

AMENDMENTS TO LB97

Introduced by Transportation and Telecommunications.

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

3 **Section 1.** Section 29-2292, Revised Statutes Cumulative Supplement,
4 2024, is amended to read:

5 29-2292 (1) Upon a finding of guilt for which a judgment of
6 conviction may be rendered, a defendant may request the court defer the
7 entry of judgment of conviction. Upon such request and after giving the
8 prosecutor and defendant the opportunity to be heard, the court may defer
9 the entry of a judgment of conviction and the imposition of a sentence
10 and place the defendant on probation, upon conditions as the court may
11 require under section 29-2262.

12 (2) The court shall not defer judgment under this section if:

13 (a) The offense is a violation of section 42-924;

14 (b) The victim of the offense is an intimate partner as defined in
15 section 28-323;

16 (c) The offense is a violation of section 60-6,196 or 60-6,197 or a
17 city or village ordinance enacted in conformance with section 60-6,196 or
18 60-6,197; ~~or~~

19 (d) The defendant is not eligible for probation; or ~~or~~

20 (e) For any driver holding a commercial driver's license or CLP-
21 commercial learner's permit issued pursuant to the Motor Vehicle
22 Operator's License Act, such deferred judgment would mask the conviction
23 and lead to noncompliance with federal law or regulation and subject this
24 state to possible loss of federal money.

25 (3) Whenever a court considers a request to defer judgment, the
26 court shall consider the factors set forth in section 29-2260 and any
27 other information the court deems relevant.

1 (4) Except as otherwise provided in this section and sections
2 29-2293 and 29-2294, the supervision of a defendant on probation pursuant
3 to a deferred judgment shall be governed by the Nebraska Probation
4 Administration Act and sections 29-2270 to 29-2273.

5 (5) After a hearing providing the prosecutor and defendant an
6 opportunity to be heard and upon a finding that a defendant has violated
7 a condition of his or her probation, the court may enter any order
8 authorized by section 29-2268 or pronounce judgment and impose such new
9 sentence as might have been originally imposed for the offense for which
10 the defendant was convicted.

11 (6) Upon satisfactory completion of the conditions of probation and
12 the payment or waiver of all administrative and programming fees assessed
13 under section 29-2293, the defendant or prosecutor may file a motion to
14 withdraw any plea entered by the defendant and to dismiss the action
15 without entry of judgment.

16 (7) The provisions of this section apply to offenses committed on or
17 after July 1, 2020. For purposes of this section, an offense shall be
18 deemed to have been committed prior to July 1, 2020, if any element of
19 the offense occurred prior to such date.

20 **Sec. 2.** Section 37-1201, Revised Statutes Cumulative Supplement,
21 2024, is amended to read:

22 37-1201 Sections 37-1201 to 37-12,110 and sections 4 and 5 of this
23 act shall be known and may be cited as the State Boat Act. It is the
24 policy of this state to promote safety for persons and property in and
25 connected with the use, operation, and equipment of vessels and to
26 promote uniformity of laws relating thereto.

27 **Sec. 3.** Section 37-1202, Reissue Revised Statutes of Nebraska, is
28 amended to read:

29 37-1202 For the purposes of the State Boat Act, unless the context
30 otherwise requires, the definitions found in sections 37-1203 to 37-1210
31 and section 4 of this act shall be used.

1 **Sec. 4.** Amphibious vehicle means a vehicle that is a means of
2 transport viable on land and on or under water.

3 **Sec. 5.** Sections 37-1211 to 37-1231 and 37-1275 to 37-12,108 shall
4 not apply to an amphibious vehicle if a current and valid registration
5 has been issued for such amphibious vehicle under the Motor Vehicle
6 Registration Act.

7 **Sec. 6.** Section 37-1284, Reissue Revised Statutes of Nebraska, is
8 amended to read:

9 37-1284 In the event of a lost or destroyed certificate of title,
10 the owner of the motorboat or the holder of a lien on the motorboat shall
11 apply, upon a form prescribed by the Department of Motor Vehicles, to any
12 county treasurer or to the department for a certified copy of the
13 certificate of title and shall pay the fee prescribed by section 37-1287.
14 The application shall be signed ~~and sworn to~~ by the person making the
15 application. The county treasurer, with the approval of the department,
16 or the department shall issue a certified copy of the certificate of
17 title to the person entitled to receive the certificate of title. If the
18 county treasurer's records of the title have been destroyed pursuant to
19 section 37-1279, the county treasurer shall issue a duplicate certificate
20 of title to the person entitled to receive the certificate upon such
21 showing as the county treasurer deems sufficient. If the applicant cannot
22 produce such proof of ownership, he or she may apply directly to the
23 department and submit such evidence as he or she may have, and the
24 department may, if it finds the evidence sufficient, authorize the county
25 treasurer to issue a duplicate certificate of title. The new purchaser
26 shall be entitled to receive an original title upon presentation of the
27 assigned duplicate copy of the certificate of title, properly assigned to
28 the new purchaser, to the county treasurer as prescribed in section
29 37-1278. Any purchaser of the motorboat may at the time of purchase
30 require the seller of the motorboat to indemnify him or her and all
31 subsequent purchasers of the motorboat against any loss which he, she, or

1 they may suffer by reason of any claim presented upon the original
2 certificate. In the event of the recovery of the original certificate of
3 title by the owner, he or she shall immediately surrender the certificate
4 to the county treasurer or the department for cancellation.

5 **Sec. 7.** Section 60-101, Reissue Revised Statutes of Nebraska, is
6 amended to read:

7 60-101 Sections 60-101 to 60-197 and section 9 of this act shall be
8 known and may be cited as the Motor Vehicle Certificate of Title Act.

9 **Sec. 8.** Section 60-102, Reissue Revised Statutes of Nebraska, is
10 amended to read:

11 60-102 For purposes of the Motor Vehicle Certificate of Title Act,
12 unless the context otherwise requires, the definitions found in sections
13 60-103 to 60-136.01 and section 9 of this act shall be used.

14 **Sec. 9.** Junk vehicle means a vehicle that:

15 (1) Is incapable of operating on any highway as defined in section
16 39-101; and

17 (2) Has no value except as scrap or a source of parts.

18 **Sec. 10.** Section 60-121, Reissue Revised Statutes of Nebraska, is
19 amended to read:

20 60-121 (1) Minibike means a two-wheel device that:

21 (a) Has ~~which has~~ a total wheel and tire diameter of less than
22 fourteen inches; ~~or~~

23 (b) Has an engine-rated capacity of less than forty-five cubic
24 centimeters displacement; ~~or~~

25 (c) Has an engine power output of less than three horsepower;

26 (d) Has an engine-rated capacity of less than two thousand two
27 hundred thirty-eight watts; or

28 (e) Was any other two-wheel device primarily designed by the
29 manufacturer for off-road use only.

30 (2) Minibike does not include an electric personal assistive
31 mobility device.

1 **Sec. 11.** Section 60-137, Reissue Revised Statutes of Nebraska, is
2 amended to read:

3 60-137 (1) The Motor Vehicle Certificate of Title Act applies to all
4 vehicles as defined in the act, except:

5 (a) Farm trailers;

6 **(b) Fertilizer trailers;**

7 **(c) ~~(b)~~** Well-boring apparatus, backhoes, bulldozers, and front-end
8 loaders; and

9 **(d) ~~(c)~~** Trucks and buses from other jurisdictions required to pay
10 registration fees under the Motor Vehicle Registration Act, except a
11 vehicle registered or eligible to be registered as part of a fleet of
12 apportionable vehicles under section 60-3,198.

13 (2)(a) All new all-terrain vehicles and minibikes sold on or after
14 January 1, 2004, shall be required to have a certificate of title. An
15 owner of an all-terrain vehicle or minibike sold prior to such date may
16 apply for a certificate of title for such all-terrain vehicle or minibike
17 as provided in rules and regulations of the department.

18 (b) All new low-speed vehicles sold on or after January 1, 2012,
19 shall be required to have a certificate of title. An owner of a low-speed
20 vehicle sold prior to such date may apply for a certificate of title for
21 such low-speed vehicle as provided in rules and regulations of the
22 department.

23 (3) An owner of a utility trailer may apply for a certificate of
24 title upon compliance with the Motor Vehicle Certificate of Title Act.

25 (4)(a) Every owner of a manufactured home or mobile home shall
26 obtain a certificate of title for the manufactured home or mobile home
27 prior to affixing it to real estate.

28 (b) If a manufactured home or mobile home has been affixed to real
29 estate and a certificate of title was not issued before it was so
30 affixed, the owner of such manufactured home or mobile home shall apply
31 for and be issued a certificate of title at any time for surrender and

1 cancellation as provided in section 60-169.

2 (5) All new utility-type vehicles sold on or after January 1, 2011,
3 shall be required to have a certificate of title. An owner of a utility-
4 type vehicle sold prior to such date may apply for a certificate of title
5 for such utility-type vehicle as provided in rules and regulations of the
6 department.

7 **Sec. 12.** Section 60-146, Revised Statutes Cumulative Supplement,
8 2024, is amended to read:

9 60-146 (1) An application for a certificate of title for a vehicle
10 shall include a statement that an identification inspection has been
11 conducted on the vehicle unless (a) the title sought is a salvage branded
12 certificate of title or a nontransferable certificate of title, (b) the
13 surrendered ownership document is a Nebraska certificate of title, a
14 manufacturer's statement of origin, an importer's statement of origin, a
15 ~~United States Government Certificate to Obtain Title to a Vehicle~~, or a
16 nontransferable certificate of title, (c) the application contains a
17 statement that the vehicle is to be registered under section 60-3,198,
18 (d) the vehicle is a cabin trailer, (e) the title sought is the first
19 title for the vehicle sold directly by the manufacturer of the vehicle to
20 a dealer franchised by the manufacturer, or (f) the vehicle was sold at
21 an auction authorized by the manufacturer and purchased by a dealer
22 franchised by the manufacturer of the vehicle.

23 (2) The department shall prescribe a form to be executed by a dealer
24 and submitted with an application for a certificate of title for vehicles
25 exempt from inspection pursuant to subdivision (1)(e) or (f) of this
26 section. The form shall clearly identify the vehicle and state under
27 penalty of law that the vehicle is exempt from inspection.

28 (3) The statement that an identification inspection has been
29 conducted shall be furnished by the county sheriff of any county or by
30 any other holder of a certificate of training issued pursuant to section
31 60-183, shall be in a format as determined by the department, and shall

1 expire ninety days after the date of the inspection. The county treasurer
2 shall accept a certificate of inspection, approved by the superintendent,
3 from an officer of a state police agency of another state unless an
4 inspection is required under section 60-174.

5 (4)(a) Except as provided in subdivision (b) of this subsection, the
6 identification inspection shall include examination and notation of the
7 then current odometer reading, if any, and a comparison of the vehicle
8 identification number with the number listed on the ownership records,
9 except that if a lien is registered against a vehicle and recorded on the
10 vehicle's ownership records, the county treasurer shall provide a copy of
11 the ownership records for use in making such comparison. If such numbers
12 are not identical, if there is reason to believe further inspection is
13 necessary, or if the inspection is for a Nebraska assigned number, the
14 person performing the inspection shall make a further inspection of the
15 vehicle which may include, but shall not be limited to, examination of
16 other identifying numbers placed on the vehicle by the manufacturer and
17 an inquiry into the numbering system used by the state issuing such
18 ownership records to determine ownership of a vehicle. The identification
19 inspection shall also include a statement that the vehicle identification
20 number has been checked for entry in (i) the National Crime Information
21 Center and (ii) the Nebraska Crime Information Service or the National
22 Motor Vehicle Title Information System. In the case of an assembled
23 vehicle, a vehicle designated as reconstructed, or a vehicle designated
24 as replica, the identification inspection shall include, but not be
25 limited to, an examination of the records showing the date of receipt and
26 source of each major component part. No identification inspection shall
27 be conducted unless all major component parts are properly attached to
28 the vehicle in the correct location.

29 (b) Each county sheriff shall establish a process by which to enter
30 into an agreement with any motor vehicle dealer as defined in section
31 60-1401.26 with an established place of business as defined in section

1 60-1401.15 in the county in which the sheriff has jurisdiction in order
2 to collect information for the identification inspection on motor
3 vehicles which are in the inventory of the motor vehicle dealer at the
4 dealer's established place of business in such county. The agreement
5 entered into shall require that the motor vehicle dealer provide the
6 required fee, a copy of the documents evidencing transfer of ownership,
7 and the make, model, vehicle identification number, and odometer reading
8 in a form and manner prescribed by the county sheriff, which shall
9 include a requirement to provide one or more photographs or digital
10 images of the vehicle, the vehicle identification number, and the
11 odometer reading. The county sheriff shall complete the identification
12 inspection as required under subdivision (a) of this subsection using
13 such information and return to the motor vehicle dealer the statement
14 that an identification inspection has been conducted for each motor
15 vehicle as provided in subsection (3) of this section. If the information
16 is incomplete or if there is reason to believe that further inspection is
17 necessary, the county sheriff shall inform the motor vehicle dealer. If
18 the motor vehicle dealer knowingly provides inaccurate or false
19 information, the motor vehicle dealer shall be liable for any damages
20 that result from the provision of such information. The motor vehicle
21 dealer shall keep the records for five years after the date the
22 identification inspection is complete.

23 (5) If there is cause to believe that odometer fraud exists, written
24 notification shall be given to the office of the Attorney General. If
25 after such inspection the sheriff or his or her designee determines that
26 the vehicle is not the vehicle described by the ownership records, no
27 statement shall be issued.

28 (6) The county treasurer or the department may also request an
29 identification inspection of a vehicle to determine if it meets the
30 definition of motor vehicle as defined in section 60-123.

31 **Sec. 13.** Section 60-158, Reissue Revised Statutes of Nebraska, is

1 amended to read:

2 60-158 (1) For each identification inspection conducted by the
3 patrol, the fee shall be ten dollars, which shall be remitted to the
4 State Treasurer for credit to the Nebraska State Patrol Cash Fund.

5 (2) For each identification inspection conducted by a county
6 sheriff, the fee shall be ten dollars, which shall be paid to the county
7 treasurer and credited to the county sheriff's vehicle inspection account
8 within the county general fund.

9 (3) For each identification inspection conducted by the department,
10 the fee shall be ten dollars, which shall be remitted to the State
11 Treasurer for credit to the Department of Motor Vehicles Cash Fund.

12 (4) There shall be no fee for an identification inspection when the
13 ownership document presented is a United States Government Certificate to
14 Obtain Title to a Vehicle.

15 **Sec. 14.** Section 60-167, Reissue Revised Statutes of Nebraska, is
16 amended to read:

17 60-167 (1) The department shall issue a bonded certificate of title
18 to an applicant who:

19 (a) Presents evidence reasonably sufficient to satisfy the
20 department of the applicant's ownership of the vehicle or security
21 interest in the vehicle;

22 (b) Provides a statement that an identification inspection has been
23 conducted pursuant to section 60-146;

24 (c) Pays the fee as prescribed in section 60-160; and

25 (d) Files a bond in a form prescribed by the department and executed
26 by the applicant; and -

27 (e) Provides proof that written notice as prescribed in subsection
28 (6) of this section has been provided to each party with a secured
29 interest in the vehicle.

30 (2) The bond shall be issued by a surety company authorized to
31 transact business in this state, in an amount equal to one and one-half

1 times the value of the vehicle as determined by the department using
2 reasonable appraisal methods, and conditioned to indemnify any prior
3 owner and secured party, any subsequent purchaser and secured party, and
4 any successor of the purchaser and secured party for any expense, loss,
5 or damage, including reasonable attorney's fees, incurred by reason of
6 the issuance of the certificate of title to the vehicle or any defect in
7 or undisclosed security interest upon the right, title, and interest of
8 the applicant in and to the vehicle. An interested person may have a
9 cause of action to recover on the bond for a breach of the conditions of
10 the bond. The aggregate liability of the surety to all persons having a
11 claim shall not exceed the amount of the bond.

12 (3) At the end of three years after the issuance of the bond, the
13 holder of the certificate of title may apply to the department on a form
14 prescribed by the department for the release of the bond and the removal
15 of the notice required by subsection (4) of this section if no claim has
16 been made on the bond. The department may release the bond at the end of
17 three years after the issuance of the bond if all questions as to the
18 ownership of the vehicle have been answered to the satisfaction of the
19 department unless the department has been notified of the pendency of an
20 action to recover on the bond. If the currently valid certificate of
21 title is surrendered to the department, the department may release the
22 bond prior to the end of the three-year period.

23 (4) The department shall include the following statement on a bonded
24 certificate of title issued pursuant to this section and any subsequent
25 title issued as a result of a title transfer while the bond is in effect:

26 NOTICE: THIS VEHICLE MAY BE SUBJECT TO AN UNDISCLOSED INTEREST, BOND
27 NUMBER

28 (5) The department shall recall a bonded certificate of title if the
29 department finds that the application for the title contained a false
30 statement, if the applicant did not provide written notice to each party
31 with a secured interest in the vehicle, or if a check presented by the

1 applicant for a bonded certificate of title is returned uncollected by a
2 financial institution.

3 (6)(a) Any applicant for a bonded certificate of title shall provide
4 written notice to any party with a secured interest in the vehicle that
5 is the subject of the application. Such written notice shall be provided
6 to the last-known address of each such party through certified mail with
7 return receipt requested and shall include a notice that the security
8 interest will be discharged if the party fails to respond to the notice.
9 If the lienholder responds, the response shall be presented to the
10 department along with the written notice and certified mail receipt.

11 (b) Issuance of a bonded title shall extinguish any lien or security
12 interest regarding a vehicle for which the notice in subdivision (a) of
13 this subsection was provided if the lienholder does not respond to such
14 notice within thirty days after receiving the notice.

15 **Sec. 15.** Section 60-168, Reissue Revised Statutes of Nebraska, is
16 amended to read:

17 60-168 (1) In the event of a lost or mutilated certificate of title,
18 the owner of the vehicle or the holder of a lien on the vehicle shall
19 apply, upon a form prescribed by the department, to the department or to
20 any county treasurer for a duplicate certificate of title and shall pay
21 the fee prescribed by section 60-156. The application shall be signed and
22 ~~sworn to~~ by the person making the application or a person authorized to
23 sign under section 60-151. Thereupon the county treasurer, with the
24 approval of the department, or the department shall issue a duplicate
25 certificate of title to the person entitled to receive the certificate of
26 title. If the records of the title have been destroyed pursuant to
27 section 60-152, the county treasurer shall issue a duplicate certificate
28 of title to the person entitled to receive the same upon such showing as
29 the county treasurer may deem sufficient. If the applicant cannot produce
30 such proof of ownership, he or she may apply directly to the department
31 and submit such evidence as he or she may have, and the department may,

1 if it finds the evidence sufficient, authorize the county treasurer to
2 issue a duplicate certificate of title. A duplicate certificate of title
3 so issued shall show only those unreleased liens of record. The new
4 purchaser shall be entitled to receive an original certificate of title
5 upon presentation of the assigned duplicate copy of the certificate of
6 title, properly assigned to the new purchaser, to the county treasurer
7 prescribed in section 60-144.

8 (2) Any purchaser of a vehicle for which a certificate of title was
9 lost or mutilated may at the time of purchase require the seller of the
10 same to indemnify him or her and all subsequent purchasers of the vehicle
11 against any loss which he, she, or they may suffer by reason of any claim
12 presented upon the original certificate. In the event of the recovery of
13 the original certificate of title by the owner, he or she shall forthwith
14 surrender the same to the county treasurer or the department for
15 cancellation.

16 **Sec. 16.** Section 60-169, Revised Statutes Cumulative Supplement,
17 2024, is amended to read:

18 60-169 ~~(1)(a)(i)~~ ~~(1)(a)~~ Except as otherwise provided in subdivision
19 (c) of this subsection, each owner of a junk vehicle and each person
20 mentioned as owner in the last certificate of title for any junk
21 vehicle ~~, when the vehicle is dismantled, destroyed, or changed in such a~~
22 ~~manner that it loses its character as a vehicle or changed in such a~~
23 ~~manner that it is not the vehicle described in the certificate of title,~~
24 shall surrender his or her certificate of title to ~~any county treasurer~~
25 ~~or to the department.~~

26 ~~(ii) A If the certificate of title is surrendered to a county~~
27 ~~treasurer, he or she shall, with the consent of any holders of any liens~~
28 ~~noted thereon, enter a cancellation upon the records and shall notify the~~
29 ~~department of such cancellation. Beginning on the implementation date~~
30 ~~designated by the director pursuant to subsection (3) of section 60-1508,~~
31 a wrecker or salvage dealer shall report electronically to the department

1 using the electronic reporting system.

2 (iii) For any certificate of title surrendered under subdivision (1)
3 (a) of this section, the department ~~If the certificate is surrendered to~~
4 ~~the department,~~ it shall, with the consent of any holder of any lien
5 noted thereon, enter a cancellation of such certificate of title upon its
6 records.

7 (b) This subdivision applies to all licensed wrecker or salvage
8 dealers and, except as otherwise provided in this subdivision, to each
9 vehicle located on the premises of such dealer. For each vehicle required
10 to be reported under 28 C.F.R. 25.56, as such regulation existed on
11 January 1, 2024, the information obtained by the department under this
12 section may be reported to the National Motor Vehicle Title Information
13 System in a format that will satisfy the requirement for reporting under
14 28 C.F.R. 25.56, as such regulation existed on January 1, 2024. Such
15 report shall include:

16 (i) The name, address, and contact information for the reporting
17 entity;

18 (ii) The vehicle identification number;

19 (iii) The date the reporting entity obtained such motor vehicle;

20 (iv) The name of the person from whom such motor vehicle was
21 obtained, for use only by a law enforcement or other appropriate
22 government agency;

23 (v) A statement of whether the motor vehicle was or will be crushed,
24 disposed of, offered for sale, or used for another purpose; and

25 (vi) Whether the motor vehicle is intended for export outside of the
26 United States.

27 The department may set and collect a fee, not to exceed the cost of
28 reporting to the National Motor Vehicle Title Information System, from
29 wrecker or salvage dealers for electronic reporting to the National Motor
30 Vehicle Title Information System, which shall be remitted to the State
31 Treasurer for credit to the Department of Motor Vehicles Cash Fund. This

1 subdivision does not apply to any vehicle reported by a wrecker or
2 salvage dealer to the National Motor Vehicle Title Information System as
3 required under 28 C.F.R. 25.56, as such regulation existed on January 1,
4 2024.

5 (c)(i) In the case of a mobile home or manufactured home for which a
6 certificate of title has been issued, if such mobile home or manufactured
7 home is affixed to real property in which each owner of the mobile home
8 or manufactured home has any ownership interest, the certificate of title
9 may be surrendered for cancellation to the county treasurer of the county
10 where such mobile home or manufactured home is affixed to real property
11 if at the time of surrender the owner submits to the county treasurer an
12 affidavit of affixture on a form provided by the department that contains
13 all of the following, as applicable:

14 (A) The names and addresses of all of the owners of record of the
15 mobile home or manufactured home;

16 (B) A description of the mobile home or manufactured home that
17 includes the name of the manufacturer, the year of manufacture, the
18 model, and the manufacturer's serial number;

19 (C) The legal description of the real property upon which the mobile
20 home or manufactured home is affixed and the names of all of the owners
21 of record of the real property;

22 (D) A statement that the mobile home or manufactured home is affixed
23 to the real property;

24 (E) The written consent of each holder of a lien duly noted on the
25 certificate of title to the release of such lien and the cancellation of
26 the certificate of title;

27 (F) A copy of the certificate of title surrendered for cancellation;
28 and

29 (G) The name and address of an owner, a financial institution, or
30 another entity to which notice of cancellation of the certificate of
31 title may be delivered.

1 (ii) The person submitting an affidavit of affixture pursuant to
2 subdivision (c)(i) of this subsection shall swear or affirm that all
3 statements in the affidavit are true and material and further acknowledge
4 that any false statement in the affidavit may subject the person to
5 penalties relating to perjury under section 28-915.

6 (2) If a certificate of title of a mobile home or manufactured home
7 is surrendered to the county treasurer, along with the affidavit required
8 by subdivision (1)(c) of this section, he or she shall enter a
9 cancellation upon his or her records, notify the department of such
10 cancellation, forward a duplicate original of the affidavit to the
11 department, and deliver a duplicate original of the executed affidavit
12 under subdivision (1)(c) of this section to the register of deeds for the
13 county in which the real property is located to be filed by the register
14 of deeds. The county treasurer shall be entitled to collect fees from the
15 person submitting the affidavit in accordance with section 33-109 to
16 cover the costs of filing such affidavit. Following the cancellation of a
17 certificate of title for a mobile home or manufactured home, the county
18 treasurer or designated county official shall not issue a certificate of
19 title for such mobile home or manufactured home, except as provided in
20 subsection (5) of this section.

21 (3) If a mobile home or manufactured home is affixed to real estate
22 before June 1, 2006, a person who is the holder of a lien or security
23 interest in both the mobile home or manufactured home and the real estate
24 to which it is affixed on such date may enforce its liens or security
25 interests by accepting a deed in lieu of foreclosure or in the manner
26 provided by law for enforcing liens on the real estate.

27 (4) A mobile home or manufactured home for which the certificate of
28 title has been canceled and for which an affidavit of affixture has been
29 duly recorded pursuant to subsection (2) of this section shall be treated
30 as part of the real estate upon which such mobile home or manufactured
31 home is located. Any lien thereon shall be perfected and enforced in the

1 same manner as a lien on real estate. The owner of such mobile home or
2 manufactured home may convey ownership of the mobile home or manufactured
3 home only as a part of the real estate to which it is affixed.

4 (5)(a) If each owner of both the mobile home or manufactured home
5 and the real estate described in subdivision (1)(c) of this section
6 intends to detach the mobile home or manufactured home from the real
7 estate, the owner shall do both of the following: (i) Before detaching
8 the mobile home or manufactured home, record an affidavit of detachment
9 in the office of the register of deeds in the county in which the
10 affidavit is recorded under subdivision (1)(c) of this section; and (ii)
11 apply for a certificate of title for the mobile home or manufactured home
12 pursuant to section 60-147.

13 (b) The affidavit of detachment shall contain all of the following:

14 (i) The names and addresses of all of the owners of record of the
15 mobile home or manufactured home;

16 (ii) A description of the mobile home or manufactured home that
17 includes the name of the manufacturer, the year of manufacture, the
18 model, and the manufacturer's serial number;

19 (iii) The legal description of the real estate from which the mobile
20 home or manufactured home is to be detached and the names of all of the
21 owners of record of the real estate;

22 (iv) A statement that the mobile home or manufactured home is to be
23 detached from the real property;

24 (v) A statement that the certificate of title of the mobile home or
25 manufactured home has previously been canceled;

26 (vi) The name of each holder of a lien of record against the real
27 estate from which the mobile home or manufactured home is to be detached,
28 with the written consent of each holder to the detachment; and

29 (vii) The name and address of an owner, a financial institution, or
30 another entity to which the certificate of title may be delivered.

31 (6) An owner of an affixed mobile home or manufactured home for

1 which the certificate of title has previously been canceled pursuant to
2 subsection (2) of this section shall not detach the mobile home or
3 manufactured home from the real estate before a certificate of title for
4 the mobile home or manufactured home is issued by the county treasurer or
5 department. If a certificate of title is issued by the county treasurer
6 or department, the mobile home or manufactured home is no longer
7 considered part of the real property. Any lien thereon shall be perfected
8 pursuant to section 60-164. The owner of such mobile home or manufactured
9 home may convey ownership of the mobile home or manufactured home only by
10 way of a certificate of title.

11 (7) For purposes of this section:

12 (a) A mobile home or manufactured home is affixed to real estate if
13 the wheels, towing hitches, and running gear are removed and it is
14 permanently attached to a foundation or other support system; and

15 (b) Ownership interest means the fee simple interest in real estate
16 or an interest as the lessee under a lease of the real property that has
17 a term that continues for at least twenty years after the recording of
18 the affidavit under subsection (2) of this section.

19 (8) Upon cancellation of a certificate of title in the manner
20 prescribed by this section, the county treasurer and the department may
21 cancel and destroy all certificates and all memorandum certificates in
22 that chain of title.

23 **Sec. 17.** Section 60-337, Reissue Revised Statutes of Nebraska, is
24 amended to read:

25 60-337 (1) Minibike means a two-wheel motor vehicle that:

26 (a) Has ~~which has~~ a total wheel and tire diameter of less than
27 fourteen inches; ~~or~~

28 (b) Has an engine-rated capacity of less than forty-five cubic
29 centimeters displacement;

30 (c) Has an engine power output of less than three horsepower;

31 (d) Has an engine-rated capacity of less than two thousand two

1 hundred thirty-eight watts; or

2 (e) Was or any other two-wheel motor vehicle primarily designed by
3 the manufacturer for off-road use only.

4 (2) Minibike shall not include an electric personal assistive
5 mobility device.

6 **Sec. 18.** Section 60-392, Revised Statutes Cumulative Supplement,
7 2024, is amended to read:

8 60-392 (1) Except as provided otherwise in this section,
9 registration may be renewed annually in a manner designated by the
10 department and upon payment of the same fee as provided for the original
11 registration. On making an application for renewal, the registration
12 certificate for the preceding registration period or renewal notice or
13 other evidence designated by the department shall be presented with the
14 application. A person may renew an annual registration up to thirty days
15 prior to the date of expiration.

16 (2) The certificate of registration and license plates issued by the
17 department shall be valid during the registration period for which they
18 are issued, and when validation decals issued pursuant to section
19 60-3,101 have been affixed to the license plates, the plates shall also
20 be valid for the registration period designated by such validation
21 decals. If a person renews an annual registration up to thirty days prior
22 to the date of expiration, the registration shall be valid for such time
23 period as well.

24 (3) The registration period for motor vehicles and trailers required
25 to be registered as provided in section 60-362 shall expire on the first
26 day of the month one year from the month of issuance, and renewal shall
27 become due on such day and shall become delinquent on the first day of
28 the following month.

29 (4) Subsections (1) through (3) of this section do not apply to
30 dealer's license plates, repossession plates, and transporter plates as
31 provided in sections 60-373, 60-375, 60-378, and 60-379, which plates

1 shall be issued for a calendar year.

2 (5)(a) This subsection applies beginning on an implementation date
3 designated by the director on or before January 1, 2029.

4 (b) For any registration issued pursuant to subsections (1) through
5 (4) of this section, a person may opt to register for an annual period or
6 for a multiyear period of two or three years.

7 (c) At the time of registration renewal for a multiyear period, fees
8 and taxes shall be paid for each year of the multiyear renewal including
9 the fees provided for in sections 60-3,141 and 60-3,156.

10 (6) (5) The registration period for apportioned vehicles as provided
11 in section 60-3,198 shall be renewed monthly, quarterly, or annually at
12 the discretion of the director. Such registration period expires on the
13 last day of the registration period and renewal is delinquent on the
14 first day of the second full month following such expiration date. The
15 department may adopt and promulgate rules and regulations to establish a
16 staggered registration system for apportioned vehicles registered
17 pursuant to section 60-3,198, including the collection of eighteen or
18 fewer months of registration fees.

19 **Sec. 19.** Section 60-399, Reissue Revised Statutes of Nebraska, is
20 amended to read:

21 60-399 (1) Except as otherwise specifically provided, no person
22 shall operate or park or cause to be operated or parked a motor vehicle
23 or tow or park or cause to be towed or parked a trailer on the highways
24 unless such motor vehicle or trailer has displayed the proper number of
25 plates as required in the Motor Vehicle Registration Act.

26 (2) In each registration period in which new license plates are not
27 issued, previously issued license plates shall have affixed thereto the
28 validation decals issued pursuant to section 60-3,101. In all cases such
29 license plates shall be securely fastened in an upright position to the
30 motor vehicle or trailer so as to prevent such plates from swinging and
31 at a minimum distance of twelve inches from the ground to the bottom of

1 the license plate. No person shall attach to or display on such motor
2 vehicle or trailer any (a) license plate or registration certificate
3 other than as assigned to it for the current registration period, (b)
4 fictitious or altered license plates or registration certificate, (c)
5 license plates or registration certificate that has been canceled by the
6 department, or (d) license plates lacking current validation decals.

7 ~~(3) (2)~~ All letters, numbers, printing, writing, and other
8 identification marks upon such plates and certificate shall be kept clear
9 and distinct and free from grease, dust, or other blurring matter, so
10 that they shall be plainly visible at all times during daylight and under
11 artificial light in the nighttime.

12 (4) Addition, removal, or modification of design, color, or
13 appearance of any such license plate is prohibited while it is displayed
14 on the vehicle to which it is assigned.

15 **Sec. 20.** Section 60-3,100, Revised Statutes Cumulative Supplement,
16 2024, is amended to read:

17 60-3,100 (1) The department shall issue to every person whose motor
18 vehicle or trailer is registered one or two fully reflectorized license
19 plates upon which shall be displayed (a) the registration number
20 consisting of letters and numerals assigned to such motor vehicle or
21 trailer in figures not less than two and one-half inches nor more than
22 three inches in height and (b) also the word Nebraska suitably lettered
23 so as to be attractive. The license plates shall be of a color designated
24 by the director. The color of the plates shall be changed each time the
25 license plates are changed. Each time the license plates are changed, the
26 director shall secure competitive bids for materials pursuant to the
27 State Procurement Act. Autocycle, motorcycle, minitruck, low-speed
28 vehicle, and trailer license plate letters and numerals may be one-half
29 the size of those required in this section.

30 (2)(a) Except as otherwise provided in this subsection, two license
31 plates shall be issued for every motor vehicle.

1 (b) One license plate shall be issued for (i) apportionable
2 vehicles, (ii) buses, (iii) dealers, (iv) minitrucks, (v) motorcycles,
3 other than autocycles, (vi) special interest motor vehicles that use the
4 special interest motor vehicle license plate authorized by and issued
5 under section 60-3,135.01, (vii) trailers, and (viii) truck-tractors.

6 (c)(i) One license plate shall be issued, upon request and
7 compliance with this subdivision, for any passenger car which is not
8 manufactured to be equipped with a bracket on the front of the vehicle to
9 display a license plate. A license decal shall be issued with the license
10 plate as provided in subdivision (ii) of this subdivision and shall be
11 displayed on the driver's side of the windshield. In order to request a
12 single license plate and license decal, there shall be an additional
13 annual nonrefundable registration fee of fifty dollars plus the cost of
14 the decal paid to the county treasurer at the time of registration. All
15 fees collected under this subdivision shall be remitted to the State
16 Treasurer for credit to the Highway Trust Fund.

17 (ii) The department shall design, procure, and furnish to the county
18 treasurers a license decal which shall be displayed as evidence that a
19 license plate has been obtained under this subdivision. Each county
20 treasurer shall furnish a license decal to the person obtaining the
21 plate.

22 (d) When two license plates are issued, one shall be prominently
23 displayed at all times on the front and one on the rear of the registered
24 motor vehicle or trailer. When only one plate is issued, it shall be
25 prominently displayed on the rear of the registered motor vehicle or
26 trailer. When only one plate is issued for motor vehicles registered
27 pursuant to section 60-3,198 and truck-tractors, it shall be prominently
28 displayed on the front of the apportionable vehicle.

29 (3)(a) Beginning on an implementation date designated by the
30 director on or before January 1, 2029, the department may deliver any
31 license plate or registration certificate to the applicant or to the

1 county treasurer of the county in which the motor vehicle, trailer, or
2 semitrailer is registered by United States mail or through an alternative
3 shipping service. The delivery of such license plate or registration
4 shall be made through a secure process.

5 (b) If delivery of any license plate or registration certificate is
6 made by the department to the applicant, the department may charge a
7 postage and handling fee in an amount not more than necessary to recover
8 the cost of postage and handling for the specific items mailed to the
9 applicant. The department shall remit the fee to the State Treasurer for
10 credit to the Department of Motor Vehicles Cash Fund.

11 (4) Any consumer who presents proof of registration shall be
12 permitted to operate the motor vehicle or tow such trailer for a period
13 of thirty days without a mailed license plate displayed.

14 **Sec. 21.** Section 60-3,101, Revised Statutes Cumulative Supplement,
15 2024, is amended to read:

16 60-3,101 (1) License plates shall be issued every six years
17 beginning with the license plates issued in the year 2005.

18 (2) In the years in which license plates are not issued, in lieu of
19 issuing such license plates, the department shall furnish to every person
20 whose motor vehicle or trailer is registered one or two validation
21 decals, as the case may be. Such validation decals shall bear the year
22 for which issued and be so constructed as to permit them to be
23 permanently affixed to the license plates.

24 (3) This section shall not apply to license plates issued pursuant
25 to sections 60-3,203 and 60-3,228.

26 **Sec. 22.** Section 60-3,102, Revised Statutes Cumulative Supplement,
27 2024, is amended to read:

28 60-3,102 (1) Whenever new license plates, including duplicate or
29 replacement license plates, are issued to any person, a fee per plate
30 shall be charged in addition to all other required fees. The license
31 plate fee shall be determined by the department and shall only cover the

1 cost of the license plate and validation decals but shall not exceed
2 ~~four :(a) Three dollars and fifty cents through December 31, 2022; and(b)~~
3 ~~Four dollars and twenty-five cents, beginning January 1, 2023.~~

4 (2) All fees collected pursuant to this section shall be remitted to
5 the State Treasurer for credit to the Highway Trust Fund. Beginning with
6 the 2029 license plate issuance cycle, all fees collected pursuant to
7 this section shall be remitted to the State Treasurer for credit to the
8 License Plate Cash Fund.

9 (3) This section shall not apply to license plates issued pursuant
10 to section 60-3,122, 60-3,122.02, 60-3,123, 60-3,124, or 60-3,125.

11 **Sec. 23.** Section 60-3,157, Reissue Revised Statutes of Nebraska, is
12 amended to read:

13 60-3,157 If a license plate, ~~or~~ registration certificate, or weight
14 or validation decal is lost or mutilated or has become illegible, the
15 person to whom such license plate, ~~and~~ registration certificate, or decal
16 has been issued shall immediately apply to the county treasurer for a
17 duplicate registration certificate or for new license plates and decals,
18 accompanying his or her application with a fee of one dollar for a
19 duplicate registration certificate and a fee of two dollars and fifty
20 cents for a duplicate or replacement license plate and decals. No fee
21 shall be required under this section if the vehicle or trailer was
22 reported stolen under section 60-178.

23 **Sec. 24.** Section 60-4,113, Reissue Revised Statutes of Nebraska, is
24 amended to read:

25 60-4,113 (1) The director shall appoint as his or her agents one or
26 more department personnel who shall examine all applicants for a state
27 identification card or an operator's license as provided in section
28 60-4,114, except as otherwise provided in subsection (8) of section
29 60-4,122. The same department personnel may be assigned to one or more
30 counties by the director. In counties in which the county treasurer
31 collects the fees and issues receipts, the county shall furnish office

1 space for the administration of the operator's license examination.
2 Department personnel shall conduct the examination of applicants and
3 deliver to each successful applicant an issuance certificate or receipt.
4 The certificate may be presented to the county treasurer within ninety
5 days after issuance, and the county treasurer shall collect the fees fee
6 ~~and surcharge~~ as provided in section 60-4,115 and issue a receipt which
7 is valid for up to thirty days. If an operator's license is being issued,
8 the receipt shall also authorize driving privileges for such thirty-day
9 period. If department personnel refuse to issue an issuance certificate
10 or receipt, the department personnel shall state such cause in writing
11 and deliver such written cause to the applicant.

12 (2) The department may provide for the central production and
13 issuance of operators' licenses and state identification cards.
14 Production shall take place at a secure production facility designated by
15 the director. The licenses and cards shall be of such a design and
16 produced in such a way as to discourage, to the maximum extent possible,
17 fraud in applicant enrollment, identity theft, and the forgery and
18 counterfeiting of such licenses and cards. Delivery of an operator's
19 license or state identification card shall be to the mailing address
20 provided by the applicant at the time of application and may be provided
21 by secure electronic delivery to specified contact information at the
22 request of the applicant.

23 **Sec. 25.** Section 60-4,115, Revised Statutes Cumulative Supplement,
24 2024, is amended to read:

25 60-4,115 (1) Fees for operators' licenses and state identification
26 cards shall be collected by department personnel or the county treasurer
27 and distributed according to the table in subsection (2) of this section,
28 except for the ignition interlock permit and associated fees as outlined
29 in subsection (4) of this section and the 24/7 sobriety program permit
30 and associated fees as outlined in subsection (5) of this section. County
31 officials shall remit the county portion of the fees collected to the

1 county treasurer for placement in the county general fund. All other fees
2 collected shall be remitted to the State Treasurer for credit to the
3 appropriate fund.

4 (2) Except as otherwise provided in subsection (7) of this section,
5 the fees provided in this subsection in the following dollar amounts
6 apply for operators' licenses and state identification cards.

7				Department
8				County of Motor
9	Document	Total	General	Vehicles
10		Fee	Fund	Cash Fund
11	State identification card:			
12	Valid for 1 year or less	5.00	2.75	2.25
13	Valid for more than 1 year			
14	but not more than 2 years	10.00	2.75	7.25
15	Valid for more than 2 years			
16	but not more than 3 years	14.00	2.75	11.25
17	Valid for more than 3 years			
18	but not more than 4 years	19.00	2.75	16.25
19	Valid for more than 4 years			
20	for a person under 21	24.00	2.75	21.25
21	Valid for 5 years	24.00	3.50	20.50
22	Replacement	11.00	2.75	8.25
23	Class 0 or M operator's license:			
24	Valid for 1 year or less	5.00	2.75	2.25
25	Valid for more than 1 year			
26	but not more than 2 years	10.00	2.75	7.25
27	Valid for more than 2 years			
28	but not more than 3 years	14.00	2.75	11.25
29	Valid for more than 3 years			

1	but not more than 4 years	19.00	2.75	16.25
2	Valid for 5 years	24.00	3.50	20.50
3	Bioptic or telescopic lens			
4	restriction:			
5	Valid for 1 year or less	5.00	0	5.00
6	Valid for more than 1 year			
7	but not more than 2 years	10.00	2.75	7.25
8	Replacement	11.00	2.75	8.25
9	Add, change, or remove class,			
10	endorsement, or restriction	5.00	0	5.00
11	Provisional operator's permit:			
12	Original	15.00	2.75	12.25
13	Bioptic or telescopic lens			
14	restriction:			
15	Valid for 1 year or less	5.00	0	5.00
16	Valid for more than 1 year			
17	but not more than 2 years	15.00	2.75	12.25
18	Replacement	11.00	2.75	8.25
19	Add, change, or remove class,			
20	endorsement, or restriction	5.00	0	5.00
21	LPD-learner's permit:			
22	Original	8.00	.25	7.75
23	Replacement	11.00	2.75	8.25
24	Add, change, or remove class,			
25	endorsement, or restriction	5.00	0	5.00
26	LPE-learner's permit:			
27	Original	8.00	.25	7.75
28	Replacement	11.00	2.75	8.25
29	Add, change, or remove class,			

1	endorsement, or restriction	5.00	0	5.00
2	School permit:			
3	Original	8.00	.25	7.75
4	Replacement	11.00	2.75	8.25
5	Add, change, or remove class,			
6	endorsement, or restriction	5.00	0	5.00
7	Farm permit:			
8	Original or renewal	5.00	.25	4.75
9	Replacement	5.00	.25	4.75
10	Add, change, or remove class,			
11	endorsement, or restriction	5.00	0	5.00
12	Driving permits:			
13	Employment	45.00	0	45.00
14	Medical hardship	45.00	0	45.00
15	Replacement	10.00	.25	9.75
16	Add, change, or remove class,			
17	endorsement, or restriction	5.00	0	5.00
18	Commercial driver's license:			
19	Valid for 1 year or less	11.00	1.75	9.25
20	Valid for more than 1 year			
21	but not more than 2 years	22.00	1.75	20.25
22	Valid for more than 2 years			
23	but not more than 3 years	33.00	1.75	31.25
24	Valid for more than 3 years			
25	but not more than 4 years	44.00	1.75	42.25
26	Valid for 5 years	55.00	1.75	53.25
27	Bioptic or telescopic lens			
28	restriction:			
29	Valid for one year or less	11.00	1.75	9.25

1	Valid for more than 1 year			
2	but not more than 2 years	22.00	1.75	20.25
3	Replacement	11.00	2.75	8.25
4	Add, change, or remove class,			
5	endorsement, or restriction	10.00	1.75	8.25
6	CLP-commercial learner's permit:			
7	Original	10.00	.25	9.75
8	Replacement	10.00	.25	9.75
9	Add, change, or remove class,			
10	endorsement, or restriction	10.00	.25	9.75

11 (3) If the department issues an operator's license or a state
12 identification card and collects the fees, the department shall remit the
13 county portion of the fees to the State Treasurer for credit to the
14 Department of Motor Vehicles Cash Fund.

15 (4)(a) The fee for an ignition interlock permit shall be forty-five
16 dollars. Five dollars of the fee shall be remitted to the State Treasurer
17 for credit to the Department of Motor Vehicles Cash Fund. Forty dollars
18 of the fee shall be remitted to the State Treasurer for credit to the
19 Department of Motor Vehicles Ignition Interlock Fund.

20 (b) The fee for a replacement ignition interlock permit shall be
21 eleven dollars. Two dollars and seventy-five cents of the fee shall be
22 remitted to the county treasurer for credit to the county general fund.
23 Eight dollars and twenty-five cents of the fee shall be remitted to the
24 State Treasurer for credit to the Department of Motor Vehicles Cash Fund.

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

29 (5)(a) The fee for a 24/7 sobriety program permit shall be forty-
30 five dollars. Forty dollars of the fee shall be remitted to the State

1 Treasurer for credit to the Department of Motor Vehicles Cash Fund. Five
2 dollars of the fee shall be remitted to the county treasurer for credit
3 to the county general fund.

4 (b) The fee for a replacement 24/7 sobriety program permit shall be
5 eleven dollars. Two dollars and seventy-five cents of the fee shall be
6 remitted to the county treasurer for credit to the county general fund.
7 Eight dollars and twenty-five cents of the fee shall be remitted to the
8 State Treasurer for credit to the Department of Motor Vehicles Cash Fund.

9 (c) The fee for adding, changing, or removing a class, endorsement,
10 or restriction on a 24/7 sobriety program permit shall be five dollars.
11 The fee shall be remitted to the State Treasurer for credit to the
12 Department of Motor Vehicles Cash Fund.

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

24 (7) No fee shall be charged for issuance of an original, renewal, or
25 replacement state identification card to a resident of Nebraska who is
26 also a United States citizen and who does not have a valid Nebraska
27 driver's license.

28 **Sec. 26.** Section 60-4,117, Reissue Revised Statutes of Nebraska, is
29 amended to read:

30 60-4,117 (1) An applicant shall present an issuance certificate to
31 the county treasurer for an operator's license or state identification

1 card. Department personnel or the county treasurer shall collect the
2 applicable fees ~~fee and surcharge~~ as prescribed in section 60-4,115 and
3 issue a receipt which is valid for up to thirty days. If there is cause
4 for an operator's license to be issued, the receipt shall also authorize
5 driving privileges for such thirty-day period. The license or card shall
6 be delivered as provided in section 60-4,113.

7 (2) The operator's license and state identification card shall be in
8 a form prescribed by the department. The license and card may include
9 security features prescribed by the department. The license and card
10 shall be conspicuously marked Nebraska Operator's License or Nebraska
11 Identification Card, shall be, to the maximum extent practicable, tamper
12 and forgery proof, and shall include the following information:

13 (a) The full legal name and principal residence address of the
14 holder;

15 (b) The holder's full facial digital image;

16 (c) A physical description of the holder, including gender, height,
17 weight, and eye and hair colors;

18 (d) The holder's date of birth;

19 (e) The holder's signature;

20 (f) The class of motor vehicle which the holder is authorized to
21 operate and any applicable endorsements or restrictions;

22 (g) The issuance and expiration date of the license or card;

23 (h) The organ and tissue donation information specified in section
24 60-494;

25 (i) A veteran designation as provided in section 60-4,189; and

26 (j) Such other marks and information as the director may determine.

27 (3) Each operator's license and state identification card shall
28 contain the following encoded, machine-readable information: The holder's
29 full legal name; date of birth; gender; race or ethnicity; document issue
30 date; document expiration date; principal residence address; unique
31 identification number; revision date; inventory control number; and state

1 of issuance.

2 **Sec. 27.** Section 60-4,118.06, Reissue Revised Statutes of Nebraska,
3 is amended to read:

4 60-4,118.06 (1) Upon receipt by the director of (a) a certified copy
5 of a court order issued pursuant to section 60-6,211.05, a certified copy
6 of an order for installation of an ignition interlock device and issuance
7 of an ignition interlock permit pursuant to section 60-6,197.03, or a
8 copy of an order from the Board of Pardons pursuant to section
9 83-1,127.02, or beginning January 1, 2026, a certified copy of a court
10 order or administrative license revocation order from another
11 jurisdiction that substantially complies with sections 60-6,197.03 and
12 60-6,211.05 and sufficient proof of residence in this state, (b)
13 sufficient evidence that the person has surrendered his or her operator's
14 license to the department and installed an approved ignition interlock
15 device in accordance with such order, and (c) payment of the fee provided
16 in section 60-4,115, such person may apply for an ignition interlock
17 permit. A person subject to administrative license revocation under
18 sections 60-498.01 to 60-498.04 shall be eligible for an ignition
19 interlock permit as provided in such sections. The director shall issue
20 an ignition interlock permit only for the operation of a motor vehicle
21 equipped with an ignition interlock device. All permits issued pursuant
22 to this subsection shall indicate that the permit is not valid for the
23 operation of any commercial motor vehicle.

24 (2) Upon expiration of the revocation period or upon expiration of
25 an order issued by the Board of Pardons pursuant to section 83-1,127.02,
26 a person may apply to the department in writing for issuance of an
27 operator's license. Regardless of whether the license surrendered by such
28 person under subsection (1) of this section has expired, the person shall
29 apply for a new operator's license pursuant to the Motor Vehicle
30 Operator's License Act.

31 (3) ~~(3)(a)~~ An ignition interlock permit shall not be issued under

1 this section or sections 60-498.01 to 60-498.04 to any person except in
2 cases of a violation of subdivision (3)(b) or (c) of section 28-306,
3 subdivision (3)(b) or (c) of section 28-394, or section 28-1254,
4 60-6,196, 60-6,197, 60-6,197.06, or 60-6,198.

5 ~~(b) An ignition interlock permit shall only be available to a holder~~
6 ~~of a Class M or O operator's license.~~

7 (4) The director shall revoke a person's ignition interlock permit
8 issued under this section or sections 60-498.01 to 60-498.04 upon receipt
9 of an (a) abstract of conviction indicating that the person had his or
10 her operating privileges revoked or canceled or (b) administrative order
11 revoking or canceling the person's operating privileges, if such
12 conviction or order resulted from an incident other than the incident
13 which resulted in the application for the ignition interlock permit.

14 **Sec. 28.** Section 60-4,120, Revised Statutes Cumulative Supplement,
15 2024, is amended to read:

16 60-4,120 (1) Any person duly licensed or holding a valid state
17 identification card issued under the Motor Vehicle Operator's License Act
18 who loses his or her operator's license or card may make application to
19 the department for a replacement license or card.

20 (2) If any person changes his or her name because of marriage or
21 divorce or by court order or a common-law name change, he or she shall
22 apply to the department for a replacement operator's license or state
23 identification card and furnish proof of identification in accordance
24 with section 60-484. If any person changes his or her address, the person
25 shall apply to the department for a replacement operator's license or
26 state identification card and furnish satisfactory evidence of such
27 change. The application shall be made within sixty days after the change
28 of name or address.

29 (3) In the event a mutilated or unreadable operator's license is
30 held by any person duly licensed under the act or a mutilated or
31 unreadable state identification card which was issued under the act is

1 held by a person, such person may obtain a replacement license or card.
2 Upon report of the mutilated or unreadable license or card and
3 application for a replacement license or card, a replacement license or
4 card may be issued if the department is satisfied that the original
5 license or card is mutilated or unreadable.

6 (4) If any person duly licensed under the act loses his or her
7 operator's license or if any holder of a state identification card loses
8 his or her card while temporarily out of the state, he or she may make
9 application to the department for a replacement operator's license or
10 card by applying to the department and reporting such loss. Upon receipt
11 of a correctly completed application, the department shall cause to be
12 issued a replacement operator's license or card.

13 (5) Any person who holds a valid operator's license or state
14 identification card without a digital image shall surrender such license
15 or card to the department within thirty days after resuming residency in
16 this state. After the thirty-day period, such license or card shall be
17 considered invalid and no license or card shall be issued until the
18 individual has made application for replacement or renewal.

19 (6) Application for a replacement operator's license or state
20 identification card shall include the information required under sections
21 60-484, 60-484.04, and 60-484.07.

22 (7) An applicant may obtain a replacement operator's license or
23 state identification card pursuant to subsection (1) or (3) of this
24 section by electronic means in a manner prescribed by the department. No
25 replacement license or card shall be issued unless the applicant has a
26 digital image and digital signature preserved in the digital system.

27 (8) Each replacement operator's license or state identification card
28 shall be issued with the same expiration date as the license or card for
29 which the replacement is issued. The replacement license or card shall
30 also state the new issuance date. Upon issuance of any replacement
31 license or card, the license or card for which the replacement is issued

1 shall be void.

2 (9) A replacement operator's license or state identification card
3 issued under this section shall be delivered to the applicant as provided
4 in section 60-4,113 after the county treasurer or department collects the
5 fees ~~fee and surcharge~~ prescribed in section 60-4,115 and issues the
6 applicant a receipt with driving privileges which is valid for up to
7 thirty days. The receipt shall contain the digital image of the
8 applicant.

9 **Sec. 29.** Section 60-4,120.01, Reissue Revised Statutes of Nebraska,
10 is amended to read:

11 60-4,120.01 (1)(a) Any person who is at least sixteen years of age
12 but less than eighteen years of age may be issued a provisional
13 operator's permit by the Department of Motor Vehicles. The provisional
14 operator's permit shall expire on the applicant's eighteenth birthday.

15 (b) No provisional operator's permit shall be issued to any person
16 unless such person:

17 (i) Has possessed a valid LPD-learner's permit, LPE-learner's
18 permit, or SCP-school permit for at least a six-month period beginning on
19 the date of issuance of such person's LPD-learner's permit, LPE-learner's
20 permit, or SCP-school permit; and

21 (ii) Has not accumulated three or more points pursuant to section
22 60-4,182 during the six-month period immediately preceding the date of
23 the application for the provisional operator's permit.

24 (c) The requirements for the provisional operator's permit
25 prescribed in subdivisions (2)(a) and (b) of this section may be
26 completed prior to the applicant's sixteenth birthday. A person may apply
27 for a provisional operator's permit and take the driving test and the
28 written examination, if required, at any time within sixty days prior to
29 his or her sixteenth birthday upon proof of age in the manner provided in
30 section 60-484.

31 (2) In order to obtain a provisional operator's permit, the

1 applicant shall present (a)(i) proof of successful completion of a
2 department-approved driver safety course which includes behind-the-wheel
3 driving specifically emphasizing (A) the effects of the consumption of
4 alcohol on a person operating a motor vehicle, (B) occupant protection
5 systems, (C) risk assessment, and (D) railroad crossing safety and (ii)
6 proof of successful completion of a written examination and driving test
7 administered by a driver safety course instructor or (b) a certificate in
8 a form prescribed by the department, signed by a parent, guardian, or
9 licensed driver at least twenty-one years of age, verifying that the
10 applicant has completed fifty hours of lawful motor vehicle operation
11 including at least ten hours of motor vehicle operation between sunset
12 and sunrise, under conditions that reflect department-approved driver
13 safety course curriculum, with a parent, guardian, or adult at least
14 twenty-one years of age, who has a current Nebraska operator's license or
15 who is licensed in another state. If the applicant presents such a
16 certificate, the applicant shall be required to successfully complete a
17 driving test administered by the department. The written examination
18 shall be waived if the applicant has been issued a Nebraska LPD-learner's
19 permit or has been issued a Nebraska LPE-learner's permit and such permit
20 is valid or has been expired for no more than one year. However, the
21 department shall not waive the written examination if the provisional
22 operator's permit being applied for contains a class or endorsement which
23 is different from the class or endorsement of the LPD-learner's or LPE-
24 learner's permit. Upon presentation by the applicant of a form prescribed
25 by the department showing successful completion of the driver safety
26 course, the written examination and driving test may be waived. Upon
27 presentation of the certificate, the written examination but not the
28 driving test may be waived. Licensing staff shall waive the written
29 examination and the driving test if the applicant has been issued a
30 school permit and such permit is valid or has expired no more than one
31 year prior to application. The written examination shall not be waived if

1 the provisional operator's permit being applied for contains a class or
2 endorsement which is different from the class or endorsement of the
3 school permit.

4 (3)(a) The holder of a provisional operator's permit shall only
5 operate a motor vehicle on the highways of this state during the period
6 beginning at 6 a.m. and ending at 12 midnight except when he or she is en
7 route to or from his or her residence to his or her place of employment
8 or a school activity. The holder of a provisional operator's permit may
9 operate a motor vehicle on the highways of this state at any hour of the
10 day or night if accompanied by a parent, guardian, or adult at least
11 twenty-one years of age, who has a current Nebraska operator's license or
12 who is licensed in another state.

13 (b) The holder of a provisional operator's permit shall only operate
14 a motor vehicle on the highways of this state during the first six months
15 of holding the permit with no more than one passenger who is not an
16 immediate family member and who is under nineteen years of age.

17 (c) The holder of a provisional operator's permit shall not use any
18 type of interactive wireless communication device while operating a motor
19 vehicle on the highways of this state.

20 (d) Enforcement of subdivisions (a), (b), and (c) of this subsection
21 shall be accomplished only as a secondary action when the holder of the
22 provisional operator's permit has been cited or charged with a violation
23 of some other law.

24 (4) Department personnel or the county treasurer shall collect the
25 fees ~~fee and surcharge~~ prescribed in section 60-4,115 for the issuance of
26 each provisional operator's permit.

27 **Sec. 30.** Section 60-4,123, Reissue Revised Statutes of Nebraska, is
28 amended to read:

29 60-4,123 (1) Any person who is at least fifteen years of age may
30 apply for an LPD-learner's permit from the department. In order to obtain
31 an LPD-learner's permit, the applicant shall successfully complete a

1 written examination. A person may take the written examination beginning
2 sixty days prior to his or her fifteenth birthday but shall not be issued
3 a permit until he or she is fifteen years of age. The written examination
4 may be waived for any person who has been issued an LPE-learner's permit,
5 LPD-learner's permit, or SCP-school permit that has been expired for no
6 more than one year.

7 (2) Upon successful completion of the written examination and the
8 payment of the fees ~~a fee and surcharge~~ as prescribed in section
9 60-4,115, the applicant shall be issued an LPD-learner's permit as
10 provided in section 60-4,113. The permit shall be valid for twelve
11 months.

12 (3)(a) The holder of an LPD-learner's permit shall only operate a
13 motor vehicle on the highways of this state if he or she is accompanied
14 at all times by a licensed operator who is at least twenty-one years of
15 age and who has been licensed by this state or another state and if (i)
16 for all motor vehicles other than autocycles, motorcycles, or mopeds, he
17 or she is actually occupying the seat beside the licensed operator, (ii)
18 in the case of an autocycle, he or she is actually occupying the seat
19 beside or in front of the licensed operator, or (iii) in the case of a
20 motorcycle, other than an autocycle, or a moped, he or she is within
21 visual contact of and under the supervision of, in the case of a
22 motorcycle, a licensed motorcycle operator or, in the case of a moped, a
23 licensed motor vehicle operator.

24 (b) The holder of an LPD-learner's permit shall not use any type of
25 interactive wireless communication device while operating a motor vehicle
26 on the highways of this state. Enforcement of this subdivision shall be
27 accomplished only as a secondary action when the holder of the LPD-
28 learner's permit has been cited or charged with a violation of some other
29 law.

30 (4) Department personnel or the county treasurer shall collect the
31 fees ~~fee and surcharge~~ prescribed in section 60-4,115 for the issuance of

1 each LPD-learner's permit.

2 **Sec. 31.** Section 60-4,124, Revised Statutes Cumulative Supplement,
3 2024, is amended to read:

4 60-4,124 (1) A person who is younger than sixteen years and three
5 months of age but is older than fourteen years and two months of age may
6 be issued a school permit if such person either resides outside a city of
7 the metropolitan, primary, or first class or attends a school which is
8 outside a city of the metropolitan, primary, or first class and if such
9 person has held an LPE-learner's permit for two months. A school permit
10 shall not be issued until such person has demonstrated that he or she is
11 capable of successfully operating a motor vehicle, moped, or motorcycle
12 and has in his or her possession an issuance certificate authorizing the
13 county treasurer to issue a school permit. In order to obtain an issuance
14 certificate, the applicant shall present (a) proof of successful
15 completion of a department-approved driver safety course which includes
16 behind-the-wheel driving specifically emphasizing (i) the effects of the
17 consumption of alcohol on a person operating a motor vehicle, (ii)
18 occupant protection systems, (iii) risk assessment, and (iv) railroad
19 crossing safety and (b)(i) proof of successful completion of a written
20 examination and driving test administered by a driver safety course
21 instructor or (ii) a certificate in a form prescribed by the department,
22 signed by a parent, guardian, or licensed driver at least twenty-one
23 years of age, verifying that the applicant has completed fifty hours of
24 lawful motor vehicle operation, under conditions that reflect department-
25 approved driver safety course curriculum, with a parent, guardian, or
26 adult at least twenty-one years of age, who has a current Nebraska
27 operator's license or who is licensed in another state. The department
28 may waive the written examination if the applicant has been issued an
29 LPE-learner's permit or LPD-learner's permit and if such permit is valid
30 or has expired no more than one year prior to application. The written
31 examination shall not be waived if the permit being applied for contains

1 a class or endorsement which is different from the class or endorsement
2 of the LPE-learner's permit.

3 (2) A person holding a school permit may operate a motor vehicle,
4 moped, or motorcycle or an autocycle:

5 (a) To and from where he or she attends school, or property used by
6 the school he or she attends for purposes of school events or functions,
7 over the most direct and accessible route by the nearest highway from his
8 or her place of residence to transport such person or any family member
9 who resides with such person to attend duly scheduled courses of
10 instruction and extracurricular or school-related activities at the
11 school he or she attends or on property used by the school he or she
12 attends; or

13 (b) Under the personal supervision of a licensed operator. Such
14 licensed operator shall be at least twenty-one years of age and licensed
15 by this state or another state and shall (i) for all motor vehicles other
16 than autocycles, motorcycles, or mopeds, actually occupy the seat beside
17 the permitholder, (ii) in the case of an autocycle, actually occupy the
18 seat beside or behind the permitholder, or (iii) in the case of a
19 motorcycle, other than an autocycle, or a moped, if the permitholder is
20 within visual contact of and under the supervision of, in the case of a
21 motorcycle, a licensed motorcycle operator or, in the case of a moped, a
22 licensed motor vehicle operator.

23 (3) The holder of a school permit shall not use any type of
24 interactive wireless communication device while operating a motor vehicle
25 on the highways of this state. Enforcement of this subsection shall be
26 accomplished only as a secondary action when the holder of the school
27 permit has been cited or charged with a violation of some other law.

28 (4) A person who is younger than sixteen years of age but is over
29 fourteen years of age may be issued an LPE-learner's permit, which permit
30 shall be valid for a period of six months. An LPE-learner's permit shall
31 not be issued until such person successfully completes a written

1 examination prescribed by the department and demonstrates that he or she
2 has sufficient powers of eyesight to safely operate a motor vehicle,
3 moped, or motorcycle or an autocycle.

4 (5)(a) While holding the LPE-learner's permit, the person may
5 operate a motor vehicle on the highways of this state if (i) for all
6 motor vehicles other than autocycles, motorcycles, or mopeds, he or she
7 has seated next to him or her a person who is a licensed operator, (ii)
8 in the case of an autocycle, he or she has seated next to or behind him
9 or her a person who is a licensed operator, or (iii) in the case of a
10 motorcycle, other than an autocycle, or a moped, he or she is within
11 visual contact of and is under the supervision of a person who, in the
12 case of a motorcycle, is a licensed motorcycle operator or, in the case
13 of a moped, is a licensed motor vehicle operator. Such licensed motor
14 vehicle or motorcycle operator shall be at least twenty-one years of age
15 and licensed by this state or another state.

16 (b) The holder of an LPE-learner's permit shall not use any type of
17 interactive wireless communication device while operating a motor vehicle
18 on the highways of this state. Enforcement of this subdivision shall be
19 accomplished only as a secondary action when the holder of the LPE-
20 learner's permit has been cited or charged with a violation of some other
21 law.

22 (6) Department personnel or the county treasurer shall collect the
23 fees ~~fee and surcharge~~ prescribed in section 60-4,115 from each
24 successful applicant for a school or LPE-learner's permit. All school
25 permits shall be subject to impoundment or revocation under the terms of
26 section 60-496. Any person who violates the terms of a school permit
27 shall be guilty of an infraction and shall not be eligible for another
28 school, farm, LPD-learner's, or LPE-learner's permit until he or she has
29 attained the age of sixteen years.

30 (7) Any person who holds a permit issued under this section and has
31 violated subdivision (3)(b) or (c) of section 28-306, subdivision (3)(b)

1 or (c) of section 28-394, or section 28-1254, 60-6,196, 60-6,197,
2 60-6,197.06, or 60-6,198 shall not be eligible for an ignition interlock
3 permit.

4 **Sec. 32.** Section 60-4,126, Reissue Revised Statutes of Nebraska, is
5 amended to read:

6 60-4,126 (1) Any person who is younger than sixteen years of age but
7 is over thirteen years of age and resides upon a farm in this state or is
8 fourteen years of age or older and is employed for compensation upon a
9 farm in this state may obtain a farm permit authorizing the operation of
10 farm tractors, minitrucks, and other motorized implements of farm
11 husbandry upon the highways of this state if the applicant for such farm
12 permit furnishes satisfactory proof of age and satisfactorily
13 demonstrates that he or she has knowledge of the operation of such
14 equipment and of the rules of the road and laws respecting the operation
15 of motor vehicles upon the highways of this state. The fee for an
16 original, renewal, or replacement farm permit shall be the fees ~~fee~~ and
17 ~~surcharge~~ prescribed in section 60-4,115. All farm permits shall be
18 subject to revocation under the terms of section 60-496. Any person who
19 violates the terms of a farm permit shall be guilty of an infraction and
20 shall not be eligible for another school, farm, LPD-learner's, or LPE-
21 learner's permit until he or she has attained the age of sixteen years.

22 (2) Any person who holds a permit issued under this section and has
23 violated subdivision (3)(b) or (c) of section 28-306, subdivision (3)(b)
24 or (c) of section 28-394, or section 28-1254, 60-6,196, 60-6,197,
25 60-6,197.06, or 60-6,198 shall not be eligible for an ignition interlock
26 permit.

27 **Sec. 33.** Section 60-4,127, Reissue Revised Statutes of Nebraska, is
28 amended to read:

29 60-4,127 (1) No person shall operate a motorcycle on the alleys or
30 highways of the State of Nebraska until such person has obtained a Class
31 M license. No such license shall be issued until the applicant has (a)

1 met the vision and physical requirements established under section
2 60-4,118 for operation of a motor vehicle and (b) successfully completed
3 an examination, including the actual operation of a motorcycle,
4 prescribed by the director, except that the required examination may be
5 waived, including the actual operation of a motorcycle, if the applicant
6 presents proof of successful completion of a motorcycle safety course
7 under the Motorcycle Safety Education Act within the immediately
8 preceding twenty-four months.

9 (2) Department personnel shall conduct the examination of the
10 applicants and deliver to each successful applicant an issuance
11 certificate or a receipt. If department personnel issue a receipt,
12 department personnel shall collect the fees ~~fee and surcharge~~ as provided
13 in section 60-4,115 and issue a receipt with driving privileges which is
14 valid for up to thirty days. In counties where the county treasurer
15 collects fees and issues receipts, the certificate may be presented to
16 the county treasurer within ninety days after issuance. Upon presentation
17 of an issuance certificate, the county treasurer shall collect the fees
18 ~~fee and surcharge~~ for a Class M license as prescribed by section 60-4,115
19 and issue a receipt with driving privileges which is valid for up to
20 thirty days. If department personnel refuse to issue an issuance
21 certificate or receipt, the department personnel shall state such cause
22 in writing and deliver such written cause to the applicant. The license
23 shall be delivered as provided in section 60-4,113. If the applicant is
24 the holder of an operator's license, the county treasurer or department
25 personnel shall have endorsed on the license the authorization to operate
26 a motorcycle. Fees for Class M licenses shall be as provided by section
27 60-4,115.

28 (3) For purposes of this section, motorcycle does not include an
29 autocycle.

30 **Sec. 34.** Section 60-4,148, Revised Statutes Cumulative Supplement,
31 2024, is amended to read:

1 60-4,148 (1) All commercial drivers' licenses shall be issued by the
2 department as provided in sections 60-4,148.01 and 60-4,149. Successful
3 applicants shall pay the fees ~~fee and surcharge~~ prescribed in section
4 60-4,115.

5 (2) Any person making application to add or remove a class of
6 commercial motor vehicle, any endorsement, or any restriction to or from
7 a previously issued and outstanding commercial driver's license shall pay
8 the fees ~~fee and surcharge~~ prescribed in section 60-4,115.

9 **Sec. 35.** Section 60-4,148.01, Revised Statutes Cumulative
10 Supplement, 2024, is amended to read:

11 60-4,148.01 (1) The department may develop and offer methods for
12 successful applicants to obtain, renew, and replace commercial drivers'
13 licenses electronically and for the electronic replacement of CLP-
14 commercial learners' permits.

15 (2)(a) An applicant who has successfully passed the knowledge and
16 skills tests for a commercial driver's license pursuant to section
17 60-4,149 and who has a digital image and digital signature preserved in
18 the digital system that is not more than ten years old may obtain a
19 commercial driver's license using the preserved digital image and digital
20 signature by electronic means in a manner prescribed by the department
21 pursuant to this subsection.

22 (b) To be eligible to obtain a license pursuant to this subsection:

23 (i) There shall have been no changes to the applicant's name since
24 his or her most recent application for a CLP-commercial learner's permit;

25 (ii) The new license shall not contain a hazardous materials
26 endorsement;

27 (iii) The applicant shall meet the requirements of section 60-4,144
28 and submit the information and documentation and make the certifications
29 required under section 60-4,144; and

30 (iv) The applicant shall satisfy any other eligibility criteria that
31 the department may prescribe pursuant to subsection (6) of this section.

1 (c) The successful applicant shall pay the fees ~~fee and surcharge~~
2 prescribed in section 60-4,115. Upon receipt of such fees ~~fee and~~
3 ~~surcharge~~ and an application it deems satisfactory, the department shall
4 deliver the license by mail.

5 (3)(a) An applicant whose commercial driver's license expires prior
6 to his or her seventy-second birthday and who has a digital image and
7 digital signature preserved in the digital system may, once every ten
8 years, renew such license using the preserved digital image and digital
9 signature by electronic means in a manner prescribed by the department
10 pursuant to this subsection.

11 (b) To be eligible for renewal under this subsection:

12 (i) The renewal shall be prior to or within one year after
13 expiration of such license;

14 (ii) The driving record abstract maintained in the department's
15 computerized records shall show that such license is not suspended,
16 revoked, canceled, or disqualified;

17 (iii) There shall be no changes to the applicant's name or to the
18 class, endorsements, or restrictions on such license;

19 (iv) The applicant shall not hold a hazardous materials endorsement
20 or shall relinquish such endorsement;

21 (v) The applicant shall meet the requirements of section 60-4,144
22 and submit the information and documentation and make the certifications
23 required under section 60-4,144; and

24 (vi) The applicant shall satisfy any other eligibility criteria that
25 the department may prescribe pursuant to subsection (6) of this section.

26 (c) Every applicant seeking renewal of his or her commercial
27 driver's license shall apply for renewal in person at least once every
28 ten years and have a new digital image and digital signature captured.

29 (d) An applicant seeking renewal under this subsection (3) shall pay
30 the fees ~~fee and surcharge~~ prescribed in section 60-4,115. Upon receipt
31 of such fees ~~fee and surcharge~~ and an application it deems satisfactory,

1 the department shall deliver the renewal license or permit by mail.

2 (4)(a) Any person holding a commercial driver's license or CLP-
3 commercial learner's permit who has a digital image and digital signature
4 not more than ten years old preserved in the digital system and who loses
5 his or her license or permit, who requires issuance of a replacement
6 license or permit because of a change of address, or whose license or
7 permit is mutilated or unreadable may obtain a replacement commercial
8 driver's license or CLP-commercial learner's permit using the preserved
9 digital image and digital signature by electronic means in a manner
10 prescribed by the department pursuant to this subsection.

11 (b) To be eligible to obtain a replacement license or permit
12 pursuant to this subsection:

13 (i) There shall be no changes to the applicant's name and no changes
14 to the class, endorsements, or restrictions on such license or permit;

15 (ii) The applicant shall meet the requirements of section 60-4,144
16 and submit the information and documentation and make the certifications
17 required under section 60-4,144; and

18 (iii) The applicant shall satisfy any other eligibility criteria
19 that the department may prescribe pursuant to subsection (6) of this
20 section.

21 (c) An application for a replacement license or permit because of a
22 change of address shall be made within sixty days after the change of
23 address.

24 (d) An applicant seeking replacement under this subsection (4) of
25 this section shall pay the fees ~~fee and surcharge~~ prescribed in section
26 60-4,115. Upon receipt of such fees ~~fee and surcharge~~ and an application
27 it deems satisfactory, the department shall deliver the replacement
28 license or permit by mail. The replacement license or permit shall be
29 subject to the provisions of subsection (4) of section 60-4,150.

30 (5) An application to obtain, renew, or replace a commercial
31 driver's license or to replace a CLP-commercial learner's permit because

1 of a change of name may not be made electronically pursuant to this
2 section and shall be made in person at a licensing station within sixty
3 days after the change of name.

4 (6) The department may adopt and promulgate rules and regulations
5 governing eligibility for the use of electronic methods for successful
6 applicants to obtain, renew, or replace commercial drivers' licenses and
7 for the replacement of CLP-commercial learners' permits, taking into
8 consideration medical and vision requirements, safety concerns, and any
9 other factors consistent with the purposes of the Motor Vehicle
10 Operator's License Act that the director deems relevant.

11 **Sec. 36.** Section 60-4,149, Revised Statutes Cumulative Supplement,
12 2024, is amended to read:

13 60-4,149 (1) The director shall appoint as his or her agents one or
14 more department personnel who shall examine all applicants for a
15 commercial driver's license or a CLP-commercial learner's permit as
16 provided in section 60-4,144. The same department personnel may be
17 assigned to one or more counties by the director. In counties in which
18 the county treasurer collects the fees and issues receipts, the county
19 shall furnish office space for the administration of the license or
20 permit examination. Department personnel shall conduct the examination of
21 applicants and deliver to each successful applicant an issuance
22 certificate or receipt. The certificate may be presented to the county
23 treasurer within ninety days after issuance, and the county treasurer
24 shall collect the fees ~~fee and surcharge~~ as provided in section 60-4,115
25 and issue a receipt which is valid for up to thirty days. If a commercial
26 driver's license or CLP-commercial ~~CLP-commercial~~ learner's permit is
27 being issued, the receipt shall also authorize driving privileges for
28 such thirty-day period. If department personnel refuse to issue an
29 issuance certificate or receipt, the department personnel shall state
30 such cause in writing and deliver such written cause to the applicant.

31 (2)(a) The segments of the driving skills examination shall be

1 administered and successfully completed in the following order: Pre-trip
2 inspection, basic vehicle control skills, and on-road skills. If an
3 applicant fails one segment of the driving skills examination, the
4 applicant cannot continue to the next segment of the examination.

5 (b) Passing scores for the knowledge and skills tests shall meet the
6 standards contained in 49 C.F.R. 383.135.

7 (3) Except as provided for in sections 60-4,157 and 60-4,158, all
8 commercial driver's license examinations shall be conducted by department
9 personnel designated by the director. Each successful applicant shall be
10 issued a certificate or receipt entitling the applicant to secure a
11 commercial driver's license. If department personnel refuse to issue such
12 certificate or receipt, he or she shall state such cause in writing and
13 deliver the same to the applicant. Department personnel shall not be
14 required to hold a commercial driver's license to administer a driving
15 skills examination and occupy the seat beside an applicant for a
16 commercial driver's license.

17 (4) The successful applicant shall, within ten days after renewal or
18 within twenty-four hours after initial issuance, pay the fees ~~fee and~~
19 ~~surcharge~~ as provided in section 60-4,115. A receipt with driving
20 privileges which is valid for up to thirty days shall be issued. The
21 commercial driver's license shall be delivered to the applicant as
22 provided in section 60-4,113.

23 (5) In lieu of proceeding under subsection (4) of this section, the
24 successful applicant may pay the fees ~~fee and surcharge~~ as provided in
25 section 60-4,115 and electronically submit an application prescribed by
26 the department in a manner prescribed by the department pursuant to
27 section 60-4,148.01.

28 **Sec. 37.** Section 60-4,150, Revised Statutes Cumulative Supplement,
29 2024, is amended to read:

30 60-4,150 (1) Any person holding a commercial driver's license or
31 CLP-commercial learner's permit who loses his or her license or permit,

1 who requires issuance of a replacement license or permit because of a
2 change of name or address, or whose license or permit is mutilated or
3 unreadable may obtain a replacement commercial driver's license or CLP-
4 commercial learner's permit by filing an application pursuant to this
5 section and by furnishing proof of identification in accordance with
6 section 60-4,144. Any person seeking a replacement license or permit for
7 such reasons, except because of a change of name, may also obtain a
8 replacement license or permit by submitting an electronic application
9 pursuant to section 60-4,148.01.

10 (2) An application for a replacement license or permit because of a
11 change of name or address shall be made within sixty days after the
12 change of name or address.

13 (3) A replacement commercial driver's license or CLP-commercial
14 learner's permit issued pursuant to this section shall be delivered to
15 the applicant as provided in section 60-4,113 after department personnel
16 or the county treasurer collects the fees ~~fee and surcharge~~ prescribed in
17 section 60-4,115 and issues the applicant a receipt with driving
18 privileges which is valid for up to thirty days. Replacement commercial
19 drivers' licenses or CLP-commercial learners' permits issued pursuant to
20 this section shall be issued in the manner provided for the issuance of
21 original and renewal commercial drivers' licenses or the issuance of
22 permits as provided for by section 60-4,149.

23 (4) Upon issuance of any replacement commercial driver's license or
24 permit, the commercial driver's license or CLP-commercial learner's
25 permit for which the replacement license or permit is issued shall be
26 void. Each replacement commercial driver's license or CLP-commercial
27 learner's permit shall be issued with the same expiration date as the
28 license or permit for which the replacement is issued. The replacement
29 license or permit shall also state the new issuance date.

30 **Sec. 38.** Section 60-4,181, Revised Statutes Cumulative Supplement,
31 2024, is amended to read:

1 60-4,181 (1) Each applicant for a state identification card shall
2 provide the information and documentation required by sections 60-484,
3 60-484.04, and 60-484.07. The form of the state identification card shall
4 comply with section 60-4,117. The applicant shall present an issuance
5 certificate to the county treasurer for a state identification card.
6 Department personnel or the county treasurer shall collect the fees fee
7 and surcharge as prescribed in section 60-4,115 and issue a receipt to
8 the applicant which is valid up to thirty days. The state identification
9 card shall be delivered to the applicant as provided in section 60-4,113.

10 (2) The director may summarily cancel any state identification card,
11 and any judge or magistrate may order a state identification card
12 canceled in a judgment of conviction, if the application or information
13 presented by the applicant contains any false or fraudulent statements
14 which were deliberately and knowingly made as to any matter material to
15 the issuance of the card or if the application or information presented
16 by the applicant does not contain required or correct information. Any
17 state identification card so obtained shall be void from the date of
18 issuance. Any judgment of conviction ordering cancellation of a state
19 identification card shall be transmitted to the director who shall cancel
20 the card.

21 (3) No person shall be a holder of a state identification card and
22 an operator's license at the same time.

23 **Sec. 39.** Section 60-636, Reissue Revised Statutes of Nebraska, is
24 amended to read:

25 60-636 (1) Minibike shall mean a two-wheel motor vehicle that:

26 (a) Has which has a total wheel and tire diameter of less than
27 fourteen inches;

28 (b) Has or an engine-rated capacity of less than forty-five cubic
29 centimeters displacement;

30 (c) Has an engine power output of less than three horsepower;

31 (d) Has an engine-rated capacity of less than two thousand two

1 hundred thirty-eight watts; or

2 (e) Was or any other two-wheel motor vehicle primarily designed by
3 the manufacturer for off-road use only.

4 (2) Minibike shall not include an electric personal assistive
5 mobility device.

6 **Sec. 40.** Section 60-6,211.05, Reissue Revised Statutes of Nebraska,
7 is amended to read:

8 60-6,211.05 (1) If an order is granted under section 60-6,196 or
9 60-6,197 and sections 60-6,197.02 and 60-6,197.03, the court may order
10 that the defendant install an ignition interlock device of a type
11 approved by the Director of Motor Vehicles on each motor vehicle operated
12 by the defendant during the period of revocation. Upon sufficient
13 evidence of installation, the defendant may apply to the director for an
14 ignition interlock permit pursuant to section 60-4,118.06. The device
15 shall, without tampering or the intervention of another person, prevent
16 the defendant from operating the motor vehicle when the defendant has an
17 alcohol concentration greater than three-hundredths of one gram or more
18 by weight of alcohol per one hundred milliliters of his or her blood or
19 three-hundredths of one gram or more by weight of alcohol per two hundred
20 ten liters of his or her breath. The Department of Motor Vehicles shall
21 issue an ignition interlock permit to the defendant under section
22 60-4,118.06 only upon sufficient proof that a defendant has installed an
23 ignition interlock device on any motor vehicle that the defendant will
24 operate during his or her release.

25 (2) If the court orders installation of an ignition interlock device
26 and issuance of an ignition interlock permit pursuant to subsection (1)
27 of this section, the court may also order the use of a continuous alcohol
28 monitoring device and abstention from alcohol use at all times. The
29 device shall, without tampering or the intervention of another person,
30 test and record the alcohol consumption level of the defendant on a
31 periodic basis and transmit such information to probation authorities.

1 (3)(a) Prior to January 1, 2026, any ~~(3)~~ Any order issued by the
2 court pursuant to this section shall not take effect until the defendant
3 is eligible to operate a motor vehicle pursuant to subsection (8) of
4 section 60-498.01. A person shall be eligible to be issued an ignition
5 interlock permit allowing operation of a motor vehicle equipped with an
6 ignition interlock device if he or she is not subject to any other
7 suspension, cancellation, required no-driving period, or period of
8 revocation and has successfully completed the ignition interlock permit
9 application process. The Department of Motor Vehicles shall review its
10 records and the driving record abstract of any person who applies for an
11 ignition interlock permit allowing operation of a motor vehicle equipped
12 with an ignition interlock device to determine (a) the applicant's
13 eligibility for an ignition interlock permit, (b) the applicant's
14 previous convictions under section 60-6,196, 60-6,197, or 60-6,197.06 or
15 any previous administrative license revocation, if any, and (c) if the
16 applicant is subject to any required no-drive periods before the ignition
17 interlock permit may be issued.

18 (b) Beginning January 1, 2026, any order issued by the court, or
19 issued pursuant to a court order or administrative license revocation
20 order from another jurisdiction that substantially complies with sections
21 60-6,197.03 and 60-6,211.05, shall not take effect until the defendant is
22 eligible to operate a motor vehicle pursuant to subsection (8) of section
23 60-498.01. A person shall be eligible to be issued an ignition interlock
24 permit allowing operation of a motor vehicle equipped with an ignition
25 interlock device if he or she is not subject to any other suspension,
26 cancellation, required no-driving period, or period of revocation and has
27 successfully completed the ignition interlock permit application process.
28 The Department of Motor Vehicles shall, before the ignition interlock
29 permit may be issued, review its records and the driving record abstract
30 of any person who applies for an ignition interlock permit allowing
31 operation of a motor vehicle equipped with an ignition interlock device

1 to determine (a) the applicant's eligibility for an ignition interlock
2 permit, (b) the applicant's previous convictions under section 60-6,196,
3 60-6,197, or 60-6,197.06 or any previous administrative license
4 revocation, if any, and (c) if the applicant is subject to any required
5 no-drive periods.

6 (4)(a) If the court orders an ignition interlock device or the Board
7 of Pardons orders an ignition interlock device under section 83-1,127.02,
8 the court or the Board of Pardons shall order the defendant to apply for
9 an ignition interlock permit as provided in section 60-4,118.06 which
10 indicates that the defendant is only allowed to operate a motor vehicle
11 equipped with an ignition interlock device.

12 (b) Such court order shall remain in effect for a period of time as
13 determined by the court not to exceed the maximum term of revocation
14 which the court could have imposed according to the nature of the
15 violation and shall allow operation by the defendant of only an ignition-
16 interlock-equipped motor vehicle.

17 (c) Such Board of Pardons order shall remain in effect for a period
18 of time not to exceed any period of revocation the applicant is subject
19 to at the time the application for a reprieve is made.

20 (5) Any person restricted to operating a motor vehicle equipped with
21 an ignition interlock device, pursuant to a Board of Pardons order, who
22 operates upon the highways of this state a motor vehicle without such
23 device or if the device has been disabled, bypassed, or altered in any
24 way, shall be punished as provided in subsection (3) of section
25 83-1,127.02.

26 (6) If a person ordered to use a continuous alcohol monitoring
27 device and abstain from alcohol use pursuant to a court order as provided
28 in subsection (2) of this section violates the provisions of such court
29 order by removing, tampering with, or otherwise bypassing the continuous
30 alcohol monitoring device or by consuming alcohol while required to use
31 such device, he or she shall have his or her ignition interlock permit

1 revoked and be unable to apply for reinstatement for the duration of the
2 revocation period imposed by the court.

3 (7) The director shall adopt and promulgate rules and regulations
4 regarding the approval of ignition interlock devices, the means of
5 installing ignition interlock devices, and the means of administering the
6 ignition interlock permit program.

7 (8)(a) The costs incurred in order to comply with the ignition
8 interlock requirements of this section shall be paid directly to the
9 ignition interlock provider by the person complying with an order for an
10 ignition interlock permit and installation of an ignition interlock
11 device.

12 (b) If the Department of Motor Vehicles has determined the person to
13 be indigent and incapable of paying for the cost of installation,
14 removal, or maintenance of the ignition interlock device in accordance
15 with this section, such costs shall be paid out of the Department of
16 Motor Vehicles Ignition Interlock Fund if such funds are available,
17 according to rules and regulations adopted and promulgated by the
18 department. Such costs shall also be paid out of the Department of Motor
19 Vehicles Ignition Interlock Fund if such funds are available and if the
20 court or the Board of Pardons, whichever is applicable, has determined
21 the person to be indigent and incapable of paying for the cost of
22 installation, removal, or maintenance of the ignition interlock device in
23 accordance with this section. The Department of Motor Vehicles Ignition
24 Interlock Fund is created. Money in the Department of Motor Vehicles
25 Ignition Interlock Fund may be used for transfers to the General Fund at
26 the direction of the Legislature. On October 1, 2017, or as soon
27 thereafter as administratively possible, the State Treasurer shall
28 transfer twenty-five thousand dollars from the Department of Motor
29 Vehicles Ignition Interlock Fund to the Violence Prevention Cash Fund. On
30 October 1, 2018, or as soon thereafter as administratively possible, the
31 State Treasurer shall transfer twenty-five thousand dollars from the

1 Department of Motor Vehicles Ignition Interlock Fund to the Violence
2 Prevention Cash Fund. Any money in the Department of Motor Vehicles
3 Ignition Interlock Fund available for investment shall be invested by the
4 state investment officer pursuant to the Nebraska Capital Expansion Act
5 and the Nebraska State Funds Investment Act.

6 (9)(a)(i) An ignition interlock service facility shall notify the
7 appropriate district probation office or the appropriate court, as
8 applicable, of any evidence of tampering with or circumvention of an
9 ignition interlock device, or any attempts to do so, when the facility
10 becomes aware of such evidence. Failure of the facility to provide
11 notification as provided in this subdivision is a Class V misdemeanor.

12 (ii) An ignition interlock service facility shall notify the
13 Department of Motor Vehicles, if the ignition interlock permit is issued
14 pursuant to sections 60-498.01 to 60-498.04, of any evidence of tampering
15 with or circumvention of an ignition interlock device, or any attempts to
16 do so, when the facility becomes aware of such evidence. Failure of the
17 facility to provide notification as provided in this subdivision is a
18 Class V misdemeanor.

19 (b) If a district probation office receives evidence of tampering
20 with or circumvention of an ignition interlock device, or any attempts to
21 do so, from an ignition interlock service facility, the district
22 probation office shall notify the appropriate court of such violation.
23 The court shall immediately schedule an evidentiary hearing to be held
24 within fourteen days after receiving such evidence, either from the
25 district probation office or an ignition interlock service facility, and
26 the court shall cause notice of the hearing to be given to the person
27 operating a motor vehicle pursuant to an order under subsection (1) of
28 this section. If the person who is the subject of such evidence does not
29 appear at the hearing and show cause why the order made pursuant to
30 subsection (1) of this section should remain in effect, the court shall
31 rescind the original order. Nothing in this subsection shall apply to an

1 order made by the Board of Pardons pursuant to section 83-1,127.02.

2 (10) Notwithstanding any other provision of law, the issuance of an
3 ignition interlock permit by the Department of Motor Vehicles under
4 section 60-498.01 or an order for the installation of an ignition
5 interlock device and ignition interlock permit made pursuant to
6 subsection (1) of this section as part of a conviction, as well as the
7 administration of such court order by the Office of Probation
8 Administration for the installation, maintenance, and removal of such
9 device, as applicable, shall not be construed to create an order of
10 probation when an order of probation has not been issued.

11 **Sec. 41.** Section 60-1513, Revised Statutes Cumulative Supplement,
12 2024, is amended to read:

13 60-1513 The Department of Motor Vehicles Cash Fund is hereby
14 created. The fund shall be administered by the Director of Motor
15 Vehicles. In addition to money paid to the department or credited or
16 remitted to the fund, the fund may also receive reimbursement from
17 counties. The fund shall be used by the Department of Motor Vehicles to
18 carry out its duties as deemed necessary by the Director of Motor
19 Vehicles, except that transfers from the fund to the General Fund or the
20 Vehicle Title and Registration System Replacement and Maintenance Cash
21 Fund may be made at the direction of the Legislature. Any money in the
22 Department of Motor Vehicles Cash Fund available for investment shall be
23 invested by the state investment officer pursuant to the Nebraska Capital
24 Expansion Act and the Nebraska State Funds Investment Act. Beginning
25 October 1, 2024, any investment earnings from investment of money in the
26 fund shall be credited to the General Fund.

27 ~~The State Treasurer shall transfer five million three hundred~~
28 ~~twenty-five thousand dollars from the Department of Motor Vehicles Cash~~
29 ~~Fund to the Vehicle Title and Registration System Replacement and~~
30 ~~Maintenance Cash Fund on or before June 30, 2017, as directed by the~~
31 ~~budget administrator of the budget division of the Department of~~

1 ~~Administrative Services.~~

2 **Sec. 42.** Section 60-2904, Reissue Revised Statutes of Nebraska, is
3 amended to read:

4 60-2904 For purposes of the Uniform Motor Vehicle Records Disclosure
5 Act:

6 (1) Department means the Department of Motor Vehicles or the duly
7 authorized agents or contractors of the department responsible to compile
8 and maintain motor vehicle records;

9 (2) Disclose means to engage in any practice or conduct to make
10 available and make known personal information contained in a motor
11 vehicle record about a person to any other person, organization, or
12 entity by any means of communication;

13 (3) Individual record means a motor vehicle record containing
14 personal information about a designated person who is the subject of the
15 record as identified in a request;

16 (4) Motor vehicle record means any record that pertains to a motor
17 vehicle operator's or driver's license or permit, motor vehicle, trailer,
18 motorboat, all-terrain vehicle, utility-type vehicle, snowmobile, or
19 minibike registration or certificate of title, or state identification
20 card issued by the department or any other state or local agency
21 authorized to issue any of such forms of credentials;

22 (5) Person means an individual, organization, or entity;

23 (6) Personal information means information that identifies a person,
24 including an individual's driver identification number, name, and address
25 excluding zip code, ~~and telephone number~~, but does not include
26 information on collisions, driving, operating, or equipment-related
27 violations, or operator's license or registration status; and

28 (7) Sensitive personal information means an individual's telephone
29 number, email address, operator's license digital image, social security
30 number, and medical or disability information.

31 **Sec. 43.** Section 66-1414, Reissue Revised Statutes of Nebraska, is

1 amended to read:

2 66-1414 (1) Any fuel tax collected pursuant to the agreement shall
3 be credited ~~remitted to the State Treasurer for credit~~ to the Motor
4 Carrier Services Division Distributive Fund to carry out the
5 International Fuel Tax Agreement Act.

6 (2) The Motor Carrier Services Division Distributive Fund is
7 created. ~~The fund shall be set apart and maintained by the State~~
8 ~~Treasurer to carry out the International Fuel Tax Agreement Act and the~~
9 ~~International Registration Plan Act.~~ Any money in the Motor Carrier
10 Services Division Distributive Fund available for investment shall be
11 invested by the state investment officer pursuant to the Nebraska Capital
12 Expansion Act and the Nebraska State Funds Investment Act. Any interest
13 received on money in the Motor Carrier Services Division Distributive
14 Fund shall be credited to the Highway Trust Fund.

15 **Sec. 44.** Sections 6, 15, 18, 20, 21, 22, 23, and 46 of this act
16 become operative three calendar months after the adjournment of this
17 legislative session. The other sections of this act become operative on
18 their effective date.

19 **Sec. 45.** Original sections 37-1202, 60-101, 60-102, 60-121, 60-137,
20 60-158, 60-167, 60-337, 60-399, 60-4,113, 60-4,117, 60-4,118.06,
21 60-4,120.01, 60-4,123, 60-4,126, 60-4,127, 60-636, 60-6,211.05, 60-2904,
22 and 66-1414, Reissue Revised Statutes of Nebraska, and sections 29-2292,
23 37-1201, 60-146, 60-169, 60-4,115, 60-4,120, 60-4,124, 60-4,148,
24 60-4,148.01, 60-4,149, 60-4,150, 60-4,181, and 60-1513, Revised Statutes
25 Cumulative Supplement, 2024, are repealed.

26 **Sec. 46.** Original sections 37-1284, 60-168, and 60-3,157, Reissue
27 Revised Statutes of Nebraska, and sections 60-392, 60-3,100, 60-3,101,
28 and 60-3,102, Revised Statutes Cumulative Supplement, 2024, are repealed.

29 **Sec. 47.** Since an emergency exists, this act takes effect when
30 passed and approved according to law.