

LEGISLATURE OF NEBRASKA
ONE HUNDRED FIFTH LEGISLATURE
FIRST SESSION

LEGISLATIVE BILL 45

FINAL READING

Introduced by Watermeier, 1; Lindstrom, 18.

Read first time January 05, 2017

Committee: Transportation and Telecommunications

1 A BILL FOR AN ACT relating to motor vehicles; to amend section 80-414,
2 Reissue Revised Statutes of Nebraska, and sections 60-3,122.03 and
3 60-3,122.04, Revised Statutes Cumulative Supplement, 2016; to change
4 provisions relating to Military Honor Plates; to harmonize
5 provisions; to provide an operative date; and to repeal the original
6 sections.
7 Be it enacted by the people of the State of Nebraska,

1 Section 1. Section 60-3,122.03, Revised Statutes Cumulative
2 Supplement, 2016, is amended to read:

3 60-3,122.03 (1) The department shall design license plates to be
4 known as Military Honor Plates. The department shall create designs
5 honoring persons who have served or are serving in the United States
6 Army, United States Army Reserve, United States Navy, United States Navy
7 Reserve, United States Marine Corps, United States Marine Corps Reserve,
8 United States Coast Guard, United States Coast Guard Reserve, United
9 States Air Force, United States Air Force Reserve, or National Guard.
10 There shall be ~~e~~leven ~~six~~ designs, one for each of such armed forces
11 reflecting its official emblem, official seal, or other official image.
12 The issuance of plates for each of such armed forces shall be conditioned
13 on the approval of the armed forces owning the copyright to the official
14 emblem, official seal, or other official image. A person may qualify for
15 a Military Honor Plate by registering with the Department of Veterans'
16 Affairs pursuant to section 80-414. The Department of Motor Vehicles
17 shall verify the applicant's eligibility for a plate created pursuant to
18 this section by consulting the registry established by the Department of
19 Veterans' Affairs.

20 (2) The design shall be selected on the basis of limiting the
21 manufacturing cost of each plate to an amount less than or equal to the
22 amount charged for license plates pursuant to section 60-3,102. The
23 Department of Motor Vehicles shall make applications available for each
24 type of plate when it is designed. The department may adopt and
25 promulgate rules and regulations to carry out this section and section
26 60-3,122.04.

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

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

30 (b) Not use a county designation.

31 (4) One type of Military Honor Plates shall be personalized message

1 plates. Such plates shall be issued subject to the same conditions
2 specified for personalized message license plates in section 60-3,118,
3 except that a maximum of five characters may be used.

4 Sec. 2. Section 60-3,122.04, Revised Statutes Cumulative Supplement,
5 2016, is amended to read:

6 60-3,122.04 (1) ~~An Beginning January 2, 2016,~~ an eligible person may
7 apply to the department for Military Honor Plates in lieu of regular
8 license plates on an application prescribed and provided by the
9 department for any motor vehicle, trailer, semitrailer, or cabin trailer,
10 except for a motor vehicle or trailer registered under section 60-3,198.
11 An applicant receiving a Military Honor Plate for a farm truck with a
12 gross weight of over sixteen tons shall affix the appropriate tonnage
13 decal to the plate. The department shall make forms available for such
14 applications through the county treasurers. The license plates shall be
15 issued upon payment of the license fee described in subsection (2) of
16 this section and verification by the department of an applicant's
17 eligibility using the registry established by the Department of Veterans'
18 Affairs pursuant to section 80-414. To be eligible an applicant shall be
19 (a) active duty or reserve duty armed forces personnel serving in any of
20 the armed forces listed in subsection (1) of section 60-3,122.03, ~~or~~ (b)
21 a veteran of any of such armed forces who was discharged or otherwise
22 separated with a characterization of honorable or general (under
23 honorable conditions), or (c) a current or former commissioned officer of
24 the United States Public Health Service or National Oceanic and
25 Atmospheric Administration who has been detailed directly to any branch
26 of such armed forces for service on active or reserve duty and who was
27 discharged or otherwise separated with a characterization of honorable or
28 general (under honorable conditions) as proven with valid orders from the
29 United States Department of Defense, a statement of service provided by
30 the United States Public Health Service, or a report of transfer or
31 discharge provided by the National Oceanic and Atmospheric

1 Administration. Any person using Military Honor Plates shall surrender
2 the plates to the county treasurer if such person is no longer eligible
3 for the plates. Regular plates shall be issued to any such person upon
4 surrender of the Military Honor Plates for a three-dollar transfer fee
5 and forfeiture of any of the remaining annual fee. The three-dollar
6 transfer fee shall be remitted to the State Treasurer for credit to the
7 Department of Motor Vehicles Cash Fund.

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

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

24 (3) When the Department of Motor Vehicles receives an application
25 for Military Honor Plates, the department shall deliver the plates to the
26 county treasurer of the county in which the motor vehicle or cabin
27 trailer is registered. The county treasurer shall issue Military Honor
28 Plates in lieu of regular license plates when the applicant complies with
29 the other provisions of the Motor Vehicle Registration Act for
30 registration of the motor vehicle or cabin trailer. If Military Honor
31 Plates are lost, stolen, or mutilated, the licensee shall be issued

1 replacement license plates upon request pursuant to section 60-3,157.

2 (4) The owner of a motor vehicle or cabin trailer bearing Military
3 Honor Plates may apply to the county treasurer to have such plates
4 transferred to a motor vehicle other than the vehicle for which such
5 plates were originally purchased if such vehicle is owned by the owner of
6 the plates. The owner may have the unused portion of the fee for the
7 plates credited to the other vehicle which will bear the plates at the
8 rate of eight and one-third percent per month for each full month left in
9 the registration period. Application for such transfer shall be
10 accompanied by a fee of three dollars. Fees collected pursuant to this
11 subsection shall be remitted to the State Treasurer for credit to the
12 Department of Motor Vehicles Cash Fund.

13 (5) If the cost of manufacturing Military Honor Plates at any time
14 exceeds the amount charged for license plates pursuant to section
15 60-3,102, any money to be credited to the Nebraska Veteran Cemetery
16 System Operation Fund shall instead be credited first to the Highway
17 Trust Fund in an amount equal to the difference between the manufacturing
18 costs of Military Honor Plates and the amount charged pursuant to section
19 60-3,102 with respect to such plates and the remainder shall be credited
20 to the Nebraska Veteran Cemetery System Operation Fund.

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

26 Sec. 3. Section 80-414, Reissue Revised Statutes of Nebraska, is
27 amended to read:

28 80-414 (1) The Department of Veterans' Affairs shall create and
29 maintain a registry of residents of Nebraska who meet the requirements of
30 subsection (1) ~~subdivision (1)(a) or (b)~~ of section 60-3,122.04 or
31 subsection (1) of section 60-4,189. The Department of Veterans' Affairs

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

12 (2) Any resident of Nebraska who meets the requirements of
13 subsection (1) subdivision ~~(1)(a) or (b)~~ of section 60-3,122.04 or
14 subsection (1) of section 60-4,189 shall register with the Department of
15 Veterans' Affairs using the registry created by this section before being
16 eligible for Military Honor Plates or a notation of "veteran" on his or
17 her operator's license or state identification card issued by the
18 Department of Motor Vehicles. No person shall be deemed eligible until
19 his or her status has been verified on the registry.

20 (3) The Department of Motor Vehicles may adopt and promulgate rules
21 and regulations governing use of the registry of the Department of
22 Veterans' Affairs for determination of eligibility for the issuance of
23 Military Honor Plates or the notation of "veteran" on operators' licenses
24 and state identification cards.

25 Sec. 4. This act becomes operative on January 1, 2018.

26 Sec. 5. Original section 80-414, Reissue Revised Statutes of
27 Nebraska, and sections 60-3,122.03 and 60-3,122.04, Revised Statutes
28 Cumulative Supplement, 2016, are repealed.