

LEGISLATURE OF NEBRASKA
ONE HUNDRED FOURTH LEGISLATURE
SECOND SESSION

LEGISLATIVE BILL 783

Introduced by Lindstrom, 18.

Read first time January 07, 2016

Committee: Transportation and Telecommunications

1 A BILL FOR AN ACT relating to the Motor Vehicle Registration Act; to
2 amend sections 60-316, 60-317, and 60-3,151, Reissue Revised
3 Statutes of Nebraska, sections 60-3,147, 60-3,148, and 60-3,221,
4 Revised Statutes Cumulative Supplement, 2014, and sections 60-301,
5 60-302, and 60-3,104, Revised Statutes Supplement, 2015; to define
6 and redefine terms; to provide for registration of public power
7 district vehicles as prescribed; to provide fees; to provide duties
8 for the Department of Motor Vehicles; to change provisions relating
9 to increase of gross vehicle weight and trailer towing restrictions;
10 to harmonize provisions; to provide an operative date; and to repeal
11 the original sections.
12 Be it enacted by the people of the State of Nebraska,

1 Section 1. Section 60-301, Revised Statutes Supplement, 2015, is
2 amended to read:

3 60-301 Sections 60-301 to 60-3,225 and sections 5, 10, and 11 of
4 this act shall be known and may be cited as the Motor Vehicle
5 Registration Act.

6 Sec. 2. Section 60-302, Revised Statutes Supplement, 2015, is
7 amended to read:

8 60-302 For purposes of the Motor Vehicle Registration Act, unless
9 the context otherwise requires, the definitions found in sections
10 60-302.01 to 60-360 and section 5 of this act shall be used.

11 Sec. 3. Section 60-316, Reissue Revised Statutes of Nebraska, is
12 amended to read:

13 60-316 Commercial motor vehicle means any motor vehicle used or
14 maintained for the transportation of persons or property for hire,
15 compensation, or profit or designed, used, or maintained primarily for
16 the transportation of property and does not include farm trucks or public
17 power district motor vehicles.

18 Sec. 4. Section 60-317, Reissue Revised Statutes of Nebraska, is
19 amended to read:

20 60-317 Commercial trailer means any trailer or semitrailer which has
21 a gross weight, including load thereon, of more than nine thousand pounds
22 and which is designed, used, or maintained for the transportation of
23 persons or property for hire, compensation, or profit or designed, used,
24 or maintained primarily for the transportation of property. Commercial
25 trailer does not include cabin trailers, farm trailers, fertilizer
26 trailers, ~~or~~ utility trailers, or public power district trailers.

27 Sec. 5. Public power district means a district defined by section
28 70-601 which receives annual gross revenue of at least two hundred fifty
29 million dollars.

30 Sec. 6. Section 60-3,104, Revised Statutes Supplement, 2015, is
31 amended to read:

1 60-3,104 The department shall issue the following types of license
2 plates:

3 (1) Amateur radio station license plates issued pursuant to section
4 60-3,126;

5 (2) Apportionable vehicle license plates issued pursuant to section
6 60-3,203;

7 (3) Autocycle license plates issued pursuant to section 60-3,100;

8 (4) Boat dealer license plates issued pursuant to section 60-379;

9 (5) Bus license plates issued pursuant to section 60-3,144;

10 (6) Commercial motor vehicle license plates issued pursuant to
11 section 60-3,147;

12 (7) Dealer or manufacturer license plates issued pursuant to
13 sections 60-3,114 and 60-3,115;

14 (8) Disabled veteran license plates issued pursuant to section
15 60-3,124;

16 (9) Farm trailer license plates issued pursuant to section 60-3,151;

17 (10) Farm truck license plates issued pursuant to section 60-3,146;

18 (11) Farm trucks with a gross weight of over sixteen tons license
19 plates issued pursuant to section 60-3,146;

20 (12) Fertilizer trailer license plates issued pursuant to section
21 60-3,151;

22 (13) Gold Star Family license plates issued pursuant to sections
23 60-3,122.01 and 60-3,122.02;

24 (14) Handicapped or disabled person license plates issued pursuant
25 to section 60-3,113;

26 (15) Historical vehicle license plates issued pursuant to sections
27 60-3,130 to 60-3,134;

28 (16) Local truck license plates issued pursuant to section 60-3,145;

29 (17) Military Honor Plates issued pursuant to sections 60-3,122.03
30 and 60-3,122.04;

31 (18) Minitruck license plates issued pursuant to section 60-3,100;

1 (19) Motor vehicle license plates for motor vehicles owned or
2 operated by the state, counties, municipalities, or school districts
3 issued pursuant to section 60-3,105;

4 (20) Motor vehicles exempt pursuant to section 60-3,107;

5 (21) Motorcycle license plates issued pursuant to section 60-3,100;

6 (22) Nebraska Cornhusker Spirit Plates issued pursuant to sections
7 60-3,127 to 60-3,129;

8 (23) Nebraska 150 Sesquicentennial Plates issued pursuant to
9 sections 60-3,223 to 60-3,225;

10 (24) Nonresident owner thirty-day license plates issued pursuant to
11 section 60-382;

12 (25) Passenger car having a seating capacity of ten persons or less
13 and not used for hire issued pursuant to section 60-3,143 other than
14 autocycles;

15 (26) Passenger car having a seating capacity of ten persons or less
16 and used for hire issued pursuant to section 60-3,143 other than
17 autocycles;

18 (27) Pearl Harbor license plates issued pursuant to section
19 60-3,122;

20 (28) Personal-use dealer license plates issued pursuant to section
21 60-3,116;

22 (29) Personalized message license plates for motor vehicles and
23 cabin trailers, except commercial motor vehicles registered for over ten
24 tons gross weight, issued pursuant to sections 60-3,118 to 60-3,121;

25 (30) Prisoner-of-war license plates issued pursuant to section
26 60-3,123;

27 (31) Public power district license plates issued pursuant to section
28 10 of this act;

29 (32 ~~31~~) Purple Heart license plates issued pursuant to section
30 60-3,125;

31 (33 ~~32~~) Recreational vehicle license plates issued pursuant to

1 section 60-3,151;

2 (~~34~~ 33) Repossession license plates issued pursuant to section
3 60-375;

4 (~~35~~ 34) Special interest motor vehicle license plates issued
5 pursuant to section 60-3,135.01;

6 (~~36~~ 35) Specialty license plates issued pursuant to sections
7 60-3,104.01 and 60-3,104.02;

8 (~~37~~ 36) Trailer license plates issued for trailers owned or operated
9 by the state, counties, municipalities, or school districts issued
10 pursuant to section 60-3,106;

11 (~~38~~ 37) Trailer license plates issued pursuant to section 60-3,100;

12 (~~39~~) Trailer license plates issued pursuant to section 10 of this
13 act;

14 (~~40~~ 38) Trailers exempt pursuant to section 60-3,108;

15 (~~41~~ 39) Transporter license plates issued pursuant to section
16 60-378;

17 (~~42~~ 40) Trucks or combinations of trucks, truck-tractors, or
18 trailers which are not for hire and engaged in soil and water
19 conservation work and used for the purpose of transporting pipe and
20 equipment exclusively used by such contractors for soil and water
21 conservation construction license plates issued pursuant to section
22 60-3,149;

23 (~~43~~ 41) Utility trailer license plates issued pursuant to section
24 60-3,151; and

25 (~~44~~ 42) Well-boring apparatus and well-servicing equipment license
26 plates issued pursuant to section 60-3,109.

27 Sec. 7. Section 60-3,147, Revised Statutes Cumulative Supplement,
28 2014, is amended to read:

29 60-3,147 (1) The registration fee on commercial motor vehicles and
30 public power district motor vehicles, except those motor vehicles
31 registered under section 60-3,198, shall be based upon the gross vehicle

1 weight, not to exceed the maximum authorized by section 60-6,294.

2 (2) The registration fee on commercial motor vehicles and public
3 power district motor vehicles, except for motor vehicles and trailers
4 registered under section 60-3,198, shall be based on the gross vehicle
5 weight on such commercial motor vehicles plus the gross vehicle weight of
6 any trailer or combination with which it is operated, except that for the
7 purpose of determining the registration fee, the gross vehicle weight of
8 a commercial motor vehicle towing or hauling a disabled or wrecked motor
9 vehicle properly registered for use on the highways shall be only the
10 gross vehicle weight of the towing commercial motor vehicle fully
11 equipped and not including the weight of the motor vehicle being towed or
12 hauled.

13 (3) Except as provided in subsection (4) of this section, the
14 registration fee on such commercial motor vehicles and public power
15 district motor vehicles shall be at the following rates:

16 (a) For a gross vehicle weight of three tons or less, eighteen
17 dollars;

18 (b) For a gross vehicle weight exceeding three tons and not
19 exceeding four tons, twenty-five dollars;

20 (c) For a gross vehicle weight exceeding four tons and not exceeding
21 five tons, thirty-five dollars;

22 (d) For a gross vehicle weight exceeding five tons and not exceeding
23 six tons, sixty dollars;

24 (e) For a gross vehicle weight exceeding six tons but not exceeding
25 seven tons, eighty-five dollars; and

26 (f) For a gross vehicle weight in excess of seven tons, the fee
27 shall be that for a commercial motor vehicle or public power district
28 motor vehicle having a gross vehicle weight of seven tons and, in
29 addition thereto, twenty-five dollars for each ton of gross vehicle
30 weight over seven tons.

31 (4)(a) For fractional tons in excess of the twenty percent or the

1 tolerance of one thousand pounds, as provided in section 60-6,300, the
2 fee shall be computed on the basis of the next higher bracket.

3 (b) The fees provided by this section shall be reduced ten percent
4 for motor vehicles used exclusively for the transportation of
5 agricultural products.

6 (c) Fees for commercial motor vehicles or public power district
7 motor vehicles with a gross vehicle weight in excess of thirty-six tons
8 shall be increased by twenty percent for all such commercial motor
9 vehicles or public power district motor vehicles operated on any highway
10 not a part of the National System of Interstate and Defense Highways.

11 (5)(a) Such fee may be paid one-half at the time of registration and
12 one-half on the first day of the seventh month of the registration period
13 when the license fee exceeds two hundred ten dollars. When the second
14 half is paid, the county treasurer shall furnish a registration
15 certificate and license plates issued by the department which shall be
16 displayed on such commercial motor vehicle in the manner provided by law.
17 In addition to the registration fee, the department shall collect a
18 sufficient fee to cover the cost of issuing the certificate and license
19 plates.

20 (b) If such second half is not paid within thirty days following the
21 first day of the seventh month, the registration of such commercial motor
22 vehicle shall be canceled and the registration certificate and license
23 plates shall be returned to the county treasurer.

24 (c) Such fee shall be paid prior to any subsequent registration or
25 renewal of registration.

26 (6) Except as provided in section 10 of this act, license ~~License~~
27 plates issued under this section shall be the same size and of the same
28 basic design as regular license plates issued under section 60-3,100.

29 (7) A license plate or plates issued to a commercial motor vehicle
30 with a gross weight of five tons or over shall display, in addition to
31 the registration number, the weight that the commercial motor vehicle is

1 licensed for, using a decal on the license plate or plates of the
2 commercial motor vehicle in letters and numerals of such size and design
3 as shall be determined and issued by the department.

4 Sec. 8. Section 60-3,148, Revised Statutes Cumulative Supplement,
5 2014, is amended to read:

6 60-3,148 No owner of a commercial motor vehicle or public power
7 district motor vehicle shall be permitted to increase the gross vehicle
8 weight for which such commercial motor vehicle or public power district
9 motor vehicle is registered except at the office of the county treasurer
10 in the county where such commercial motor vehicle is currently registered
11 unless the need for such increase occurs when such commercial motor
12 vehicle is more than one hundred miles from the county seat of such
13 county, or the public power district motor vehicle is more than one
14 hundred miles from its base location, unless authorized to do so by the
15 Nebraska State Patrol or authorized state scale examiner as an emergency.

16 Sec. 9. Section 60-3,151, Reissue Revised Statutes of Nebraska, is
17 amended to read:

18 60-3,151 (1) For the registration of any commercial trailer or
19 semitrailer, the fee shall be one dollar.

20 (2) The fee for utility trailers shall be one dollar for each one
21 thousand pounds gross vehicle weight or fraction thereof, up to and
22 including nine thousand pounds. Except as provided in section 10 of this
23 act, utility ~~Utility~~ trailer license plates shall display, in addition to
24 the registration number, the letter X. Trailers other than farm trailers
25 or trailers registered under section 10 of this act of more than nine
26 thousand pounds must be registered as commercial trailers.

27 (3) The fee for cabin trailers having gross vehicle weight of one
28 thousand pounds or less shall be nine dollars and more than one thousand
29 pounds, but less than two thousand pounds, shall be twelve dollars. Cabin
30 trailers having a gross vehicle weight of two thousand pounds or more
31 shall be registered for a fee of fifteen dollars.

1 (4) Recreational vehicles having a gross vehicle weight of eight
2 thousand pounds or less shall be registered for a fee of eighteen
3 dollars, those having a gross vehicle weight of more than eight thousand
4 pounds but less than twelve thousand pounds shall be registered for
5 thirty dollars, and those having a gross vehicle weight of twelve
6 thousand pounds or over shall be registered for forty-two dollars. When
7 living quarters are added to a registered truck, a recreational vehicle
8 registration may be obtained without surrender of the truck registration,
9 in which event both the truck and recreational vehicle license plates
10 shall be displayed on the vehicle. Recreational vehicle license plates
11 shall be the same size and of the same basic design as regular license
12 plates issued pursuant to section 60-3,100.

13 (5) Farm trailers shall be licensed for a fee of one dollar, except
14 that when a farm trailer is used with a registered farm truck, such farm
15 trailer may, at the option of the owner, be registered as a separate unit
16 for a fee of three dollars per ton gross vehicle weight and, if so
17 registered, shall not be considered a truck and trailer combination for
18 purposes of sections 60-3,145 and 60-3,146. Farm trailer license plates
19 shall display, in addition to the registration number, the letter X.

20 (6) Fertilizer trailers shall be registered for a fee of one dollar.
21 Fertilizer trailer license plates shall display, in addition to the
22 registration number, the letter X.

23 (7) Trailers used to haul poles and cable reels owned and operated
24 exclusively by public utility companies or trailers used by public power
25 districts and registered pursuant to section 10 of this act, shall be
26 licensed at a fee based on two dollars for each one-thousand-pound load
27 to be hauled or any fraction thereof, and such load shall not exceed
28 sixteen thousand pounds.

29 Sec. 10. (1) Upon application and payment of the fees required
30 pursuant to this section and section 11 of this act, each motor vehicle
31 and trailer operated by a public power district shall be issued permanent

1 public power district license plates. The application shall be
2 accompanied by a fee of three dollars for each motor vehicle and three
3 dollars for each trailer. The public power district license plates shall
4 be issued by the county in which the public power district is
5 headquartered.

6 (2) Public power district vehicles shall display a distinctive
7 license plate provided by the department pursuant to this section.

8 (3) Any license plate issued pursuant to this section shall remain
9 affixed to the front and rear of the motor vehicle and to the rear of the
10 trailer as long as the public power district vehicle is registered
11 pursuant to section 11 of this act by the owner or lessor making the
12 original application pursuant to subsection (1) of this section. Upon
13 transfer of ownership or lease of the motor vehicle or trailer or
14 transfer of ownership of all public power district vehicles or at any
15 time a public power district vehicle is no longer registered pursuant to
16 section 11 of this act, the license plate or plates shall cease to be
17 valid and shall be processed according to the rules and regulations of
18 the department.

19 (4) The renewal fee for each permanent plate shall be two dollars
20 and shall be assessed and collected in each license year after the year
21 in which the permanent license plates are initially issued at the time
22 all other renewal fees are collected pursuant to section 11 of this act
23 unless a motor vehicle or trailer has been deleted from public power
24 district registration.

25 (5)(a) If a permanent license plate is lost or destroyed, the owner
26 or lessor shall submit an affidavit to that effect to the county
27 treasurer prior to any deletion of the motor vehicle or trailer from
28 public power district registration. If the motor vehicle or trailer is
29 not deleted from public power district registration, a replacement
30 permanent license plate may be issued upon application and payment of a
31 fee of three dollars for each motor vehicle and three dollars for each

1 trailer. The application for a replacement permanent plate shall be on a
2 form developed by the department.

3 (b) If the registration certificate for any public power district
4 vehicle is lost or stolen, the county treasurer shall collect a fee of
5 one dollar for replacement of such certificate.

6 (6) If a motor vehicle or trailer for which a permanent license
7 plate has been issued pursuant to this section is deleted from public
8 power district registration due to loss of possession by the registrant,
9 the plate shall be returned to the county treasurer.

10 (7) The registrant shall be liable for the full amount of the
11 registration fee due for any motor vehicle or trailer not deleted from
12 public power district registration renewal.

13 (8) All fees collected pursuant to this section shall be remitted to
14 the State Treasurer for credit to the Highway Cash Fund.

15 Sec. 11. The registration fee for a public power district motor
16 vehicle shall be the fee provided for commercial motor vehicles in
17 section 60-3,147. The registration fee for a public power district
18 trailer shall be the fee provided for a trailer in subsection (2) or (7),
19 as applicable, of section 60-3,151.

20 Sec. 12. Section 60-3,221, Revised Statutes Cumulative Supplement,
21 2014, is 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;

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

1 (e) A fertilizer trailer shall only be towed by a properly
2 registered:

3 (i) Passenger car;

4 (ii) Commercial motor vehicle or apportionable vehicle;

5 (iii) Farm truck; or

6 (iv) Local truck;

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

9 (i) Commercial motor vehicle or apportionable vehicle;~~or~~

10 (ii) Local truck;or

11 (iii) Public power district motor vehicle;

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

13 (i) A dealer-plated vehicle;

14 (ii) A properly registered passenger car;

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

17 (iv) A properly registered farm truck;

18 (v) A properly registered minitruck; or

19 (vi) A personal-use dealer-plated vehicle; and

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

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

24 (ii) A properly registered local truck;

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

26 (iv) A properly registered commercial motor vehicle or apportionable
27 vehicle;

28 (v) A dealer-plated vehicle;

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

30 (vii) A properly registered bus; or

31 (viii) A properly registered farm truck.

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

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

6 Sec. 13. This act becomes operative on January 1, 2017.

7 Sec. 14. Original sections 60-316, 60-317, and 60-3,151, Reissue
8 Revised Statutes of Nebraska, sections 60-3,147, 60-3,148, and 60-3,221,
9 Revised Statutes Cumulative Supplement, 2014, and sections 60-301,
10 60-302, and 60-3,104, Revised Statutes Supplement, 2015, are repealed.