

LEGISLATURE OF NEBRASKA
ONE HUNDRED SEVENTH LEGISLATURE
SECOND SESSION

LEGISLATIVE BILL 750

FINAL READING

Introduced by Friesen, 34.

Read first time January 05, 2022

Committee: Transportation and Telecommunications

1 A BILL FOR AN ACT relating to transportation; to amend sections 39-1337,
2 60-107, 60-119.01, 60-142.11, 60-144, 60-149, 60-151, 60-169,
3 60-302.01, 60-336.01, 60-386, 60-392, 60-3,101, 60-3,102,
4 60-3,113.04, 60-3,119, 60-3,122, 60-3,122.02, 60-3,122.03, 60-3,123,
5 60-3,124, 60-3,125, 60-3,126, 60-3,128, 60-3,130.02, 60-3,135.01,
6 60-3,193.01, 60-3,198, 60-3,203, 60-3,221, 60-3,226, 60-3,232,
7 60-3,233, 60-3,237, 60-3,241, 60-3,243, 60-3,245, 60-3,247,
8 60-3,249, 60-3,251, 60-3,253, 60-462, 60-462.01, 60-463, 60-479.01,
9 60-481, 60-490, 60-4,111.01, 60-4,115, 60-4,122, 60-4,124,
10 60-4,130.03, 60-4,130.04, 60-4,132, 60-4,134, 60-4,138, 60-4,139.01,
11 60-4,147.02, 60-4,149.01, 60-4,168, 60-4,174, 60-4,183, 60-4,188,
12 60-501, 60-628.01, 60-699, 60-6,265, 60-1515, 60-2705, 60-2909.01,
13 66-1401, 66-1421, and 75-126, Reissue Revised Statutes of Nebraska,
14 sections 30-2715.01, 39-1302, 39-1320, and 75-369.03, Revised
15 Statutes Cumulative Supplement, 2020, and sections 75-363, 75-364,
16 75-366, 75-392, and 75-393, Revised Statutes Supplement, 2021; to
17 change provisions relating to transfer-on-death certificates of
18 title as prescribed, state highways and the Department of
19 Transportation as prescribed, the Motor Vehicle Certificate of Title
20 Act, the Motor Vehicle Registration Act, the Motor Vehicle
21 Operator's License Act, the Motor Vehicle Safety Responsibility Act,
22 the Nebraska Rules of the Road, the Department of Motor Vehicles

1 Cash Fund, the International Fuel Tax Agreement Act, and motor
2 carriers and civil penalties as prescribed; to provide for a postage
3 and handling fee as prescribed; to define terms; to adopt certain
4 updates to federal laws and regulations; to eliminate obsolete
5 provisions; to harmonize provisions; to provide operative dates; to
6 repeal the original sections; and to declare an emergency.

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

1 Section 1. Section 30-2715.01, Revised Statutes Cumulative
2 Supplement, 2020, is amended to read:

3 30-2715.01 (1) Subject to section 30-2333, a person who owns any of
4 the following for which a certificate of title may be issued pursuant to
5 the Motor Vehicle Certificate of Title Act or the State Boat Act may use
6 a transfer-on-death certificate of title as prescribed in this section: A
7 a ~~motor~~ vehicle or a motorboat. Such person may provide for the transfer
8 of such ~~property vehicle~~ upon his or her death or the death of the last
9 survivor of a joint tenancy with right of survivorship by including in
10 the certificate of title a designation of beneficiary or beneficiaries to
11 whom ~~such property the vehicle~~ will be transferred on the death of the
12 owner or the last survivor, subject to the rights of all lienholders,
13 whether created before, simultaneously with, or after the creation of the
14 transfer-on-death interest. A trust may be the beneficiary of a transfer-
15 on-death certificate of title. The certificate of title shall include the
16 name of the owner, the name of any tenant-in-common owner or the name of
17 any joint-tenant-with-right-of-survivorship owner, followed in substance
18 by the words transfer on death to (name of beneficiary or beneficiaries
19 or name of trustee if a trust is to be the beneficiary). The abbreviation
20 TOD may be used instead of the words transfer on death to.

21 (2) A transfer-on-death beneficiary shall have no interest in such
22 property ~~the motor vehicle~~ until the death of the owner or the last
23 survivor of the joint-tenant-with-right-of-survivorship owners. A
24 beneficiary designation may be changed at any time by the owner or by the
25 joint-tenant-with-right-of-survivorship owners then surviving without the
26 consent of any beneficiary by filing an application for a subsequent
27 certificate of title.

28 (3) Ownership of property a ~~motor vehicle~~ which has a designation of
29 beneficiary as provided in subsection (1) of this section and for which
30 an application for a subsequent certificate of title has not been filed
31 shall vest in the designated beneficiary or beneficiaries on the death of

1 the owner or the last of the joint-tenant-with-right-of-survivorship
2 owners, subject to the rights of all lienholders.

3 Sec. 2. Section 39-1302, Revised Statutes Cumulative Supplement,
4 2020, is amended to read:

5 39-1302 For purposes of sections 39-1301 to 39-1393, unless the
6 context otherwise requires:

7 (1) Abandon means ~~shall mean~~ to reject all or part of the
8 department's rights and responsibilities relating to all or part of a
9 fragment, section, or route on the state highway system;

10 (2) Alley means ~~shall mean~~ an established passageway for vehicles
11 and pedestrians affording a secondary means of access in the rear to
12 properties abutting on a street or highway;

13 (3) Approach or exit road means ~~shall mean~~ any highway or ramp
14 designed and used solely for the purpose of providing ingress or egress
15 to or from an interchange or rest area of a highway. An approach road
16 shall begin at the point where it intersects with any highway not a part
17 of the highway for which such approach road provides access and shall
18 terminate at the point where it merges with an acceleration lane of a
19 highway. An exit road shall begin at the point where it intersects with a
20 deceleration lane of a highway and shall terminate at the point where it
21 intersects any highway not a part of a highway from which the exit road
22 provides egress;

23 (4) Arterial highway means ~~shall mean~~ a highway primarily for
24 through traffic, usually on a continuous route;

25 (5) Beltway means ~~shall mean~~ the roads and streets not designated as
26 a part of the state highway system and that are under the primary
27 authority of a county or municipality, if the location of the beltway has
28 been approved by (a) record of decision or finding of no significant
29 impact and (b) the applicable local planning authority as a part of the
30 comprehensive plan;

31 (6) Business means ~~shall mean~~ any lawful activity conducted

1 primarily for the purchase and resale, manufacture, processing, or
2 marketing of products, commodities, or other personal property or for the
3 sale of services to the public or by a nonprofit corporation;

4 (7) Channel means ~~shall mean~~ a natural or artificial watercourse;

5 (8) Commercial activity means ~~shall mean~~ those activities generally
6 recognized as commercial by zoning authorities in this state, and
7 industrial activity means ~~shall mean~~ those activities generally
8 recognized as industrial by zoning authorities in this state, except that
9 none of the following shall be considered commercial or industrial:

10 (a) Outdoor advertising structures;

11 (b) General agricultural, forestry, ranching, grazing, farming, and
12 related activities, including wayside fresh produce stands;

13 (c) Activities normally or regularly in operation less than three
14 months of the year;

15 (d) Activities conducted in a building principally used as a
16 residence;

17 (e) Railroad tracks and minor sidings; and

18 (f) Activities more than six hundred sixty feet from the nearest
19 edge of the right-of-way of the road or highway;

20 (9) Connecting link means ~~shall mean~~ the roads, streets, and
21 highways designated as part of the state highway system and which are
22 within the corporate limits of any city or village in this state;

23 (10) Controlled-access facility means ~~shall mean~~ a highway or street
24 especially designed for through traffic and over, from, or to which
25 owners or occupants of abutting land or other persons have no right or
26 easement or only a controlled right or easement of access, light, air, or
27 view by reason of the fact that their property abuts upon such
28 controlled-access facility or for any other reason. Such highways or
29 streets may be freeways, or they may be parkways;

30 (11) Department means ~~shall mean~~ the Department of Transportation;

31 (12) Displaced person means ~~shall mean~~ any individual, family,

1 business, or farm operation which moves from real property acquired for
2 state highway purposes or for a federal-aid highway;

3 (13) Easement means ~~shall mean~~ a right acquired by public authority
4 to use or control property for a designated highway purpose;

5 (14) Expressway means ~~shall mean~~ a divided arterial highway for
6 through traffic with full or partial control of access which may have
7 grade separations at intersections;

8 (15) Extreme weather event means a weather event that generates
9 extraordinary costs related to such event for construction,
10 reconstruction, relocation, improvement, or maintenance occurring on or
11 after January 1, 2023, resulting from weather conditions including, but
12 not limited to, snow, rain, drought, flood, storm, extreme heat, or
13 extreme cold;

14 (16) (15) Family means ~~shall mean~~ two or more persons living
15 together in the same dwelling unit who are related to each other by
16 blood, marriage, adoption, or legal guardianship;

17 (17) (16) Farm operation means ~~shall mean~~ any activity conducted
18 primarily for the production of one or more agricultural products or
19 commodities for sale and home use and customarily producing such products
20 or commodities in sufficient quantity to be capable of contributing
21 materially to the operator's support;

22 (18) Faulty engineering means a defect in the design of,
23 construction of, workmanship on, or the materials or systems used on a
24 project that results in failure of a component part or the structural
25 integrity of a structure and that such failure causes damage;

26 (19) (17) Federal-aid primary roads means ~~shall mean~~ roads, streets,
27 and highways, whether a part of the state highway system, county road
28 systems, or city streets, which have been designated as federal-aid
29 primary roads by the Nebraska Department of Transportation and approved
30 by the United States Secretary of Transportation and shown on the maps
31 provided for in section 39-1311;

1 (20) ~~(18)~~ Freeway means ~~shall mean~~ an expressway with full control
2 of access;

3 (21) ~~(19)~~ Frontage road means ~~shall mean~~ a local street or road
4 auxiliary to an arterial highway for service to abutting property and
5 adjacent areas and for control of access;

6 (22) ~~(20)~~ Full control of access means ~~shall mean~~ that the right of
7 owners or occupants of abutting land or other persons to access or view
8 is fully controlled by public authority having jurisdiction and that such
9 control is exercised to give preference to through traffic by providing
10 access connections with selected public roads only and by prohibiting
11 crossings or intersections at grade or direct private driveway
12 connections;

13 (23) ~~(21)~~ Grade separation means ~~shall mean~~ a crossing of two
14 highways at different levels;

15 (24) ~~(22)~~ Highway means ~~shall mean~~ a road or street, including the
16 entire area within the right-of-way, which has been designated a part of
17 the state highway system;

18 (25) Highway approach means the portion of a county road located
19 within the right-of-way of a highway;

20 (26) ~~(23)~~ Individual means ~~shall mean~~ a person who is not a member
21 of a family;

22 (27) ~~(24)~~ Interchange means ~~shall mean~~ a grade-separated
23 intersection with one or more turning roadways for travel between any of
24 the highways radiating from and forming part of such intersection;

25 (28) ~~(25)~~ Map means ~~shall mean~~ a drawing or other illustration or a
26 series of drawings or illustrations which may be considered together to
27 complete a representation;

28 (29) ~~(26)~~ Mileage means ~~shall mean~~ the aggregate distance in miles
29 without counting double mileage where there are one-way or divided roads,
30 streets, or highways;

31 (30) ~~(27)~~ Parking lane means ~~shall mean~~ an auxiliary lane primarily

1 for the parking of vehicles;

2 (31) (28) Parkway means ~~shall mean~~ an arterial highway for
3 noncommercial traffic, with full or partial control of access, and
4 usually located within a park or a ribbon of park-like development;

5 (32) (29) Relinquish means ~~shall mean~~ to surrender all or part of
6 the rights and responsibilities relating to all or part of a fragment,
7 section, or route on the state highway system to a political or
8 governmental subdivision or public corporation of Nebraska;

9 (33) (30) Right of access means ~~shall mean~~ the rights of ingress and
10 egress to or from a road, street, or highway and the rights of owners or
11 occupants of land abutting a road, street, or highway or other persons to
12 a way or means of approach, light, air, or view;

13 (34) (31) Right-of-way means ~~shall mean~~ land, property, or interest
14 therein, usually in a strip, acquired for or devoted to a road, street,
15 or highway;

16 (35) (32) Road means ~~shall mean~~ a public way for the purposes of
17 vehicular travel, including the entire area within the right-of-way. A
18 road designated as part of the state highway system may be called a
19 highway, while a road in an urban area may be called a street;

20 (36) (33) Roadside means ~~shall mean~~ the area adjoining the outer
21 edge of the roadway. Extensive areas between the roadways of a divided
22 highway may also be considered roadside;

23 (37) (34) Roadway means ~~shall mean~~ the portion of a highway,
24 including shoulders, for vehicular use;

25 (38) (35) Separation structure means ~~shall mean~~ that part of any
26 bridge or road which is directly overhead of the roadway of any part of a
27 highway;

28 (39) (36) State highway purposes has ~~shall have~~ the same meaning set
29 forth in subsection (2) of section 39-1320;

30 (40) (37) State highway system means ~~shall mean~~ the roads, streets,
31 and highways shown on the map provided for in section 39-1311 as forming

1 a group of highway transportation lines for which the Nebraska Department
2 of Transportation shall be the primary authority. The state highway
3 system shall include, but not be limited to, rights-of-way, connecting
4 links, drainage facilities, and the bridges, appurtenances, easements,
5 and structures used in conjunction with such roads, streets, and
6 highways;

7 (41) ~~(38)~~ Street means ~~shall mean~~ a public way for the purposes of
8 vehicular travel in a city or village and shall include the entire area
9 within the right-of-way;

10 (42) ~~(39)~~ Structure means ~~shall mean~~ anything constructed or
11 erected, the use of which requires permanent location on the ground or
12 attachment to something having a permanent location;

13 (43) ~~(40)~~ Title means ~~shall mean~~ the evidence of a person's right to
14 property or the right itself;

15 (44) ~~(41)~~ Traveled way means ~~shall mean~~ the portion of the roadway
16 for the movement of vehicles, exclusive of shoulders and auxiliary lanes;

17 (45) ~~(42)~~ Unzoned commercial or industrial area for purposes of
18 control of outdoor advertising means ~~shall mean~~ all areas within six
19 hundred sixty feet of the nearest edge of the right-of-way of the
20 interstate and federal-aid primary systems which are not zoned by state
21 or local law, regulation, or ordinance and on which there is located one
22 or more permanent structures devoted to a business or industrial activity
23 or on which a commercial or industrial activity is conducted, whether or
24 not a permanent structure is located thereon, the area between such
25 activity and the highway, and the area along the highway extending
26 outward six hundred feet from and beyond each edge of such activity and,
27 in the case of the primary system, may include the unzoned lands on both
28 sides of such road or highway to the extent of the same dimensions if
29 those lands on the opposite side of the highway are not deemed scenic or
30 having aesthetic value as determined by the department. In determining
31 such an area, measurements shall be made from the furthest or outermost

1 edges of the regularly used area of the commercial or industrial
2 activity, structures, normal points of ingress and egress, parking lots,
3 and storage and processing areas constituting an integral part of such
4 commercial or industrial activity;

5 ~~(46)~~ (43) Visible, for purposes of section 39-1320, in reference to
6 advertising signs, displays, or devices, means ~~shall mean~~ the message or
7 advertising content of such sign, display, or device is capable of being
8 seen without visual aid by a person of normal visual acuity. A sign shall
9 be considered visible even though the message or advertising content may
10 be seen but not read;

11 ~~(47)~~ (44) Written instrument means ~~shall mean~~ a deed or any other
12 document that states a contract, agreement, gift, or transfer of
13 property; and

14 ~~(48)~~ (45) Zoned commercial or industrial areas means ~~shall mean~~
15 those areas within six hundred sixty feet of the nearest edge of the
16 right-of-way of the Highway Beautification Control System defined in
17 section 39-201.01, zoned by state or local zoning authorities for
18 industrial or commercial activities.

19 Sec. 3. Section 39-1320, Revised Statutes Cumulative Supplement,
20 2020, is amended to read:

21 39-1320 (1) The department is hereby authorized to acquire, either
22 temporarily or permanently, lands, real or personal property or any
23 interests therein, or any easements deemed to be necessary or desirable
24 for present or future state highway purposes by gift, agreement,
25 purchase, exchange, condemnation, or otherwise. Such lands or real
26 property may be acquired in fee simple or in any lesser estate. It is the
27 intention of the Legislature that all property leased or purchased from
28 the owner shall receive a fair price.

29 (2) State highway purposes, as referred to in subsection (1) of this
30 section or otherwise in sections 39-1301 to 39-1362 and 39-1393, shall
31 include provision for, but shall not be limited to, the following:

1 (a) The construction, reconstruction, relocation, improvement, and
2 maintenance of the state highway system and highway approaches. The
3 right-of-way for such highways shall be of such width as is deemed
4 necessary by the department;

5 (b) Adequate drainage in connection with any highway, cuts, fills,
6 or channel changes and the maintenance thereof;

7 (c) Controlled-access facilities, including air, light, view, and
8 frontage and service roads to highways;

9 (d) Weighing stations, shops, storage buildings and yards, and road
10 maintenance or construction sites;

11 (e) Road material sites, sites for the manufacture of road
12 materials, and access roads to such sites;

13 (f) The preservation of objects of attraction or scenic value
14 adjacent to, along, or in close proximity to highways and the culture of
15 trees and flora which may increase the scenic beauty of such highways;

16 (g) Roadside areas or parks adjacent to or near any highway;

17 (h) The exchange of property for other property to be used for
18 rights-of-way or other purposes set forth in subsection (1) or (2) of
19 this section if the interests of the state will be served and acquisition
20 costs thereby reduced;

21 (i) The maintenance of an unobstructed view of any portion of a
22 highway so as to promote the safety of the traveling public;

23 (j) The construction and maintenance of stock trails and cattle
24 passes;

25 (k) The erection and maintenance of marking and warning signs and
26 traffic signals;

27 (l) The construction and maintenance of sidewalks and highway
28 illumination;

29 (m) The control of outdoor advertising which is visible from the
30 nearest edge of the right-of-way of the Highway Beautification Control
31 System as defined in section 39-201.01 to comply with the provisions of

1 23 U.S.C. 131, as amended;

2 (n) The relocation of or giving assistance in the relocation of
3 individuals, families, businesses, or farm operations occupying premises
4 acquired for state highway or federal-aid road purposes; and

5 (o) The establishment and maintenance of wetlands to replace or to
6 mitigate damage to wetlands affected by highway construction,
7 reconstruction, or maintenance. The replacement lands shall be capable of
8 being used to create wetlands comparable to the wetlands area affected.
9 The area of the replacement lands may exceed the wetlands area affected.
10 Lands may be acquired to establish a large or composite wetlands area,
11 sometimes called a wetlands bank, not larger than an area which is one
12 hundred fifty percent of the lands reasonably expected to be necessary
13 for the mitigation of future impact on wetlands brought about by highway
14 construction, reconstruction, or maintenance during the six-year plan or
15 program as required by section 39-2115 or an annual plan or program under
16 section 39-2118. For purposes of this section, wetlands shall have the
17 definition found in 33 C.F.R. 328.3(c).

18 (3) The procedure to condemn property authorized by subsection (1)
19 of this section or elsewhere in sections 39-1301 to 39-1362 and 39-1393
20 shall be exercised in the manner set forth in sections 76-704 to 76-724
21 or as provided by section 39-1323, as the case may be.

22 Sec. 4. Section 39-1337, Reissue Revised Statutes of Nebraska, is
23 amended to read:

24 39-1337 (1) The construction, maintenance, protection, and control
25 of the state highway system shall be under the authority and
26 responsibility of the department, except as otherwise provided in
27 sections 39-1339 and 39-1372.

28 (2) The construction, reconstruction, relocation, improvement, or
29 maintenance of a highway approach damaged or destroyed due to (a) an
30 extreme weather event or (b) faulty engineering shall be under the
31 authority and responsibility of the department. The department may seek

1 reimbursement from any party responsible for causing faulty engineering.

2 (3) The relative urgency of proposed improvements on the state
3 highway system and highway approaches shall be determined by a
4 sufficiency rating established by the department, insofar as the use of
5 such a rating is deemed practicable. The sufficiency rating shall
6 include, but not be limited to, the following factors: (a) ~~(1)~~ Surface
7 condition, (b) ~~(2)~~ economic factors, (c) ~~(3)~~ safety, and (d) ~~(4)~~ service.

8 Sec. 5. Section 60-107, Reissue Revised Statutes of Nebraska, is
9 amended to read:

10 60-107 Cabin trailer means a trailer or a semitrailer, which is
11 designed, constructed, and equipped as a dwelling place, living abode, or
12 sleeping place, whether used for such purposes or instead permanently or
13 temporarily for the advertising, sale, display, or promotion of
14 merchandise or services or for any other commercial purpose except
15 transportation of property for hire or transportation of property for
16 distribution by a private carrier. Cabin trailer does not mean a trailer
17 or semitrailer which is permanently attached to real estate. There are
18 four classes of cabin trailers:

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

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

24 (3) Travel trailer which includes cabin trailers not more than one
25 hundred two inches in width nor more than forty feet in length from front
26 hitch to rear bumper, except as provided in subdivision (2)(k) of section
27 60-6,288; and

28 (4) Manufactured home means a structure, transportable in one or
29 more sections, which in the traveling mode is eight body feet or more in
30 width or forty body feet or more in length or when erected on site is
31 three hundred twenty or more square feet and which is built on a

1 permanent frame and designed to be used as a dwelling with or without a
2 permanent foundation when connected to the required utilities and
3 includes the plumbing, heating, air conditioning, and electrical systems
4 contained in the structure, except that manufactured home includes any
5 structure that meets all of the requirements of this subdivision other
6 than the size requirements and with respect to which the manufacturer
7 voluntarily files a certification required by the United States Secretary
8 of Housing and Urban Development and complies with the standards
9 established under the National Manufactured Housing Construction and
10 Safety Standards Act of 1974, as such act existed on January 1, 2022
11 ~~2021~~, 42 U.S.C. 5401 et seq.

12 Sec. 6. Section 60-119.01, Reissue Revised Statutes of Nebraska, is
13 amended to read:

14 60-119.01 Low-speed vehicle means a (1) four-wheeled motor vehicle
15 (a) whose speed attainable in one mile is more than twenty miles per hour
16 and not more than twenty-five miles per hour on a paved, level surface,
17 (b) whose gross vehicle weight rating is less than three thousand pounds,
18 and (c) that complies with 49 C.F.R. part 571, as such part existed on
19 January 1, 2022 ~~2021~~, or (2) three-wheeled motor vehicle (a) whose
20 maximum speed attainable is not more than twenty-five miles per hour on a
21 paved, level surface, (b) whose gross vehicle weight rating is less than
22 three thousand pounds, and (c) which is equipped with a windshield and an
23 occupant protection system. A motorcycle with a sidecar attached is not a
24 low-speed vehicle.

25 Sec. 7. Section 60-142.11, Reissue Revised Statutes of Nebraska, is
26 amended to read:

27 60-142.11 The owner of an assembled vehicle may apply for a
28 certificate of title by presenting a certificate of title for one major
29 component part, a ~~notarized~~ bill of sale for all other major component
30 parts replaced, a statement that an inspection has been conducted on the
31 vehicle, and a vehicle identification number as described in section

1 60-148. The certificate of title shall indicate the year of the vehicle
2 as the year application for title was made and the make of the vehicle as
3 assembled.

4 Sec. 8. Section 60-144, Reissue Revised Statutes of Nebraska, is
5 amended to read:

6 60-144 (1)(a)(i) Except as provided in subdivisions (b), (c), and
7 (d) of this subsection, the county treasurer shall be responsible for
8 issuing and filing certificates of title for vehicles, and each county
9 shall issue and file such certificates of title using the Vehicle Title
10 and Registration System which shall be provided and maintained by the
11 department. Application for a certificate of title shall be made upon a
12 form prescribed by the department. All applications shall be accompanied
13 by the appropriate fee or fees.

14 ~~(ii) This subdivision applies beginning on an implementation date~~
15 ~~designated by the director. The director shall designate an~~
16 ~~implementation date which is on or before January 1, 2021.~~ In addition to
17 the information required under subdivision (1)(a)(i) of this section, the
18 application for a certificate of title shall contain (A)(I) the full
19 legal name as defined in section 60-468.01 of each owner or (II) the name
20 of each owner as such name appears on the owner's motor vehicle
21 operator's license or state identification card and (B)(I) the motor
22 vehicle operator's license number or state identification card number of
23 each owner, if applicable, and one or more of the identification elements
24 as listed in section 60-484 of each owner, if applicable, and (II) if any
25 owner is a business entity, a nonprofit organization, an estate, a trust,
26 or a church-controlled organization, its tax identification number.

27 (b) The department shall issue and file certificates of title for
28 Nebraska-based fleet vehicles. Application for a certificate of title
29 shall be made upon a form prescribed by the department. All applications
30 shall be accompanied by the appropriate fee or fees.

31 (c) The department shall issue and file certificates of title for

1 state-owned vehicles. Application for a certificate of title shall be
2 made upon a form prescribed by the department. All applications shall be
3 accompanied by the appropriate fee or fees.

4 (d) The department shall issue certificates of title pursuant to
5 subsection (2) of section 60-142.01 and section 60-142.06. Application
6 for a certificate of title shall be made upon a form prescribed by the
7 department. All applications shall be accompanied by the appropriate fee
8 or fees.

9 (e) The department shall issue certificates of title pursuant to
10 section 60-142.09. Application for a certificate of title shall be made
11 upon a form prescribed by the department. All applications shall be
12 accompanied by the appropriate fee or fees.

13 (2) If the owner of an all-terrain vehicle, a utility-type vehicle,
14 or a minibike resides in Nebraska, the application shall be filed with
15 the county treasurer of the county in which the owner resides.

16 (3)(a) If a vehicle has situs in Nebraska, the application for a
17 certificate of title may be filed with the county treasurer of any
18 county.

19 (b) If a motor vehicle dealer licensed under the Motor Vehicle
20 Industry Regulation Act applies for a certificate of title for a vehicle,
21 the application may be filed with the county treasurer of any county.

22 (c) An approved licensed dealer participating in the electronic
23 dealer services system pursuant to section 60-1507 may apply for a
24 certificate of title for a vehicle to the county treasurer of any county
25 or the department in a manner provided by the electronic dealer services
26 system.

27 (4) If the owner of a vehicle is a nonresident, the application
28 shall be filed in the county in which the transaction is consummated.

29 (5) The application shall be filed within thirty days after the
30 delivery of the vehicle.

31 (6) All applicants registering a vehicle pursuant to section

1 60-3,198 shall file the application for a certificate of title with the
2 Division of Motor Carrier Services of the department. The division shall
3 deliver the certificate to the applicant if there are no liens on the
4 vehicle. If there are one or more liens on the vehicle, the certificate
5 of title shall be handled as provided in section 60-164. All certificates
6 of title issued by the division shall be issued in the manner prescribed
7 for the county treasurer in section 60-152.

8 Sec. 9. Section 60-149, Reissue Revised Statutes of Nebraska, is
9 amended to read:

10 60-149 (1)(a) If a certificate of title has previously been issued
11 for a vehicle in this state, the application for a new certificate of
12 title shall be accompanied by the certificate of title duly assigned
13 except as otherwise provided in the Motor Vehicle Certificate of Title
14 Act.

15 (b) Except for manufactured homes or mobile homes as provided in
16 subsection (2) of this section, if a certificate of title has not
17 previously been issued for the vehicle in this state or if a certificate
18 of title is unavailable, the application shall be accompanied by:

19 (i) A manufacturer's or importer's certificate except as otherwise
20 provided in subdivision (viii) of this subdivision;

21 (ii) A duly certified copy of the manufacturer's or importer's
22 certificate;

23 (iii) An affidavit by the owner affirming ownership in the case of
24 an all-terrain vehicle, a utility-type vehicle, or a minibike;

25 (iv) A certificate of title from another state;

26 (v) A court order issued by a court of record, a manufacturer's
27 certificate of origin, or an assigned registration certificate, if the
28 law of the state from which the vehicle was brought into this state does
29 not have a certificate of title law;

30 (vi) Evidence of ownership as provided for in section 30-24,125,
31 sections 52-601.01 to 52-605, sections 60-1901 to 60-1911, or sections

1 60-2401 to 60-2411;

2 (vii) Documentation prescribed in section 60-142.01, 60-142.02,
3 60-142.04, 60-142.05, 60-142.09, or 60-142.11 or documentation of
4 compliance with section 76-1607;

5 (viii) A manufacturer's or importer's certificate and an affidavit
6 by the owner affirming ownership in the case of a minitruck; or

7 (ix) In the case of a motor vehicle, a trailer, an all-terrain
8 vehicle, a utility-type vehicle, or a minibike, an affidavit by the
9 holder of a motor vehicle auction dealer's license as described in
10 subdivision (11) of section 60-1406 affirming that the certificate of
11 title is unavailable and that the vehicle (A) is a salvage vehicle
12 through payment of a total loss settlement, (B) is a salvage vehicle
13 purchased by the auction dealer, or (C) has been donated to an
14 organization operating under section 501(c)(3) of the Internal Revenue
15 Code as defined in section 49-801.01.

16 (c) If the application for a certificate of title in this state is
17 accompanied by a valid certificate of title issued by another state which
18 meets that state's requirements for transfer of ownership, then the
19 application may be accepted by this state.

20 (d) If a certificate of title has not previously been issued for the
21 vehicle in this state and the applicant is unable to provide such
22 documentation, the applicant may apply for a bonded certificate of title
23 as prescribed in section 60-167.

24 (2)(a) If the application for a certificate of title for a
25 manufactured home or a mobile home is being made in accordance with
26 subdivision (4)(b) of section 60-137 or if the certificate of title for a
27 manufactured home or a mobile home is unavailable, the application shall
28 be accompanied by proof of ownership in the form of:

29 (i) A duly assigned manufacturer's or importer's certificate;

30 (ii) A certificate of title from another state;

31 (iii) A court order issued by a court of record;

1 (iv) Evidence of ownership as provided for in section 30-24,125,
2 sections 52-601.01 to 52-605, sections 60-1901 to 60-1911, or sections
3 60-2401 to 60-2411, or documentation of compliance with section 76-1607;
4 or

5 (v) Assessment records for the manufactured home or mobile home from
6 the county assessor and an affidavit by the owner affirming ownership.

7 (b) If the applicant cannot produce proof of ownership described in
8 subdivision (a) of this subsection, he or she may submit to the
9 department such evidence as he or she may have, and the department may
10 thereupon, if it finds the evidence sufficient, issue the certificate of
11 title or authorize the county treasurer to issue a certificate of title,
12 as the case may be.

13 (3) For purposes of this section, certificate of title includes a
14 salvage certificate, a salvage branded certificate of title, or any other
15 document of ownership issued by another state or jurisdiction for a
16 salvage vehicle. Only a salvage branded certificate of title shall be
17 issued to any vehicle conveyed upon a salvage certificate, a salvage
18 branded certificate of title, or any other document of ownership issued
19 by another state or jurisdiction for a salvage vehicle. A previously
20 salvage branded certificate of title may be issued if, prior to
21 application, the applicant's vehicle has been repaired and inspected as
22 provided in section 60-146.

23 (4) The county treasurer shall retain the evidence of title
24 presented by the applicant and on which the certificate of title is
25 issued.

26 (5)(a) If an affidavit is submitted under subdivision (1)(b)(ix) of
27 this section, the holder of a motor vehicle auction dealer's license
28 shall certify that (i) it has made at least two written attempts and has
29 been unable to obtain the properly endorsed certificate of title to the
30 property noted in the affidavit from the owner and (ii) thirty days have
31 expired after the mailing of a written notice regarding the intended

1 disposition of the property noted in the affidavit by certified mail,
2 return receipt requested, to the last-known address of the owner and to
3 any lien or security interest holder of record of the property noted in
4 the affidavit.

5 (b) The notice under subdivision (5)(a)(ii) of this section shall
6 contain a description of the property noted in the affidavit and a
7 statement that title to the property noted in the affidavit shall vest in
8 the holder of the motor vehicle auction dealer's license thirty days
9 after the date such notice was mailed.

10 (c) The mailing of notice and the expiration of thirty days under
11 subdivision (5)(a)(ii) of this section shall extinguish any lien or
12 security interest of a lienholder or security interest holder in the
13 property noted in the affidavit, unless the lienholder or security
14 interest holder has claimed such property within such thirty-day period.
15 The holder of a motor vehicle auction dealer's license shall transfer
16 possession of the property noted in the affidavit to the lienholder or
17 security interest holder claiming such property.

18 Sec. 10. Section 60-151, Reissue Revised Statutes of Nebraska, is
19 amended to read:

20 60-151 (1) The certificate of title for a vehicle shall be obtained
21 in the name of the purchaser upon application signed by the purchaser,
22 except that (a) for titles to be held by a married couple, applications
23 may be accepted upon the signature of either spouse as a signature for
24 himself or herself and as agent for his or her spouse and (b) for an
25 applicant providing proof that he or she is a handicapped or disabled
26 person as defined in section 60-331.02, applications may be accepted upon
27 the signature of the applicant's parent, legal guardian, foster parent,
28 or agent.

29 ~~(2) This subsection applies beginning on an implementation date~~
30 ~~designated by the director. The director shall designate an~~
31 ~~implementation date which is on or before January 1, 2021. If the~~

1 purchaser of a vehicle does not obtain a certificate of title in
2 accordance with subsection (1) of this section within thirty days after
3 the sale of the vehicle, the seller of such vehicle may request the
4 department to update the electronic certificate of title record. The
5 department shall update such record upon receiving evidence of a sale
6 satisfactory to the director.

7 Sec. 11. Section 60-169, Reissue Revised Statutes of Nebraska, is
8 amended to read:

9 60-169 (1)(a) Except as otherwise provided in subdivision (c) of
10 this subsection, each owner of a vehicle and each person mentioned as
11 owner in the last certificate of title, when the vehicle is dismantled,
12 destroyed, or changed in such a manner that it loses its character as a
13 vehicle or changed in such a manner that it is not the vehicle described
14 in the certificate of title, shall surrender his or her certificate of
15 title to any county treasurer or to the department. If the certificate of
16 title is surrendered to a county treasurer, he or she shall, with the
17 consent of any holders of any liens noted thereon, enter a cancellation
18 upon the records and shall notify the department of such cancellation.
19 Beginning on the implementation date designated by the director pursuant
20 to subsection (3) of section 60-1508, a wrecker or salvage dealer shall
21 report electronically to the department using the electronic reporting
22 system. If the certificate is surrendered to the department, it shall,
23 with the consent of any holder of any lien noted thereon, enter a
24 cancellation upon its records.

25 (b) This subdivision applies to all licensed wrecker or salvage
26 dealers and, except as otherwise provided in this subdivision, to each
27 vehicle located on the premises of such dealer. For each vehicle required
28 to be reported under 28 C.F.R. 25.56, as such regulation existed on
29 January 1, 2022 ~~2019~~, the information obtained by the department under
30 this section may be reported to the National Motor Vehicle Title
31 Information System in a format that will satisfy the requirement for

1 reporting under 28 C.F.R. 25.56, as such regulation existed on January 1,
2 2022 ~~2019~~. Such report shall include:

3 (i) The name, address, and contact information for the reporting
4 entity;

5 (ii) The vehicle identification number;

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

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

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

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

14 The department may set and collect a fee, not to exceed the cost of
15 reporting to the National Motor Vehicle Title Information System, from
16 wrecker or salvage dealers for electronic reporting to the National Motor
17 Vehicle Title Information System, which shall be remitted to the State
18 Treasurer for credit to the Department of Motor Vehicles Cash Fund. This
19 subdivision does not apply to any vehicle reported by a wrecker or
20 salvage dealer to the National Motor Vehicle Title Information System as
21 required under 28 C.F.R. 25.56, as such regulation existed on January 1,
22 2022 ~~2019~~.

23 (c)(i) In the case of a mobile home or manufactured home for which a
24 certificate of title has been issued, if such mobile home or manufactured
25 home is affixed to real property in which each owner of the mobile home
26 or manufactured home has any ownership interest, the certificate of title
27 may be surrendered for cancellation to the county treasurer of the county
28 where such mobile home or manufactured home is affixed to real property
29 if at the time of surrender the owner submits to the county treasurer an
30 affidavit of affixture on a form provided by the department that contains
31 all of the following, as applicable:

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

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

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

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

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

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

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

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

24 (2) If a certificate of title of a mobile home or manufactured home
25 is surrendered to the county treasurer, along with the affidavit required
26 by subdivision (1)(c) of this section, he or she shall enter a
27 cancellation upon his or her records, notify the department of such
28 cancellation, forward a duplicate original of the affidavit to the
29 department, and deliver a duplicate original of the executed affidavit
30 under subdivision (1)(c) of this section to the register of deeds for the
31 county in which the real property is located to be filed by the register

1 of deeds. The county treasurer shall be entitled to collect fees from the
2 person submitting the affidavit in accordance with section 33-109 to
3 cover the costs of filing such affidavit. Following the cancellation of a
4 certificate of title for a mobile home or manufactured home, the county
5 treasurer or designated county official shall not issue a certificate of
6 title for such mobile home or manufactured home, except as provided in
7 subsection (5) of this section.

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

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

22 (5)(a) If each owner of both the mobile home or manufactured home
23 and the real estate described in subdivision (1)(c) of this section
24 intends to detach the mobile home or manufactured home from the real
25 estate, the owner shall do both of the following: (i) Before detaching
26 the mobile home or manufactured home, record an affidavit of detachment
27 in the office of the register of deeds in the county in which the
28 affidavit is recorded under subdivision (1)(c) of this section; and (ii)
29 apply for a certificate of title for the mobile home or manufactured home
30 pursuant to section 60-147.

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

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

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

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

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

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

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

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

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

29 (7) For purposes of this section:

30 (a) A mobile home or manufactured home is affixed to real estate if
31 the wheels, towing hitches, and running gear are removed and it is

1 permanently attached to a foundation or other support system; and

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

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

10 Sec. 12. Section 60-302.01, Reissue Revised Statutes of Nebraska, is
11 amended to read:

12 60-302.01 Access aisle means a space adjacent to a handicapped
13 parking space or passenger loading zone which is constructed and designed
14 in compliance with the federal Americans with Disabilities Act of 1990
15 and the federal regulations adopted in response to the act, as the act
16 and the regulations existed on January 1, 2022 ~~2021~~.

17 Sec. 13. Section 60-336.01, Reissue Revised Statutes of Nebraska, is
18 amended to read:

19 60-336.01 Low-speed vehicle means a (1) four-wheeled motor vehicle
20 (a) whose speed attainable in one mile is more than twenty miles per hour
21 and not more than twenty-five miles per hour on a paved, level surface,
22 (b) whose gross vehicle weight rating is less than three thousand pounds,
23 and (c) that complies with 49 C.F.R. part 571, as such part existed on
24 January 1, 2022 ~~2021~~, or (2) three-wheeled motor vehicle (a) whose
25 maximum speed attainable is not more than twenty-five miles per hour on a
26 paved, level surface, (b) whose gross vehicle weight rating is less than
27 three thousand pounds, and (c) which is equipped with a windshield and an
28 occupant protection system. A motorcycle with a sidecar attached is not a
29 low-speed vehicle.

30 Sec. 14. Section 60-386, Reissue Revised Statutes of Nebraska, is
31 amended to read:

1 60-386 (1) Each new application shall contain, in addition to other
2 information as may be required by the department, the name and
3 residential and mailing address of the applicant and a description of the
4 motor vehicle or trailer, including the color, the manufacturer, the
5 identification number, the United States Department of Transportation
6 number if required by 49 C.F.R. 390.5 through 390.21, as such regulations
7 existed on January 1, 2022 ~~2021~~, and the weight of the motor vehicle or
8 trailer required by the Motor Vehicle Registration Act. For trailers
9 which are not required to have a certificate of title under section
10 60-137 and which have no identification number, the assignment of an
11 identification number shall be required and the identification number
12 shall be issued by the county treasurer or department. With the
13 application the applicant shall pay the proper registration fee and shall
14 state whether the motor vehicle is propelled by alternative fuel and, if
15 alternative fuel, the type of fuel. The application shall also contain a
16 notification that bulk fuel purchasers may be subject to federal excise
17 tax liability. The department shall include such notification in the
18 notices required by section 60-3,186.

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

29 Sec. 15. Section 60-392, Reissue Revised Statutes of Nebraska, is
30 amended to read:

31 60-392 (1) Except as provided otherwise in this section,

1 ~~registration~~ Registration may be renewed annually in a manner designated
2 by the department and upon payment of the same fee as provided for the
3 original registration. On making an application for renewal, the
4 registration certificate for the preceding registration period or renewal
5 notice or other evidence designated by the department shall be presented
6 with the application. A person may renew an ~~his or her~~ annual
7 registration up to thirty days prior to the date of expiration.

8 (2) The certificate of registration and license plates issued by the
9 department shall be valid during the registration period for which they
10 are issued, and when validation decals issued pursuant to section
11 60-3,101 have been affixed to the license plates, the plates shall also
12 be valid for the registration period designated by such validation
13 decals. If a person renews an ~~his or her~~ annual registration up to thirty
14 days prior to the date of expiration, the registration shall be valid for
15 such time period as well.

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

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

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

1 ~~section 60-3,198, including the collection of eighteen or fewer months of~~
2 ~~registration fees expire December 31 of each year and shall become~~
3 ~~delinquent February 1 of the following year.~~

4 Sec. 16. Section 60-3,101, Reissue Revised Statutes of Nebraska, is
5 amended to read:

6 60-3,101 ~~(1) License~~ Except for license plates issued pursuant to
7 ~~sections 60-3,203 and 60-3,228,~~ license plates shall be issued every six
8 years beginning with the license plates issued in the year 2005.

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

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

18 Sec. 17. Section 60-3,102, Reissue Revised Statutes of Nebraska, is
19 amended to read:

20 60-3,102 (1) ~~Whenever~~ Except as provided in subsection (2) of this
21 ~~section, whenever~~ new license plates, including duplicate or replacement
22 license plates, are issued to any person, a fee per plate shall be
23 charged in addition to all other required fees. The license plate fee
24 shall be determined by the department and shall only cover the cost of
25 the license plate and validation decals but shall not exceed:

26 ~~(a) Three~~ three dollars and fifty cents through December 31, 2022;
27 and -

28 (b) Four dollars and twenty-five cents beginning January 1, 2023.

29 ~~(2)~~ All fees collected pursuant to this section shall be remitted to
30 the State Treasurer for credit to the Highway Trust Fund.

31 ~~(3) This section shall not apply to (2) Beginning January 1, 2021,~~

1 ~~no license plate fee under this section shall be charged for license~~
2 plates issued pursuant to section 60-3,122, 60-3,122.02, 60-3,123,
3 60-3,124, or 60-3,125.

4 Sec. 18. Section 60-3,113.04, Reissue Revised Statutes of Nebraska,
5 is amended to read:

6 60-3,113.04 (1) A handicapped or disabled parking permit shall be of
7 a design, size, configuration, color, and construction and contain such
8 information as specified in the regulations adopted by the United States
9 Department of Transportation in 23 C.F.R. part 1235, UNIFORM SYSTEM FOR
10 PARKING FOR PERSONS WITH DISABILITIES, as such regulations existed on
11 January 1, 2022 ~~2021~~.

12 (2) No handicapped or disabled parking permit shall be issued to any
13 person or for any motor vehicle if any permit has been issued to such
14 person or for such motor vehicle and such permit has been suspended
15 pursuant to section 18-1741.02. At the expiration of such suspension, a
16 permit may be renewed in the manner provided for renewal in sections
17 60-3,113.02, 60-3,113.03, and 60-3,113.05.

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

29 Sec. 19. Section 60-3,119, Reissue Revised Statutes of Nebraska, is
30 amended to read:

31 60-3,119 (1) Application for personalized message license plates

1 shall be made to the department. The department shall make available
2 through each county treasurer forms to be used for such applications.

3 (2) Each initial application shall be accompanied by a fee of forty
4 dollars. The fees shall be remitted to the State Treasurer. ~~The Until~~
5 ~~January 1, 2021, the State Treasurer shall credit twenty-five percent of~~
6 ~~the fee to the Highway Trust Fund and seventy-five percent of the fee to~~
7 ~~the Department of Motor Vehicles Cash Fund. Beginning January 1, 2021,~~
8 the State Treasurer shall credit forty percent of the fee to the Highway
9 Trust Fund and sixty percent of the fee to the Department of Motor
10 Vehicles Cash Fund.

11 (3) An application for renewal of a license plate previously
12 approved and issued shall be accompanied by a fee of forty dollars.
13 County treasurers collecting fees pursuant to this subsection shall remit
14 them to the State Treasurer. ~~The Until January 1, 2021, the State~~
15 ~~Treasurer shall credit twenty-five percent of the fee to the Highway~~
16 ~~Trust Fund and seventy-five percent of the fee to the Department of Motor~~
17 ~~Vehicles Cash Fund. Beginning January 1, 2021, the State Treasurer shall~~
18 credit forty percent of the fee to the Highway Trust Fund and sixty
19 percent of the fee to the Department of Motor Vehicles Cash Fund.

20 Sec. 20. Section 60-3,122, Reissue Revised Statutes of Nebraska, is
21 amended to read:

22 60-3,122 (1) Any person may, in addition to the application required
23 by section 60-385, apply to the department for license plates designed by
24 the department to indicate that he or she is a survivor of the Japanese
25 attack on Pearl Harbor if he or she:

26 (a) Was a member of the United States Armed Forces on December 7,
27 1941;

28 (b) Was on station on December 7, 1941, during the hours of 7:55
29 a.m. to 9:45 a.m. Hawaii time at Pearl Harbor, the island of Oahu, or
30 offshore at a distance not to exceed three miles;

31 (c) Was discharged or otherwise separated with a characterization of

1 honorable from the United States Armed Forces; and

2 (d) Holds a current membership in a Nebraska Chapter of the Pearl
3 Harbor Survivors Association.

4 (2) Pearl Harbor license plates shall be issued upon the applicant
5 paying the license plate fee as provided in subsection (3) of this
6 section and furnishing proof satisfactory to the department that the
7 applicant fulfills the requirements provided by subsection (1) of this
8 section. Any number of motor vehicles, trailers, or semitrailers owned by
9 the applicant may be so licensed at any one time. Motor vehicles and
10 trailers registered under section 60-3,198 shall not be so licensed.

11 (3) ~~No Until January 1, 2021, the applicant for Pearl Harbor license~~
12 ~~plates shall pay the license plate fee required under section 60-3,102.~~
13 ~~Beginning January 1, 2021, no license plate fee shall be required for~~
14 Pearl Harbor license plates.

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

18 (5) ~~License Beginning January 1, 2021, license plates issued under~~
19 this section shall not require the payment of any additional license
20 plate fees and shall be permanently attached to the vehicle to which the
21 plates are registered as long as the vehicle is properly registered by
22 the applicant annually.

23 (6) ~~This subsection applies beginning on an implementation date~~
24 ~~designated by the director. The director shall designate an~~
25 ~~implementation date that is on or before January 1, 2021. The county~~
26 treasurer or the department may issue temporary license stickers to the
27 applicant under this section for the applicant to lawfully operate the
28 vehicle pending receipt of the license plates. No charge in addition to
29 the registration fee shall be made for the issuance of a temporary
30 license sticker under this subsection. The department shall furnish
31 temporary license stickers for issuance by the county treasurer at no

1 cost to the counties. The department may adopt and promulgate rules and
2 regulations regarding the design and issuance of temporary license
3 stickers.

4 Sec. 21. Section 60-3,122.02, Reissue Revised Statutes of Nebraska,
5 is amended to read:

6 60-3,122.02 (1) Any person who is a surviving spouse, whether
7 remarried or not, or an ancestor, including a stepparent, a descendant,
8 including a stepchild, a foster parent or a person in loco parentis, or a
9 sibling of a person who died while in good standing on active duty in the
10 military service of the United States may apply to the department for
11 Gold Star Family plates in lieu of regular license plates on an
12 application prescribed and provided by the department for any motor
13 vehicle, trailer, or semitrailer, except for a motor vehicle or trailer
14 registered under section 60-3,198. An applicant receiving a Gold Star
15 Family plate for a farm truck with a gross weight of over sixteen tons
16 shall affix the appropriate tonnage decal to the plate. The department
17 shall make forms available for such applications through the county
18 treasurers. In order to be eligible for Gold Star Family plates, a person
19 shall register with the Department of Veterans' Affairs pursuant to
20 section 80-414. The plates shall be issued upon payment of the license
21 fee described in subsection (2) of this section and verification by the
22 Department of Motor Vehicles of an applicant's eligibility using the
23 registry established by the Department of Veterans' Affairs pursuant to
24 section 80-414.

25 (2)(a) No additional fee shall be required for consecutively
26 numbered Gold Star Family plates issued under this section and such
27 plates shall not require the payment of any additional license plate fees
28 and shall be permanently attached to the vehicle to which the plates are
29 registered as long as the vehicle is properly registered by the applicant
30 annually.

31 (b)(i) Each application for initial issuance of personalized message

1 Gold Star Family plates shall be accompanied by a fee of forty dollars.
2 An application for renewal of such plates shall be accompanied by a fee
3 of forty dollars. County treasurers collecting fees for renewals pursuant
4 to this subdivision shall remit them to the State Treasurer. The State
5 Treasurer shall credit twenty-five percent of the fee for initial
6 issuance and renewal of such plates to the Department of Motor Vehicles
7 Cash Fund and seventy-five percent of the fee to the Nebraska Veteran
8 Cemetery System Operation Fund.

9 (ii) No license plate fee under section 60-3,102 shall be required
10 for personalized message Gold Star Family plates issued under this
11 section, other than the renewal fee provided for in subdivision (2)(b)(i)
12 of this section. Such plates shall be permanently attached to the vehicle
13 to which the plates are registered as long as the vehicle is properly
14 registered by the applicant annually and the renewal fee provided for in
15 subdivision (2)(b)(i) of this section is paid.

16 (3)(a) When the department receives an application for Gold Star
17 Family plates, the department may deliver the plates and registration
18 certificate to the applicant by United States mail or to the county
19 treasurer of the county in which the motor vehicle or trailer is
20 registered and the delivery of the plates and registration certificate
21 shall be made through a secure process and system. ~~If Beginning on an~~
22 ~~implementation date designated by the director on or before January 1,~~
23 ~~2022,~~ if delivery of the plates and registration certificate is made by
24 the department to the applicant, the department may charge a postage and
25 handling fee in an amount not more than necessary to recover the cost of
26 postage and handling for the specific items mailed to the registrant. The
27 department shall remit the fee to the State Treasurer for credit to the
28 Department of Motor Vehicles Cash Fund. The county treasurer or the
29 department shall issue Gold Star Family plates in lieu of regular license
30 plates when the applicant complies with the other provisions of the Motor
31 Vehicle Registration Act for registration of the motor vehicle or

1 trailer. If Gold Star Family plates are lost, stolen, or mutilated, the
2 licensee shall be issued replacement license plates upon request and
3 without charge.

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

13 (4) The owner of a motor vehicle or trailer bearing Gold Star Family
14 plates may apply to the county treasurer to have such plates transferred
15 at no cost to a motor vehicle other than the vehicle for which such
16 plates were originally purchased if such vehicle is owned by the owner of
17 the plates. The owner may have the unused portion of the fee for the
18 plates, if any, credited to the other vehicle which will bear the plates
19 at the rate of eight and one-third percent per month for each full month
20 left in the registration period.

21 (5) If the cost of manufacturing Gold Star Family plates at any time
22 exceeds the amount charged for license plates pursuant to section
23 60-3,102, any money to be credited to the Nebraska Veteran Cemetery
24 System Operation Fund shall instead be credited first to the Highway
25 Trust Fund in an amount equal to the difference between the manufacturing
26 costs of Gold Star Family plates and the amount charged pursuant to
27 section 60-3,102 with respect to such plates and the remainder shall be
28 credited to the Nebraska Veteran Cemetery System Operation Fund.

29 Sec. 22. Section 60-3,122.03, Reissue Revised Statutes of Nebraska,
30 is amended to read:

31 60-3,122.03 (1) The department shall design license plates to be

1 known as Military Honor Plates.

2 ~~(2)(a) Until January 1, 2021, the department shall create designs~~
3 ~~honoring persons who have served or are serving in the United States~~
4 ~~Army, United States Army Reserve, United States Navy, United States Navy~~
5 ~~Reserve, United States Marine Corps, United States Marine Corps Reserve,~~
6 ~~United States Coast Guard, United States Coast Guard Reserve, United~~
7 ~~States Air Force, United States Air Force Reserve, or National Guard; and~~

8 (2) The (b) Beginning January 1, 2021, the department shall create
9 designs honoring persons who have served or are serving in the United
10 States Army, United States Army Reserve, United States Navy, United
11 States Navy Reserve, United States Marine Corps, United States Marine
12 Corps Reserve, United States Coast Guard, United States Coast Guard
13 Reserve, United States Air Force, United States Air Force Reserve, Air
14 National Guard, or Army National Guard.

15 (3) There shall be ~~eleven such designs until January 1, 2021,~~ and
16 twelve such designs ~~beginning January 1, 2021,~~ one for each of such armed
17 forces reflecting its official emblem, official seal, or other official
18 image. The issuance of plates for each of such armed forces shall be
19 conditioned on the approval of the armed forces owning the copyright to
20 the official emblem, official seal, or other official image.

21 (4) ~~The~~ By January 1, 2021, the department shall create five
22 additional designs honoring persons who are serving or have served in the
23 armed forces of the United States and who have been awarded the
24 Afghanistan Campaign Medal, Iraq Campaign Medal, Global War on Terrorism
25 Expeditionary Medal, Southwest Asia Service Medal, or Vietnam Service
26 Medal.

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

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

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

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

11 (b) Not use a county designation.

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

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

21 Sec. 23. Section 60-3,123, Reissue Revised Statutes of Nebraska, is
22 amended to read:

23 60-3,123 (1) Any person who was captured and incarcerated by an
24 enemy of the United States during a period of conflict with such enemy
25 and who was discharged or otherwise separated with a characterization of
26 honorable from or is currently serving in the United States Armed Forces
27 may, in addition to the application required in section 60-385, apply to
28 the department for license plates designed to indicate that he or she is
29 a former prisoner of war.

30 (2) In order to be eligible for license plates under this section, a
31 person shall register with the Department of Veterans' Affairs pursuant

1 to section 80-414. The license plates shall be issued upon the applicant
2 paying the license plate fee as provided in subsection (3) of this
3 section and verification by the Department of Motor Vehicles of an
4 applicant's eligibility using the registry established by the Department
5 of Veterans' Affairs pursuant to section 80-414. Any number of motor
6 vehicles, trailers, or semitrailers owned by the applicant may be so
7 licensed at any one time. Motor vehicles and trailers registered under
8 section 60-3,198 shall not be so licensed.

9 ~~(3) No Until January 1, 2021, the applicant for license plates under~~
10 ~~this section shall pay the license plate fee required under section~~
11 ~~60-3,102. Beginning January 1, 2021, no license plate fee shall be~~
12 ~~required for license plates under this section.~~

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

16 (5) ~~License Beginning January 1, 2021,~~ license plates issued under
17 this section shall not require the payment of any additional license
18 plate fees and shall be permanently attached to the vehicle to which the
19 plates are registered as long as the vehicle is properly registered by
20 the applicant annually.

21 (6) ~~This subsection applies beginning on an implementation date~~
22 ~~designated by the director. The director shall designate an~~
23 ~~implementation date that is on or before January 1, 2021. The county~~
24 ~~treasurer or the department may issue temporary license stickers to the~~
25 ~~applicant under this section for the applicant to lawfully operate the~~
26 ~~vehicle pending receipt of the license plates. No charge in addition to~~
27 ~~the registration fee shall be made for the issuance of a temporary~~
28 ~~license sticker under this subsection. The department shall furnish~~
29 ~~temporary license stickers for issuance by the county treasurer at no~~
30 ~~cost to the counties. The department may adopt and promulgate rules and~~
31 ~~regulations regarding the design and issuance of temporary license~~

1 stickers.

2 Sec. 24. Section 60-3,124, Reissue Revised Statutes of Nebraska, is
3 amended to read:

4 60-3,124 (1) Any person who is a veteran of the United States Armed
5 Forces, who was discharged or otherwise separated with a characterization
6 of honorable or general (under honorable conditions), and who is
7 classified by the United States Department of Veterans Affairs as one
8 hundred percent service-connected disabled may, in addition to the
9 application required in section 60-385, apply to the Department of Motor
10 Vehicles for license plates designed by the department to indicate that
11 the applicant is a disabled veteran. The inscription on the license
12 plates shall be D.A.V. immediately below the license plate number to
13 indicate that the holder of the license plates is a disabled veteran.

14 (2) In order to be eligible for license plates under this section, a
15 person shall register with the Department of Veterans' Affairs pursuant
16 to section 80-414. The plates shall be issued upon the applicant paying
17 the license plate fee as provided in subsection (3) of this section and
18 verification by the Department of Motor Vehicles of an applicant's
19 eligibility using the registry established by the Department of Veterans'
20 Affairs pursuant to section 80-414. Any number of motor vehicles,
21 trailers, or semitrailers owned by the applicant may be so licensed at
22 any one time. Motor vehicles and trailers registered under section
23 60-3,198 shall not be so licensed.

24 (3) ~~No Until January 1, 2021, the applicant for license plates under~~
25 ~~this section shall pay the license plate fee required under section~~
26 ~~60-3,102. Beginning January 1, 2021, no license plate fee shall be~~
27 ~~required for license plates under this section.~~

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

31 (5) ~~License Beginning January 1, 2021, license plates issued under~~

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

5 ~~(6) This subsection applies beginning on an implementation date~~
6 ~~designated by the director. The director shall designate an~~
7 ~~implementation date that is on or before January 1, 2021. The county~~
8 treasurer or the department may issue temporary license stickers to the
9 applicant under this section for the applicant to lawfully operate the
10 vehicle pending receipt of the license plates. No charge in addition to
11 the registration fee shall be made for the issuance of a temporary
12 license sticker under this subsection. The department shall furnish
13 temporary license stickers for issuance by the county treasurer at no
14 cost to the counties. The department may adopt and promulgate rules and
15 regulations regarding the design and issuance of temporary license
16 stickers.

17 Sec. 25. Section 60-3,125, Reissue Revised Statutes of Nebraska, is
18 amended to read:

19 60-3,125 (1) Any person may, in addition to the application required
20 by section 60-385, apply to the department for license plates designed by
21 the department to indicate that the applicant has received from the
22 federal government an award of a Purple Heart. The inscription of the
23 plates shall be designed so as to include a facsimile of the award and
24 beneath any numerical designation upon the plates pursuant to section
25 60-370 the words Purple Heart separately on one line and the words Combat
26 Wounded on the line below.

27 (2) In order to be eligible for license plates under this section, a
28 person shall register with the Department of Veterans' Affairs pursuant
29 to section 80-414. The license plates shall be issued upon payment of the
30 license plate fee as provided in subsection (3) of this section and
31 verification by the Department of Motor Vehicles of an applicant's

1 eligibility using the registry established by the Department of Veterans'
2 Affairs pursuant to section 80-414. Any number of motor vehicles,
3 trailers, or semitrailers owned by the applicant may be so licensed at
4 any one time. Motor vehicles and trailers registered under section
5 60-3,198 shall not be so licensed.

6 ~~(3) No Until January 1, 2021, the applicant for license plates under~~
7 ~~this section shall pay the license plate fee required under section~~
8 ~~60-3,102. Beginning January 1, 2021, no license plate fee shall be~~
9 required for license plates under this section.

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

13 (5) ~~License Beginning January 1, 2021, license plates issued under~~
14 this section shall not require the payment of any additional license
15 plate fees and shall be permanently attached to the vehicle to which the
16 plates are registered as long as the vehicle is properly registered by
17 the applicant annually.

18 (6) ~~This subsection applies beginning on an implementation date~~
19 ~~designated by the director. The director shall designate an~~
20 ~~implementation date that is on or before January 1, 2021. The county~~
21 treasurer or the department may issue temporary license stickers to the
22 applicant under this section for the applicant to lawfully operate the
23 vehicle pending receipt of the license plates. No charge in addition to
24 the registration fee shall be made for the issuance of a temporary
25 license sticker under this subsection. The department shall furnish
26 temporary license stickers for issuance by the county treasurer at no
27 cost to the counties. The department may adopt and promulgate rules and
28 regulations regarding the design and issuance of temporary license
29 stickers.

30 Sec. 26. Section 60-3,126, Reissue Revised Statutes of Nebraska, is
31 amended to read:

1 60-3,126 (1) Any person who holds an unrevoked and unexpired amateur
2 radio station license issued by the Federal Communications Commission and
3 is the owner of a motor vehicle, trailer, or semitrailer, except for
4 motor vehicles and trailers registered under section 60-3,198, may, in
5 addition to the application required by section 60-385, apply to the
6 department for license plates upon which shall be inscribed the official
7 amateur radio call letters of such applicant.

8 (2) Such license plates shall be issued, in lieu of the usual
9 numbers and letters, to such an applicant upon payment of the regular
10 license fee and the payment of an additional fee of five dollars and
11 furnishing proof that the applicant holds such an unrevoked and unexpired
12 amateur radio station license. The additional fee shall be remitted to
13 the State Treasurer for credit to the Highway Trust Fund. Only one such
14 motor vehicle or trailer owned by an applicant shall be so registered at
15 any one time.

16 (3) An applicant applying for renewal of amateur radio station
17 license plates shall again furnish proof that he or she holds an
18 unrevoked and unexpired amateur radio station license issued by the
19 Federal Communications Commission.

20 (4) The department shall prescribe the size and design of the
21 license plates and furnish such plates to the persons applying for and
22 entitled to the same upon the payment of the required fee.

23 ~~(5) This subsection applies beginning on an implementation date~~
24 ~~designated by the director. The director shall designate an~~
25 ~~implementation date that is on or before January 1, 2021.~~ The county
26 treasurer or the department may issue temporary license stickers to the
27 applicant under this section for the applicant to lawfully operate the
28 vehicle pending receipt of the license plates. No charge in addition to
29 the registration fee shall be made for the issuance of a temporary
30 license sticker under this subsection. The department shall furnish
31 temporary license stickers for issuance by the county treasurer at no

1 cost to the counties. The department may adopt and promulgate rules and
2 regulations regarding the design and issuance of temporary license
3 stickers.

4 Sec. 27. Section 60-3,128, Reissue Revised Statutes of Nebraska, is
5 amended to read:

6 60-3,128 (1) A person may apply to the department for Nebraska
7 Cornhusker Spirit Plates in lieu of regular license plates on an
8 application prescribed and provided by the department for any motor
9 vehicle, trailer, or semitrailer, except for motor vehicles or trailers
10 registered under section 60-3,198. An applicant receiving a spirit plate
11 for a farm truck with a gross weight of over sixteen tons or for a
12 commercial motor vehicle registered for a gross weight of five tons or
13 over shall affix the appropriate tonnage decal to the spirit plate. The
14 department shall make forms available for such applications through the
15 county treasurers. Each application for initial issuance or renewal of
16 spirit plates shall be accompanied by a fee of seventy dollars. Fees
17 collected pursuant to this subsection shall be remitted to the State
18 Treasurer. The State Treasurer shall credit sixty percent of the fees for
19 initial issuance and renewal of spirit plates to the Department of Motor
20 Vehicles Cash Fund and forty percent of the fees to the Highway Trust
21 Fund.

22 (2)(a) When the department receives an application for spirit
23 plates, the department may deliver the plates and registration
24 certificate to the applicant by United States mail or to the county
25 treasurer of the county in which the motor vehicle or trailer is
26 registered and the delivery of the plates and registration certificate
27 shall be made through a secure process and system. ~~If Beginning on an~~
28 ~~implementation date designated by the director on or before January 1,~~
29 ~~2022,~~ if delivery of the plates and registration certificate is made by
30 the department to the applicant, the department may charge a postage and
31 handling fee in an amount not more than necessary to recover the cost of

1 postage and handling for the specific items mailed to the registrant. The
2 department shall remit the fee to the State Treasurer for credit to the
3 Department of Motor Vehicles Cash Fund. The county treasurer or the
4 department shall issue spirit plates in lieu of regular license plates
5 when the applicant complies with the other provisions of law for
6 registration of the motor vehicle or trailer. If spirit plates are lost,
7 stolen, or mutilated, the licensee shall be issued replacement license
8 plates pursuant to section 60-3,157.

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

18 (3)(a) The owner of a motor vehicle or trailer bearing spirit plates
19 may make application to the county treasurer to have such spirit plates
20 transferred to a motor vehicle or trailer other than the motor vehicle or
21 trailer for which such plates were originally purchased if such motor
22 vehicle or trailer is owned by the owner of the spirit plates.

23 (b) The owner may have the unused portion of the spirit plate fee
24 credited to the other motor vehicle or trailer which will bear the spirit
25 plate at the rate of eight and one-third percent per month for each full
26 month left in the registration period.

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

31 Sec. 28. Section 60-3,130.02, Reissue Revised Statutes of Nebraska,

1 is amended to read:

2 60-3,130.02 (1) An initial processing fee of ten dollars shall be
3 submitted with an application under section 60-3,130 to defray the costs
4 of issuing the first plate to each collector and to establish a distinct
5 identification number for each collector. A fee of fifty dollars for each
6 vehicle so registered shall also be submitted with the application. When
7 the department receives an application for historical license plates, the
8 department may deliver the plates and registration certificate to the
9 applicant by United States mail. The department may charge a postage and
10 handling fee in an amount not more than necessary to recover the cost of
11 postage and handling for the specific items mailed to the registrant. The
12 department shall remit the fee to the State Treasurer for credit to the
13 Department of Motor Vehicles Cash Fund.

14 (2) For use of license plates as provided in section 60-3,130.04, a
15 fee of twenty-five dollars shall be submitted with the application in
16 addition to the fees specified in subsection (1) of this section.

17 (3) The fees shall be remitted to the State Treasurer for credit to
18 the Highway Trust Fund.

19 Sec. 29. Section 60-3,135.01, Reissue Revised Statutes of Nebraska,
20 is amended to read:

21 60-3,135.01 (1) The department shall either modify an existing plate
22 design or design license plates to identify special interest motor
23 vehicles, to be known as special interest motor vehicle license plates.
24 The department, in designing such special interest motor vehicle license
25 plates, shall include the words special interest and limit the
26 manufacturing cost of each plate to an amount less than or equal to the
27 amount charged for license plates pursuant to section 60-3,102. The
28 department shall choose the design of the plate. The department shall
29 make applications available for this type of plate when it is designed.

30 (2) One type of special interest motor vehicle license plate shall
31 be alphanumeric plates. The department shall:

1 (a) Assign a designation up to seven characters; and

2 (b) Not use a county designation.

3 (3) One type of special interest motor vehicle license plate shall
4 be personalized message plates. Such plates shall be issued subject to
5 the same conditions specified for personalized message license plates in
6 section 60-3,118.

7 (4) A person may apply to the department for a special interest
8 motor vehicle license plate in lieu of regular license plates on an
9 application prescribed and provided by the department for any special
10 interest motor vehicle, except that no motor vehicle registered under
11 section 60-3,198, autocycle, motorcycle, or trailer shall be eligible for
12 special interest motor vehicle license plates. The department shall make
13 forms available for such applications through the county treasurers.

14 (5) The form shall contain a description of the special interest
15 motor vehicle owned and sought to be registered, including the make, body
16 type, model, serial number, and year of manufacture.

17 (6)(a) In addition to all other fees required to register a motor
18 vehicle, each application for initial issuance or renewal of a special
19 interest motor vehicle license plate shall be accompanied by a special
20 interest motor vehicle license plate fee of fifty dollars. Twenty-five
21 dollars of the special interest motor vehicle license plate fee shall be
22 remitted to the State Treasurer for credit to the Department of Motor
23 Vehicles Cash Fund, and twenty-five dollars of the special interest motor
24 vehicle license plate fee shall be remitted to the State Treasurer for
25 credit to the Highway Trust Fund.

26 (b) If a special interest motor vehicle license plate is lost,
27 stolen, or mutilated, the owner shall be issued a replacement license
28 plate pursuant to section 60-3,157.

29 (7) When the department receives an application for a special
30 interest motor vehicle license plate, the department may deliver the
31 plate and registration certificate to the applicant by United States mail

1 or to the county treasurer of the county in which the special interest
2 motor vehicle is registered and the delivery of the plate and
3 registration certificate shall be made through a secure process and
4 system. ~~If Beginning on an implementation date designated by the director~~
5 ~~on or before January 1, 2022,~~ if delivery of the plates and registration
6 certificate is made by the department to the applicant, the department
7 may charge a postage and handling fee in an amount not more than
8 necessary to recover the cost of postage and handling for the specific
9 items mailed to the registrant. The department shall remit the fee to the
10 State Treasurer for credit to the Department of Motor Vehicles Cash Fund.
11 The county treasurer or the department shall issue the special interest
12 motor vehicle license plate in lieu of regular license plates when the
13 applicant complies with the other provisions of the Motor Vehicle
14 Registration Act for registration of the special interest motor vehicle.

15 (8) If the cost of manufacturing special interest motor vehicle
16 license plates at any time exceeds the amount charged for license plates
17 pursuant to section 60-3,102, any money to be credited to the Department
18 of Motor Vehicles Cash Fund under this section shall instead be credited
19 first to the Highway Trust Fund in an amount equal to the difference
20 between the manufacturing costs of special interest motor vehicle license
21 plates and the amount charged pursuant to section 60-3,102 with respect
22 to such license plates and the remainder shall be credited to the
23 Department of Motor Vehicles Cash Fund.

24 (9) The special interest motor vehicle license plate shall be
25 affixed to the rear of the special interest motor vehicle.

26 (10) A special interest motor vehicle shall not be used for the same
27 purposes and under the same conditions as other motor vehicles of the
28 same type and shall not be used for business or occupation or regularly
29 for transportation to and from work. A special interest motor vehicle may
30 be driven on the public streets and roads only for occasional
31 transportation, public displays, parades, and related pleasure or hobby

1 activities.

2 (11) It shall be unlawful to own or operate a motor vehicle with
3 special interest motor vehicle license plates in violation of this
4 section. Upon conviction of a violation of any provision of this section,
5 a person shall be guilty of a Class V misdemeanor.

6 (12) For purposes of this section, special interest motor vehicle
7 means a motor vehicle of any age which is being collected, preserved,
8 restored, or maintained by the owner as a leisure pursuit and not used
9 for general transportation of persons or cargo.

10 Sec. 30. Section 60-3,193.01, Reissue Revised Statutes of Nebraska,
11 is amended to read:

12 60-3,193.01 For purposes of the Motor Vehicle Registration Act, the
13 International Registration Plan is adopted and incorporated by reference
14 as the plan existed on January 1, 2022 ~~2021~~.

15 Sec. 31. Section 60-3,198, Reissue Revised Statutes of Nebraska, is
16 amended to read:

17 60-3,198 (1)(a) Any owner engaged in operating a fleet of
18 apportionable vehicles in this state in interjurisdiction commerce may,
19 in lieu of registration of such apportionable vehicles under the general
20 provisions of the Motor Vehicle Registration Act, register and license
21 such fleet for operation in this state by filing a statement and the
22 application required by section 60-3,203 with the Division of Motor
23 Carrier Services of the department. The statement shall be in such form
24 and contain such information as the division requires, declaring the
25 total mileage operated by such vehicles in all jurisdictions and in this
26 state during the preceding year and describing and identifying each such
27 apportionable vehicle to be operated in this state during the ensuing
28 license period ~~year~~.

29 (b)(i) Until July 1, 2021, upon receipt of such statement and
30 application, the division shall determine the total fee payment, which
31 shall be equal to the amount of fees due pursuant to section 60-3,203 and

1 the amount obtained by applying the formula provided in section 60-3,204
2 to a fee of thirty-two dollars per ton based upon gross vehicle weight of
3 the empty weights of a truck or truck-tractor and the empty weights of
4 any trailer or combination thereof with which it is to be operated in
5 combination at any one time plus the weight of the maximum load to be
6 carried thereon at any one time, and shall notify the applicant of the
7 amount of payment required to be made. Mileage operated in noncontracting
8 reciprocity jurisdictions by apportionable vehicles based in Nebraska
9 shall be applied to the portion of the formula for determining the
10 Nebraska injurisdiction fleet distance.

11 (ii) Beginning July 1, 2021, and until July 1, 2025, upon receipt of
12 such statement and application, the division shall determine the total
13 fee payment, which shall be equal to the amount of fees due pursuant to
14 section 60-3,203 and the amount obtained by applying the formula provided
15 in section 60-3,204 to a fee of thirty-five dollars per ton based upon
16 gross vehicle weight of the empty weights of a truck or truck-tractor and
17 the empty weights of any trailer or combination thereof with which it is
18 to be operated in combination at any one time plus the weight of the
19 maximum load to be carried thereon at any one time, and shall notify the
20 applicant of the amount of payment required to be made. Mileage operated
21 in noncontracting reciprocity jurisdictions by apportionable vehicles
22 based in Nebraska shall be applied to the portion of the formula for
23 determining the Nebraska injurisdiction fleet distance.

24 (iii) Beginning July 1, 2025, upon receipt of such statement and
25 application, the division shall determine the total fee payment, which
26 shall be equal to the amount of fees due pursuant to section 60-3,203 and
27 the amount obtained by applying the formula provided in section 60-3,204
28 to a fee of thirty-three dollars and fifty cents per ton based upon gross
29 vehicle weight of the empty weights of a truck or truck-tractor and the
30 empty weights of any trailer or combination thereof with which it is to
31 be operated in combination at any one time plus the weight of the maximum

1 load to be carried thereon at any one time, and shall notify the
2 applicant of the amount of payment required to be made. Mileage operated
3 in noncontracting reciprocity jurisdictions by apportionable vehicles
4 based in Nebraska shall be applied to the portion of the formula for
5 determining the Nebraska injurisdiction fleet distance.

6 (c) Temporary authority which permits the operation of a fleet or an
7 addition to a fleet in this state while the application is being
8 processed may be issued upon application to the division if necessary to
9 complete processing of the application.

10 (d) Upon completion of such processing and receipt of the
11 appropriate fees, the division shall issue to the applicant a sufficient
12 number of distinctive registration certificates which provide a list of
13 the jurisdictions in which the apportionable vehicle has been
14 apportioned, the weight for which registered, and such other evidence of
15 registration for display on the apportionable vehicle as the division
16 determines appropriate for each of the apportionable vehicles of his or
17 her fleet, identifying it as a part of an interjurisdiction fleet
18 proportionately registered. Such registration certificates may be
19 displayed as a legible paper copy or electronically as authorized by the
20 department. All fees received as provided in this section shall be
21 remitted to the State Treasurer for credit to the Motor Carrier Services
22 Division Distributive Fund.

23 (e) The apportionable vehicles so registered shall be exempt from
24 all further registration and license fees under the Motor Vehicle
25 Registration Act for movement or operation in the State of Nebraska
26 except as provided in section 60-3,203. The proportional registration and
27 licensing provision of this section shall apply to apportionable vehicles
28 added to such fleets and operated in this state during the license period
29 ~~year~~ except with regard to permanent license plates issued under section
30 60-3,203.

31 (f) The right of applicants to proportional registration under this

1 section shall be subject to the terms and conditions of any reciprocity
2 agreement, contract, or consent made by the division.

3 (g) When a nonresident fleet owner has registered his or her
4 apportionable vehicles, his or her apportionable vehicles shall be
5 considered as fully registered for both interjurisdiction and
6 intrajurisdiction commerce when the jurisdiction of base registration for
7 such fleet accords the same consideration for fleets with a base
8 registration in Nebraska. Each apportionable vehicle of a fleet
9 registered by a resident of Nebraska shall be considered as fully
10 registered for both interjurisdiction and intrajurisdiction commerce.

11 (2) Mileage proportions for interjurisdiction fleets not operated in
12 this state during the preceding year shall be determined by the division
13 upon the application of the applicant on forms to be supplied by the
14 division which shall show the operations of the preceding year in other
15 jurisdictions and estimated operations in Nebraska or, if no operations
16 were conducted the previous year, a full statement of the proposed method
17 of operation.

18 (3) Any owner complying with and being granted proportional
19 registration shall preserve the records on which the application is made
20 for a period of three years following the current registration period
21 ~~year~~. Upon request of the division, the owner shall make such records
22 available to the division at its office for audit as to accuracy of
23 computation and payments or pay the costs of an audit at the home office
24 of the owner by a duly appointed representative of the division if the
25 office where the records are maintained is not within the State of
26 Nebraska. The division may enter into agreements with agencies of other
27 jurisdictions administering motor vehicle registration laws for joint
28 audits of any such owner. All payments received to cover the costs of an
29 audit shall be remitted by the division to the State Treasurer for credit
30 to the Motor Carrier Division Cash Fund. No deficiency shall be assessed
31 and no claim for credit shall be allowed for any license registration

1 period year for which records on which the application was made are no
2 longer required to be maintained.

3 (4) If the division claims that a greater amount of fee is due under
4 this section than was paid, the division shall notify the owner of the
5 additional amount claimed to be due. The owner may accept such claim and
6 pay the amount due, or he or she may dispute the claim and submit to the
7 division any information which he or she may have in support of his or
8 her position. If the dispute cannot otherwise be resolved within the
9 division, the owner may petition for an appeal of the matter. The
10 director shall appoint a hearing officer who shall hear the dispute and
11 issue a written decision. Any appeal shall be in accordance with the
12 Administrative Procedure Act. Upon expiration of the time for perfecting
13 an appeal if no appeal is taken or upon final judicial determination if
14 an appeal is taken, the division shall deny the owner the right to
15 further registration for a fleet license until the amount finally
16 determined to be due, together with any costs assessed against the owner,
17 has been paid.

18 (5) Every applicant who licenses any apportionable vehicles under
19 this section and section 60-3,203 shall have his or her registration
20 certificates issued only after all fees under such sections are paid and,
21 if applicable, proof has been furnished of payment, in the form
22 prescribed by the director as directed by the United States Secretary of
23 the Treasury, of the federal heavy vehicle use tax imposed by 26 U.S.C.
24 4481 of the Internal Revenue Code as defined in section 49-801.01.

25 (6)(a) In the event of the transfer of ownership of any registered
26 apportionable vehicle, (b) in the case of loss of possession because of
27 fire, natural disaster, theft, or wrecking, junking, or dismantling of
28 any registered apportionable vehicle, (c) when a salvage branded
29 certificate of title is issued for any registered apportionable vehicle,
30 (d) whenever a type or class of registered apportioned vehicle is
31 subsequently declared by legislative act or court decision to be illegal

1 or ineligible to be operated or towed on the public roads and no longer
2 subject to registration fees and taxes, (e) upon trade-in or surrender of
3 a registered apportionable vehicle under a lease, or (f) in case of a
4 change in the situs of a registered apportionable vehicle to a location
5 outside of this state, its registration shall expire, except that if the
6 registered owner or lessee applies to the division after such transfer or
7 loss of possession and accompanies the application with a fee of one
8 dollar and fifty cents, he or she may have any remaining credit of
9 vehicle fees and taxes from the previously registered apportionable
10 vehicle applied toward payment of any vehicle fees and taxes due and
11 owing on another registered apportionable vehicle. If such registered
12 apportionable vehicle has a greater gross vehicle weight than that of the
13 previously registered apportionable vehicle, the registered owner or
14 lessee of the registered apportionable vehicle shall additionally pay
15 only the registration fee for the increased gross vehicle weight for the
16 remaining months of the registration period ~~year~~ based on the factors
17 determined by the division in the original fleet application.

18 (7) Whenever a Nebraska-based fleet owner files an application with
19 the division to delete a registered apportionable vehicle from a fleet of
20 registered apportionable vehicles (a) because of a transfer of ownership
21 of the registered apportionable vehicle, (b) because of loss of
22 possession due to fire, natural disaster, theft, or wrecking, junking, or
23 dismantling of the registered apportionable vehicle, (c) because a
24 salvage branded certificate of title is issued for the registered
25 apportionable vehicle, (d) because a type or class of registered
26 apportioned vehicle is subsequently declared by legislative act or court
27 decision to be illegal or ineligible to be operated or towed on the
28 public roads and no longer subject to registration fees and taxes, (e)
29 because of a trade-in or surrender of the registered apportionable
30 vehicle under a lease, or (f) because of a change in the situs of the
31 registered apportionable vehicle to a location outside of this state, the

1 registered owner may, by returning the registration certificate or
2 certificates and such other evidence of registration used by the division
3 or, if such certificate or certificates or such other evidence of
4 registration is unavailable, then by making an affidavit to the division
5 of such transfer or loss, receive a refund of that portion of the unused
6 registration fee based upon the number of unexpired months remaining in
7 the registration period year from the date of transfer or loss. No refund
8 shall be allowed for any fees paid under section 60-3,203. When such
9 apportionable vehicle is transferred or lost within the same month as
10 acquired, no refund shall be allowed for such month. Such refund may be
11 in the form of a credit against any registration fees that have been
12 incurred or are, at the time of the refund, being incurred by the
13 registered apportionable vehicle owner. The Nebraska-based fleet owner
14 shall make a claim for a refund under this subsection within the
15 registration period or shall be deemed to have forfeited his or her right
16 to the refund.

17 (8) In case of addition to the registered fleet during the
18 registration period year, the owner engaged in operating the fleet shall
19 pay the proportionate registration fee from the date the vehicle was
20 placed into service or, if the vehicle was previously registered, the
21 date the prior registration expired or the date Nebraska became the base
22 jurisdiction for the fleet, whichever is first, for the remaining balance
23 of the registration period year. The fee for any permanent license plate
24 issued for such addition pursuant to section 60-3,203 shall be the full
25 fee required by such section, regardless of the number of months
26 remaining in the license period year.

27 (9) In lieu of registration under subsections (1) through (8) of
28 this section, the title holder of record may apply to the division for
29 special registration, to be known as an unladen-weight registration, for
30 any commercial motor vehicle or combination of vehicles which have been
31 registered to a Nebraska-based fleet owner within the current or previous

1 registration period year. Such registration shall be valid only for a
2 period of thirty days and shall give no authority to operate the vehicle
3 except when empty. The fee for such registration shall be twenty dollars
4 for each vehicle, which fee shall be remitted to the State Treasurer for
5 credit to the Highway Trust Fund. The issuance of such permits shall be
6 governed by section 60-3,179.

7 (10) Any person may, in lieu of registration under subsections (1)
8 through (8) of this section or for other jurisdictions as approved by the
9 director, purchase a trip permit for any nonresident truck, truck-
10 tractor, bus, or truck or truck-tractor combination. A trip permit shall
11 be issued before any person required to obtain a trip permit enters this
12 state with such vehicle. The trip permit shall be issued by the director
13 through Internet sales from the department's website. The trip permit
14 shall be valid for a period of seventy-two hours. The fee for the trip
15 permit shall be twenty-five dollars for each truck, truck-tractor, bus,
16 or truck or truck-tractor combination. The fee collected by the director
17 shall be remitted to the State Treasurer for credit to the Highway Cash
18 Fund.

19 Sec. 32. Section 60-3,203, Reissue Revised Statutes of Nebraska, is
20 amended to read:

21 60-3,203 (1)(a) ~~(1)~~ Upon application and payment of the fees
22 required pursuant to this section and section 60-3,198, the Division of
23 Motor Carrier Services of the department shall issue to the owner of any
24 fleet of apportionable commercial vehicles with a base registration in
25 Nebraska a permanent license plate for each truck, truck-tractor, and
26 trailer in the fleet. The application shall be accompanied by a fee of
27 three dollars for each truck or truck-tractor and six dollars per
28 trailer. The application shall be on a form developed by the division.

29 (b) The department may deliver the plates and registration
30 certificate to the applicant by United States mail. The department may
31 charge a postage and handling fee in an amount not more than necessary to

1 recover the cost of postage and handling for the specific items mailed to
2 the registrant.

3 (c) The department shall remit fees collected pursuant to this
4 subsection to the State Treasurer for credit to the Motor Carrier
5 Division Cash Fund.

6 (2) Fleets of apportionable vehicles license plates shall display a
7 distinctive license plate provided by the department pursuant to this
8 section.

9 (3) Any license plate issued pursuant to this section shall remain
10 affixed to the front of the truck or truck-tractor or to the rear of the
11 trailer or semitrailer as long as the apportionable vehicle is registered
12 pursuant to section 60-3,198 by the owner making the original application
13 pursuant to subsection (1) of this section. Upon transfer of ownership of
14 the truck, truck-tractor, or trailer or transfer of ownership of the
15 fleet or at any time the truck, truck-tractor, or trailer is no longer
16 registered pursuant to section 60-3,198, the license plate shall cease to
17 be active and shall be processed according to the rules and regulations
18 of the department.

19 (4) The renewal fee for each permanent plate shall be two dollars
20 and shall be assessed and collected in each license period year after the
21 period year in which the permanent license plates are initially issued at
22 the time all other renewal fees are collected pursuant to section
23 60-3,198 unless a truck, truck-tractor, or trailer has been deleted from
24 the fleet registration.

25 (5)(a) If a permanent license plate is lost or destroyed, the owner
26 shall submit an affidavit to that effect to the division prior to any
27 deletion of the truck, truck-tractor, or trailer from the fleet
28 registration. If the truck, truck-tractor, or trailer is not deleted from
29 the fleet registration, a replacement permanent license plate may be
30 issued upon payment of a fee of three dollars for each truck or truck-
31 tractor and six dollars per trailer.

1 (b) If the registration certificate for any fleet vehicle is lost or
2 stolen, the division shall collect a fee of one dollar for replacement of
3 such certificate.

4 (6) If a truck, truck-tractor, or trailer for which a permanent
5 license plate has been issued pursuant to this section is deleted from
6 the fleet registration due to loss of possession by the registrant, the
7 plate shall be returned to the division.

8 (7) The registrant shall be liable for the full amount of the
9 registration fee due for any truck, truck-tractor, or trailer not deleted
10 from the fleet registration renewal.

11 (8) All fees collected pursuant to this section other than those
12 collected pursuant to subdivisions (1)(b) and (c) of this section shall
13 be remitted to the State Treasurer for credit to the Highway Cash Fund.

14 Sec. 33. Section 60-3,221, Reissue Revised Statutes of Nebraska, is
15 amended to read:

16 60-3,221 (1) Except as otherwise provided in the Motor Vehicle
17 Registration Act:

18 (a) A cabin trailer shall only be towed by a properly registered:

19 (i) Passenger car;

20 (ii) Commercial motor vehicle or apportionable vehicle;

21 (iii) Farm truck;

22 (iv) Local truck;

23 (v) Minitruck;

24 (vi) Recreational vehicle;~~or~~

25 (vii) Bus;or

26 (viii) Former military vehicle;

27 (b) A utility trailer shall only be towed by:

28 (i) A properly registered passenger car;

29 (ii) A properly registered commercial motor vehicle or apportionable
30 vehicle;

31 (iii) A properly registered farm truck;

- 1 (iv) A properly registered local truck;
- 2 (v) A properly registered minitruck;
- 3 (vi) A properly registered recreational vehicle;
- 4 (vii) A properly registered motor vehicle which is engaged in soil
5 and water conservation pursuant to section 60-3,149;
- 6 (viii) A properly registered well-boring apparatus;
- 7 (ix) A dealer-plated vehicle;
- 8 (x) A personal-use dealer-plated vehicle;
- 9 (xi) A properly registered bus;~~or~~
- 10 (xii) A properly registered public power district motor vehicle or,
11 beginning January 1, 2023, a properly registered metropolitan utilities
12 district motor vehicle; or
- 13 (xiii) A properly registered former military vehicle;
- 14 (c) A farm trailer shall only be towed by a properly registered:
- 15 (i) Passenger car;
- 16 (ii) Commercial motor vehicle;
- 17 (iii) Farm truck;~~or~~
- 18 (iv) Minitruck; or
- 19 (v) Former military vehicle;
- 20 (d) A commercial trailer shall only be towed by:
- 21 (i) A properly registered motor vehicle which is engaged in soil and
22 water conservation pursuant to section 60-3,149;
- 23 (ii) A properly registered local truck;
- 24 (iii) A properly registered well-boring apparatus;
- 25 (iv) A properly registered commercial motor vehicle or apportionable
26 vehicle;
- 27 (v) A dealer-plated vehicle;
- 28 (vi) A personal-use dealer-plated vehicle;
- 29 (vii) A properly registered bus;
- 30 (viii) A properly registered farm truck; or
- 31 (ix) A properly registered public power district motor vehicle or,

1 beginning January 1, 2023, a properly registered metropolitan utilities
2 district motor vehicle;

3 (e) A fertilizer trailer shall only be towed by a properly
4 registered:

5 (i) Passenger car;

6 (ii) Commercial motor vehicle or apportionable vehicle;

7 (iii) Farm truck; or

8 (iv) Local truck;

9 (f) A pole and cable reel trailer shall only be towed by a properly
10 registered:

11 (i) Commercial motor vehicle or apportionable vehicle;

12 (ii) Local truck; or

13 (iii) Public power district motor vehicle or, beginning January 1,
14 2023, metropolitan utilities district motor vehicle;

15 (g) A dealer-plated trailer shall only be towed by:

16 (i) A dealer-plated vehicle;

17 (ii) A properly registered passenger car;

18 (iii) A properly registered commercial motor vehicle or
19 apportionable vehicle;

20 (iv) A properly registered farm truck;

21 (v) A properly registered minitruck;~~or~~

22 (vi) A personal-use dealer-plated vehicle; or

23 (vii) A properly registered former military vehicle;

24 (h) Trailers registered pursuant to section 60-3,198 as part of an
25 apportioned fleet shall only be towed by:

26 (i) A properly registered motor vehicle which is engaged in soil and
27 water conservation pursuant to section 60-3,149;

28 (ii) A properly registered local truck;

29 (iii) A properly registered well-boring apparatus;

30 (iv) A properly registered commercial motor vehicle or apportionable
31 vehicle;

- 1 (v) A dealer-plated vehicle;
- 2 (vi) A personal-use dealer-plated vehicle;
- 3 (vii) A properly registered bus; or
- 4 (viii) A properly registered farm truck; and
- 5 (i) A trailer registered as a historical vehicle pursuant to
- 6 sections 60-3,130 to 60-3,134 shall only be towed by:
- 7 (i) A motor vehicle properly registered as a historical vehicle
- 8 pursuant to sections 60-3,130 to 60-3,134;
- 9 (ii) A properly registered passenger car;
- 10 (iii) A properly registered commercial motor vehicle or
- 11 apportionable vehicle; or
- 12 (iv) A properly registered local truck.

13 (2) Nothing in this section shall be construed to waive compliance

14 with the Nebraska Rules of the Road or Chapter 75.

15 (3) Nothing in this section shall be construed to prohibit any motor

16 vehicle or trailer from displaying dealer license plates or In Transit

17 stickers authorized by section 60-376.

18 Sec. 34. Section 60-3,226, Reissue Revised Statutes of Nebraska, is

19 amended to read:

20 60-3,226 (1) The department shall design license plates to be known

21 as Mountain Lion Conservation Plates. The department shall create designs

22 reflecting support for the conservation of the mountain lion population.

23 The design shall be selected on the basis of limiting the manufacturing

24 cost of each plate to an amount less than or equal to the amount charged

25 for license plates pursuant to section 60-3,102. ~~The department shall~~

26 ~~make applications available for this type of plate by October 1, 2016.~~

27 The department may adopt and promulgate rules and regulations to carry

28 out this section and section 60-3,227.

29 (2) One type of Mountain Lion Conservation Plates shall be

30 alphanumeric plates. The department shall:

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

1 (b) Not use a county designation.

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

6 (4) The department shall cease to issue Mountain Lion Conservation
7 Plates beginning with the next license plate issuance cycle after the
8 license plate issuance cycle that begins in 2023 pursuant to section
9 60-3,101 if the total number of registered vehicles that obtained such
10 plates is less than five hundred per year within any prior consecutive
11 two-year period.

12 Sec. 35. Section 60-3,232, Reissue Revised Statutes of Nebraska, is
13 amended to read:

14 60-3,232 (1) The department shall design license plates to be known
15 as Choose Life License Plates. The department shall create designs
16 reflecting support for the protection of Nebraska's children. The design
17 shall be selected on the basis of limiting the manufacturing cost of each
18 plate to an amount less than or equal to the amount charged for license
19 plates pursuant to section 60-3,102. ~~The department shall make~~
20 ~~applications available for this type of plate beginning January 1, 2018.~~
21 The department may adopt and promulgate rules and regulations to carry
22 out this section and section 60-3,233.

23 (2) One type of Choose Life License Plates shall be alphanumeric
24 plates. The department shall:

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

26 (b) Not use a county designation.

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

31 (4) The department shall cease to issue Choose Life License Plates

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

5 Sec. 36. Section 60-3,233, Reissue Revised Statutes of Nebraska, is
6 amended to read:

7 60-3,233 (1) A person may apply to the department for Choose Life
8 License Plates in lieu of regular license plates on an application
9 prescribed and provided by the department for any motor vehicle or
10 trailer, except for a motor vehicle or trailer registered under section
11 60-3,198. An applicant receiving a Choose Life License Plate for a farm
12 truck with a gross weight of over sixteen tons or a commercial truck or
13 truck-tractor with a gross weight of five tons or over shall affix the
14 appropriate tonnage decal to the plate. The department shall make forms
15 available for such applications through the county treasurers. The
16 license plates shall be issued upon payment of the license fee described
17 in subsection (2) of this section.

18 (2)(a) In addition to all other fees required for registration under
19 the Motor Vehicle Registration Act, each application for initial issuance
20 of alphanumeric Choose Life License Plates shall be accompanied by a fee
21 of five dollars. An application for renewal of such plates shall be
22 accompanied by a fee of five dollars. County treasurers collecting fees
23 pursuant to this subdivision shall remit them to the State Treasurer. The
24 State Treasurer shall credit five dollars of the fee to the Health and
25 Human Services Cash Fund to supplement federal funds available to the
26 Department of Health and Human Services for the Temporary Assistance for
27 Needy Families program, 42 U.S.C. 601, et seq.

28 (b) In addition to all other fees required for registration under
29 the Motor Vehicle Registration Act, each application for initial issuance
30 or renewal of personalized message Choose Life License Plates shall be
31 accompanied by a fee of forty dollars. County treasurers collecting fees

1 pursuant to this subdivision shall remit them to the State Treasurer. The
2 State Treasurer shall credit twenty-five percent of the fee for initial
3 issuance and renewal of such plates to the Department of Motor Vehicles
4 Cash Fund and seventy-five percent of the fee to the Health and Human
5 Services Cash Fund to supplement federal funds available to the
6 Department of Health and Human Services for the Temporary Assistance for
7 Needy Families program.

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

24 ~~(b) This subdivision applies beginning on an implementation date~~
25 ~~designated by the director. The director shall designate an~~
26 ~~implementation date that is on or before January 1, 2021. The county~~
27 ~~treasurer or the department may issue temporary license stickers to the~~
28 ~~applicant under this section for the applicant to lawfully operate the~~
29 ~~vehicle pending receipt of the license plates. No charge in addition to~~
30 ~~the registration fee shall be made for the issuance of a temporary~~
31 ~~license sticker under this subdivision. The department shall furnish~~

1 temporary license stickers for issuance by the county treasurer at no
2 cost to the counties. The department may adopt and promulgate rules and
3 regulations regarding the design and issuance of temporary license
4 stickers.

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

16 (5) If the cost of manufacturing Choose Life License Plates at any
17 time exceeds the amount charged for license plates pursuant to section
18 60-3,102, any money to be credited to the Health and Human Services Cash
19 Fund to supplement federal funds available to the Department of Health
20 and Human Services for the Temporary Assistance for Needy Families
21 program shall instead be credited first to the Highway Trust Fund in an
22 amount equal to the difference between the manufacturing costs of Choose
23 Life License Plates and the amount charged pursuant to section 60-3,102
24 with respect to such plates and the remainder shall be credited to the
25 Health and Human Services Cash Fund to supplement federal funds available
26 to the Department of Health and Human Services for the Temporary
27 Assistance for Needy Families program.

28 Sec. 37. Section 60-3,237, Reissue Revised Statutes of Nebraska, is
29 amended to read:

30 60-3,237 (1) The department shall design license plates to be known
31 as Wildlife Conservation Plates. The department shall create no more than

1 three designs reflecting support for the conservation of Nebraska
2 wildlife, including sandhill cranes, bighorn sheep, and ornate box
3 turtles. Each design shall be selected on the basis of limiting the
4 manufacturing cost of each plate to an amount less than or equal to the
5 amount charged for license plates pursuant to section 60-3,102. The
6 ~~department shall make applications available for this type of plate by~~
7 ~~January 1, 2021.~~ The department may adopt and promulgate rules and
8 regulations to carry out this section and section 60-3,238.

9 (2) One type of Wildlife Conservation Plates shall be alphanumeric
10 plates. The department shall:

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

12 (b) Not use a county designation.

13 (3) One type of Wildlife Conservation Plates shall be personalized
14 message plates. Such plates shall be issued subject to the same
15 conditions specified for personalized message license plates in section
16 60-3,118, except that a maximum of five characters may be used.

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

22 Sec. 38. Section 60-3,241, Reissue Revised Statutes of Nebraska, is
23 amended to read:

24 60-3,241 (1) The department shall design license plates to be known
25 as Sammy's Superheroes license plates for childhood cancer awareness. The
26 design shall include a blue handprint over a yellow ribbon and the words
27 "childhood cancer awareness". The design shall be selected on the basis
28 of limiting the manufacturing cost of each plate to an amount less than
29 or equal to the amount charged for license plates pursuant to section
30 60-3,102. ~~The department shall make applications available for this type~~
31 ~~of plate beginning January 1, 2021.~~ The department may adopt and

1 promulgate rules and regulations to carry out this section and section
2 60-3,242.

3 (2) One type of Sammy's Superheroes license plates for childhood
4 cancer awareness shall be alphanumeric plates. The department shall:

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

6 (b) Not use a county designation.

7 (3) One type of Sammy's Superheroes license plates for childhood
8 cancer awareness shall be personalized message plates. Such plates shall
9 be issued subject to the same conditions specified for personalized
10 message license plates in section 60-3,118, except that a maximum of five
11 characters may be used.

12 (4) The department shall cease to issue Sammy's Superheroes license
13 plates for childhood cancer awareness beginning with the next license
14 plate issuance cycle after the license plate issuance cycle that begins
15 in 2023 pursuant to section 60-3,101 if the total number of registered
16 vehicles that obtained such plates is less than five hundred per year
17 within any prior consecutive two-year period.

18 Sec. 39. Section 60-3,243, Reissue Revised Statutes of Nebraska, is
19 amended to read:

20 60-3,243 (1) The department shall design license plates to be known
21 as Support Our Troops Plates. The department shall create a design
22 reflecting support for troops from all branches of the armed forces. The
23 design shall be selected on the basis of limiting the manufacturing cost
24 of each plate to an amount less than or equal to the amount charged for
25 license plates pursuant to section 60-3,102. ~~The department shall make~~
26 ~~applications available for this type of plate by January 1, 2021.~~ The
27 department may adopt and promulgate rules and regulations to carry out
28 this section and section 60-3,244.

29 (2) One type of Support Our Troops Plates shall be alphanumeric
30 plates. The department shall:

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

1 (b) Not use a county designation.

2 (3) One type of Support Our Troops Plates shall be personalized
3 message plates. Such plates shall be issued subject to the same
4 conditions specified for personalized message license plates in section
5 60-3,118, except that a maximum of five characters may be used.

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

11 Sec. 40. Section 60-3,245, Reissue Revised Statutes of Nebraska, is
12 amended to read:

13 60-3,245 (1) The department shall design license plates to be known
14 as Donate Life Plates. The design shall support organ and tissue
15 donation, registration as a donor on the Donor Registry of Nebraska, and
16 the federally designated organ procurement organization for Nebraska. The
17 design shall be selected on the basis of limiting the manufacturing cost
18 of each plate to an amount less than or equal to the amount charged for
19 license plates pursuant to section 60-3,102. ~~The department shall make~~
20 ~~applications available for this type of plate beginning January 1, 2021.~~
21 The department may adopt and promulgate rules and regulations to carry
22 out this section and section 60-3,246.

23 (2) One type of Donate Life Plates shall be alphanumeric plates. The
24 department shall:

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

26 (b) Not use a county designation.

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

31 (4) The department shall cease to issue Donate Life Plates beginning

1 with the next license plate issuance cycle after the license plate
2 issuance cycle that begins in 2023 pursuant to section 60-3,101 if the
3 total number of registered vehicles that obtained such plates is less
4 than five hundred per year within any prior consecutive two-year period.

5 Sec. 41. Section 60-3,247, Reissue Revised Statutes of Nebraska, is
6 amended to read:

7 60-3,247 (1) The department shall design license plates to be known
8 as Down Syndrome Awareness Plates. The design shall include the words
9 "Down syndrome awareness" inside a heart-shaped yellow and blue ribbon.
10 The design shall be selected on the basis of limiting the manufacturing
11 cost of each plate to an amount less than or equal to the amount charged
12 for license plates pursuant to section 60-3,102. ~~The department shall~~
13 ~~make applications available for this type of plate beginning January 1,~~
14 ~~2021.~~ The department may adopt and promulgate rules and regulations to
15 carry out this section and section 60-3,248.

16 (2) One type of Down Syndrome Awareness Plates shall be alphanumeric
17 plates. The department shall:

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

20 (3) One type of Down Syndrome Awareness Plates shall be personalized
21 message plates. Such plates shall be issued subject to the same
22 conditions specified for personalized message license plates in section
23 60-3,118, except that a maximum of five characters may be used.

24 (4) The department shall cease to issue Down Syndrome Awareness
25 Plates beginning with the next license plate issuance cycle after the
26 license plate issuance cycle that begins in 2023 pursuant to section
27 60-3,101 if the total number of registered vehicles that obtained such
28 plates is less than five hundred per year within any prior consecutive
29 two-year period.

30 Sec. 42. Section 60-3,249, Reissue Revised Statutes of Nebraska, is
31 amended to read:

1 60-3,249 (1) The department shall design license plates to be known
2 as Pets for Vets Plates. The design shall support veterans and companion
3 or therapy pet animals. The design shall be selected on the basis of
4 limiting the manufacturing cost of each plate to an amount less than or
5 equal to the amount charged for license plates pursuant to section
6 60-3,102. ~~The department shall make applications available for this type~~
7 ~~of plate beginning January 1, 2021.~~ The department may adopt and
8 promulgate rules and regulations to carry out this section and section
9 60-3,250.

10 (2) One type of Pets for Vets Plates shall be alphanumeric plates.
11 The department shall:

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

13 (b) Not use a county designation.

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

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

23 Sec. 43. Section 60-3,251, Reissue Revised Statutes of Nebraska, is
24 amended to read:

25 60-3,251 (1) The department shall design license plates to be known
26 as Support the Arts Plates. The design shall be selected in consultation
27 with the Nebraska Arts Council and shall support the arts in Nebraska.
28 The design shall be selected on the basis of limiting the manufacturing
29 cost of each plate to an amount less than or equal to the amount charged
30 for license plates pursuant to section 60-3,102. ~~The department shall~~
31 ~~make applications available for this type of plate beginning January 1,~~

1 ~~2021~~. The department may adopt and promulgate rules and regulations to
2 carry out this section and section 60-3,252.

3 (2) One type of Support the Arts Plates shall be alphanumeric
4 plates. The department shall:

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

6 (b) Not use a county designation.

7 (3) One type of Support the Arts Plates shall be personalized
8 message plates. Such plates shall be issued subject to the same
9 conditions specified for personalized message license plates in section
10 60-3,118, except that a maximum of five characters may be used.

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

16 Sec. 44. Section 60-3,253, Reissue Revised Statutes of Nebraska, is
17 amended to read:

18 60-3,253 (1) The department shall design license plates to be known
19 as The Good Life Is Outside Plates. The design shall reflect the
20 importance of safe walking and biking in Nebraska and the value of our
21 recreational trails. The design shall be selected on the basis of
22 limiting the manufacturing cost of each plate to an amount less than or
23 equal to the amount charged for license plates pursuant to section
24 60-3,102. ~~The department shall make applications available for this type~~
25 ~~of plate beginning January 1, 2021.~~ The department may adopt and
26 promulgate rules and regulations to carry out this section and section
27 60-3,254.

28 (2) One type of The Good Life Is Outside Plates shall be
29 alphanumeric plates. The department shall:

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

31 (b) Not use a county designation.

1 (3) One type of The Good Life Is Outside Plates shall be
2 personalized message plates. Such plates shall be issued subject to the
3 same conditions specified for personalized message license plates in
4 section 60-3,118, except that a maximum of five characters may be used.

5 (4) The department shall cease to issue The Good Life Is Outside
6 Plates beginning with the next license plate issuance cycle after the
7 license plate issuance cycle that begins in 2023 pursuant to section
8 60-3,101 if the total number of registered vehicles that obtained such
9 plates is less than five hundred per year within any prior consecutive
10 two-year period.

11 Sec. 45. Section 60-462, Reissue Revised Statutes of Nebraska, is
12 amended to read:

13 60-462 Sections 60-462 to 60-4,189 and section 48 of this act shall
14 be known and may be cited as the Motor Vehicle Operator's License Act.

15 Sec. 46. Section 60-462.01, Reissue Revised Statutes of Nebraska, is
16 amended to read:

17 60-462.01 For purposes of the Motor Vehicle Operator's License Act,
18 the following federal regulations are adopted as Nebraska law as they
19 existed on January 1, 2022 ~~2021~~:

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

22 Sec. 47. Section 60-463, Reissue Revised Statutes of Nebraska, is
23 amended to read:

24 60-463 For purposes of the Motor Vehicle Operator's License Act, the
25 definitions found in sections 60-463.01 to 60-478 and section 48 of this
26 act shall be used.

27 Sec. 48. Mobile operator's or driver's license means an operator's
28 or driver's license electronically stored on or accessed via an
29 electronic device.

30 Sec. 49. Section 60-479.01, Reissue Revised Statutes of Nebraska, is
31 amended to read:

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

5 (2) All persons and agents of the department involved in the
6 recording of verified application information or verified operator's
7 license and state identification card information, involved in the
8 manufacture or production of licenses or cards, or who have the ability
9 to affect information on such licenses or cards shall be subject to a
10 criminal history record information check, including a check of prior
11 employment references, and a lawful status check as required by 6 C.F.R.
12 part 37, as such part existed on January 1, ~~2022~~ 2021. Such persons and
13 agents shall provide fingerprints which shall be submitted to the Federal
14 Bureau of Investigation. The bureau shall use its records for the
15 criminal history record information check.

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

28 (4) Any person convicted of any disqualifying offense as provided in
29 6 C.F.R. part 37, as such part existed on January 1, ~~2022~~ 2021, shall not
30 be involved in the recording of verified application information or
31 verified operator's license and state identification card information,

1 involved in the manufacture or production of licenses or cards, or
2 involved in any capacity in which such person would have the ability to
3 affect information on such licenses or cards. Any employee or prospective
4 employee of the department shall be provided notice that he or she will
5 undergo such criminal history record information check prior to
6 employment or prior to any involvement with the issuance of operators'
7 licenses or state identification cards.

8 Sec. 50. Section 60-481, Reissue Revised Statutes of Nebraska, is
9 amended to read:

10 60-481 (1) The director pursuant to law shall publish on the
11 website of the department a synopsis or summary of the statutory driving
12 rules of this state. Such summary shall contain , together with such
13 cautionary and advisory comments as determined by the director, including
14 a description of how to legally operate a motor vehicle in order to avoid
15 arrest.

16 (2) The director may provide to him or her seem fit, and shall
17 deliver a copy of the such synopsis or summary described in subsection
18 (1) of this section without charge upon request by a member of the public
19 with each operator's license. Such rules shall contain a summary of the
20 state's laws for operating a motor vehicle to avoid arrest.

21 Sec. 51. Section 60-490, Reissue Revised Statutes of Nebraska, is
22 amended to read:

23 60-490 (1) Operators' licenses issued to persons required to use
24 bioptic or telescopic lenses as provided in section 60-4,118 shall expire
25 ~~annually on the licensee's birthday for all such licenses issued prior to~~
26 ~~January 1, 2007, and on the licensee's birthday in the second year after~~
27 ~~issuance, unless specifically restricted to a shorter renewal period as~~
28 ~~determined under section 60-4,118, for all such licenses issued on or~~
29 ~~after January 1, 2007.~~

30 (2) Except for state identification cards issued to persons less
31 than twenty-one years of age, all state identification cards expire on

1 the cardholder's birthday in the fifth year after issuance. A state
2 identification card issued to a person who is less than twenty-one years
3 of age expires on his or her twenty-first birthday or on his or her
4 birthday in the fifth year after issuance, whichever comes first.

5 (3) Except as otherwise provided in subsection (1) of this section
6 and section 60-4,147.05 and except for operators' licenses issued to
7 persons less than twenty-one years of age, operators' licenses issued
8 pursuant to the Motor Vehicle Operator's License Act expire on the
9 licensee's birthday in the fifth year after issuance. An operator's
10 license issued to a person less than twenty-one years of age expires on
11 his or her twenty-first birthday. Except as otherwise provided in section
12 60-4,147.05, the Department of Motor Vehicles shall mail out a renewal
13 notice for each operator's license at least thirty days before the
14 expiration of the operator's license.

15 (4)(a) The expiration date shall be stated on each operator's
16 license or state identification card.

17 (b) Except as otherwise provided in section 60-4,147.05, licenses
18 and state identification cards issued to persons who are twenty-one years
19 of age or older which expire under this section may be renewed within a
20 ninety-day period before the expiration date. Any person who is twenty-
21 one years of age or older and who is the holder of a valid operator's
22 license or state identification card may renew his or her license or card
23 prior to the ninety-day period before the expiration date on such license
24 or card if such applicant furnishes proof that he or she will be absent
25 from the state during the ninety-day period prior to such expiration
26 date.

27 (c) A person who is twenty years of age may apply for an operator's
28 license or a state identification card within sixty days prior to his or
29 her twenty-first birthday. The operator's license or state identification
30 card may be issued within ten days prior to such birthday.

31 (d) A person who is under twenty years of age and who holds a state

1 identification card may apply for renewal within a ninety-day period
2 prior to the expiration date.

3 Sec. 52. Section 60-4,111.01, Reissue Revised Statutes of Nebraska,
4 is amended to read:

5 60-4,111.01 (1) The Department of Motor Vehicles, the courts, or law
6 enforcement agencies may store or compile information acquired from an
7 operator's license or a state identification card for their statutorily
8 authorized purposes.

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

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

31 (b) For purposes of compliance with the provisions of sections

1 28-458 to 28-462, a seller who sells methamphetamine precursors pursuant
2 to such sections may scan machine-readable information encoded on an
3 operator's license or a state identification card presented for the
4 purpose of such a sale. The seller may store only the following
5 information obtained from the license or card: Name, age, address, type
6 of identification presented by the customer, the governmental entity that
7 issued the identification, and the number on the identification. The
8 seller shall post a sign at the point of sale stating that the license or
9 card will be scanned and stating what information will be stored. The
10 stored information may only be used by law enforcement agencies,
11 regulatory agencies, and the exchange for purposes of enforcement of the
12 restrictions on the sale or purchase of methamphetamine precursors
13 pursuant to sections 28-458 to 28-462 and may not be shared with any
14 other person or entity. For purposes of this subsection, the terms
15 exchange, methamphetamine precursor, and seller have the same meanings as
16 in section 28-458.

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

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

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

30 (4) In order to approve a negotiable instrument, an electronic funds
31 transfer, or a similar method of payment, a person having use of or

1 access to machine-readable information encoded on an operator's license
2 or a state identification card may:

3 (a) Scan, compile, store, or preserve such information in order to
4 provide the information to a check services company subject to and in
5 compliance with the federal Fair Credit Reporting Act, 15 U.S.C. 1681 et
6 seq., as such act existed on January 1, 2022 ~~2021~~, for the purpose of
7 effecting, administering, or enforcing a transaction requested by the
8 holder of the license or card or preventing fraud or other criminal
9 activity; or

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

14 (5) Except as provided in subdivision (4)(a) of this section,
15 information scanned, compiled, stored, or preserved pursuant to this
16 section may not be traded or sold to or shared with a third party; used
17 for any marketing or sales purpose by any person, including the retailer
18 who obtained the information; or, unless pursuant to a court order,
19 reported to or shared with any third party. A person who violates this
20 subsection shall be guilty of a Class IV felony.

21 Sec. 53. Section 60-4,115, Reissue Revised Statutes of Nebraska, is
22 amended to read:

23 60-4,115 (1) Fees for operators' licenses and state identification
24 cards shall be collected by department personnel or the county treasurer
25 and distributed according to the table in subsection (2) of this section,
26 except for the ignition interlock permit and associated fees as outlined
27 in subsection (4) of this section and the 24/7 sobriety program permit
28 and associated fees as outlined in subsection (5) of this section. County
29 officials shall remit the county portion of the fees collected to the
30 county treasurer for placement in the county general fund. All other fees
31 collected shall be remitted to the State Treasurer for credit to the

1 appropriate fund.

2 (2) The fees provided in this subsection in the following dollar
3 amounts apply for operators' licenses and state identification cards.

4	5	6	7 Department		
			8	9	10
11	12	13	14	15	16
Document	Total	County	of Motor	State	
	Fee	General	Vehicles	General	
		Fund	Cash Fund	Fund	
8 State identification card:					
9 Valid for 1 year or less	5.00	2.75	1.25	1.00	
10 Valid for more than 1 year					
11 but not more than 2 years	10.00	2.75	4.00	3.25	
12 Valid for more than 2 years					
13 but not more than 3 years	14.00	2.75	5.25	6.00	
14 Valid for more than 3 years					
15 but not more than 4 years	19.00	2.75	8.00	8.25	
16 Valid for more than 4 years					
17 for person under 21	24.00	2.75	10.25	11.00	
18 <u>Valid for 5 years</u>	<u>24.00</u>	<u>3.50</u>	<u>13.25</u>	<u>7.25</u>	
19 Valid for 5 years	24.00	3.50	10.25	10.25	
20 Replacement	11.00	2.75	6.00	2.25	
21 Class 0 or M operator's					
22 license:					
23 Valid for 1 year or less	5.00	2.75	1.25	1.00	
24 Valid for more than 1 year					
25 but not more than 2 years	10.00	2.75	4.00	3.25	
26 Valid for more than 2 years					
27 but not more than 3 years	14.00	2.75	5.25	6.00	
28 Valid for more than 3 years					
29 but not more than 4 years	19.00	2.75	8.00	8.25	
30 <u>Valid for 5 years</u>	<u>24.00</u>	<u>3.50</u>	<u>13.25</u>	<u>7.25</u>	

1	Valid for 5 years	24.00	3.50	10.25	10.25
2	Bioptic or telescopic lens				
3	restriction:				
4	Valid for 1 year or less	5.00	0	5.00	0
5	Valid for more than 1 year				
6	but not more than 2 years	10.00	2.75	4.00	3.25
7	Replacement	11.00	2.75	6.00	2.25
8	Add, change, or remove class,				
9	endorsement, or restriction	5.00	0	5.00	0
10	Provisional operator's permit:				
11	Original	15.00	2.75	12.25	0
12	Bioptic or telescopic lens				
13	restriction:				
14	Valid for 1 year or less	5.00	0	5.00	0
15	Valid for more than 1 year				
16	but not more than 2 years	15.00	2.75	12.25	0
17	Replacement	11.00	2.75	6.00	2.25
18	Add, change, or remove class,				
19	endorsement, or restriction	5.00	0	5.00	0
20	LPD-learner's permit:				
21	Original	8.00	.25	5.00	2.75
22	Replacement	11.00	2.75	6.00	2.25
23	Add, change, or remove class,				
24	endorsement, or restriction	5.00	0	5.00	0
25	LPE-learner's permit:				
26	Original	8.00	.25	5.00	2.75
27	Replacement	11.00	2.75	6.00	2.25
28	Add, change, or remove class,				
29	endorsement, or restriction	5.00	0	5.00	0
30	School permit:				

1	Original	8.00	.25	5.00	2.75
2	Replacement	11.00	2.75	6.00	2.25
3	Add, change, or remove class,				
4	endorsement, or restriction	5.00	0	5.00	0
5	Farm permit:				
6	Original or renewal	5.00	.25	0	4.75
7	Replacement	5.00	.25	0	4.75
8	Add, change, or remove class,				
9	endorsement, or restriction	5.00	0	5.00	0
10	Driving permits:				
11	Employment	45.00	0	5.00	40.00
12	Medical hardship	45.00	0	5.00	40.00
13	Replacement	10.00	.25	5.00	4.75
14	Add, change, or remove class,				
15	endorsement, or restriction	5.00	0	5.00	0
16	Commercial driver's license:				
17	Valid for 1 year or less	11.00	1.75	5.00	4.25
18	Valid for more than 1 year				
19	but not more than 2 years	22.00	1.75	5.00	15.25
20	Valid for more than 2 years				
21	but not more than 3 years	33.00	1.75	5.00	26.25
22	Valid for more than 3 years				
23	but not more than 4 years	44.00	1.75	5.00	37.25
24	Valid for 5 years	55.00	1.75	5.00	48.25
25	Bioptic or telescopic lens				
26	restriction:				
27	Valid for one year or less	11.00	1.75	5.00	4.25
28	Valid for more than 1 year				
29	but not more than 2 years	22.00	1.75	5.00	15.25
30	Replacement	11.00	2.75	6.00	2.25

1	Add, change, or remove class,				
2	endorsement, or restriction	10.00	1.75	5.00	3.25
3	CLP-commercial learner's				
4	permit:				
5	Original or renewal	10.00	.25	5.00	4.75
6	Replacement	10.00	.25	5.00	4.75
7	Add, change, or remove class,				
8	endorsement, or restriction	10.00	.25	5.00	4.75
9	Seasonal permit:				
10	Original or renewal	10.00	.25	5.00	4.75
11	Replacement	10.00	.25	5.00	4.75
12	Add, change, or remove class,				
13	endorsement, or restriction	10.00	.25	5.00	4.75

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

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

23 (b) The fee for a replacement ignition interlock permit shall be
24 eleven dollars. Two dollars and seventy-five cents of the fee shall be
25 remitted to the county treasurer for credit to the county general fund.
26 Six dollars of the fee shall be remitted to the State Treasurer for
27 credit to the Department of Motor Vehicles Cash Fund. Two dollars and
28 twenty-five cents of the fee shall be remitted to the State Treasurer for
29 credit to the General Fund.

30 (c) The fee for adding, changing, or removing a class, endorsement,
31 or restriction on an ignition interlock permit shall be five dollars. The

1 fee shall be remitted to the State Treasurer for credit to the Department
2 of Motor Vehicles Cash Fund.

3 (5)(a) The fee for a 24/7 sobriety program permit shall be forty-
4 five dollars. Twenty-five dollars of the fee shall be remitted to the
5 State Treasurer for credit to the Department of Motor Vehicles Cash Fund.
6 Fifteen dollars of the fee shall be remitted to the State Treasurer for
7 credit to the General Fund. Five dollars of the fee shall be remitted to
8 the county treasurer ~~State Treasurer~~ for credit to the county general
9 fund ~~of the participant's county of residence~~.

10 (b) The fee for a replacement 24/7 sobriety program permit shall be
11 eleven dollars. Two dollars and seventy-five cents of the fee shall be
12 remitted to the county treasurer for credit to the county general fund ~~of~~
13 ~~the participant's county of residence~~. Six dollars of the fee shall be
14 remitted to the State Treasurer for credit to the Department of Motor
15 Vehicles Cash Fund. Two dollars and twenty-five cents of the fee shall be
16 remitted to the State Treasurer for credit to the General Fund.

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

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

31 Sec. 54. Section 60-4,122, Reissue Revised Statutes of Nebraska, is

1 amended to read:

2 60-4,122 (1) Except as otherwise provided in subsections (2), (3),
3 and (8) of this section, no original or renewal operator's license shall
4 be issued to any person until such person has demonstrated his or her
5 ability to operate a motor vehicle safely as provided in section
6 60-4,114.

7 (2) Except as otherwise provided in this section and section
8 60-4,127, any person who renews his or her Class 0 or Class M license
9 shall demonstrate his or her ability to drive and maneuver a motor
10 vehicle safely as provided in subdivision (3)(b) of section 60-4,114 only
11 at the discretion of department personnel, except that a person required
12 to use bioptic or telescopic lenses shall be required to demonstrate his
13 or her ability to drive and maneuver a motor vehicle safely each time he
14 or she renews his or her license.

15 (3) Any person who renews his or her Class 0 or Class M license
16 prior to or within one year after its expiration may not be required to
17 demonstrate his or her knowledge of the motor vehicle laws of this state
18 as provided in subdivision (3)(c) of section 60-4,114 if his or her
19 driving record abstract maintained in the computerized records of the
20 department shows that such person's license is not impounded, suspended,
21 revoked, or canceled.

22 (4) Except for operators' licenses issued to persons required to use
23 bioptic or telescopic lenses, any person who renews his or her operator's
24 license which has been valid for fifteen months or less shall not be
25 required to take any examination required under section 60-4,114.

26 (5) Any person who renews a state identification card shall appear
27 before department personnel and present his or her current state
28 identification card or shall follow the procedure for electronic renewal
29 in subsection (9) of this section. Proof of identification shall be
30 required as prescribed in sections 60-484 and 60-4,181 and the
31 information and documentation required by section 60-484.04.

1 ~~(6)(a) If a (6)-~~A nonresident who applies for an initial operator's
2 license in this state presents a physical or mobile ~~and who holds a valid~~
3 operator's license from the individual's ~~another state which is his or~~
4 ~~her~~ state of residence, the department may choose not to require such
5 individual may not be required to demonstrate his or her knowledge of the
6 motor vehicle laws of this state ~~if he or she surrenders to the~~
7 ~~department his or her valid out-of-state operator's license.~~

8 (b) A physical operator's license described in subdivision (a) of
9 this subsection shall be surrendered to the department.

10 (c) Upon issuing an initial operator's license described in
11 subdivision (a) of this subsection, the department shall notify the state
12 that issued the valid operator's license described in subdivision (a) of
13 this subsection to invalidate such license.

14 (7) An applicant for an original operator's license may not be
15 required to demonstrate his or her knowledge of the motor vehicle laws of
16 this state if he or she has been issued a Nebraska LPD-learner's permit
17 that is valid or has been expired for no more than one year. The written
18 examination shall not be waived if the original operator's license being
19 applied for contains a class or endorsement which is different from the
20 class or endorsement of the Nebraska LPD-learner's permit.

21 (8)(a) A qualified licensee as determined by the department who is
22 twenty-one years of age or older, whose license expires prior to his or
23 her seventy-second birthday, and who has a digital image and digital
24 signature preserved in the digital system may renew his or her Class O or
25 Class M license twice by electronic means in a manner prescribed by the
26 department using the preserved digital image and digital signature
27 without taking any examination required under section 60-4,114 if such
28 renewal is prior to or within one year after the expiration of the
29 license, if his or her driving record abstract maintained in the records
30 of the department shows that such person's license is not impounded,
31 suspended, revoked, or canceled, and if his or her driving record

1 indicates that he or she is otherwise eligible. Every licensee, including
2 a licensee who is out of the state at the time of renewal, must apply for
3 renewal in person at least once every sixteen years and have a new
4 digital image and digital signature captured.

5 (b) In order to allow for an orderly progression through the various
6 types of operators' licenses issued to persons under twenty-one years of
7 age, a qualified holder of an operator's license who is under twenty-one
8 years of age and who has a digital image and digital signature preserved
9 in the digital system may apply for an operator's license by electronic
10 means in a manner prescribed by the department using the preserved
11 digital image and digital signature if the applicant has passed any
12 required examinations prior to application, if his or her driving record
13 abstract maintained in the records of the department shows that such
14 person's operator's license is not impounded, suspended, revoked, or
15 canceled, and if his or her driving record indicates that he or she is
16 otherwise eligible.

17 (9) Any person who is twenty-one years of age or older and who has
18 been issued a state identification card with a digital image and digital
19 signature may electronically renew his or her state identification card
20 by electronic means in a manner prescribed by the department using the
21 preserved digital image and digital signature. Every person renewing a
22 state identification card under this subsection, including a person who
23 is out of the state at the time of renewal, must apply for renewal in
24 person at least once every sixteen years and have a new digital image and
25 digital signature captured.

26 (10) In addition to services available at driver license offices,
27 the department may develop requirements for using electronic means for
28 online issuance of operators' licenses and state identification cards to
29 qualified holders as determined by the department.

30 Sec. 55. Section 60-4,124, Reissue Revised Statutes of Nebraska, is
31 amended to read:

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

31 (2) A person holding a school permit may operate a motor vehicle,

1 moped, or motorcycle or an autocycle:

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

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

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

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

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

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

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

27 (7) Any person who holds a permit issued under this section and has
28 violated subdivision (3)(b) or (c) of section 28-306, subdivision (3)(b)
29 or (c) of section 28-394, or section 28-1254, 60-6,196, 60-6,197,
30 60-6,197.06, or 60-6,198 shall not be eligible for an ignition interlock
31 permit.

1 Sec. 56. Section 60-4,130.03, Reissue Revised Statutes of Nebraska,
2 is amended to read:

3 60-4,130.03 (1) Any person less than twenty-one years of age who
4 holds an operator's license or a provisional operator's permit and who
5 has accumulated, within any twelve-month period, a total of six or more
6 points on his or her driving record pursuant to section 60-4,182 shall be
7 notified by the Department of Motor Vehicles of that fact and ordered to
8 attend and successfully complete a driver improvement course consisting
9 of at least four ~~eight~~ hours of department-approved instruction. Notice
10 shall be sent by regular United States mail to the last-known address as
11 shown in the records of the department. If such person fails to complete
12 the driver improvement course within three months after the date of
13 notification, he or she shall have his or her operator's license
14 suspended by the department.

15 (2) The director shall issue an order summarily suspending an
16 operator's license until the licensee turns twenty-one years of age. Such
17 order shall be sent by regular United States mail to the last-known
18 address as shown in the records of the department. Such person shall not
19 have his or her operator's license reinstated until he or she (a) has
20 successfully completed the driver improvement course or has attained the
21 age of twenty-one years and (b) has complied with section 60-4,100.01.

22 Sec. 57. Section 60-4,130.04, Reissue Revised Statutes of Nebraska,
23 is amended to read:

24 60-4,130.04 Commercial driver safety course instructors shall
25 possess competence as outlined in rules and regulations adopted and
26 promulgated by the Department of Motor Vehicles. Instructors who teach
27 the department-approved driver safety course in a public school or
28 institution and possess competence as outlined in a driver's education
29 endorsement shall be eligible to sign a form prescribed by the department
30 or electronically submit test results to the department showing
31 successful completion of the driver safety course. Each public school or

1 institution offering a department-approved driver safety course shall be
2 required to obtain a certificate and pay the fee pursuant to section
3 60-4,130.05. ~~The Nebraska Safety Center shall offer a department-approved~~
4 ~~driver safety course at least once each year in any county where no~~
5 ~~approved course is offered.~~

6 Sec. 58. Section 60-4,132, Reissue Revised Statutes of Nebraska, is
7 amended to read:

8 60-4,132 The purposes of sections 60-462.01, 60-4,133, and 60-4,137
9 to 60-4,172 are to implement the requirements mandated by the federal
10 Commercial Motor Vehicle Safety Act of 1986, 49 U.S.C. 31100 et seq., the
11 federal Motor Carrier Safety Improvement Act of 1999, Public Law 106-159,
12 49 U.S.C. 101 et seq., section 1012 of the federal Uniting and
13 Strengthening America by Providing Appropriate Tools Required to
14 Intercept and Obstruct Terrorism Act of 2001, USA PATRIOT Act, 49 U.S.C.
15 5103a, and federal regulations as such acts and regulations existed on
16 January 1, 2022 ~~2021~~, and to reduce or prevent commercial motor vehicle
17 accidents, fatalities, and injuries by: (1) Permitting drivers to hold
18 only one operator's license; (2) disqualifying drivers for specified
19 offenses and serious traffic violations; and (3) strengthening licensing
20 and testing standards.

21 Sec. 59. Section 60-4,134, Reissue Revised Statutes of Nebraska, is
22 amended to read:

23 60-4,134 In conformance with section 7208 of the federal Fixing
24 America's Surface Transportation Act and 49 C.F.R. 383.3(i), as such
25 section and regulation existed on January 1, 2022 ~~2021~~, no hazardous
26 materials endorsement authorizing the holder of a Class A commercial
27 driver's license to operate a commercial motor vehicle transporting
28 diesel fuel shall be required if such driver is (1) operating within the
29 state and acting within the scope of his or her employment as an employee
30 of a custom harvester operation, an agrichemical business, a farm retail
31 outlet and supplier, or a livestock feeder and (2) operating a service

1 vehicle that is (a) transporting diesel in a quantity of one thousand
2 gallons or less and (b) clearly marked with a flammable or combustible
3 placard, as appropriate.

4 Sec. 60. Section 60-4,138, Reissue Revised Statutes of Nebraska, is
5 amended to read:

6 60-4,138 (1) Commercial drivers' licenses and restricted commercial
7 drivers' licenses shall be issued by the department in compliance with 49
8 C.F.R. parts 380, 383, 384, and 391, shall be classified as provided in
9 subsection (2) of this section, and shall bear such endorsements and
10 restrictions as are provided in subsections (3) and (4) of this section.

11 (2) Commercial motor vehicle classifications for purposes of
12 commercial drivers' licenses shall be as follows:

13 (a) Class A Combination Vehicle – Any combination of motor vehicles
14 and towed vehicles with a gross vehicle weight rating of more than
15 twenty-six thousand pounds if the gross vehicle weight rating of the
16 vehicles being towed are in excess of ten thousand pounds;

17 (b) Class B Heavy Straight Vehicle – Any single commercial motor
18 vehicle with a gross vehicle weight rating of twenty-six thousand one
19 pounds or more or any such commercial motor vehicle towing a vehicle with
20 a gross vehicle weight rating not exceeding ten thousand pounds; and

21 (c) Class C Small Vehicle – Any single commercial motor vehicle with
22 a gross vehicle weight rating of less than twenty-six thousand one pounds
23 or any such commercial motor vehicle towing a vehicle with a gross
24 vehicle weight rating not exceeding ten thousand pounds comprising:

25 (i) Motor vehicles designed to transport sixteen or more passengers,
26 including the driver; and

27 (ii) Motor vehicles used in the transportation of hazardous
28 materials and required to be placarded pursuant to section 75-364.

29 (3) The endorsements to a commercial driver's license shall be as
30 follows:

31 (a) T – Double/triple trailers;

- 1 (b) P – Passenger;
- 2 (c) N – Tank vehicle;
- 3 (d) H – Hazardous materials;
- 4 (e) X – Combination tank vehicle and hazardous materials; and
- 5 (f) S – School bus.

6 (4) The restrictions to a commercial driver's license shall be as
7 follows:

- 8 (a) E – No manual transmission equipped commercial motor vehicle;
- 9 (b) K – Operation of a commercial motor vehicle only in intrastate
10 commerce;
- 11 (c) L – Operation of only a commercial motor vehicle which is not
12 equipped with air brakes;
- 13 (d) M – Operation of a commercial motor vehicle which is not a Class
14 A passenger vehicle;
- 15 (e) N – Operation of a commercial motor vehicle which is not a Class
16 A or Class B passenger vehicle;
- 17 (f) O – No tractor-trailer commercial motor vehicle;
- 18 (g) V – Operation of a commercial motor vehicle for drivers with
19 medical variance documentation. The documentation shall be required to be
20 carried on the driver's person while operating a commercial motor
21 vehicle; and
- 22 (h) Z – No full air brake equipped commercial motor vehicle.

23 Sec. 61. Section 60-4,139.01, Reissue Revised Statutes of Nebraska,
24 is amended to read:

25 60-4,139.01 ~~An Beginning September 30, 2005,~~ an applicant for a
26 school bus endorsement shall satisfy the following three requirements:

- 27 (1) Pass the knowledge and skills test for obtaining a passenger
28 vehicle endorsement;
- 29 (2) Have knowledge covering at least the following three topics:
 - 30 (a) Loading and unloading children, including the safe operation of
31 stop signal devices, external mirror systems, flashing lights, and other

1 warning and passenger safety devices required for school buses by state
2 or federal law or regulation;

3 (b) Emergency exits and procedures for safely evacuating passengers
4 in an emergency; and

5 (c) State and federal laws and regulations related to safely
6 traversing highway-rail grade crossings; and

7 (3) Take a driving skills test in a school bus of the same vehicle
8 group as the school bus the applicant will drive.

9 Sec. 62. Section 60-4,147.02, Reissue Revised Statutes of Nebraska,
10 is amended to read:

11 60-4,147.02 No endorsement authorizing the driver to operate a
12 commercial motor vehicle transporting hazardous materials shall be
13 issued, renewed, or transferred by the Department of Motor Vehicles
14 unless the endorsement is issued, renewed, or transferred in conformance
15 with the requirements of section 1012 of the federal Uniting and
16 Strengthening America by Providing Appropriate Tools Required to
17 Intercept and Obstruct Terrorism Act of 2001, USA PATRIOT Act, 49 U.S.C.
18 5103a, including all amendments and federal regulations adopted pursuant
19 thereto as of January 1, 2022 ~~2021~~, for the issuance of licenses to
20 operate commercial motor vehicles transporting hazardous materials.

21 Sec. 63. Section 60-4,149.01, Reissue Revised Statutes of Nebraska,
22 is amended to read:

23 60-4,149.01 (1) A commercial driver's license examiner shall not
24 require the commercial driver's license knowledge examination, except the
25 hazardous material portion of the examination and any knowledge
26 examinations not previously taken for that class of commercial motor
27 vehicle or endorsement, if the applicant renews his or her commercial
28 driver's license prior to its expiration or within one year after its
29 expiration and if the applicant's driving record abstract maintained in
30 the department's computerized records shows that his or her commercial
31 driver's license is not suspended, revoked, canceled, or disqualified.

1 ~~(2)(a) If a (2) A nonresident who applies for a commercial driver's~~
2 ~~license in this state presents a physical or mobile holds a valid~~
3 ~~commercial driver's license from another state, the department may choose~~
4 ~~not to require such individual shall not be required to take the~~
5 ~~commercial driver's license knowledge examination.~~

6 **(b) Subdivision (a) of this subsection shall not apply to , except**
7 ~~the hazardous material portion of the examination and any knowledge~~
8 ~~examinations not previously taken for that class of commercial motor~~
9 ~~vehicle or endorsement, if the nonresident commercial driver's license~~
10 ~~holder surrenders his or her valid out-of-state commercial driver's~~
11 ~~license to licensing staff.~~

12 **(c) A physical commercial driver's license described in subdivision**
13 ~~(a) of this subsection shall be surrendered to the department.~~

14 **(d) Upon issuing a commercial driver's license described in**
15 ~~subdivision (a) of this subsection, the department shall notify the state~~
16 ~~that issued the valid commercial driver's license described in~~
17 ~~subdivision (a) of this subsection to invalidate such license.~~

18 Sec. 64. Section 60-4,168, Reissue Revised Statutes of Nebraska, is
19 amended to read:

20 60-4,168 (1) Except as provided in subsections (2) and (3) of this
21 section, a person shall be disqualified from operating a commercial motor
22 vehicle for one year upon his or her first conviction, after April 1,
23 1992, in this or any other state for:

24 (a) Operating a commercial motor vehicle in violation of section
25 60-6,196 or 60-6,197 or under the influence of a controlled substance or,
26 beginning September 30, 2005, operating any motor vehicle in violation of
27 section 60-6,196 or 60-6,197 or under the influence of a controlled
28 substance;

29 (b) Operating a commercial motor vehicle in violation of section
30 60-4,163 or 60-4,164;

31 (c) Leaving the scene of an accident involving a commercial motor

1 vehicle operated by the person or, beginning September 30, 2005, leaving
2 the scene of an accident involving any motor vehicle operated by the
3 person;

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

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

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

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

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

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

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

30 (c) Used a commercial motor vehicle in the commission of a felony
31 involving an act or practice of severe forms of trafficking in persons,

1 as defined and described in 22 U.S.C. 7102(11), as such section existed
2 on January 1, 2022 ~~2021~~.

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

10 (b) A person is disqualified from operating a commercial motor
11 vehicle for a period of not less than sixty days if he or she is
12 convicted in this or any other state of two serious traffic violations,
13 or not less than one hundred twenty days if he or she is convicted in
14 this or any other state of three serious traffic violations, arising from
15 separate incidents occurring within a three-year period while operating a
16 motor vehicle other than a commercial motor vehicle if the convictions
17 have resulted in the revocation, cancellation, or suspension of the
18 person's operator's license or driving privileges.

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

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

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

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

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

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

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

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

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

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

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

18 (7) If the department receives credible information that a CLP-
19 commercial learner's permit holder or a commercial driver's license
20 holder is suspected, but has not been convicted, on or after July 8,
21 2015, of fraud related to the issuance of his or her CLP-commercial
22 learner's permit or commercial driver's license, the department must
23 require the driver to retake the skills and knowledge tests. Within
24 thirty days after receiving notification from the department that
25 retesting is necessary, the affected CLP-commercial learner's permit
26 holder or commercial driver's license holder must make an appointment or
27 otherwise schedule to take the next available test. If the CLP-commercial
28 learner's permit holder or commercial driver's license holder fails to
29 make an appointment within thirty days, the department must disqualify
30 his or her CLP-commercial learner's permit or commercial driver's
31 license. If the driver fails either the knowledge or skills test or does

1 not take the test, the department must disqualify his or her CLP-
2 commercial learner's permit or commercial driver's license. If the holder
3 of a CLP-commercial learner's permit or commercial driver's license has
4 had his or her CLP-commercial learner's permit or commercial driver's
5 license disqualified, he or she must reapply for a CLP-commercial
6 learner's permit or commercial driver's license under department
7 procedures applicable to all applicants for a CLP-commercial learner's
8 permit or commercial driver's license.

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

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

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

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

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

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

26 (d) Following the vehicle ahead too closely as described in section
27 60-6,140;

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

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

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

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

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

12 (j) Using a handheld mobile telephone as described in section
13 60-6,179.02.

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

16 Sec. 65. Section 60-4,174, Reissue Revised Statutes of Nebraska, is
17 amended to read:

18 60-4,174 ~~(1)~~—The director shall adopt and promulgate such rules and
19 regulations for the administration and enforcement of sections 60-4,173
20 to 60-4,179 as are necessary to protect the public. The director or his
21 or her authorized representative shall examine applicants for Driver
22 Training School and Instructor's Licenses, license successful applicants,
23 and inspect school facilities and equipment. The director shall
24 administer and enforce such sections and may call upon the Commissioner
25 of Education for assistance in developing and formulating appropriate
26 rules and regulations.

27 ~~(2) Rules and regulations which have been adopted and promulgated~~
28 ~~pursuant to this section prior to July 18, 2008, shall remain in effect~~
29 ~~and be applicable to all driver training schools and instructors until~~
30 ~~such time as new rules and regulations are adopted and promulgated.~~

31 Sec. 66. Section 60-4,183, Reissue Revised Statutes of Nebraska, is

1 amended to read:

2 60-4,183 Whenever it comes to the attention of the director that any
3 person has, as disclosed by the records of the director, accumulated a
4 total of twelve or more points within any period of two years, as set out
5 in section 60-4,182, the director shall (1) summarily revoke the
6 operator's license of such person and (2) require such person to attend
7 and successfully complete a driver improvement ~~driver's education and~~
8 ~~training~~ course consisting of at least four hours of instruction approved
9 by the Department of Motor Vehicles.

10 Such instruction shall be successfully completed before the
11 operator's license may be reinstated. Each person who attends such
12 instruction shall pay the cost of such course.

13 Such revocation shall be for a period of six months from the date of
14 the signing of the order of revocation or six months from the date of the
15 release of such person from the jail or a Department of Correctional
16 Services adult correctional facility, whichever is the later, unless a
17 longer period of revocation was directed by the terms of the abstract of
18 the judgment of conviction transmitted to the director by the trial
19 court.

20 Any motor vehicle except a commercial motor vehicle may be operated
21 under an employment driving permit as provided by section 60-4,129 or a
22 medical hardship driving permit as provided by section 60-4,130.01.

23 Sec. 67. Section 60-4,188, Reissue Revised Statutes of Nebraska, is
24 amended to read:

25 60-4,188 Any person who has fewer than twelve points assessed
26 against his or her driving record under section 60-4,182 may voluntarily
27 enroll in a driver improvement ~~driver's education and training~~
28 approved by the Department of Motor Vehicles. Upon notification of
29 successful completion of such a course by the conducting organization,
30 the department shall reduce by two the number of points assessed against
31 such person's driving record within the previous two years. This section

1 shall only apply to persons who have successfully completed such driver
2 improvement ~~driver's education and training~~ course prior to committing
3 any traffic offense for which a conviction and point assessment against
4 their driving record would otherwise result in a total of twelve or more
5 points assessed against their record. No person required to enroll in a
6 driver improvement ~~driver's education and training~~ course pursuant to
7 section 60-4,130, 60-4,130.03, or 60-4,183 shall be eligible for a
8 reduction in points assessed against his or her driving record upon the
9 successful completion of such course. If a person has only one point
10 assessed against his or her record within the previous two years, upon
11 notification of successful completion of such a course by the conducting
12 organization, the department shall reduce one point from such person's
13 driving record. Such reduction shall be allowed only once within a five-
14 year period. Notification of completion of an approved driver improvement
15 ~~driver's education and training~~ course shall be sent to the department,
16 upon successful completion thereof, by the conducting organization. Such
17 course shall consist of at least four hours of instruction and shall
18 follow such other guidelines as are established by the department.

19 Sec. 68. Section 60-501, Reissue Revised Statutes of Nebraska, is
20 amended to read:

21 60-501 For purposes of the Motor Vehicle Safety Responsibility Act,
22 unless the context otherwise requires:

23 (1) Department means Department of Motor Vehicles;

24 (2) Former military vehicle means a motor vehicle that was
25 manufactured for use in any country's military forces and is maintained
26 to accurately represent its military design and markings, regardless of
27 the vehicle's size or weight, but is no longer used, or never was used,
28 by a military force;

29 (3) Golf car vehicle means a vehicle that has at least four wheels,
30 has a maximum level ground speed of less than twenty miles per hour, has
31 a maximum payload capacity of one thousand two hundred pounds, has a

1 maximum gross vehicle weight of two thousand five hundred pounds, has a
2 maximum passenger capacity of not more than four persons, and is designed
3 and manufactured for operation on a golf course for sporting and
4 recreational purposes;

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

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

17 (6) Low-speed vehicle means a (a) four-wheeled motor vehicle (i)
18 whose speed attainable in one mile is more than twenty miles per hour and
19 not more than twenty-five miles per hour on a paved, level surface, (ii)
20 whose gross vehicle weight rating is less than three thousand pounds, and
21 (iii) that complies with 49 C.F.R. part 571, as such part existed on
22 January 1, 2022 ~~2021~~, or (b) three-wheeled motor vehicle (i) whose
23 maximum speed attainable is not more than twenty-five miles per hour on a
24 paved, level surface, (ii) whose gross vehicle weight rating is less than
25 three thousand pounds, and (iii) which is equipped with a windshield and
26 an occupant protection system. A motorcycle with a sidecar attached is
27 not a low-speed vehicle;

28 (7) Minitruck means a foreign-manufactured import vehicle or
29 domestic-manufactured vehicle which (a) is powered by an internal
30 combustion engine with a piston or rotor displacement of one thousand
31 five hundred cubic centimeters or less, (b) is sixty-seven inches or less

1 in width, (c) has a dry weight of four thousand two hundred pounds or
2 less, (d) travels on four or more tires, (e) has a top speed of
3 approximately fifty-five miles per hour, (f) is equipped with a bed or
4 compartment for hauling, (g) has an enclosed passenger cab, (h) is
5 equipped with headlights, taillights, turnsignals, windshield wipers, a
6 rearview mirror, and an occupant protection system, and (i) has a four-
7 speed, five-speed, or automatic transmission;

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

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

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

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

30 (12) Owner means a person who holds the legal title of a motor
31 vehicle, or in the event (a) a motor vehicle is the subject of an

1 agreement for the conditional sale or lease thereof with the right of
2 purchase upon performance of the conditions stated in the agreement and
3 with an immediate right of possession vested in the conditional vendee or
4 lessee or (b) a mortgagor of a vehicle is entitled to possession, then
5 such conditional vendee or lessee or mortgagor shall be deemed the owner
6 for the purposes of the act;

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

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

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

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

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

28 Sec. 69. Section 60-628.01, Reissue Revised Statutes of Nebraska, is
29 amended to read:

30 60-628.01 Low-speed vehicle means a (1) four-wheeled motor vehicle
31 (a) whose speed attainable in one mile is more than twenty miles per hour

1 and not more than twenty-five miles per hour on a paved, level surface,
2 (b) whose gross vehicle weight rating is less than three thousand pounds,
3 and (c) that complies with 49 C.F.R. part 571, as such part existed on
4 January 1, 2022 ~~2021~~, or (2) three-wheeled motor vehicle (a) whose
5 maximum speed attainable is not more than twenty-five miles per hour on a
6 paved, level surface, (b) whose gross vehicle weight rating is less than
7 three thousand pounds, and (c) which is equipped with a windshield and an
8 occupant protection system. A motorcycle with a sidecar attached is not a
9 low-speed vehicle.

10 Sec. 70. Section 60-699, Reissue Revised Statutes of Nebraska, is
11 amended to read:

12 60-699 (1) The operator of any vehicle involved in an accident
13 resulting in injuries or death to any person or damage to the property of
14 any one person, including such operator, to an apparent extent that
15 equals or exceeds one thousand five hundred dollars shall within ten days
16 forward a report of such accident to the Department of Transportation.
17 Such report shall not be required if the accident is investigated by a
18 peace officer. If the operator is physically incapable of making the
19 report, the owner of the motor vehicle involved in the accident shall,
20 within ten days from the time he or she learns of the accident, report
21 the matter in writing to the Department of Transportation. The Department
22 of Transportation or Department of Motor Vehicles may require operators
23 involved in accidents to file supplemental reports of accidents upon
24 forms furnished by it whenever the original report is insufficient in the
25 opinion of either department. The operator or the owner of the motor
26 vehicle shall make such other and additional reports relating to the
27 accident as either department requires. Such records shall be retained
28 for the period of time specified by the State Records Administrator
29 pursuant to the Records Management Act.

30 (2) The report of accident required by this section shall be in two
31 parts. Part I shall be in such form as the Department of Transportation

1 may prescribe and shall disclose full information concerning the
2 accident. Part II shall be in such form as the Department of Motor
3 Vehicles may prescribe and shall disclose sufficient information to
4 disclose whether or not the financial responsibility requirements of the
5 Motor Vehicle Safety Responsibility Act are met through the carrying of
6 liability insurance.

7 (3) Upon receipt of a report of accident, the Department of
8 Transportation shall determine the reportability and classification of
9 the accident and enter all information into a computerized database. Upon
10 completion, the Department of Transportation shall electronically send
11 Part II of the report to the Department of Motor Vehicles for purposes of
12 section 60-506.01.

13 (4) Such reports shall be without prejudice. Except as provided in
14 section 84-712.05, a report regarding an accident made by a peace
15 officer, made to or filed with a peace officer in the peace officer's
16 office or department, or filed with or made by or to any other law
17 enforcement agency of the state shall be open to public inspection, but
18 an accident report filed by the operator or owner of a motor vehicle
19 pursuant to this section shall not be open to public inspection. Date of
20 birth information, excluding the year of birth, and operator's license
21 number information of an operator or owner included in any report
22 required under this section shall be confidential and shall not be a
23 public record under section 84-712.01. Year of birth or age information
24 of an operator or owner included in any report required under this
25 section shall not be confidential and shall be a public record under
26 section 84-712.01. Nothing in this section prohibits a peace officer or a
27 law enforcement agency from disclosing the age of an operator or owner
28 included in any report required under this section. The fact that a
29 report by an operator or owner has been so made shall be admissible in
30 evidence solely to prove compliance with this section, but no such report
31 or any part of or statement contained in the report shall be admissible

1 in evidence for any other purpose in any trial, civil or criminal,
2 arising out of such accidents nor shall the report be referred to in any
3 way or be any evidence of the negligence or due care of either party at
4 the trial of any action at law to recover damages.

5 (5) The failure by any person to report an accident as provided in
6 this section or to correctly give the information required in connection
7 with the report shall be a Class V misdemeanor.

8 Sec. 71. Section 60-6,265, Reissue Revised Statutes of Nebraska, is
9 amended to read:

10 60-6,265 For purposes of sections 60-6,266 to 60-6,273:

11 (1) Occupant protection system means a system utilizing a lap belt,
12 a shoulder belt, or any combination of belts installed in a motor vehicle
13 which (a) restrains drivers and passengers and (b) conforms to Federal
14 Motor Vehicle Safety Standards, 49 C.F.R. 571.207, 571.208, 571.209, and
15 571.210, as such standards existed on January 1, 2022 ~~2021~~, or, as a
16 minimum standard, to the federal motor vehicle safety standards for
17 passenger restraint systems applicable for the motor vehicle's model
18 year; and

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

22 Sec. 72. Section 60-1515, Reissue Revised Statutes of Nebraska, is
23 amended to read:

24 60-1515 (1) The Legislature hereby finds and declares that a
25 statewide system for the collection, storage, and transfer of data on
26 vehicle titles and registration and the cooperation of state and local
27 government in implementing such a system is essential to the efficient
28 operation of state and local government in vehicle titling and
29 registration. The Legislature hereby finds and declares that the
30 electronic issuance of operators' licenses and state identification cards
31 using a digital system as described in section 60-484.01 and the

1 cooperation of state and local government in implementing such a system
2 is essential to the efficient operation of state and local government in
3 issuing operators' licenses and state identification cards.

4 (2) It is therefor the intent of the Legislature that the Department
5 of Motor Vehicles shall use a portion of the fees appropriated by the
6 Legislature to the Department of Motor Vehicles Cash Fund as follows:

7 (a) To pay for the cost of issuing motor vehicle titles and
8 registrations on a system designated by the department. The costs shall
9 include, but not be limited to, software and software maintenance,
10 programming, processing charges, and equipment including such terminals,
11 printers, or other devices as deemed necessary by the department after
12 consultation with the county to support the issuance of motor vehicle
13 titles and registrations. The costs shall not include the cost of county
14 personnel or physical facilities provided by the counties;

15 (b) To fund the centralization of renewal notices for motor vehicle
16 registration and to furnish to the counties the certificate of
17 registration forms specified in section 60-390. The certificate of
18 registration form shall be prescribed by the department;

19 (c) To pay for the costs of an operator's license system as
20 specified in sections 60-484.01 and 60-4,119 and designated by the
21 department. The costs shall be limited to such terminals, printers,
22 software, programming, and other equipment or devices as deemed necessary
23 by the department to support the issuance of such licenses and state
24 identification cards in the counties and by the department; and

25 (d) To pay for the motor vehicle insurance database created under
26 section 60-3,136.

27 (3) The department shall utilize three dollars of each fee allocated
28 to the Department of Motor Vehicles Cash Fund from state identification
29 cards valid for five years and Class O or M operators' licenses valid for
30 five years to open and operate an additional operators' licensing service
31 center.

1 Sec. 73. Section 60-2705, Reissue Revised Statutes of Nebraska, is
2 amended to read:

3 60-2705 The Director of Motor Vehicles shall adopt standards for an
4 informal dispute settlement procedure which substantially comply with the
5 provisions of 16 C.F.R. part 703, as such part existed on January 1, 2022
6 ~~2021~~.

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

12 Sec. 74. Section 60-2909.01, Reissue Revised Statutes of Nebraska,
13 is amended to read:

14 60-2909.01 The department and any officer, employee, agent, or
15 contractor of the department having custody of a motor vehicle record
16 shall, upon the verification of identity and purpose of a requester,
17 disclose and make available the requested motor vehicle record, including
18 the sensitive personal information in the record, other than the social
19 security number, for the following purposes:

20 (1) For use by any federal, state, or local governmental agency,
21 including any court or law enforcement agency, in carrying out the
22 agency's functions or by a private person or entity acting on behalf of a
23 governmental agency in carrying out the agency's functions;

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

31 (3) For use by any insurer or insurance support organization, or by

1 a self-insured entity, or its agents, employees, or contractors, in
2 connection with claims investigation activities, anti-fraud activities,
3 rating, or underwriting;

4 (4) For use by an employer or the employer's agent or insurer to
5 obtain or verify information relating to a holder of a commercial
6 driver's license or CLP-commercial learner's permit that is required
7 under the Commercial Motor Vehicle Safety Act of 1986, 49 U.S.C. 31301 et
8 seq., as such act existed on January 1, 2022 ~~2021~~, or pursuant to
9 sections 60-4,132 and 60-4,141; and

10 (5) For use by employers of a holder of a commercial driver's
11 license or CLP-commercial learner's permit and by the Commercial Driver
12 License Information System as provided in section 60-4,144.02 and 49
13 C.F.R. 383.73, as such regulation existed on January 1, 2022 ~~2021~~.

14 Sec. 75. Section 66-1401, Reissue Revised Statutes of Nebraska, is
15 amended to read:

16 66-1401 Sections 66-1401 to 66-1427 and section 77 of this act shall
17 be known and may be cited as the International Fuel Tax Agreement Act.

18 Sec. 76. Section 66-1421, Reissue Revised Statutes of Nebraska, is
19 amended to read:

20 66-1421 (1)(a) No penalty shall be imposed upon any person who
21 voluntarily reports an underpayment of tax by filing an amended return if
22 the original return is filed on time.

23 (b) Except as provided in subsection (3) of this section, interest
24 shall not be waived on any additional tax due as reported on any amended
25 return, and such interest shall be computed from the date such tax was
26 due.

27 (2) The department may in its discretion waive all or any portion of
28 the penalties incurred upon sufficient showing by the taxpayer that the
29 failure to file or pay is not due to negligence, intentional disregard of
30 the law, rules, or regulations, intentional evasion of the tax, or fraud
31 committed with intent to evade the tax or that such penalties should

1 otherwise be waived.

2 (3) The department may in its discretion waive any and all interest
3 incurred upon sufficient showing by the taxpayer that such interest
4 should be waived.

5 ~~(4) All penalties collected by the department under this section~~
6 ~~shall be remitted to the State Treasurer for credit to the Highway Trust~~
7 ~~Fund.~~

8 Sec. 77. All taxes, interest, and penalties collected pursuant to
9 the International Fuel Tax Agreement Act shall be remitted to the State
10 Treasurer for credit to the Highway Trust Fund, except as otherwise
11 provided under the act or an agreement entered into pursuant to the act.

12 Sec. 78. Section 75-126, Reissue Revised Statutes of Nebraska, is
13 amended to read:

14 75-126 (1) Except as otherwise provided in this section, no common
15 carrier shall:

16 (a) Charge, demand, collect, or receive from any person a greater or
17 lesser compensation for any services rendered than it charges, demands,
18 collects, or receives from any other person for doing a like or
19 contemporaneous service unless required under section 86-465;

20 (b) Make or give any undue or unreasonable preference or advantage
21 to any particular person;

22 (c) Subject any type of traffic to any undue or unreasonable
23 prejudice, delay, or disadvantage in any respect whatsoever;

24 (d) Charge or receive any greater compensation in the aggregate for
25 the transportation of a like kind of property or passengers for a shorter
26 than for a longer distance over the same line or route, except as the
27 commission may prescribe in special cases to prevent manifest injuries,
28 except that no manifest injustice shall be imposed upon any person at
29 intermediate points. This section shall not prevent the commission from
30 making group or emergency rates;

31 (e) Demand, charge, or collect, by any device whatsoever, a lesser

1 or greater compensation for any service rendered than that filed with or
2 prescribed by the commission; or

3 (f) Change any rate, schedule, or classification in any manner
4 whatsoever before application has been made to the commission and
5 permission granted for that purpose, except as otherwise provided in
6 section 86-155.

7 (2) This section shall not prohibit any common carrier from, and a
8 common carrier shall not be subject to any fine, penalty, or forfeiture
9 for, performing services free or at reduced rates to:

10 (a) The United States, the State of Nebraska, or any governmental
11 subdivision thereof;

12 (b) The employees, both present and retired, of such common carrier;

13 (c) Any person when the object is to provide relief in case of any
14 disaster;

15 (d) Any person who transports property for charitable purposes;

16 (e) Ministers and others giving their entire time to religious or
17 charitable work; ~~or~~

18 (f) Any person who is legally blind or visually handicapped; or ~~or~~

19 (g) Any person who is sixty-five years of age or older.

20 Sec. 79. Section 75-363, Revised Statutes Supplement, 2021, is
21 amended to read:

22 75-363 (1) The parts, subparts, and sections of Title 49 of the Code
23 of Federal Regulations listed below, as modified in this section, or any
24 other parts, subparts, and sections referred to by such parts, subparts,
25 and sections, in existence and effective as of January 1, 2022 ~~2021~~, are
26 adopted as Nebraska law.

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

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

31 (b) All motor carriers transporting persons or property in

1 intrastate commerce to include:

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

5 (ii) All vehicles of such motor carriers designed or used to
6 transport more than eight passengers, including the driver, for
7 compensation, or designed or used to transport more than fifteen
8 passengers, including the driver, and not used to transport passengers
9 for compensation;

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

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

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

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

18 (b) Part 385 - SAFETY FITNESS PROCEDURES;

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

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

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

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

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

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

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

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

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

31 (l) Part 398 - TRANSPORTATION OF MIGRANT WORKERS.

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

7 (5) The regulations adopted in subsection (3) of this section shall
8 not apply to farm trucks registered pursuant to section 60-3,146 with a
9 gross weight of sixteen tons or less. The following parts and sections of
10 49 C.F.R. chapter III shall not apply to drivers of farm trucks
11 registered pursuant to section 60-3,146 and operated solely in intrastate
12 commerce:

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

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

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

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

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

30 (9)(a) Part 395 - HOURS OF SERVICE OF DRIVERS shall apply to motor
31 carriers and drivers who engage in intrastate commerce as defined in

1 section 75-362, except that no motor carrier who engages in intrastate
2 commerce shall permit or require any driver used by it to drive nor shall
3 any driver drive:

4 (i) More than twelve hours following ten consecutive hours off duty;
5 or

6 (ii) For any period after having been on duty sixteen hours
7 following ten consecutive hours off duty.

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

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

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

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

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

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

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

1 the wholesale distribution point.

2 (11) 49 C.F.R. 390.21 - Marking of self-propelled CMVs and
3 intermodal equipment shall not apply to farm trucks and farm truck-
4 tractors registered pursuant to section 60-3,146 and operated solely in
5 intrastate commerce.

6 (12) 49 C.F.R. 392.9a - Operating authority shall not apply to
7 Nebraska motor carriers operating commercial motor vehicles solely in
8 intrastate commerce.

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

12 Sec. 80. Section 75-364, Revised Statutes Supplement, 2021, is
13 amended to read:

14 75-364 The parts, subparts, and sections of Title 49 of the Code of
15 Federal Regulations listed below, or any other parts, subparts, and
16 sections referred to by such parts, subparts, and sections, in existence
17 and effective as of January 1, 2022 ~~2021~~, are adopted as part of Nebraska
18 law and shall be applicable to all motor carriers whether engaged in
19 interstate or intrastate commerce, drivers of such motor carriers, and
20 vehicles of such motor carriers:

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

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

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

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

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

1 PACKAGINGS;

2 (6) Part 177 - CARRIAGE BY PUBLIC HIGHWAY;

3 (7) Part 178 - SPECIFICATIONS FOR PACKAGINGS; and

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

6 Sec. 81. Section 75-366, Revised Statutes Supplement, 2021, is
7 amended to read:

8 75-366 For the purpose of enforcing Chapter 75, article 3, any
9 officer of the Nebraska State Patrol may, upon demand, inspect the
10 accounts, records, and equipment of any motor carrier or shipper. Any
11 officer of the Nebraska State Patrol shall have the authority to enforce
12 the federal motor carrier safety regulations, as such regulations existed
13 on January 1, 2022 ~~2021~~, and federal hazardous materials regulations, as
14 such regulations existed on January 1, 2022 ~~2021~~, and is authorized to
15 enter upon, inspect, and examine any and all lands, buildings, and
16 equipment of any motor carrier, any shipper, and any other person subject
17 to the federal Interstate Commerce Act, the federal Department of
18 Transportation Act, and other related federal laws and to inspect and
19 copy any and all accounts, books, records, memoranda, correspondence, and
20 other documents of a motor carrier, a shipper, and any other person
21 subject to Chapter 75, article 3, for the purposes of enforcing Chapter
22 75, article 3. To promote uniformity of enforcement, the carrier
23 enforcement division of the Nebraska State Patrol shall cooperate and
24 consult with the Public Service Commission and the Division of Motor
25 Carrier Services.

26 Sec. 82. Section 75-369.03, Revised Statutes Cumulative Supplement,
27 2020, is amended to read:

28 75-369.03 (1) The Superintendent of Law Enforcement and Public
29 Safety may issue an order imposing a civil penalty against a motor
30 carrier transporting persons or property in interstate commerce for a
31 violation of sections 75-392 to 75-3,100 or against a motor carrier

1 transporting persons or property in intrastate commerce for a violation
2 or violations of section 75-363 or 75-364 based upon an inspection
3 conducted pursuant to section 75-366 in an amount which shall not exceed
4 eight hundred forty-eight dollars for any single violation in any
5 proceeding or series of related proceedings against any person or motor
6 carrier as defined in 49 C.F.R. 390.5 as adopted in section 75-363.

7 (2) The superintendent shall issue an order imposing a civil penalty
8 in an amount not to exceed sixteen thousand nine hundred forty-one ~~four~~
9 ~~hundred fifty-three~~ dollars against a motor carrier transporting persons
10 or property in interstate commerce for a violation of subdivision (2)(e)
11 of section 60-4,162 based upon a conviction of such a violation.

12 (3) The superintendent shall issue an order imposing a civil penalty
13 against a driver operating a commercial motor vehicle, as defined in
14 section 60-465, that requires a commercial driver's license or CLP-
15 commercial learner's permit, in violation of an out-of-service order. The
16 civil penalty shall be in an amount not less than three thousand two
17 hundred sixty-eight ~~one hundred seventy-four~~ dollars for a first
18 violation and not less than six thousand five hundred thirty-six ~~three~~
19 ~~hundred forty-eight~~ dollars for a second or subsequent violation.

20 (4) The superintendent shall issue an order imposing a civil penalty
21 against a motor carrier who knowingly allows, requires, permits, or
22 authorizes the operation of a commercial motor vehicle, as defined in
23 section 60-465, that requires a commercial driver's license or CLP-
24 commercial learner's permit, in violation of an out-of-service order. The
25 civil penalty shall be not less than five thousand nine hundred two ~~seven~~
26 ~~hundred thirty-two~~ dollars but not more than thirty-two thousand six
27 hundred seventy-nine ~~thirty-one thousand seven hundred thirty-seven~~
28 dollars per violation.

29 (5) Upon the discovery of any violation by a motor carrier
30 transporting persons or property in interstate commerce of section
31 75-307, 75-363, or 75-364 or sections 75-392 to 75-3,100 based upon an

1 inspection conducted pursuant to section 75-366, the superintendent shall
2 immediately refer such violation to the appropriate federal agency for
3 disposition, and upon the discovery of any violation by a motor carrier
4 transporting persons or property in intrastate commerce of section 75-307
5 based upon such inspection, the superintendent shall refer such violation
6 to the Public Service Commission for disposition.

7 Sec. 83. Section 75-392, Revised Statutes Supplement, 2021, is
8 amended to read:

9 75-392 For purposes of sections 75-392 to 75-3,100:

10 (1) Director means the Director of Motor Vehicles;

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

13 (3) Unified carrier registration plan and agreement means the plan
14 and agreement established and authorized pursuant to 49 U.S.C. 14504a, as
15 such section existed on January 1, 2022 ~~2021~~.

16 Sec. 84. Section 75-393, Revised Statutes Supplement, 2021, is
17 amended to read:

18 75-393 The director may participate in the unified carrier
19 registration plan and agreement pursuant to the Unified Carrier
20 Registration Act of 2005, 49 U.S.C. 13908, as the act existed on January
21 1, 2022 ~~2021~~, and may file on behalf of this state the plan required by
22 such plan and agreement for enforcement of the act in this state.

23 Sec. 85. Sections 53, 72, and 86 of this act become operative on
24 July 1, 2022. Sections 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15,
25 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33,
26 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51,
27 52, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70,
28 71, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, and 87 of this act
29 become operative three calendar months after the adjournment of this
30 legislative session. The other sections of this act become operative on
31 their effective date.

1 Sec. 86. Original sections 60-4,115 and 60-1515, Reissue Revised
2 Statutes of Nebraska, are repealed.

3 Sec. 87. Original sections 39-1337, 60-107, 60-119.01, 60-142.11,
4 60-144, 60-149, 60-151, 60-169, 60-302.01, 60-336.01, 60-386, 60-392,
5 60-3,101, 60-3,102, 60-3,113.04, 60-3,119, 60-3,122, 60-3,122.02,
6 60-3,122.03, 60-3,123, 60-3,124, 60-3,125, 60-3,126, 60-3,128,
7 60-3,130.02, 60-3,135.01, 60-3,193.01, 60-3,198, 60-3,203, 60-3,221,
8 60-3,226, 60-3,232, 60-3,233, 60-3,237, 60-3,241, 60-3,243, 60-3,245,
9 60-3,247, 60-3,249, 60-3,251, 60-3,253, 60-462, 60-462.01, 60-463,
10 60-479.01, 60-481, 60-490, 60-4,111.01, 60-4,122, 60-4,124, 60-4,130.03,
11 60-4,130.04, 60-4,132, 60-4,134, 60-4,138, 60-4,139.01, 60-4,147.02,
12 60-4,149.01, 60-4,168, 60-4,174, 60-4,183, 60-4,188, 60-501, 60-628.01,
13 60-699, 60-6,265, 60-2705, 60-2909.01, 66-1401, 66-1421, and 75-126,
14 Reissue Revised Statutes of Nebraska, sections 30-2715.01, 39-1302,
15 39-1320, and 75-369.03, Revised Statutes Cumulative Supplement, 2020, and
16 sections 75-363, 75-364, 75-366, 75-392, and 75-393, Revised Statutes
17 Supplement, 2021, are repealed.

18 Sec. 88. Since an emergency exists, this act takes effect when
19 passed and approved according to law.