

LEGISLATIVE BILL 697

Approved by the Governor March 12, 1984

Introduced by Higgins, 9

AN ACT relating to motor vehicle operators' licenses; to amend section 60-420, Reissue Revised Statutes of Nebraska, 1943; to change a bond requirement as prescribed; and to repeal the original section.

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

Section 1. That section 60-420, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

60-420. Any person who feels ~~himself~~ aggrieved because of any order of the director on account of a ~~his~~ refusal to issue any license contemplated under sections 60-418 and 60-419 may appeal ~~therefrom~~ to the district court of the county in which the application for the license was originally made or to the district court of the county in which ~~wherein~~ such person resides, in the following manner: ~~following~~. The director shall reduce ~~the his~~ ruling, order, or decision to writing, file a copy of the same in his or her office, and ~~shall~~ furnish a copy thereof together with a statement of ~~his~~ reasons for ~~his~~ the ruling to the applicant or licensee, as the case may be, upon request. The ruling, decision, or order of the director in refusing to issue or reinstate such license or in suspending, canceling, or revoking the same shall be as final and binding as the final order or judgment of a court of general jurisdiction. The applicant, licensee, or appellant shall, within twenty days from the date of the final order complained of, execute a bond for costs to the State of Nebraska in the sum of two hundred dollars with sufficient surety to be approved by the Auditor of Public Accounts. The bond shall be filed in the office of the director. In lieu of the bond, the sum of two hundred dollars in cash, certified check, or money order may be deposited at the office of the director. It shall be the duty of the director, on payment or tender ~~to him~~ of the cost of preparing the transcript at the rate of ten cents per hundred words, to prepare a complete transcript of ~~his~~ the proceedings relating to ~~his~~ the refusal to issue or to reinstate any license or relating to ~~his~~ the proceedings concerning the suspension, cancellation, or revocation of the license complained of. The applicant Applicant or licensee shall file ~~his~~ a petition in such district court within thirty days from the date of filing of the director's final order in the matter, and he shall file ~~such~~ the transcript before answer day which shall be the

same as provided under the code of civil procedure in section 25-821. The district court shall hear the appeal as in equity ~~and~~ without a jury, and determine anew all questions raised before the director. ~~; Provided, either~~ Either party may appeal from the decision of the district court to the Supreme Court of the state.

Sec. 2. That original section 60-420, Reissue Revised Statutes of Nebraska, 1943, is repealed.