

## LEGISLATIVE BILL 120

Approved by the Governor May 21, 2025

Introduced by Hardin, 48; Lippincott, 34; Raybould, 28.

A BILL FOR AN ACT relating to the Motor Vehicle Operator's License Act; to amend section 60-484.02, Revised Statutes Cumulative Supplement, 2024; to provide an exception for when a digital image may be released; to harmonize provisions; and to repeal the original section.  
Be it enacted by the people of the State of Nebraska,

**Section 1.** Section 60-484.02, Revised Statutes Cumulative Supplement, 2024, is amended to read:

60-484.02 (1) Each applicant for an operator's license or state identification card shall have his or her digital image captured. Digital images shall be preserved for use as prescribed in sections 60-4,119, 60-4,151, and 60-4,180. The images shall be used for issuing operators' licenses and state identification cards. The images may be retrieved only by the Department of Motor Vehicles for issuing renewal and replacement operators' licenses and state identification cards and may not be otherwise released except in accordance with subsection (3) of this section.

(2) Upon application for an operator's license or state identification card, each applicant shall provide his or her signature in a form prescribed by the department. Digital signatures shall be preserved for use on original, renewal, and replacement operators' licenses and state identification cards and may not be otherwise released except in accordance with subsection (4) of this section.

~~(3)(a) (3)~~ No officer, employee, agent, or contractor of the department or law enforcement officer shall release a digital image except:

~~(i) To (a) to~~ a federal, state, or local law enforcement agency, a certified law enforcement officer employed in an investigative position by a federal, state, or local agency, or a driver licensing agency of another state for the purpose of carrying out the functions of the agency or assisting another agency in carrying out its functions upon the verification of the identity of the person requesting the release of the information and the verification of the purpose of the requester in requesting the release;

~~(ii) To or (b) to~~ the office of the Secretary of State for the purpose of voter registration and voter identification as prescribed in the Election Act upon the verification of the identity of the person requesting the release of the information and the verification of the purpose of the requester in requesting the release; ~~or -~~

~~(iii) To the Nebraska State Patrol in order to be posted on the Nebraska State Patrol Missing Persons Clearinghouse website if the portrayed individual has been deemed missing and cannot be located. The Nebraska State Patrol and the Department of Motor Vehicles may enter into an agreement for the release, use, protection, storage, and retention of such digital images in accordance with this section and the Uniform Motor Vehicle Records Disclosure Act. The Nebraska State Patrol shall do the following relating to digital images that are released to the Nebraska State Patrol:~~

~~(A) Carry out protection protocols to prevent the fraudulent use of such digital images;~~

~~(B) Create, and update as necessary, security measures for the access, storage, and retention of such digital images; and~~

~~(C) Remove any such digital image from the Nebraska State Patrol Missing Persons Clearinghouse website within three business days after the Nebraska State Patrol is notified that the individual portrayed in such digital image has been located.~~

~~(b)~~ No employee or official in the office of the Secretary of State shall release a digital image except to a federal, state, or local law enforcement agency, a certified law enforcement officer employed in an investigative position by a federal, state, or local agency, or a driver licensing agency of another state for the purpose of carrying out the functions of the agency or assisting another agency in carrying out its functions upon the verification of the identity of the person requesting the release of the information and the verification of the purpose of the requester in requesting the release.

~~(c)~~ Any officer, employee, agent, or contractor of the department, law enforcement officer, or employee or official in the office of the Secretary of State that knowingly discloses or knowingly permits disclosure of a digital image in violation of this section shall be guilty of a Class I misdemeanor.

~~(4)(a) (4)~~ No officer, employee, agent, or contractor of the department or law enforcement officer shall release a digital signature except:

~~(i) To (a) to~~ a federal, state, or local law enforcement agency, a certified law enforcement officer employed in an investigative position by a federal, state, or local agency, or a driver licensing agency of another state for the purpose of carrying out the functions of the agency or assisting another agency in carrying out its functions upon the verification of the identity of the person requesting the release of the information and the verification of the purpose of the requester in requesting the release; ~~or~~

(ii) ~~To (b)~~ to the office of the Secretary of State for the purpose of voter registration and voter identification as prescribed in the Election Act upon the verification of the identity of the person requesting the release of the information and the verification of the purpose of the requester in requesting the release.

(b) No employee or official in the office of the Secretary of State shall release a digital signature except to a federal, state, or local law enforcement agency, a certified law enforcement officer employed in an investigative position by a federal, state, or local agency, or a driver licensing agency of another state for the purpose of carrying out the functions of the agency or assisting another agency in carrying out its functions upon the verification of the identity of the person requesting the release of the information and the verification of the purpose of the requester in requesting the release.

(c) Any officer, employee, agent, or contractor of the department, law enforcement officer, or employee or official in the office of the Secretary of State that knowingly discloses or knowingly permits disclosure of a digital signature in violation of this section shall be guilty of a Class I misdemeanor.

(5) The department shall develop a process for the release of digital images to the Secretary of State for the purpose of voter identification as prescribed by the Election Act. The process shall include proper measures for access, security, storage, and retention of the digital image and verification of the release of the digital image to any officer, agent, or contractor of the Secretary of State. The Secretary of State and the department shall enter into an agreement for the release, use, protection, storage, and retention of digital images as prescribed under this section and the Uniform Motor Vehicle Records Disclosure Act. The department may adopt and promulgate rules and regulations to carry out this subsection.

**Sec. 2.** Original section 60-484.02, Revised Statutes Cumulative Supplement, 2024, is repealed.