

LEGISLATURE OF NEBRASKA
ONE HUNDRED SEVENTH LEGISLATURE
FIRST SESSION

LEGISLATIVE BILL 317

FINAL READING

Introduced by Cavanaugh, J., 9.

Read first time January 13, 2021

Committee: Transportation and Telecommunications

1 A BILL FOR AN ACT relating to motor vehicle registration; to amend
2 sections 60-301, 60-393, 60-395, 60-396, 60-3,104, and 60-3,130.04,
3 Revised Statutes Cumulative Supplement, 2020; to provide for
4 Nebraska History Plates; to create a fund; to provide powers and
5 duties; to harmonize provisions; and to repeal the original
6 sections.

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

1 Section 1. Section 60-301, Revised Statutes Cumulative Supplement,
2 2020, is amended to read:

3 60-301 Sections 60-301 to 60-3,254 and sections 7 and 8 of this act
4 shall be known and may be cited as the Motor Vehicle Registration Act.

5 Sec. 2. Section 60-393, Revised Statutes Cumulative Supplement,
6 2020, is amended to read:

7 60-393 Any owner who has two or more motor vehicles or trailers
8 required to be registered under the Motor Vehicle Registration Act may
9 register all such motor vehicles or trailers on a calendar-year basis or
10 on an annual basis for the same registration period beginning in a month
11 chosen by the owner. When electing to establish the same registration
12 period for all such motor vehicles or trailers, the owner shall pay the
13 registration fee, the motor vehicle tax imposed in section 60-3,185, the
14 motor vehicle fee imposed in section 60-3,190, and the alternative fuel
15 fee imposed in section 60-3,191 on each motor vehicle for the number of
16 months necessary to extend its current registration period to the
17 registration period under which all such motor vehicles or trailers will
18 be registered. Credit shall be given for registration paid on each motor
19 vehicle or trailer when the motor vehicle or trailer has a later
20 expiration date than that chosen by the owner except as otherwise
21 provided in sections 60-3,121, 60-3,122.02, 60-3,122.04, 60-3,128,
22 60-3,224, 60-3,227, 60-3,233, 60-3,235, 60-3,238, 60-3,240, 60-3,242,
23 60-3,244, 60-3,246, 60-3,248, 60-3,250, 60-3,252, and 60-3,254 and
24 section 8 of this act. Thereafter all such motor vehicles or trailers
25 shall be registered on an annual basis starting in the month chosen by
26 the owner.

27 Sec. 3. Section 60-395, Revised Statutes Cumulative Supplement,
28 2020, is amended to read:

29 60-395 (1) Except as otherwise provided in subsection (2) of this
30 section and sections 60-3,121, 60-3,122.02, 60-3,122.04, 60-3,128,
31 60-3,224, 60-3,227, 60-3,231, 60-3,233, 60-3,235, 60-3,238, 60-3,240,

1 60-3,242, 60-3,244, 60-3,246, 60-3,248, 60-3,250, 60-3,252, and 60-3,254
2 and section 8 of this act, the registration shall expire and the
3 registered owner or lessee may, by returning the registration
4 certificate, the license plates, and, when appropriate, the validation
5 decals and by either making application on a form prescribed by the
6 department to the county treasurer of the occurrence of an event
7 described in subdivisions (a) through (e) of this subsection or, in the
8 case of a change in situs, displaying to the county treasurer the
9 registration certificate of such other state as evidence of a change in
10 situs, receive a refund of that part of the unused fees and taxes on
11 motor vehicles or trailers based on the number of unexpired months
12 remaining in the registration period from the date of any of the
13 following events:

- 14 (a) Upon transfer of ownership of any motor vehicle or trailer;
- 15 (b) In case of loss of possession because of fire, natural disaster,
16 theft, dismantlement, or junking;
- 17 (c) When a salvage branded certificate of title is issued;
- 18 (d) Whenever a type or class of motor vehicle or trailer previously
19 registered is subsequently declared by legislative act or court decision
20 to be illegal or ineligible to be operated or towed on the public roads
21 and no longer subject to registration fees, the motor vehicle tax imposed
22 in section 60-3,185, the motor vehicle fee imposed in section 60-3,190,
23 and the alternative fuel fee imposed in section 60-3,191;
- 24 (e) Upon a trade-in or surrender of a motor vehicle under a lease;
25 or
- 26 (f) In case of a change in the situs of a motor vehicle or trailer
27 to a location outside of this state.

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

31 (3) If the transferor or lessee acquires another motor vehicle at

1 the time of the transfer, trade-in, or surrender, the transferor or
2 lessee shall have the credit provided for in this section applied toward
3 payment of the motor vehicle fees and taxes then owing. Otherwise, the
4 transferor or lessee shall file a claim for refund with the county
5 treasurer upon an application form prescribed by the department.

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

10 (5) For purposes of this section, the date of the event shall be:

11 (a) In the case of a transfer or loss, the date of the transfer or loss;

12 (b) in the case of a change in the situs, the date of registration in
13 another state; (c) in the case of a trade-in or surrender under a lease,
14 the date of trade-in or surrender; (d) in the case of a legislative act,
15 the effective date of the act; and (e) in the case of a court decision,
16 the date the decision is rendered.

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

20 (7) If a motor vehicle or trailer was reported stolen under section
21 60-178, a refund under this section shall not be reduced for a lost plate
22 charge and a credit under this section may be reduced for a lost plate
23 charge but the applicant shall not be required to pay the plate fee for
24 new plates.

25 (8) The county treasurer shall refund the motor vehicle fee and
26 registration fee from the fees which have not been transferred to the
27 State Treasurer. The county treasurer shall make payment to the claimant
28 from the undistributed motor vehicle taxes of the taxing unit where the
29 tax money was originally distributed. No refund of less than two dollars
30 shall be paid.

31 Sec. 4. Section 60-396, Revised Statutes Cumulative Supplement,

1 2020, is amended to read:

2 60-396 Whenever the registered owner files an application with the
3 county treasurer showing that a motor vehicle, trailer, or semitrailer is
4 disabled and has been removed from service, the registered owner may, by
5 returning the registration certificate, the license plates, and, when
6 appropriate, the validation decals or, in the case of the unavailability
7 of such registration certificate or certificates, license plates, or
8 validation decals, then by making an affidavit to the county treasurer of
9 such disablement and removal from service, receive a credit for a portion
10 of the registration fee from the fee deposited with the State Treasurer
11 at the time of registration based upon the number of unexpired months
12 remaining in the registration year except as otherwise provided in
13 sections 60-3,121, 60-3,122.02, 60-3,122.04, 60-3,128, 60-3,224,
14 60-3,227, 60-3,233, 60-3,235, 60-3,238, 60-3,240, 60-3,242, 60-3,244,
15 60-3,246, 60-3,248, 60-3,250, 60-3,252, and 60-3,254 and section 8 of
16 this act. The owner shall also receive a credit for the unused portion of
17 the motor vehicle tax and fee based upon the number of unexpired months
18 remaining in the registration year. When the owner registers a
19 replacement motor vehicle, trailer, or semitrailer at the time of filing
20 such affidavit, the credit may be immediately applied against the
21 registration fee and the motor vehicle tax and fee for the replacement
22 motor vehicle, trailer, or semitrailer. When no such replacement motor
23 vehicle, trailer, or semitrailer is so registered, the county treasurer
24 shall forward the application and affidavit, if any, to the State
25 Treasurer who shall determine the amount, if any, of the allowable credit
26 for the registration fee and issue a credit certificate to the owner. For
27 the motor vehicle tax and fee, the county treasurer shall determine the
28 amount, if any, of the allowable credit and issue a credit certificate to
29 the owner. When such motor vehicle, trailer, or semitrailer is removed
30 from service within the same month in which it was registered, no credits
31 shall be allowed for such month. The credits may be applied against taxes

1 and fees for new or replacement motor vehicles, trailers, or semitrailers
2 incurred within one year after cancellation of registration of the motor
3 vehicle, trailer, or semitrailer for which the credits were allowed. When
4 any such motor vehicle, trailer, or semitrailer is reregistered within
5 the same registration year in which its registration has been canceled,
6 the taxes and fees shall be that portion of the registration fee and the
7 motor vehicle tax and fee for the remainder of the registration year.

8 Sec. 5. Section 60-3,104, Revised Statutes Cumulative Supplement,
9 2020, is amended to read:

10 60-3,104 The department shall issue the following types of license
11 plates:

12 (1) Amateur radio station license plates issued pursuant to section
13 60-3,126;

14 (2) Apportionable vehicle license plates issued pursuant to section
15 60-3,203;

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

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

18 (5) Breast Cancer Awareness Plates issued pursuant to sections
19 60-3,230 and 60-3,231;

20 (6) Bus license plates issued pursuant to section 60-3,144;

21 (7) Choose Life License Plates issued pursuant to sections 60-3,232
22 and 60-3,233;

23 (8) Commercial motor vehicle license plates issued pursuant to
24 section 60-3,147;

25 (9) Dealer or manufacturer license plates issued pursuant to
26 sections 60-3,114 and 60-3,115;

27 (10) Disabled veteran license plates issued pursuant to section
28 60-3,124;

29 (11) Donate Life Plates issued pursuant to sections 60-3,245 and
30 60-3,246;

31 (12) Down Syndrome Awareness Plates issued pursuant to sections

1 60-3,247 and 60-3,248;

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

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

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

7 (16) Fertilizer trailer license plates issued pursuant to section
8 60-3,151;

9 (17) Former military vehicle license plates issued pursuant to
10 section 60-3,236;

11 (18) Gold Star Family license plates issued pursuant to sections
12 60-3,122.01 and 60-3,122.02;

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

15 (20) Historical vehicle license plates issued pursuant to sections
16 60-3,130 to 60-3,134;

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

18 (22) Metropolitan utilities district license plates issued pursuant
19 to section 60-3,228;

20 (23) Military Honor Plates issued pursuant to sections 60-3,122.03
21 and 60-3,122.04;

22 (24) Minitruck license plates issued pursuant to section 60-3,100;

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

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

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

28 (28) Mountain Lion Conservation Plates issued pursuant to sections
29 60-3,226 and 60-3,227;

30 (29) Native American Cultural Awareness and History Plates issued
31 pursuant to sections 60-3,234 and 60-3,235;

1 (30) Nebraska Cornhusker Spirit Plates issued pursuant to sections
2 60-3,127 to 60-3,129;

3 (31) Nebraska History Plates issued pursuant to sections 7 and 8 of
4 this act;

5 (32) ~~(31)~~ Nebraska 150 Sesquicentennial Plates issued pursuant to
6 sections 60-3,223 to 60-3,225;

7 (33) ~~(32)~~ Nonresident owner thirty-day license plates issued
8 pursuant to section 60-382;

9 (34) ~~(33)~~ Passenger car having a seating capacity of ten persons or
10 less and not used for hire issued pursuant to section 60-3,143 other than
11 autocycles;

12 (35) ~~(34)~~ Passenger car having a seating capacity of ten persons or
13 less and used for hire issued pursuant to section 60-3,143 other than
14 autocycles;

15 (36) ~~(35)~~ Pearl Harbor license plates issued pursuant to section
16 60-3,122;

17 (37) ~~(36)~~ Personal-use dealer license plates issued pursuant to
18 section 60-3,116;

19 (38) ~~(37)~~ Personalized message license plates for motor vehicles,
20 trailers, and semitrailers, except motor vehicles, trailers, and
21 semitrailers registered under section 60-3,198, issued pursuant to
22 sections 60-3,118 to 60-3,121;

23 (39) ~~(38)~~ Pets for Vets Plates issued pursuant to sections 60-3,249
24 and 60-3,250;

25 (40) ~~(39)~~ Prisoner-of-war license plates issued pursuant to section
26 60-3,123;

27 (41) ~~(40)~~ Prostate Cancer Awareness Plates issued pursuant to
28 section 60-3,240;

29 (42) ~~(41)~~ Public power district license plates issued pursuant to
30 section 60-3,228;

31 (43) ~~(42)~~ Purple Heart license plates issued pursuant to section

1 60-3,125;
2 ~~(44)~~ ~~(43)~~ Recreational vehicle license plates issued pursuant to
3 section 60-3,151;
4 ~~(45)~~ ~~(44)~~ Repossession license plates issued pursuant to section
5 60-375;
6 ~~(46)~~ ~~(45)~~ Sammy's Superheroes license plates for childhood cancer
7 awareness issued pursuant to section 60-3,242;
8 ~~(47)~~ ~~(46)~~ Special interest motor vehicle license plates issued
9 pursuant to section 60-3,135.01;
10 ~~(48)~~ ~~(47)~~ Specialty license plates issued pursuant to sections
11 60-3,104.01 and 60-3,104.02;
12 ~~(49)~~ ~~(48)~~ Support the Arts Plates issued pursuant to sections
13 60-3,251 and 60-3,252;
14 ~~(50)~~ ~~(49)~~ Support Our Troops Plates issued pursuant to sections
15 60-3,243 and 60-3,244;
16 ~~(51)~~ ~~(50)~~ The Good Life Is Outside Plates issued pursuant to
17 sections 60-3,253 and 60-3,254;
18 ~~(52)~~ ~~(51)~~ Trailer license plates issued for trailers owned or
19 operated by the state, counties, municipalities, or school districts
20 issued pursuant to section 60-3,106;
21 ~~(53)~~ ~~(52)~~ Trailer license plates issued for trailers owned or
22 operated by a metropolitan utilities district or public power district
23 pursuant to section 60-3,228;
24 ~~(54)~~ ~~(53)~~ Trailer license plates issued pursuant to section
25 60-3,100;
26 ~~(55)~~ ~~(54)~~ Trailers exempt pursuant to section 60-3,108;
27 ~~(56)~~ ~~(55)~~ Transporter license plates issued pursuant to section
28 60-378;
29 ~~(57)~~ ~~(56)~~ Trucks or combinations of trucks, truck-tractors, or
30 trailers which are not for hire and engaged in soil and water
31 conservation work and used for the purpose of transporting pipe and

1 equipment exclusively used by such contractors for soil and water
2 conservation construction license plates issued pursuant to section
3 60-3,149;

4 ~~(58)~~ ~~(57)~~ Utility trailer license plates issued pursuant to section
5 60-3,151;

6 ~~(59)~~ ~~(58)~~ Well-boring apparatus and well-servicing equipment license
7 plates issued pursuant to section 60-3,109; and

8 ~~(60)~~ ~~(59)~~ Wildlife Conservation Plates issued pursuant to section
9 60-3,238.

10 Sec. 6. Section 60-3,130.04, Revised Statutes Cumulative Supplement,
11 2020, is amended to read:

12 60-3,130.04 (1) An owner of a historical vehicle eligible for
13 registration under section 60-3,130 may use a license plate or plates
14 designed by this state in the year corresponding to the model year when
15 the vehicle was manufactured in lieu of the plates designed pursuant to
16 section 60-3,130.03 subject to the approval of the department. The
17 department shall inspect the plate or plates and may approve the plate or
18 plates if it is determined that the model-year license plate or plates
19 are legible and serviceable and that the license plate numbers do not
20 conflict with or duplicate other numbers assigned and in use. An
21 original-issued license plate or plates that have been restored to
22 original condition may be used when approved by the department.

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

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

30 (4) License plates used pursuant to this section corresponding to
31 the year of manufacture of the vehicle shall not be personalized message

1 license plates, Pearl Harbor license plates, prisoner-of-war license
2 plates, disabled veteran license plates, Purple Heart license plates,
3 amateur radio station license plates, Nebraska Cornhusker Spirit Plates,
4 Nebraska History Plates, handicapped or disabled person license plates,
5 specialty license plates, special interest motor vehicle license plates,
6 Military Honor Plates, Nebraska 150 Sesquicentennial Plates, Breast
7 Cancer Awareness Plates, Prostate Cancer Awareness Plates, Mountain Lion
8 Conservation Plates, Choose Life License Plates, Donate Life Plates, Down
9 Syndrome Awareness Plates, Native American Cultural Awareness and History
10 Plates, Sammy's Superheroes license plates for childhood cancer
11 awareness, Wildlife Conservation Plates, Pets for Vets Plates, Support
12 the Arts Plates, Support Our Troops Plates, or The Good Life Is Outside
13 Plates.

14 Sec. 7. (1) The department shall design license plates to be known
15 as Nebraska History Plates. The design shall be selected in consultation
16 with the Nebraska State Historical Society and shall reflect the
17 importance of historical preservation in Nebraska and the value of our
18 shared Nebraska history. Each design shall be selected on the basis of
19 limiting the manufacturing cost of each plate to an amount less than or
20 equal to the amount charged for license plates pursuant to section
21 60-3,102. The department shall make applications available for this type
22 of plate by January 1, 2023. The department may adopt and promulgate
23 rules and regulations to carry out this section and section 8 of this
24 act.

25 (2) One type of Nebraska History Plates shall be alphanumeric
26 plates. The department shall: (a) Assign a designation up to five
27 characters; and (b) not use a county designation.

28 (3) One type of Nebraska History Plates shall be personalized
29 message plates. Such plates shall be issued subject to the same
30 conditions specified for personalized message license plates in section
31 60-3,118, except that a maximum of five characters may be used.

1 (4) The department shall cease to issue Nebraska History Plates
2 beginning with the next license plate issuance cycle after the license
3 plate issuance cycle that begins in 2023 pursuant to section 60-3,101 if
4 the total number of registered vehicles that obtained such plates is less
5 than five hundred per year within any prior consecutive two-year period.

6 Sec. 8. (1) Beginning January 1, 2023, a person may apply to the
7 department for Nebraska History Plates in lieu of regular license plates
8 on an application prescribed and provided by the department for any motor
9 vehicle, trailer, or semitrailer, except for a motor vehicle, trailer, or
10 semitrailer registered under section 60-3,198. An applicant receiving
11 Nebraska History Plates for a farm truck with a gross weight of over
12 sixteen tons or a commercial truck or truck-tractor with a gross weight
13 of five tons or over shall affix the appropriate tonnage decal to the
14 plate. The department shall make forms available for such applications
15 through the county treasurers. The license plates shall be issued upon
16 payment of the license fee described in subsection (2) of this section.

17 (2)(a) In addition to all other fees required for registration under
18 the Motor Vehicle Registration Act, each application for initial issuance
19 or renewal of alphanumeric Nebraska History Plates shall be accompanied
20 by a fee of five dollars. County treasurers collecting fees pursuant to
21 this subdivision shall remit such fees to the State Treasurer. The State
22 Treasurer shall credit five dollars of the fee to the Support Nebraska
23 History Cash Fund.

24 (b) In addition to all other fees required for registration under
25 the Motor Vehicle Registration Act, each application for initial issuance
26 or renewal of personalized message Nebraska History Plates shall be
27 accompanied by a fee of forty dollars. County treasurers collecting fees
28 pursuant to this subdivision shall remit such fees to the State
29 Treasurer. The State Treasurer shall credit twenty-five percent of the
30 fee for initial issuance and renewal of such plates to the Department of
31 Motor Vehicles Cash Fund and seventy-five percent of the fee to the

1 Support Nebraska History Cash Fund.

2 (3)(a) When the department receives an application for Nebraska
3 History Plates, the department may deliver the plates and registration
4 certificate to the applicant by United States mail or to the county
5 treasurer of the county in which the motor vehicle, trailer, or
6 semitrailer is registered and the delivery of the plates and registration
7 certificate shall be made through a secure process and system. Beginning
8 on an implementation date designated by the director on or before January
9 1, 2023, if delivery of the plates and registration certificate is made
10 by the department to the applicant, the department may charge a postage
11 and handling fee in an amount not more than necessary to recover the cost
12 of postage and handling for the specific items mailed to the registrant.
13 The department shall remit the fee to the State Treasurer for credit to
14 the Department of Motor Vehicles Cash Fund. The county treasurer or the
15 department shall issue Nebraska History Plates in lieu of regular license
16 plates when the applicant complies with the other provisions of the Motor
17 Vehicle Registration Act for registration of the motor vehicle, trailer,
18 or semitrailer. If Nebraska History Plates are lost, stolen, or
19 mutilated, the licensee shall be issued replacement license plates upon
20 request pursuant to section 60-3,157.

21 (b) The county treasurer or the department may issue temporary
22 license stickers to the applicant under this section for the applicant to
23 lawfully operate the vehicle pending receipt of the license plates. No
24 charge in addition to the registration fee shall be made for the issuance
25 of a temporary license sticker under this subdivision. The department
26 shall furnish temporary license stickers for issuance by the county
27 treasurer at no cost to the counties. The department may adopt and
28 promulgate rules and regulations regarding the design and issuance of
29 temporary license stickers.

30 (4) The owner of a motor vehicle, trailer, or semitrailer bearing
31 Nebraska History Plates may apply to the county treasurer to have such

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

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

19 Sec. 9. The Support Nebraska History Cash Fund is created. The fund
20 shall consist of money credited to the fund under section 8 of this act
21 and any other gifts, bequests, grants, or other contributions or
22 donations to the fund from public or private entities. The Nebraska State
23 Historical Society shall administer and distribute the Support Nebraska
24 History Cash Fund. The fund shall be expended to promote the history of
25 Nebraska on the Internet, to support history education for children in
26 Nebraska, and for costs directly related to the administration of the
27 fund. Any money in the fund available for investment shall be invested by
28 the state investment officer pursuant to the Nebraska Capital Expansion
29 Act and the Nebraska State Funds Investment Act.

30 Sec. 10. Original sections 60-301, 60-393, 60-395, 60-396,
31 60-3,104, and 60-3,130.04, Revised Statutes Cumulative Supplement, 2020,

1 are repealed.