

## ENGROSSED LEGISLATIVE BILL 97

Introduced by Fredrickson, 20.

A BILL FOR AN ACT relating to motor vehicles; to amend sections 37-1202, 37-1284, 60-101, 60-102, 60-121, 60-137, 60-158, 60-167, 60-168, 60-337, 60-399, 60-3,157, 60-4,113, 60-4,117, 60-4,118.06, 60-4,120.01, 60-4,123, 60-4,126, 60-4,127, 60-636, 60-6,211.05, 60-2904, and 66-1414, Reissue Revised Statutes of Nebraska, and sections 29-2292, 37-1201, 60-146, 60-169, 60-392, 60-3,100, 60-3,101, 60-3,102, 60-4,115, 60-4,120, 60-4,124, 60-4,148, 60-4,148.01, 60-4,149, 60-4,150, 60-4,181, and 60-1513, Revised Statutes Cumulative Supplement, 2024; to change provisions relating to deferred judgments; to change provisions of the State Boat Act relating to amphibious vehicles and certificates of title; to change provisions of the Motor Vehicle Certificate of Title Act relating to junk vehicles and certificates of title, minibikes, applicability of the act to fertilizer trailers, applications for certificates of title, identification inspections, and lienholders and bonded certificates of title; to change and provide provisions under the Motor Vehicle Registration Act relating to minibikes, registrations, decals, fees, and the modification of license plates; to provide for the issuance of only one license plate for a motor vehicle; to change provisions of the Motor Vehicle Operator's License Act relating to fees, surcharges, and ignition interlock permits; to change provisions of the Nebraska Rules of the Road relating to minibikes and ignition interlock devices; to change provisions relating to the source of the Department of Motor Vehicles Cash Fund; to change provisions of the Uniform Motor Vehicle Records Disclosure Act relating to personal information and sensitive personal information; to provide for the Department of Motor Vehicles to credit money to the Motor Carrier Services Division Distributive Fund and eliminate certain provisions of the fund relating to

the State Treasurer; to define and redefine terms; to eliminate obsolete provisions; to harmonize provisions; to provide operative dates; to repeal the original sections; and to declare an emergency.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

37-1284 In the event of a lost or destroyed certificate of title, the owner of the motorboat or the holder of a lien on the motorboat shall apply, upon a form prescribed by the Department of Motor Vehicles, to any county treasurer or to the department for a certified copy of the certificate of title and shall pay the fee prescribed by section 37-1287. The application shall be signed by the person making the application. The county treasurer, with the approval of the department, or the department shall issue a certified copy of the certificate of title to the person entitled to receive the certificate of title. If the county treasurer's records of the title have been destroyed pursuant to section 37-1279, the county treasurer shall issue a duplicate certificate of title to the person entitled to receive the certificate upon such showing as the county treasurer deems sufficient. If the applicant cannot produce such proof of ownership, he or she may apply directly to the department and submit such evidence as he or she may have, and the department may, if it finds the evidence sufficient, authorize the county treasurer to issue a duplicate certificate of title. The new purchaser shall be entitled to receive an original title upon presentation of the assigned duplicate copy of the certificate of title, properly assigned to the new purchaser, to the county treasurer as prescribed in section 37-1278. Any purchaser of the motorboat may at the time of purchase require the seller of the motorboat to indemnify him or her and all subsequent purchasers of the motorboat against any loss which he, she, or they may suffer by reason of any claim presented upon the original certificate. In the event of the recovery of the original certificate of title by the owner, he or she shall immediately surrender the certificate to the county treasurer or the department for cancellation.

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

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

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

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

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

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

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

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

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

- (a) Has a total wheel and tire diameter of less than fourteen inches;
- (b) Has an engine-rated capacity of less than forty-five cubic centimeters displacement;
- (c) Has an engine power output of less than three horsepower;
- (d) Has an engine-rated capacity of less than two thousand two hundred thirty-eight watts; or
- (e) Was primarily designed by the manufacturer for off-road use only.

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

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

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

- (a) Farm trailers;
- (b) Fertilizer trailers;
- (c) Well-boring apparatus, backhoes, bulldozers, and front-end loaders;  
and

(d) Trucks and buses from other jurisdictions required to pay registration fees under the Motor Vehicle Registration Act, except a vehicle registered or

eligible to be registered as part of a fleet of apportionable vehicles under section 60-3,198.

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

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

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

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

(b) If a manufactured home or mobile home has been affixed to real estate and a certificate of title was not issued before it was so affixed, the owner of such manufactured home or mobile home shall apply for and be issued a certificate of title at any time for surrender and cancellation as provided in section 60-169.

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

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

60-146 (1) An application for a certificate of title for a vehicle shall include a statement that an identification inspection has been conducted on the vehicle unless (a) the title sought is a salvage branded certificate of title or a nontransferable certificate of title, (b) the surrendered ownership

document is a Nebraska certificate of title, a manufacturer's statement of origin, an importer's statement of origin, or a nontransferable certificate of title, (c) the application contains a statement that the vehicle is to be registered under section 60-3,198, (d) the vehicle is a cabin trailer, (e) the title sought is the first title for the vehicle sold directly by the manufacturer of the vehicle to a dealer franchised by the manufacturer, or (f) the vehicle was sold at an auction authorized by the manufacturer and purchased by a dealer franchised by the manufacturer of the vehicle.

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

(3) The statement that an identification inspection has been conducted shall be furnished by the county sheriff of any county or by any other holder of a certificate of training issued pursuant to section 60-183, shall be in a format as determined by the department, and shall expire ninety days after the date of the inspection. The county treasurer shall accept a certificate of inspection, approved by the superintendent, from an officer of a state police agency of another state unless an inspection is required under section 60-174.

(4)(a) Except as provided in subdivision (b) of this subsection, the identification inspection shall include examination and notation of the then current odometer reading, if any, and a comparison of the vehicle identification number with the number listed on the ownership records, except that if a lien is registered against a vehicle and recorded on the vehicle's ownership records, the county treasurer shall provide a copy of the ownership records for use in making such comparison. If such numbers are not identical, if there is reason to believe further inspection is necessary, or if the inspection is for a Nebraska assigned number, the person performing the inspection shall make a further inspection of the vehicle which may include, but shall not be limited to, examination of other identifying numbers placed on

the vehicle by the manufacturer and an inquiry into the numbering system used by the state issuing such ownership records to determine ownership of a vehicle. The identification inspection shall also include a statement that the vehicle identification number has been checked for entry in (i) the National Crime Information Center and (ii) the Nebraska Crime Information Service or the National Motor Vehicle Title Information System. In the case of an assembled vehicle, a vehicle designated as reconstructed, or a vehicle designated as replica, the identification inspection shall include, but not be limited to, an examination of the records showing the date of receipt and source of each major component part. No identification inspection shall be conducted unless all major component parts are properly attached to the vehicle in the correct location.

(b) Each county sheriff shall establish a process by which to enter into an agreement with any motor vehicle dealer as defined in section 60-1401.26 with an established place of business as defined in section 60-1401.15 in the county in which the sheriff has jurisdiction in order to collect information for the identification inspection on motor vehicles which are in the inventory of the motor vehicle dealer at the dealer's established place of business in such county. The agreement entered into shall require that the motor vehicle dealer provide the required fee, a copy of the documents evidencing transfer of ownership, and the make, model, vehicle identification number, and odometer reading in a form and manner prescribed by the county sheriff, which shall include a requirement to provide one or more photographs or digital images of the vehicle, the vehicle identification number, and the odometer reading. The county sheriff shall complete the identification inspection as required under subdivision (a) of this subsection using such information and return to the motor vehicle dealer the statement that an identification inspection has been conducted for each motor vehicle as provided in subsection (3) of this section. If the information is incomplete or if there is reason to believe that further inspection is necessary, the county sheriff shall inform the motor vehicle dealer. If the motor vehicle dealer knowingly provides inaccurate or false



information, the motor vehicle dealer shall be liable for any damages that result from the provision of such information. The motor vehicle dealer shall keep the records for five years after the date the identification inspection is complete.

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

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

**Sec. 13.** Section 60-158, Reissue Revised Statutes of Nebraska, is amended to read:

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

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

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

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

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

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

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

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

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

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

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

(2) The bond shall be issued by a surety company authorized to transact business in this state, in an amount equal to one and one-half times the value of the vehicle as determined by the department using reasonable appraisal methods, and conditioned to indemnify any prior owner and secured party, any subsequent purchaser and secured party, and any successor of the purchaser and secured party for any expense, loss, or damage, including reasonable attorney's fees, incurred by reason of the issuance of the certificate of title to the vehicle or any defect in or undisclosed security interest upon the right, title, and interest of the applicant in and to the vehicle. An interested person may have a cause of action to recover on the bond for a breach of the conditions of the bond. The aggregate liability of the surety to all persons having a claim shall not exceed the amount of the bond.

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

department may release the bond prior to the end of the three-year period.

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

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

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

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

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

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

60-168 (1) In the event of a lost or mutilated certificate of title, the owner of the vehicle or the holder of a lien on the vehicle shall apply, upon a form prescribed by the department, to the department or to any county treasurer for a duplicate certificate of title and shall pay the fee prescribed by section 60-156. The application shall be signed by the person making the application or a person authorized to sign under section 60-151. Thereupon the

county treasurer, with the approval of the department, or the department shall issue a duplicate certificate of title to the person entitled to receive the certificate of title. If the records of the title have been destroyed pursuant to section 60-152, the county treasurer shall issue a duplicate certificate of title to the person entitled to receive the same upon such showing as the county treasurer may deem sufficient. If the applicant cannot produce such proof of ownership, he or she may apply directly to the department and submit such evidence as he or she may have, and the department may, if it finds the evidence sufficient, authorize the county treasurer to issue a duplicate certificate of title. A duplicate certificate of title so issued shall show only those unreleased liens of record. The new purchaser shall be entitled to receive an original certificate of title upon presentation of the assigned duplicate copy of the certificate of title, properly assigned to the new purchaser, to the county treasurer prescribed in section 60-144.

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

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

60-169 (1)(a)(i) Except as otherwise provided in subdivision (c) of this subsection, each owner of a junk vehicle and each person mentioned as owner in the last certificate of title for any junk vehicle shall surrender his or her certificate of title to the department.

(ii) A wrecker or salvage dealer shall report electronically to the department using the electronic reporting system.

(iii) For any certificate of title surrendered under subdivision (1)(a) of this section, the department shall, with the consent of any holder of any lien

noted thereon, enter a cancellation of such certificate of title 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 January 1, 2024, 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 January 1, 2024. 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 January 1, 2024.

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

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

(a) Has a total wheel and tire diameter of less than fourteen inches;

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

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

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

(e) Was primarily designed by the manufacturer for off-road use only.

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

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

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

(2) The certificate of registration and license plates issued by the

department shall be valid during the registration period for which they are issued, and when validation decals issued pursuant to section 60-3,101 have been affixed to the license plates, the plates shall also be valid for the registration period designated by such validation decals. If a person renews an annual registration up to thirty days prior to the date of expiration, the registration shall be valid for such time period as well.

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

(4) Subsections (1) through (3) of this section do not apply to dealer's license plates, repossession plates, and transporter plates as provided in sections 60-373, 60-375, 60-378, and 60-379, which plates shall be issued for a calendar year.

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

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

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

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

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

to read:

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

(2) In each registration period in which new license plates are not issued, previously issued license plates shall have affixed thereto the validation decals issued pursuant to section 60-3,101. In all cases such license plates shall be securely fastened in an upright position to the motor vehicle or trailer so as to prevent such plates from swinging and at a minimum distance of twelve inches from the ground to the bottom of the license plate. No person shall attach to or display on such motor vehicle or trailer any (a) license plate or registration certificate other than as assigned to it for the current registration period, (b) fictitious or altered license plates or registration certificate, (c) license plates or registration certificate that has been canceled by the department, or (d) license plates lacking current validation decals.

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

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

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

60-3,100 (1) The department shall issue to every person whose motor vehicle or trailer is registered one or two fully reflectorized license plates upon which shall be displayed (a) the registration number consisting of letters

and numerals assigned to such motor vehicle or trailer in figures not less than two and one-half inches nor more than three inches in height and (b) also the word Nebraska suitably lettered so as to be attractive. The license plates shall be of a color designated by the director. The color of the plates shall be changed each time the license plates are changed. Each time the license plates are changed, the director shall secure competitive bids for materials pursuant to the State Procurement Act. Autocycle, motorcycle, minitruck, low-speed vehicle, and trailer license plate letters and numerals may be one-half the size of those required in this section.

(2)(a) This subsection applies on and before December 31, 2028.

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

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

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

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

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

(3)(a) This subsection applies on and after January 1, 2029.

(b) One license plate shall be issued for every registered motor vehicle or trailer.

(c) Except as otherwise provided in this subsection, the license plate for a registered motor vehicle or trailer shall be prominently displayed on the rear of the registered motor vehicle or trailer.

(d) When a license plate is issued for motor vehicles registered pursuant to section 60-3,198 and truck-tractors, such license plate shall be prominently displayed on the front of the apportionable vehicle or truck-tractor.

(4)(a) The director shall designate an implementation date for this subsection that is on or before January 1, 2029. Beginning on such implementation date, the department may deliver any license plate or registration certificate to the applicant or to the county treasurer of the county in which the motor vehicle, trailer, or semitrailer is registered by United States mail or through an alternative shipping service. The delivery of such license plate or registration certificate shall be made through a secure process.

(b) If delivery of any license plate or 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 applicant. The department shall remit the fee to the State Treasurer for credit to the Department of Motor Vehicles Cash Fund.

(5) Any person who presents proof of registration shall be permitted to

operate the registered motor vehicle or tow the registered trailer for a period of thirty days without a mailed license plate displayed.

**Sec. 21.** 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 license 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 license plates.

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

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

60-3,102 (1) Whenever new license plates, including duplicate or replacement license plates, are issued to any person, a fee per plate shall be charged in addition to all other required fees. The license plate fee shall be determined by the department and shall only cover the cost of the license plate and validation decals but shall not exceed eight dollars.

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

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

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

60-3,157 If a license plate, registration certificate, or weight or validation decal is lost or mutilated or has become illegible, the person to

whom such license plate, registration certificate, or decal has been issued shall immediately apply to the county treasurer for a duplicate registration certificate or for new license plates and decals, accompanying his or her application with a fee of one dollar for a duplicate registration certificate and a fee of two dollars and fifty cents for a duplicate or replacement license plate and decals. No fee shall be required under this section if the vehicle or trailer was reported stolen under section 60-178.

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

60-4,113 (1) The director shall appoint as his or her agents one or more department personnel who shall examine all applicants for a state identification card or an operator's license as provided in section 60-4,114, except as otherwise provided in subsection (8) of section 60-4,122. The same department personnel may be assigned to one or more counties by the director. In counties in which the county treasurer collects the fees and issues receipts, the county shall furnish office space for the administration of the operator's license examination. Department personnel shall conduct the examination of applicants and deliver to each successful applicant an issuance certificate or receipt. The certificate may be presented to the county treasurer within ninety days after issuance, and the county treasurer shall collect the fees as provided in section 60-4,115 and issue a receipt which is valid for up to thirty days. If an operator's license is being issued, the receipt shall also authorize driving privileges for such thirty-day period. If department personnel refuse to issue an issuance certificate or receipt, the department personnel shall state such cause in writing and deliver such written cause to the applicant.

(2) The department may provide for the central production and issuance of operators' licenses and state identification cards. Production shall take place at a secure production facility designated by the director. The licenses and cards shall be of such a design and produced in such a way as to discourage, to the maximum extent possible, fraud in applicant enrollment, identity theft, and

the forgery and counterfeiting of such licenses and cards. Delivery of an operator's license or state identification card shall be to the mailing address provided by the applicant at the time of application and may be provided by secure electronic delivery to specified contact information at the request of the applicant.

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

60-4,115 (1) Fees for operators' licenses and state identification cards shall be collected by department personnel or the county treasurer and distributed according to the table in subsection (2) of this section, except for the ignition interlock permit and associated fees as outlined in subsection (4) of this section and the 24/7 sobriety program permit and associated fees as outlined in subsection (5) of this section. County officials shall remit the county portion of the fees collected to the county treasurer for placement in the county general fund. All other fees collected shall be remitted to the State Treasurer for credit to the appropriate fund.

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

Document	Total Fee	County	Department
		General	of Motor
		Fund	Vehicles
			Cash Fund
State identification card:			
Valid for 1 year or less	5.00	2.75	2.25
Valid for more than 1 year			
but not more than 2 years	10.00	2.75	7.25
Valid for more than 2 years			
but not more than 3 years	14.00	2.75	11.25
Valid for more than 3 years			
but not more than 4 years	19.00	2.75	16.25



Valid for more than 4 years			
for a person under 21	24.00	2.75	21.25
Valid for 5 years	24.00	3.50	20.50
Replacement	11.00	2.75	8.25
Class 0 or M operator's license:			
Valid for 1 year or less	5.00	2.75	2.25
Valid for more than 1 year			
but not more than 2 years	10.00	2.75	7.25
Valid for more than 2 years			
but not more than 3 years	14.00	2.75	11.25
Valid for more than 3 years			
but not more than 4 years	19.00	2.75	16.25
Valid for 5 years	24.00	3.50	20.50
Bioptic or telescopic lens			
restriction:			
Valid for 1 year or less	5.00	0	5.00
Valid for more than 1 year			
but not more than 2 years	10.00	2.75	7.25
Replacement	11.00	2.75	8.25
Add, change, or remove class,			
endorsement, or restriction	5.00	0	5.00
Provisional operator's permit:			
Original	15.00	2.75	12.25
Bioptic or telescopic lens			
restriction:			
Valid for 1 year or less	5.00	0	5.00
Valid for more than 1 year			
but not more than 2 years	15.00	2.75	12.25
Replacement	11.00	2.75	8.25
Add, change, or remove class,			

LB97 2025			LB97 2025
endorsement, or restriction	5.00	0	5.00
LPD-learner's permit:			
Original	8.00	.25	7.75
Replacement	11.00	2.75	8.25
Add, change, or remove class, endorsement, or restriction	5.00	0	5.00
LPE-learner's permit:			
Original	8.00	.25	7.75
Replacement	11.00	2.75	8.25
Add, change, or remove class, endorsement, or restriction	5.00	0	5.00
School permit:			
Original	8.00	.25	7.75
Replacement	11.00	2.75	8.25
Add, change, or remove class, endorsement, or restriction	5.00	0	5.00
Farm permit:			
Original or renewal	5.00	.25	4.75
Replacement	5.00	.25	4.75
Add, change, or remove class, endorsement, or restriction	5.00	0	5.00
Driving permits:			
Employment	45.00	0	45.00
Medical hardship	45.00	0	45.00
Replacement	10.00	.25	9.75
Add, change, or remove class, endorsement, or restriction	5.00	0	5.00
Commercial driver's license:			
Valid for 1 year or less	11.00	1.75	9.25
Valid for more than 1 year			

but not more than 2 years	22.00	1.75	20.25
Valid for more than 2 years			
but not more than 3 years	33.00	1.75	31.25
Valid for more than 3 years			
but not more than 4 years	44.00	1.75	42.25
Valid for 5 years	55.00	1.75	53.25
Bioptic or telescopic lens restriction:			
Valid for one year or less	11.00	1.75	9.25
Valid for more than 1 year			
but not more than 2 years	22.00	1.75	20.25
Replacement	11.00	2.75	8.25
Add, change, or remove class, endorsement, or restriction	10.00	1.75	8.25
CLP-commercial learner's permit:			
Original	10.00	.25	9.75
Replacement	10.00	.25	9.75
Add, change, or remove class, endorsement, or restriction	10.00	.25	9.75

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

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

(b) The fee for a replacement ignition interlock permit shall be eleven dollars. Two dollars and seventy-five cents of the fee shall be remitted to the county treasurer for credit to the county general fund. Eight dollars and

twenty-five cents of the fee shall be remitted to the State Treasurer for credit to the Department of Motor Vehicles Cash Fund.

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

(5)(a) The fee for a 24/7 sobriety program permit shall be forty-five dollars. Forty dollars of the fee shall be remitted to the State Treasurer for credit to the Department of Motor Vehicles Cash Fund. Five dollars of the fee shall be remitted to the county treasurer for credit to the county general fund.

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

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

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

(7) No fee shall be charged for issuance of an original, renewal, or

replacement state identification card to a resident of Nebraska who is also a United States citizen and who does not have a valid Nebraska driver's license.

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

60-4,117 (1) An applicant shall present an issuance certificate to the county treasurer for an operator's license or state identification card. Department personnel or the county treasurer shall collect the applicable fees as prescribed in section 60-4,115 and issue a receipt which is valid for up to thirty days. If there is cause for an operator's license to be issued, the receipt shall also authorize driving privileges for such thirty-day period. The license or card shall be delivered as provided in section 60-4,113.

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

- (a) The full legal name and principal residence address of the holder;
- (b) The holder's full facial digital image;
- (c) A physical description of the holder, including gender, height, weight, and eye and hair colors;
- (d) The holder's date of birth;
- (e) The holder's signature;
- (f) The class of motor vehicle which the holder is authorized to operate and any applicable endorsements or restrictions;
- (g) The issuance and expiration date of the license or card;
- (h) The organ and tissue donation information specified in section 60-494;
- (i) A veteran designation as provided in section 60-4,189; and
- (j) Such other marks and information as the director may determine.

(3) Each operator's license and state identification card shall contain the following encoded, machine-readable information: The holder's full legal

name; date of birth; gender; race or ethnicity; document issue date; document expiration date; principal residence address; unique identification number; revision date; inventory control number; and state of issuance.

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

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

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

(3) An ignition interlock permit shall not be issued under this section or sections 60-498.01 to 60-498.04 to any person except in cases of a violation of

subdivision (3)(b) or (c) of section 28-306, subdivision (3)(b) or (c) of section 28-394, or section 28-1254, 60-6,196, 60-6,197, 60-6,197.06, or 60-6,198.

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

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

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

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

(3) In the event a mutilated or unreadable operator's license is held by any person duly licensed under the act or a mutilated or unreadable state identification card which was issued under the act is held by a person, such person may obtain a replacement license or card. Upon report of the mutilated or unreadable license or card and application for a replacement license or card, a replacement license or card may be issued if the department is satisfied that the original license or card is mutilated or unreadable.

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

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

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

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

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

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



image of the applicant.

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

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

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

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

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

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

(2) In order to obtain a provisional operator's permit, the applicant shall present (a)(i) proof of successful completion of a department-approved driver safety course which includes behind-the-wheel driving specifically emphasizing (A) the effects of the consumption of alcohol on a person operating a motor vehicle, (B) occupant protection systems, (C) risk assessment, and (D) railroad crossing safety and (ii) proof of successful completion of a written examination and driving test administered by a driver safety course instructor or (b) a certificate in a form prescribed by the department, signed by a parent, guardian, or licensed driver at least twenty-one years of age,

verifying that the applicant has completed fifty hours of lawful motor vehicle operation including at least ten hours of motor vehicle operation between sunset and sunrise, under conditions that reflect department-approved driver safety course curriculum, with a parent, guardian, or adult at least twenty-one years of age, who has a current Nebraska operator's license or who is licensed in another state. If the applicant presents such a certificate, the applicant shall be required to successfully complete a driving test administered by the department. The written examination shall be waived if the applicant has been issued a Nebraska LPD-learner's permit or has been issued a Nebraska LPE-learner's permit and such permit is valid or has been expired for no more than one year. However, the department shall not waive the written examination if the provisional operator's permit being applied for contains a class or endorsement which is different from the class or endorsement of the LPD-learner's or LPE-learner's permit. Upon presentation by the applicant of a form prescribed by the department showing successful completion of the driver safety course, the written examination and driving test may be waived. Upon presentation of the certificate, the written examination but not the driving test may be waived. Licensing staff shall waive the written examination and the driving test if the applicant has been issued a school permit and such permit is valid or has expired no more than one year prior to application. The written examination shall not be waived if the provisional operator's permit being applied for contains a class or endorsement which is different from the class or endorsement of the school permit.

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

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

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

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

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

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

60-4,123 (1) Any person who is at least fifteen years of age may apply for an LPD-learner's permit from the department. In order to obtain an LPD-learner's permit, the applicant shall successfully complete a written examination. A person may take the written examination beginning sixty days prior to his or her fifteenth birthday but shall not be issued a permit until he or she is fifteen years of age. The written examination may be waived for any person who has been issued an LPE-learner's permit, LPD-learner's permit, or SCP-school permit that has been expired for no more than one year.

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

(3)(a) The holder of an LPD-learner's permit shall only operate a motor vehicle on the highways of this state if he or she is accompanied at all times by a licensed operator who is at least twenty-one years of age and who has been licensed by this state or another state and if (i) for all motor vehicles other

than autocycles, motorcycles, or mopeds, he or she is actually occupying the seat beside the licensed operator, (ii) in the case of an autocycle, he or she is actually occupying the seat beside or in front of the licensed operator, or (iii) in the case of a motorcycle, other than an autocycle, or a moped, he or she is within visual contact of and under the supervision of, in the case of a motorcycle, a licensed motorcycle operator or, in the case of a moped, a licensed motor vehicle operator.

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

(4) Department personnel or the county treasurer shall collect the fees prescribed in section 60-4,115 for the issuance of each LPD-learner's permit.

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

60-4,124 (1) A person who is younger than sixteen years and three months of age but is older than fourteen years and two months of age may be issued a school permit if such person either resides outside a city of the metropolitan, primary, or first class or attends a school which is outside a city of the metropolitan, primary, or first class and if such person has held an LPE-learner's permit for two months. A school permit shall not be issued until such person has demonstrated that he or she is capable of successfully operating a motor vehicle, moped, or motorcycle and has in his or her possession an issuance certificate authorizing the county treasurer to issue a school permit. In order to obtain an issuance certificate, the applicant shall present (a) proof of successful completion of a department-approved driver safety course which includes behind-the-wheel driving specifically emphasizing (i) the effects of the consumption of alcohol on a person operating a motor vehicle, (ii) occupant protection systems, (iii) risk assessment, and (iv) railroad crossing safety and (b)(i) proof of successful completion of a written

examination and driving test administered by a driver safety course instructor or (ii) a certificate in a form prescribed by the department, signed by a parent, guardian, or licensed driver at least twenty-one years of age, verifying that the applicant has completed fifty hours of lawful motor vehicle operation, under conditions that reflect department-approved driver safety course curriculum, with a parent, guardian, or adult at least twenty-one years of age, who has a current Nebraska operator's license or who is licensed in another state. The department may waive the written examination if the applicant has been issued an LPE-learner's permit or LPD-learner's permit and if such permit is valid or has expired no more than one year prior to application. The written examination shall not be waived if the permit being applied for contains a class or endorsement which is different from the class or endorsement of the LPE-learner's permit.

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

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

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

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

(4) A person who is younger than sixteen years of age but is over fourteen years of age may be issued an LPE-learner's permit, which permit shall be valid for a period of six months. An LPE-learner's permit shall not be issued until such person successfully completes a written examination prescribed by the department and demonstrates that he or she has sufficient powers of eyesight to safely operate a motor vehicle, moped, or motorcycle or an autocycle.

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

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

(6) Department personnel or the county treasurer shall collect the fees prescribed in section 60-4,115 from each successful applicant for a school or LPE-learner's permit. All school permits shall be subject to impoundment or revocation under the terms of section 60-496. Any person who violates the terms

of a school permit shall be guilty of an infraction and shall not be eligible for another school, farm, LPD-learner's, or LPE-learner's permit until he or she has attained the age of sixteen years.

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

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

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

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

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

60-4,127 (1) No person shall operate a motorcycle on the alleys or

highways of the State of Nebraska until such person has obtained a Class M license. No such license shall be issued until the applicant has (a) met the vision and physical requirements established under section 60-4,118 for operation of a motor vehicle and (b) successfully completed an examination, including the actual operation of a motorcycle, prescribed by the director, except that the required examination may be waived, including the actual operation of a motorcycle, if the applicant presents proof of successful completion of a motorcycle safety course under the Motorcycle Safety Education Act within the immediately preceding twenty-four months.

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

(3) For purposes of this section, motorcycle does not include an auticycle.

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

60-4,148 (1) All commercial drivers' licenses shall be issued by the



department as provided in sections 60-4,148.01 and 60-4,149. Successful applicants shall pay the fees prescribed in section 60-4,115.

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

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

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

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

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

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

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

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

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

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

(3)(a) An applicant whose commercial driver's license expires prior to his

or her seventy-second birthday and who has a digital image and digital signature preserved in the digital system may, once every ten years, renew such license using the preserved digital image and digital signature by electronic means in a manner prescribed by the department pursuant to this subsection.

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

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

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

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

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

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

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

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

(d) An applicant seeking renewal under this subsection (3) shall pay the fees prescribed in section 60-4,115. Upon receipt of such fees and an application it deems satisfactory, the department shall deliver the renewal license or permit by mail.

(4)(a) Any person holding a commercial driver's license or CLP-commercial learner's permit who has a digital image and digital signature not more than ten years old preserved in the digital system and who loses his or her license or permit, who requires issuance of a replacement license or permit because of a change of address, or whose license or permit is mutilated or unreadable may

obtain a replacement commercial driver's license or CLP-commercial learner's permit using the preserved digital image and digital signature by electronic means in a manner prescribed by the department pursuant to this subsection.

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

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

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

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

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

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

(5) An application to obtain, renew, or replace a commercial driver's license or to replace a CLP-commercial learner's permit because of a change of name may not be made electronically pursuant to this section and shall be made in person at a licensing station within sixty days after the change of name.

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

**Sec. 36.** Section 60-4,149, Revised Statutes Cumulative Supplement, 2024,

is amended to read:

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

(2)(a) The segments of the driving skills examination shall be administered and successfully completed in the following order: Pre-trip inspection, basic vehicle control skills, and on-road skills. If an applicant fails one segment of the driving skills examination, the applicant cannot continue to the next segment of the examination.

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

(3) Except as provided for in sections 60-4,157 and 60-4,158, all commercial driver's license examinations shall be conducted by department personnel designated by the director. Each successful applicant shall be issued a certificate or receipt entitling the applicant to secure a commercial driver's license. If department personnel refuse to issue such certificate or receipt, he or she shall state such cause in writing and deliver the same to the applicant. Department personnel shall not be required to hold a commercial

driver's license to administer a driving skills examination and occupy the seat beside an applicant for a commercial driver's license.

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

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

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

60-4,150 (1) Any person holding a commercial driver's license or CLP-commercial learner's permit who loses his or her license or permit, who requires issuance of a replacement license or permit because of a change of name or address, or whose license or permit is mutilated or unreadable may obtain a replacement commercial driver's license or CLP-commercial learner's permit by filing an application pursuant to this section and by furnishing proof of identification in accordance with section 60-4,144. Any person seeking a replacement license or permit for such reasons, except because of a change of name, may also obtain a replacement license or permit by submitting an electronic application pursuant to section 60-4,148.01.

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

(3) A replacement commercial driver's license or CLP-commercial learner's permit issued pursuant to this section shall be delivered to the applicant as provided in section 60-4,113 after department personnel or the county treasurer collects the fees prescribed in section 60-4,115 and issues the applicant a receipt with driving privileges which is valid for up to thirty days.

Replacement commercial drivers' licenses or CLP-commercial learners' permits issued pursuant to this section shall be issued in the manner provided for the issuance of original and renewal commercial drivers' licenses or the issuance of permits as provided for by section 60-4,149.

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

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

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

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

director who shall cancel the card.

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

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

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

(a) Has a total wheel and tire diameter of less than fourteen inches;

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

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

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

(e) Was primarily designed by the manufacturer for off-road use only.

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

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

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

device on any motor vehicle that the defendant will operate during his or her release.

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

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

(b) Beginning January 1, 2026, any order issued by the court, or issued pursuant to a court order or administrative license revocation order from another jurisdiction that substantially complies with this section and section 60-6,197.03, shall not take effect until the defendant is eligible to operate a motor vehicle pursuant to subsection (8) of section 60-498.01. A person shall be eligible to be issued an ignition interlock permit allowing operation of a motor vehicle equipped with an ignition interlock device if he or she is not



subject to any other suspension, cancellation, required no-driving period, or period of revocation and has successfully completed the ignition interlock permit application process. The Department of Motor Vehicles shall, before the ignition interlock permit may be issued, review its records and the driving record abstract of any person who applies for an ignition interlock permit allowing operation of a motor vehicle equipped with an ignition interlock device to determine (i) the applicant's eligibility for an ignition interlock permit, (ii) the applicant's previous convictions under section 60-6,196, 60-6,197, or 60-6,197.06 or any previous administrative license revocation, if any, and (iii) if the applicant is subject to any required no-drive periods.

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

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

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

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

(6) If a person ordered to use a continuous alcohol monitoring device and abstain from alcohol use pursuant to a court order as provided in subsection

(2) of this section violates the provisions of such court order by removing, tampering with, or otherwise bypassing the continuous alcohol monitoring device or by consuming alcohol while required to use such device, he or she shall have his or her ignition interlock permit revoked and be unable to apply for reinstatement for the duration of the revocation period imposed by the court.

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

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

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

thousand dollars from the Department of Motor Vehicles Ignition Interlock Fund to the Violence Prevention Cash Fund. Any money in the Department of Motor Vehicles Ignition Interlock 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.

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

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

(b) If a district probation office receives evidence of tampering with or circumvention of an ignition interlock device, or any attempts to do so, from an ignition interlock service facility, the district probation office shall notify the appropriate court of such violation. The court shall immediately schedule an evidentiary hearing to be held within fourteen days after receiving such evidence, either from the district probation office or an ignition interlock service facility, and the court shall cause notice of the hearing to be given to the person operating a motor vehicle pursuant to an order under subsection (1) of this section. If the person who is the subject of such evidence does not appear at the hearing and show cause why the order made pursuant to subsection (1) of this section should remain in effect, the court shall rescind the original order. Nothing in this subsection shall apply to an order made by the Board of Pardons pursuant to section 83-1,127.02.

(10) Notwithstanding any other provision of law, the issuance of an

ignition interlock permit by the Department of Motor Vehicles under section 60-498.01 or an order for the installation of an ignition interlock device and ignition interlock permit made pursuant to subsection (1) of this section as part of a conviction, as well as the administration of such court order by the Office of Probation Administration for the installation, maintenance, and removal of such device, as applicable, shall not be construed to create an order of probation when an order of probation has not been issued.

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

60-1513 The Department of Motor Vehicles Cash Fund is hereby created. The fund shall be administered by the Director of Motor Vehicles. In addition to money paid to the department or credited or remitted to the fund, the fund may also receive reimbursement from counties. The fund shall be used by the Department of Motor Vehicles to carry out its duties as deemed necessary by the Director of Motor Vehicles, except that transfers from the fund to the General Fund or the Vehicle Title and Registration System Replacement and Maintenance Cash Fund may be made at the direction of the Legislature. Any money in the Department of Motor Vehicles 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. Beginning October 1, 2024, any investment earnings from investment of money in the fund shall be credited to the General Fund.

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

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

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

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

communication;

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

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

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

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

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

**Sec. 43.** Section 66-1414, Reissue Revised Statutes of Nebraska, is amended to read:

66-1414 (1) Any fuel tax collected pursuant to the agreement shall be credited to the Motor Carrier Services Division Distributive Fund to carry out the International Fuel Tax Agreement Act.

(2) The Motor Carrier Services Division Distributive Fund is created. Any money in the Motor Carrier Services Division Distributive 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. Any interest received on money in the Motor Carrier Services Division Distributive Fund shall be credited to the Highway Trust Fund.

**Sec. 44.** Sections 6, 15, 18, 20, 21, 22, 23, and 46 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. 45.** Original sections 37-1202, 60-101, 60-102, 60-121, 60-137, 60-158, 60-167, 60-337, 60-399, 60-4,113, 60-4,117, 60-4,118.06, 60-4,120.01, 60-4,123, 60-4,126, 60-4,127, 60-636, 60-6,211.05, 60-2904, and 66-1414, Reissue Revised Statutes of Nebraska, and sections 29-2292, 37-1201, 60-146, 60-169, 60-4,115, 60-4,120, 60-4,124, 60-4,148, 60-4,148.01, 60-4,149, 60-4,150, 60-4,181, and 60-1513, Revised Statutes Cumulative Supplement, 2024, are repealed.

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

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

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**PRESIDENT OF THE LEGISLATURE**

*THIS IS TO CERTIFY that the within LB 97 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**