

AMENDMENTS TO LB768

Introduced by Transportation and Telecommunications.

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

3           Section 1. Section 60-301, Revised Statutes Supplement, 2015, is  
4 amended to read:

5           60-301 Sections 60-301 to 60-3,225 and sections 7 and 8 of this act  
6 shall be known and may be cited as the Motor Vehicle Registration Act.

7           Sec. 2. Section 60-393, Revised Statutes Supplement, 2015, is  
8 amended to read:

9           60-393 Any owner who has two or more motor vehicles or trailers  
10 required to be registered under the Motor Vehicle Registration Act may  
11 register all such motor vehicles or trailers on a calendar-year basis or  
12 on an annual basis for the same registration period beginning in a month  
13 chosen by the owner. When electing to establish the same registration  
14 period for all such motor vehicles or trailers, the owner shall pay the  
15 registration fee, the motor vehicle tax imposed in section 60-3,185, the  
16 motor vehicle fee imposed in section 60-3,190, and the alternative fuel  
17 fee imposed in section 60-3,191 on each motor vehicle for the number of  
18 months necessary to extend its current registration period to the  
19 registration period under which all such motor vehicles or trailers will  
20 be registered. Credit shall be given for registration paid on each motor  
21 vehicle or trailer when the motor vehicle or trailer has a later  
22 expiration date than that chosen by the owner except as otherwise  
23 provided in sections 60-3,121, 60-3,122.02, 60-3,122.04, 60-3,128, and  
24 60-3,224 and section 8 of this act. Thereafter all such motor vehicles or  
25 trailers shall be registered on an annual basis starting in the month  
26 chosen by the owner.

27           Sec. 3. Section 60-395, Revised Statutes Supplement, 2015, is

1 amended to read:

2 60-395 (1) Except as otherwise provided in subsection (2) of this  
3 section and sections 60-3,121, 60-3,122.02, 60-3,122.04, 60-3,128, and  
4 60-3,224 and section 8 of this act, the registration shall expire and the  
5 registered owner or lessee may, by returning the registration  
6 certificate, the license plates, and, when appropriate, the validation  
7 decals and by either making application on a form prescribed by the  
8 department to the county treasurer of the occurrence of an event  
9 described in subdivisions (a) through (e) of this subsection or, in the  
10 case of a change in situs, displaying to the county treasurer the  
11 registration certificate of such other state as evidence of a change in  
12 situs, receive a refund of that part of the unused fees and taxes on  
13 motor vehicles or trailers based on the number of unexpired months  
14 remaining in the registration period from the date of any of the  
15 following events:

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

17 (b) In case of loss of possession because of fire, theft,  
18 dismantlement, or junking;

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

20 (d) Whenever a type or class of motor vehicle or trailer previously  
21 registered is subsequently declared by legislative act or court decision  
22 to be illegal or ineligible to be operated or towed on the public roads  
23 and no longer subject to registration fees, the motor vehicle tax imposed  
24 in section 60-3,185, the motor vehicle fee imposed in section 60-3,190,  
25 and the alternative fuel fee imposed in section 60-3,191;

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

27 or

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

30 (2) If the date of the event falls within the same calendar month in  
31 which the motor vehicle or trailer is acquired, no refund shall be

1 allowed for such month.

2 (3) If the transferor or lessee acquires another motor vehicle at  
3 the time of the transfer, trade-in, or surrender, the transferor or  
4 lessee shall have the credit provided for in this section applied toward  
5 payment of the motor vehicle fees and taxes then owing. Otherwise, the  
6 transferor or lessee shall file a claim for refund with the county  
7 treasurer upon an application form prescribed by the department.

8 (4) The registered owner or lessee shall make a claim for refund or  
9 credit of the fees and taxes for the unexpired months in the registration  
10 period within sixty days after the date of the event or shall be deemed  
11 to have forfeited his or her right to such refund or credit.

12 (5) For purposes of this section, the date of the event shall be:  
13 (a) In the case of a transfer or loss, the date of the transfer or loss;  
14 (b) in the case of a change in the situs, the date of registration in  
15 another state; (c) in the case of a trade-in or surrender under a lease,  
16 the date of trade-in or surrender; (d) in the case of a legislative act,  
17 the effective date of the act; and (e) in the case of a court decision,  
18 the date the decision is rendered.

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

22 (7) If a motor vehicle or trailer was reported stolen under section  
23 60-178, a refund under this section shall not be reduced for a lost plate  
24 charge and a credit under this section may be reduced for a lost plate  
25 charge but the applicant shall not be required to pay the plate fee for  
26 new plates.

27 (8) The county treasurer shall refund the motor vehicle fee and  
28 registration fee from the fees which have not been transferred to the  
29 State Treasurer. The county treasurer shall make payment to the claimant  
30 from the undistributed motor vehicle taxes of the taxing unit where the  
31 tax money was originally distributed. No refund of less than two dollars

1 shall be paid.

2 Sec. 4. Section 60-396, Revised Statutes Supplement, 2015, is  
3 amended to read:

4 60-396 Whenever the registered owner files an application with the  
5 county treasurer showing that a motor vehicle or trailer is disabled and  
6 has been removed from service, the registered owner may, by returning the  
7 registration certificate, the license plates, and, when appropriate, the  
8 validation decals or, in the case of the unavailability of such  
9 registration certificate or certificates, license plates, or validation  
10 decals, then by making an affidavit to the county treasurer of such  
11 disablement and removal from service, receive a credit for a portion of  
12 the registration fee from the fee deposited with the State Treasurer at  
13 the time of registration based upon the number of unexpired months  
14 remaining in the registration year except as otherwise provided in  
15 sections 60-3,121, 60-3,122.02, 60-3,122.04, 60-3,128, and 60-3,224 and  
16 section 8 of this act. The owner shall also receive a credit for the  
17 unused portion of the motor vehicle tax and fee based upon the number of  
18 unexpired months remaining in the registration year. When the owner  
19 registers a replacement motor vehicle or trailer at the time of filing  
20 such affidavit, the credit may be immediately applied against the  
21 registration fee and the motor vehicle tax and fee for the replacement  
22 motor vehicle or trailer. When no such replacement motor vehicle or  
23 trailer is so registered, the county treasurer shall forward the  
24 application and affidavit, if any, to the State Treasurer who shall  
25 determine the amount, if any, of the allowable credit for the  
26 registration fee and issue a credit certificate to the owner. For the  
27 motor vehicle tax and fee, the county treasurer shall determine the  
28 amount, if any, of the allowable credit and issue a credit certificate to  
29 the owner. When such motor vehicle or trailer is removed from service  
30 within the same month in which it was registered, no credits shall be  
31 allowed for such month. The credits may be applied against taxes and fees

1 for new or replacement motor vehicles or trailers incurred within one  
2 year after cancellation of registration of the motor vehicle or trailer  
3 for which the credits were allowed. When any such motor vehicle or  
4 trailer is reregistered within the same registration year in which its  
5 registration has been canceled, the taxes and fees shall be that portion  
6 of the registration fee and the motor vehicle tax and fee for the  
7 remainder of the registration year.

8 Sec. 5. Section 60-3,104, Revised Statutes Supplement, 2015, is  
9 amended to read:

10 60-3,104 The department shall issue the following types of license  
11 plates:

12 (1) Amateur radio station license plates issued pursuant to section  
13 60-3,126;

14 (2) Apportionable vehicle license plates issued pursuant to section  
15 60-3,203;

16 (3) Autocycle license plates issued pursuant to section 60-3,100;

17 (4) Boat dealer license plates issued pursuant to section 60-379;

18 (5) Bus license plates issued pursuant to section 60-3,144;

19 (6) Choose Life License Plates issued pursuant to sections 7 and 8  
20 of this act;

21 (~~7~~ 6) Commercial motor vehicle license plates issued pursuant to  
22 section 60-3,147;

23 (~~8~~ 7) Dealer or manufacturer license plates issued pursuant to  
24 sections 60-3,114 and 60-3,115;

25 (~~9~~ 8) Disabled veteran license plates issued pursuant to section  
26 60-3,124;

27 (~~10~~ 9) Farm trailer license plates issued pursuant to section  
28 60-3,151;

29 (~~11~~ 10) Farm truck license plates issued pursuant to section  
30 60-3,146;

31 (~~12~~ 11) Farm trucks with a gross weight of over sixteen tons license

- 1 plates issued pursuant to section 60-3,146;
- 2 (~~13~~ 12) Fertilizer trailer license plates issued pursuant to section
- 3 60-3,151;
- 4 (~~14~~ 13) Gold Star Family license plates issued pursuant to sections
- 5 60-3,122.01 and 60-3,122.02;
- 6 (~~15~~ 14) Handicapped or disabled person license plates issued
- 7 pursuant to section 60-3,113;
- 8 (~~16~~ 15) Historical vehicle license plates issued pursuant to
- 9 sections 60-3,130 to 60-3,134;
- 10 (~~17~~ 16) Local truck license plates issued pursuant to section
- 11 60-3,145;
- 12 (~~18~~ 17) Military Honor Plates issued pursuant to sections
- 13 60-3,122.03 and 60-3,122.04;
- 14 (~~19~~ 18) Minitruck license plates issued pursuant to section
- 15 60-3,100;
- 16 (~~20~~ 19) Motor vehicle license plates for motor vehicles owned or
- 17 operated by the state, counties, municipalities, or school districts
- 18 issued pursuant to section 60-3,105;
- 19 (~~21~~ 20) Motor vehicles exempt pursuant to section 60-3,107;
- 20 (~~22~~ 21) Motorcycle license plates issued pursuant to section
- 21 60-3,100;
- 22 (~~23~~ 22) Nebraska Cornhusker Spirit Plates issued pursuant to
- 23 sections 60-3,127 to 60-3,129;
- 24 (~~24~~ 23) Nebraska 150 Sesquicentennial Plates issued pursuant to
- 25 sections 60-3,223 to 60-3,225;
- 26 (~~25~~ 24) Nonresident owner thirty-day license plates issued pursuant
- 27 to section 60-382;
- 28 (~~26~~ 25) Passenger car having a seating capacity of ten persons or
- 29 less and not used for hire issued pursuant to section 60-3,143 other than
- 30 autocycles;
- 31 (~~27~~ 26) Passenger car having a seating capacity of ten persons or

1 less and used for hire issued pursuant to section 60-3,143 other than  
2 autocycles;  
3 (~~28~~ 27) Pearl Harbor license plates issued pursuant to section  
4 60-3,122;  
5 (~~29~~ 28) Personal-use dealer license plates issued pursuant to  
6 section 60-3,116;  
7 (~~30~~ 29) Personalized message license plates for motor vehicles and  
8 cabin trailers, except commercial motor vehicles registered for over ten  
9 tons gross weight, issued pursuant to sections 60-3,118 to 60-3,121;  
10 (~~31~~ 30) Prisoner-of-war license plates issued pursuant to section  
11 60-3,123;  
12 (~~32~~ 31) Purple Heart license plates issued pursuant to section  
13 60-3,125;  
14 (~~33~~ 32) Recreational vehicle license plates issued pursuant to  
15 section 60-3,151;  
16 (~~34~~ 33) Repossession license plates issued pursuant to section  
17 60-375;  
18 (~~35~~ 34) Special interest motor vehicle license plates issued  
19 pursuant to section 60-3,135.01;  
20 (~~36~~ 35) Specialty license plates issued pursuant to sections  
21 60-3,104.01 and 60-3,104.02;  
22 (~~37~~ 36) Trailer license plates issued for trailers owned or operated  
23 by the state, counties, municipalities, or school districts issued  
24 pursuant to section 60-3,106;  
25 (~~38~~ 37) Trailer license plates issued pursuant to section 60-3,100;  
26 (~~39~~ 38) Trailers exempt pursuant to section 60-3,108;  
27 (~~40~~ 39) Transporter license plates issued pursuant to section  
28 60-378;  
29 (~~41~~ 40) Trucks or combinations of trucks, truck-tractors, or  
30 trailers which are not for hire and engaged in soil and water  
31 conservation work and used for the purpose of transporting pipe and

1 equipment exclusively used by such contractors for soil and water  
2 conservation construction license plates issued pursuant to section  
3 60-3,149;

4 (42 41) Utility trailer license plates issued pursuant to section  
5 60-3,151; and

6 (43 42) Well-boring apparatus and well-servicing equipment license  
7 plates issued pursuant to section 60-3,109.

8 Sec. 6. Section 60-3,130.04, Revised Statutes Supplement, 2015, is  
9 amended to read:

10 60-3,130.04 (1) An owner of a historical vehicle eligible for  
11 registration under section 60-3,130 may use a license plate or plates  
12 designed by this state in the year corresponding to the model year when  
13 the vehicle was manufactured in lieu of the plates designed pursuant to  
14 section 60-3,130.03 subject to the approval of the department. The  
15 department shall inspect the plate or plates and may approve the plate or  
16 plates if it is determined that the model-year license plate or plates  
17 are legible and serviceable and that the license plate numbers do not  
18 conflict with or duplicate other numbers assigned and in use. An  
19 original-issued license plate or plates that have been restored to  
20 original condition may be used when approved by the department.

21 (2) The department may consult with a recognized car club in  
22 determining whether the year of the license plate or plates to be used  
23 corresponds to the model year when the vehicle was manufactured.

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

28 (4) License plates used pursuant to this section corresponding to  
29 the year of manufacture of the vehicle shall not be personalized message  
30 license plates, Pearl Harbor license plates, prisoner-of-war license  
31 plates, disabled veteran license plates, Purple Heart license plates,



1 amateur radio station license plates, Nebraska Cornhusker Spirit Plates,  
2 handicapped or disabled person license plates, specialty license plates,  
3 special interest motor vehicle license plates, Military Honor Plates, ~~or~~  
4 Nebraska 150 Sesquicentennial Plates, or Choose Life License Plates.

5 Sec. 7. (1) The department shall design license plates to be known  
6 as Choose Life License Plates. The department shall create designs  
7 reflecting support for the protection of Nebraska's children. The design  
8 shall be selected on the basis of limiting the manufacturing cost of each  
9 plate to an amount less than or equal to the amount charged for license  
10 plates pursuant to section 60-3,102. The department shall make  
11 applications available for this type of plate when it is designed. The  
12 department may adopt and promulgate rules and regulations to carry out  
13 this section and section 8 of this act.

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

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

17 (b) Not use a county designation.

18 (3) One type of Choose Life License Plates shall be personalized  
19 message plates. Such plates shall be issued subject to the same  
20 conditions specified for personalized message license plates in section  
21 60-3,118, except that a maximum of five characters may be used.

22 Sec. 8. (1) A person may apply to the department for Choose Life  
23 License Plates in lieu of regular license plates on an application  
24 prescribed and provided by the department for any motor vehicle or cabin  
25 trailer, except for a motor vehicle or cabin trailer registered under  
26 section 60-3,198. An applicant receiving a Choose Life License Plate for  
27 a farm truck with a gross weight of over sixteen tons shall affix the  
28 appropriate tonnage decal to the plate. The department shall make forms  
29 available for such applications through the county treasurers. The  
30 license plates shall be issued upon payment of the license fee described  
31 in subsection (2) of this section.

1           (2)(a) In addition to all other fees required for registration under  
2 the Motor Vehicle Registration Act, each application for initial issuance  
3 of alphanumeric Choose Life License Plates shall be accompanied by a fee  
4 of five dollars. An application for renewal of such plates shall be  
5 accompanied by a fee of five dollars. County treasurers collecting fees  
6 pursuant to this subdivision shall remit them to the State Treasurer. The  
7 State Treasurer shall credit five dollars of the fee to the Choose Life  
8 Prenatal Care Fund.

9           (b) In addition to all other fees required for registration under  
10 the Motor Vehicle Registration Act, each application for initial issuance  
11 or renewal of personalized message Choose Life License Plates shall be  
12 accompanied by a fee of forty dollars. County treasurers collecting fees  
13 pursuant to this subdivision shall remit them to the State Treasurer. The  
14 State Treasurer shall credit twenty-five percent of the fee for initial  
15 issuance and renewal of such plates to the Department of Motor Vehicles  
16 Cash Fund and seventy-five percent of the fee to the Choose Life Prenatal  
17 Care Fund.

18           (3) When the department receives an application for Choose Life  
19 License Plates, the department shall deliver the plates to the county  
20 treasurer of the county in which the motor vehicle or cabin trailer is  
21 registered. The county treasurer shall issue Choose Life License Plates  
22 in lieu of regular license plates when the applicant complies with the  
23 other provisions of the Motor Vehicle Registration Act for registration  
24 of the motor vehicle or cabin trailer. If Choose Life License Plates are  
25 lost, stolen, or mutilated, the licensee shall be issued replacement  
26 license plates upon request pursuant to section 60-3,157.

27           (4) The owner of a motor vehicle or cabin trailer bearing Choose  
28 Life License Plates may apply to the county treasurer to have such plates  
29 transferred to a motor vehicle other than the vehicle for which such  
30 plates were originally purchased if such vehicle is owned by the owner of  
31 the plates. The owner may have the unused portion of the fee for the

1 plates credited to the other vehicle which will bear the plates at the  
2 rate of eight and one-third percent per month for each full month left in  
3 the registration period. Application for such transfer shall be  
4 accompanied by a fee of three dollars. Fees collected pursuant to this  
5 subsection shall be remitted to the State Treasurer for credit to the  
6 Department of Motor Vehicles Cash Fund.

7 (5) If the cost of manufacturing Choose Life License Plates at any  
8 time exceeds the amount charged for license plates pursuant to section  
9 60-3,102, any money to be credited to the Choose Life Prenatal Care Fund  
10 shall instead be credited first to the Highway Trust Fund in an amount  
11 equal to the difference between the manufacturing costs of Choose Life  
12 License Plates and the amount charged pursuant to section 60-3,102 with  
13 respect to such plates and the remainder shall be credited to the Choose  
14 Life Prenatal Care Fund.

15 Sec. 9. (1) The Choose Life Prenatal Care Fund is created. The fund  
16 shall consist of money credited pursuant to section 8 of this act and any  
17 other money as determined by the Legislature. The fund shall be  
18 administered by the Department of Health and Human Services and shall be  
19 used for prenatal health care as long as the service provider does not  
20 perform abortions.

21 (2) Any money in the Choose Life Prenatal Care Fund available for  
22 investment shall be invested by the state investment officer pursuant to  
23 the Nebraska Capital Expansion Act and the Nebraska State Funds  
24 Investment Act.

25 Sec. 10. Original sections 60-301, 60-393, 60-395, 60-396,  
26 60-3,104, and 60-3,130.04, Revised Statutes Supplement, 2015, are  
27 repealed.