

LEGISLATURE OF NEBRASKA
ONE HUNDRED FOURTH LEGISLATURE
SECOND SESSION

LEGISLATIVE BILL 880

Introduced by McCollister, 20; Bloomfield, 17; Brasch, 16; Crawford, 45;
Ebke, 32; Garrett, 3; Krist, 10; Watermeier, 1.

Read first time January 11, 2016

Committee: Transportation and Telecommunications

- 1 A BILL FOR AN ACT relating to motor vehicles; to amend section 80-414,
- 2 Reissue Revised Statutes of Nebraska, and sections 60-3,122.03,
- 3 60-3,122.04, and 60-4,189, Revised Statutes Cumulative Supplement,
- 4 2014; to change provisions relating to Military Honor Plates and the
- 5 notation of veteran status on operator's licenses and state
- 6 identification cards; to harmonize provisions; to provide an
- 7 operative date; and to repeal the original sections.
- 8 Be it enacted by the people of the State of Nebraska,

1 Section 1. Section 60-3,122.03, Revised Statutes Cumulative
2 Supplement, 2014, is amended to read:

3 60-3,122.03 (1) The department shall design license plates to be
4 known as Military Honor Plates. The department shall create designs
5 honoring persons who have served or are serving in the United States
6 Army, United States Army Reserve, United States Navy, United States Navy
7 Reserve, United States Marine Corps, United States Marine Corps Reserve,
8 United States Coast Guard, United States Coast Guard Reserve, United
9 States Air Force, United States Air Force Reserve, or National Guard.
10 There shall be ~~e~~eleven ~~six~~ designs, one for each of such armed forces
11 reflecting its official emblem, official seal, or other official image.
12 The issuance of plates for each of such armed forces shall be conditioned
13 on the approval of the armed forces owning the copyright to the official
14 emblem, official seal, or other official image. A person may qualify for
15 a Military Honor Plate by registering with the Department of Veterans'
16 Affairs pursuant to section 80-414. The Department of Motor Vehicles
17 shall verify the applicant's eligibility for a plate created pursuant to
18 this section by consulting the registry established by the Department of
19 Veterans' Affairs.

20 (2) The design shall be selected on the basis of limiting the
21 manufacturing cost of each plate to an amount less than or equal to the
22 amount charged for license plates pursuant to section 60-3,102. The
23 Department of Motor Vehicles shall make applications available for each
24 type of plate when it is designed. The department may adopt and
25 promulgate rules and regulations to carry out this section and section
26 60-3,122.04.

27 (3) One type of Military Honor Plates shall be alphanumeric plates.
28 The department shall:

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

30 (b) Not use a county designation.

31 (4) One type of Military Honor Plates shall be personalized message

1 plates. Such plates shall be issued subject to the same conditions
2 specified for personalized message license plates in section 60-3,118,
3 except that a maximum of five characters may be used.

4 Sec. 2. Section 60-3,122.04, Revised Statutes Cumulative Supplement,
5 2014, is amended to read:

6 60-3,122.04 (1) ~~An Beginning January 2, 2016,~~ an eligible person may
7 apply to the department for Military Honor Plates in lieu of regular
8 license plates on an application prescribed and provided by the
9 department for any motor vehicle, trailer, semitrailer, or cabin trailer,
10 except for a motor vehicle or trailer registered under section 60-3,198.
11 An applicant receiving a Military Honor Plate for a farm truck with a
12 gross weight of over sixteen tons shall affix the appropriate tonnage
13 decal to the plate. The department shall make forms available for such
14 applications through the county treasurers. The license plates shall be
15 issued upon payment of the license fee described in subsection (2) of
16 this section and verification by the department of an applicant's
17 eligibility using the registry established by the Department of Veterans'
18 Affairs pursuant to section 80-414. To be eligible an applicant shall be
19 (a) active duty or reserve duty armed forces personnel serving in any of
20 the armed forces listed in subsection (1) of section 60-3,122.03 or (b) a
21 veteran of any of such armed forces who was discharged or otherwise
22 separated with a characterization of honorable or general (under
23 honorable conditions). Any person using Military Honor Plates shall
24 surrender the plates to the county treasurer if such person is no longer
25 eligible for the plates. Regular plates shall be issued to any such
26 person upon surrender of the Military Honor Plates for a three-dollar
27 transfer fee and forfeiture of any of the remaining annual fee. The
28 three-dollar transfer fee shall be remitted to the State Treasurer for
29 credit to the Department of Motor Vehicles Cash Fund.

30 (2)(a) In addition to all other fees required for registration under
31 the Motor Vehicle Registration Act, each application for initial issuance

1 or renewal of alphanumeric Military Honor Plates shall be accompanied by
2 a fee of five dollars. County treasurers collecting fees pursuant to this
3 subdivision shall remit them to the State Treasurer. The State Treasurer
4 shall credit five dollars of the fee to the Nebraska Veteran Cemetery
5 System Operation Fund.

6 (b) In addition to all other fees required for registration under
7 the Motor Vehicle Registration Act, each application for initial issuance
8 or renewal of personalized message Military Honor Plates shall be
9 accompanied by a fee of forty dollars. County treasurers collecting fees
10 pursuant to this subdivision shall remit them to the State Treasurer. The
11 State Treasurer shall credit twenty-five percent of the fee for initial
12 issuance and renewal of such plates to the Department of Motor Vehicles
13 Cash Fund and seventy-five percent of the fee to the Nebraska Veteran
14 Cemetery System Operation Fund.

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

24 (4) The owner of a motor vehicle or cabin trailer bearing Military
25 Honor Plates may apply to the county treasurer to have such plates
26 transferred to a motor vehicle other than the vehicle for which such
27 plates were originally purchased if such vehicle is owned by the owner of
28 the plates. The owner may have the unused portion of the fee for the
29 plates credited to the other vehicle which will bear the plates at the
30 rate of eight and one-third percent per month for each full month left in
31 the registration period. Application for such transfer shall be

1 accompanied by a fee of three dollars. Fees collected pursuant to this
2 subsection shall be remitted to the State Treasurer for credit to the
3 Department of Motor Vehicles Cash Fund.

4 (5) If the cost of manufacturing Military Honor Plates at any time
5 exceeds the amount charged for license plates pursuant to section
6 60-3,102, any money to be credited to the Nebraska Veteran Cemetery
7 System Operation Fund shall instead be credited first to the Highway
8 Trust Fund in an amount equal to the difference between the manufacturing
9 costs of Military Honor Plates and the amount charged pursuant to section
10 60-3,102 with respect to such plates and the remainder shall be credited
11 to the Nebraska Veteran Cemetery System Operation Fund.

12 (6) If the director discovers evidence of fraud in an application
13 for Military Honor Plates or that the holder is no longer eligible to
14 have Military Honor Plates, the director may summarily cancel the plates
15 and registration and send notice of the cancellation to the holder of the
16 license plates.

17 Sec. 3. Section 60-4,189, Revised Statutes Cumulative Supplement,
18 2014, is amended to read:

19 60-4,189 (1) An operator's license or a state identification card
20 shall include a notation of the word "veteran" on the front of the
21 license or card as directed by the department if the individual applying
22 for such license or card is eligible for the license or card and (a) has
23 served on active duty in the armed forces of the United States, ~~other~~
24 ~~than active duty for training,~~ and was discharged or otherwise separated
25 with a characterization of honorable or general (under honorable
26 conditions) from such service, (b) registers with the Department of
27 Veterans' Affairs pursuant to section 80-414 as verification of such
28 service, and (c) indicates on the application under section 60-484 his or
29 her wish to include such notation on his or her license or card.

30 (2) The Department of Motor Vehicles shall consult the registry
31 established pursuant to section 80-414 before placing the notation of the

1 word "veteran" on the operator's license or state identification card
2 issued to the applicant. Such notation shall not be authorized unless the
3 registry verifies the applicant's eligibility. If the Director of Motor
4 Vehicles discovers evidence of fraud in an application under this
5 section, the director may summarily cancel the license or state
6 identification card and send notice of the cancellation to the licensee
7 or cardholder. If the Department of Motor Vehicles has information that
8 an individual is no longer eligible for the notation, the department may
9 summarily cancel the license and send notice of the cancellation to the
10 licensee or cardholder. The notation shall not be restored until the
11 Department of Motor Vehicles subsequently verifies the applicant's
12 eligibility by consulting the registry of the Department of Veterans'
13 Affairs.

14 (3) The notation authorized in subsection (1) of this section shall
15 continue to be included on the license or card upon renewal of such
16 license or card if the licensee or cardholder, at the time of renewal,
17 indicates the desire to include the notation.

18 (4) An individual may obtain a replacement operator's license or
19 state identification card to add or remove the notation authorized in
20 subsection (1) of this section by applying to the Department of Motor
21 Vehicles for such replacement license or card and, if adding the
22 notation, by meeting the requirements of subsection (1) of this section.
23 The fee for such replacement license or card shall be the fee provided in
24 section 60-4,115.

25 Sec. 4. Section 80-414, Reissue Revised Statutes of Nebraska, is
26 amended to read:

27 80-414 (1) The Department of Veterans' Affairs shall create and
28 maintain a registry of residents of Nebraska who meet the requirements of
29 subdivision (1)(a) or (b) of section 60-3,122.04 or subsection (1) of
30 section 60-4,189. The Department of Veterans' Affairs may adopt and
31 promulgate rules and regulations governing the establishment and

1 maintenance of the registry. The registry may be used to assist the
2 department in carrying out the duties of the department and shall provide
3 for the collection of sufficient information to identify an individual
4 who qualifies for Military Honor Plates or a notation of "veteran" on his
5 or her operator's license or state identification card issued by the
6 Department of Motor Vehicles. The registry may include information such
7 as identifying information on an individual, an individual's records on
8 active duty or reserve duty in the armed forces of the United States, or
9 an individual's status of active duty, reserve duty, retired, discharged,
10 or other.

11 (2) Any resident of Nebraska who meets the requirements of
12 subdivision (1)(a) or (b) of section 60-3,122.04 or subsection (1) of
13 section 60-4,189 shall register with the Department of Veterans' Affairs
14 using the registry created by this section before being eligible for
15 Military Honor Plates or a notation of "veteran" on his or her operator's
16 license or state identification card issued by the Department of Motor
17 Vehicles. No person shall be deemed eligible until his or her status has
18 been verified on the registry.

19 (3) The Department of Motor Vehicles may adopt and promulgate rules
20 and regulations governing use of the registry of the Department of
21 Veterans' Affairs for determination of eligibility for the issuance of
22 Military Honor Plates or the notation of "veteran" on operators' licenses
23 and state identification cards.

24 Sec. 5. This act becomes operative on January 1, 2017.

25 Sec. 6. Original section 80-414, Reissue Revised Statutes of
26 Nebraska, and sections 60-3,122.03, 60-3,122.04, and 60-4,189, Revised
27 Statutes Cumulative Supplement, 2014, are repealed.