

## ENGROSSED LEGISLATIVE BILL 398

Introduced by Moser, 22.

A BILL FOR AN ACT relating to motor vehicles; to amend sections 37-327.04, 60-3,104.01, 60-3,104.02, 60-3,113, 60-3,122.04, 60-3,151, 60-3,254, 60-495, 60-4,144.01, 60-4,144.02, 60-1506, 74-1335, 75-365, 80-415, 80-416, 80-417, 81-2517, 82-139, and 82-334, Reissue Revised Statutes of Nebraska, and sections 18-1737, 37-112, 37-327.03, 37-811, 60-107, 60-119.01, 60-169, 60-301, 60-302, 60-302.01, 60-336.01, 60-386, 60-393, 60-395, 60-396, 60-3,101, 60-3,104, 60-3,113.04, 60-3,122.03, 60-3,123, 60-3,124, 60-3,125, 60-3,130.04, 60-3,193.01, 60-3,253, 60-462.01, 60-479.01, 60-483, 60-4,111.01, 60-4,131, 60-4,132, 60-4,134, 60-4,144, 60-4,147.02, 60-4,168, 60-501, 60-628.01, 60-6,265, 60-1509, 60-2705, 60-2909.01, 75-363, 75-364, 75-366, 75-369.03, 75-392, and 75-393, Revised Statutes Cumulative Supplement, 2024; to adopt updates to federal law and update certain federal references; to provide for permanent trailer license plates for commercial fertilizer trailers; to change provisions relating to license plates and provide for the issuance of Arbor Day Plates; to change the fee for organizational license plates; to change and provide provisions relating to Military Honor Plates, prisoner-of-war license plates, disabled veteran license plates, and Purple Heart license plates; to provide duties to the Department of Motor Vehicles; to increase fees related to records requests; to change the distribution of certain revenues; to change provisions relating to commercial driver's licenses and CLP-commercial learner's permits; to provide duties for the successor in interest of a railroad; to change civil penalties against certain motor carriers; to create the Home of Arbor Day Plate Cash Fund and provide for grants from such fund; to define and redefine terms; to eliminate obsolete provisions; to eliminate a fund; to eliminate provisions relating to certain license plates; to harmonize provisions; to provide a duty for the

Revisor of Statutes; to provide operative dates; to repeal the original sections; to outright repeal sections 60-3,127, 60-3,129, 60-3,223, 60-3,224, 60-3,225, 60-3,227, 60-3,230, 60-3,231, 60-3,234, 60-3,235, 60-3,238, 60-3,239, 60-3,240, 60-3,242, 60-3,244, 60-3,246, 60-3,248, 60-3,250, 60-3,252, 60-3,255, 60-3,256, 60-3,257, and 60-3,258, Reissue Revised Statutes of Nebraska, and sections 60-3,128, 60-3,226, 60-3,232, 60-3,233, 60-3,237, 60-3,241, 60-3,243, 60-3,245, 60-3,247, 60-3,249, 60-3,251, 60-3,259, and 60-3,260, Revised Statutes Cumulative Supplement, 2024; and to declare an emergency.

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

**Section 1.** Section 18-1737, Revised Statutes Cumulative Supplement, 2024, is amended to read:

18-1737 (1) Any city or village, any state agency, and any person in lawful possession of any offstreet parking facility may designate stalls or spaces, including access aisles, in such facility owned or operated by the city, village, state agency, or person for the exclusive use of handicapped or disabled persons whose motor vehicles display the distinguishing license plates issued to such individuals pursuant to section 60-3,113, such other handicapped or disabled persons or temporarily handicapped or disabled persons whose motor vehicles display a handicapped or disabled parking permit, and such other motor vehicles which display a handicapped or disabled parking permit. Such designation shall be made by posting aboveground and immediately adjacent to and visible from each stall or space, including access aisles, a sign which is in conformance with the Manual on Uniform Traffic Control Devices adopted pursuant to section 60-6,118 and the federal Americans with Disabilities Act of 1990 and the federal regulations adopted in response to the act, as the act and the regulations existed on January 1, 2025.

(2) The owner or person in lawful possession of an offstreet parking facility, after notifying the police or sheriff's department, as the case may be, and any city, village, or state agency providing onstreet parking or owning, operating, or providing an offstreet parking facility may cause the

removal, from a stall or space, including access aisles, designated exclusively for handicapped or disabled persons or temporarily handicapped or disabled persons or motor vehicles for the transportation of handicapped or disabled persons or temporarily handicapped or disabled persons, of any vehicle not displaying the proper handicapped or disabled parking permit or the distinguishing license plates specified in this section if there is posted aboveground and immediately adjacent to and visible from such stall or space, including access aisles, a sign which clearly and conspicuously states the area so designated as a tow-in zone.

(3) A person who parks a vehicle in any onstreet parking space or access aisle which has been designated exclusively for handicapped or disabled persons or temporarily handicapped or disabled persons or motor vehicles for the transportation of handicapped or disabled persons or temporarily handicapped or disabled persons, or in any so exclusively designated parking space or access aisle in any offstreet parking facility, without properly displaying the proper license plates or handicapped or disabled parking permit or when the handicapped or disabled person to whom or for whom, as the case may be, the license plate or permit is issued will not enter or exit the vehicle while it is parked in the designated space or access aisle shall be guilty of a handicapped parking infraction as defined in section 18-1741.01 and shall be subject to the penalties and procedures set forth in sections 18-1741.01 to 18-1741.07. The display on a motor vehicle of a distinguishing license plate or permit issued to a handicapped or disabled person by and under the duly constituted authority of another state shall constitute a full and complete defense in any action for a handicapped parking infraction as defined in section 18-1741.01. If the identity of the person who parked the vehicle in violation of this section cannot be readily determined, the owner or person in whose name the vehicle is registered shall be held prima facie responsible for such violation and shall be guilty and subject to the penalties and procedures described in this section. In the case of a privately owned offstreet parking facility, a city or village shall not require the owner or person in lawful

possession of such facility to inform the city or village of a violation of this section prior to the city or village issuing the violator a handicapped parking infraction citation.

(4) For purposes of this section and section 18-1741.01, state agency means any division, department, board, bureau, commission, or agency of the State of Nebraska created by the Constitution of Nebraska or established by act of the Legislature, including the University of Nebraska and the Nebraska state colleges, when the entity owns, leases, controls, or manages property which includes offstreet parking facilities.

**Sec. 2.** Section 37-112, Revised Statutes Cumulative Supplement, 2024, is amended to read:

37-112 The Josh the Otter-Be Safe Around Water Cash Fund is created for the purpose of funding the program set forth in section 37-111. The fund shall consist of any money credited to the fund pursuant to section 35 of this act. The fund may also receive gifts, bequests, grants, or other contributions or donations from public or private entities. The state investment officer shall invest any money in the fund available for investment pursuant to the Nebraska Capital Expansion Act and the Nebraska State Funds Investment Act.

**Sec. 3.** Section 37-327.03, Revised Statutes Cumulative Supplement, 2024, is amended to read:

37-327.03 The Game and Parks State Park Improvement and Maintenance Fund is created. The fund shall consist of transfers made by the Legislature, money credited to the fund pursuant to section 35 of this act, and any gifts, grants, bequests, or donations to the fund. The money credited to the fund pursuant to section 35 of this act shall be used only for the improvement and maintenance of state recreational trails as defined in section 37-338. Any other money in the fund shall be used to build, repair, renovate, rehabilitate, restore, modify, or improve any infrastructure in the state park system. Any money in the fund available for investment shall be invested by the state investment officer pursuant to the Nebraska Capital Expansion Act and the Nebraska State Funds Investment Act. Beginning October 1, 2024, any investment earnings from

investment of money in the fund shall be credited to the General Fund.

**Sec. 4.** Section 37-327.04, Reissue Revised Statutes of Nebraska, is amended to read:

37-327.04 The Game and Parks Commission Educational Fund is created. The fund shall consist of money credited pursuant to section 35 of this act and any other money as determined by the Legislature. The commission shall use the fund to provide youth education programs relating to wildlife conservation practices. Any money in the fund available for investment shall be invested by the state investment officer pursuant to the Nebraska Capital Expansion Act and the Nebraska State Funds Investment Act.

**Sec. 5.** Section 37-811, Revised Statutes Cumulative Supplement, 2024, is amended to read:

37-811 There is hereby created the Wildlife Conservation Fund. The fund shall be used to assist in carrying out the Nongame and Endangered Species Conservation Act, to pay for research into and management of the ecological effects of the release, importation, commercial exploitation, and exportation of wildlife species pursuant to section 37-548, and to pay any expenses incurred by the Department of Revenue or any other agency in the administration of the income tax designation program required by section 77-27,119.01. The fund shall consist of money credited pursuant to section 35 of this act and any other money as determined by the Legislature. The fund shall also consist of money transferred from the General Fund by the State Treasurer in an amount to be determined by the Tax Commissioner that shall be equal to the total amount of contributions designated pursuant to section 77-27,119.01. Any money in the Wildlife Conservation Fund available for investment shall be invested by the state investment officer pursuant to the Nebraska Capital Expansion Act and the Nebraska State Funds Investment Act.

**Sec. 6.** Section 60-107, Revised Statutes Cumulative Supplement, 2024, is amended to read:

60-107 Cabin trailer means a trailer or a semitrailer, which is designed, constructed, and equipped as a dwelling place, living abode, or sleeping place,

whether used for such purposes or instead permanently or temporarily for the advertising, sale, display, or promotion of merchandise or services or for any other commercial purpose except transportation of property for hire or transportation of property for distribution by a private carrier. Cabin trailer does not mean a trailer or semitrailer which is permanently attached to real estate. There are four classes of cabin trailers:

(1) Camping trailer which includes cabin trailers one hundred two inches or less in width and forty feet or less in length and adjusted mechanically smaller for towing;

(2) Mobile home which includes cabin trailers more than one hundred two inches in width or more than forty feet in length;

(3) Travel trailer which includes cabin trailers not more than one hundred two inches in width nor more than forty feet in length from front hitch to rear bumper, except as provided in subdivision (2)(k) of section 60-6,288; and

(4) Manufactured home means a structure, transportable in one or more sections, which in the traveling mode is eight body feet or more in width or forty body feet or more in length or when erected on site is three hundred twenty or more square feet and which is built on a permanent frame and designed to be used as a dwelling with or without a permanent foundation when connected to the required utilities and includes the plumbing, heating, air conditioning, and electrical systems contained in the structure, except that manufactured home includes any structure that meets all of the requirements of this subdivision other than the size requirements and with respect to which the manufacturer voluntarily files a certification required by the United States Secretary of Housing and Urban Development and complies with the standards established under the National Manufactured Housing Construction and Safety Standards Act of 1974, as such act existed on the date specified in section 9 of this act, 42 U.S.C. 5401 et seq.

**Sec. 7.** Section 60-119.01, Revised Statutes Cumulative Supplement, 2024, is amended to read:

60-119.01 (1) Low-speed vehicle means any:

(a) Four-wheeled motor vehicle:

(i) With a speed attainable in one mile of more than twenty miles per hour and not more than twenty-five miles per hour on a paved, level surface;

(ii) With a gross vehicle weight rating of less than three thousand pounds; and

(iii) That complies with 49 C.F.R. part 571, as such part existed on the date specified in section 9 of this act; or

(b) Three-wheeled motor vehicle:

(i) With a maximum speed attainable of not more than twenty-five miles per hour on a paved, level surface;

(ii) With a gross vehicle weight rating of less than three thousand pounds; and

(iii) That is equipped with a windshield and an occupant protection system.

(2) Low-speed vehicle does not include a motorcycle with a sidecar attached.

**Sec. 8.** Section 60-169, Revised Statutes Cumulative Supplement, 2024, is amended to read:

60-169 (1)(a) Except as otherwise provided in subdivision (c) of this subsection, each owner of a vehicle and each person mentioned as owner in the last certificate of title, when the vehicle is dismantled, destroyed, or changed in such a manner that it loses its character as a vehicle or changed in such a manner that it is not the vehicle described in the certificate of title, shall surrender his or her certificate of title to any county treasurer or to the department. If the certificate of title is surrendered to a county treasurer, he or she shall, with the consent of any holders of any liens noted thereon, enter a cancellation upon the records and shall notify the department of such cancellation. Beginning on the implementation date designated by the director pursuant to subsection (3) of section 60-1508, a wrecker or salvage dealer shall report electronically to the department using the electronic reporting system. If the certificate is surrendered to the department, it

shall, with the consent of any holder of any lien noted thereon, enter a cancellation upon its records.

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

- (i) The name, address, and contact information for the reporting entity;
- (ii) The vehicle identification number;
- (iii) The date the reporting entity obtained such motor vehicle;
- (iv) The name of the person from whom such motor vehicle was obtained, for use only by a law enforcement or other appropriate government agency;
- (v) A statement of whether the motor vehicle was or will be crushed, disposed of, offered for sale, or used for another purpose; and
- (vi) Whether the motor vehicle is intended for export outside of the United States.

The department may set and collect a fee, not to exceed the cost of reporting to the National Motor Vehicle Title Information System, from wrecker or salvage dealers for electronic reporting to the National Motor Vehicle Title Information System, which shall be remitted to the State Treasurer for credit to the Department of Motor Vehicles Cash Fund. This subdivision does not apply to any vehicle reported by a wrecker or salvage dealer to the National Motor Vehicle Title Information System as required under 28 C.F.R. 25.56, as such regulation existed on the date specified in section 9 of this act.

(c)(i) In the case of a mobile home or manufactured home for which a certificate of title has been issued, if such mobile home or manufactured home is affixed to real property in which each owner of the mobile home or



manufactured home has any ownership interest, the certificate of title may be surrendered for cancellation to the county treasurer of the county where such mobile home or manufactured home is affixed to real property if at the time of surrender the owner submits to the county treasurer an affidavit of affixture on a form provided by the department that contains all of the following, as applicable:

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

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

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

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

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

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

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

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

(2) If a certificate of title of a mobile home or manufactured home is surrendered to the county treasurer, along with the affidavit required by subdivision (1)(c) of this section, he or she shall enter a cancellation upon

his or her records, notify the department of such cancellation, forward a duplicate original of the affidavit to the department, and deliver a duplicate original of the executed affidavit under subdivision (1)(c) of this section to the register of deeds for the county in which the real property is located to be filed by the register of deeds. The county treasurer shall be entitled to collect fees from the person submitting the affidavit in accordance with section 33-109 to cover the costs of filing such affidavit. Following the cancellation of a certificate of title for a mobile home or manufactured home, the county treasurer or designated county official shall not issue a certificate of title for such mobile home or manufactured home, except as provided in subsection (5) of this section.

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

(4) A mobile home or manufactured home for which the certificate of title has been canceled and for which an affidavit of affixture has been duly recorded pursuant to subsection (2) of this section shall be treated as part of the real estate upon which such mobile home or manufactured home is located. Any lien thereon shall be perfected and enforced in the same manner as a lien on real estate. The owner of such mobile home or manufactured home may convey ownership of the mobile home or manufactured home only as a part of the real estate to which it is affixed.

(5)(a) If each owner of both the mobile home or manufactured home and the real estate described in subdivision (1)(c) of this section intends to detach the mobile home or manufactured home from the real estate, the owner shall do both of the following: (i) Before detaching the mobile home or manufactured home, record an affidavit of detachment in the office of the register of deeds in the county in which the affidavit is recorded under subdivision (1)(c) of

this section; and (ii) apply for a certificate of title for the mobile home or manufactured home pursuant to section 60-147.

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

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

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

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

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

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

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

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

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

(7) For purposes of this section:

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

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

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

**Sec. 9.** For purposes of the adoption by reference of federal law and regulations contained in the Motor Vehicle Certificate of Title Act, the Motor Vehicle Registration Act, the Motor Vehicle Operator's License Act, and the Nebraska Rules of the Road, when a provision of any of such acts refers to the date specified in this section, such date is January 1, 2025.

**Sec. 10.** Section 60-301, Revised Statutes Cumulative Supplement, 2024, is amended to read:

60-301 Sections 60-301 to 60-3,236 and sections 13, 33, 34, and 35 of this act shall be known and may be cited as the Motor Vehicle Registration Act.

**Sec. 11.** Section 60-302, Revised Statutes Cumulative Supplement, 2024, is amended to read:

60-302 For purposes of the Motor Vehicle Registration Act, unless the context otherwise requires, the definitions found in sections 60-302.01 to 60-360 and section 13 of this act shall be used.

**Sec. 12.** Section 60-302.01, Revised Statutes Cumulative Supplement, 2024, is amended to read:

60-302.01 Access aisle means a space adjacent to a handicapped parking space or passenger loading zone which is constructed and designed in compliance with the federal Americans with Disabilities Act of 1990 and the federal regulations adopted in response to the act, as the act and the regulations existed on the date specified in section 9 of this act.

**Sec. 13.** Commercial fertilizer trailer means a fertilizer trailer owned by any individual or business entity that, for profit on a commercial basis, sells agricultural fertilizer or agricultural chemicals.

**Sec. 14.** Section 60-336.01, Revised Statutes Cumulative Supplement, 2024, is amended to read:

60-336.01 (1) Low-speed vehicle means any:

(a) Four-wheeled motor vehicle:

(i) With a speed attainable in one mile of more than twenty miles per hour and not more than twenty-five miles per hour on a paved, level surface;

(ii) With a gross vehicle weight rating of less than three thousand pounds; and

(iii) That complies with 49 C.F.R. part 571, as such part existed on the date specified in section 9 of this act; or

(b) Three-wheeled motor vehicle:

(i) With a maximum speed attainable of not more than twenty-five miles per hour on a paved, level surface;

(ii) With a gross vehicle weight rating of less than three thousand pounds; and

(iii) That is equipped with a windshield and an occupant protection system.

(2) Low-speed vehicle does not include a motorcycle with a sidecar attached.

**Sec. 15.** Section 60-386, Revised Statutes Cumulative Supplement, 2024, is amended to read:

60-386 (1) Each new application shall contain, in addition to other information as may be required by the department, the name and residential and mailing address of the applicant and a description of the motor vehicle or trailer, including the color, the manufacturer, the identification number, the United States Department of Transportation number if required by 49 C.F.R. 390.5 through 390.21, as such regulations existed on the date specified in section 9 of this act, and the weight of the motor vehicle or trailer required

by the Motor Vehicle Registration Act. For trailers which are not required to have a certificate of title under section 60-137 and which have no identification number, the assignment of an identification number shall be required and the identification number shall be issued by the county treasurer or department. With the application the applicant shall pay the proper registration fee and shall state whether the motor vehicle is propelled by alternative fuel and, if alternative fuel, the type of fuel. The application shall also contain a notification that bulk fuel purchasers may be subject to federal excise tax liability. The department shall include such notification in the notices required by section 60-3,186.

(2) In addition to the information required under subsection (1) of this section, the application for registration shall contain (a)(i) the full legal name as defined in section 60-468.01 of each owner or (ii) the name of each owner as such name appears on the owner's motor vehicle operator's license or state identification card and (b)(i) the motor vehicle operator's license number or state identification card number of each owner, if applicable, and one or more of the identification elements as listed in section 60-484 of each owner, if applicable, and (ii) if any owner is a business entity, a nonprofit organization, an estate, a trust, or a church-controlled organization, its tax identification number.

**Sec. 16.** Section 60-393, Revised Statutes Cumulative Supplement, 2024, is amended to read:

60-393 Any owner who has two or more motor vehicles or trailers required to be registered under the Motor Vehicle Registration Act may register all such motor vehicles or trailers on a calendar-year basis or on an annual basis for the same registration period beginning in a month chosen by the owner. When electing to establish the same registration period for all such motor vehicles or trailers, the owner shall pay the registration fee, the motor vehicle tax imposed in section 60-3,185, the motor vehicle fee imposed in section 60-3,190, and the alternative fuel fee imposed in section 60-3,191 on each motor vehicle for the number of months necessary to extend its current registration period to

the registration period under which all such motor vehicles or trailers will be registered. Credit shall be given for registration paid on each motor vehicle or trailer when the motor vehicle or trailer has a later expiration date than that chosen by the owner except as otherwise provided in sections 60-3,104.01, 60-3,121, 60-3,122.02, 60-3,122.04, and 60-3,135.01 and sections 34 and 35 of this act. Thereafter all such motor vehicles or trailers shall be registered on an annual basis starting in the month chosen by the owner.

**Sec. 17.** Section 60-395, Revised Statutes Cumulative Supplement, 2024, is amended to read:

60-395 (1) Except as otherwise provided in subsection (2) of this section and sections 60-3,104.01, 60-3,121, 60-3,122.02, 60-3,122.04, and 60-3,135.01 and sections 34 and 35 of this act, the registration shall expire and the registered owner or lessee may, by returning the registration certificate, the license plates, and, when appropriate, the validation decals and by either making application on a form prescribed by the department to the county treasurer of the occurrence of an event described in subdivisions (a) through (e) of this subsection or, in the case of a change in situs, displaying to the county treasurer the registration certificate of such other state as evidence of a change in situs, receive a refund of that part of the unused fees and taxes on motor vehicles or trailers based on the number of unexpired months remaining in the registration period from the date of any of the following events:

- (a) Upon transfer of ownership of any motor vehicle or trailer;
- (b) In case of loss of possession because of fire, natural disaster, theft, dismantlement, or junking;
- (c) When a salvage branded certificate of title is issued;
- (d) Whenever a type or class of motor vehicle or trailer previously registered is subsequently declared by legislative act or court decision to be illegal or ineligible to be operated or towed on the public roads and no longer subject to registration fees, the motor vehicle tax imposed in section 60-3,185, the motor vehicle fee imposed in section 60-3,190, and the

alternative fuel fee imposed in section 60-3,191;

(e) Upon a trade-in or surrender of a motor vehicle under a lease; or

(f) In case of a change in the situs of a motor vehicle or trailer to a location outside of this state.

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

(3) If the transferor or lessee acquires another motor vehicle at the time of the transfer, trade-in, or surrender, the transferor or lessee shall have the credit provided for in this section applied toward payment of the motor vehicle fees and taxes owed by such transferor or lessee at the time of such transfer, trade-in, or surrender. Otherwise, the transferor or lessee shall file a claim for refund with the county treasurer upon an application form prescribed by the department.

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

(5) For purposes of this section, the date of the event shall be: (a) In the case of a transfer or loss, the date of the transfer or loss; (b) in the case of a change in the situs, the date of registration in another state; (c) in the case of a trade-in or surrender under a lease, the date of trade-in or surrender; (d) in the case of a legislative act, the effective date of the act; and (e) in the case of a court decision, the date the decision is rendered.

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

(7) If a motor vehicle or trailer was reported stolen under section 60-178, a refund under this section shall not be reduced for a lost license plate charge and a credit under this section may be reduced for a lost license plate charge but the applicant shall not be required to pay the license plate



fee for new license plates.

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

**Sec. 18.** Section 60-396, Revised Statutes Cumulative Supplement, 2024, is amended to read:

60-396 Whenever the registered owner files an application with the county treasurer showing that a motor vehicle, trailer, or semitrailer is disabled and has been removed from service, the registered owner may, by returning the registration certificate, the license plates, and, when appropriate, the validation decals or, in the case of the unavailability of such registration certificate or certificates, license plates, or validation decals, then by making an affidavit to the county treasurer of such disablement and removal from service, receive a credit for a portion of the registration fee from the fee deposited with the State Treasurer at the time of registration based upon the number of unexpired months remaining in the registration year except as otherwise provided in sections 60-3,104.01, 60-3,121, 60-3,122.02, 60-3,122.04, and 60-3,135.01 and sections 34 and 35 of this act. The owner shall also receive a credit for the unused portion of the motor vehicle tax and fee based upon the number of unexpired months remaining in the registration year. When the owner registers a replacement motor vehicle, trailer, or semitrailer at the time of filing such affidavit, the credit may be immediately applied against the registration fee and the motor vehicle tax and fee for the replacement motor vehicle, trailer, or semitrailer. When no such replacement motor vehicle, trailer, or semitrailer is so registered, the county treasurer shall determine the amount, if any, of the allowable credit for the registration fee and the motor vehicle tax and fee and issue a credit certificate to the owner. When such motor vehicle, trailer, or semitrailer is removed from service within the same month in which it was registered, no credits shall be allowed for such

month. The credits may be applied against taxes and fees for new or replacement motor vehicles, trailers, or semitrailers incurred within one year after cancellation of registration of the motor vehicle, trailer, or semitrailer for which the credits were allowed. When any such motor vehicle, trailer, or semitrailer is reregistered within the same registration year in which its registration has been canceled, the taxes and fees shall be that portion of the registration fee and the motor vehicle tax and fee for the remainder of the registration year.

**Sec. 19.** Section 60-3,101, Revised Statutes Cumulative Supplement, 2024, is amended to read:

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

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

(3) This section shall not apply to license plates issued pursuant to sections 60-3,203 and 60-3,228 and license plates issued for commercial fertilizer trailers pursuant to section 60-3,151.

**Sec. 20.** Section 60-3,104, Revised Statutes Cumulative Supplement, 2024, is amended to read:

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

(1) Alternate license plates issued pursuant to sections 33, 34, and 35 of this act;

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

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

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

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

- (6) Bus license plates issued pursuant to section 60-3,144;
- (7) Commercial motor vehicle license plates issued pursuant to section 60-3,147;
- (8) Dealer or manufacturer license plates issued pursuant to sections 60-3,114 and 60-3,115;
- (9) Disabled veteran license plates issued pursuant to section 60-3,124;
- (10) Farm truck license plates issued pursuant to section 60-3,146;
- (11) Farm trucks with a gross weight of over sixteen tons license plates issued pursuant to section 60-3,146;
- (12) Former military vehicle license plates issued pursuant to section 60-3,236;
- (13) Gold Star Family license plates issued pursuant to sections 60-3,122.01 and 60-3,122.02;
- (14) Handicapped or disabled person license plates issued pursuant to section 60-3,113;
- (15) Historical vehicle license plates issued pursuant to sections 60-3,130 to 60-3,134;
- (16) Local truck license plates issued pursuant to section 60-3,145;
- (17) Metropolitan utilities district license plates issued pursuant to section 60-3,228;
- (18) Military Honor Plates issued pursuant to sections 60-3,122.03 and 60-3,122.04;
- (19) Minitruck license plates issued pursuant to section 60-3,100;
- (20) Motor vehicle license plates for motor vehicles owned or operated by the state, counties, municipalities, or school districts issued pursuant to section 60-3,105;
- (21) Motor vehicles exempt pursuant to section 60-3,107;
- (22) Motorcycle license plates issued pursuant to section 60-3,100;
- (23) Nonresident owner thirty-day license plates issued pursuant to section 60-382;
- (24) Organizational license plates issued pursuant to sections 60-3,104.01

and 60-3,104.02;

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

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

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

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

(29) Personalized message license plates for motor vehicles, trailers, and semitrailers, except motor vehicles, trailers, and semitrailers registered under section 60-3,198, issued pursuant to sections 60-3,118 to 60-3,121;

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

(31) Public power district license plates issued pursuant to section 60-3,228;

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

(33) Recreational vehicle license plates issued pursuant to section 60-3,151;

(34) Repossession license plates issued pursuant to section 60-375;

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

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

(37) Trailer license plates issued for trailers owned or operated by a metropolitan utilities district or public power district pursuant to section 60-3,228;

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

(39) Trailer license plates issued pursuant to section 60-3,151;

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

(41) Transporter license plates issued pursuant to section 60-378;

(42) Trucks or combinations of trucks, truck-tractors, or trailers that

are not for hire and engaged in soil and water conservation work and used for the purpose of transporting pipe and equipment exclusively used by such contractors for soil and water conservation construction license plates issued pursuant to section 60-3,149; and

(43) Well-boring apparatus and well-servicing equipment license plates issued pursuant to section 60-3,109.

**Sec. 21.** Section 60-3,104.01, Reissue Revised Statutes of Nebraska, is amended to read:

60-3,104.01 (1)(a) A person may apply for organizational license plates in lieu of regular license plates on an application prescribed and provided by the department pursuant to section 60-3,104.02 for any motor vehicle, trailer, or semitrailer, except for motor vehicles or trailers registered under section 60-3,198.

(b) An applicant receiving an organizational license plate for a farm truck with a gross weight of over sixteen tons or for a commercial motor vehicle registered for a gross weight of five tons or over shall affix the appropriate tonnage decal to the license plate.

(c) The department shall make forms available for such applications. Each application for initial issuance or renewal of organizational license plates shall be accompanied by a fee of:

(i) Before October 1, 2025, seventy dollars; and

(ii) Beginning October 1, 2025, forty dollars.

(d) Fees collected pursuant to this subsection shall be remitted to the State Treasurer. The State Treasurer shall credit sixty percent of the fee for initial issuance and renewal of organizational license plates to the Department of Motor Vehicles Cash Fund and forty percent of the fee to the Highway Trust Fund.

(2)(a) When the department receives an application for organizational license plates, the department may deliver the license plates and registration certificate to the applicant by United States mail or to the county treasurer of the county where the motor vehicle, trailer, or semitrailer is registered

and the delivery of the license plates and registration certificate shall be made through a secure process and system. If delivery of the license plates and registration certificate is made by the department to the applicant, the department may charge a postage and handling fee in an amount not more than necessary to recover the cost of postage and handling for the specific items mailed to the registrant. The department shall remit the fee to the State Treasurer for credit to the Department of Motor Vehicles Cash Fund. The county treasurer or the department shall issue organizational license plates in lieu of a regular license plate when the applicant complies with the other provisions of law for registration of the motor vehicle, trailer, or semitrailer. If organizational license plates are lost, stolen, or mutilated, the licensee shall be issued replacement license plates pursuant to section 60-3,157.

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

(3)(a) The owner of a motor vehicle, trailer, or semitrailer bearing organizational license plates may make application to the county treasurer to have such organizational license plates transferred to a motor vehicle, trailer, or semitrailer other than the motor vehicle, trailer, or semitrailer for which such license plates were originally purchased if such motor vehicle, trailer, or semitrailer is owned by the owner of the organizational license plates.

(b) The owner may have the unused portion of the organizational license plate fee credited to the other motor vehicle, trailer, or semitrailer that will bear the organizational license plates at the rate of eight and one-third

percent per month for each full month left in the registration period.

(c) Application for such transfer shall be accompanied by a fee of three dollars. Fees collected pursuant to this subsection shall be remitted to the State Treasurer for credit to the Department of Motor Vehicles Cash Fund.

**Sec. 22.** Section 60-3,104.02, Reissue Revised Statutes of Nebraska, is amended to read:

60-3,104.02 (1) The department shall issue organizational license plates for any organization that certifies that it meets the requirements of this section. The department shall work with the organization to design the license plates.

(2) The department shall make applications available pursuant to section 60-3,104.01 for each type of organizational license plate when it is designed. The department shall not manufacture organizational license plates for an organization until the department has received two hundred fifty prepaid applications for the organizational license plates designed for that organization. The department may revoke the approval for an organizational license plate if the total number of registered vehicles that obtained such license plate is less than two hundred fifty within three years after receiving approval.

(3) In order to have organizational license plates designed and manufactured, an organization shall furnish the department with the following:

(a) A copy of its articles of incorporation and, if the organization consists of a group of nonprofit corporations, a copy for each organization;

(b) A copy of its charter or bylaws and, if the organization consists of a group of nonprofit corporations, a copy for each organization;

(c) Any Internal Revenue Service rulings of the organization's nonprofit tax-exempt status and, if the organization consists of a group of nonprofit corporations, a copy for each organization;

(d) A copy of a certificate of existence on file with the Secretary of State under the Nebraska Nonprofit Corporation Act;

(e) Two hundred fifty prepaid applications for the alphanumeric

organizational license plates; and

(f) A completed application for the issuance of the license plates on a form provided by the department certifying that the organization meets the following requirements:

(i) The organization is a nonprofit corporation or a group of nonprofit corporations with a common purpose;

(ii) The primary activity or purpose of the organization serves the community, contributes to the welfare of others, and is not offensive or discriminatory in its purpose, nature, activity, or name;

(iii) The name and purpose of the organization does not promote any specific product or brand name that is on a product provided for sale;

(iv) The organization is authorized to use any name, logo, or graphic design suggested for the design of the license plates;

(v) No infringement or violation of any property right will result from such use of such name, logo, or graphic design; and

(vi) The organization will hold harmless the State of Nebraska and its employees and agents for any liability that may result from any infringement or violation of a property right based on the use of such name, logo, or graphic design.

(4)(a) One type of license plate under this section shall be alphanumeric license plates. The department shall assign a designation up to five characters and not use a county designation.

(b) One type of license plate under this section shall be personalized message license plates. Such license plates shall be issued subject to the same conditions specified for personalized message license plates in section 60-3,118, except that a maximum of five characters may be used. Personalized message organizational license plates under this section shall only be issued after the requirements of subsection (3) of this section have been met.

(5) The department may adopt and promulgate rules and regulations to carry out this section.

**Sec. 23.** Section 60-3,113, Reissue Revised Statutes of Nebraska, is



amended to read:

60-3,113 (1) The department shall, without the payment of any fee except the taxes and fees required by sections 60-3,102, 60-3,185, 60-3,190, and 60-3,191, issue license plates for one motor vehicle not used for hire and a license plate for one autocycle or motorcycle not used for hire to:

(a) Any permanently handicapped or disabled person or his or her parent, legal guardian, foster parent, or agent upon application and proof of a permanent handicap or disability; or

(b) A trust that owns the motor vehicle, autocycle, or motorcycle if a designated beneficiary of the trust qualifies under subdivision (a) of this subsection.

(2) An application and proof of disability in the form and with the information required by section 60-3,113.02 shall be submitted before such license plates are issued or reissued.

(3) The license plate or plates shall carry the internationally accepted wheelchair symbol, which symbol is a representation of a person seated in a wheelchair surrounded by a border six units wide by seven units high, and such other letters or numbers as the director prescribes. Such license plate or plates shall be used by such person in lieu of any other license plate or plates.

(4) The department shall compile and maintain a registry of the names, addresses, and license numbers of all persons who obtain license plates with the internationally accepted wheelchair symbol pursuant to this section and sections 60-3,122.03, 60-3,122.04, 60-3,124, and 60-3,125 and all persons who obtain a handicapped or disabled parking permit.

**Sec. 24.** Section 60-3,113.04, Revised Statutes Cumulative Supplement, 2024, is amended to read:

60-3,113.04 (1) A handicapped or disabled parking permit shall be of a design, size, configuration, color, and construction and contain such information as specified in the regulations adopted by the United States Department of Transportation in 23 C.F.R. part 1235, UNIFORM SYSTEM FOR PARKING

FOR PERSONS WITH DISABILITIES, as such regulations existed on the date specified in section 9 of this act.

(2) No handicapped or disabled parking permit shall be issued to any person or for any motor vehicle if any permit has been issued to such person or for such motor vehicle and such permit has been suspended pursuant to section 18-1741.02. At the expiration of such suspension, a permit may be renewed in the manner provided for renewal in sections 60-3,113.02, 60-3,113.03, and 60-3,113.05.

(3) A duplicate handicapped or disabled parking permit may be provided up to two times during any single permit period if a permit is destroyed, lost, or stolen. Such duplicate permit shall be issued as provided in section 60-3,113.02 or 60-3,113.03, whichever is applicable, except that a new certification by a physician, a physician assistant, or an advanced practice registered nurse need not be provided. A duplicate permit shall be valid for the remainder of the period for which the original permit was issued. If a person has been issued two duplicate permits under this subsection and needs another permit, such person shall reapply for a new permit under section 60-3,113.02 or 60-3,113.03, whichever is applicable.

**Sec. 25.** Section 60-3,122.03, Revised Statutes Cumulative Supplement, 2024, is amended to read:

60-3,122.03 (1) The department shall design license plates to be known as Military Honor Plates.

(2)(a) The department shall create designs honoring persons who have served or are serving in the United States Army, United States Army Reserve, United States Navy, United States Navy Reserve, United States Marine Corps, United States Marine Corps Reserve, United States Coast Guard, United States Coast Guard Reserve, United States Air Force, United States Air Force Reserve, United States Space Force, Air National Guard, or Army National Guard.

(b) The department may begin issuing the license plates with the design honoring persons who have served or are serving in the United States Space Force on January 1, 2026.

(3) There shall be thirteen such designs, one for each of such armed forces reflecting its official emblem, official seal, or other official image. The issuance of plates for each of such armed forces shall be conditioned on the approval of the armed forces owning the copyright to the official emblem, official seal, or other official image.

(4)(a) The department shall create six additional designs honoring persons who are serving or have served in the armed forces of the United States and who have been awarded the Afghanistan Campaign Medal, Iraq Campaign Medal, Global War on Terrorism Expeditionary Medal, Southwest Asia Service Medal, Vietnam Service Medal, or Inherent Resolve Campaign Medal.

(b) A person may apply for license plates with the Inherent Resolve Campaign Medal beginning on January 1, 2026.

(5) The department shall create the following additional designs honoring persons who are serving or have served in the armed forces of the United States and may begin issuing such license plates on January 1, 2026:

(a) One design that includes the word "veteran"; and

(b) One design that includes the word "veteran" and the internationally accepted wheelchair symbol specified in section 60-3,113.

(6)(a) A person may qualify for a Military Honor Plate by registering with the Department of Veterans' Affairs pursuant to section 80-414. The Department of Motor Vehicles shall verify the applicant's eligibility for a plate created pursuant to this section by consulting the registry established by the Department of Veterans' Affairs.

(b) To be eligible for the license plates described in subdivision (5)(b) of this section, in addition to any other eligibility requirements for such license plates under this section:

(i) An application and proof of disability in the form and with the information required by section 60-3,113.02 shall be submitted before issuance or reissuance of such license plates; and

(ii) The handicap or disability of the handicapped or disabled person shall be certified as permanent.

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

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

- (a) Assign a designation up to five characters; and
- (b) Not use a county designation.

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

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

**Sec. 26.** Section 60-3,122.04, Reissue Revised Statutes of Nebraska, is amended to read:

60-3,122.04 (1)(a) An eligible person may apply to the department for Military Honor Plates in lieu of regular license plates on an application prescribed and provided by the department for any motor vehicle, trailer, or semitrailer, except for a motor vehicle or trailer registered under section 60-3,198. An applicant receiving a Military Honor Plate for a farm truck with a gross weight of over sixteen tons shall affix the appropriate tonnage decal to the plate.

(b) The department shall make forms available for such applications through the county treasurers.

(c) The license plates shall be issued upon payment of the license fee

described in subsection (2) of this section and verification by the department of an applicant's eligibility using the registry established by the Department of Veterans' Affairs pursuant to section 80-414. To be eligible an applicant shall be:

(i) Active duty or reserve duty armed forces personnel serving in any of the armed forces listed in subsection (2) of section 60-3,122.03 or a veteran of any of such armed forces who was discharged or otherwise separated with a characterization of honorable or general (under honorable conditions);

(ii) A current or former commissioned officer of the United States Public Health Service or National Oceanic and Atmospheric Administration who has been detailed directly to any branch of such armed forces for service on active or reserve duty and who was discharged or otherwise separated with a characterization of honorable or general (under honorable conditions) as proven with valid orders from the United States Department of Defense, a statement of service provided by the United States Public Health Service, or a report of transfer or discharge provided by the National Oceanic and Atmospheric Administration;

(iii) A person who is serving or has served in the armed forces of the United States and who has been awarded the Afghanistan Campaign Medal, Iraq Campaign Medal, Global War on Terrorism Expeditionary Medal, Southwest Asia Service Medal, Vietnam Service Medal, or Inherent Resolve Campaign Medal;

(iv) For the license plate described in subdivision (5)(a) of section 60-3,122.03, a person who is serving or has served in the armed forces of the United States;

(v) For the license plate described in subdivision (5)(b) of section 60-3,122.03, a person who is serving or has served in the armed forces of the United States and is permanently handicapped or disabled; or

(vi) Beginning January 1, 2026, a trust that owns the motor vehicle, trailer, or semitrailer if a designated beneficiary of the trust qualifies under this subdivision (1)(c).

(d) Any person using Military Honor Plates shall surrender the plates to

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

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

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

(3)(a) When the department receives an application for Military Honor Plates, the department may deliver the plates and registration certificate to the applicant by United States mail or to the county treasurer of the county in which the motor vehicle or trailer is registered and the delivery of the plates and registration certificate shall be made through a secure process and system. If delivery of the plates and registration certificate is made by the department to the applicant, the department may charge a postage and handling fee in an amount not more than necessary to recover the cost of postage and handling for the specific items mailed to the registrant. The department shall remit the fee to the State Treasurer for credit to the Department of Motor Vehicles Cash Fund. The county treasurer or the department shall issue Military Honor Plates in lieu of regular license plates when the applicant complies with

the other provisions of the Motor Vehicle Registration Act for registration of the motor vehicle or trailer. If Military Honor Plates are lost, stolen, or mutilated, the licensee shall be issued replacement license plates upon request pursuant to section 60-3,157.

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

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

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

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

**Sec. 27.** Section 60-3,123, Revised Statutes Cumulative Supplement, 2024, is amended to read:

60-3,123 (1) Any person who was captured and incarcerated by an enemy of the United States during a period of conflict with such enemy and who was discharged or otherwise separated with a characterization of honorable from or is currently serving in the United States Armed Forces may, in addition to the application required in section 60-385, apply to the department for license plates designed to indicate that he or she is a former prisoner of war.

(2) In order to be eligible for license plates under this section, a person shall register with the Department of Veterans' Affairs pursuant to section 80-414. The license plates shall be issued upon verification by the Department of Motor Vehicles of an applicant's eligibility using the registry established by the Department of Veterans' Affairs pursuant to section 80-414. Any number of motor vehicles, trailers, or semitrailers owned by the applicant may be so licensed at any one time. Motor vehicles and trailers registered under section 60-3,198 shall not be so licensed.

(3) No license plate fee shall be required for license plates under this section.

(4) If the license plates issued under this section are lost, stolen, or mutilated, the recipient of the license plates shall be issued replacement license plates upon request and without charge.

(5) License plates issued under this section shall not require the payment of any additional license plate fees and shall be permanently attached to the vehicle to which the plates are registered as long as the vehicle is properly registered by the applicant annually.

(6) The county treasurer or the department may issue temporary license stickers to the applicant under this section for the applicant to lawfully



operate the vehicle pending receipt of the license plates. No charge in addition to the registration fee shall be made for the issuance of a temporary license sticker under this subsection. The department shall furnish temporary license stickers for issuance by the county treasurer at no cost to the counties. The department may adopt and promulgate rules and regulations regarding the design and issuance of temporary license stickers.

**Sec. 28.** Section 60-3,124, Revised Statutes Cumulative Supplement, 2024, is amended to read:

60-3,124 (1)(a)(i) Before January 1, 2026, any person who is a veteran of the United States Armed Forces, who was discharged or otherwise separated with a characterization of honorable or general (under honorable conditions), and who is classified by the United States Department of Veterans Affairs as at least ten percent service-connected disabled may, in addition to the application required in section 60-385, apply to the Department of Motor Vehicles for license plates designed by the department to indicate that the applicant is a disabled veteran. The inscription on the license plates shall be D.A.V. immediately below the license plate number to indicate that the holder of the license plates is a disabled veteran.

(ii) Beginning on January 1, 2026, when renewing the registration for a license plate described in subdivision (1)(a)(i) of this section, the department shall issue the license plates described in subdivision (1)(b)(i) of this section along with any required validation decals. The license plates described in subdivision (1)(a)(i) of this section shall not be valid for use on any motor vehicle, trailer, or semitrailer beginning on February 1, 2027.

(b) Beginning on January 1, 2026, any person who is a veteran of the United States Armed Forces, who was discharged or otherwise separated with a characterization of honorable or general (under honorable conditions), and who is classified by the United States Department of Veterans Affairs as at least ten percent service-connected disabled may, in addition to the application required in section 60-385, apply to the Department of Motor Vehicles for disabled veteran license plates designed by the department:

(i) With the words "disabled veteran" immediately below the license plate number; or

(ii) With the words "disabled veteran" immediately below the license plate number and also carrying the internationally accepted wheelchair symbol specified in section 60-3,113.

(c) Beginning January 1, 2026, a trust that owns a motor vehicle, trailer, or semitrailer may apply for the license plates described in subdivision (1)(b) (i) or (ii) of this section if a designated beneficiary of the trust qualifies for such license plates.

(2)(a) To be eligible for license plates under this section, a person shall register with the Department of Veterans' Affairs pursuant to section 80-414. The Department of Motor Vehicles shall verify an applicant's eligibility using the registry established by the Department of Veterans' Affairs pursuant to section 80-414 prior to issuing any license plates under this section.

(b) To be eligible for the license plates described in subdivision (1)(b) (ii) of this section, in addition to any other eligibility requirements for such license plates under this section:

(i) An application and proof of disability in the form and with the information required by section 60-3,113.02 shall be submitted before issuance or reissuance of such license plates; and

(ii) The handicap or disability of the handicapped or disabled person shall be certified as permanent.

(c) Any number of motor vehicles, trailers, or semitrailers owned by the applicant may be licensed under this section at any one time. Motor vehicles and trailers registered under section 60-3,198 shall not be so licensed.

(3)(a) Beginning January 1, 2026, one type of disabled veteran license plates shall be alphanumeric plates. No license plate fee shall be required for such license plates. The department shall:

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

(ii) Not use a county designation.

(b)(i) Beginning January 1, 2026, one type of disabled veteran license plates shall be personalized message license plates. Such license plates shall be issued subject to the same conditions specified for personalized message license plates in section 60-3,118, except that a maximum of five characters may be used.

(ii) Each application for initial issuance of personalized message disabled veteran license plates shall be accompanied by a fee of forty dollars. An application for renewal of such license plates shall be accompanied by a fee of forty dollars. Fees collected under this subdivision (3)(b)(ii) shall be remitted to the State Treasurer. The State Treasurer shall credit twenty-five percent of such fee to the Department of Motor Vehicles Cash Fund and seventy-five percent of such fee to the Nebraska Veteran Cemetery System Operation Fund.

(iii) No license plate fee under section 60-3,102 shall be required for personalized message disabled veteran license plates issued under this section, other than the fee provided for in subdivision (3)(b)(ii) of this section.

(4) If the license plates issued under this section are lost, stolen, or mutilated, the recipient of the plates shall be issued replacement license plates as provided in section 60-3,157.

(5) License plates issued under this section shall not require the payment of any additional license plate fees and shall be permanently attached to the vehicle to which the plates are registered as long as the vehicle is properly registered by the applicant annually.

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

**Sec. 29.** Section 60-3,125, Revised Statutes Cumulative Supplement, 2024, is amended to read:

60-3,125 (1)(a)(i) Any person may, in addition to the application required by section 60-385, apply to the department for license plates designed by the department to indicate that the applicant has received from the federal government an award of a Purple Heart. The inscription of the plates shall be designed so as to include a facsimile of the award and beneath any numerical designation upon the plates pursuant to section 60-370 the words Purple Heart separately on one line and the words Combat Wounded on the line below.

(ii)(A) Beginning January 1, 2026, one type of Purple Heart license plates shall be alphanumeric plates. No license plate fee shall be required for such license plates. The department shall:

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

(II) Not use a county designation.

(B)(I) One type of Purple Heart license plates shall be personalized message license plates. Such license plates shall be issued subject to the same conditions specified for personalized message license plates in section 60-3,118, except that a maximum of five characters may be used.

(II) Each application for initial issuance of personalized message Purple Heart license plates shall be accompanied by a fee of forty dollars. An application for renewal of such license plates shall be accompanied by a fee of forty dollars. Fees collected under this subdivision (1)(a)(ii)(B)(II) shall be remitted to the State Treasurer. The State Treasurer shall credit twenty-five percent of such fee to the Department of Motor Vehicles Cash Fund and seventy-five percent of such fee to the Nebraska Veteran Cemetery System Operation Fund.

(III) No license plate fee under section 60-3,102 shall be required for personalized message Purple Heart license plates issued under this section, other than the fee provided for in subdivision (1)(a)(ii)(B)(II) of this section.

(b)(i) Beginning January 1, 2026, any person may, in addition to the

application required by section 60-385, apply to the department for license plates designed by the department to indicate that the applicant has received from the federal government an award of a Purple Heart. The inscription of the plates shall be designed so as to include a facsimile of the award and beneath any numerical designation upon the plates pursuant to section 60-370 the words Purple Heart separately on one line and the words Combat Wounded on the line below. Such license plates shall also carry the internationally accepted wheelchair symbol specified in section 60-3,113.

(ii)(A) One type of Purple Heart license plates that carry the internationally accepted wheelchair symbol shall be alphanumeric plates. No license plate fee shall be required for such license plates. The department shall:

- (I) Assign a designation up to three characters; and
- (II) Not use a county designation.

(B)(I) Beginning January 1, 2026, one type of Purple Heart license plates that carry the internationally accepted wheelchair symbol shall be personalized message license plates. Such license plates shall be issued subject to the same conditions specified for personalized message license plates in section 60-3,118, except that a maximum of three characters may be used.

(II) Each application for initial issuance of personalized message Purple Heart license plates that carry the internationally accepted wheelchair symbol shall be accompanied by a fee of forty dollars. An application for renewal of such license plates shall be accompanied by a fee of forty dollars. Fees collected under this subdivision (1)(b)(ii)(B)(II) shall be remitted to the State Treasurer. The State Treasurer shall credit twenty-five percent of such fee to the Department of Motor Vehicles Cash Fund and seventy-five percent of such fee to the Nebraska Veteran Cemetery System Operation Fund.

(III) No license plate fee under section 60-3,102 shall be required for personalized message Purple Heart license plates issued under this section, other than the fee provided for in subdivision (1)(b)(ii)(B)(II) of this section.

(c) Beginning January 1, 2026, a trust that owns a motor vehicle, trailer, or semitrailer may apply for the license plates described in subdivision (1)(a) or (b) of this section if a designated beneficiary of the trust qualifies for such license plates.

(2)(a) To be eligible for license plates under this section, a person shall register with the Department of Veterans' Affairs pursuant to section 80-414. The Department of Motor Vehicles shall verify an applicant's eligibility using the registry established by the Department of Veterans' Affairs pursuant to section 80-414 prior to issuing any license plates under this section.

(b) To be eligible for the license plates described in subdivision (1)(b) of this section, in addition to any other eligibility requirements for such license plates under this section:

(i) An application and proof of disability in the form and with the information required by section 60-3,113.02 shall be submitted before issuance or reissuance of such license plates; and

(ii) The handicap or disability of the handicapped or disabled person shall be certified as permanent.

(c) Any number of motor vehicles, trailers, or semitrailers owned by the applicant may be licensed under this section at any one time. Motor vehicles and trailers registered under section 60-3,198 shall not be so licensed.

(3) If license plates issued pursuant to this section are lost, stolen, or mutilated, the recipient of the plates shall be issued replacement license plates upon request and without charge.

(4) License plates issued under this section shall not require the payment of any additional license plate fees and shall be permanently attached to the vehicle to which the plates are registered as long as the vehicle is properly registered by the applicant annually.

(5) The county treasurer or the department may issue temporary license stickers to the applicant under this section for the applicant to lawfully operate the vehicle pending receipt of the license plates. No charge in

addition to the registration fee shall be made for the issuance of a temporary license sticker under this subsection. The department shall furnish temporary license stickers for issuance by the county treasurer at no cost to the counties. The department may adopt and promulgate rules and regulations regarding the design and issuance of temporary license stickers.

**Sec. 30.** Section 60-3,130.04, Revised Statutes Cumulative Supplement, 2024, is amended to read:

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

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

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

(4) License plates used pursuant to this section corresponding to the year of manufacture of the vehicle shall not be personalized message license plates, Pearl Harbor license plates, prisoner-of-war license plates, disabled veteran license plates, Purple Heart license plates, amateur radio station license plates, handicapped or disabled person license plates, organizational license plates, special interest motor vehicle license plates, Military Honor Plates, or alternate license plates.

**Sec. 31.** Section 60-3,151, Reissue Revised Statutes of Nebraska, is amended to read:

60-3,151 (1) The department shall issue the following types of trailer license plates:

(a) License plates for commercial trailers or semitrailers. For the registration of any commercial trailer or semitrailer, the fee shall be one dollar;

(b) License plates for utility trailers. The fee for utility trailers shall be one dollar for each one thousand pounds gross vehicle weight or fraction thereof, up to and including nine thousand pounds. Utility trailer license plates shall display, in addition to the registration number, the letter X. Trailers other than farm trailers of more than nine thousand pounds must be registered as commercial trailers;

(c) License plates for cabin trailers. The fee for cabin trailers having a gross vehicle weight of:

(i) One thousand pounds or less shall be nine dollars;

(ii) More than one thousand pounds but less than two thousand pounds shall be twelve dollars; and

(iii) Two thousand pounds or more shall be fifteen dollars;

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

(e) License plates for fertilizer trailers other than commercial fertilizer trailers. Fertilizer trailers shall be registered for a fee of one dollar. Fertilizer trailer license plates shall display, in addition to the registration number, the letter X;

(f) License plates for trailers used to haul poles and cable reels.



Trailers used to haul poles and cable reels owned and operated exclusively by public utility companies shall be licensed at a fee based on two dollars for each one-thousand-pound load to be hauled or any fraction thereof, and such load shall not exceed sixteen thousand pounds; and

(g) License plates for commercial fertilizer trailers. Commercial fertilizer trailers shall be registered for a fee of one dollar. Commercial fertilizer trailer license plates shall display, in addition to the registration number, the letter X. Any license plate issued pursuant to this subdivision (g) shall remain affixed to the rear of the trailer as long as the commercial fertilizer trailer is registered pursuant to this section by the owner or lessor making the original application pursuant to section 60-385. This subdivision (g) applies beginning January 1, 2026.

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

**Sec. 32.** Section 60-3,193.01, Revised Statutes Cumulative Supplement, 2024, is amended to read:

60-3,193.01 For purposes of the Motor Vehicle Registration Act, the International Registration Plan is adopted and incorporated by reference as the plan existed on January 1, 2025.

**Sec. 33.** Section 60-3,253, Revised Statutes Cumulative Supplement, 2024, is amended to read:

(1) Unless otherwise specified in section 35 of this act, the provisions

of this section apply to alternate license plates.

(2) The department shall design license plates to be known as alternate license plates. The design specifications of each type of alternate license plate are indicated in section 35 of this act. The design for each type of alternate license plate shall be selected on the basis of limiting the manufacturing cost of each license plate to an amount less than or equal to the amount charged for license plates pursuant to section 60-3,102.

(3) The department may adopt and promulgate rules and regulations to carry out this section and sections 34 and 35 of this act.

(4)(a) Each type of alternate license plate shall be issued as either an alphanumeric alternate license plate or a personalized message alternate license plate.

(b) For an alphanumeric alternate license plate, the department shall:

- (i) Assign a designation up to five characters; and
- (ii) Not use a county designation.

(c) Personalized message alternate license plates shall be issued subject to the same conditions specified for personalized message license plates in section 60-3,118, except that a maximum of five characters may be used.

(5) The department shall cease to issue a type of alternate license plate listed in section 35 of this act beginning with the next license plate issuance cycle pursuant to section 60-3,101 after the first year that such type of alternate license plate was issued by the department if the total number of registered vehicles that obtained such type of alternate license plate is less than five hundred per year within any prior consecutive two-year period.

**Sec. 34.** Section 60-3,254, Reissue Revised Statutes of Nebraska, is amended to read:

(1) Unless otherwise specified in section 35 of this act, the provisions of this section apply to alternate license plates.

(2) A person may apply to the department for alternate license plates in lieu of regular license plates on an application prescribed and provided by the department for any motor vehicle, trailer, or semitrailer, except for a motor

vehicle, trailer, or semitrailer registered under section 60-3,198. An applicant receiving alternate license plates for a farm truck with a gross weight of over sixteen tons or for a commercial motor vehicle registered for a gross weight of five tons or over shall affix the appropriate tonnage decal to the license plate. The department shall make forms available for such applications through the county treasurers. The alternate license plates shall be issued upon payment of the alternate license plate fee described in subsection (3) of this section.

(3)(a) In addition to all other fees required for registration under the Motor Vehicle Registration Act, each application for initial issuance or renewal of alphanumeric alternate license plates shall be accompanied by a fee of five dollars. County treasurers collecting fees pursuant to this subdivision shall remit such fees to the State Treasurer. The State Treasurer shall credit five dollars of the fee to the designated recipient of the alternate license plate fee pursuant to section 35 of this act.

(b) In addition to all other fees required for registration under the Motor Vehicle Registration Act, each application for initial issuance or renewal of personalized message alternate license plates shall be accompanied by the personalized message alternate license plate fee of forty dollars. County treasurers collecting fees pursuant to this subdivision shall remit such fees to the State Treasurer. The State Treasurer shall credit twenty-five percent of the fee to the Department of Motor Vehicles Cash Fund and seventy-five percent of the fee to the designated recipient of the alternate license plate fee pursuant to section 35 of this act.

(4) When the department receives an application for alternate license plates, the department may deliver the license plates and registration certificate to the applicant by United States mail or to the county treasurer of the county where the motor vehicle, trailer, or semitrailer is registered and the delivery of the license plates and registration certificate shall be made through a secure process and system. If delivery of the license plates and registration certificate is made by the department to the applicant, the

department may charge a postage and handling fee in an amount not more than necessary to recover the cost of postage and handling for the specific items mailed to the registrant. The department shall remit the fee to the State Treasurer for credit to the Department of Motor Vehicles Cash Fund. The county treasurer or the department shall issue the specified alternate license plates in lieu of regular license plates when the applicant complies with the other provisions of the Motor Vehicle Registration Act for registration of the motor vehicle, trailer, or semitrailer. If an alternate license plate is lost, stolen, or mutilated, the licensee shall be issued a replacement license plate upon request pursuant to section 60-3,157.

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

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

(7) If the cost of manufacturing a type of alternate license plate at any

time exceeds the amount charged for license plates pursuant to section 60-3,102, any money to be credited to the designated recipient of the alternate license plate fee pursuant to section 35 of this act shall instead be credited first to the Highway Trust Fund in an amount equal to the difference between the manufacturing cost of such type of alternate license plate and the amount charged pursuant to section 60-3,102 with respect to such license plates and the remainder shall be credited to the designated recipient of the alternate license plate fee pursuant to section 35 of this act.

**Sec. 35.** The department shall issue the following types of alternate license plates pursuant to this section, section 60-3,104, and sections 33 and 34 of this act:

(1) Arbor Day Plates. The department shall design such license plates in consultation with the Nebraska Statewide Arboretum and a nonprofit organization holding a certificate of exemption under section 501(c)(3) of the Internal Revenue Code with a mission to inspire people to plant, nurture, and celebrate trees. The design of such plates shall represent the history and importance of Arbor Day in Nebraska. The designated recipient for alternate license plate fees for Arbor Day Plates is the Home of Arbor Day Plate Cash Fund. A person may apply for Arbor Day Plates beginning on January 1, 2026;

(2) Breast Cancer Awareness Plates. The department shall design such license plates to include a pink ribbon and the words "early detection saves lives" along the bottom of the license plate. The designated recipient for alternate license plate fees for Breast Cancer Awareness Plates is the University of Nebraska Medical Center for the breast cancer navigator program;

(3) Choose Life License Plates. The department shall design such license plates to reflect support for the protection of Nebraska's children. The designated recipient for alternate license plate fees for Choose Life License Plates is the Health and Human Services Cash Fund to supplement federal funds available to the Department of Health and Human Services for the Temporary Assistance for Needy Families program, 42 U.S.C. 601 et seq.;

(4) Czech Heritage Plates. The department, in consultation with the Czech

Honorary Consul of Nebraska, shall design such license plates to reflect Czech heritage in Nebraska. The designated recipient for alternate license plate fees for Czech Heritage Plates is the Department of Motor Vehicles Cash Fund;

(5) Donate Life Plates. The department shall design such license plates to reflect support for organ and tissue donation, registration as a donor on the Donor Registry of Nebraska, and the federally designated organ procurement organization for Nebraska. The designated recipient for alternate license plate fees for Donate Life Plates is the Organ and Tissue Donor Awareness and Education Fund;

(6) Down Syndrome Awareness Plates. The department shall design such license plates to include the words "Down syndrome awareness" inside a heart-shaped yellow and blue ribbon. The designated recipient for alternate license plate fees for Down Syndrome Awareness Plates is the University of Nebraska Medical Center for the Down Syndrome Clinic;

(7) Josh the Otter-Be Safe Around Water Plates. The department shall design such license plates to include a blue background with the head of an otter surfacing above water surrounded by the words "Josh the Otter-Be Safe Around Water". The designated recipient for alternate license plate fees for Josh the Otter-Be Safe Around Water Plates is the Josh the Otter-Be Safe Around Water Cash Fund;

(8) Mountain Lion Conservation Plates. The department shall design such license plates to reflect support for the conservation of the mountain lion population. The designated recipient for alternate license plate fees for Mountain Lion Conservation Plates is the Game and Parks Commission Educational Fund;

(9) Native American Cultural Awareness and History Plates. The department, in consultation with the Commission on Indian Affairs, shall design license plates that reflect the unique culture and history of Native American tribes historically and currently located in Nebraska. The designated recipient for alternate license plate fees for Native American Cultural Awareness and History Plates is the Native American Scholarship and Leadership Fund;

(10)(a) Nebraska Cornhusker Spirit Plates. The department shall design such license plates to (i) include the word "Cornhuskers" or "Huskers" prominently in the design, (ii) use scarlet and cream colors in the design or such other similar colors as the department determines to best represent the official team colors of the University of Nebraska Cornhuskers athletic programs and to provide suitable reflection and contrast, (iii) use cream or a similar color for the background of the design and scarlet or a similar color for the printing, and (iv) create a design reflecting support for the University of Nebraska Cornhuskers athletic programs in consultation with the University of Nebraska-Lincoln Athletic Department.

(b) Alphanumeric Nebraska Cornhusker Spirit Plates shall (i) be consecutively numbered beginning with the number one and use numbers that are a size that maximizes legibility, and (ii) not use a county designation or any characters other than numbers on the spirit plates.

(c) Personalized message Nebraska Cornhusker Spirit Plates shall be issued subject to the same conditions specified for personalized message license plates in subsection (2) of section 60-3,118. The characters used shall consist only of letters, numerals, or a combination of letters and numerals of the same size and design specified in section 60-3,100. A maximum of seven characters may be used.

(d) Each application for initial issuance or renewal of Nebraska Cornhusker Spirit Plates shall be accompanied by a fee of seventy dollars. Fees collected pursuant to this subdivision shall be remitted to the State Treasurer. The State Treasurer shall credit sixty percent of the fee to the Department of Motor Vehicles Cash Fund and forty percent of the fee to the designated recipient for alternate license plate fees.

(e) The designated recipient for alternate license plate fees for Nebraska Cornhusker Spirit Plates is the Highway Trust Fund;

(11) Nebraska History Plates. The department shall design such license plates in consultation with the Nebraska State Historical Society to reflect the importance of historical preservation in Nebraska and the value of our

shared Nebraska history. The designated recipient for alternate license plate fees for Nebraska History Plates is the Support Nebraska History Cash Fund;

(12) Pets for Vets Plates. The department shall design such license plates to support veterans and companion or therapy pet animals. The designated recipient for alternate license plate fees for Pets for Vets Plates is the Pets for Vets Cash Fund;

(13) Prostate Cancer Awareness Plates. The department shall design such license plates to include a light blue ribbon and the words "early detection saves lives" along the bottom of the license plate. The designated recipient for alternate license plate fees for Prostate Cancer Awareness Plates is the University of Nebraska Medical Center for the Nebraska Prostate Cancer Research Program;

(14) Sammy's Superheroes license plates for childhood cancer awareness. The department shall design such license plates to include a blue handprint over a yellow ribbon and the words "childhood cancer awareness". The designated recipient for alternate license plate fees for Sammy's Superheroes license plates for childhood cancer awareness is the University of Nebraska Medical Center for pediatric cancer research;

(15) Support the Arts Plates. The department shall design such license plates in consultation with the Nebraska Arts Council to reflect support for the arts in Nebraska. The designated recipient for alternate license plate fees for Support the Arts Plates is the Support the Arts Cash Fund;

(16)(a) Support Our Troops Plates. The department shall design such license plates to reflect support for troops from all branches of the armed forces. The designated recipient for alternate license plate fees for Support Our Troops Plates is the Veterans Employment Program Fund.

(b)(i) Each application for initial issuance or renewal of alphanumeric Support Our Troops Plates shall be accompanied by a fee of five dollars. The State Treasurer shall credit five dollars of the fee to the designated recipient for alternate license plate fees for Support Our Troops Plates.

(ii) Each application for initial issuance or renewal of personalized



message Support Our Troops Plates shall be accompanied by a fee of seventy dollars. Twenty-five percent of such fee shall be credited to the Department of Motor Vehicles Cash Fund and seventy-five percent of such fee shall be credited to the designated recipient for alternate license plate fees for Support Our Troops Plates;

(17) The Good Life Is Outside Plates. The department shall design such license plates to reflect the importance of safe walking and biking in Nebraska and the value of our recreational trails. The designated recipient for alternate license plate fees for The Good Life Is Outside Plates is the Game and Parks State Park Improvement and Maintenance Fund for the purpose of trail improvement and maintenance; and

(18) Wildlife Conservation Plates. The department shall create no more than three designs for such license plates to reflect support for the conservation of Nebraska wildlife, including sandhill cranes, bighorn sheep, and ornate box turtles. The designated recipient for alternate license plate fees for Wildlife Conservation Plates is the Wildlife Conservation Fund.

**Sec. 36.** Section 60-462.01, Revised Statutes Cumulative Supplement, 2024, is amended to read:

60-462.01 For purposes of the Motor Vehicle Operator's License Act, the following federal regulations are adopted as Nebraska law as they existed on January 1, 2025:

The parts, subparts, and sections of Title 49 of the Code of Federal Regulations, as referenced in the Motor Vehicle Operator's License Act.

**Sec. 37.** Section 60-479.01, Revised Statutes Cumulative Supplement, 2024, is amended to read:

60-479.01 (1) All persons handling source documents or engaged in the issuance of new, renewed, or reissued operators' licenses or state identification cards shall have periodic fraudulent document recognition training.

(2) All persons and agents of the department involved in the recording of verified application information or verified operator's license and state

identification card information, involved in the manufacture or production of licenses or cards, or who have the ability to affect information on such licenses or cards shall be subject to a criminal history record information check, including a check of prior employment references, and a lawful status check as required by 6 C.F.R. part 37, as such part existed on the date specified in section 9 of this act. Such persons and agents shall provide fingerprints which shall be submitted to the Federal Bureau of Investigation. The bureau shall use its records for the criminal history record information check.

(3) Upon receipt of a request pursuant to subsection (2) of this section, the Nebraska State Patrol shall undertake a search for criminal history record information relating to such applicant, including transmittal of the applicant's fingerprints to the Federal Bureau of Investigation for a national criminal history record information check. The criminal history record information check shall include information concerning the applicant from federal repositories of such information and repositories of such information in other states, if authorized by federal law. The Nebraska State Patrol shall issue a report to the employing public agency that shall include the criminal history record information concerning the applicant. The cost of any background check shall be borne by the employer of the person or agent.

(4) Any person convicted of any disqualifying offense as provided in 6 C.F.R. part 37, as such part existed on the date specified in section 9 of this act, shall not be involved in the recording of verified application information or verified operator's license and state identification card information, involved in the manufacture or production of licenses or cards, or involved in any capacity in which such person would have the ability to affect information on such licenses or cards. Any employee or prospective employee of the department shall be provided notice that he or she will undergo such criminal history record information check prior to employment or prior to any involvement with the issuance of operators' licenses or state identification cards.

**Sec. 38.** Section 60-483, Revised Statutes Cumulative Supplement, 2024, is amended to read:

60-483 (1) The director shall assign a distinguishing number to each operator's license issued and shall keep a record of the same which shall be open to public inspection by any person requesting inspection of such record who qualifies under section 60-2906 or 60-2907. Any person requesting such driver record information shall furnish to the Department of Motor Vehicles (a) verification of identity and purpose that the requester is entitled under section 60-2906 or 60-2907 to disclosure of the personal information in the record, (b) the name of the person whose record is being requested, and (c) when the name alone is insufficient to identify the correct record, the department may request additional identifying information. The department shall, upon request of any requester, furnish a certified abstract of the operating record of any person, in either hard copy or electronically, and shall charge the requester a fee of three dollars per abstract.

(2) Except as otherwise provided in subsection (5) of this section, the department shall remit any revenue generated under subsections (1) through (5) of this section to the State Treasurer, and the State Treasurer shall credit forty-one and two-thirds percent to the Department of Motor Vehicles Cash Fund, twenty-five percent to the General Fund, and thirty-three and one-third percent to the Records Management Cash Fund.

(3) The director shall, upon receiving a request and an agreement from the United States Selective Service System to comply with requirements of this section, furnish driver record information to the United States Selective Service System to include the name, post office address, date of birth, sex, and social security number of licensees. The United States Selective Service System shall pay all costs incurred by the department in providing the information but shall not be required to pay any other fee required by law for information. No driver record information shall be furnished to the United States Selective Service System regarding any female, nor regarding any male other than those between the ages of seventeen years and twenty-six years. The

information shall only be used in the fulfillment of the required duties of the United States Selective Service System and shall not be furnished to any other person.

(4) The director shall keep a record of all applications for operators' licenses that are disapproved with a brief statement of the reason for disapproval of the application.

(5) The director may establish a monitoring service which provides information on operating records that have changed due to any adjudicated traffic citation or administrative action. The director shall charge a fee of fifteen cents per operating record searched pursuant to this section and the fee provided in subsection (1) of this section for each abstract returned as a result of the search. For each fee charged, the department shall remit to the State Treasurer nine cents to be credited to the Department of Motor Vehicles Cash Fund and six cents to be credited as provided in subsection (2) of this section.

(6) Driver record header information, including name, license number, date of birth, address, and physical description, from every driver record maintained by the department may be made available so long as the Uniform Motor Vehicle Records Disclosure Act is not violated. Monthly updates, including all new records, may also be made available. There shall be a fee of thirty dollars per thousand records. All fees collected pursuant to this subsection shall be remitted to the State Treasurer for credit to the Department of Motor Vehicles Cash Fund.

(7) The department may enter into a reciprocity agreement with a foreign country to provide for the mutual recognition and reciprocal exchange of a valid operator's license issued by this state or the foreign country if the department determines that the licensing standards of the foreign country are comparable to those of this state. Any such agreement entered into by the department shall not include the mutual recognition and reciprocal exchange of a commercial driver's license.

(8) For any record provided pursuant to subsection (1) of this section,

the requester shall be required to pay, in addition to the fee prescribed in such subsection, a fee of twelve dollars per record. For each fee charged, the department shall remit to the State Treasurer eight dollars to be credited to the Department of Motor Vehicles Cash Fund and four dollars to be credited to the Operator's License Services System Replacement and Maintenance Fund.

**Sec. 39.** Section 60-495, Reissue Revised Statutes of Nebraska, is amended to read:

60-495 (1) The director may adopt and promulgate such rules and regulations necessary to carry out sections 60-493 to 60-495 and the duties of the department under the Revised Uniform Anatomical Gift Act. The director shall prepare and furnish all forms and information necessary under the act.

(2) The Organ and Tissue Donor Awareness and Education Fund is created. Department personnel and the county treasurer shall remit all funds contributed under sections 60-484, 60-4,144, and 60-4,181 to the State Treasurer for credit to the fund. The fund shall also include any money credited to the fund pursuant to section 35 of this act. The Department of Health and Human Services shall administer the Organ and Tissue Donor Awareness and Education Fund for the promotion of organ and tissue donation. The department shall use the fund to assist organizations such as the federally designated organ procurement organization for Nebraska and the State Anatomical Board in carrying out activities that promote organ and tissue donation through the creation and dissemination of educational information. Any money in the fund available for investment shall be invested by the state investment officer pursuant to the Nebraska Capital Expansion Act and the Nebraska State Funds Investment Act.

**Sec. 40.** Section 60-4,111.01, Revised Statutes Cumulative Supplement, 2024, is amended to read:

60-4,111.01 (1) The Department of Motor Vehicles, the courts, or law enforcement agencies may store or compile information acquired from an operator's license or a state identification card for their statutorily authorized purposes.

(2) Except as otherwise provided in subsection (3) or (4) of this section,

no person having use of or access to machine-readable information encoded on an operator's license or a state identification card shall compile, store, preserve, trade, sell, or share such information. Any person who trades, sells, or shares such information shall be guilty of a Class IV felony. Any person who compiles, stores, or preserves such information except as authorized in subsection (3) or (4) of this section shall be guilty of a Class IV felony.

(3)(a) For purposes of compliance with and enforcement of restrictions on the purchase of alcohol, lottery tickets, and tobacco products, a retailer who sells any of such items pursuant to a license issued or a contract under the applicable statutory provision may scan machine-readable information encoded on an operator's license or a state identification card presented for the purpose of such a sale. The retailer may store only the following information obtained from the license or card: Age and license or card identification number. The retailer shall post a sign at the point of sale of any of such items stating that the license or card will be scanned and that the age and identification number will be stored. The stored information may only be used by a law enforcement agency for purposes of enforcement of the restrictions on the purchase of alcohol, lottery tickets, and tobacco products and may not be shared with any other person or entity.

(b) For purposes of compliance with the provisions of sections 28-458 to 28-462, a seller who sells methamphetamine precursors pursuant to such sections may scan machine-readable information encoded on an operator's license or a state identification card presented for the purpose of such a sale. The seller may store only the following information obtained from the license or card: Name, age, address, type of identification presented by the customer, the governmental entity that issued the identification, and the number on the identification. The seller shall post a sign at the point of sale stating that the license or card will be scanned and stating what information will be stored. The stored information may only be used by law enforcement agencies, regulatory agencies, and the exchange for purposes of enforcement of the restrictions on the sale or purchase of methamphetamine precursors pursuant to

sections 28-458 to 28-462 and may not be shared with any other person or entity. For purposes of this subsection, the terms exchange, methamphetamine precursor, and seller have the same meanings as in section 28-458.

(c) The retailer or seller shall utilize software that stores only the information allowed by this subsection. A programmer for computer software designed to store such information shall certify to the retailer that the software stores only the information allowed by this subsection. Intentional or grossly negligent programming by the programmer which allows for the storage of more than the age and identification number or wrongfully certifying the software shall be a Class IV felony.

(d) A retailer or seller who knowingly stores more information than authorized under this subsection from the operator's license or state identification card shall be guilty of a Class IV felony.

(e) Information scanned, compiled, stored, or preserved pursuant to subdivision (a) of this subsection may not be retained longer than eighteen months unless required by state or federal law.

(4) In order to approve a negotiable instrument, an electronic funds transfer, or a similar method of payment, a person having use of or access to machine-readable information encoded on an operator's license or a state identification card may:

(a) Scan, compile, store, or preserve such information in order to provide the information to a check services company subject to and in compliance with the federal Fair Credit Reporting Act, 15 U.S.C. 1681 et seq., as such act existed on the date specified in section 9 of this act, for the purpose of effecting, administering, or enforcing a transaction requested by the holder of the license or card or preventing fraud or other criminal activity; or

(b) Scan and store such information only as necessary to protect against or prevent actual or potential fraud, unauthorized transactions, claims, or other liability or to resolve a dispute or inquiry by the holder of the license or card.

(5) Except as provided in subdivision (4)(a) of this section, information

scanned, compiled, stored, or preserved pursuant to this section may not be traded or sold to or shared with a third party; used for any marketing or sales purpose by any person, including the retailer who obtained the information; or, unless pursuant to a court order, reported to or shared with any third party. A person who violates this subsection shall be guilty of a Class IV felony.

**Sec. 41.** Section 60-4,131, Revised Statutes Cumulative Supplement, 2024, is amended to read:

60-4,131 (1) Sections 60-462.01 and 60-4,132 to 60-4,172 shall apply to the operation of any commercial motor vehicle.

(2) For purposes of such sections:

(a) Disqualification means:

(i) The suspension, revocation, cancellation, or any other withdrawal by a state of a person's privilege to operate a commercial motor vehicle;

(ii) A determination by the Federal Motor Carrier Safety Administration, under the rules of practice for motor carrier safety contained in 49 C.F.R. part 386, that a person is no longer qualified to operate a commercial motor vehicle under 49 C.F.R. part 391; or

(iii) The loss of qualification which automatically follows conviction of an offense listed in 49 C.F.R. 383.51;

(b) Downgrade means the state:

(i) Allows the driver of a commercial motor vehicle to change his or her self-certification to interstate, but operating exclusively in transportation or operation excepted from 49 C.F.R. part 391, as provided in 49 C.F.R. 390.3(f), 391.2, 391.68, or 398.3;

(ii) Allows the driver of a commercial motor vehicle to change his or her self-certification to intrastate only, if the driver qualifies under a state's physical qualification requirements for intrastate only;

(iii) Allows the driver of a commercial motor vehicle to change his or her certification to intrastate, but operating exclusively in transportation or operations excepted from all or part of a state driver qualification requirement; or



(iv) Removes the commercial driver's license privilege from the operator's license;

(c) Employee means any operator of a commercial motor vehicle, including full-time, regularly employed drivers; casual, intermittent, or occasional drivers; and leased drivers and independent, owner-operator contractors, while in the course of operating a commercial motor vehicle, who are either directly employed by or under lease to an employer;

(d) Employer means any person, including the United States, a state, the District of Columbia, or a political subdivision of a state, that owns or leases a commercial motor vehicle or assigns employees to operate a commercial motor vehicle;

(e) Endorsement means an authorization to an individual's CLP-commercial learner's permit or commercial driver's license required to permit the individual to operate certain types of commercial motor vehicles;

(f) Foreign means outside the fifty United States and the District of Columbia;

(g) Imminent hazard means the existence of a condition relating to hazardous material that presents a substantial likelihood that death, serious illness, severe personal injury, or a substantial endangerment to health, property, or the environment may occur before the reasonably foreseeable completion date of a formal proceeding begun to lessen the risk of that death, illness, injury, or endangerment;

(h) Issue and issuance means initial issuance, transfer, renewal, or upgrade of a commercial driver's license or nondomiciled commercial driver's license, or issuance, transfer, or upgrade of a CLP-commercial learner's permit or nondomiciled CLP-commercial learner's permit, as described in 49 C.F.R. 383.73;

(i) Medical examiner means an individual certified by the Federal Motor Carrier Safety Administration and listed on the National Registry of Certified Medical Examiners in accordance with 49 C.F.R. part 390, subpart D;

(j) Medical examiner's certificate means any paper certification or

electronic certification that meets the requirements of 49 C.F.R. 391.43 issued by a medical examiner in compliance with such regulation;

(k) Medical variance means the Federal Motor Carrier Safety Administration has provided a driver with either an exemption letter permitting operation of a commercial motor vehicle pursuant to 49 C.F.R. 381, subpart C, or 49 C.F.R. 391.64 or a Skill Performance Evaluation Certificate permitting operation of a commercial motor vehicle pursuant to 49 C.F.R. 391.49;

(l) Nondomiciled CLP-commercial learner's permit or nondomiciled commercial driver's license means a CLP-commercial learner's permit or commercial driver's license, respectively, issued by this state or other jurisdiction under either of the following two conditions:

(i) To an individual domiciled in a foreign country meeting the requirements of 49 C.F.R. 383.23(b)(1); or

(ii) To an individual domiciled in another state meeting the requirements of 49 C.F.R. 383.23(b)(2);

(m) Representative vehicle means a motor vehicle which represents the type of motor vehicle that a driver applicant operates or expects to operate;

(n) State means a state of the United States and the District of Columbia;

(o) State of domicile means that state where a person has his or her true, fixed, and permanent home and principal residence and to which he or she has the intention of returning whenever he or she is absent;

(p) Tank vehicle means any commercial motor vehicle that is designed to transport any liquid or gaseous materials within a tank or tanks that have an individual rated capacity of more than one hundred nineteen gallons and an aggregate rated capacity of one thousand gallons or more and that are either permanently or temporarily attached to the vehicle or the chassis. A commercial motor vehicle transporting an empty storage container tank, not designed for transportation, with a rated capacity of one thousand gallons or more that is temporarily attached to a flatbed trailer is not considered a tank vehicle;

(q) Third-party skills test examiner means a person employed by a third-party tester who is authorized by this state to administer the commercial

driver's license skills tests specified in 49 C.F.R. part 383, subparts G and H;

(r) Third-party tester means a person, including, but not limited to, another state, a motor carrier, a private driver training facility or other private institution, or a department, agency, or instrumentality of a local government, authorized by this state to employ skills test examiners to administer the commercial driver's license skills tests specified in 49 C.F.R. part 383, subparts G and H;

(s) United States means the fifty states and the District of Columbia; and

(t) Vehicle group means a class or type of vehicle with certain operating characteristics.

**Sec. 42.** Section 60-4,132, Revised Statutes Cumulative Supplement, 2024, is amended to read:

60-4,132 The purposes of sections 60-462.01, 60-4,133, and 60-4,137 to 60-4,172 are to implement the requirements mandated by the federal Commercial Motor Vehicle Safety Act of 1986, 49 U.S.C. 31100 et seq., the federal Motor Carrier Safety Improvement Act of 1999, Public Law 106-159, 49 U.S.C. 101 et seq., section 1012 of the federal Uniting and Strengthening America by Providing Appropriate Tools Required to Intercept and Obstruct Terrorism Act of 2001, USA PATRIOT Act, 49 U.S.C. 5103a, and federal regulations as such acts and regulations existed on January 1, 2025, and to reduce or prevent commercial motor vehicle accidents, fatalities, and injuries by: (1) Permitting drivers to hold only one operator's license; (2) disqualifying drivers for specified offenses and serious traffic violations; and (3) strengthening licensing and testing standards.

**Sec. 43.** Section 60-4,134, Revised Statutes Cumulative Supplement, 2024, is amended to read:

60-4,134 In conformance with section 7208 of the federal Fixing America's Surface Transportation Act and 49 C.F.R. 383.3(i), as such section and regulation existed on the date specified in section 9 of this act, no hazardous materials endorsement authorizing the holder of a Class A commercial driver's

license to operate a commercial motor vehicle transporting diesel fuel shall be required if such driver is (1) operating within the state and acting within the scope of his or her employment as an employee of a custom harvester operation, an agrichemical business, a farm retail outlet and supplier, or a livestock feeder and (2) operating a service vehicle that is (a) transporting diesel in a quantity of one thousand gallons or less and (b) clearly marked with a flammable or combustible placard, as appropriate.

**Sec. 44.** Section 60-4,144, Revised Statutes Cumulative Supplement, 2024, is amended to read:

60-4,144 (1) An applicant for issuance of any original or renewal commercial driver's license or an applicant for a change of class of commercial motor vehicle, endorsement, or restriction shall demonstrate his or her knowledge and skills for operating a commercial motor vehicle as prescribed in the Motor Vehicle Operator's License Act. An applicant for a commercial driver's license shall provide the information and documentation required by this section and section 60-4,144.01. Such information and documentation shall include any additional information required by 49 C.F.R. parts 383 and 391 and also include:

(a) Certification that the commercial motor vehicle in which the applicant takes any driving skills examination is representative of the class of commercial motor vehicle that the applicant operates or expects to operate; and

(b) The names of all states where the applicant has been licensed to operate any type of motor vehicle in the ten years prior to the date of application.

(2)(a) Before being issued a CLP-commercial learner's permit or commercial driver's license, the applicant shall provide (i) his or her full legal name, date of birth, mailing address, gender, race or ethnicity, and social security number, (ii) two forms of proof of address of his or her principal residence unless the applicant is a program participant under the Address Confidentiality Act, except that a nondomiciled applicant for a CLP-commercial learner's permit or nondomiciled commercial driver's license holder does not have to provide

proof of residence in Nebraska, (iii) evidence of identity as required by this section, and (iv) a brief physical description of himself or herself.

(b) The applicant's social security number shall not be printed on the CLP-commercial learner's permit or commercial driver's license and shall be used only (i) to furnish information to the United States Selective Service System under section 60-483, (ii) with the permission of the director in connection with the certification of the status of an individual's driving record in this state or any other state, (iii) for purposes of child support enforcement pursuant to section 42-358.08 or 43-512.06, (iv) to furnish information regarding an applicant for or holder of a commercial driver's license with a hazardous materials endorsement to the Transportation Security Administration of the United States Department of Homeland Security or its agent, (v) to furnish information to the Department of Revenue under section 77-362.02, (vi) to furnish information to the Secretary of State for purposes of the Election Act, or (vii) to query the federal Drug and Alcohol Clearinghouse.

(c) No person shall be a holder of a CLP-commercial learner's permit or commercial driver's license and a state identification card at the same time.

(3) Before being issued a CLP-commercial learner's permit or commercial driver's license, an applicant, except a nondomiciled applicant, shall provide proof that this state is his or her state of residence. Acceptable proof of residence is a document with the person's name and residential address within this state.

(4)(a) Before being issued a CLP-commercial learner's permit or commercial driver's license, an applicant shall provide proof of identity.

(b) The following are acceptable as proof of identity:

(i) A valid, unexpired United States passport;

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

(iii) A Consular Report of Birth Abroad issued by the United States Department of State;

(iv) A valid, unexpired permanent resident card issued by the United States Department of Homeland Security or United States Citizenship and Immigration Services;

(v) An unexpired employment authorization document issued by the United States Department of Homeland Security;

(vi) An unexpired foreign passport with a valid, unexpired United States visa affixed accompanied by the approved form documenting the applicant's most recent admittance into the United States;

(vii) A Certificate of Naturalization issued by the United States Department of Homeland Security;

(viii) A Certificate of Citizenship issued by the United States Department of Homeland Security;

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

(x) Such other documents as the director may approve.

(c) If an applicant presents one of the documents listed under subdivision (b)(i), (ii), (iii), (iv), (vii), or (viii) of this subsection, the verification of the applicant's identity will also provide satisfactory evidence of lawful status.

(d) If the applicant presents one of the identity documents listed under subdivision (b)(v), (vi), or (ix) of this subsection, the verification of the identity documents does not provide satisfactory evidence of lawful status. The applicant shall also present a second document from subdivision (4)(b) of this section, a document from subsection (5) of this section, or documentation issued by the United States Department of Homeland Security or other federal agencies demonstrating lawful status as determined by the United States Citizenship and Immigration Services.

(e) An applicant may present other documents as designated by the director as proof of identity. Any documents accepted shall be recorded according to a written exceptions process established by the director.

(f)(i) Any person assigned a parolee immigration status by the United States Department of Homeland Security may apply for and be issued a CLP-commercial learner's permit or commercial driver's license that is not in compliance with the federal REAL ID Act of 2005, Public Law 109-13, if the person:

(A) Possessed an unexpired foreign passport issued to such person at the time of such person's entry into the United States of America; and

(B) Fulfills the requirements of subdivision (2)(a) of this section and such requirements are verified pursuant to section 60-484.06.

(ii) Any CLP-commercial learner's permit or commercial driver's license issued under this subsection is otherwise subject to all laws relating to CLP-commercial learner's permits or commercial driver's licenses.

(5)(a) Whenever a person, as a nondomiciled individual to this state, is renewing, replacing, upgrading, transferring, or applying for a commercial driver's license, or replacing, upgrading, transferring, or applying for a CLP-commercial learner's permit, the Department of Motor Vehicles shall verify the citizenship in the United States of the person or the lawful status in the United States of the person.

(b) The following are acceptable as proof of citizenship or lawful status:

(i) A valid, unexpired United States passport;

(ii) A certified copy of a birth certificate filed with a state office of vital statistics or equivalent agency in the individual's state of birth, Puerto Rico, the Virgin Islands, Guam, American Samoa, or the Commonwealth of the Northern Mariana Islands;

(iii) A Consular Report of Birth Abroad issued by the United States Department of State;

(iv) A Certificate of Naturalization issued by the United States Department of Homeland Security;

(v) A Certificate of Citizenship issued by the United States Department of Homeland Security; or

(vi) A valid, unexpired Permanent Resident Card issued by the United

States Department of Homeland Security or United States Citizenship and Immigration Services.

(6) An applicant may present other documents as designated by the director as proof of lawful status. Any documents accepted shall be recorded according to a written exceptions process established by the director.

(7)(a) An applicant shall obtain a nondomiciled CLP-commercial driver's license or nondomiciled CLP-commercial learner's permit:

(i) If the applicant is domiciled in a foreign jurisdiction and the Federal Motor Carrier Safety Administrator has not determined that the commercial motor vehicle operator testing and licensing standards of that jurisdiction meet the standards contained in subparts G and H of 49 C.F.R. part 383; or

(ii) If the applicant is domiciled in a state that is prohibited from issuing commercial learners' permits and commercial drivers' licenses in accordance with 49 C.F.R. 384.405. Such person is eligible to obtain a nondomiciled CLP-commercial learner's permit or nondomiciled commercial driver's license from Nebraska that complies with the testing and licensing standards contained in subparts F, G, and H of 49 C.F.R. part 383.

(b) An applicant for a nondomiciled CLP-commercial learner's permit and nondomiciled commercial driver's license shall do the following:

(i) Complete the requirements to obtain a CLP-commercial learner's permit or a commercial driver's license under the Motor Vehicle Operator's License Act, except that an applicant domiciled in a foreign jurisdiction shall provide an unexpired employment authorization document issued by the United States Citizenship and Immigration Services or an unexpired foreign passport accompanied by an approved I-94 form documenting the applicant's most recent admittance into the United States. No proof of domicile is required;

(ii) After receipt of the nondomiciled CLP-commercial learner's permit or nondomiciled commercial driver's license and, for as long as the permit or license is valid, notify the Department of Motor Vehicles of any adverse action taken by any jurisdiction or governmental agency, foreign or domestic, against



his or her driving privileges. Such adverse actions include, but are not limited to, license disqualification or disqualification from operating a commercial motor vehicle for the convictions described in 49 C.F.R. 383.51. Notifications shall be made within the time periods specified in 49 C.F.R. 383.33; and

(iii) Provide a mailing address to the Department of Motor Vehicles. If the applicant is applying for a foreign nondomiciled CLP-commercial learner's permit or foreign nondomiciled commercial driver's license, he or she shall provide a Nebraska mailing address and his or her employer's mailing address to the Department of Motor Vehicles.

(c) An applicant for a nondomiciled CLP-commercial learner's permit or nondomiciled commercial driver's license who holds a foreign operator's license is not required to surrender his or her foreign operator's license.

(8) Any person applying for a CLP-commercial learner's permit or commercial driver's license may answer the following:

(a) Do you wish to register to vote as part of this application process?

(b) Do you wish to have a veteran designation displayed on the front of your operator's license to show that you served in the armed forces of the United States? (To be eligible you shall register with the Nebraska Department of Veterans' Affairs registry.)

(c) Do you wish to include your name in the Donor Registry of Nebraska and donate your organs and tissues at the time of your death?

(d) Do you wish to receive any additional specific information regarding organ and tissue donation and the Donor Registry of Nebraska?

(e) Do you wish to donate \$1 to promote the Organ and Tissue Donor Awareness and Education Fund?

(9) Application for a CLP-commercial learner's permit or commercial driver's license shall include a signed oath, affirmation, or declaration of the applicant that the information provided on the application for the permit or license is true and correct.

(10) Any person applying for a CLP-commercial learner's permit or

commercial driver's license shall make one of the certifications in section 60-4,144.01 and any certification required under section 60-4,146 and shall provide such certifications to the Department of Motor Vehicles in order to be issued a CLP-commercial learner's permit or a commercial driver's license.

(11) Every person who holds any commercial driver's license shall maintain the medical certification as required by section 60-4,144.01. The department may provide notice and prescribe medical certification compliance requirements for all holders of commercial drivers' licenses. Holders of commercial drivers' licenses who fail to meet the prescribed medical certification compliance requirements may be subject to downgrade.

(12) Any driver who applies for a commercial driver's license or a CLP-commercial learner's permit is deemed to have consented to the release of information from the federal Drug and Alcohol Clearinghouse in accordance with 49 C.F.R. part 382.

**Sec. 45.** Section 60-4,144.01, Reissue Revised Statutes of Nebraska, is amended to read:

60-4,144.01 (1) Any person who is applying for a commercial driver's license or CLP-commercial learner's permit shall make a self-certification under subsection (2), (3), (4), or (5) of this section as required under 49 C.F.R. 383.71(b)(1).

(2)(a) Certification shall be made under this subsection for any person who operates or expects to operate a commercial motor vehicle in interstate commerce, is both subject to and meets the qualification requirements under 49 C.F.R. part 391, and is required to be medically examined and certified as physically qualified to operate a commercial motor vehicle in accordance with 49 C.F.R. 391.45.

(b) To obtain a medical examiner's certificate, the medical examination shall be conducted by a medical examiner who is listed on the National Registry of Certified Medical Examiners unless excepted under 49 C.F.R. 391.43(b).

(c) Before June 23, 2025, any person who self-certifies that such person is required to be medically examined and certified as physically qualified

under 49 C.F.R. 391.45 to operate a commercial motor vehicle shall maintain a current medical examiner's certificate and provide a copy of it to the department in order to maintain his or her medical certification status.

(d) Beginning on an implementation date determined by the director, but not later than June 23, 2025, any person who self-certifies that such person is required to be medically examined and certified under 49 C.F.R. 391.45 shall maintain a current medical examiner's certificate. A copy of such certificate does not need to be provided to the department to maintain such person's medical certification status.

(e) Beginning on an implementation date determined by the director, but not later than June 23, 2025, no medical examination certificate that is issued directly to any person who is required to be medically examined and certified can be used to satisfy the certification requirement of, or be used to maintain medical certification for the purpose of complying with, 49 C.F.R. part 391.

(f) Any person who has obtained a medical variance from the Federal Motor Carrier Safety Administration, in the form of an exemption letter or medical variance skill performance evaluation certificate, shall carry such letter or certificate while operating a commercial motor vehicle.

(3) Certification shall be made under this subsection for any person who operates or expects to operate a commercial motor vehicle in interstate commerce, but engages exclusively in transportation or operations excepted under 49 C.F.R. 390.3(f), 391.2, 391.68, or 398.3 from all or part of the qualification requirements of 49 C.F.R. part 391, and is therefor not required to obtain a medical examiner's certificate by 49 C.F.R. 391.45.

(4) Certification shall be made under this subsection for any person who operates or expects to operate a commercial motor vehicle only in intrastate commerce and is subject to state driver qualification requirements as provided in section 75-363.

(5) Certification shall be made under this subsection for any person who operates or expects to operate a commercial motor vehicle in intrastate commerce, but engages exclusively in transportation or operations excepted from

all or parts of the state driver qualification requirements.

**Sec. 46.** Section 60-4,144.02, Reissue Revised Statutes of Nebraska, is amended to read:

60-4,144.02 (1) For each operator of a commercial motor vehicle required to have a commercial driver's license or CLP-commercial learner's permit, the department, in compliance with 49 C.F.R. 383.73 and 49 C.F.R. 384.225, shall:

(a) Post the driver's self-certification of type of driving under section 60-4,144.01 to the Commercial Driver License Information System driver record;

(b) Retain the medical examiner's certificate of any driver required to provide documentation of physical qualification for three years beyond the date the certificate was issued;

(c) Post the information from the medical examiner's certificate received from the Federal Motor Carrier Safety Administration to the Commercial Driver License Information System driver record, including:

(i) The medical examiner's name;

(ii) The medical examiner's telephone number;

(iii) The date of the medical examiner's certificate issuance;

(iv) The medical examiner's license number and the state that issued it;

(v) The medical examiner's National Registry identification number ;

(vi) The indicator of the medical certification status, either "certified" or "not-certified";

(vii) The expiration date of the medical examiner's certificate;

(viii) The existence of any medical variance on the medical certificate, such as an exemption letter, Skill Performance Evaluation certification, or grandfather provisions;

(ix) Any restrictions, for example, corrective lenses, hearing aid, or required to have possession of an exemption letter or Skill Performance Evaluation certificate while on duty; and

(x) The date the medical examiner's certificate information was posted to the Commercial Driver License Information System driver record;

(d) Before June 23, 2025, post the medical variance information received

from the Federal Motor Carrier Safety Administration within ten business days to the Commercial Driver License Information System driver record, including the:

(i) Date of medical variance issuance or renewal; and

(ii) Expiration date of medical variance; and

(e) Beginning on an implementation date designated by the director, but not later than June 23, 2025, post the medical variance information electronically received from the Federal Motor Carrier Safety Administration within one business day to the Commercial Driver License Information System driver record, including the:

(i) Date of medical variance issuance or renewal; and

(ii) Expiration date of medical variance.

(2)(a) If a driver's medical certification or medical variance expires, or the Federal Motor Carrier Safety Administration notifies the department that a medical variance was removed or rescinded, the department shall:

(i) Notify the holder of the commercial driver's license or CLP-commercial learner's permit of his or her "not-certified" medical certification status and that the CLP-commercial learner's permit or commercial driver's license privilege will be removed from the driver's license or permit unless the driver submits a current medical certificate or medical variance or changes his or her self-certification to driving only in excepted commerce, if permitted by the department;

(ii) Initiate established department procedures for downgrading the license. The commercial driver's license downgrade shall be completed and recorded within sixty days of the driver's medical certification status becoming "not-certified" to operate a commercial motor vehicle; and

(iii)(A) Before June 23, 2025, update the Commercial Driver License Information System driver record as "not-certified" within ten calendar days; and

(B) Beginning on an implementation date designated by the director, but not later than June 23, 2025, update the Commercial Driver License Information

System driver record as "not-certified" within one business day.

(b)(i) Before June 23, 2025, if a driver fails to provide the department with the certification contained in 49 C.F.R. 383.71(b)(1)(i), or a current medical examiner's certificate if the driver self-certifies according to 49 C.F.R. 383.71(b)(1)(i) that he or she is operating in nonexcepted interstate commerce as required by 49 C.F.R. 383.71(h), the department shall mark that Commercial Driver License Information System driver record as "not-certified" and initiate a commercial driver's license downgrade following department procedures in accordance with subdivision (2)(a)(ii) of this section. The CLP-commercial learner's permit or commercial driver's license shall be canceled and marked as "not-certified".

(ii) Beginning on an implementation date designated by the director, but not later than June 23, 2025, for any driver who fails to maintain the certification required by 49 C.F.R. 383.71(b)(1) or for any driver who self-certifies pursuant to 49 C.F.R. 383.71(b)(1)(i) that the driver is operating in nonexcepted interstate commerce pursuant to 49 C.F.R. 383.71(h), the department shall:

(A) Update the Commercial Driver License Information System driver record for such driver as "not-certified";

(B) Initiate a downgrade for such driver following department procedures in accordance with subdivision (2)(a) of this section;

(C) Cancel the CLP-commercial learner's permit or commercial driver's license for such driver; and

(D) Mark the CLP-commercial learner's permit or commercial driver's license for such driver as "not-certified".

**Sec. 47.** Section 60-4,147.02, Revised Statutes Cumulative Supplement, 2024, is amended to read:

60-4,147.02 No endorsement authorizing the driver to operate a commercial motor vehicle transporting hazardous materials shall be issued, renewed, or transferred by the Department of Motor Vehicles unless the endorsement is issued, renewed, or transferred in conformance with the requirements of section

1012 of the federal Uniting and Strengthening America by Providing Appropriate Tools Required to Intercept and Obstruct Terrorism Act of 2001, USA PATRIOT Act, 49 U.S.C. 5103a, including all amendments and federal regulations adopted pursuant thereto as of the date specified in section 9 of this act, for the issuance of licenses to operate commercial motor vehicles transporting hazardous materials.

**Sec. 48.** Section 60-4,168, Revised Statutes Cumulative Supplement, 2024, is amended to read:

60-4,168 (1) Except as provided in subsections (2) and (3) of this section, a person shall be disqualified from operating a commercial motor vehicle for one year upon his or her first conviction, after April 1, 1992, in this or any other state for:

(a) Operating a commercial motor vehicle in violation of section 60-6,196 or 60-6,197 or under the influence of a controlled substance or, beginning September 30, 2005, operating any motor vehicle in violation of section 60-6,196 or 60-6,197 or under the influence of a controlled substance;

(b) Operating a commercial motor vehicle in violation of section 60-4,163 or 60-4,164;

(c) Leaving the scene of an accident involving a commercial motor vehicle operated by the person or, beginning September 30, 2005, leaving the scene of an accident involving any motor vehicle operated by the person;

(d) Using a commercial motor vehicle in the commission of a felony other than a felony described in subdivision (3)(b) of this section or, beginning September 30, 2005, using any motor vehicle in the commission of a felony other than a felony described in subdivision (3)(b) of this section;

(e) Beginning September 30, 2005, operating a commercial motor vehicle after his or her commercial driver's license has been suspended, revoked, or canceled or the driver is disqualified from operating a commercial motor vehicle; or

(f) Beginning September 30, 2005, causing a fatality through the negligent or criminal operation of a commercial motor vehicle.

(2) Except as provided in subsection (3) of this section, if any of the offenses described in subsection (1) of this section occurred while a person was transporting hazardous material in a commercial motor vehicle which required placarding pursuant to section 75-364, the person shall, upon conviction or administrative determination, be disqualified from operating a commercial motor vehicle for three years.

(3) A person shall be disqualified from operating a commercial motor vehicle for life if, after April 1, 1992, he or she:

(a) Is convicted of or administratively determined to have committed a second or subsequent violation of any of the offenses described in subsection (1) of this section or any combination of those offenses arising from two or more separate incidents;

(b) Beginning September 30, 2005, used a motor vehicle in the commission of a felony involving the manufacturing, distributing, or dispensing of a controlled substance; or

(c) Used a commercial motor vehicle in the commission of a felony involving an act or practice of severe forms of trafficking in persons, as defined and described in 22 U.S.C. 7102(11), as such section existed on the date specified in section 9 of this act.

(4)(a) A person is disqualified from operating a commercial motor vehicle for a period of not less than sixty days if he or she is convicted in this or any other state of two serious traffic violations, or not less than one hundred twenty days if he or she is convicted in this or any other state of three serious traffic violations, arising from separate incidents occurring within a three-year period while operating a commercial motor vehicle.

(b) A person is disqualified from operating a commercial motor vehicle for a period of not less than sixty days if he or she is convicted in this or any other state of two serious traffic violations, or not less than one hundred twenty days if he or she is convicted in this or any other state of three serious traffic violations, arising from separate incidents occurring within a three-year period while operating a motor vehicle other than a commercial motor



vehicle if the convictions have resulted in the revocation, cancellation, or suspension of the person's operator's license or driving privileges.

(5)(a) A person who is convicted of operating a commercial motor vehicle in violation of a federal, state, or local law or regulation pertaining to one of the following six offenses at a highway-rail grade crossing shall be disqualified for the period of time specified in subdivision (5)(b) of this section:

(i) For drivers who are not required to always stop, failing to slow down and check that the tracks are clear of an approaching train;

(ii) For drivers who are not required to always stop, failing to stop before reaching the crossing, if the tracks are not clear;

(iii) For drivers who are always required to stop, failing to stop before driving onto the crossing;

(iv) For all drivers, failing to have sufficient space to drive completely through the crossing without stopping;

(v) For all drivers, failing to obey a traffic control device or the directions of an enforcement official at the crossing; or

(vi) For all drivers, failing to negotiate a crossing because of insufficient undercarriage clearance.

(b)(i) A person shall be disqualified for not less than sixty days if the person is convicted of a first violation described in this subsection.

(ii) A person shall be disqualified for not less than one hundred twenty days if, during any three-year period, the person is convicted of a second violation described in this subsection in separate incidents.

(iii) A person shall be disqualified for not less than one year if, during any three-year period, the person is convicted of a third or subsequent violation described in this subsection in separate incidents.

(6) A person shall be disqualified from operating a commercial motor vehicle for at least one year if, on or after July 8, 2015, the person has been convicted of fraud related to the issuance of his or her CLP-commercial learner's permit or commercial driver's license.

(7) If the department receives credible information that a CLP-commercial learner's permit holder or a commercial driver's license holder is suspected, but has not been convicted, on or after July 8, 2015, of fraud related to the issuance of his or her CLP-commercial learner's permit or commercial driver's license, the department must require the driver to retake the skills and knowledge tests. Within thirty days after receiving notification from the department that retesting is necessary, the affected CLP-commercial learner's permit holder or commercial driver's license holder must make an appointment or otherwise schedule to take the next available test. If the CLP-commercial learner's permit holder or commercial driver's license holder fails to make an appointment within thirty days, the department must disqualify his or her CLP-commercial learner's permit or commercial driver's license. If the driver fails either the knowledge or skills test or does not take the test, the department must disqualify his or her CLP-commercial learner's permit or commercial driver's license. If the holder of a CLP-commercial learner's permit or commercial driver's license has had his or her CLP-commercial learner's permit or commercial driver's license disqualified, he or she must reapply for a CLP-commercial learner's permit or commercial driver's license under department procedures applicable to all applicants for a CLP-commercial learner's permit or commercial driver's license.

(8) For purposes of this section, controlled substance has the same meaning as in section 28-401.

(9) For purposes of this section, conviction means an unvacated adjudication of guilt, or a determination that a person has violated or failed to comply with the law, in a court of original jurisdiction or by an authorized administrative tribunal, an unvacated forfeiture of bail or collateral deposited to secure the person's appearance in court, a plea of guilty or nolo contendere accepted by the court, the payment of a fine or court costs, or a violation of a condition of release without bail, regardless of whether or not the penalty is rebated, suspended, or probated.

(10) For purposes of this section, serious traffic violation means:

(a) Speeding at or in excess of fifteen miles per hour over the legally posted speed limit;

(b) Willful reckless driving as described in section 60-6,214 or reckless driving as described in section 60-6,213;

(c) Improper lane change as described in section 60-6,139;

(d) Following the vehicle ahead too closely as described in section 60-6,140;

(e) A violation of any law or ordinance related to motor vehicle traffic control, other than parking violations or overweight or vehicle defect violations, arising in connection with an accident or collision resulting in death to any person;

(f) Beginning September 30, 2005, operating a commercial motor vehicle without a commercial driver's license;

(g) Beginning September 30, 2005, operating a commercial motor vehicle without a commercial driver's license in the operator's possession;

(h) Beginning September 30, 2005, operating a commercial motor vehicle without the proper class of commercial driver's license and any endorsements, if required, for the specific vehicle group being operated or for the passengers or type of cargo being transported on the vehicle;

(i) Beginning October 27, 2013, texting while driving as described in section 60-6,179.02; and

(j) Using a handheld mobile telephone as described in section 60-6,179.02.

(11) Each period of disqualification imposed under this section shall be served consecutively and separately.

**Sec. 49.** Section 60-501, Revised Statutes Cumulative Supplement, 2024, is amended to read:

60-501 For purposes of the Motor Vehicle Safety Responsibility Act, unless the context otherwise requires:

(1) Department means Department of Motor Vehicles;

(2) Former military vehicle means a motor vehicle that was manufactured for use in any country's military forces and is maintained to accurately

represent its military design and markings, regardless of the vehicle's size or weight, but is no longer used, or never was used, by a military force;

(3) Golf car vehicle means a vehicle that has at least four wheels, has a maximum level ground speed of less than twenty miles per hour, has a maximum payload capacity of one thousand two hundred pounds, has a maximum gross vehicle weight of two thousand five hundred pounds, has a maximum passenger capacity of not more than four persons, and is designed and manufactured for operation on a golf course for sporting and recreational purposes;

(4) Judgment means any judgment which shall have become final by the expiration of the time within which an appeal might have been perfected without being appealed, or by final affirmation on appeal, rendered by a court of competent jurisdiction of any state or of the United States, (a) upon a cause of action arising out of the ownership, maintenance, or use of any motor vehicle for damages, including damages for care and loss of services, because of bodily injury to or death of any person or for damages because of injury to or destruction of property, including the loss of use thereof, or (b) upon a cause of action on an agreement of settlement for such damages;

(5) License means any license issued to any person under the laws of this state pertaining to operation of a motor vehicle within this state;

(6)(a) Low-speed vehicle means any:

(i) Four-wheeled motor vehicle:

(A) With a speed attainable in one mile of more than twenty miles per hour and not more than twenty-five miles per hour on a paved, level surface;

(B) With a gross vehicle weight rating of less than three thousand pounds;  
and

(C) That complies with 49 C.F.R. part 571, as such part existed on January 1, 2025; or

(ii) Three-wheeled motor vehicle:

(A) With a speed attainable of not more than twenty-five miles per hour on a paved, level surface;

(B) With a gross vehicle weight rating of less than three thousand pounds;

and

(C) That is equipped with a windshield and an occupant protection system.

(b) Low-speed vehicle does not include a motorcycle with a sidecar;

(7) Minitruck means a foreign-manufactured import vehicle or domestic-manufactured vehicle which (a) is powered by an internal combustion engine with a piston or rotor displacement of one thousand five hundred cubic centimeters or less, (b) is sixty-seven inches or less in width, (c) has a dry weight of four thousand two hundred pounds or less, (d) travels on four or more tires, (e) has a top speed of approximately fifty-five miles per hour, (f) is equipped with a bed or compartment for hauling, (g) has an enclosed passenger cab, (h) is equipped with headlights, taillights, turnsignals, windshield wipers, a rearview mirror, and an occupant protection system, and (i) has a four-speed, five-speed, or automatic transmission;

(8) Motor vehicle means any self-propelled vehicle which is designed for use upon a highway, including trailers designed for use with such vehicles, minitrucks, and low-speed vehicles. Motor vehicle includes a former military vehicle. Motor vehicle does not include (a) mopeds as defined in section 60-637, (b) traction engines, (c) road rollers, (d) farm tractors, (e) tractor cranes, (f) power shovels, (g) well drillers, (h) every vehicle which is propelled by electric power obtained from overhead wires but not operated upon rails, (i) electric personal assistive mobility devices as defined in section 60-618.02, (j) off-road designed vehicles, including, but not limited to, golf car vehicles, go-carts, riding lawnmowers, garden tractors, all-terrain vehicles and utility-type vehicles as defined in section 60-6,355, minibikes as defined in section 60-636, and snowmobiles as defined in section 60-663, and (k) bicycles as defined in section 60-611;

(9) Nonresident means every person who is not a resident of this state;

(10) Nonresident's operating privilege means the privilege conferred upon a nonresident by the laws of this state pertaining to the operation by him or her of a motor vehicle or the use of a motor vehicle owned by him or her in this state;

(11) Operator means every person who is in actual physical control of a motor vehicle;

(12) Owner means a person who holds the legal title of a motor vehicle, or in the event (a) a motor vehicle is the subject of an agreement for the conditional sale or lease thereof with the right of purchase upon performance of the conditions stated in the agreement and with an immediate right of possession vested in the conditional vendee or lessee or (b) a mortgagor of a vehicle is entitled to possession, then such conditional vendee or lessee or mortgagor shall be deemed the owner for the purposes of the act;

(13) Person means every natural person, firm, partnership, limited liability company, association, or corporation;

(14) Proof of financial responsibility means evidence of ability to respond in damages for liability, on account of accidents occurring subsequent to the effective date of such proof, arising out of the ownership, maintenance, or use of a motor vehicle, (a) in the amount of twenty-five thousand dollars because of bodily injury to or death of one person in any one accident, (b) subject to such limit for one person, in the amount of fifty thousand dollars because of bodily injury to or death of two or more persons in any one accident, and (c) in the amount of twenty-five thousand dollars because of injury to or destruction of property of others in any one accident;

(15) Registration means registration certificate or certificates and registration plates issued under the laws of this state pertaining to the registration of motor vehicles;

(16) State means any state, territory, or possession of the United States, the District of Columbia, or any province of the Dominion of Canada; and

(17) The forfeiture of bail, not vacated, or of collateral deposited to secure an appearance for trial shall be regarded as equivalent to conviction of the offense charged.

**Sec. 50.** Section 60-628.01, Revised Statutes Cumulative Supplement, 2024, is amended to read:

60-628.01 (1) Low-speed vehicle means any:

(a) Four-wheeled motor vehicle:

(i) With a speed attainable in one mile of more than twenty miles per hour and not more than twenty-five miles per hour on a paved, level surface;

(ii) With a gross vehicle weight rating of less than three thousand pounds; and

(iii) That complies with 49 C.F.R. part 571, as such part existed on the date specified in section 9 of this act; or

(b) Three-wheeled motor vehicle:

(i) With a maximum speed attainable of not more than twenty-five miles per hour on a paved, level surface;

(ii) With a gross vehicle weight rating of less than three thousand pounds; and

(iii) That is equipped with a windshield and an occupant protection system.

(2) Low-speed vehicle does not include a motorcycle with a sidecar attached.

**Sec. 51.** Section 60-6,265, Revised Statutes Cumulative Supplement, 2024, is amended to read:

60-6,265 For purposes of sections 60-6,266 to 60-6,273:

(1) Occupant protection system means a system utilizing a lap belt, a shoulder belt, or any combination of belts installed in a motor vehicle which (a) restrains drivers and passengers and (b) conforms to Federal Motor Vehicle Safety Standards, 49 C.F.R. 571.207, 571.208, 571.209, and 571.210, as such standards existed on the date specified in section 9 of this act, or, as a minimum standard, to the federal motor vehicle safety standards for passenger restraint systems applicable for the motor vehicle's model year; and

(2) Three-point safety belt system means a system utilizing a combination of a lap belt and a shoulder belt installed in a motor vehicle which restrains drivers and passengers.

**Sec. 52.** Section 60-1506, Reissue Revised Statutes of Nebraska, is amended to read:

60-1506 (1) For purposes of this section, vehicle means any motor vehicle, trailer, motorboat, all-terrain vehicle, utility-type vehicle, snowmobile, or minibike.

(2) The Department of Motor Vehicles shall keep a record of each vehicle registered or titled in this state, alphabetically by name of the owner, with cross reference in each instance to the registration number assigned to such vehicle. The record may be destroyed by any public officer having custody of it after three years from the date of its issuance.

(3)(a) The department shall issue a copy of the record of a registered or titled vehicle to any person after receiving from the person the name on the registration or certificate of title, the license plate number, the vehicle identification or other type of identification number, or the title number of a vehicle, if the person provides to the department verification of identity and purpose pursuant to section 60-2906 or 60-2907. A fee of three dollars shall be charged for the copy. Any fee received by the department pursuant to this subdivision shall be deposited into the License Plate Cash Fund.

(b)(i) An extract of the entire file of vehicles registered or titled in the state or updates to the entire file may be provided to a person upon payment of the following fee per one thousand records:

(A) Prior to July 1, 2026, twenty-five dollars; and

(B) Beginning July 1, 2026, thirty-five dollars.

(ii) Any fee received by the department pursuant to this subdivision (b) shall be deposited into the Department of Motor Vehicles Cash Fund.

(4)(a) The record of each vehicle registration or title maintained by the department pursuant to this section may be made available electronically through the portal established under section 84-1204 so long as the Uniform Motor Vehicle Records Disclosure Act is not violated.

(b) There shall be a fee of three dollars per record for individual records and for data-to-data requests for multiple vehicle title and registration records.

(c) The following fees apply for bulk record requests of multiple vehicle



titles and registrations selected on the basis of criteria of the individual making the request:

- (i) Fifty dollars for every request under two thousand records;
- (ii) Per one thousand records for any number of records over two thousand:
  - (A) Prior to July 1, 2026, twenty-five dollars; and
  - (B) Beginning July 1, 2026, thirty-five dollars; and
- (iii) A reasonable programming fee not to exceed five hundred twenty dollars.

(d)(i) All fees collected pursuant to this subsection for electronic access to records through the portal shall be remitted to the State Treasurer. The State Treasurer shall credit:

(A) For each fee paid under subdivision (b) of this subsection, two dollars per record to the License Plate Cash Fund and the remainder of such fee to the Records Management Cash Fund;

(B) For each fee paid under subdivision (c)(ii)(A) of this subsection, seven dollars per one thousand records for any number of records over two thousand to the License Plate Cash Fund and the remainder of such fee to the Records Management Cash Fund; and

(C) For each fee paid under subdivision (c)(ii)(B) of this subsection, seventeen dollars per one thousand records for any number of records over two thousand to the License Plate Cash Fund and the remainder of such fee to the Records Management Cash Fund.

(ii) All fees credited to the Records Management Cash Fund pursuant to this subsection shall be distributed as provided in any agreements between the State Records Board and the department.

**Sec. 53.** Section 60-1509, Revised Statutes Cumulative Supplement, 2024, is amended to read:

60-1509 (1) The Department of Motor Vehicles shall build and maintain a new operator's license services system for the issuance of operators' licenses and state identification cards. The Director of Motor Vehicles shall designate an implementation date for the new system which date is on or before July 1,

2032.

(2) The Operator's License Services System Replacement and Maintenance Fund is created. The fund shall consist of amounts credited under section 60-483. The fund shall be used for the building, implementation, and maintenance of a new operator's license services system for the issuance of operators' licenses and state identification cards.

(3) Any money in the Operator's License Services System Replacement and Maintenance Fund available for investment shall be invested by the state investment officer pursuant to the Nebraska Capital Expansion Act and the Nebraska State Funds Investment Act. Beginning October 1, 2024, any investment earnings from investment of money in the fund shall be credited to the General Fund.

**Sec. 54.** Section 60-2705, Revised Statutes Cumulative Supplement, 2024, is amended to read:

60-2705 The Director of Motor Vehicles shall adopt standards for an informal dispute settlement procedure which substantially comply with the provisions of 16 C.F.R. part 703, as such part existed on January 1, 2025.

If a manufacturer has established or participates in a dispute settlement procedure certified by the Director of Motor Vehicles within the guidelines of such standards, the provisions of section 60-2703 concerning refunds or replacement shall not apply to any consumer who has not first resorted to such a procedure.

**Sec. 55.** Section 60-2909.01, Revised Statutes Cumulative Supplement, 2024, is amended to read:

60-2909.01 The department and any officer, employee, agent, or contractor of the department having custody of a motor vehicle record shall, upon the verification of identity and purpose of a requester, disclose and make available the requested motor vehicle record, including the sensitive personal information in the record, other than the social security number, for the following purposes:

(1) For use by any federal, state, or local governmental agency, including

any court or law enforcement agency, in carrying out the agency's functions or by a private person or entity acting on behalf of a governmental agency in carrying out the agency's functions;

(2) For use in connection with any civil, criminal, administrative, or arbitral proceeding in any federal, state, or local court or governmental agency or before any self-regulatory body, including service of process, investigation in anticipation of litigation, and execution or enforcement of judgments and orders, or pursuant to an order of a federal, state, or local court, an administrative agency, or a self-regulatory body;

(3) For use by any insurer or insurance support organization, or by a self-insured entity, or its agents, employees, or contractors, in connection with claims investigation activities, anti-fraud activities, rating, or underwriting;

(4) For use by an employer or the employer's agent or insurer to obtain or verify information relating to a holder of a commercial driver's license or CLP-commercial learner's permit that is required under the Commercial Motor Vehicle Safety Act of 1986, 49 U.S.C. 31301 et seq., as such act existed on January 1, 2025, or pursuant to sections 60-4,132 and 60-4,141; and

(5) For use by employers of a holder of a commercial driver's license or CLP-commercial learner's permit and by the Commercial Driver License Information System as provided in section 60-4,144.02 and 49 C.F.R. 383.73, as such regulation existed on January 1, 2025.

**Sec. 56.** Section 74-1335, Reissue Revised Statutes of Nebraska, is amended to read:

74-1335 (1) For purposes of this section, successor in interest includes any agent, successor, assignee, trustee, receiver, or other person acquiring interests or rights in railroad land, including the owner or holder of any servient estate or right of reversion relating to railroad land.

(2) Whenever any person owns land on both sides of the right-of-way of any railroad or its successor in interest, such railroad or its successor in interest shall provide and keep in repair at least one adequate means for such

landowner to cross the right-of-way. Any interested landowner with land on both sides of the right-of-way of any railroad or its successor in interest may file written complaint with the Department of Transportation against any such railroad or its successor in interest that the crossing is not adequate or is unsafe and dangerous to the life and property of those who use it, and the department thereupon shall make such investigation, hold such hearing, and issue such orders as it deems necessary, proper, and adequate. If circumstances warrant, the department may require overhead, underground, or grade crossings and wing fences at underground crossings or may require existing crossings to be relocated so as to be safe to those who use them, but when a special crossing involves an expenditure of more than one thousand five hundred dollars, the landowner shall bear one-half the expenses in excess of one thousand five hundred dollars.

**Sec. 57.** Section 75-363, Revised Statutes Cumulative Supplement, 2024, is amended to read:

75-363 (1) The parts, subparts, and sections of Title 49 of the Code of Federal Regulations listed below, as modified in this section, or any other parts, subparts, and sections referred to by such parts, subparts, and sections, in existence and effective as of the date specified in section 75-365, are adopted as Nebraska law.

(2) Except as otherwise provided in this section, the regulations shall be applicable to:

(a) All motor carriers, drivers, and vehicles to which the federal regulations apply; and

(b) All motor carriers transporting persons or property in intrastate commerce to include:

(i) All vehicles of such motor carriers with a gross vehicle weight rating, gross combination weight rating, gross vehicle weight, or gross combination weight over ten thousand pounds;

(ii) All vehicles of such motor carriers designed or used to transport more than eight passengers, including the driver, for compensation, or designed

or used to transport more than fifteen passengers, including the driver, and not used to transport passengers for compensation;

(iii) All vehicles of such motor carriers transporting hazardous materials required to be placarded pursuant to section 75-364; and

(iv) All drivers of such motor carriers if the drivers are operating a commercial motor vehicle as defined in section 60-465 which requires a commercial driver's license.

(3) The Legislature hereby adopts, as modified in this section, the following parts of Title 49 of the Code of Federal Regulations:

(a) Part 382 - CONTROLLED SUBSTANCES AND ALCOHOL USE AND TESTING;

(b) Part 385 - SAFETY FITNESS PROCEDURES;

(c) Part 386 - RULES OF PRACTICE FOR FMCSA PROCEEDINGS;

(d) Part 387 - MINIMUM LEVELS OF FINANCIAL RESPONSIBILITY FOR MOTOR CARRIERS;

(e) Part 390 - FEDERAL MOTOR CARRIER SAFETY REGULATIONS; GENERAL;

(f) Part 391 - QUALIFICATIONS OF DRIVERS AND LONGER COMBINATION VEHICLE (LCV) DRIVER INSTRUCTORS;

(g) Part 392 - DRIVING OF COMMERCIAL MOTOR VEHICLES;

(h) Part 393 - PARTS AND ACCESSORIES NECESSARY FOR SAFE OPERATION;

(i) Part 395 - HOURS OF SERVICE OF DRIVERS;

(j) Part 396 - INSPECTION, REPAIR, AND MAINTENANCE;

(k) Part 397 - TRANSPORTATION OF HAZARDOUS MATERIALS; DRIVING AND PARKING RULES; and

(l) Part 398 - TRANSPORTATION OF MIGRANT WORKERS.

(4) The provisions of subpart E - Physical Qualifications and Examinations of 49 C.F.R. part 391 - QUALIFICATIONS OF DRIVERS AND LONGER COMBINATION VEHICLE (LCV) DRIVER INSTRUCTORS shall not apply to any driver subject to this section who: (a) Operates a commercial motor vehicle exclusively in intrastate commerce; and (b) holds, or has held, a commercial driver's license issued by this state prior to July 30, 1996.

(5) The regulations adopted in subsection (3) of this section shall not

apply to farm trucks registered pursuant to section 60-3,146 with a gross weight of sixteen tons or less. The following parts and sections of 49 C.F.R. chapter III shall not apply to drivers of farm trucks registered pursuant to section 60-3,146 and operated solely in intrastate commerce:

- (a) All of part 391;
- (b) Section 395.8 of part 395; and
- (c) Section 396.11 of part 396.

(6) The following parts and subparts of 49 C.F.R. chapter III shall not apply to the operation of covered farm vehicles:

- (a) Part 382 - CONTROLLED SUBSTANCES AND ALCOHOL USE AND TESTING;
- (b) Part 391, subpart E - Physical Qualifications and Examinations;
- (c) Part 395 - HOURS OF SERVICE OF DRIVERS; and
- (d) Part 396 - INSPECTION, REPAIR, AND MAINTENANCE.

(7) Part 393 - PARTS AND ACCESSORIES NECESSARY FOR SAFE OPERATION and Part 396 - INSPECTION, REPAIR, AND MAINTENANCE shall not apply to fertilizer and agricultural chemical application and distribution equipment transported in units with a capacity of three thousand five hundred gallons or less.

(8) For purposes of this section, intrastate motor carriers shall not include any motor carrier or driver excepted from 49 C.F.R. chapter III by section 390.3(f) of part 390.

(9)(a) Part 395 - HOURS OF SERVICE OF DRIVERS shall apply to motor carriers and drivers who engage in intrastate commerce as defined in section 75-362, except that no motor carrier who engages in intrastate commerce shall permit or require any driver used by it to drive nor shall any driver drive:

- (i) More than twelve hours following ten consecutive hours off duty; or
- (ii) For any period after having been on duty sixteen hours following ten consecutive hours off duty.

(b) No motor carrier who engages in intrastate commerce shall permit or require a driver of a commercial motor vehicle, regardless of the number of motor carriers using the driver's services, to drive, nor shall any driver of a commercial motor vehicle drive, for any period after:

(i) Having been on duty seventy hours in any seven consecutive days if the employing motor carrier does not operate every day of the week; or

(ii) Having been on duty eighty hours in any period of eight consecutive days if the employing motor carrier operates motor vehicles every day of the week.

(10) Part 395 - HOURS OF SERVICE OF DRIVERS, as adopted in subsections (3) and (9) of this section, shall not apply to drivers transporting agricultural commodities or farm supplies for agricultural purposes during planting and harvesting season when:

(a) The transportation of such agricultural commodities is from the source of the commodities to a location within a one-hundred-fifty-air-mile radius of the source of the commodities;

(b) The transportation of such farm supplies is from a wholesale or retail distribution point of the farm supplies to a farm or other location where the farm supplies are intended to be used which is within a one-hundred-fifty-air-mile radius of the wholesale or retail distribution point; or

(c) The transportation of such farm supplies is from a wholesale distribution point of the farm supplies to a retail distribution point of the farm supplies which is within a one-hundred-fifty-air-mile radius of the wholesale distribution point.

(11) 49 C.F.R. 390.21 - Marking of self-propelled CMVs and intermodal equipment shall not apply to farm trucks and farm truck-tractors registered pursuant to section 60-3,146 and operated solely in intrastate commerce.

(12) 49 C.F.R. 392.9a - Operating authority shall not apply to Nebraska motor carriers operating commercial motor vehicles solely in intrastate commerce.

(13) No motor carrier shall permit or require a driver of a commercial motor vehicle to violate, and no driver of a commercial motor vehicle shall violate, any out-of-service order.

**Sec. 58.** Section 75-364, Revised Statutes Cumulative Supplement, 2024, is amended to read:

75-364 The parts, subparts, and sections of Title 49 of the Code of Federal Regulations listed below, or any other parts, subparts, and sections referred to by such parts, subparts, and sections, in existence and effective as of the date specified in section 75-365, are adopted as part of Nebraska law and shall be applicable to all motor carriers whether engaged in interstate or intrastate commerce, drivers of such motor carriers, and vehicles of such motor carriers:

(1) Part 107 - HAZARDOUS MATERIALS PROGRAM PROCEDURES, subpart F - Registration of Cargo Tank and Cargo Tank Motor Vehicle Manufacturers, Assemblers, Repairers, Inspectors, Testers, and Design Certifying Engineers;

(2) Part 107 - HAZARDOUS MATERIALS PROGRAM PROCEDURES, subpart G - Registration of Persons Who Offer or Transport Hazardous Materials;

(3) Part 171 - GENERAL INFORMATION, REGULATIONS, AND DEFINITIONS;

(4) Part 172 - HAZARDOUS MATERIALS TABLE, SPECIAL PROVISIONS, HAZARDOUS MATERIALS COMMUNICATIONS, EMERGENCY RESPONSE INFORMATION, TRAINING REQUIREMENTS, AND SECURITY PLANS;

(5) Part 173 - SHIPPERS - GENERAL REQUIREMENTS FOR SHIPMENTS AND PACKAGINGS;

(6) Part 177 - CARRIAGE BY PUBLIC HIGHWAY;

(7) Part 178 - SPECIFICATIONS FOR PACKAGINGS; and

(8) Part 180 - CONTINUING QUALIFICATION AND MAINTENANCE OF PACKAGINGS.

**Sec. 59.** Section 75-365, Reissue Revised Statutes of Nebraska, is amended to read:

75-365 (1) Definitions contained in the regulations referred to in sections 75-363 and 75-364 shall only apply to such regulations.

(2) When the regulations referred to in sections 75-363 and 75-364 require that any person submit a report to the United States Department of Transportation or any other federal agency, that person shall also submit a copy of the report to the Nebraska State Patrol.

(3) For purposes of sections 75-362 to 75-369.07, when a provision of any of such sections refers to the date specified in this section, such date is



January 1, 2025.

**Sec. 60.** Section 75-366, Revised Statutes Cumulative Supplement, 2024, is amended to read:

75-366 For the purpose of enforcing Chapter 75, article 3, any officer of the Nebraska State Patrol may, upon demand, inspect the accounts, records, and equipment of any motor carrier or shipper. Any officer of the Nebraska State Patrol shall have the authority to enforce the federal motor carrier safety regulations, as such regulations existed on the date specified in section 75-365, and federal hazardous materials regulations, as such regulations existed on the date specified in section 75-365, and is authorized to enter upon, inspect, and examine any and all lands, buildings, and equipment of any motor carrier, any shipper, and any other person subject to the federal Interstate Commerce Act, the federal Department of Transportation Act, and other related federal laws and to inspect and copy any and all accounts, books, records, memoranda, correspondence, and other documents of a motor carrier, a shipper, and any other person subject to Chapter 75, article 3, for the purposes of enforcing Chapter 75, article 3. To promote uniformity of enforcement, the carrier enforcement division of the Nebraska State Patrol shall cooperate and consult with the Public Service Commission and the Division of Motor Carrier Services.

**Sec. 61.** Section 75-369.03, Revised Statutes Cumulative Supplement, 2024, is amended to read:

75-369.03 (1) The Superintendent of Law Enforcement and Public Safety may issue an order imposing a civil penalty against a motor carrier transporting persons or property in interstate commerce for a violation of sections 75-392 to 75-3,100 or against a motor carrier transporting persons or property in intrastate commerce for a violation or violations of section 75-363 or 75-364 based upon an inspection conducted pursuant to section 75-366 in an amount which shall not exceed one thousand two dollars for any single violation in any proceeding or series of related proceedings against any person or motor carrier as defined in 49 C.F.R. 390.5 as adopted in section 75-363.

(2) The superintendent shall issue an order imposing a civil penalty in an amount not to exceed twenty thousand seventeen dollars against a motor carrier transporting persons or property in interstate commerce for a violation of subdivision (2)(e) of section 60-4,162 based upon a conviction of such a violation.

(3) The superintendent shall issue an order imposing a civil penalty against a driver operating a commercial motor vehicle, as defined in section 60-465, that requires a commercial driver's license or CLP-commercial learner's permit, in violation of an out-of-service order. The civil penalty shall be in an amount not less than three thousand eight hundred sixty-one dollars for a first violation and not less than seven thousand seven hundred twenty-three dollars for a second or subsequent violation.

(4) The superintendent shall issue an order imposing a civil penalty against a motor carrier who knowingly allows, requires, permits, or authorizes the operation of a commercial motor vehicle, as defined in section 60-465, that requires a commercial driver's license or CLP-commercial learner's permit, in violation of an out-of-service order. The civil penalty shall be not less than six thousand nine hundred seventy-four dollars but not more than thirty-eight thousand six hundred twelve dollars per violation.

(5) Upon the discovery of any violation by a motor carrier transporting persons or property in interstate commerce of section 75-307, 75-363, or 75-364 or sections 75-392 to 75-3,100 based upon an inspection conducted pursuant to section 75-366, the superintendent shall immediately refer such violation to the appropriate federal agency for disposition, and upon the discovery of any violation by a motor carrier transporting persons or property in intrastate commerce of section 75-307 based upon such inspection, the superintendent shall refer such violation to the Public Service Commission for disposition.

**Sec. 62.** Section 75-392, Revised Statutes Cumulative Supplement, 2024, is amended to read:

75-392 For purposes of sections 75-392 to 75-3,100:

(1) Director means the Director of Motor Vehicles;

(2) Division means the Division of Motor Carrier Services of the Department of Motor Vehicles; and

(3) Unified carrier registration plan and agreement means the plan and agreement established and authorized pursuant to 49 U.S.C. 14504a, as such section existed on January 1, 2025.

**Sec. 63.** Section 75-393, Revised Statutes Cumulative Supplement, 2024, is amended to read:

75-393 The director may participate in the unified carrier registration plan and agreement pursuant to the Unified Carrier Registration Act of 2005, 49 U.S.C. 13908, as the act existed on January 1, 2025, and may file on behalf of this state the plan required by such plan and agreement for enforcement of the act in this state.

**Sec. 64.** Section 80-415, Reissue Revised Statutes of Nebraska, is amended to read:

80-415 The Veterans Employment Program Fund is created. The fund shall consist of money credited pursuant to section 35 of this act and any other money as appropriated by the Legislature. The fund shall be administered by the Department of Veterans' Affairs, which shall use the fund for recruiting and education to attract veterans recently released from service to live and work in Nebraska, including the development and implementation of a website as required by section 48-203. Any money in the fund available for investment shall be invested by the state investment officer pursuant to the Nebraska Capital Expansion Act and the Nebraska State Funds Investment Act.

**Sec. 65.** Section 80-416, Reissue Revised Statutes of Nebraska, is amended to read:

80-416 The Department of Veterans' Affairs shall create a program for the purpose of providing financial support to veterans for the costs associated with adopting a pet animal. The department shall use the money credited to the Pets for Vets Cash Fund under section 35 of this act to award grants to carry out the purposes of such program. The department may administer the program or contract with an organization dedicated to the care of dogs and cats to

administer the program.

**Sec. 66.** Section 80-417, Reissue Revised Statutes of Nebraska, is amended to read:

80-417 The Pets for Vets Cash Fund is created for the purpose of administering the veteran grant program created under section 80-416. The fund shall consist of money credited to the fund pursuant to section 35 of this act. Any money in the fund available for investment shall be invested by the state investment officer pursuant to the Nebraska Capital Expansion Act and the Nebraska State Funds Investment Act.

**Sec. 67.** Section 81-2517, Reissue Revised Statutes of Nebraska, is amended to read:

81-2517 The Native American Scholarship and Leadership Fund is created. The fund shall be administered by the Commission on Indian Affairs and shall consist of money credited to the fund pursuant to section 35 of this act. The commission shall use the fund to provide scholarships to Native Americans to attend a postsecondary educational institution in this state and to provide other leadership opportunities to Native Americans as determined by the commission. Any money in the fund available for investment shall be invested by the state investment officer pursuant to the Nebraska Capital Expansion Act and the Nebraska State Funds Investment Act.

**Sec. 68.** Section 82-139, Reissue Revised Statutes of Nebraska, is amended to read:

82-139 The Support Nebraska History Cash Fund is created. The fund shall consist of money credited to the fund under section 35 of this act and any other gifts, bequests, grants, or other contributions or donations to the fund from public or private entities. The Nebraska State Historical Society shall administer and distribute the Support Nebraska History Cash Fund. The fund shall be expended to promote the history of Nebraska on the Internet, to support history education for children in Nebraska, and for costs directly related to the administration of the fund. Any money in the fund available for investment shall be invested by the state investment officer pursuant to the

Nebraska Capital Expansion Act and the Nebraska State Funds Investment Act.

**Sec. 69.** Section 82-334, Reissue Revised Statutes of Nebraska, is amended to read:

82-334 (1) The Support the Arts Cash Fund is created. The fund shall consist of all money credited to the fund pursuant to section 35 of this act and all money transferred to the fund pursuant to section 13-3108.

(2) The Nebraska Arts Council shall administer and distribute the Support the Arts Cash Fund. The fund shall be expended by the Nebraska Arts Council (a) to provide aid to communities that designate a focus area of the city or village for arts and cultural development, (b) to provide money for a competitive grant program that awards a grant to any creative district that meets the criteria for the competitive grant, if such program exists, (c) to provide money for the competitive grant program for cities of the first class, cities of the second class, and villages described in section 82-335, and (d) to defray costs directly related to the administration of the fund.

(3) All money transferred to the fund pursuant to section 13-3108 shall be used for the competitive grant program for cities of the first class, cities of the second class, and villages described in section 82-335.

(4) Any money in the fund available for investment shall be invested by the state investment officer pursuant to the Nebraska Capital Expansion Act and the Nebraska State Funds Investment Act.

**Sec. 70.** (1) The Home of Arbor Day Plate Cash Fund is created and shall be administered by the Board of Regents of the University of Nebraska. The Home of Arbor Day Plate Cash Fund shall include money credited pursuant to section 35 of this act, gifts, grants, private contributions, and other sources. Any money in the Home of Arbor Day Plate Cash Fund available for investment shall be invested by the state investment officer pursuant to the Nebraska Capital Expansion Act and the Nebraska State Funds Investment Act.

(2) The Board of Regents shall use the fund to award grants to the Nebraska Statewide Arboretum for purposes of tree planting, garden making, community building, and environmental education and outreach.

**Sec. 71.** The Revisor of Statutes shall assign section 9 of this act within Chapter 60, article 15.

**Sec. 72.** Sections 38, 52, 53, and 73 of this act become operative on July 1, 2025. Sections 2, 3, 4, 5, 10, 11, 13, 16, 17, 18, 19, 20, 21, 22, 23, 25, 26, 27, 28, 29, 30, 31, 33, 34, 35, 39, 56, 64, 65, 66, 67, 68, 69, 70, 74, and 76 of this act become operative three calendar months after the adjournment of this legislative session. The other sections of this act become operative on their effective date.

**Sec. 73.** Original section 60-1506, Reissue Revised Statutes of Nebraska, and sections 60-483 and 60-1509, Revised Statutes Cumulative Supplement, 2024, are repealed.

**Sec. 74.** Original sections 37-327.04, 60-3,104.01, 60-3,104.02, 60-3,113, 60-3,122.04, 60-3,151, 60-3,254, 60-495, 74-1335, 80-415, 80-416, 80-417, 81-2517, 82-139, and 82-334, Reissue Revised Statutes of Nebraska, and sections 37-112, 37-327.03, 37-811, 60-301, 60-302, 60-393, 60-395, 60-396, 60-3,101, 60-3,104, 60-3,122.03, 60-3,123, 60-3,124, 60-3,125, 60-3,130.04, and 60-3,253, Revised Statutes Cumulative Supplement, 2024, are repealed.

**Sec. 75.** Original sections 60-4,144.01, 60-4,144.02, and 75-365, Reissue Revised Statutes of Nebraska, and sections 18-1737, 60-107, 60-119.01, 60-169, 60-302.01, 60-336.01, 60-386, 60-3,113.04, 60-3,193.01, 60-462.01, 60-479.01, 60-4,111.01, 60-4,131, 60-4,132, 60-4,134, 60-4,144, 60-4,147.02, 60-4,168, 60-501, 60-628.01, 60-6,265, 60-2705, 60-2909.01, 75-363, 75-364, 75-366, 75-369.03, 75-392, and 75-393, Revised Statutes Cumulative Supplement, 2024, are repealed.

**Sec. 76.** The following sections are outright repealed: Sections 60-3,127, 60-3,129, 60-3,223, 60-3,224, 60-3,225, 60-3,227, 60-3,230, 60-3,231, 60-3,234, 60-3,235, 60-3,238, 60-3,239, 60-3,240, 60-3,242, 60-3,244, 60-3,246, 60-3,248, 60-3,250, 60-3,252, 60-3,255, 60-3,256, 60-3,257, and 60-3,258, Reissue Revised Statutes of Nebraska, and sections 60-3,128, 60-3,226, 60-3,232, 60-3,233, 60-3,237, 60-3,241, 60-3,243, 60-3,245, 60-3,247, 60-3,249, 60-3,251, 60-3,259, and 60-3,260, Revised Statutes Cumulative Supplement, 2024.

**Sec. 77.** Since an emergency exists, this act takes effect when passed and approved according to law.

\_\_\_\_\_  
**PRESIDENT OF THE LEGISLATURE**

*THIS IS TO CERTIFY that the within LB 398 was passed by the One Hundred Ninth  
Legislature of Nebraska at its First Session on the ..... day  
of ..... 20.....*

\_\_\_\_\_  
**CLERK OF THE LEGISLATURE**

**Approved:**

..... 20....., ..... o'clock .....M.

\_\_\_\_\_  
**GOVERNOR**