
eligibility for the issuance of Military Honor Plates or

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1 the notation of "veteran" on operators' licenses and state
2 identification cards.

3 Sec. 12. Original sections 60-3,123 and 60-3,125, Reissue
4 Revised Statutes of Nebraska, sections 60-301, 60-393, 60-395,
5 60-396, and 60-3,104, Revised Statutes Cumulative Supplement, 2012,
6 and sections 60-3,130.04 and 80-414, Revised Statutes Supplement,
7 2013, are repealed.

8 2. On page 1, strike beginning with "section" in line 1 through line 6 and insert "sections 60-3,123 and 60-3,125, Reissue 9 10 Revised Statutes of Nebraska, sections 60-301, 60-393, 60-395, 11 60-396, and 60-3,104, Revised Statutes Cumulative Supplement, 2012, 12 and sections 60-3,130.04 and 80-414, Revised Statutes Supplement, 2013; to provide for Military Honor Plates; to change fee 13 14 provisions relating to prisoner-of-war and Purple Heart license 15 plates; to harmonize provisions; and to repeal the original 16 sections.".