

E AND R AMENDMENTS TO LB 286

Introduced by Enrollment and Review Committee: McGill, 26,
Chairperson

1 1. Strike the original sections and all amendments
2 thereto and insert the following new sections:

3 Section 1. Section 60-101, Revised Statutes Cumulative
4 Supplement, 2006, is amended to read:

5 60-101 Sections 60-101 to 60-197 and sections 5, 8, 17,
6 and 18 of this act shall be known and may be cited as the Motor
7 Vehicle Certificate of Title Act.

8 Sec. 2. Section 60-102, Revised Statutes Cumulative
9 Supplement, 2006, is amended to read:

10 60-102 For purposes of the Motor Vehicle Certificate of
11 Title Act, unless the context otherwise requires, the definitions
12 found in sections 60-103 to 60-136 and sections 5 and 8 of this act
13 shall be used.

14 Sec. 3. Section 60-114, Revised Statutes Cumulative
15 Supplement, 2006, is amended to read:

16 60-114 Farm trailer means a trailer or semitrailer
17 belonging to a farmer or rancher and used wholly and exclusively
18 to carry supplies to or from the owner's farm or ranch, used by
19 a farmer or rancher to carry his or her own agricultural products
20 as defined in section 60-304 to or from storage or market, or
21 used by a farmer or rancher for ~~such~~ hauling of ~~such~~ supplies or
22 agricultural products in exchange of services.

23 Sec. 4. Section 60-117, Revised Statutes Cumulative

1 Supplement, 2006, is amended to read:

2 60-117 Historical vehicle means a motor vehicle or
3 trailer ~~of any age~~ which is thirty or more years old, which
4 is essentially unaltered from the original manufacturer's
5 specifications, and which is, because of its significance, ~~is~~ being
6 collected, preserved, restored, or maintained by a collector as a
7 leisure pursuit.

8 Sec. 5. Low-speed vehicle means a vehicle that (1) cannot
9 travel more than twenty-five miles per hour on a paved, level
10 surface, (2) complies with 49 C.F.R. part 571, as such part existed
11 on January 1, 2007, or (3) is designated by the manufacturer as an
12 off-road or low-speed vehicle.

13 Sec. 6. Section 60-123, Revised Statutes Cumulative
14 Supplement, 2006, is amended to read:

15 60-123 Motor vehicle means any vehicle propelled
16 by any power other than muscular power except (1) mopeds,
17 (2) farm tractors, (3) self-propelled equipment designed and
18 used exclusively to carry and apply fertilizer, chemicals, or
19 related products to agricultural soil and crops, agricultural
20 floater-spreader implements, and other implements of husbandry
21 designed for and used primarily for tilling the soil and harvesting
22 crops or feeding livestock, (4) power unit hay grinders or a
23 combination which includes a power unit and a hay grinder when
24 operated without cargo, (5) vehicles which run only on rails or
25 tracks, (6) off-road designed vehicles, including, but not limited
26 to, golf carts, go-carts, riding lawnmowers, garden tractors,
27 all-terrain vehicles, snowmobiles registered or exempt from

1 registration under sections 60-3,207 to 60-3,219, and minibikes,
2 (7) road and general-purpose construction and maintenance machinery
3 not designed or used primarily for the transportation of persons or
4 property, including, but not limited to, ditchdigging apparatus,
5 asphalt spreaders, bucket loaders, leveling graders, earthmoving
6 carryalls, power shovels, earthmoving equipment, and crawler
7 tractors, (8) self-propelled chairs used by persons who are
8 disabled, ~~and~~ (9) electric personal assistive mobility devices, and
9 (10) low-speed vehicles.

10 Sec. 7. Section 60-134, Revised Statutes Cumulative
11 Supplement, 2006, is amended to read:

12 60-134 Truck means any motor vehicle designed, used,
13 or maintained primarily for the transportation of property or
14 designated as a truck by the manufacturer.

15 Sec. 8. Vehicle identification number means a series of
16 English letters or Arabic or Roman numerals assigned to a vehicle
17 for identification purposes.

18 Sec. 9. Section 60-137, Revised Statutes Cumulative
19 Supplement, 2006, is amended to read:

20 60-137 (1) The Motor Vehicle Certificate of Title Act
21 applies to all vehicles as defined in the act, except:

- 22 (a) Farm trailers;
- 23 **(b) Low-speed vehicles;**
- 24 ~~(b)~~ (c) Well-boring apparatus, backhoes, bulldozers, and
25 front-end loaders; and
- 26 ~~(e)~~ (d) Trucks and buses from other jurisdictions
27 required to pay registration fees under the Motor Vehicle

1 Registration Act, except a vehicle registered or eligible to be
2 registered as part of a fleet of apportionable vehicles under
3 section 60-3,198.

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

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

13 Sec. 10. Section 60-145, Revised Statutes Cumulative
14 Supplement, 2006, is amended to read:

15 60-145 For any motor vehicle which is to be used as a
16 taxi or limousine, the application and the certificate of title
17 shall show on the face thereof that such vehicle is being used
18 or has been used as a taxi or limousine and such subsequent
19 certificates of title shall show the same information.

20 Sec. 11. Section 60-146, Revised Statutes Cumulative
21 Supplement, 2006, is amended to read:

22 60-146 (1) An application for a certificate of title
23 for a vehicle shall include a statement that an identification
24 inspection has been conducted on the vehicle unless (a) the
25 title sought is a salvage branded certificate of title or a
26 nontransferable certificate of title, (b) the surrendered ownership
27 document is a Nebraska certificate of title, a manufacturer's

1 statement of origin, an importer's statement of origin, a United
2 States Government Certificate of Release of a vehicle, or a
3 nontransferable certificate of title, (c) the application contains
4 a statement that the vehicle is to be registered under section
5 60-3,198, (d) the vehicle is a cabin trailer, (e) the title
6 sought is the first title for the vehicle sold directly by
7 the manufacturer of the vehicle to a dealer franchised by the
8 manufacturer, or (f) the vehicle was sold at an auction authorized
9 by the manufacturer and purchased by a dealer franchised by the
10 manufacturer of the vehicle.

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

17 (3) The statement that an identification inspection has
18 been conducted shall be furnished by the county sheriff of any
19 county or by any other holder of a certificate of training issued
20 pursuant to section 60-183, shall be in a format as determined by
21 the department, and shall expire ninety days after the date of the
22 inspection. The county clerk or designated county official shall
23 accept a certificate of inspection, approved by the superintendent,
24 from an officer of a state police agency of another state.

25 (4) The identification inspection shall include
26 examination and notation of the then current odometer reading,
27 if any, and a comparison of the vehicle identification number

1 with the number listed on the ownership records, except that
2 if a lien is registered against a vehicle and recorded on the
3 vehicle's ownership records, the county clerk or designated county
4 official shall provide a copy of the ownership records for use
5 in making such comparison. If such numbers are not identical,
6 if there is reason to believe further inspection is necessary,
7 or if the inspection is for a Nebraska assigned number, the
8 person performing the inspection shall make a further inspection
9 of the vehicle which may include, but shall not be limited to,
10 examination of other identifying numbers placed on the vehicle by
11 the manufacturer and an inquiry into the numbering system used by
12 the state issuing such ownership records to determine ownership
13 of a vehicle. The identification inspection shall also include a
14 statement that the vehicle identification number has been checked
15 for entry in the National Crime Information Center and the Nebraska
16 Crime Information Service. In the case of an assembled vehicle, the
17 identification inspection shall include, but not be limited to, an
18 examination of the records showing the date of receipt and source
19 of each major component part. No identification inspection shall be
20 conducted unless all major component parts are properly attached to
21 the vehicle in the correct location.

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

27 (6) The department, county clerk, or designated county

1 official may also request an identification inspection of a vehicle
2 to determine if it meets the definition of motor vehicle as defined
3 in section 60-123.

4 Sec. 12. Section 60-152, Revised Statutes Cumulative
5 Supplement, 2006, is amended to read:

6 60-152 (1) The county clerk or designated county official
7 shall issue a certificate of title for a vehicle in duplicate and
8 retain one copy in his or her office. An electronic copy, in a form
9 prescribed by the department, shall be transmitted on the day of
10 issuance to the department. The county clerk or designated county
11 official shall sign and affix the appropriate seal to the original
12 certificate of title and, if there are no liens on the vehicle,
13 deliver the certificate to the applicant. If there are one or more
14 liens on the vehicle, the certificate of title shall be delivered
15 or mailed to the holder of the first lien on the day of issuance.

16 (2) The county clerks or county treasurers of the various
17 counties shall adopt a circular seal with the words County Clerk of
18 (insert name) County or County Treasurer of
19 (insert name) County thereon. Such seal shall be used by the county
20 clerk or county treasurer or the deputy or legal authorized
21 agent of such officer, without charge to the applicant, on
22 any certificate of title, application for certificate of title,
23 duplicate copy, assignment or reassignment, power of attorney,
24 statement, or affidavit pertaining to the issuance of a Nebraska
25 certificate of title. The designated county official or the deputy
26 or legal authorized agent of such officer shall use the seal of the
27 county, without charge to the applicant, on any such document.

1 (3) The department shall prescribe a uniform method of
2 numbering certificates of title.

3 (4) The county clerk or designated county official
4 shall (a) file all certificates of title according to rules
5 and regulations adopted and promulgated by the department, (b)
6 maintain in the office indices for such certificates of title,
7 (c) be authorized to destroy all previous records five years after
8 a subsequent transfer has been made on a vehicle, and (d) be
9 authorized to destroy all certificates of title and all supporting
10 records and documents which have been on file for a period of five
11 years or more from the date of filing the certificate or a notation
12 of lien, whichever occurs later. ~~Any person holding a certificate~~
13 ~~of title to a vehicle may refile the same with the county clerk~~
14 ~~or designated county official to prevent destruction of the records~~
15 ~~thereof pursuant to this subsection.~~

16 Sec. 13. Section 60-153, Revised Statutes Cumulative
17 Supplement, 2006, is amended to read:

18 60-153 (1) A certificate of title shall be printed
19 upon safety security paper to be selected by the department.
20 The certificate of title, manufacturer's statement of origin,
21 and assignment of manufacturer's certificate shall be upon forms
22 prescribed by the department and may include, but shall not be
23 limited to, county of issuance, date of issuance, certificate
24 of title number, previous certificate of title number, vehicle
25 identification number, year, make, model, and body type of the
26 vehicle, name and residential and mailing address of the owner,
27 acquisition date, issuing county clerk's or designated county

1 official's signature and official seal, and sufficient space for
2 the notation and release of liens, mortgages, or encumbrances,
3 if any. A certificate of title issued on or after the effective
4 date of this act shall include the words "void if altered". A
5 certificate of title that is altered shall be deemed a mutilated
6 certificate of title. The certificate of title of an all-terrain
7 vehicle or minibike shall include the words "not to be registered
8 for road use".

9 (2) An assignment of certificate of title shall appear
10 on each certificate of title and shall include, but not be limited
11 to, a statement that the owner of the vehicle assigns all his
12 or her right, title, and interest in the vehicle, the name and
13 address of the assignee, the name and address of the lienholder
14 or secured party, if any, and the signature of the owner or the
15 owner's parent, legal guardian, foster parent, or agent in the case
16 of an owner who is a handicapped or disabled person as defined in
17 section 18-1738.

18 (3) A reassignment by a dealer shall appear on each
19 certificate of title and shall include, but not be limited to,
20 a statement that the dealer assigns all his or her right,
21 title, and interest in the vehicle, the name and address of
22 the assignee, the name and address of the lienholder or secured
23 party, if any, and the signature of the dealer or designated
24 representative. Reassignments shall be printed on the reverse side
25 of each certificate of title as many times as convenient.

26 (4) The department may prescribe a secure
27 power-of-attorney form and may contract with one or more persons

1 to develop, provide, sell, and distribute secure power-of-attorney
2 forms in the manner authorized or required by the federal Truth in
3 Mileage Act of 1986 and any other federal law or regulation. Any
4 secure power-of-attorney form authorized pursuant to a contract
5 shall conform to the terms of the contract and be in strict
6 compliance with the requirements of the department.

7 Sec. 14. Section 60-164, Revised Statutes Cumulative
8 Supplement, 2006, is amended to read:

9 60-164 (1) Except as provided in section 60-165, the
10 provisions of article 9, Uniform Commercial Code, shall never be
11 construed to apply to or to permit or require the deposit, filing,
12 or other record whatsoever of a security agreement, conveyance
13 intended to operate as a mortgage, trust receipt, conditional sales
14 contract, or similar instrument or any copy of the same covering a
15 vehicle. Any mortgage, conveyance intended to operate as a security
16 agreement as provided by article 9, Uniform Commercial Code, trust
17 receipt, conditional sales contract, or other similar instrument
18 covering a vehicle, if such instrument is accompanied by delivery
19 of such manufacturer's or importer's certificate and followed by
20 actual and continued possession of the same by the holder of
21 such instrument or, in the case of a certificate of title, if a
22 notation of the same has been made by the county clerk, designated
23 county official, or department on the face thereof, shall be
24 valid as against the creditors of the debtor, whether armed with
25 process or not, and subsequent purchasers, secured parties, and
26 other lienholders or claimants but otherwise shall not be valid
27 against them, except that during any period in which a vehicle is

1 inventory, as defined in section 9-102, Uniform Commercial Code,
2 held for sale by a person or corporation that is required to be
3 licensed as provided in Chapter 60, article 14, and is in the
4 business of selling such vehicles, the filing provisions of article
5 9, Uniform Commercial Code, as applied to inventory, shall apply
6 to a security interest in such vehicle created by such person
7 or corporation as debtor without the notation of lien on the
8 instrument of title. A buyer of a vehicle at retail from a dealer
9 required to be licensed as provided in Chapter 60, article 14,
10 shall take such vehicle free of any security interest.

11 (2) Subject to subsection (1) of this section, all liens,
12 security agreements, and encumbrances noted upon a certificate of
13 title shall take priority according to the order of time in which
14 the same are noted thereon by the county clerk, designated county
15 official, or department. Exposure for sale of any vehicle by the
16 owner thereof with the knowledge or with the knowledge and consent
17 of the holder of any lien, security agreement, or encumbrance on
18 such vehicle shall not render the same void or ineffective as
19 against the creditors of such owner or holder of subsequent liens,
20 security agreements, or encumbrances upon such vehicle.

21 (3) The holder of a security agreement, trust
22 receipt, conditional sales contract, or similar instrument,
23 upon presentation of such instrument to the department, if the
24 certificate of title was issued by the department, or to any county
25 clerk or designated county official, together with the certificate
26 of title and the fee prescribed for notation of lien, may have
27 a notation of such lien made on the face of such certificate

1 of title. The county clerk or designated county official or the
2 department shall enter the notation and the date thereof over the
3 signature of such officer and the official seal. If noted by a
4 county clerk or designated county official, he or she shall on that
5 day notify the department which shall note the lien on its records.
6 The county clerk or designated county official or the department
7 shall also indicate by appropriate notation and on such instrument
8 itself the fact that such lien has been noted on the certificate
9 of title.

10 (4) A transaction does not create a sale or a security
11 interest in a vehicle, other than an all-terrain vehicle or a
12 minibike, merely because it provides that the rental price is
13 permitted or required to be adjusted under the agreement either
14 upward or downward by reference to the amount realized upon sale or
15 other disposition of the vehicle.

16 (5) The county clerk or designated county official or
17 the department, upon receipt of a lien instrument duly signed by
18 the owner in the manner prescribed by law governing such lien
19 instruments together with the fee prescribed for notation of lien,
20 shall notify the first lienholder to deliver to the county clerk or
21 designated county official or the department, within fifteen days
22 ~~from~~ after the date of notice, the certificate of title to permit
23 notation of such ~~junior~~ other lien and, after ~~such~~ notation of
24 such other lien, the county clerk or designated county official or
25 the department shall deliver the certificate of title to the first
26 lienholder. The holder of a certificate of title who refuses to
27 deliver a certificate of title to the county clerk or designated

1 county official or the department for the purpose of showing a
2 ~~junior~~ such other lien on such certificate of title within fifteen
3 days ~~from~~ after the date ~~when notified to do so~~ of notice shall be
4 liable for damages to such ~~junior~~ other lienholder for the amount
5 of damages such ~~junior~~ other lienholder suffered by reason of the
6 holder of the certificate of title refusing to permit the showing
7 of such lien on the certificate of title.

8 (6) When ~~such~~ a lien is discharged, the holder shall,
9 within fifteen days after payment is received, note a cancellation
10 of the lien on the certificate of title over his, her, or its
11 signature and deliver the certificate of title to the county clerk
12 or designated county official or the department, which shall note
13 the cancellation of the lien on the face of the certificate of
14 title and on the records of such office. If delivered to a county
15 clerk or designated county official, he or she shall on that day
16 notify the department which shall note the cancellation on its
17 records. The county clerk or designated county official or the
18 department shall then return the certificate of title to the owner
19 or as otherwise directed by the owner. The cancellation of lien
20 shall be noted on the certificate of title without charge. If the
21 holder of the title cannot locate a lienholder, a lien may be
22 discharged ten years after the date of filing by presenting proof
23 that thirty days have passed since the mailing of a written notice
24 by certified mail, return receipt requested, to the last-known
25 address of the lienholder.

26 Sec. 15. Section 60-166, Revised Statutes Cumulative
27 Supplement, 2006, is amended to read:

1 60-166 (1) In the event of (a) the transfer of ownership
2 of a vehicle by operation of law as upon inheritance, devise, or
3 bequest, order in bankruptcy, insolvency, replevin, or execution
4 sale or as provided in sections 30-24,125, 52-601.01 to 52-605,
5 60-1901 to 60-1911, and 60-2401 to 60-2411, (b) the engine of a
6 vehicle being replaced by another engine, (c) a vehicle being sold
7 to satisfy storage or repair charges, or (d) repossession being had
8 upon default in performance of the terms of a chattel mortgage,
9 trust receipt, conditional sales contract, or other like agreement,
10 the county clerk or designated county official of ~~the~~ any county
11 ~~in which the last certificate of title to such vehicle was issued~~
12 or the department, if the last certificate of title was issued
13 by the department, upon the surrender of the prior certificate
14 of title or the manufacturer's or importer's certificate, or when
15 that is not possible, upon presentation of satisfactory proof of
16 ownership and right of possession to such vehicle, and upon payment
17 of the appropriate fee and the presentation of an application for
18 certificate of title, may issue to the applicant a certificate of
19 title thereto. If the prior certificate of title issued for such
20 vehicle provided for joint ownership with right of survivorship, a
21 new certificate of title shall be issued to a subsequent purchaser
22 upon the assignment of the prior certificate of title by the
23 surviving owner and presentation of satisfactory proof of death
24 of the deceased owner. Only an affidavit by the person or agent
25 of the person to whom possession of such vehicle has so passed,
26 setting forth facts entitling him or her to such possession and
27 ownership, together with a copy of the journal entry, court order,

1 or instrument upon which such claim of possession and ownership
2 is founded, shall be considered satisfactory proof of ownership
3 and right of possession, except that if the applicant cannot
4 produce such proof of ownership, he or she may submit to the
5 department such evidence as he or she may have, and the department
6 may thereupon, if it finds the evidence sufficient, issue the
7 certificate of title or authorize the county clerk or designated
8 county official to issue a certificate of title, as the case
9 may be. If the county in which the last certificate of title to
10 such vehicle was issued cannot be determined, the application for
11 title shall be processed by the county clerk or designated county
12 official of the county where the court entering the journal entry
13 or order is located or the county where the instrument was executed
14 upon which such claim of possession and ownership is founded, as
15 the case may be.

16 (2) If from the records in the office of the county clerk
17 or designated county official or the department there appear to be
18 any liens on such vehicle, such certificate of title shall contain
19 a statement of such liens unless the application is accompanied by
20 proper evidence of their satisfaction or extinction.

21 Sec. 16. Section 60-168, Revised Statutes Cumulative
22 Supplement, 2006, is amended to read:

23 60-168 (1) In the event of a lost or ~~destroyed~~ mutilated
24 certificate of title, the owner of the vehicle or the holder
25 of a lien on the vehicle shall apply, upon a form prescribed
26 by the department, to the department, if the certificate of
27 title was issued by the department, or to any county clerk

1 or designated county official for a duplicate certificate of
2 title and shall pay the fee prescribed by section 60-156. The
3 application shall be signed and sworn to by the person making
4 the application or a person authorized to sign under section
5 60-151. Thereupon the county clerk or designated county official,
6 with the approval of the department, or the department shall
7 issue a duplicate certificate of title to the person entitled to
8 receive the certificate of title. If the records of the title
9 have been destroyed pursuant to section 60-152, the county clerk
10 or designated county official shall issue a duplicate certificate
11 of title to the person entitled to receive the same upon such
12 showing as the county clerk or designated county official may
13 deem sufficient. If the applicant cannot produce such proof of
14 ownership, he or she may apply directly to the department and
15 submit such evidence as he or she may have, and the department may,
16 if it finds the evidence sufficient, authorize the county clerk
17 or designated county official to issue a duplicate certificate
18 of title. A duplicate certificate of title so issued shall show
19 only those unreleased liens of record. The new purchaser shall
20 be entitled to receive an original certificate of title upon
21 presentation of the assigned duplicate copy of the certificate of
22 title, properly assigned to the new purchaser, to the county clerk
23 or designated county official prescribed in section 60-144.

24 (2) Any purchaser of a vehicle for which a certificate
25 of title was lost or ~~destroyed~~ mutilated may at the time of
26 purchase require the seller of the same to indemnify him or her
27 and all subsequent purchasers of the vehicle against any loss which

1 he, she, or they may suffer by reason of any claim presented
2 upon the original certificate. In the event of the recovery of
3 the original certificate of title by the owner, he or she shall
4 forthwith surrender the same to the county clerk or designated
5 county official or the department for cancellation.

6 Sec. 17. The department, upon receipt of clear and
7 convincing evidence of a failure to note a required brand or
8 failure to note a lien on a certificate of title, shall notify the
9 holder of such certificate of title to deliver to the county clerk
10 or designated county official or the department, within fifteen
11 days after the date on the notice, such certificate of title to
12 permit the noting of such brand or lien. After notation, the county
13 clerk or designated county official or the department shall deliver
14 the corrected certificate of title to the holder as provided by
15 section 60-152. If a holder fails to deliver a certificate of
16 title to the county clerk or designated county official or to
17 the department, within fifteen days after the date on the notice
18 for the purpose of noting such brand or lien on the certificate
19 of title, the department shall cancel the certificate of title.
20 This section does not apply when noting a lien in accordance with
21 subsection (5) of section 60-164.

22 Sec. 18. (1) When a motor vehicle, commercial trailer,
23 semitrailer, or cabin trailer is purchased by a motor vehicle
24 dealer or trailer dealer and the original assigned certificate of
25 title has been lost or mutilated, the dealer selling such motor
26 vehicle or trailer may apply for an original certificate of title
27 in the dealer's name. The following documentation and fees shall be

1 submitted by the dealer:

2 (a) An application for a certificate of title in the name
3 of such dealer;

4 (b) A photocopy from the dealer's records of the front
5 and back of the lost or mutilated original certificate of title
6 assigned to a dealer with a reassignment to a purchaser;

7 (c) A notarized affidavit from the purchaser of
8 such motor vehicle or trailer for which the original assigned
9 certificate of title was lost or mutilated stating that the
10 original assigned certificate of title was lost or mutilated; and

11 (d) The appropriate certificate of title fee.

12 (2) The application and affidavit shall be on forms
13 prescribed by the department. When the motor vehicle dealer or
14 trailer dealer receives the new certificate of title in such
15 dealer's name and assigns it to the purchaser, the dealer shall
16 record the original sale date and provide the purchaser with a
17 copy of the front and back of the original lost or mutilated
18 certificate of title as evidence as to why the purchase date of
19 the motor vehicle or trailer is prior to the issue date of the new
20 certificate of title.

21 Sec. 19. Section 60-173, Revised Statutes Cumulative
22 Supplement, 2006, is amended to read:

23 60-173 When an insurance company acquires a salvage
24 vehicle through payment of a total loss settlement on account of
25 damage, the company shall obtain the certificate of title from
26 the owner, surrender such certificate of title to the county
27 clerk or designated county official, and make application for

1 a salvage branded certificate of title which shall be assigned
2 when the company transfers ownership. An insurer shall take title
3 to a salvage vehicle for which a total loss settlement is made
4 unless the owner of the salvage vehicle elects to retain the
5 salvage vehicle. If the owner elects to retain the salvage vehicle,
6 the insurance company shall notify the department of such fact
7 in a format prescribed by the department. The department shall
8 immediately enter the salvage brand onto the computerized record
9 of the vehicle. The insurance company shall also notify the owner
10 of the owner's responsibility to comply with this section. The
11 owner shall, within thirty days after the settlement of the loss,
12 ~~ten days after settlement of the loss in the case of a salvage~~
13 ~~all-terrain vehicle or minibike,~~ forward the properly endorsed
14 acceptable certificate of title to the county clerk or designated
15 county official in the county designated in section 60-144. The
16 county clerk or designated county official shall, upon receipt of
17 the certificate of title, issue a salvage branded certificate of
18 title for the vehicle.

19 Sec. 20. Section 60-301, Revised Statutes Cumulative
20 Supplement, 2006, is amended to read:

21 60-301 Sections 60-301 to 60-3,220 and sections 26 and 29
22 of this act shall be known and may be cited as the Motor Vehicle
23 Registration Act.

24 Sec. 21. Section 60-302, Revised Statutes Cumulative
25 Supplement, 2006, is amended to read:

26 60-302 For purposes of the Motor Vehicle Registration
27 Act, unless the context otherwise requires, the definitions found

1 in sections 60-303 to 60-360 and sections 26 and 29 of this act
2 shall be used.

3 Sec. 22. Section 60-308, Revised Statutes Cumulative
4 Supplement, 2006, is amended to read:

5 60-308 (1) Apportionable vehicle means any motor vehicle
6 or trailer used or intended for use in two or more member
7 jurisdictions that allocate or proportionally register motor
8 vehicles or trailers and used for the transportation of persons
9 for hire or designed, used, or maintained primarily for the
10 transportation of property.

11 (2) Apportionable vehicle does not include any
12 recreational vehicle, motor vehicle displaying restricted plates,
13 city pickup and delivery vehicle, bus used in the transportation of
14 chartered parties, or government-owned motor vehicle.

15 (3) An apportionable vehicle that is a power unit shall
16 either (a) be a power unit having have two axles and a gross
17 vehicle weight rating of eleven thousand seven hundred ninety-four
18 kilograms or more ~~(twenty-six thousand one pounds or more)~~, or
19 registered gross vehicle weight in excess of twenty-six thousand
20 pounds or eleven thousand seven hundred ninety-three and four
21 hundred one thousandths kilograms, (b) be a power unit having
22 have three or more axles, regardless of weight, or (c) be used
23 in combination with a gross combination weight rating of eleven
24 thousand seven hundred ninety-four kilograms or more ~~(twenty-six~~
25 ~~thousand one pounds or more)~~. Vehicles ~~or combinations of vehicles~~
26 having a gross vehicle weight rating of less than eleven thousand
27 seven hundred ninety-four kilograms ~~(twenty-six thousand one~~

1 ~~pounds)~~ when the weight of such combination exceeds twenty-six
2 thousand pounds or eleven thousand seven hundred ninety-three
3 and four hundred one thousandths kilograms gross vehicle weight.
4 Vehicles or combinations of vehicles having a gross vehicle weight
5 of twenty-six thousand pounds or eleven thousand seven hundred
6 ninety-three and four hundred one thousandths kilograms or less and
7 two-axle vehicles and buses used in the transportation of chartered
8 parties may be proportionally registered at the option of the
9 registrant.

10 Sec. 23. Section 60-324, Revised Statutes Cumulative
11 Supplement, 2006, is amended to read:

12 60-324 Farm trailer means a trailer or semitrailer
13 belonging to a farmer or rancher and used wholly and exclusively
14 to carry supplies to or from the owner's farm or ranch, used by
15 a farmer or rancher to carry his or her own agricultural products
16 to or from storage or market, or used by a farmer or rancher for
17 ~~such~~ hauling of ~~such~~ supplies or agricultural products in exchange
18 of services. Farm trailer does not include a trailer so used when
19 attached to a farm tractor.

20 Sec. 24. Section 60-325, Revised Statutes Cumulative
21 Supplement, 2006, is amended to read:

22 60-325 Farm truck means a truck or sport utility vehicle,
23 including any combination of a truck, ~~or~~ truck-tractor, or sport
24 utility vehicle, and a trailer or semitrailer, of a farmer or
25 rancher (1) used exclusively to carry a farmer's or rancher's
26 own supplies, farm equipment, and household goods to or from the
27 owner's farm or ranch, (2) used by the farmer or rancher to carry

1 his or her own agricultural products to or from storage or market,
2 (3) used by a farmer or rancher in exchange of ~~service~~ services in
3 such hauling of ~~such~~ supplies or agricultural products, or (4) used
4 occasionally to carry camper units, to tow boats or cabin trailers,
5 or to carry or tow museum pieces or historical vehicles, without
6 compensation, to events for public display or educational purposes.

7 Sec. 25. Section 60-333, Revised Statutes Cumulative
8 Supplement, 2006, is amended to read:

9 60-333 Historical vehicle means a motor vehicle or
10 trailer ~~of any age~~ which is thirty or more years old, which
11 is essentially unaltered from the original manufacturer's
12 specifications, and which is, because of its significance, ~~is~~ being
13 collected, preserved, restored, or maintained by a collector as a
14 leisure pursuit.

15 Sec. 26. Low-speed vehicle means a vehicle that (1)
16 cannot travel more than twenty-five miles per hour on a paved,
17 level surface, (2) complies with 49 C.F.R. part 571, as such
18 part existed on January 1, 2007, or (3) is designated by the
19 manufacturer as an off-road or low-speed vehicle.

20 Sec. 27. Section 60-339, Revised Statutes Cumulative
21 Supplement, 2006, is amended to read:

22 60-339 Motor vehicle means any vehicle propelled
23 by any power other than muscular power except (1) mopeds,
24 (2) farm tractors, (3) self-propelled equipment designed and
25 used exclusively to carry and apply fertilizer, chemicals, or
26 related products to agricultural soil and crops, agricultural
27 floater-spreader implements, and other implements of husbandry

1 designed for and used primarily for tilling the soil and harvesting
2 crops or feeding livestock, (4) power unit hay grinders or a
3 combination which includes a power unit and a hay grinder when
4 operated without cargo, (5) vehicles which run only on rails
5 or tracks, (6) off-road designed vehicles, including, but not
6 limited to, golf carts, go-carts, riding lawnmowers, garden
7 tractors, all-terrain vehicles, snowmobiles registered or exempt
8 from registration under sections ~~60-3,208 to 60-3,216~~, 60-3,207 to
9 60-3,219, and minibikes, (7) road and general-purpose construction
10 and maintenance machinery not designed or used primarily for the
11 transportation of persons or property, including, but not limited
12 to, ditchdigging apparatus, asphalt spreaders, bucket loaders,
13 leveling graders, earthmoving carryalls, power shovels, earthmoving
14 equipment, and crawler tractors, (8) self-propelled chairs used
15 by persons who are disabled, and (9) electric personal assistive
16 mobility devices, and (10) low-speed vehicles.

17 Sec. 28. Section 60-345, Revised Statutes Cumulative
18 Supplement, 2006, is amended to read:

19 60-345 Passenger car means a motor vehicle designed and
20 used to carry ten passengers or less and not used for hire.
21 Passenger car may include a sport utility vehicle.

22 Sec. 29. Sport utility vehicle means a high-performance
23 motor vehicle weighing six thousand pounds or less designed to
24 carry ten passengers or less or designated as a sport utility
25 vehicle by the manufacturer.

26 Sec. 30. Section 60-355, Revised Statutes Cumulative
27 Supplement, 2006, is amended to read:

1 60-355 Transporter means any person lawfully engaged in
2 the business of transporting motor vehicles or trailers not his or
3 her own solely for delivery thereof (1) by driving singly, (2) by
4 driving in combinations by the towbar, fullmount, or saddlemount
5 ~~methods~~ method or any ~~combinations~~ combination thereof, or (3) when
6 a truck or ~~tractor~~ truck-tractor tows a trailer.

7 Sec. 31. Section 60-356, Revised Statutes Cumulative
8 Supplement, 2006, is amended to read:

9 60-356 Truck means a motor vehicle that is designed,
10 used, or maintained primarily for the transportation of property or
11 designated as a truck by the manufacturer.

12 Sec. 32. Section 60-378, Revised Statutes Cumulative
13 Supplement, 2006, is amended to read:

14 60-378 (1) Any transporter doing business in this
15 state may, in lieu of registering each motor vehicle or trailer
16 which such transporter is transporting, upon payment of a fee
17 of ten dollars, ~~make an application~~ apply to the department for
18 a transporter's certificate and one transporter license plate.
19 Additional pairs of transporter certificates and transporter
20 license plates may be procured for a fee of ten dollars each. ~~The~~
21 ~~transporter certificate shall be issued in duplicate. The original~~
22 ~~thereof shall be kept on file by the transporter, and the duplicate~~
23 ~~shall be displayed upon demand by the driver of any motor vehicle~~
24 ~~or trailer being transported.~~ Transporter license plates shall be
25 displayed (a) upon the motor vehicle or trailer being transported,
26 or (b) upon a properly registered truck or ~~tractor~~ truck-tractor
27 which is a work or service vehicle in the process of towing

1 a trailer which is itself being delivered by the transporter,
2 and such - ~~And in such case,~~ the registered truck or ~~tractor~~
3 truck-tractor shall also display a transporter plate upon the front
4 thereof. The applicant for a transporter plate shall keep for six
5 years a record of each motor vehicle or trailer transported by him
6 or her under this section, and such record shall be available to
7 the department for inspection. Each applicant shall file with the
8 department proof of his or her status as a bona fide transporter.

9 (2) Transporter license plates may be the same size as
10 license plates issued for motorcycles, shall bear thereon a mark
11 to distinguish them as transporter plates, and shall be serially
12 numbered so as to distinguish them from each other. Such license
13 plates may only be displayed upon the front of a driven motor
14 vehicle of a lawful combination or upon the front of a motor
15 vehicle driven singly or upon the rear of a trailer being towed.

16 Sec. 33. Section 60-385, Revised Statutes Cumulative
17 Supplement, 2006, is amended to read:

18 60-385 Every owner of a motor vehicle or trailer required
19 to be registered shall make application for registration to the
20 county treasurer or designated county official of the county in
21 which the motor vehicle or trailer has situs. The application shall
22 be a copy of a certificate of title ~~or, in the case of a renewal of~~
23 ~~a registration,~~ the application shall be the previous registration
24 ~~period's certificate,~~ or by any other means as designated by
25 the department. A salvage branded certificate of title and a
26 nontransferable certificate of title provided for in section 60-170
27 shall not be valid for registration purposes.

1 Sec. 34. Section 60-387, Revised Statutes Cumulative
2 Supplement, 2006, is amended to read:

3 60-387 An application for registration of a motor vehicle
4 shall be accompanied by proof of financial responsibility or
5 evidence of insurance covering the motor vehicle. Proof of
6 financial responsibility shall be evidenced by a copy of proof of
7 financial responsibility filed pursuant to subdivision (2), (3), or
8 (4) of section 60-528 bearing the seal of the department. Evidence
9 of insurance shall give the effective dates of the automobile
10 liability policy, which dates shall be evidence that the coverage
11 is in effect on and following the date of registration, and shall
12 designate, by explicit description or by appropriate reference,
13 all motor vehicles covered. Evidence of insurance in the form of
14 a certificate of insurance for fleet vehicles may include, as an
15 appropriate reference, a designation that the insurance coverage is
16 applicable to all vehicles owned by the named insured, or wording
17 of similar effect, in lieu of an explicit description. Proof of
18 financial responsibility also may be evidenced by (1) a check by
19 the department or its agents of the motor vehicle insurance data
20 base created under section 60-3,136 or (2) any other automated or
21 electronic means as prescribed or developed by the department. For
22 purposes of this section, fleet means a group of at least five
23 vehicles that belong to the same owner.

24 Sec. 35. Section 60-395, Revised Statutes Cumulative
25 Supplement, 2006, is amended to read:

26 60-395 (1) Except as otherwise provided in subsection
27 (2) of this section and sections 60-3,121 and 60-3,128, ~~(1) upon~~

1 ~~transfer of ownership of any motor vehicle or trailer, (2) in case~~
2 ~~of loss of possession because of fire, theft, dismantlement, or~~
3 ~~junking, (3) when a salvage branded certificate of title is issued,~~
4 ~~(4) whenever a type or class of motor vehicle or trailer previously~~
5 ~~registered is subsequently declared by legislative act or court~~
6 ~~decision to be illegal or ineligible to be operated or towed on the~~
7 ~~public roads and no longer subject to registration fees, the motor~~
8 ~~vehicle tax imposed in section 60-3,185, and the motor vehicle~~
9 ~~fee imposed in section 60-3,190, or (5) in case of a change in~~
10 ~~the situs of a motor vehicle or trailer to a location outside~~
11 ~~of this state, the registration shall expire and the registered~~
12 ~~owner or lessee may, by returning the registration certificate, the~~
13 ~~license plates, and, when appropriate, the validation decals and~~
14 ~~by either making affidavit application on a form prescribed by the~~
15 ~~department to the county treasurer or designated county official~~
16 ~~of the occurrence of an event described in subdivisions (1) (a)~~
17 ~~through (4) (e) of this section subsection or, in the case of a~~
18 ~~change in situs, displaying to the county treasurer or designated~~
19 ~~county official the registration certificate of such other state as~~
20 ~~evidence of a change in situs, receive a refund of that part of~~
21 ~~the unused fees and taxes on motor vehicles or trailers based on~~
22 ~~the number of unexpired months remaining in the registration period~~
23 ~~from the date of the event, except that when such date any of the~~
24 ~~following events:~~

25 (a) Upon transfer of ownership of any motor vehicle or
26 trailer;

27 (b) In case of loss of possession because of fire, theft,

1 dismantlement, or junking;

2 (c) When a salvage branded certificate of title is
3 issued;

4 (d) Whenever a type or class of motor vehicle or trailer
5 previously registered is subsequently declared by legislative act
6 or court decision to be illegal or ineligible to be operated or
7 towed on the public roads and no longer subject to registration
8 fees, the motor vehicle tax imposed in section 60-3,185, and the
9 motor vehicle fee imposed in section 60-3,190;

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

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

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

17 (3) If the transferor or lessee acquires another motor
18 vehicle at the time of the transfer, trade-in, or surrender, the
19 transferor or lessee shall have the credit provided for in this
20 section applied toward payment of the motor vehicle fees and taxes
21 then owing. Otherwise, the transferor or lessee shall file a claim
22 for refund with the county treasurer or designated county official
23 upon an application form prescribed by the department.

24 (4) The registered owner or lessee shall make a claim for
25 credit ~~or~~ refund or credit of the unused fees and taxes for the
26 unexpired months in the registration period within sixty days after
27 the date of the event or shall be deemed to have forfeited his or

1 her right to such refund or credit.

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

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

14 (7) The county treasurer or designated county official
15 shall refund the motor vehicle fee and registration fee from
16 the fees which have not been transferred to the State Treasurer.
17 The county treasurer shall make payment to the claimant from the
18 undistributed motor vehicle taxes of the taxing unit where the
19 tax money was originally distributed. No refund of less than two
20 dollars shall be paid.

21 Sec. 36. Section 60-397, Revised Statutes Cumulative
22 Supplement, 2006, is amended to read:

23 60-397 If a motor vehicle or trailer has a salvage
24 branded certificate of title issued as a result of an insurance
25 company acquiring the motor vehicle or trailer through a total loss
26 settlement, the prior owner of the motor vehicle or trailer who
27 is a party to the settlement may receive a ~~credit or~~ refund or

1 credit of unused fees and taxes by (1) filing an application with
2 the county treasurer or designated county official within ~~thirty~~
3 sixty days after the date of the settlement stating that title
4 to the motor vehicle or trailer was transferred as a result of
5 the settlement and (2) returning the registration certificate, the
6 license plates, and, when appropriate, the validation decals or,
7 in the case of the unavailability of the registration certificate,
8 license plates, or validation decals, filing an affidavit with
9 the county treasurer or designated county official regarding the
10 transfer of title due to the settlement and the unavailability of
11 the certificate, license plates, or validation decals. The owner
12 may receive a refund or credit of the registration fees and motor
13 vehicle taxes and fees for the unexpired months remaining in the
14 registration year determined based on the date when the motor
15 vehicle or trailer was damaged and became unavailable for service.
16 ~~The owner may receive a credit for motor vehicle taxes and fees for~~
17 ~~the unexpired months remaining in the registration year determined~~
18 ~~based on the date when the motor vehicle or trailer was damaged~~
19 ~~and became unavailable for service. If the motor vehicle or trailer~~
20 ~~was damaged and became unavailable for service during the same~~
21 ~~month in which it was registered, no refund or credit shall be~~
22 ~~allowed for such month.~~ When the owner registers a replacement
23 motor vehicle or trailer at the time of filing such affidavit, the
24 credit may be immediately applied against the registration fee and
25 the motor vehicle tax and fee for the replacement motor vehicle
26 or trailer. When no such replacement motor vehicle or trailer is
27 so registered, the county treasurer or designated county official

1 shall refund the unused registration fees. If the motor vehicle
2 or trailer was damaged and became unavailable for service during
3 the same month in which it was registered, no refund or credit
4 shall be allowed for such month. When any such motor vehicle or
5 trailer is reregistered within the same registration year in which
6 its registration has been canceled, the taxes and fees shall be
7 that portion of the registration fee and the motor vehicle tax
8 and fee for the remainder of the registration year. ~~or forward~~
9 the application and affidavit, if any, to the State Treasurer
10 who shall determine the amount, if any, of the allowable credit
11 for the registration fee and issue a credit certificate to the
12 owner. For the motor vehicle tax and fee, the county treasurer
13 or designated county official shall determine the amount, if any,
14 of the allowable credit and issue a credit certificate to the
15 owner. The credits may be applied against taxes and fees for new
16 or replacement motor vehicles or trailers incurred within one year
17 after the date of the settlement.

18 Sec. 37. Section 60-3,104, Revised Statutes Cumulative
19 Supplement, 2006, is amended to read:

20 60-3,104 The department shall issue the following types
21 of license plates:

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

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

26 ~~(2)~~ (3) Boat dealer license plates issued pursuant to
27 section 60-379;

- 1 ~~(3)~~ (4) Bus license plates issued pursuant to section
2 60-3,144;
- 3 ~~(4)~~ (5) Commercial ~~truck and truck-tractor~~ motor vehicle
4 license plates issued pursuant to section 60-3,147;
- 5 ~~(5)~~ (6) Dealer or manufacturer license plates issued
6 pursuant to sections 60-3,114 and 60-3,115;
- 7 ~~(6)~~ (7) Disabled veteran license plates issued pursuant
8 to section 60-3,124;
- 9 ~~(7)~~ (8) Farm trailer license plates issued pursuant to
10 section 60-3,151;
- 11 ~~(8)~~ (9) Farm truck license plates issued pursuant to
12 section 60-3,146;
- 13 ~~(9)~~ (10) Farm trucks with a gross weight of over sixteen
14 tons license plates issued pursuant to section 60-3,146;
- 15 ~~(10)~~ (11) Fertilizer trailer license plates issued
16 pursuant to section 60-3,151;
- 17 ~~(11)~~ (12) Film vehicle license plates issued pursuant to
18 section 60-383;
- 19 ~~(12)~~ Fleets of apportionable commercial vehicles license
20 plates issued pursuant to section 60-3,203;
- 21 (13) Handicapped or disabled person license plates issued
22 pursuant to section 60-3,113;
- 23 (14) Historical vehicle license plates issued pursuant to
24 sections 60-3,130 to 60-3,134;
- 25 (15) Local truck license plates issued pursuant to
26 section 60-3,145;
- 27 (16) Motor vehicle license plates for motor vehicles

1 owned or operated by the state, counties, municipalities, or school
2 districts issued pursuant to section 60-3,105;

3 (17) Motor vehicles exempt pursuant to section 60-3,107;

4 (18) Motorcycle license plates issued pursuant to section
5 60-3,100;

6 (19) Nebraska Cornhusker Spirit Plates issued pursuant to
7 sections 60-3,127 to 60-3,129;

8 (20) Nonresident owner thirty-day license plates issued
9 pursuant to section 60-382;

10 (21) Passenger car having a seating capacity of ten
11 persons or less and not used for hire issued pursuant to section
12 ~~60-3,100;~~ 60-3,143;

13 (22) Passenger car having a seating capacity of ten
14 persons or less and used for hire issued pursuant to section
15 ~~60-3,100;~~ 60-3,143;

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

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

20 (25) Personalized message license plates for motor
21 vehicles and cabin trailers, except commercial ~~trucks~~ motor
22 vehicles registered for over ten tons gross weight, issued pursuant
23 to sections 60-3,118 to 60-3,121;

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

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

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

3 (29) Repossession license plates issued pursuant to
4 section 60-375;

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

8 (31) Trailer license plates issued pursuant to section
9 60-3,100;

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

11 (33) Transporter license plates issued pursuant to
12 section 60-378;

13 (34) Trucks or combinations of trucks, truck-tractors,
14 or trailers which are not for hire and engaged in soil and water
15 conservation work and used for the purpose of transporting pipe and
16 equipment exclusively used by such contractors for soil and water
17 conservation construction license plates issued pursuant to section
18 60-3,149;

19 (35) Utility trailer license plates issued pursuant to
20 section 60-3,151; and

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

23 Sec. 38. Section 60-3,107, Revised Statutes Cumulative
24 Supplement, 2006, is amended to read:

25 60-3,107 The department may provide distinctive license
26 plates issued for use on motor vehicles which are tax exempt
27 pursuant to subdivision (6) of section 60-3,185. License plates

1 on such motor vehicles shall display, in addition to the license
2 number, the ~~word~~ words tax exempt, which shall appear at the bottom
3 of the license plates.

4 Sec. 39. Section 60-3,118, Revised Statutes Cumulative
5 Supplement, 2006, is amended to read:

6 60-3,118 (1) In lieu of the license plates provided
7 for by section 60-3,100, the department shall issue personalized
8 message license plates for motor vehicles, trailers, semitrailers,
9 or cabin trailers, ~~except commercial trucks registered for over ten~~
10 ~~tens gross weight,~~ for motor vehicles and trailers registered under
11 section 60-3,198, to all applicants who meet the requirements of
12 sections 60-3,119 to 60-3,121. Personalized message license plates
13 shall be the same size and of the same basic design as regular
14 license plates issued pursuant to section 60-3,100. The characters
15 used shall consist only of letters and numerals of the same size
16 and design and shall comply with the requirements of subdivision
17 (1)(a) of section 60-3,100. A maximum of seven characters may be
18 used, except that for motorcycles, a maximum of six characters may
19 be used.

20 (2) The following conditions apply to all personalized
21 message license plates:

22 (a) County prefixes shall not be allowed except
23 in counties using the alphanumeric system for motor vehicle
24 registration. The numerals in the county prefix shall be the
25 numerals assigned to the county, pursuant to subsection (2) of
26 section 60-370, in which the motor vehicle or cabin trailer
27 is registered. Renewal of a personalized message license plate

1 containing a county prefix shall be conditioned upon the motor
2 vehicle or cabin trailer being registered in such county. The
3 numerals in the county prefix, including the hyphen or any other
4 unique design for an existing license plate style, count against
5 the maximum number of characters allowed under this section;

6 (b) The characters in the order used shall not conflict
7 with or duplicate any number used or to be used on the regular
8 license plates or any number or license plate already approved
9 pursuant to sections 60-3,118 to 60-3,121;

10 (c) The characters in the order used shall not
11 express, connote, or imply any obscene or objectionable words or
12 abbreviations; and

13 (d) An applicant receiving a personalized message license
14 plate for a farm truck with a gross weight of over sixteen tons
15 or a commercial truck or truck-tractor with a gross weight of five
16 tons or over shall affix the appropriate tonnage decal to such
17 license plate.

18 (3) The department shall have sole authority to determine
19 if the conditions prescribed in subsection (2) of this section have
20 been met.

21 Sec. 40. Section 60-3,122, Revised Statutes Cumulative
22 Supplement, 2006, is amended to read:

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

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

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

6 (c) Was discharged or otherwise separated with a
7 characterization of honorable from the United States Armed Forces;
8 and

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

11 (2) The license plates shall be issued upon the applicant
12 paying the regular license fee and an additional fee of five
13 dollars and furnishing proof satisfactory to the department that
14 the applicant fulfills the requirements provided by subsection (1)
15 of this section. The additional fee shall be remitted to the State
16 Treasurer for credit to the Highway Trust Fund. Only one motor
17 vehicle, ~~or trailer, semitrailer, or cabin trailer~~ owned by the
18 applicant shall be so licensed at any one time. Motor vehicles
19 and trailers registered under section 60-3,198 shall not be so
20 licensed.

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

25 Sec. 41. Section 60-3,123, Revised Statutes Cumulative
26 Supplement, 2006, is amended to read:

27 60-3,123 (1) Any ~~resident of this state~~ person who was

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

8 (2) The license plates shall be issued upon the applicant
9 paying the regular license fee and an additional fee of five
10 dollars and furnishing proof satisfactory to the department that
11 the applicant was formerly a prisoner of war. The additional fee
12 shall be remitted to the State Treasurer for credit to the Highway
13 Trust Fund. Only one motor vehicle, ~~or~~ trailer, semitrailer, or
14 cabin trailer owned by an applicant shall be so licensed at any one
15 time. Motor vehicles and trailers registered under section 60-3,198
16 shall not be so licensed.

17 ~~(2)~~ (3) If the license plates issued under this section
18 are lost, stolen, or mutilated, the recipient of the license plates
19 shall be issued replacement license plates upon request and without
20 charge.

21 Sec. 42. Section 60-3,124, Revised Statutes Cumulative
22 Supplement, 2006, is amended to read:

23 60-3,124 (1) Any ~~resident of this state~~ person who is
24 a veteran of the United States Armed Forces, who was discharged
25 or otherwise separated with a characterization of honorable or
26 general (under honorable conditions), and who is classified by the
27 United States Department of Veterans Affairs as one hundred percent

1 service-connected disabled may, in addition to the application
2 required in section 60-385, apply to the Department of Motor
3 Vehicles for a set of license plates designed by the department to
4 indicate that the applicant ~~for the plates~~ is a disabled veteran.
5 The inscription on the license plates shall be D.A.V. immediately
6 below the license plate number to indicate that the holder of the
7 license plates is a disabled veteran.

8 (2) The plates shall be issued upon the applicant paying
9 the regular license fee and an additional fee of five dollars and
10 furnishing proof satisfactory to the department that the applicant
11 is a disabled veteran. The additional fee shall be remitted to
12 the State Treasurer for credit to the Highway Trust Fund. Only one
13 motor vehicle, ~~or trailer, semitrailer, or cabin trailer~~ owned by
14 the applicant shall be so licensed at any one time. Motor vehicles
15 and trailers registered under section 60-3,198 shall not be so
16 licensed.

17 ~~(2)~~ (3) If the license plates issued under this section
18 are lost, stolen, or mutilated, the recipient of the plates
19 shall be issued replacement license plates as provided in section
20 60-3,157.

21 Sec. 43. Section 60-3,125, Revised Statutes Cumulative
22 Supplement, 2006, is amended to read:

23 60-3,125 (1) Any ~~resident of this state person~~ may,
24 in addition to the application required by section 60-385, ~~make~~
25 ~~application~~ apply to the department for a set of license plates
26 designed by the department to indicate that the applicant ~~for the~~
27 ~~license plates~~ has received from the federal government an award of

1 a Purple Heart. The inscription of the plates shall be designed so
2 as to include a facsimile of the award and beneath any numerical
3 designation upon the plates pursuant to section 60-370 the words
4 Purple Heart separately on one line and the words Combat Wounded on
5 the line below.

6 (2) The license plates shall be issued upon payment of
7 the regular license fee and an additional fee of five dollars and
8 furnishing proof satisfactory to the department that the applicant
9 was awarded the Purple Heart. The additional fee shall be remitted
10 to the State Treasurer for credit to the Highway Trust Fund. Only
11 one motor vehicle, ~~or trailer, semitrailer, or cabin trailer~~ owned
12 by the applicant shall be so licensed at any one time. Motor
13 vehicles and trailers registered under section 60-3,198 shall not
14 be so licensed.

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

18 Sec. 44. Section 60-3,126, Revised Statutes Cumulative
19 Supplement, 2006, is amended to read:

20 60-3,126 (1) Any person who ~~(a)~~ holds an unrevoked and
21 unexpired amateur radio station license issued by the Federal
22 Communications Commission, ~~(b)~~ is a resident of this state, and
23 ~~(c)~~ and is the owner of a ~~passenger car, recreational vehicle, or~~
24 ~~commercial~~ motor vehicle, trailer, semitrailer, or cabin trailer,
25 except for motor vehicles and trailers registered under section
26 60-3,198, may, in addition to the application required by section
27 60-385, ~~make application~~ apply to the department for a license

1 ~~plate or a set of~~ license plates upon which shall be inscribed the
2 official amateur radio call letters of such applicant.

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

11 ~~(2)~~ (3) An applicant applying for renewal of amateur
12 radio station license plates shall again furnish proof that he or
13 she holds an unrevoked and unexpired amateur radio station license
14 issued by the Federal Communications Commission.

15 ~~(3)~~ (4) The department shall prescribe the size and
16 design of the license plates and furnish such plates to the persons
17 applying for and entitled to the same upon the payment of the
18 required fee.

19 Sec. 45. Section 60-3,128, Revised Statutes Cumulative
20 Supplement, 2006, is amended to read:

21 60-3,128 (1) A ~~resident of Nebraska~~ person may apply to
22 the department for Nebraska Cornhusker Spirit Plates in lieu of
23 regular license plates on an application prescribed and provided
24 by the department for any motor vehicle, trailer, semitrailer, or
25 cabin trailer, except for a ~~commercial truck registered for over~~
26 ~~ten tons gross weight or a motoreycle.~~ motor vehicles or trailers
27 registered under section 60-3,198. An applicant receiving a spirit

1 plate for a farm truck with a gross weight of over sixteen tons
2 or for a commercial ~~truck or truck-tractor~~ motor vehicle registered
3 for a gross weight of five tons or over shall affix the appropriate
4 tonnage decal to the spirit plate. The department shall make forms
5 available for such applications through the county treasurers or
6 designated county officials. Each application for initial issuance
7 or renewal of spirit plates shall be accompanied by a fee of
8 seventy dollars. Fees collected pursuant to this subsection shall
9 be remitted to the State Treasurer. The State Treasurer shall
10 credit forty-three percent of the fees for initial issuance and
11 renewal of spirit plates to the Department of Motor Vehicles Cash
12 Fund and fifty-seven percent of the fees to the Spirit Plate
13 Proceeds Fund.

14 (2) When the department receives an application for
15 spirit plates, it shall deliver the plates to the county treasurer
16 or designated county official of the county in which the motor
17 vehicle or cabin trailer is registered. The county treasurer or
18 designated county official shall issue spirit plates in lieu of
19 regular license plates when the applicant complies with the other
20 provisions of law for registration of the motor vehicle or cabin
21 trailer. If spirit plates are lost, stolen, or mutilated, the
22 licensee shall be issued replacement license plates pursuant to
23 section 60-3,157.

24 (3) (a) The owner of a motor vehicle or cabin trailer
25 bearing spirit plates may make application to the county
26 treasurer or designated county official to have such spirit
27 plates transferred to a motor vehicle or cabin trailer other than

1 the motor vehicle or cabin trailer for which such plates were
2 originally purchased if such motor vehicle or cabin trailer is
3 owned by the owner of the spirit plates.

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

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

13 Sec. 46. Section 60-3,130.04, Revised Statutes Cumulative
14 Supplement, 2006, is amended to read:

15 60-3,130.04 (1) An owner of a historical vehicle eligible
16 for registration under section 60-3,130 may use a license plate
17 or plates designed by this state in the year corresponding to the
18 model year when the vehicle was manufactured in lieu of the plates
19 designed pursuant to section 60-3,130.03 subject to the approval of
20 the department. The department shall inspect the plate or plates
21 and may approve the plate or plates if it is determined that the
22 model-year license plate or plates are legible and serviceable and
23 that the license plate numbers do not conflict with or duplicate
24 other numbers assigned and in use. An original-issued license plate
25 or plates that have been restored to original condition may be used
26 when approved by the department.

27 (2) The department may consult with a recognized car club

1 in determining whether the year of the license plate or plates
2 to be used corresponds to the model year when the vehicle was
3 manufactured.

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

9 (4) License plates used pursuant to this section
10 corresponding to the year of manufacture of the vehicle shall
11 not be personalized message license plates, Pearl Harbor license
12 plates, prisoner-of-war license plates, disabled veteran license
13 plates, Purple Heart license plates, amateur radio station license
14 plates, Nebraska Cornhusker Spirit Plates, or handicapped or
15 disabled person license plates.

16 Sec. 47. Section 60-3,141, Revised Statutes Cumulative
17 Supplement, 2006, is amended to read:

18 60-3,141 (1) The various county treasurers or designated
19 county officials shall act as agents for the department in the
20 collection of all motor vehicle taxes, motor vehicle fees, and
21 registration fees.

22 (2) While acting as agents pursuant to subsection (1) of
23 this section, the county treasurers or designated county officials
24 shall in addition to the taxes and registration fees collect and
25 retain for the county two dollars for each registration of a motor
26 vehicle or trailer of a resident of the State of Nebraska and five
27 dollars for each registration of a motor vehicle or trailer of a

1 nonresident from the funds collected for the registration issued.
2 Such fees collected by the county shall be remitted to the county
3 treasurer for credit to the county general fund.

4 (3) The county treasurers or designated county officials
5 shall transmit all motor vehicle fees and registration fees
6 collected to the State Treasurer on or before the twenty-fifth
7 day of each month and at such other times as the State Treasurer
8 requires for credit to the Motor Vehicle Fee Fund and the Highway
9 Trust Fund, respectively, except as provided in section 60-3,156.
10 Any county treasurer or designated county official who fails to
11 transfer to the State Treasurer the amount due the state at the
12 times required in this section shall pay interest at the rate
13 specified in section 45-104.02, as such rate may be adjusted from
14 time to time, from the time the motor vehicle fees and registration
15 fees become due until paid.

16 Sec. 48. Section 60-3,142, Revised Statutes Cumulative
17 Supplement, 2006, is amended to read:

18 60-3,142 The various county treasurers or designated
19 county officials acting as agents for the department in collection
20 of the fees shall retain five percent of each fee collected under
21 section 60-3,112. The five percent shall be remitted to the county
22 treasurer for credit to the county general fund.

23 Sec. 49. Section 60-3,145, Revised Statutes Cumulative
24 Supplement, 2006, is amended to read:

25 60-3,145 (1) The registration fee on local trucks shall
26 be based on the gross vehicle weight as provided in section
27 60-3,147, and local trucks shall be registered at a fee of thirty

1 percent of the commercial motor vehicle registration fee, except
2 that (a) no local truck shall be registered for a fee of less
3 than eighteen dollars, (b) the registration fee for each truck
4 with a factory-rated capacity of one ton or less shall be eighteen
5 dollars, and (c) commercial pickup trucks with a gross load of over
6 three tons shall be registered for the fee provided for commercial
7 ~~trucks-~~ motor vehicles.

8 (2) Local truck license plates shall display, in addition
9 to the registration number, the designation of local ~~truck-~~ motor
10 vehicles.

11 Sec. 50. Section 60-3,147, Revised Statutes Cumulative
12 Supplement, 2006, is amended to read:

13 60-3,147 (1) The registration fee on commercial ~~trucks-~~
14 motor vehicles, except those ~~trucks~~ motor vehicles registered under
15 section 60-3,198, shall be based upon the gross vehicle weight, not
16 to exceed the maximum authorized by section 60-6,294.

17 (2) The registration fee on commercial ~~truck-tractors~~
18 motor vehicles, except for motor vehicles and trailers registered
19 under section 60-3,198, shall be based on the gross vehicle
20 weight on such ~~truck-tractors~~ commercial motor vehicles plus the
21 gross vehicle weight of any trailer or combination with which
22 it is operated, except that for the purpose of determining
23 the registration fee, the gross vehicle weight of a ~~truck or~~
24 ~~truck-tractor~~ commercial motor vehicle towing or hauling a disabled
25 or wrecked motor vehicle properly registered for use on the
26 highways shall be only the gross vehicle weight of the towing ~~truck~~
27 ~~or truck-tractor~~ commercial motor vehicle fully equipped and not

1 including the weight of the motor vehicle being towed or hauled.

2 (3) Except as provided in subsection (4) of this section,
3 the registration fee on such commercial ~~trucks and truck-tractors~~
4 motor vehicles shall be at the following rates:

5 (a) For a gross vehicle weight of three tons or less,
6 eighteen dollars;

7 (b) For a gross vehicle weight exceeding three tons and
8 not exceeding four tons, twenty-five dollars;

9 (c) For a gross vehicle weight exceeding four tons and
10 not exceeding five tons, thirty-five dollars;

11 (d) For a gross vehicle weight exceeding five tons and
12 not exceeding six tons, sixty dollars;

13 (e) For a gross vehicle weight exceeding six tons but not
14 exceeding seven tons, eighty-five dollars;

15 (f) For a gross vehicle weight in excess of seven tons,
16 the fee shall be that for a ~~truck~~ commercial motor vehicle having
17 a gross vehicle weight of seven tons and, in addition thereto,
18 twenty-five dollars for each ton of gross vehicle weight over seven
19 tons.

20 (4)(a) For fractional tons in excess of the twenty
21 percent or the tolerance of one thousand pounds, as provided in
22 section 60-6,300, the fee shall be computed on the basis of the
23 next higher bracket.

24 (b) The fees provided by this section shall be
25 reduced ten percent for motor vehicles used exclusively for the
26 transportation of ~~livestock, poultry, unprocessed milk, grain,~~
27 sugar beets, potatoes, and hay. agricultural products.

1 (c) Fees for ~~trucks~~ commercial motor vehicles with a
2 gross vehicle weight in excess of thirty-six tons shall be
3 increased by twenty percent for all such ~~trucks~~ commercial motor
4 vehicles operated on any highway not a part of the National System
5 of Interstate and Defense Highways.

6 (5) (a) Such fee may be paid one-half at the time of
7 registration and one-half on the first day of the seventh month of
8 the registration period when the license fee exceeds two hundred
9 ten dollars. When the second half is paid, the county treasurer or
10 designated county official shall furnish a registration certificate
11 and license plates issued by the department which shall be
12 displayed on such ~~truck or truck-tractor~~ commercial motor vehicle
13 in the manner provided by law. In addition to the registration fee,
14 the department shall collect a sufficient fee to cover the cost of
15 issuing the certificate and license plates.

16 (b) If such second half is not paid within thirty days
17 following the first day of the seventh month, the registration
18 of such ~~truck or truck-tractor~~ commercial motor vehicle shall be
19 canceled and the registration certificate and license plates shall
20 be returned to the county treasurer or designated county official.

21 (c) Such fee shall be paid prior to any subsequent
22 registration or renewal of registration.

23 (6) License plates issued under this section shall be the
24 same size and of the same basic design as regular license plates
25 issued under section 60-3,100.

26 (7) A license plate or plates issued to a commercial
27 ~~truck or truck-tractor~~ motor vehicle with a gross weight of five

1 tons or over shall display, in addition to the registration number,
2 the weight that the commercial ~~truck or truck-tractor~~ motor vehicle
3 is licensed for, using a decal on the license plate or plates of
4 the commercial ~~truck or truck-tractor~~ motor vehicle in letters and
5 numerals of such size and design as shall be determined and issued
6 by the department.

7 Sec. 51. Section 60-3,150, Revised Statutes Cumulative
8 Supplement, 2006, is amended to read:

9 60-3,150 For registration purposes, a truck-tractor and
10 semitrailer unit and a commercial trailer shall be considered as
11 separate units. The registration fee of the truck-tractor shall be
12 the fee provided for ~~trucks and truck-tractors.~~ commercial motor
13 vehicles. Each semitrailer and each commercial trailer shall be
14 registered upon the payment of a fee of one dollar. The department
15 shall provide an appropriate license plate or, when appropriate,
16 validation decal to identify such semitrailers. If any truck or
17 truck-tractor, operated under the classification designated as
18 local, farm, or A or with plates issued under section 60-3,113 is
19 operated outside of the limits of its respective classification, it
20 shall thereupon come under the classification of commercial ~~truck.~~
21 motor vehicle.

22 Sec. 52. Section 60-3,184, Revised Statutes Cumulative
23 Supplement, 2006, is amended to read:

24 60-3,184 For purposes of sections 60-3,184 to ~~60-3,191:~~
25 60-3,190:

26 (1) Automobile means passenger cars, trucks, utility
27 vehicles, and vans up to and including seven tons;

1 (2) Motor vehicle means every motor vehicle and trailer
2 subject to the payment of registration fees or permit fees under
3 the laws of this state and every cabin trailer registered for
4 operation upon the highways of this state;

5 (3) Motor vehicle fee means the fee imposed upon motor
6 vehicles under section 60-3,190;

7 (4) Motor vehicle tax means the tax imposed upon motor
8 vehicles under section 60-3,185; and

9 (5) Registration period means the period from the date
10 of registration pursuant to section 60-392 to the first day of the
11 month following one year after such date.

12 Sec. 53. Section 60-3,186, Revised Statutes Cumulative
13 Supplement, 2006, is amended to read:

14 60-3,186 (1) The county treasurer or designated county
15 official shall annually determine the motor vehicle tax on each
16 motor vehicle registered in the county based on the age of the
17 motor vehicle pursuant to section 60-3,187 and cause a notice of
18 the amount of the tax to be mailed to the registrant at the
19 address shown upon his or her registration certificate. The notice
20 shall be printed on a ~~prenumbered statement~~ form prescribed by the
21 department and shall be mailed on or before the first day of the
22 last month of the registration period.

23 (2) (a) The motor vehicle tax, motor vehicle fee,
24 registration fee, sales tax, and any other applicable taxes and
25 fees shall be paid to the county treasurer or designated county
26 official prior to the registration of the motor vehicle for
27 the following registration period. If the motor vehicle being

1 registered has been transferred as a gift or for a nominal amount,
2 any sales tax owed by the transferor on the purchase of the motor
3 vehicle shall have been paid or be paid to the county treasurer or
4 designated county official prior to the registration of the motor
5 vehicle for the following registration period.

6 (b) After retaining one percent of the motor vehicle
7 tax proceeds collected for costs, the remaining motor vehicle tax
8 proceeds shall be allocated to each county, local school system,
9 school district, city, and village in the tax district in which the
10 motor vehicle has situs.

11 (c) (i) Twenty-two percent of the remaining motor vehicle
12 tax proceeds shall be allocated to the county, (ii) sixty percent
13 shall be allocated to the local school system or school district,
14 and (iii) eighteen percent shall be allocated to the city or
15 village, except that (A) if the tax district is not in a city or
16 village, forty percent shall be allocated to the county, and (B)
17 in counties containing a city of the metropolitan class, eighteen
18 percent shall be allocated to the county and twenty-two percent
19 shall be allocated to the city or village.

20 (d) The amount allocated to a local school system shall
21 be distributed to school districts in the same manner as property
22 taxes.

23 (3) Proceeds from the motor vehicle tax shall be treated
24 as property tax revenue for purposes of expenditure limitations,
25 matching of state or federal funds, and other purposes.

26 Sec. 54. Section 60-3,188, Revised Statutes Cumulative
27 Supplement, 2006, is amended to read:

1 60-3,188 (1) The department shall determine motor vehicle
2 manufacturers' suggested retail prices, ~~and~~ gross vehicle weight
3 ratings, and vehicle identification numbers using appropriate
4 commercially available electronic information on a system
5 designated by the department.

6 (2) For purposes of section 60-3,187, the department
7 shall ~~(a)~~ determine the value when new of automobiles, ~~(b)~~ and
8 determine the gross vehicle weight ratings of motor vehicles over
9 seven tons, ~~(c)~~ and ~~certify such determinations to the county~~
10 ~~treasurer or designated county official of each county by November~~
11 ~~15 of the prior year.~~ The department shall make a determination
12 for such makes and models of automobiles and motor vehicles already
13 manufactured or being manufactured and shall, as new makes and
14 models of such automobiles and motor vehicles become available to
15 Nebraska residents, continue to make such determinations. The value
16 when new is the manufacturer's suggested retail price for such new
17 automobile or motor vehicle of that year using the manufacturer's
18 body type and model with standard equipment and not including
19 transportation or delivery cost.

20 (3) Any person or taxing official may, within ten days
21 after a determination has been certified by the department,
22 file objections in writing with the department stating why the
23 determination is incorrect.

24 (4) Any affected person may file an objection to the
25 determination of the department not more than fifteen days before
26 and not later than thirty days after the registration date. The
27 objection must be filed in writing with the department and state

1 why the determination is incorrect.

2 (5) Upon the filing of objections the department shall
3 fix a time for a hearing. Any party may introduce evidence in
4 reference to the objections, and the department shall act upon the
5 objections and make a written order, mailed to the objector within
6 seven days after the order. The final decision by the department
7 may be appealed. The appeal shall be to the Tax Equalization
8 and Review Commission in accordance with the Tax Equalization and
9 Review Commission Act within thirty days after the written order.
10 In an appeal, the department's determination of the manufacturer's
11 suggested retail price shall be presumed to be correct and the
12 party challenging the determination shall bear the burden of
13 proving it incorrect.

14 Sec. 55. Section 60-3,190, Revised Statutes Cumulative
15 Supplement, 2006, is amended to read:

16 60-3,190 (1) A motor vehicle fee is imposed on all motor
17 vehicles registered for operation in this state. An owner of a
18 motor vehicle which is exempt from the imposition of a motor
19 vehicle tax pursuant to section 60-3,185 shall also be exempt from
20 the imposition of the motor vehicle fee imposed pursuant to this
21 section.

22 (2) The county treasurer or designated county official
23 shall annually determine the motor vehicle fee on each motor
24 vehicle registered in the county based on the age of the motor
25 vehicle pursuant to this section and cause a notice of the amount
26 of the fee to be mailed to the registrant at the address shown upon
27 his or her registration certificate. The notice shall be printed

1 on a ~~prenumbered statement~~ form prescribed by the department, shall
2 be combined with the notice of the motor vehicle tax, and shall
3 be mailed on or before the first day of the last month of the
4 registration period.

5 (3) The motor vehicle fee schedules are set out in
6 this subsection and subsection (4) of this section. Except for
7 automobiles with a value when new of less than \$20,000, and for
8 assembled automobiles, the fee shall be calculated by multiplying
9 the base fee times the fraction which corresponds to the age
10 category of the automobile as shown in the following table:

11 YEAR	FRACTION
12 First through fifth	1.00
13 Sixth through tenth	.70
14 Eleventh and over	.35

15 (4) The base fee shall be:

16 (a) Automobiles, with a value when new of less than
17 \$20,000, and assembled automobiles - \$5

18 (b) Automobiles, with a value when new of \$20,000 through
19 \$39,999 - \$20

20 (c) Automobiles, with a value when new of \$40,000 or more
21 - \$30

22 (d) Motorcycles - \$10

23 (e) Recreational vehicles and cabin trailers - \$10

24 (f) Trucks over seven tons and buses - \$30

25 (g) Trailers other than semitrailers - \$10

26 (h) Semitrailers - \$30.

27 (5) The motor vehicle tax, motor vehicle fee, and

1 registration fee shall be paid to the county treasurer or
2 designated official prior to the registration of the motor vehicle
3 for the following registration period. After retaining one percent
4 of the motor vehicle fee collected for costs, the remaining
5 proceeds shall be remitted to the State Treasurer for credit to
6 the Motor Vehicle Fee Fund. The State Treasurer shall return funds
7 from the Motor Vehicle Fee Fund remitted by a county treasurer or
8 designated county official which are needed for refunds or credits
9 authorized by law.

10 (6) (a) The Motor Vehicle Fee Fund is created. On or
11 before the last day of each calendar quarter, the State Treasurer
12 shall distribute all funds in the Motor Vehicle Fee Fund as
13 follows: (i) Fifty percent to the county treasurer of each county,
14 amounts in the same proportion as the most recent allocation
15 received by each county from the Highway Allocation Fund; and
16 (ii) fifty percent to the treasurer of each municipality, amounts
17 in the same proportion as the most recent allocation received by
18 each municipality from the Highway Allocation Fund. Any money in
19 the fund available for investment shall be invested by the state
20 investment officer pursuant to the Nebraska Capital Expansion Act
21 and the Nebraska State Funds Investment Act.

22 (b) Funds from the Motor Vehicle Fee Fund shall be
23 considered local revenue available for matching state sources.

24 (c) All receipts by counties and municipalities from the
25 Motor Vehicle Fee Fund shall be used for road, bridge, and street
26 purposes.

27 (7) For purposes of subdivisions (4) (a), (b), (c), and

1 (f) of this section, automobiles or trucks includes all trucks
2 and combinations of trucks or truck-tractors, except those trucks,
3 trailers, or semitrailers registered under section 60-3,198, and
4 the fee is based on the gross vehicle weight rating as reported by
5 the manufacturer.

6 (8) Current model year vehicles are designated as
7 first-year motor vehicles for purposes of the schedules.

8 (9) When a motor vehicle is registered which is newer
9 than the current model year by the manufacturer's designation, the
10 motor vehicle is subject to the initial motor vehicle fee for six
11 registration periods.

12 (10) Assembled vehicles other than assembled automobiles
13 shall follow the schedules for the motor vehicle body type.

14 Sec. 56. Original sections 60-101, 60-102, 60-114,
15 60-117, 60-123, 60-134, 60-137, 60-145, 60-146, 60-152, 60-153,
16 60-164, 60-166, 60-168, 60-173, 60-301, 60-302, 60-308, 60-324,
17 60-325, 60-333, 60-339, 60-345, 60-355, 60-356, 60-378, 60-385,
18 60-387, 60-395, 60-397, 60-3,104, 60-3,107, 60-3,118, 60-3,122,
19 60-3,123, 60-3,124, 60-3,125, 60-3,126, 60-3,128, 60-3,130.04,
20 60-3,141, 60-3,142, 60-3,145, 60-3,147, 60-3,150, 60-3,184,
21 60-3,186, 60-3,188, and 60-3,190, Revised Statutes Cumulative
22 Supplement, 2006, are repealed.

23 Sec. 57. The following sections are outright repealed:
24 Sections 60-157 and 60-3,191, Revised Statutes Cumulative
25 Supplement, 2006.

26 2. On page 1, strike beginning with "60-114" in line 1
27 through line 7 and insert "60-101, 60-102, 60-114, 60-117, 60-123,

1 60-134, 60-137, 60-145, 60-146, 60-152, 60-153, 60-164, 60-166,
2 60-168, 60-173, 60-301, 60-302, 60-308, 60-324, 60-325, 60-333,
3 60-339, 60-345, 60-355, 60-356, 60-378, 60-385, 60-387, 60-395,
4 60-397, 60-3,104, 60-3,107, 60-3,118, 60-3,122, 60-3,123, 60-3,124,
5 60-3,125, 60-3,126, 60-3,128, 60-3,130.04, 60-3,141, 60-3,142,
6 60-3,145, 60-3,147, 60-3,150, 60-3,184, 60-3,186, 60-3,188, and
7 60-3,190, Revised Statutes Cumulative Supplement, 2006; to change
8 and eliminate provisions relating to the Motor Vehicle Certificate
9 of Title Act and the Motor Vehicle Registration Act; to harmonize
10 provisions; to repeal the original sections; and to outright
11 repeal sections 60-157 and 60-3,191, Revised Statutes Cumulative
12 Supplement, 2006."