

AMENDMENTS TO LB623

(Amendments to Standing Committee amendments, AM1203)

Introduced by Groene, 42.

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

3 Section 1. Section 60-462, Revised Statutes Cumulative Supplement,
4 2014, is amended to read:

5 60-462 Sections 60-462 to 60-4,189 and section 4 of this act shall
6 be known and may be cited as the Motor Vehicle Operator's License Act.

7 Sec. 2. Section 60-479, Revised Statutes Cumulative Supplement,
8 2014, is amended to read:

9 60-479 Sections 60-479.01 to 60-4,111.01, 60-4,113, 60-4,114,
10 60-4,115 to 60-4,118, and 60-4,182 to 60-4,189 and section 4 of this act
11 shall apply to any operator's license subject to the Motor Vehicle
12 Operator's License Act.

13 Sec. 3. Section 60-480, Revised Statutes Cumulative Supplement,
14 2014, is amended to read:

15 60-480 Operators' licenses issued by the department pursuant to the
16 Motor Vehicle Operator's License Act shall be classified as follows:

17 (1) Class 0 license. The operator's license which authorizes the
18 person to whom it is issued to operate on highways any motor vehicle
19 except a commercial motor vehicle or motorcycle;

20 (2) Class M license. The operator's license or endorsement on a
21 Class 0 license, provisional operator's permit, learner's permit, school
22 permit, or commercial driver's license which authorizes the person to
23 whom it is issued to operate a motorcycle on highways;

24 (3) CDL-commercial driver's license. The operator's license which
25 authorizes the person to whom it is issued to operate a class of
26 commercial motor vehicle or any motor vehicle, except a motorcycle, on

1 highways;

2 (4) CLP-commercial learner's permit. A permit which when carried
3 with a Class 0 license authorizes an individual to operate a class of
4 commercial motor vehicle when accompanied by a holder of a valid
5 commercial driver's license for purposes of behind-the-wheel training.
6 When issued to a commercial driver's license holder, a CLP-commercial
7 learner's permit serves as authorization for accompanied behind-the-wheel
8 training in a commercial motor vehicle for which the holder's current
9 commercial driver's license is not valid;

10 (5) RCDL-restricted commercial driver's license. The class of
11 commercial driver's license which, when held with an annual seasonal
12 permit, authorizes a seasonal commercial motor vehicle operator as
13 defined in section 60-4,146.01 to operate any Class B Heavy Straight
14 Vehicle or Class C Small Vehicle commercial motor vehicle for purposes of
15 a farm-related or ranch-related service industry as defined in such
16 section within one hundred fifty miles of the employer's place of
17 business or the farm or ranch currently being served as provided in such
18 section or any other motor vehicle, except a motorcycle, on highways;

19 (6) POP-provisional operator's permit. A motor vehicle operating
20 permit with restrictions issued pursuant to section 60-4,120.01 to a
21 person who is at least sixteen years of age but less than eighteen years
22 of age which authorizes the person to operate any motor vehicle except a
23 commercial motor vehicle or motorcycle;

24 (7) SCP-school permit. A permit issued to a student between fourteen
25 years and two months of age and sixteen years of age for the purpose of
26 driving in accordance with the requirements of section 60-4,124;

27 (8) FMP-farm permit. A permit issued to a person for purposes of
28 operating farm tractors and other motorized implements of farm husbandry
29 on highways in accordance with the requirements of section 60-4,126;

30 (9) LPD-learner's permit. A permit issued in accordance with the
31 requirements of section 60-4,123 to a person at least fifteen years of

1 age which authorizes the person to operate a motor vehicle, except a
2 commercial motor vehicle, for learning purposes when accompanied by a
3 licensed operator who is at least twenty-one years of age and who
4 possesses a valid operator's license issued by this state or another
5 state;

6 (10) LPE-learner's permit. A permit issued to a person at least
7 fourteen years of age which authorizes the person to operate a motor
8 vehicle, except a commercial motor vehicle, while learning to drive in
9 preparation for application for a school permit;

10 (11) EDP-employment driving permit. A permit issued to a person
11 which authorizes the person to operate a motor vehicle, except a
12 commercial motor vehicle, pursuant to the requirements of sections
13 60-4,129 and 60-4,130;

14 (12) IIP-ignition interlock permit. A permit issued to a person
15 which authorizes the person to operate a motor vehicle, except a
16 commercial motor vehicle, which is equipped with an ignition interlock
17 device;

18 (13) SEP-seasonal permit. A permit issued to a person who holds a
19 restricted commercial driver's license authorizing the person to operate
20 a commercial motor vehicle, as prescribed by section 60-4,146.01, for no
21 more than one hundred eighty consecutive days in any twelve-month period.
22 The seasonal permit shall be valid and run from the date of original
23 issuance of the permit for one hundred eighty days and from the date of
24 annual revalidation of the permit;~~and~~

25 (14) MHP-medical hardship driving permit. A permit issued to a
26 person which authorizes the person to operate a motor vehicle, except a
27 commercial motor vehicle, pursuant to the requirements of sections
28 60-4,130.01 and 60-4,130.02; ~~and -~~

29 (15) DPC-driving privilege card. A card issued in accordance with
30 section 4 of this act which authorizes the person to operate a motor
31 vehicle as provided in this section other than subdivisions (3), (4),

1 (5), and (13) of this section but is not valid for identification, and
2 which is temporary pursuant to section 60-484.05.

3 Sec. 4. (1) The department shall only issue a driving privilege card
4 to a person presenting unexpired documents claiming lawful presence under
5 the program of the United States Citizenship and Immigration Services
6 known as Deferred Action for Childhood Arrivals as it existed on January
7 1, 2015.

8 (2) The driving privilege card shall be visually distinctive from
9 any other operator's license and shall clearly display on the front of
10 the card a phrase substantially similar to FOR DRIVING PRIVILEGES ONLY –
11 NOT VALID FOR IDENTIFICATION.

12 Sec. 5. Section 60-484.04, Revised Statutes Cumulative Supplement,
13 2014, is amended to read:

14 60-484.04 (1) The Legislature finds and declares that section 202(c)
15 (2)(B)(i) through (ix) of the federal REAL ID Act of 2005, Public Law
16 109-13, enumerated categories of individuals who may demonstrate lawful
17 status for the purpose of eligibility for a federally secure motor
18 vehicle operator's license or state identification card. The Legislature
19 further finds and declares that it was the intent of the Legislature in
20 2011 to adopt the enumerated categories by the passage of Laws 2011, LB
21 215. The Legislature declares that the passage of this legislative bill
22 is for the limited purpose of reaffirming the original legislative intent
23 of Laws 2011, LB 215. Except as provided in section 60-4,144 with respect
24 to operators of commercial motor vehicles, before being issued any other
25 type of operator's license or a state identification card under the Motor
26 Vehicle Operator's License Act, the department shall require an applicant
27 to present valid documentary evidence that he or she has lawful status in
28 the United States as enumerated in section 202(c)(2)(B)(i) through (ix)
29 of the federal REAL ID Act of 2005, Public Law 109-13, except that if the
30 applicant presents unexpired documents claiming lawful presence under the
31 program of the United States Citizenship and Immigration Services known

1 as Deferred Action for Childhood Arrivals as it existed on January 1,
2 2015, the applicant may only be issued a driving privilege card. Lawful
3 status may be shown by:

4 (a) A valid, unexpired United States passport;

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

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

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

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

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

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

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

23 (i) A driver's license or identification card issued in compliance
24 with the standards established by the REAL ID Act of 2005, Public Law
25 109-13, division B, section 1, 119 Stat. 302; or

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

27 (2)(a) If an applicant presents one of the documents listed under
28 subdivision (1)(a), (b), (c), (d), (g), or (h) of this section, the
29 verification of the applicant's identity in the manner prescribed in
30 section 60-484 will also provide satisfactory evidence of lawful status.

31 (b) If the applicant presents one of the identity documents listed

1 under subdivision (1)(e), (f), or (i) of this section, the verification
2 of the identity documents does not provide satisfactory evidence of
3 lawful status. The applicant must also present a second document from
4 subsection (1) of this section or documentation issued by the United
5 States Department of Homeland Security or other federal agencies
6 demonstrating that lawful status as determined by the United States
7 Citizenship and Immigration Services has granted the applicant lawful
8 status as enumerated in section 202(c)(2)(B)(i) through (ix) of the
9 federal REAL ID Act of 2005, Public Law 109-13, except that if the
10 applicant presents unexpired documents claiming lawful presence under the
11 program of the United States Citizenship and Immigration Services known
12 as Deferred Action for Childhood Arrivals as it existed on January 1,
13 2015, the applicant may only be issued a driving privilege card.

14 (3) An applicant may present other documents as designated by the
15 director as proof of lawful status as enumerated in section 202(c)(2)(B)
16 (i) through (ix) of the federal REAL ID Act of 2005, Public Law 109-13,
17 except that if the applicant presents unexpired documents claiming lawful
18 presence under the program of the United States Citizenship and
19 Immigration Services known as Deferred Action for Childhood Arrivals as
20 it existed on January 1, 2015, the applicant may only be issued a driving
21 privilege card. Any documents accepted shall be recorded according to a
22 written exceptions process established by the director.

23 Sec. 6. Section 60-484.05, Revised Statutes Cumulative Supplement,
24 2014, is amended to read:

25 60-484.05 (1) The department shall only issue an operator's license
26 or a state identification card that is temporary to any applicant who
27 presents documentation under sections 60-484 and 60-484.04 that shows his
28 or her authorized stay in the United States is temporary. An operator's
29 license or a state identification card that is temporary shall be valid
30 only during the period of time of the applicant's authorized stay in the
31 United States or, if there is no definite end to the period of authorized

1 stay, a period of one year.

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

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

11 (4) If an individual has an operator's license or a state
12 identification card issued based on approved lawful status granted under
13 section 202(c)(2)(B)(i) through (ix) of the federal REAL ID Act of 2005,
14 Public Law 109-13, and the basis for the approved lawful status is
15 terminated, the individual shall return the operator's license or state
16 identification card to the Department of Motor Vehicles. If the
17 department has information that an individual no longer has lawful
18 presence as documented under section 60-484.04, the department may
19 summarily cancel the license and send notice of the cancellation to the
20 licensee or cardholder.

21 Sec. 7. Section 60-4,115, Revised Statutes Cumulative Supplement,
22 2014, is amended to read:

23 60-4,115 (1) Fees for operators' licenses and state identification
24 cards shall be collected and distributed according to the table in
25 subsection (2) of this section, except for the ignition interlock permit
26 and associated fees as outlined in subsection (4) of this section. County
27 officials shall remit the county portion of the fees collected to the
28 county treasurer for placement in the county general fund. All other fees
29 collected shall be remitted to the State Treasurer for credit to the
30 appropriate fund.

31 (2) The fees provided in this subsection in the following dollar

1 amounts apply for operators' licenses and state identification cards.

2			Department		
3			County	of Motor	State
4	Document	Total	General	Vehicles	General
5		Fee	Fund	Cash Fund	Fund
6	State identification card:				
7	Valid for 1 year or less	5.00	2.75	1.25	1.00
8	Valid for more than 1 year				
9	but not more than 2 years	10.00	2.75	4.00	3.25
10	Valid for more than 2 years				
11	but not more than 3 years	14.00	2.75	5.25	6.00
12	Valid for more than 3 years				
13	but not more than 4 years	19.00	2.75	8.00	8.25
14	Valid for more than 4 years				
15	for person under 21	24.00	2.75	10.25	11.00
16	Valid for 5 years	24.00	3.50	10.25	10.25
17	Replacement	11.00	2.75	6.00	2.25
18	Class 0 or M operator's				
19	license:				
20	Valid for 1 year or less	5.00	2.75	1.25	1.00
21	Valid for more than 1 year				
22	but not more than 2 years	10.00	2.75	4.00	3.25
23	Valid for more than 2 years				
24	but not more than 3 years	14.00	2.75	5.25	6.00
25	Valid for more than 3 years				
26	but not more than 4 years	19.00	2.75	8.00	8.25
27	Valid for 5 years	24.00	3.50	10.25	10.25
28	Bioptic or telescopic lens				
29	restriction:				

1	Valid for 1 year or less	5.00	0	5.00	0
2	Valid for more than 1 year				
3	but not more than 2 years	10.00	2.75	4.00	3.25
4	Replacement	11.00	2.75	6.00	2.25
5	Add, change, or remove class,				
6	endorsement, or restriction	5.00	0	5.00	0
7	Provisional operator's permit:				
8	Original	15.00	2.75	12.25	0
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	15.00	2.75	12.25	0
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	LPD-learner's permit:				
18	Original	8.00	.25	5.00	2.75
19	Replacement	11.00	2.75	6.00	2.25
20	Add, change, or remove class,				
21	endorsement, or restriction	5.00	0	5.00	0
22	LPE-learner's permit:				
23	Original	8.00	.25	5.00	2.75
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	School 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	Farm permit:				
4	Original or renewal	5.00	.25	0	4.75
5	Replacement	5.00	.25	0	4.75
6	Temporary	5.00	.25	0	4.75
7	Add, change, or remove class,				
8	endorsement, or restriction	5.00	0	5.00	0
9	Driving permits:				
10	Employment	45.00	0	5.00	40.00
11	Medical hardship	45.00	0	5.00	40.00
12	Replacement	10.00	.25	5.00	4.75
13	Add, change, or remove class,				
14	endorsement, or restriction	5.00	0	5.00	0
15	Commercial driver's license:				
16	Valid for 1 year or less	11.00	1.75	5.00	4.25
17	Valid for more than 1 year				
18	but not more than 2 years	22.00	1.75	5.00	15.25
19	Valid for more than 2 years				
20	but not more than 3 years	33.00	1.75	5.00	26.25
21	Valid for more than 3 years				
22	but not more than 4 years	44.00	1.75	5.00	37.25
23	Valid for 5 years	55.00	1.75	5.00	48.25
24	Bioptic or telescopic lens				
25	restriction:				
26	Valid for one year or less	11.00	1.75	5.00	4.25
27	Valid for more than 1 year				
28	but not more than 2 years	22.00	1.75	5.00	15.25
29	Replacement	11.00	2.75	6.00	2.25

1	Add, change, or remove class,				
2	endorsement, or restriction	10.00	1.75	5.00	3.25
3	CLP-commercial learner's				
4	permit:				
5	Original or renewal	10.00	.25	5.00	4.75
6	Replacement	10.00	.25	5.00	4.75
7	Add, change, or remove class,				
8	endorsement, or restriction	10.00	.25	5.00	4.75
9	Seasonal permit:				
10	Original or renewal	10.00	.25	5.00	4.75
11	Replacement	10.00	.25	5.00	4.75
12	Add, change, or remove class,				
13	endorsement, or restriction	10.00	.25	5.00	4.75
14	School bus permit:				
15	Original or renewal	5.00	0	5.00	0
16	Replacement	5.00	0	5.00	0
17	Add, change, or remove class,				
18	endorsement, or restriction	5.00	0	5.00	0

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

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

28 (b) The fee for a replacement ignition interlock permit shall be
29 eleven dollars. Two dollars and seventy-five cents of the fee shall be
30 remitted to the county treasurer for credit to the county general fund.

1 Six dollars of the fee shall be remitted to the State Treasurer for
2 credit to the Department of Motor Vehicles Cash Fund. Two dollars and
3 twenty-five cents of the fee shall be remitted to the State Treasurer for
4 credit to the General Fund.

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

9 (5) The fee for a driving privilege card shall be the same as the
10 fee established by subsection (2) of this section for any type of
11 operator's license or class, endorsement, or restriction other than any
12 type of commercial driver's license or permit.

13 (~~6~~ 5) The department and its agents may collect an identity security
14 surcharge to cover the cost of security and technology practices used to
15 protect the identity of applicants for and holders of operators' licenses
16 and state identification cards and to reduce identity theft, fraud, and
17 forgery and counterfeiting of such licenses and cards to the maximum
18 extent possible. The surcharge shall be in addition to all other required
19 fees for operators' licenses and state identification cards. The amount
20 of the surcharge shall be determined by the department. The surcharge
21 shall not exceed eight dollars. The surcharge shall be remitted to the
22 State Treasurer for credit to the Department of Motor Vehicles Cash Fund.

23 Sec. 8. This act becomes operative on July 1, 2016.

24 Sec. 9. Original sections 60-462, 60-479, 60-480, 60-484.04,
25 60-484.05, and 60-4,115, Revised Statutes Cumulative Supplement, 2014,
26 are repealed.