

LEGISLATURE OF NEBRASKA
ONE HUNDRED SIXTH LEGISLATURE
FIRST SESSION

LEGISLATIVE BILL 270

Introduced by Friesen, 34.

Read first time January 15, 2019

Committee: Transportation and Telecommunications

1 A BILL FOR AN ACT relating to motor vehicles; to amend sections 37-1214,
2 37-1292, 60-3,162, 60-482, 60-4,146.01, and 60-4,155, Reissue
3 Revised Statutes of Nebraska, and sections 37-1278, 37-1280,
4 37-1293, 60-119.01, 60-144, 60-149, 60-151, 60-171, 60-173, 60-174,
5 60-336.01, 60-386, 60-3,104.01, 60-3,122, 60-3,122.02, 60-3,122.04,
6 60-3,123, 60-3,124, 60-3,125, 60-3,126, 60-3,128, 60-3,187,
7 60-3,221, 60-3,224, 60-3,227, 60-3,231, 60-3,233, 60-3,235, 60-495,
8 60-4,118, 60-4,122, 60-4,158, 60-4,182, 60-501, 60-628.01, and
9 60-6,209, Revised Statutes Cumulative Supplement, 2018; to authorize
10 the update of electronic certificate of title records as prescribed;
11 to change and eliminate provisions relating to applications for
12 certificates of title, applications for registration, salvaged
13 motorboats and vehicles, low-speed vehicles, improperly registered
14 certificates of registration, towing of trailers, renewal of state
15 identification cards, the point system for traffic violations, and
16 rules and regulations; to authorize temporary license stickers as
17 prescribed; to define and redefine terms; to eliminate obsolete
18 provisions; to harmonize provisions; and to repeal the original
19 sections.

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

1 Section 1. Section 37-1214, Reissue Revised Statutes of Nebraska, is
2 amended to read:

3 37-1214 (1) Except as otherwise provided in section 37-1211, the
4 owner of each motorboat shall register such vessel or renew the
5 registration every three years as provided in section 37-1226. The owner
6 of such vessel shall file an initial application for a certificate of
7 number pursuant to section 37-1216 with a county treasurer on forms
8 approved and provided by the commission. The application shall be signed
9 by the owner of the vessel, shall contain the year manufactured, and
10 shall be accompanied by a registration fee for the three-year period of
11 not less than twenty dollars and not more than twenty-three dollars for
12 Class 1 boats, not less than forty dollars and not more than forty-six
13 dollars for Class 2 boats, not less than sixty dollars and not more than
14 sixty-seven dollars and fifty cents for Class 3 boats, and not less than
15 one hundred dollars and not more than one hundred fifteen dollars for
16 Class 4 boats, as established by the commission pursuant to section
17 37-327. The owner of the motorboat shall also pay a fee established
18 pursuant to section 37-327 of not less than five dollars and not more
19 than ten dollars for the Aquatic Invasive Species Program at the time of
20 registration or renewal.

21 (2) The owner of a motorboat not registered in Nebraska shall
22 purchase an aquatic invasive species stamp for the Aquatic Invasive
23 Species Program valid for one calendar year prior to launching into any
24 waters of the state. The cost of such one-year stamp shall be established
25 pursuant to section 37-327 and be not less than ten dollars and not more
26 than fifteen dollars plus an issuance fee pursuant to section 37-406.
27 Such one-year stamp may be purchased electronically or through any vendor
28 authorized by the commission to sell other permits and stamps issued
29 under the Game Law pursuant to section 37-406. The aquatic invasive
30 species stamp shall be permanently affixed on the starboard and rearward
31 side of the vessel. The proceeds from the sale of stamps shall be

1 remitted to the State Game Fund.

2 (3) This subsection applies beginning on an implementation date
3 designated by the Director of Motor Vehicles in cooperation with the
4 commission. The director shall designate an implementation date on or
5 before January 1, ~~2021~~ 2020, for motorboat registration. In addition to
6 the information required under subsection (1) of this section, the
7 application for registration shall contain (a)(i) (a) the full legal name
8 as defined in section 60-468.01 of each owner or (ii) the name of each
9 owner as such name appears on the owner's motor vehicle operator's
10 license or state identification card and (b)(i) the motor vehicle
11 operator's license number or state identification card number of each
12 owner, if applicable, and one or more of the identification elements as
13 listed in section 60-484 of each owner, if applicable, and (ii) if any
14 owner is a business entity, a nonprofit organization, an estate, a trust,
15 or a church-controlled organization, its tax identification number.

16 Sec. 2. Section 37-1278, Revised Statutes Cumulative Supplement,
17 2018, is amended to read:

18 37-1278 (1) Application for a certificate of title shall be
19 presented to the county treasurer, shall be made upon a form prescribed
20 by the Department of Motor Vehicles, and shall be accompanied by the fee
21 prescribed in section 37-1287. The owner of a motorboat for which a
22 certificate of title is required shall obtain a certificate of title
23 prior to registration required under section 37-1214. The buyer of a
24 motorboat sold pursuant to section 76-1607 shall present documentation
25 that such sale was completed in compliance with such section.

26 (2)(a) If a certificate of title has previously been issued for the
27 motorboat in this state, the application for a new certificate of title
28 shall be accompanied by the certificate of title duly assigned. If a
29 certificate of title has not previously been issued for the motorboat in
30 this state, the application shall be accompanied by a certificate of
31 number from this state, a manufacturer's or importer's certificate, a

1 duly certified copy thereof, proof of purchase from a governmental agency
2 or political subdivision, a certificate of title from another state, or a
3 court order issued by a court of record, a manufacturer's certificate of
4 origin, or an assigned registration certificate, if the motorboat was
5 brought into this state from a state which does not have a certificate of
6 title law. The county treasurer shall retain the evidence of title
7 presented by the applicant on which the certificate of title is issued.
8 When the evidence of title presented by the applicant is a certificate of
9 title or an assigned registration certificate issued by another state,
10 the department shall notify the state of prior issuance that the
11 certificate has been surrendered. If a certificate of title has not
12 previously been issued for the motorboat in this state and the applicant
13 is unable to provide such documentation, the applicant may apply for a
14 bonded certificate of title as prescribed in section 37-1278.01.

15 (b) This subdivision applies beginning on an implementation date
16 designated by the Director of Motor Vehicles. The director shall
17 designate an implementation date which is on or before January 1, 2021
18 ~~2020~~. In addition to the information required under subdivision (2)(a) of
19 this section, the application for a certificate of title shall contain
20 (i)(A) (i) the full legal name as defined in section 60-468.01 of each
21 owner or (B) the name of each owner as such name appears on the owner's
22 motor vehicle operator's license or state identification card and (ii)(A)
23 the motor vehicle operator's license number or state identification card
24 number of each owner, if applicable, and one or more of the
25 identification elements as listed in section 60-484 of each owner, if
26 applicable, and (B) if any owner is a business entity, a nonprofit
27 organization, an estate, a trust, or a church-controlled organization,
28 its tax identification number.

29 (3) The county treasurer shall use reasonable diligence in
30 ascertaining whether or not the statements in the application for a
31 certificate of title are true by checking the application and documents

1 accompanying the same with the records of motorboats in his or her
2 office. If he or she is satisfied that the applicant is the owner of the
3 motorboat and that the application is in the proper form, the county
4 treasurer shall issue a certificate of title over his or her signature
5 and sealed with his or her seal.

6 (4)(a) (4) In the case of the sale of a motorboat, the certificate
7 of title shall be obtained in the name of the purchaser upon application
8 signed by the purchaser, except that for titles to be held by husband and
9 wife, applications may be accepted by the county treasurer upon the
10 signature of either spouse as a signature for himself or herself and as
11 an agent for his or her spouse.

12 (b) This subdivision applies beginning on an implementation date
13 designated by the Director of Motor Vehicles. The director shall
14 designate an implementation date which is on or before January 1, 2021.
15 If the purchaser of a motorboat does not apply for a certificate of title
16 in accordance with subdivision (4)(a) of this section within thirty days
17 of the sale of the motorboat, the seller of such motorboat may request
18 the department to update the electronic certificate of title record to
19 reflect the sale. The department may update such record upon receiving
20 evidence of a sale satisfactory to the director.

21 (5) In all cases of transfers of motorboats, the application for a
22 certificate of title shall be filed within thirty days after the delivery
23 of the motorboat. A dealer need not apply for a certificate of title for
24 a motorboat in stock or acquired for stock purposes, but upon transfer of
25 a motorboat in stock or acquired for stock purposes, the dealer shall
26 give the transferee a reassignment of the certificate of title on the
27 motorboat or an assignment of a manufacturer's or importer's certificate.
28 If all reassignments printed on the certificate of title have been used,
29 the dealer shall obtain title in his or her name prior to any subsequent
30 transfer.

31 Sec. 3. Section 37-1280, Revised Statutes Cumulative Supplement,

1 2018, is amended to read:

2 37-1280 (1) The Department of Motor Vehicles ~~may shall~~ adopt and
3 promulgate rules and regulations necessary to carry out sections 37-1275
4 to 37-1290. ~~The , and the~~ county treasurers shall conform to any such the
5 rules and regulations and act at the direction of the department. The
6 department shall also provide the county treasurers with the necessary
7 training for the proper administration of such sections. The department
8 shall receive and file in its office all instruments forwarded to it by
9 the county treasurers under such sections and shall maintain indices
10 covering the entire state for the instruments so filed. These indices
11 shall be by hull identification number and alphabetically by the owner's
12 name and shall be for the entire state and not for individual counties.
13 The department shall provide and furnish the forms required by section
14 37-1286 to the county treasurers except manufacturers' or importers'
15 certificates. The department shall check with its records all duplicate
16 certificates of title received from the county treasurers. If it appears
17 that a certificate of title has been improperly issued, the department
18 shall cancel the certificate of title. Upon cancellation of any
19 certificate of title, the department shall notify the county treasurer
20 who issued the certificate, and the county treasurer shall enter the
21 cancellation upon his or her records. The department shall also notify
22 the person to whom such certificate of title was issued and any
23 lienholders appearing on the certificate of the cancellation and shall
24 demand the surrender of the certificate of title, but the cancellation
25 shall not affect the validity of any lien noted on the certificate. The
26 holder of the certificate of title shall return the certificate to the
27 department immediately. If a certificate of number has been issued
28 pursuant to section 37-1216 to the holder of a certificate of title so
29 canceled, the department shall notify the commission. Upon receiving the
30 notice, the commission shall immediately cancel the certificate of number
31 and demand the return of the certificate of number and the holder of the

1 certificate of number shall return the certificate to the commission
2 immediately.

3 (2) The department may remove a lien on a certificate of title when
4 such lien was improperly noted if evidence of the improperly noted lien
5 is submitted to the department and the department finds the evidence
6 sufficient to support removal of the lien. The department shall send
7 notification prior to removal of the lien to the last-known address of
8 the lienholder. The lienholder must respond within thirty days after the
9 date on the notice and provide sufficient evidence to support that the
10 lien should not be removed. If the lienholder fails to respond to the
11 notice, the lien may be removed by the department.

12 Sec. 4. Section 37-1292, Reissue Revised Statutes of Nebraska, is
13 amended to read:

14 37-1292 For purposes of this section and sections 37-1293 to
15 37-1298:

16 (1) Cost of repairs means the estimated or actual retail cost of
17 parts needed to repair a motorboat plus the cost of labor computed by
18 using the hourly labor rate and time allocations for repair that are
19 customary and reasonable. Retail cost of parts and labor rates may be
20 based upon collision estimating manuals or electronic computer estimating
21 systems customarily used in the insurance industry;

22 ~~(2) Late model motorboat means a motorboat which has (a) a~~
23 ~~manufacturer's model year designation of, or later than, the year in~~
24 ~~which the motorboat was wrecked, damaged, or destroyed, or any of the six~~
25 ~~preceding years, or (b) a retail value of more than ten thousand dollars~~
26 ~~until January 1, 2006, a retail value of more than ten thousand five~~
27 ~~hundred dollars until January 1, 2010, and a retail value of more than~~
28 ~~ten thousand five hundred dollars increased by five hundred dollars every~~
29 ~~five years thereafter;~~

30 (2) ~~(3)~~ Previously salvaged means the designation of a rebuilt or
31 reconstructed motorboat which was previously required to be issued a

1 salvage branded certificate of title;

2 (3) (4) Retail value means the actual cash value, fair market value,
3 or retail value of a motorboat as (a) set forth in a current edition of
4 any nationally recognized compilation, including automated data bases, of
5 retail values or (b) determined pursuant to a market survey of comparable
6 motorboats with respect to condition and equipment; and

7 (4) (5) Salvage means the designation of a motorboat which ~~is~~:

8 (a) ~~Has A late model motorboat which has~~ been wrecked, damaged, or
9 destroyed to the extent that the estimated total cost of repair to
10 rebuild or reconstruct the motorboat to its condition immediately before
11 it was wrecked, damaged, or destroyed and to restore the motorboat to a
12 condition for legal operation, meets or exceeds seventy-five percent of
13 the retail value of the motorboat at the time it was wrecked, damaged, or
14 destroyed; or

15 (b) Is voluntarily ~~Voluntarily~~ designated by the owner of the
16 motorboat as a salvage motorboat by obtaining a salvage branded
17 certificate of title, without respect to the damage to, age of, or value
18 of the motorboat.

19 Sec. 5. Section 37-1293, Revised Statutes Cumulative Supplement,
20 2018, is amended to read:

21 37-1293 When an insurance company acquires a salvage motorboat
22 through payment of a total loss settlement on account of damage, the
23 company shall obtain the certificate of title from the owner, surrender
24 such certificate of title to the county treasurer, and make application
25 for a salvage branded certificate of title which shall be assigned when
26 the company transfers ownership. An insurer shall take title to a salvage
27 motorboat for which a total loss settlement is made unless the owner of
28 the motorboat elects to retain the motorboat. If the owner elects to
29 retain the motorboat, the insurance company shall notify the Department
30 of Motor Vehicles of such fact in a format prescribed by the department.
31 Beginning on the implementation date designated by the Director of Motor

1 Vehicles pursuant to subsection (3) of section 60-1508, the insurance
2 company shall report electronically to the department using the
3 electronic reporting system. The department shall immediately enter the
4 salvage brand onto the computerized record of the motorboat. The
5 insurance company shall also notify the owner of the owner's
6 responsibility to comply with this section. The owner shall, within
7 thirty days after the settlement of the loss, forward the properly
8 endorsed acceptable certificate of title to the county treasurer. Upon
9 receipt of the certificate of title, the The county treasurer shall, ~~upon~~
10 ~~receipt of the certificate of title,~~ issue a salvage branded certificate
11 of title for the motorboat unless the motorboat has been rebuilt or
12 reconstructed, in which case the county treasurer shall issue a
13 previously salvaged branded certificate of title for the motorboat.

14 Sec. 6. Section 60-119.01, Revised Statutes Cumulative Supplement,
15 2018, is amended to read:

16 60-119.01 Low-speed vehicle means a (1) four-wheeled motor vehicle
17 (a) whose speed attainable in one mile is more than twenty miles per hour
18 and not more than twenty-five miles per hour on a paved, level surface,
19 (b) whose gross vehicle weight rating is less than three thousand pounds,
20 and (c) that complies with 49 C.F.R. part 571, as such part existed on
21 January 1, 2018, or (2) three-wheeled motor vehicle (a) whose maximum
22 speed attainable is not more than twenty-five miles per hour on a paved,
23 level surface, (b) whose gross vehicle weight rating is less than three
24 thousand pounds, and (c) which is equipped with a windshield and an
25 occupant protection system, ~~and (d) that complies with 49 C.F.R. part~~
26 ~~571, as such part existed on January 1, 2018.~~ A motorcycle with a sidecar
27 attached is not a low-speed vehicle.

28 Sec. 7. Section 60-144, Revised Statutes Cumulative Supplement,
29 2018, is amended to read:

30 60-144 (1)(a)(i) Except as provided in subdivisions (b), (c), and
31 (d) of this subsection, the county treasurer shall be responsible for

1 issuing and filing certificates of title for vehicles, and each county
2 shall issue and file such certificates of title using the Vehicle Title
3 and Registration System which shall be provided and maintained by the
4 department. Application for a certificate of title shall be made upon a
5 form prescribed by the department. All applications shall be accompanied
6 by the appropriate fee or fees.

7 (ii) This subdivision applies beginning on an implementation date
8 designated by the director. The director shall designate an
9 implementation date which is on or before January 1, ~~2021~~ 2020. In
10 addition to the information required under subdivision (1)(a)(i) of this
11 section, the application for a certificate of title shall contain ~~(A)(I)~~
12 ~~(A)~~ the full legal name as defined in section 60-468.01 of each owner or
13 (II) the name of each owner as such name appears on the owner's motor
14 vehicle operator's license or state identification card and (B)(I) the
15 motor vehicle operator's license number or state identification card
16 number of each owner, if applicable, and one or more of the
17 identification elements as listed in section 60-484 of each owner, if
18 applicable, and (II) if any owner is a business entity, a nonprofit
19 organization, an estate, a trust, or a church-controlled organization,
20 its tax identification number.

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

25 (c) The department shall issue and file certificates of title for
26 state-owned vehicles. Application for a certificate of title shall be
27 made upon a form prescribed by the department. All applications shall be
28 accompanied by the appropriate fee or fees.

29 (d) The department shall issue certificates of title pursuant to
30 section 60-142.06. Application for a certificate of title shall be made
31 upon a form prescribed by the department. All applications shall be

1 accompanied by the appropriate fee or fees.

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

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

9 (3)(a) ~~If Except as otherwise provided in subdivision (b) of this~~
10 ~~subsection until January 1, 2019, if a vehicle, other than an all-terrain~~
11 ~~vehicle, a utility type vehicle, or a minibike, has situs in Nebraska,~~
12 ~~the application shall be filed with the county treasurer of the county in~~
13 ~~which the vehicle has situs. Beginning January 1, 2019, if a vehicle has~~
14 ~~situs in Nebraska, the application for a certificate of title may be~~
15 ~~filed with the county treasurer of any county.~~

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

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

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

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

28 (6) All applicants registering a vehicle pursuant to section
29 60-3,198 shall file the application for a certificate of title with the
30 Division of Motor Carrier Services of the department. The division shall
31 deliver the certificate to the applicant if there are no liens on the

1 vehicle. If there are one or more liens on the vehicle, the certificate
2 of title shall be handled as provided in section 60-164. All certificates
3 of title issued by the division shall be issued in the manner prescribed
4 for the county treasurer in section 60-152.

5 Sec. 8. Section 60-149, Revised Statutes Cumulative Supplement,
6 2018, is amended to read:

7 60-149 (1)(a) If a certificate of title has previously been issued
8 for a vehicle in this state, the application for a new certificate of
9 title shall be accompanied by the certificate of title duly assigned
10 except as otherwise provided in the Motor Vehicle Certificate of Title
11 Act.

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

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

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

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

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

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

27 (vi) Evidence of ownership as provided for in section 30-24,125,
28 sections 52-601.01 to 52-605, sections 60-1901 to 60-1911, or sections
29 60-2401 to 60-2411;

30 (vii) Documentation prescribed in section 60-142.01, 60-142.02,
31 60-142.04, 60-142.05, 60-142.09, or 60-142.11 or documentation of

1 compliance with section 76-1607;

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

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

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

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

21 (2)(a) If the application for a certificate of title for a
22 manufactured home or a mobile home is being made in accordance with
23 subdivision (4)(b) of section 60-137 or if the certificate of title for a
24 manufactured home or a mobile home is unavailable ~~pursuant to section~~
25 ~~52-1801~~, the application shall be accompanied by proof of ownership in
26 the form of:

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

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

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

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

1 60-2401 to 60-2411, or documentation of compliance with section 76-1607;
2 or

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

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

11 (3) For purposes of this section, certificate of title includes a
12 salvage certificate, a salvage branded certificate of title, or any other
13 document of ownership issued by another state or jurisdiction for a
14 salvage vehicle. Only a salvage branded certificate of title shall be
15 issued to any vehicle conveyed upon a salvage certificate, a salvage
16 branded certificate of title, or any other document of ownership issued
17 by another state or jurisdiction for a salvage vehicle.

18 (4) The county treasurer shall retain the evidence of title
19 presented by the applicant and on which the certificate of title is
20 issued.

21 (5)(a) If an affidavit is submitted under subdivision (1)(b)(ix) of
22 this section, the holder of a motor vehicle auction dealer's license
23 shall certify that (i) it has made at least two written attempts and has
24 been unable to obtain the properly endorsed certificate of title to the
25 property noted in the affidavit from the owner and (ii) thirty days have
26 expired after the mailing of a written notice regarding the intended
27 disposition of the property noted in the affidavit by certified mail,
28 return receipt requested, to the last-known address of the owner and to
29 any lien or security interest holder of record of the property noted in
30 the affidavit.

31 (b) The notice under subdivision (5)(a)(ii) of this section shall

1 contain a description of the property noted in the affidavit and a
2 statement that title to the property noted in the affidavit shall vest in
3 the holder of the motor vehicle auction dealer's license thirty days
4 after the date such notice was mailed.

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

13 Sec. 9. Section 60-151, Revised Statutes Cumulative Supplement,
14 2018, is amended to read:

15 60-151 (1) The certificate of title for a vehicle shall be obtained
16 in the name of the purchaser upon application signed by the purchaser,
17 except that (a) ~~(1)~~ for titles to be held by husband and wife,
18 applications may be accepted upon the signature of either one as a
19 signature for himself or herself and as agent for his or her spouse and
20 (b) ~~(2)~~ for an applicant providing proof that he or she is a handicapped
21 or disabled person as defined in section 60-331.02, applications may be
22 accepted upon the signature of the applicant's parent, legal guardian,
23 foster parent, or agent.

24 (2) This subsection applies beginning on an implementation date
25 designated by the director. The director shall designate an
26 implementation date which is on or before January 1, 2021. If the
27 purchaser of a vehicle does not obtain a certificate of title in
28 accordance with subsection (1) of this section within thirty days of the
29 sale of the vehicle, the seller of such vehicle may request the
30 department to update the electronic certificate of title record. The
31 department may update such record upon receiving evidence of a sale

1 satisfactory to the director.

2 Sec. 10. Section 60-171, Revised Statutes Cumulative Supplement,
3 2018, is amended to read:

4 60-171 For purposes of sections 60-171 to 60-177:

5 (1) Cost of repairs means the estimated or actual retail cost of
6 parts needed to repair a vehicle plus the cost of labor computed by using
7 the hourly labor rate and time allocations for repair that are customary
8 and reasonable. Retail cost of parts and labor rates may be based upon
9 collision estimating manuals or electronic computer estimating systems
10 customarily used in the insurance industry;

11 (2) Flood damaged means damage to a vehicle resulting from being
12 submerged in water to the point that rising water has reached over the
13 floorboard, has entered the passenger compartment, and has caused damage
14 to any electrical, computerized, or mechanical components. Flood damaged
15 specifically does not apply to a vehicle that an inspection, conducted by
16 an insurance claim representative or a vehicle repairer, indicates:

17 (a) Has no electrical, computerized, or mechanical components
18 damaged by water; or

19 (b) Had one or more electrical, computerized, or mechanical
20 components damaged by water and all such damaged components were repaired
21 or replaced;

22 ~~(3) Late model vehicle means a vehicle which has (a) a~~
23 ~~manufacturer's model year designation of, or later than, the year in~~
24 ~~which the vehicle was wrecked, damaged, or destroyed, or any of the six~~
25 ~~preceding years or (b)(i) in the case of vehicles other than all-terrain~~
26 ~~vehicles, utility type vehicles, and minibikes, a retail value of more~~
27 ~~than ten thousand five hundred dollars until January 1, 2010, and a~~
28 ~~retail value of more than ten thousand five hundred dollars increased by~~
29 ~~five hundred dollars every five years thereafter or (ii) in the case of~~
30 ~~all-terrain vehicles, utility type vehicles, or minibikes, a retail value~~
31 ~~of more than one thousand seven hundred fifty dollars until January 1,~~

1 ~~2010, and a retail value of more than one thousand seven hundred fifty~~
2 ~~dollars increased by two hundred fifty dollars every five years~~
3 ~~thereafter;~~

4 (3) (4) Manufacturer buyback means the designation of a vehicle with
5 an alleged nonconformity when the vehicle (a) has been replaced by a
6 manufacturer or (b) has been repurchased by a manufacturer as the result
7 of court judgment, arbitration, or any voluntary agreement entered into
8 between the manufacturer or its agent and a consumer;

9 (4) (5) Previously salvaged or rebuilt each mean ~~means~~ the
10 designation of a rebuilt ~~or reconstructed~~ vehicle which was previously
11 required to be issued a salvage branded certificate of title and which
12 has been inspected as provided in section 60-146;

13 (5) (6) Retail value means the actual cash value, fair market value,
14 or retail value of a vehicle as (a) set forth in a current edition of any
15 nationally recognized compilation, including automated data bases, of
16 retail values or (b) determined pursuant to a market survey of comparable
17 vehicles with respect to condition and equipment; and

18 (6) (7) Salvage means the designation of a vehicle which ~~is~~:

19 (a) ~~Has~~ A late model vehicle which has been wrecked, damaged, or
20 destroyed to the extent that the estimated total cost of repair to
21 rebuild or reconstruct the vehicle to its condition immediately before it
22 was wrecked, damaged, or destroyed and to restore the vehicle to a
23 condition for legal operation, meets or exceeds seventy-five percent of
24 the retail value of the vehicle at the time it was wrecked, damaged, or
25 destroyed; or

26 (b) Is voluntarily ~~Voluntarily~~ designated by the owner of the
27 vehicle as a salvage vehicle by obtaining a salvage branded certificate
28 of title, without respect to the damage to, age of, or value of the
29 vehicle.

30 Sec. 11. Section 60-173, Revised Statutes Cumulative Supplement,
31 2018, is amended to read:

1 60-173 (1) When an insurance company acquires a salvage vehicle
2 through payment of a total loss settlement on account of damage, the
3 company shall obtain the certificate of title from the owner, surrender
4 such certificate of title to the county treasurer, and make application
5 for a salvage branded certificate of title which shall be assigned when
6 the company transfers ownership. An insurer shall take title to a salvage
7 vehicle for which a total loss settlement is made unless the owner of the
8 salvage vehicle elects to retain the salvage vehicle.

9 (2) If the owner elects to retain the salvage vehicle, the insurance
10 company shall notify the department of such fact in a format prescribed
11 by the department. The department shall immediately enter the salvage
12 brand onto the computerized record of the vehicle. Beginning on the
13 implementation date designated by the director pursuant to subsection (3)
14 of section 60-1508, the insurance company shall report electronically to
15 the department using the electronic reporting system. The insurance
16 company shall also notify the owner of the owner's responsibility to
17 comply with this section. The owner shall, within thirty days after the
18 settlement of the loss, forward the properly endorsed acceptable
19 certificate of title to the county treasurer in the county designated in
20 section 60-144. Upon receipt of the certificate of title, the ~~The~~ county
21 treasurer shall, ~~upon receipt of the certificate of title,~~ issue a
22 salvage branded certificate of title for the vehicle unless the vehicle
23 has been repaired and inspected as provided in section 60-146, in which
24 case the county treasurer shall issue a previously salvaged branded
25 certificate of title for the vehicle.

26 (3) An insurance company may apply to the department for a salvage
27 branded certificate of title without obtaining a properly endorsed
28 certificate of title from the owner or other evidence of ownership as
29 prescribed by the department if it has been at least thirty days since
30 the company obtained oral or written acceptance by the owner of an offer
31 in an amount in settlement of a total loss. The insurance company shall

1 submit an application form prescribed by the department for a salvage
2 branded certificate of title accompanied by an affidavit from the
3 insurance company that it has made at least two written attempts and has
4 been unable to obtain the proper endorsed certificate of title from the
5 owner following an oral or written acceptance by the owner of an offer of
6 an amount in settlement of a total loss and evidence of settlement.

7 Sec. 12. Section 60-174, Revised Statutes Cumulative Supplement,
8 2018, is amended to read:

9 60-174 Whenever a title is issued in this state for a vehicle that
10 is designated a salvage, previously salvaged or rebuilt, flood damaged,
11 or manufacturer buyback, the following title brands shall be required:
12 Salvage, previously salvaged, flood damaged, or manufacturer buyback. A
13 certificate branded salvage, previously salvaged, flood damaged, or
14 manufacturer buyback shall be administered in the same manner and for the
15 same fee or fees as provided for a certificate of title in sections
16 60-154 to 60-160. When a salvage branded certificate of title is
17 surrendered for a certificate of title branded previously salvaged, the
18 application for a certificate of title shall be accompanied by a
19 statement of inspection as provided in section 60-146.

20 Sec. 13. Section 60-336.01, Revised Statutes Cumulative Supplement,
21 2018, is amended to read:

22 60-336.01 Low-speed vehicle means a (1) four-wheeled motor vehicle
23 (a) whose speed attainable in one mile is more than twenty miles per hour
24 and not more than twenty-five miles per hour on a paved, level surface,
25 (b) whose gross vehicle weight rating is less than three thousand pounds,
26 and (c) that complies with 49 C.F.R. part 571, as such part existed on
27 January 1, 2018, or (2) three-wheeled motor vehicle (a) whose maximum
28 speed attainable is not more than twenty-five miles per hour on a paved,
29 level surface, (b) whose gross vehicle weight rating is less than three
30 thousand pounds, and (c) which is equipped with a windshield and an
31 occupant protection system, ~~and (d) that complies with 49 C.F.R. part~~

1 ~~571, as such part existed on January 1, 2018.~~ A motorcycle with a sidecar
2 attached is not a low-speed vehicle.

3 Sec. 14. Section 60-386, Revised Statutes Cumulative Supplement,
4 2018, is amended to read:

5 60-386 (1) Each new application shall contain, in addition to other
6 information as may be required by the department, the name and
7 residential and mailing address of the applicant and a description of the
8 motor vehicle or trailer, including the color, the manufacturer, the
9 identification number, the United States Department of Transportation
10 number if required by 49 C.F.R. 390.5 and 390.19, as such regulations
11 existed on January 1, 2018, and the weight of the motor vehicle or
12 trailer required by the Motor Vehicle Registration Act. Beginning on the
13 implementation date designated by the director pursuant to subsection (4)
14 of section 60-1508, for trailers which are not required to have a
15 certificate of title under section 60-137 and which have no
16 identification number, the assignment of an identification number shall
17 be required and the identification number shall be issued by the county
18 treasurer or department. With the application the applicant shall pay the
19 proper registration fee and shall state whether the motor vehicle is
20 propelled by alternative fuel and, if alternative fuel, the type of fuel.
21 The application shall also contain a notification that bulk fuel
22 purchasers may be subject to federal excise tax liability. The department
23 shall include such notification in the notices required by section
24 60-3,186.

25 (2) This subsection applies beginning on an implementation date
26 designated by the director. The director shall designate an
27 implementation date which is on or before January 1, 2021 ~~2020~~. In
28 addition to the information required under subsection (1) of this
29 section, the application for registration shall contain (a)(i) ~~(a)~~ the
30 full legal name as defined in section 60-468.01 of each owner or (ii) the
31 name of each owner as such name appears on the owner's motor vehicle

1 operator's license or state identification card and (b)(i) the motor
2 vehicle operator's license number or state identification card number of
3 each owner, if applicable, and one or more of the identification elements
4 as listed in section 60-484 of each owner, if applicable, and (ii) if any
5 owner is a business entity, a nonprofit organization, an estate, a trust,
6 or a church-controlled organization, its tax identification number.

7 Sec. 15. Section 60-3,104.01, Revised Statutes Cumulative
8 Supplement, 2018, is amended to read:

9 60-3,104.01 (1) A person may apply for specialty license plates in
10 lieu of regular license plates on an application prescribed and provided
11 by the department pursuant to section 60-3,104.02 for any motor vehicle,
12 trailer, or semitrailer, except for motor vehicles or trailers registered
13 under section 60-3,198. An applicant receiving a specialty license plate
14 for a farm truck with a gross weight of over sixteen tons or for a
15 commercial motor vehicle registered for a gross weight of five tons or
16 over shall affix the appropriate tonnage decal to the plate. The
17 department shall make forms available for such applications. Each
18 application for initial issuance or renewal of specialty license plates
19 shall be accompanied by a fee of seventy dollars. Fees collected pursuant
20 to this subsection shall be remitted to the State Treasurer. The State
21 Treasurer shall credit fifteen percent of the fee for initial issuance
22 and renewal of specialty license plates to the Department of Motor
23 Vehicles Cash Fund and eighty-five percent of the fee to the Highway
24 Trust Fund.

25 ~~(2)(a) When (2) Until January 1, 2019, when the department receives~~
26 ~~an application for specialty license plates, it shall deliver the plates~~
27 ~~to the county treasurer of the county in which the motor vehicle,~~
28 ~~trailer, or semitrailer is registered. Beginning January 1, 2019, when~~
29 ~~the department receives an application for specialty license plates, the~~
30 ~~department may deliver the plates and registration certificate to the~~
31 ~~applicant by United States mail or to the county treasurer of the county~~

1 in which the motor vehicle, trailer, or semitrailer is registered and the
2 delivery of the plates and registration certificate shall be made through
3 a secure process and system. The county treasurer or the department shall
4 issue specialty license plates in lieu of regular license plates when the
5 applicant complies with the other provisions of law for registration of
6 the motor vehicle, trailer, or semitrailer. If specialty license plates
7 are lost, stolen, or mutilated, the licensee shall be issued replacement
8 license plates pursuant to section 60-3,157.

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

21 (3)(a) The owner of a motor vehicle, trailer, or semitrailer bearing
22 specialty license plates may make application to the county treasurer to
23 have such specialty license plates transferred to a motor vehicle,
24 trailer, or semitrailer other than the motor vehicle, trailer, or
25 semitrailer for which such plates were originally purchased if such motor
26 vehicle, trailer, or semitrailer is owned by the owner of the specialty
27 license plates.

28 (b) The owner may have the unused portion of the specialty license
29 plate fee credited to the other motor vehicle, trailer, or semitrailer
30 which will bear the specialty license plates at the rate of eight and
31 one-third percent per month for each full month left in the registration

1 period.

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

6 Sec. 16. Section 60-3,122, Revised Statutes Cumulative Supplement,
7 2018, is amended to read:

8 60-3,122 (1) Any person may, in addition to the application required
9 by section 60-385, apply to the department for license plates designed by
10 the department to indicate that he or she is a survivor of the Japanese
11 attack on Pearl Harbor if he or she:

12 (a) Was a member of the United States Armed Forces on December 7,
13 1941;

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

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

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

21 (2) The license plates shall be issued upon the applicant paying the
22 regular license fee and furnishing proof satisfactory to the department
23 that the applicant fulfills the requirements provided by subsection (1)
24 of this section. Any number of motor vehicles, trailers, or semitrailers
25 owned by the applicant may be so licensed at any one time. Motor vehicles
26 and trailers registered under section 60-3,198 shall not be so licensed.

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

30 (4) This subsection applies beginning on an implementation date
31 designated by the director. The director shall designate an

1 implementation date that is on or before January 1, 2021. The county
2 treasurer or the department may issue temporary license stickers to the
3 applicant under this section for the applicant to lawfully operate the
4 vehicle pending receipt of the license plates. No charge in addition to
5 the registration fee shall be made for the issuance of a temporary
6 license sticker under this subsection. The department shall furnish
7 temporary license stickers for issuance by the county treasurer at no
8 cost to the counties. The department may adopt and promulgate rules and
9 regulations regarding the design and issuance of temporary license
10 stickers.

11 Sec. 17. Section 60-3,122.02, Revised Statutes Cumulative
12 Supplement, 2018, is amended to read:

13 60-3,122.02 (1) A person may apply to the department for Gold Star
14 Family plates in lieu of regular license plates on an application
15 prescribed and provided by the department for any motor vehicle, trailer,
16 or semitrailer, except for a motor vehicle or trailer registered under
17 section 60-3,198. An applicant receiving a Gold Star Family plate for a
18 farm truck with a gross weight of over sixteen tons shall affix the
19 appropriate tonnage decal to the plate. The department shall make forms
20 available for such applications through the county treasurers. The
21 license plates shall be issued upon payment of the license fee described
22 in subsection (2) of this section and furnishing proof satisfactory to
23 the department that the applicant is a surviving spouse, whether
24 remarried or not, or an ancestor, including a stepparent, a descendant,
25 including a stepchild, a foster parent or a person in loco parentis, or a
26 sibling of a person who died while in good standing on active duty in the
27 military service of the United States.

28 (2)(a) Each application for initial issuance of consecutively
29 numbered Gold Star Family plates shall be accompanied by a fee of five
30 dollars. An application for renewal of such plates shall be accompanied
31 by a fee of five dollars. County treasurers collecting fees for renewals

1 pursuant to this subdivision shall remit them to the State Treasurer. The
2 State Treasurer shall credit five dollars of the fee for initial issuance
3 and renewal of such plates to the Nebraska Veteran Cemetery System
4 Operation Fund.

5 (b) Each application for initial issuance of personalized message
6 Gold Star Family plates shall be accompanied by a fee of forty dollars.
7 An application for renewal of such plates shall be accompanied by a fee
8 of forty dollars. County treasurers collecting fees for renewals pursuant
9 to this subdivision shall remit them to the State Treasurer. The State
10 Treasurer shall credit twenty-five percent of the fee for initial
11 issuance and renewal of such plates to the Department of Motor Vehicles
12 Cash Fund and seventy-five percent of the fee to the Nebraska Veteran
13 Cemetery System Operation Fund.

14 ~~(3)(a) When (3) Until January 1, 2019, when the department receives~~
15 ~~an application for Gold Star Family plates, the department shall deliver~~
16 ~~the plates to the county treasurer of the county in which the motor~~
17 ~~vehicle or trailer is registered. Beginning January 1, 2019, when the~~
18 ~~department receives an application for Gold Star Family plates, the~~
19 ~~department may deliver the plates and registration certificate to the~~
20 ~~applicant by United States mail or to the county treasurer of the county~~
21 ~~in which the motor vehicle or trailer is registered and the delivery of~~
22 ~~the plates and registration certificate shall be made through a secure~~
23 ~~process and system. The county treasurer or the department shall issue~~
24 ~~Gold Star Family plates in lieu of regular license plates when the~~
25 ~~applicant complies with the other provisions of the Motor Vehicle~~
26 ~~Registration Act for registration of the motor vehicle or trailer. If~~
27 ~~Gold Star Family plates are lost, stolen, or mutilated, the licensee~~
28 ~~shall be issued replacement license plates upon request and without~~
29 ~~charge.~~

30 (b) This subdivision applies beginning on an implementation date
31 designated by the director. The director shall designate an

1 implementation date that is on or before January 1, 2021. The county
2 treasurer or the department may issue temporary license stickers to the
3 applicant under this section for the applicant to lawfully operate the
4 vehicle pending receipt of the license plates. No charge in addition to
5 the registration fee shall be made for the issuance of a temporary
6 license sticker under this subdivision. The department shall furnish
7 temporary license stickers for issuance by the county treasurer at no
8 cost to the counties. The department may adopt and promulgate rules and
9 regulations regarding the design and issuance of temporary license
10 stickers.

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

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

30 Sec. 18. Section 60-3,122.04, Revised Statutes Cumulative
31 Supplement, 2018, is amended to read:

1 60-3,122.04 (1) An eligible person may apply to the department for
2 Military Honor Plates in lieu of regular license plates on an application
3 prescribed and provided by the department for any motor vehicle, trailer,
4 or semitrailer, except for a motor vehicle or trailer registered under
5 section 60-3,198. An applicant receiving a Military Honor Plate for a
6 farm truck with a gross weight of over sixteen tons shall affix the
7 appropriate tonnage decal to the plate. The department shall make forms
8 available for such applications through the county treasurers. The
9 license plates shall be issued upon payment of the license fee described
10 in subsection (2) of this section and verification by the department of
11 an applicant's eligibility using the registry established by the
12 Department of Veterans' Affairs pursuant to section 80-414. To be
13 eligible an applicant shall be (a) active duty or reserve duty armed
14 forces personnel serving in any of the armed forces listed in subsection
15 (1) of section 60-3,122.03, (b) a veteran of any of such armed forces who
16 was discharged or otherwise separated with a characterization of
17 honorable or general (under honorable conditions), or (c) a current or
18 former commissioned officer of the United States Public Health Service or
19 National Oceanic and Atmospheric Administration who has been detailed
20 directly to any branch of such armed forces for service on active or
21 reserve duty and who was discharged or otherwise separated with a
22 characterization of honorable or general (under honorable conditions) as
23 proven with valid orders from the United States Department of Defense, a
24 statement of service provided by the United States Public Health Service,
25 or a report of transfer or discharge provided by the National Oceanic and
26 Atmospheric Administration. Any person using Military Honor Plates shall
27 surrender the plates to the county treasurer if such person is no longer
28 eligible for the plates. Regular plates shall be issued to any such
29 person upon surrender of the Military Honor Plates for a three-dollar
30 transfer fee and forfeiture of any of the remaining annual fee. The
31 three-dollar transfer fee shall be remitted to the State Treasurer for

1 credit to the Department of Motor Vehicles Cash Fund.

2 (2)(a) In addition to all other fees required for registration under
3 the Motor Vehicle Registration Act, each application for initial issuance
4 or renewal of alphanumeric Military Honor Plates shall be accompanied by
5 a fee of five dollars. County treasurers collecting fees pursuant to this
6 subdivision shall remit them to the State Treasurer. The State Treasurer
7 shall credit five dollars of the fee to the Nebraska Veteran Cemetery
8 System Operation 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 Military Honor 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 Nebraska Veteran
17 Cemetery System Operation Fund.

18 ~~(3)(a) When (3) Until January 1, 2019, when the Department of Motor~~
19 ~~Vehicles receives an application for Military Honor Plates, the~~
20 ~~department shall deliver the plates to the county treasurer of the county~~
21 ~~in which the motor vehicle or trailer is registered. Beginning January 1,~~
22 ~~2019, when the department receives an application for Military Honor~~
23 ~~Plates, the department may deliver the plates and registration~~
24 ~~certificate to the applicant by United States mail or to the county~~
25 ~~treasurer of the county in which the motor vehicle or trailer is~~
26 ~~registered and the delivery of the plates and registration certificate~~
27 ~~shall be made through a secure process and system. The county treasurer~~
28 ~~or the department shall issue Military Honor Plates in lieu of regular~~
29 ~~license plates when the applicant complies with the other provisions of~~
30 ~~the Motor Vehicle Registration Act for registration of the motor vehicle~~
31 ~~or trailer. If Military Honor Plates are lost, stolen, or mutilated, the~~

1 licensee shall be issued replacement license plates upon request pursuant
2 to section 60-3,157.

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

15 (4) The owner of a motor vehicle or trailer bearing Military Honor
16 Plates may apply to the county treasurer to have such plates transferred
17 to a motor vehicle or trailer other than the motor vehicle or trailer for
18 which such plates were originally purchased if such motor vehicle or
19 trailer is owned by the owner of the plates. The owner may have the
20 unused portion of the fee for the plates credited to the other motor
21 vehicle or trailer which will bear the plates at the rate of eight and
22 one-third percent per month for each full month left in the registration
23 period. Application for such transfer shall be accompanied by a fee of
24 three dollars. Fees collected pursuant to this subsection shall be
25 remitted to the State Treasurer for credit to the Department of Motor
26 Vehicles Cash Fund.

27 (5) If the cost of manufacturing Military Honor Plates at any time
28 exceeds the amount charged for license plates pursuant to section
29 60-3,102, any money to be credited to the Nebraska Veteran Cemetery
30 System Operation Fund shall instead be credited first to the Highway
31 Trust Fund in an amount equal to the difference between the manufacturing

1 costs of Military Honor Plates and the amount charged pursuant to section
2 60-3,102 with respect to such plates and the remainder shall be credited
3 to the Nebraska Veteran Cemetery System Operation Fund.

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

9 Sec. 19. Section 60-3,123, Revised Statutes Cumulative Supplement,
10 2018, is amended to read:

11 60-3,123 (1) Any person who was captured and incarcerated by an
12 enemy of the United States during a period of conflict with such enemy
13 and who was discharged or otherwise separated with a characterization of
14 honorable from or is currently serving in the United States Armed Forces
15 may, in addition to the application required in section 60-385, apply to
16 the department for license plates designed to indicate that he or she is
17 a former prisoner of war.

18 (2) The license plates shall be issued upon the applicant paying the
19 regular license fee and furnishing proof satisfactory to the department
20 that the applicant was formerly a prisoner of war. Any number of motor
21 vehicles, trailers, or semitrailers owned by the applicant may be so
22 licensed at any one time. Motor vehicles and trailers registered under
23 section 60-3,198 shall not be so licensed.

24 (3) If the license plates issued under this section are lost,
25 stolen, or mutilated, the recipient of the license plates shall be issued
26 replacement license plates upon request and without charge.

27 (4) This subsection applies beginning on an implementation date
28 designated by the director. The director shall designate an
29 implementation date that is on or before January 1, 2021. The county
30 treasurer or the department may issue temporary license stickers to the
31 applicant under this section for the applicant to lawfully operate the

1 vehicle pending receipt of the license plates. No charge in addition to
2 the registration fee shall be made for the issuance of a temporary
3 license sticker under this subsection. The department shall furnish
4 temporary license stickers for issuance by the county treasurer at no
5 cost to the counties. The department may adopt and promulgate rules and
6 regulations regarding the design and issuance of temporary license
7 stickers.

8 Sec. 20. Section 60-3,124, Revised Statutes Cumulative Supplement,
9 2018, is amended to read:

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

20 (2) The plates shall be issued upon the applicant paying the regular
21 license fee and furnishing proof satisfactory to the department that the
22 applicant is a disabled veteran. Any number of motor vehicles, trailers,
23 or semitrailers owned by the applicant may be so licensed at any one
24 time. Motor vehicles and trailers registered under section 60-3,198 shall
25 not be so licensed.

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

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

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

10 Sec. 21. Section 60-3,125, Revised Statutes Cumulative Supplement,
11 2018, is amended to read:

12 60-3,125 (1) Any person may, in addition to the application required
13 by section 60-385, apply to the department for license plates designed by
14 the department to indicate that the applicant has received from the
15 federal government an award of a Purple Heart. The inscription of the
16 plates shall be designed so as to include a facsimile of the award and
17 beneath any numerical designation upon the plates pursuant to section
18 60-370 the words Purple Heart separately on one line and the words Combat
19 Wounded on the line below.

20 (2) The license plates shall be issued upon payment of the regular
21 license fee and furnishing proof satisfactory to the department that the
22 applicant was awarded the Purple Heart. Any number of motor vehicles,
23 trailers, or semitrailers owned by the applicant may be so licensed at
24 any one time. Motor vehicles and trailers registered under section
25 60-3,198 shall not be so licensed.

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

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

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

10 Sec. 22. Section 60-3,126, Revised Statutes Cumulative Supplement,
11 2018, is amended to read:

12 60-3,126 (1) Any person who holds an unrevoked and unexpired amateur
13 radio station license issued by the Federal Communications Commission and
14 is the owner of a motor vehicle, trailer, or semitrailer, except for
15 motor vehicles and trailers registered under section 60-3,198, may, in
16 addition to the application required by section 60-385, apply to the
17 department for license plates upon which shall be inscribed the official
18 amateur radio call letters of such applicant.

19 (2) Such license plates shall be issued, in lieu of the usual
20 numbers and letters, to such an applicant upon payment of the regular
21 license fee and the payment of an additional fee of five dollars and
22 furnishing proof that the applicant holds such an unrevoked and unexpired
23 amateur radio station license. The additional fee shall be remitted to
24 the State Treasurer for credit to the Highway Trust Fund. Only one such
25 motor vehicle or trailer owned by an applicant shall be so registered at
26 any one time.

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

31 (4) The department shall prescribe the size and design of the

1 license plates and furnish such plates to the persons applying for and
2 entitled to the same upon the payment of the required fee.

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

15 Sec. 23. Section 60-3,128, Revised Statutes Cumulative Supplement,
16 2018, is amended to read:

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

1 percent of the fees to the Spirit Plate Proceeds Fund until the fund has
2 been credited five million dollars from such fees and thereafter to the
3 Highway Trust Fund.

4 ~~(2)(a) When (2) Until January 1, 2019, when the department receives~~
5 ~~an application for spirit plates, it shall deliver the plates to the~~
6 ~~county treasurer of the county in which the motor vehicle or trailer is~~
7 ~~registered. Beginning January 1, 2019, when the department receives an~~
8 ~~application for spirit plates, the department may deliver the plates and~~
9 ~~registration certificate to the applicant by United States mail or to the~~
10 ~~county treasurer of the county in which the motor vehicle or trailer is~~
11 ~~registered and the delivery of the plates and registration certificate~~
12 ~~shall be made through a secure process and system. The county treasurer~~
13 ~~or the department shall issue spirit plates in lieu of regular license~~
14 ~~plates when the applicant complies with the other provisions of law for~~
15 ~~registration of the motor vehicle or trailer. If spirit plates are lost,~~
16 ~~stolen, or mutilated, the licensee shall be issued replacement license~~
17 ~~plates pursuant to section 60-3,157.~~

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

30 (3)(a) The owner of a motor vehicle or trailer bearing spirit plates
31 may make application to the county treasurer to have such spirit plates

1 transferred to a motor vehicle or trailer other than the motor vehicle or
2 trailer for which such plates were originally purchased if such motor
3 vehicle or trailer is owned by the owner of the spirit plates.

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

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

12 Sec. 24. Section 60-3,162, Reissue Revised Statutes of Nebraska, is
13 amended to read:

14 60-3,162 The department shall, upon a sworn complaint in writing of
15 any person, investigate whether a certificate of registration has been
16 issued on a motor vehicle or trailer exceeding the length, height, or
17 width provided by law or issued contrary to any law of this state. If the
18 department determines from the investigation that such certificate of
19 registration has been improperly ~~illegally~~ issued, it shall have power to
20 revoke such certificate of registration.

21 Sec. 25. Section 60-3,187, Revised Statutes Cumulative Supplement,
22 2018, is amended to read:

23 60-3,187 (1) The motor vehicle tax schedules are set out in this
24 section.

25 (2) The motor vehicle tax shall be calculated by multiplying the
26 base tax times the fraction which corresponds to the age category of the
27 vehicle as shown in the following table:

28 YEAR	FRACTION
29 First	1.00
30 Second	0.90
31 Third	0.80

1	Fourth	0.70
2	Fifth	0.60
3	Sixth	0.51
4	Seventh	0.42
5	Eighth	0.33
6	Ninth	0.24
7	Tenth and Eleventh	0.15
8	Twelfth and Thirteenth	0.07
9	Fourteenth and older	0.00

10 (3) The base tax shall be:

11 (a) Automobiles, autocycles, and motorcycles - An amount determined
12 using the following table:

13	Value when new	Base tax
14	Up to \$3,999	\$25
15	\$4,000 to \$5,999	35
16	\$6,000 to \$7,999	45
17	\$8,000 to \$9,999	60
18	\$10,000 to \$11,999	100
19	\$12,000 to \$13,999	140
20	\$14,000 to \$15,999	180
21	\$16,000 to \$17,999	220
22	\$18,000 to \$19,999	260
23	\$20,000 to \$21,999	300
24	\$22,000 to \$23,999	340
25	\$24,000 to \$25,999	380
26	\$26,000 to \$27,999	420
27	\$28,000 to \$29,999	460
28	\$30,000 to \$31,999	500
29	\$32,000 to \$33,999	540
30	\$34,000 to \$35,999	580

1	\$36,000 to \$37,999	620
2	\$38,000 to \$39,999	660
3	\$40,000 to \$41,999	700
4	\$42,000 to \$43,999	740
5	\$44,000 to \$45,999	780
6	\$46,000 to \$47,999	820
7	\$48,000 to \$49,999	860
8	\$50,000 to \$51,999	900
9	\$52,000 to \$53,999	940
10	\$54,000 to \$55,999	980
11	\$56,000 to \$57,999	1,020
12	\$58,000 to \$59,999	1,060
13	\$60,000 to \$61,999	1,100
14	\$62,000 to \$63,999	1,140
15	\$64,000 to \$65,999	1,180
16	\$66,000 to \$67,999	1,220
17	\$68,000 to \$69,999	1,260
18	\$70,000 to \$71,999	1,300
19	\$72,000 to \$73,999	1,340
20	\$74,000 to \$75,999	1,380
21	\$76,000 to \$77,999	1,420
22	\$78,000 to \$79,999	1,460
23	\$80,000 to \$81,999	1,500
24	\$82,000 to \$83,999	1,540
25	\$84,000 to \$85,999	1,580
26	\$86,000 to \$87,999	1,620
27	\$88,000 to \$89,999	1,660
28	\$90,000 to \$91,999	1,700
29	\$92,000 to \$93,999	1,740
30	\$94,000 to \$95,999	1,780

1	\$96,000 to \$97,999	1,820
2	\$98,000 to \$99,999	1,860
3	\$100,000 and over	1,900
4	(b) Assembled automobiles – \$60	
5	(c) Assembled motorcycles other than autocycles – \$25	
6	(d) Cabin trailers, up to one thousand pounds – \$10	
7	(e) Cabin trailers, one thousand pounds and over and less than two	
8	thousand pounds – \$25	
9	(f) Cabin trailers, two thousand pounds and over – \$40	
10	(g) Recreational vehicles, less than eight thousand pounds – \$160	
11	(h) Recreational vehicles, eight thousand pounds and over and less	
12	than twelve thousand pounds – \$410	
13	(i) Recreational vehicles, twelve thousand pounds and over – \$860	
14	(j) Assembled recreational vehicles and buses shall follow the	
15	schedules for body type and registered weight	
16	(k) Trucks - Over seven tons and less than ten tons – \$360	
17	(l) Trucks - Ten tons and over and less than thirteen tons – \$560	
18	(m) Trucks - Thirteen tons and over and less than sixteen tons –	
19	\$760	
20	(n) Trucks - Sixteen tons and over and less than twenty-five tons –	
21	\$960	
22	(o) Trucks - Twenty-five tons and over – \$1,160	
23	(p) Buses – \$360	
24	(q) Trailers other than semitrailers – \$10	
25	(r) Semitrailers – \$110	
26	(s) Minitrucks – \$50	
27	(t) Low-speed vehicles – \$50	
28	(4) For purposes of subsection (3) of this section, truck means all	
29	trucks and combinations of trucks except those trucks, trailers, or	
30	combinations thereof registered under section 60-3,198, and the tax is	
31	based on the gross vehicle weight rating as reported by the manufacturer.	

1 (5) Current model year vehicles are designated as first-year motor
2 vehicles for purposes of the schedules.

3 (6) When a motor vehicle is registered which is newer than the
4 current model year by the manufacturer's designation, the motor vehicle
5 is subject to the initial motor vehicle tax in the first registration
6 period and ninety-five percent of the initial motor vehicle tax in the
7 second registration period.

8 (7) Assembled cabin trailers, assembled recreational vehicles, and
9 assembled buses shall be designated as sixth-year motor vehicles in their
10 first year of registration for purposes of the schedules.

11 (8) When a motor vehicle is registered which is required to have a
12 title branded as previous salvage pursuant to section ~~60-174~~ ~~60-175~~, the
13 motor vehicle tax shall be reduced by twenty-five percent.

14 Sec. 26. Section 60-3,221, Revised Statutes Cumulative Supplement,
15 2018, is amended to read:

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

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

19 (i) Passenger car;

20 (ii) Commercial motor vehicle or apportionable vehicle;

21 (iii) Farm truck;

22 (iv) Local truck;

23 (v) Minitruck;

24 (vi) Recreational vehicle; or

25 (vii) Bus;

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

27 (i) A properly registered passenger car;

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

30 (iii) A properly registered farm truck;

31 (iv) A properly registered local truck;

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

1 registered:

2 (i) Passenger car;

3 (ii) Commercial motor vehicle or apportionable vehicle;

4 (iii) Farm truck; or

5 (iv) Local truck;

6 (f) A pole and cable reel trailer shall only be towed by a properly

7 registered:

8 (i) Commercial motor vehicle or apportionable vehicle;

9 (ii) Local truck; or

10 (iii) Public power district motor vehicle or, beginning January 1,
11 2023, metropolitan utilities district motor vehicle;

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

13 (i) A dealer-plated vehicle;

14 (ii) A properly registered passenger car;

15 (iii) A properly registered commercial motor vehicle or
16 apportionable vehicle;

17 (iv) A properly registered farm truck;

18 (v) A properly registered minitruck; or

19 (vi) A personal-use dealer-plated vehicle; ~~and~~

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

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

24 (ii) A properly registered local truck;

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

26 (iv) A properly registered commercial motor vehicle or apportionable
27 vehicle;

28 (v) A dealer-plated vehicle;

29 (vi) A personal-use dealer-plated vehicle;

30 (vii) A properly registered bus; or

31 (viii) A properly registered farm truck; and -

1 (i) A trailer registered as a historical vehicle pursuant to
2 sections 60-3,130 to 60-3,134 shall only be towed by:

3 (i) A motor vehicle properly registered as a historical vehicle
4 pursuant to sections 60-3,130 to 60-3,134;

5 (ii) A properly registered passenger car;

6 (iii) A properly registered commercial motor vehicle or
7 apportionable vehicle; or

8 (iv) A properly registered local truck.

9 (2) Nothing in this section shall be construed to waive compliance
10 with the Nebraska Rules of the Road or Chapter 75.

11 (3) Nothing in this section shall be construed to prohibit any motor
12 vehicle or trailer from displaying dealer license plates or In Transit
13 stickers authorized by section 60-376.

14 Sec. 27. Section 60-3,224, Revised Statutes Cumulative Supplement,
15 2018, is amended to read:

16 60-3,224 (1) Beginning October 1, 2015, and ending December 31,
17 2022, a person may apply to the department for Nebraska 150
18 Sesquicentennial Plates in lieu of regular license plates on an
19 application prescribed and provided by the department for any motor
20 vehicle, trailer, or semitrailer, except for a motor vehicle or trailer
21 registered under section 60-3,198. An applicant receiving a plate under
22 this section for a farm truck with a gross weight of over sixteen tons
23 shall affix the appropriate tonnage decal to the plate. The department
24 shall make forms available for such applications through the county
25 treasurers.

26 (2) Each application for initial issuance or renewal of Nebraska 150
27 Sesquicentennial Plates shall be accompanied by a fee of seventy dollars.
28 Fees collected pursuant to this section shall be remitted to the State
29 Treasurer. The State Treasurer shall credit fifteen percent of the fee
30 for initial issuance and renewal of plates under subsection (3) of
31 section 60-3,223 to the Department of Motor Vehicles Cash Fund and

1 eighty-five percent of such fee to the Nebraska 150 Sesquicentennial
2 Plate Proceeds Fund. The State Treasurer shall credit forty-three percent
3 of the fee for initial issuance and renewal of plates under subsection
4 (4) of section 60-3,223 to the Department of Motor Vehicles Cash Fund and
5 fifty-seven percent of such fee to the Nebraska 150 Sesquicentennial
6 Plate Proceeds Fund.

7 ~~(3)(a) When (3) Until January 1, 2019, when the department receives~~
8 ~~an application for Nebraska 150 Sesquicentennial Plates, the department~~
9 ~~shall deliver the plates to the county treasurer of the county in which~~
10 ~~the motor vehicle or trailer is registered. Beginning January 1, 2019,~~
11 ~~when~~ the department receives an application for Nebraska 150
12 Sesquicentennial Plates, the department may deliver the plates and
13 registration certificate to the applicant by United States mail or to the
14 county treasurer of the county in which the motor vehicle or trailer is
15 registered and the delivery of the plates and registration certificate
16 shall be made through a secure process and system. The county treasurer
17 or the department shall issue plates under this section in lieu of
18 regular license plates when the applicant complies with the other
19 provisions of the Motor Vehicle Registration Act for registration of the
20 motor vehicle or trailer. If plates are lost, stolen, or mutilated, the
21 licensee shall be issued replacement license plates pursuant to section
22 60-3,157.

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

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

4 (4) The owner of a motor vehicle or trailer bearing Nebraska 150
5 Sesquicentennial Plates may apply to the county treasurer to have such
6 plates transferred to a motor vehicle or trailer other than the motor
7 vehicle or trailer for which such plates were originally purchased if
8 such motor vehicle or trailer is owned by the owner of the plates. The
9 owner may have the unused portion of the fee for the plates credited to
10 the other motor vehicle or trailer which will bear the plates at the rate
11 of eight and one-third percent per month for each full month left in the
12 registration period. Application for such transfer shall be accompanied
13 by a fee of three dollars. The State Treasurer shall credit fees
14 collected pursuant to this subsection to the Department of Motor Vehicles
15 Cash Fund.

16 (5) Nebraska 150 Sesquicentennial Plates shall not be issued or
17 renewed beginning on January 1, 2023.

18 Sec. 28. Section 60-3,227, Revised Statutes Cumulative Supplement,
19 2018, is amended to read:

20 60-3,227 (1) Beginning October 1, 2016, a person may apply to the
21 department for Mountain Lion Conservation Plates in lieu of regular
22 license plates on an application prescribed and provided by the
23 department for any motor vehicle, trailer, or semitrailer, except for a
24 motor vehicle, trailer, or semitrailer registered under section 60-3,198.
25 An applicant receiving a Mountain Lion Conservation Plate for a farm
26 truck with a gross weight of over sixteen tons shall affix the
27 appropriate tonnage decal to the plate. The department shall make forms
28 available for such applications through the county treasurers. The
29 license plates shall be issued upon payment of the license fee described
30 in subsection (2) of this section.

31 (2)(a) In addition to all other fees required for registration under

1 the Motor Vehicle Registration Act, each application for initial issuance
2 of alphanumeric Mountain Lion Conservation Plates shall be accompanied by
3 a fee of five dollars. An application for renewal of such plates shall be
4 accompanied by a fee of five dollars. County treasurers collecting fees
5 pursuant to this subdivision shall remit them to the State Treasurer. The
6 State Treasurer shall credit five dollars of the fee to the Game and
7 Parks Commission Educational Fund.

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

17 ~~(3)(a) When (3) Until January 1, 2019, when the department receives~~
18 ~~an application for Mountain Lion Conservation Plates, the department~~
19 ~~shall deliver the plates to the county treasurer of the county in which~~
20 ~~the motor vehicle, trailer, or semitrailer is registered. Beginning~~
21 ~~January 1, 2019, when the department receives an application for Mountain~~
22 Lion Conservation Plates, the department may deliver the plates and
23 registration certificate to the applicant by United States mail or to the
24 county treasurer of the county in which the motor vehicle, trailer, or
25 semitrailer is registered and the delivery of the plates and registration
26 certificate shall be made through a secure process and system. The county
27 treasurer or the department shall issue Mountain Lion Conservation Plates
28 in lieu of regular license plates when the applicant complies with the
29 other provisions of the Motor Vehicle Registration Act for registration
30 of the motor vehicle, trailer, or semitrailer. If Mountain Lion
31 Conservation Plates are lost, stolen, or mutilated, the licensee shall be

1 issued replacement license plates upon request pursuant to section
2 60-3,157.

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

15 (4) The owner of a motor vehicle, trailer, or semitrailer bearing
16 Mountain Lion Conservation Plates may apply to the county treasurer to
17 have such plates transferred to a motor vehicle other than the vehicle
18 for which such plates were originally purchased if such vehicle is owned
19 by the owner of the plates. The owner may have the unused portion of the
20 fee for the plates credited to the other vehicle which will bear the
21 plates at the rate of eight and one-third percent per month for each full
22 month left in the registration period. Application for such transfer
23 shall be accompanied by a fee of three dollars. Fees collected pursuant
24 to this subsection shall be remitted to the State Treasurer for credit to
25 the Department of Motor Vehicles Cash Fund.

26 (5) If the cost of manufacturing Mountain Lion Conservation Plates
27 at any time exceeds the amount charged for license plates pursuant to
28 section 60-3,102, any money to be credited to the Game and Parks
29 Commission Educational Fund shall instead be credited first to the
30 Highway Trust Fund in an amount equal to the difference between the
31 manufacturing costs of Mountain Lion Conservation Plates and the amount

1 charged pursuant to section 60-3,102 with respect to such plates and the
2 remainder shall be credited to the Game and Parks Commission Educational
3 Fund.

4 Sec. 29. Section 60-3,231, Revised Statutes Cumulative Supplement,
5 2018, is amended to read:

6 60-3,231 (1) Beginning January 1, 2017, a person may apply to the
7 department for Breast Cancer Awareness Plates in lieu of regular license
8 plates on an application prescribed and provided by the department for
9 any motor vehicle, trailer, or semitrailer, except for a motor vehicle or
10 trailer registered under section 60-3,198. An applicant receiving a plate
11 under this section for a farm truck with a gross weight of over sixteen
12 tons shall affix the appropriate tonnage decal to the plate. The
13 department shall make forms available for such applications through the
14 county treasurers.

15 (2) In addition to all other fees required for registration under
16 the Motor Vehicle Registration Act, each application for initial issuance
17 or renewal of personalized message Breast Cancer Awareness Plates shall
18 be accompanied by a fee of forty dollars. No such additional fee shall be
19 due for the initial issuance or renewal of alphanumeric Breast Cancer
20 Awareness Plates. County treasurers collecting fees pursuant to this
21 subsection shall remit them to the State Treasurer. The State Treasurer
22 shall credit twenty-five percent of the fee to the Highway Trust Fund and
23 seventy-five percent of the fee to the Department of Motor Vehicles Cash
24 Fund.

25 ~~(3)(a) When (3) Until January 1, 2019, when the department receives~~
26 ~~an application for Breast Cancer Awareness Plates, the department shall~~
27 ~~deliver the plates to the county treasurer of the county in which the~~
28 ~~motor vehicle or trailer is registered. Beginning January 1, 2019, when~~
29 ~~the department receives an application for Breast Cancer Awareness~~
30 ~~Plates, the department may deliver the plates and registration~~
31 ~~certificate to the applicant by United States mail or to the county~~

1 treasurer of the county in which the motor vehicle or trailer is
2 registered and the delivery of the plates and registration certificate
3 shall be made through a secure process and system. The county treasurer
4 or the department shall issue plates under this section in lieu of
5 regular license plates when the applicant complies with the other
6 provisions of the Motor Vehicle Registration Act for registration of the
7 motor vehicle or trailer. If Breast Cancer Awareness Plates are lost,
8 stolen, or mutilated, the licensee shall be issued replacement license
9 plates upon request pursuant to section 60-3,157.

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

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

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

3 Sec. 30. Section 60-3,233, Revised Statutes Cumulative Supplement,
4 2018, is amended to read:

5 60-3,233 (1) Beginning January 1, 2018, a person may apply to the
6 department for Choose Life License Plates in lieu of regular license
7 plates on an application prescribed and provided by the department for
8 any motor vehicle or trailer, except for a motor vehicle or trailer
9 registered under section 60-3,198. An applicant receiving a Choose Life
10 License Plate for a farm truck with a gross weight of over sixteen tons
11 or a commercial truck or truck-tractor with a gross weight of five tons
12 or over shall affix the appropriate tonnage decal to the plate. The
13 department shall make forms available for such applications through the
14 county treasurers. The license plates shall be issued upon payment of the
15 license fee described in subsection (2) of this section.

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

26 (b) In addition to all other fees required for registration under
27 the Motor Vehicle Registration Act, each application for initial issuance
28 or renewal of personalized message Choose Life License Plates shall be
29 accompanied by a fee of forty dollars. County treasurers collecting fees
30 pursuant to this subdivision shall remit them to the State Treasurer. The
31 State Treasurer shall credit twenty-five percent of the fee for initial

1 issuance and renewal of such plates to the Department of Motor Vehicles
2 Cash Fund and seventy-five percent of the fee to the Health and Human
3 Services Cash Fund to supplement federal funds available to the
4 Department of Health and Human Services for the Temporary Assistance for
5 Needy Families program.

6 (3)(a) (3) When the department receives an application for Choose
7 Life License Plates, the department shall deliver the plates to the
8 county treasurer of the county in which the motor vehicle or trailer is
9 registered. The county treasurer shall issue Choose Life License Plates
10 in lieu of regular license plates when the applicant complies with the
11 other provisions of the Motor Vehicle Registration Act for registration
12 of the motor vehicle or trailer. If Choose Life License Plates are lost,
13 stolen, or mutilated, the licensee shall be issued replacement license
14 plates upon request pursuant to section 60-3,157.

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

27 (4) The owner of a motor vehicle or trailer bearing Choose Life
28 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 Health and Human Services Cash
10 Fund to supplement federal funds available to the Department of Health
11 and Human Services for the Temporary Assistance for Needy Families
12 program shall instead be credited first to the Highway Trust Fund in an
13 amount equal to the difference between the manufacturing costs of Choose
14 Life License Plates and the amount charged pursuant to section 60-3,102
15 with respect to such plates and the remainder shall be credited to the
16 Health and Human Services Cash Fund to supplement federal funds available
17 to the Department of Health and Human Services for the Temporary
18 Assistance for Needy Families program.

19 Sec. 31. Section 60-3,235, Revised Statutes Cumulative Supplement,
20 2018, is amended to read:

21 60-3,235 (1) Beginning January 1, 2018, a person may apply to the
22 department for Native American Cultural Awareness and History Plates in
23 lieu of regular license plates on an application prescribed and provided
24 by the department for any motor vehicle or trailer, except for a motor
25 vehicle or trailer registered under section 60-3,198. An applicant
26 receiving a Native American Cultural Awareness and History Plate for a
27 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 or renewal of alphanumeric Native American Cultural Awareness and History
4 Plates shall be accompanied by a fee of five dollars. County treasurers
5 collecting fees pursuant to this subdivision shall remit them to the
6 State Treasurer. The State Treasurer shall credit five dollars of the fee
7 to the Native American Scholarship and Leadership Fund.

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

17 ~~(3)(a) When (3) Until January 1, 2019, when the department receives~~
18 ~~an application for Native American Cultural Awareness and History Plates,~~
19 ~~the department shall deliver the plates to the county treasurer of the~~
20 ~~county in which the motor vehicle or trailer is registered. Beginning~~
21 ~~January 1, 2019, when the department receives an application for Native~~
22 American Cultural Awareness and History Plates, the department may
23 deliver the plates and registration certificate to the applicant by
24 United States mail or to the county treasurer of the county in which the
25 motor vehicle or trailer is registered and the delivery of the plates and
26 registration certificate shall be made through a secure process and
27 system. The county treasurer or the department shall issue Native
28 American Cultural Awareness and History Plates in lieu of regular license
29 plates when the applicant complies with the other provisions of the Motor
30 Vehicle Registration Act for registration of the motor vehicle or
31 trailer. If Native American Cultural Awareness and History Plates are

1 lost, stolen, or mutilated, the licensee shall be issued replacement
2 license plates upon request pursuant to section 60-3,157.

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

15 (4) The owner of a motor vehicle or trailer bearing Native American
16 Cultural Awareness and History Plates may apply to the county treasurer
17 to have such plates transferred to a motor vehicle or trailer other than
18 the motor vehicle or trailer for which such plates were originally
19 purchased if such motor vehicle or trailer is owned by the owner of the
20 plates. The owner may have the unused portion of the fee for the plates
21 credited to the other motor vehicle or trailer which will bear the plates
22 at the rate of eight and one-third percent per month for each full month
23 left in the registration period. Application for such transfer shall be
24 accompanied by a fee of three dollars. Fees collected pursuant to this
25 subsection shall be remitted to the State Treasurer for credit to the
26 Department of Motor Vehicles Cash Fund.

27 (5) If the cost of manufacturing Native American Cultural Awareness
28 and History Plates at any time exceeds the amount charged for license
29 plates pursuant to section 60-3,102, any money to be credited to the
30 Native American Scholarship and Leadership Fund shall instead be credited
31 first to the Highway Trust Fund in an amount equal to the difference

1 between the manufacturing costs of Native American Cultural Awareness and
2 History Plates and the amount charged pursuant to section 60-3,102 with
3 respect to such plates and the remainder shall be credited to the Native
4 American Scholarship and Leadership Fund.

5 Sec. 32. Section 60-482, Reissue Revised Statutes of Nebraska, is
6 amended to read:

7 60-482 The director may ~~shall~~ adopt and promulgate such rules and
8 regulations as may be necessary to carry out the Motor Vehicle Operator's
9 License Act.

10 Sec. 33. Section 60-495, Revised Statutes Cumulative Supplement,
11 2018, is amended to read:

12 60-495 (1) The director may ~~shall~~ adopt and promulgate such rules
13 and regulations ~~and prepare and furnish all forms and information~~
14 necessary to carry out sections 60-493 to 60-495 and the duties of the
15 department under the Revised Uniform Anatomical Gift Act. The director
16 shall prepare and furnish all forms and information necessary under the
17 act.

18 (2) The Organ and Tissue Donor Awareness and Education Fund is
19 created. Department personnel and the county treasurer shall remit all
20 funds contributed under sections 60-484, 60-4,144, and 60-4,181 to the
21 State Treasurer for credit to the fund. The Department of Health and
22 Human Services shall administer the Organ and Tissue Donor Awareness and
23 Education Fund for the promotion of organ and tissue donation. The
24 department shall use the fund to assist organizations such as the
25 federally designated organ procurement organization for Nebraska and the
26 State Anatomical Board in carrying out activities which promote organ and
27 tissue donation through the creation and dissemination of educational
28 information. Any money in the fund available for investment shall be
29 invested by the state investment officer pursuant to the Nebraska Capital
30 Expansion Act and the Nebraska State Funds Investment Act.

31 Sec. 34. Section 60-4,118, Revised Statutes Cumulative Supplement,

1 2018, is amended to read:

2 60-4,118 ~~(1)(a) (1)~~ No operator's license shall be granted to any
3 applicant until such applicant satisfies the examiner that he or she
4 possesses sufficient powers of eyesight to enable him or her to obtain a
5 Class 0 license and to operate a motor vehicle on the highways of this
6 state with a reasonable degree of safety, including: ~~The Department of~~
7 ~~Motor Vehicles shall adopt and promulgate rules and regulations:~~

8 (i) A ~~(a) Requiring~~ a minimum acuity level of vision. Such level may
9 be obtained through the use of standard eyeglasses, contact lenses, or
10 bioptic or telescopic lenses which are specially constructed vision
11 correction devices which include a lens system attached to or used in
12 conjunction with a carrier lens; and

13 (ii) A ~~(b) Requiring~~ a minimum field of vision. Such field of vision
14 may be obtained through standard eyeglasses, contact lenses, or the
15 carrier lens of the bioptic or telescopic lenses.

16 (b) The department may adopt and promulgate rules and regulations
17 specifying such requirements.

18 (2) If a vision aid is used by the applicant to meet the vision
19 requirements of this section, the operator's license of the applicant
20 shall be restricted to the use of such vision aid when operating the
21 motor vehicle. If the applicant fails to meet the vision requirements,
22 the examiner shall require the applicant to present an optometrist's or
23 ophthalmologist's statement certifying the vision reading obtained when
24 testing the applicant within ninety days of the applicant's license
25 examination. If the vision reading meets the vision requirements
26 prescribed by the department, the vision requirements of this section
27 shall have been met. If the vision reading demonstrates that the
28 applicant is required to use bioptic or telescopic lenses to operate a
29 motor vehicle, the statement from the optometrist or ophthalmologist
30 shall also indicate when the applicant needs to be reexamined for
31 purposes of meeting the vision requirements for an operator's license as

1 prescribed by the department. If such time period is two years or more
2 after the date of the application, the license shall be valid for two
3 years. If such time period is less than two years, the license shall be
4 valid for such time period.

5 (3) If the applicant for an operator's license discloses that he or
6 she has any other physical impairment which may affect the safety of
7 operation by such applicant of a motor vehicle, the examiner shall
8 require the applicant to show cause why such license should be granted
9 and, through such personal examination and demonstration as may be
10 prescribed by the director, to show the necessary ability to safely
11 operate a motor vehicle on the highways. If the examiner is then
12 satisfied that such applicant has the ability to safely operate a motor
13 vehicle, an operator's license may be issued to the applicant subject, at
14 the discretion of the director, to a limitation to operate only such
15 motor vehicles at such time, for such purpose, and within such area as
16 the license shall designate.

17 (4)(a) The director may, when requested by a law enforcement
18 officer, when the director has reason to believe that a person may be
19 physically or mentally incompetent to operate a motor vehicle, or when a
20 person's driving record appears to the department to justify an
21 examination, give notice to the person to appear before an examiner or a
22 designee of the director for examination concerning the person's ability
23 to operate a motor vehicle safely. Any such request by a law enforcement
24 officer shall be accompanied by written justification for such request
25 and shall be approved by a supervisory law enforcement officer, police
26 chief, or county sheriff.

27 (b) A refusal to appear before an examiner or a designee of the
28 director for an examination after notice to do so shall be unlawful and
29 shall result in the immediate cancellation of the person's operator's
30 license by the director.

31 (c) If the person cannot qualify at the examination by an examiner,

1 his or her operator's license shall be immediately surrendered to the
2 examiner and forwarded to the director who shall cancel the person's
3 operator's license.

4 (d) If the director determines that the person lacks the physical or
5 mental ability to operate a motor vehicle, the director shall notify the
6 person in writing of the decision. Upon receipt of the notice, the person
7 shall immediately surrender his or her operator's license to the director
8 who shall cancel the person's operator's license.

9 (e) Refusal to surrender an operator's license on demand shall be
10 unlawful, and any person failing to surrender his or her operator's
11 license as required by this subsection shall be guilty of a Class III
12 misdemeanor.

13 Sec. 35. Section 60-4,122, Revised Statutes Cumulative Supplement,
14 2018, is amended to read:

15 60-4,122 (1) Except as otherwise provided in subsections (2), (3),
16 and (8) of this section, no original or renewal operator's license shall
17 be issued to any person until such person has demonstrated his or her
18 ability to operate a motor vehicle safely as provided in section
19 60-4,114.

20 (2) Except as otherwise provided in this section and section
21 60-4,127, any person who renews his or her Class O or Class M license
22 shall demonstrate his or her ability to drive and maneuver a motor
23 vehicle safely as provided in subdivision (3)(b) of section 60-4,114 only
24 at the discretion of department personnel, except that a person required
25 to use bioptic or telescopic lenses shall be required to demonstrate his
26 or her ability to drive and maneuver a motor vehicle safely each time he
27 or she renews his or her license.

28 (3) Any person who renews his or her Class O or Class M license
29 prior to or within one year after its expiration may not be required to
30 demonstrate his or her knowledge of the motor vehicle laws of this state
31 as provided in subdivision (3)(c) of section 60-4,114 if his or her

1 driving record abstract maintained in the computerized records of the
2 department shows that such person's license is not impounded, suspended,
3 revoked, or canceled.

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

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

14 (6) A nonresident who applies for an initial operator's license in
15 this state and who holds a valid operator's license from another state
16 which is his or her state of residence may not be required to demonstrate
17 his or her knowledge of the motor vehicle laws of this state if he or she
18 surrenders to the department his or her valid out-of-state operator's
19 license.

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

27 (8)(a) A qualified licensee as determined by the department who is
28 twenty-one years of age or older, whose license expires prior to his or
29 her seventy-second birthday, and who has a digital image and digital
30 signature preserved in the digital system may renew his or her Class O or
31 Class M license twice ~~once~~ by electronic means in a manner prescribed by

1 the department using the preserved digital image and digital signature
2 without taking any examination required under section 60-4,114 if such
3 renewal is prior to or within one year after the expiration of the
4 license, if his or her driving record abstract maintained in the records
5 of the department shows that such person's license is not impounded,
6 suspended, revoked, or canceled, and if his or her driving record
7 indicates that he or she is otherwise eligible. Every licensee, including
8 a licensee who is out of the state at the time of renewal, must apply for
9 renewal in person at least once every sixteen ~~ten~~ years and have a new
10 digital image and digital signature captured.

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

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

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

5 Sec. 36. Section 60-4,146.01, Reissue Revised Statutes of Nebraska,
6 is amended to read:

7 60-4,146.01 (1) Any resident of this state who is a seasonal
8 commercial motor vehicle operator for a farm-related or ranch-related
9 service industry may apply for a restricted commercial driver's license.
10 If the applicant is an individual, the application or examiner's
11 certificate shall include the applicant's social security number. A
12 restricted commercial driver's license shall authorize the holder to
13 operate any Class B Heavy Straight Vehicle commercial motor vehicle or
14 any Class B Heavy Straight Vehicle or Class C Small Vehicle commercial
15 motor vehicle required to be placarded pursuant to section 75-364 when
16 the hazardous material being transported is (a) diesel fuel in quantities
17 of one thousand gallons or less, (b) liquid fertilizers in vehicles or
18 implements of husbandry with total capacities of three thousand gallons
19 or less, or (c) solid fertilizers that are not transported or mixed with
20 any organic substance within one hundred fifty miles of the employer's
21 place of business or the farm or ranch being served.

22 (2) Any applicant for a restricted commercial driver's license or
23 seasonal permit shall be eighteen years of age or older, shall have
24 possessed a valid operator's license during the twelve-month period
25 immediately preceding application, and shall demonstrate, in a manner to
26 be prescribed by the director, that:

27 (a) If the applicant has possessed a valid operator's license for
28 two or more years, that in the two-year period immediately preceding
29 application the applicant:

30 (i) Has not possessed more than one operator's license at one time;

31 (ii) Has not been subject to any order of suspension, revocation, or

1 cancellation of any type;

2 (iii) Has no convictions involving any type or classification of
3 motor vehicle of the disqualification offenses enumerated in sections
4 60-4,168 and 60-4,168.01; and

5 (iv) Has no convictions for traffic law violations that are
6 accident-connected and no record of at-fault accidents; and

7 (b) If the applicant has possessed a valid operator's license for
8 more than one but less than two years, the applicant shall demonstrate
9 that he or she meets the requirements prescribed in subdivision (a) of
10 this subsection for the entire period of his or her driving record
11 history.

12 (3) The commercial motor vehicle operating privilege as conferred by
13 the restricted commercial driver's license shall be valid for five years
14 if annually revalidated by the seasonal permit which shall be valid for
15 no more than one hundred eighty consecutive days in any twelve-month
16 period. To revalidate the restricted commercial driver's license, the
17 applicant shall meet the requirements of subsection (2) of this section
18 and shall designate a time period he or she desires the commercial motor
19 vehicle operating privilege to be valid. The time period designated by
20 the applicant shall appear and be clearly indicated on the seasonal
21 permit. A seasonal permit shall not be issued to any person more than
22 once in any twelve-month period. The holder of a restricted commercial
23 driver's license shall operate commercial motor vehicles in the course or
24 scope of his or her employment within one hundred fifty miles of the
25 employer's place of business or the farm or ranch currently being served.

26 (4) Any person who violates any provision of this section shall,
27 upon conviction, be guilty of a Class III misdemeanor. In addition to any
28 penalty imposed by the court, the director shall also revoke such
29 person's restricted commercial driver's license and shall disqualify such
30 person from operating any commercial motor vehicle in Nebraska for a
31 period of five years.

1 (5) The Department of Motor Vehicles ~~may shall~~ adopt and promulgate
2 rules and regulations to carry out the requirements of this section.

3 (6) For purposes of this section:

4 (a) Agricultural chemical business means any business that
5 transports agricultural chemicals predominately to or from a farm or
6 ranch;

7 (b) Farm-related or ranch-related service industry means any custom
8 harvester, retail agricultural outlet or supplier, agricultural chemical
9 business, or livestock feeder which operates commercial motor vehicles
10 for the purpose of transporting agricultural products, livestock, farm
11 machinery and equipment, or farm supplies to or from a farm or ranch;

12 (c) Retail agricultural outlet or supplier means any retail outlet
13 or supplier that transports either agricultural products, farm machinery,
14 farm supplies, or both, predominately to or from a farm or ranch; and

15 (d) Seasonal commercial motor vehicle operator means any person who,
16 exclusively on a seasonal basis, operates a commercial motor vehicle for
17 a farm-related or ranch-related service industry.

18 Sec. 37. Section 60-4,155, Reissue Revised Statutes of Nebraska, is
19 amended to read:

20 60-4,155 The Department of Motor Vehicles shall establish ~~adopt and~~
21 ~~promulgate rules and regulations establishing~~ standards and requirements
22 for the testing of applicants for commercial drivers' licenses,
23 endorsements, and restrictions. The standards and requirements developed
24 by the department for written knowledge and driving skills examinations
25 for commercial drivers' licenses shall substantially comply with the
26 requirements of the Commercial Driver's License Standards, 49 C.F.R. part
27 383, subparts G and H. The department may adopt and promulgate rules and
28 regulations to carry out this section.

29 Sec. 38. Section 60-4,158, Revised Statutes Cumulative Supplement,
30 2018, is amended to read:

31 60-4,158 (1) The director ~~may shall~~ adopt and promulgate rules and

1 regulations governing the certification of third-party testers by the
2 department. Any such ~~Such~~ rules and regulations shall substantially
3 comply with the requirements of 49 C.F.R. 383.75. A third-party skills
4 test examiner employed by a certified third-party tester is not required
5 to hold a commercial driver's license to administer a driving skills
6 examination and occupy the seat beside an applicant for a commercial
7 driver's license.

8 (2)(a) An applicant to be certified as a third-party skills test
9 examiner shall provide fingerprints to the Nebraska State Patrol. The
10 Nebraska State Patrol shall undertake a search for criminal history
11 record information relating to such applicant, including transmittal of
12 the applicant's fingerprints to the Federal Bureau of Investigation for a
13 national criminal history record information check. The criminal history
14 record information shall include information concerning the applicant
15 from federal repositories of such information and repositories of such
16 information in other states if authorized by federal law. The Nebraska
17 State Patrol shall issue a report to the department that includes the
18 criminal history record information concerning the applicant. The
19 applicant shall pay the actual cost of the fingerprinting and criminal
20 background check.

21 (b) A third-party skills test examiner shall be subject to a
22 national criminal history record information check.

23 (c) The department shall maintain a record of the results of the
24 criminal background check and third-party skills test examiner test
25 training and certification of all third-party skills test examiners.

26 (d) The department shall rescind the certification to administer
27 commercial driver's license tests of all third-party skills test
28 examiners who:

29 (i) Do not successfully complete the required refresher training
30 every four years; or

31 (ii) Do not pass a national criminal history record information

1 check. Criteria for not passing the criminal background check must
2 include at least the following:

3 (A) Any felony conviction within the last ten years; or

4 (B) Any conviction involving fraudulent activities.

5 (3) A certification to conduct third-party testing shall be valid
6 for two years, and the department shall charge a fee of one hundred
7 dollars to issue or renew the certification of any third-party tester.
8 The department shall remit the fees collected to the State Treasurer for
9 credit to the General Fund.

10 (4) Any third-party tester who violates any of the rules and
11 regulations adopted and promulgated pursuant to this section shall be
12 subject to having his or her certification revoked by the department.

13 Sec. 39. Section 60-4,182, Revised Statutes Cumulative Supplement,
14 2018, is amended to read:

15 60-4,182 In order to prevent and eliminate successive traffic
16 violations, there is hereby provided a point system dealing with traffic
17 violations as disclosed by the files of the director. The following point
18 system shall be adopted:

19 (1) Conviction of motor vehicle homicide - 12 points;

20 (2) Third offense drunken driving in violation of any city or
21 village ordinance or of section 60-6,196, as disclosed by the conviction
22 record of the court's order records of the director, regardless of
23 ~~whether the trial court found the same to be a third offense~~ - 12 points;

24 (3) Failure to stop and render aid as required under section 60-697
25 in the event of involvement in a motor vehicle accident resulting in the
26 death or personal injury of another - 6 points;

27 (4) Failure to stop and report as required under section 60-696 or
28 any city or village ordinance in the event of a motor vehicle accident
29 resulting in property damage - 6 points;

30 (5) Driving a motor vehicle while under the influence of alcoholic
31 liquor or any drug or when such person has a concentration of eight-

1 hundredths of one gram or more by weight of alcohol per one hundred
2 milliliters of his or her blood or per two hundred ten liters of his or
3 her breath in violation of any city or village ordinance or of section
4 60-6,196 - 6 points;

5 (6) Willful reckless driving in violation of any city or village
6 ordinance or of section 60-6,214 or 60-6,217 - 6 points;

7 (7) Careless driving in violation of any city or village ordinance
8 or of section 60-6,212 - 4 points;

9 (8) Negligent driving in violation of any city or village ordinance
10 - 3 points;

11 (9) Reckless driving in violation of any city or village ordinance
12 or of section 60-6,213 - 5 points;

13 (10) Speeding in violation of any city or village ordinance or any
14 of sections 60-6,185 to 60-6,190 and 60-6,313:

15 (a) Not more than five miles per hour over the speed limit - 1
16 point;

17 (b) More than five miles per hour but not more than ten miles per
18 hour over the speed limit - 2 points;

19 (c) More than ten miles per hour but not more than thirty-five miles
20 per hour over the speed limit - 3 points, except that one point shall be
21 assessed upon conviction of exceeding by not more than ten miles per
22 hour, two points shall be assessed upon conviction of exceeding by more
23 than ten miles per hour but not more than fifteen miles per hour, and
24 three points shall be assessed upon conviction of exceeding by more than
25 fifteen miles per hour but not more than thirty-five miles per hour the
26 speed limits provided for in subdivision (1)(f), (g), (h), or (i) of
27 section 60-6,186; and

28 (d) More than thirty-five miles per hour over the speed limit - 4
29 points;

30 (11) Failure to yield to a pedestrian not resulting in bodily injury
31 to a pedestrian - 2 points;

1 (12) Failure to yield to a pedestrian resulting in bodily injury to
2 a pedestrian - 4 points;

3 (13) Using a handheld wireless communication device in violation of
4 section 60-6,179.01 or texting while driving in violation of subsection
5 (1) or (3) of section 60-6,179.02 - 3 points;

6 (14) Using a handheld mobile telephone in violation of subsection
7 (2) or (4) of section 60-6,179.02 - 3 points;

8 (15) Unlawful obstruction or interference of the view of an operator
9 in violation of section 60-6,256 - 1 point;

10 (16) A violation of subsection (1) of section 60-6,175 - 3 points;
11 and

12 (17) All other traffic violations involving the operation of motor
13 vehicles by the operator for which reports to the Department of Motor
14 Vehicles are required under sections 60-497.01 and 60-497.02 - 1 point.

15 Subdivision (17) of this section does not include violations
16 involving an occupant protection system or a three-point safety belt
17 system pursuant to section 60-6,270; parking violations; violations for
18 operating a motor vehicle without a valid operator's license in the
19 operator's possession; muffler violations; overwidth, overheight, or
20 overlength violations; autocycle, motorcycle, or moped protective helmet
21 violations; or overloading of trucks.

22 All such points shall be assessed against the driving record of the
23 operator as of the date of the violation for which conviction was had.
24 Points may be reduced by the department under section 60-4,188.

25 In all cases, the forfeiture of bail not vacated shall be regarded
26 as equivalent to the conviction of the offense with which the operator
27 was charged.

28 The point system shall not apply to persons convicted of traffic
29 violations committed while operating a bicycle as defined in section
30 60-611 or an electric personal assistive mobility device as defined in
31 section 60-618.02.

1 Sec. 40. Section 60-501, Revised Statutes Cumulative Supplement,
2 2018, is amended to read:

3 60-501 For purposes of the Motor Vehicle Safety Responsibility Act,
4 unless the context otherwise requires:

5 (1) Department means Department of Motor Vehicles;

6 (2) Golf car vehicle means a vehicle that has at least four wheels,
7 has a maximum level ground speed of less than twenty miles per hour, has
8 a maximum payload capacity of one thousand two hundred pounds, has a
9 maximum gross vehicle weight of two thousand five hundred pounds, has a
10 maximum passenger capacity of not more than four persons, and is designed
11 and manufactured for operation on a golf course for sporting and
12 recreational purposes;

13 (3) Judgment means any judgment which shall have become final by the
14 expiration of the time within which an appeal might have been perfected
15 without being appealed, or by final affirmation on appeal, rendered by a
16 court of competent jurisdiction of any state or of the United States, (a)
17 upon a cause of action arising out of the ownership, maintenance, or use
18 of any motor vehicle for damages, including damages for care and loss of
19 services, because of bodily injury to or death of any person or for
20 damages because of injury to or destruction of property, including the
21 loss of use thereof, or (b) upon a cause of action on an agreement of
22 settlement for such damages;

23 (4) License means any license issued to any person under the laws of
24 this state pertaining to operation of a motor vehicle within this state;

25 (5) Low-speed vehicle means a (a) four-wheeled motor vehicle (i)
26 whose speed attainable in one mile is more than twenty miles per hour and
27 not more than twenty-five miles per hour on a paved, level surface, (ii)
28 whose gross vehicle weight rating is less than three thousand pounds, and
29 (iii) that complies with 49 C.F.R. part 571, as such part existed on
30 January 1, 2018, or (b) three-wheeled motor vehicle (i) whose maximum
31 speed attainable is not more than twenty-five miles per hour on a paved,

1 level surface, (ii) whose gross vehicle weight rating is less than three
2 thousand pounds, and (iii) which is equipped with a windshield and an
3 occupant protection system, ~~and (iv) that complies with 49 C.F.R. part~~
4 ~~571, as such part existed on January 1, 2018.~~ A motorcycle with a sidecar
5 attached is not a low-speed vehicle;

6 (6) Minitruck means a foreign-manufactured import vehicle or
7 domestic-manufactured vehicle which (a) is powered by an internal
8 combustion engine with a piston or rotor displacement of one thousand
9 five hundred cubic centimeters or less, (b) is sixty-seven inches or less
10 in width, (c) has a dry weight of four thousand two hundred pounds or
11 less, (d) travels on four or more tires, (e) has a top speed of
12 approximately fifty-five miles per hour, (f) is equipped with a bed or
13 compartment for hauling, (g) has an enclosed passenger cab, (h) is
14 equipped with headlights, taillights, turnsignals, windshield wipers, a
15 rearview mirror, and an occupant protection system, and (i) has a four-
16 speed, five-speed, or automatic transmission;

17 (7) Motor vehicle means any self-propelled vehicle which is designed
18 for use upon a highway, including trailers designed for use with such
19 vehicles, minitrucks, and low-speed vehicles. Motor vehicle does not
20 include (a) mopeds as defined in section 60-637, (b) traction engines,
21 (c) road rollers, (d) farm tractors, (e) tractor cranes, (f) power
22 shovels, (g) well drillers, (h) every vehicle which is propelled by
23 electric power obtained from overhead wires but not operated upon rails,
24 (i) electric personal assistive mobility devices as defined in section
25 60-618.02, (j) off-road designed vehicles, including, but not limited to,
26 golf car vehicles, go-carts, riding lawnmowers, garden tractors, all-
27 terrain vehicles and utility-type vehicles as defined in section
28 60-6,355, minibikes as defined in section 60-636, and snowmobiles as
29 defined in section 60-663, and (k) bicycles as defined in section 60-611;

30 (8) Nonresident means every person who is not a resident of this
31 state;

1 (9) Nonresident's operating privilege means the privilege conferred
2 upon a nonresident by the laws of this state pertaining to the operation
3 by him or her of a motor vehicle or the use of a motor vehicle owned by
4 him or her in this state;

5 (10) Operator means every person who is in actual physical control
6 of a motor vehicle;

7 (11) Owner means a person who holds the legal title of a motor
8 vehicle, or in the event (a) a motor vehicle is the subject of an
9 agreement for the conditional sale or lease thereof with the right of
10 purchase upon performance of the conditions stated in the agreement and
11 with an immediate right of possession vested in the conditional vendee or
12 lessee or (b) a mortgagor of a vehicle is entitled to possession, then
13 such conditional vendee or lessee or mortgagor shall be deemed the owner
14 for the purposes of the act;

15 (12) Person means every natural person, firm, partnership, limited
16 liability company, association, or corporation;

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

27 (14) Registration means registration certificate or certificates and
28 registration plates issued under the laws of this state pertaining to the
29 registration of motor vehicles;

30 (15) State means any state, territory, or possession of the United
31 States, the District of Columbia, or any province of the Dominion of

1 Canada; and

2 (16) The forfeiture of bail, not vacated, or of collateral deposited
3 to secure an appearance for trial shall be regarded as equivalent to
4 conviction of the offense charged.

5 Sec. 41. Section 60-628.01, Revised Statutes Cumulative Supplement,
6 2018, is amended to read:

7 60-628.01 Low-speed vehicle means a (1) four-wheeled motor vehicle
8 (a) whose speed attainable in one mile is more than twenty miles per hour
9 and not more than twenty-five miles per hour on a paved, level surface,
10 (b) whose gross vehicle weight rating is less than three thousand pounds,
11 and (c) that complies with 49 C.F.R. part 571, as such part existed on
12 January 1, 2018, or (2) three-wheeled motor vehicle (a) whose maximum
13 speed attainable is not more than twenty-five miles per hour on a paved,
14 level surface, (b) whose gross vehicle weight rating is less than three
15 thousand pounds, and (c) which is equipped with a windshield and an
16 occupant protection system, ~~and (d) that complies with 49 C.F.R. part~~
17 ~~571, as such part existed on January 1, 2018.~~ A motorcycle with a sidecar
18 attached is not a low-speed vehicle.

19 Sec. 42. Section 60-6,209, Revised Statutes Cumulative Supplement,
20 2018, is amended to read:

21 60-6,209 (1) Any person whose operator's license has been revoked
22 pursuant to a conviction for a violation of sections 60-6,196, 60-6,197,
23 and 60-6,199 to 60-6,204 for a third or subsequent time for a period of
24 fifteen years may apply to the Department of Motor Vehicles not more
25 often than once per calendar year, on forms prescribed by the department,
26 requesting the department to make a recommendation to the Board of
27 Pardons for reinstatement of his or her eligibility for an operator's
28 license. Upon receipt of the application and a nonrefundable application
29 fee of one hundred dollars, the Director of Motor Vehicles shall review
30 the application and make a recommendation for reinstatement or for denial
31 of reinstatement. The department may recommend reinstatement if such

1 person shows the following:

2 (a) Such person has completed a state-certified substance abuse
3 program and is recovering or such person has substantially recovered from
4 the dependency on or tendency to abuse alcohol or drugs, as determined by
5 a counselor certified or licensed in this state;

6 (b) Such person has not been convicted, since the date of the
7 revocation order, of any subsequent violations of section 60-6,196 or
8 60-6,197 or any comparable city or village ordinance and the applicant
9 has not, since the date of the revocation order, submitted to a chemical
10 test under section 60-6,197 that indicated an alcohol concentration in
11 violation of section 60-6,196 or refused to submit to a chemical test
12 under section 60-6,197;

13 (c) Such person has not been convicted, since the date of the
14 revocation order, of driving while under suspension, revocation, or
15 impoundment under section 60-4,109;

16 (d) Such person has abstained from the consumption of alcoholic
17 beverages and the consumption of drugs except at the direction of a
18 licensed physician or pursuant to a valid prescription;

19 (e) Such person's operator's license is not currently subject to
20 suspension or revocation for any other reason; and

21 (f) Such person has agreed that, if the Board of Pardons reinstates
22 such person's eligibility to apply for an ignition interlock permit, such
23 person must provide proof, to the satisfaction of the department, that an
24 ignition interlock device has been installed and is maintained on one or
25 more motor vehicles such person operates for the duration of the original
26 fifteen-year revocation period and such person must operate only motor
27 vehicles so equipped for the duration of the original fifteen-year
28 revocation period.

29 (2) In addition, the department may require other evidence from such
30 person to show that restoring such person's privilege to drive will not
31 present a danger to the health and safety of other persons using the

1 highways.

2 (3) Upon review of the application, the director shall make the
3 recommendation to the Board of Pardons in writing and shall briefly state
4 the reasons for the recommendations. The recommendation shall include the
5 original application and other evidence submitted by such person. The
6 recommendation shall also include any record of any other applications
7 such person has previously filed under this section.

8 (4) The department ~~may shall~~ adopt and promulgate rules and
9 regulations to govern the procedures for making a recommendation to the
10 Board of Pardons. ~~Such rules and regulations shall include the~~
11 ~~requirement that the treatment programs and counselors who provide~~
12 ~~information about such person to the department must be certified or~~
13 ~~licensed by the state.~~

14 (5) If the Board of Pardons reinstates such person's eligibility for
15 an operator's license or an ignition interlock permit or orders a
16 reprieve of such person's motor vehicle operator's license revocation,
17 such reinstatement or reprieve may be conditioned for the duration of the
18 original revocation period on such person's continued recovery and, if
19 such person is a holder of an ignition interlock permit, shall be
20 conditioned for the duration of the original revocation period on such
21 person's operation of only motor vehicles equipped with an ignition
22 interlock device. If such person is convicted of any subsequent violation
23 of section 60-6,196 or 60-6,197, the reinstatement of the person's
24 eligibility for an operator's license shall be withdrawn and such
25 person's operator's license will be revoked by the Department of Motor
26 Vehicles for the time remaining under the original revocation,
27 independent of any sentence imposed by the court, after thirty days'
28 written notice to the person by first-class mail at his or her last-known
29 mailing address as shown by the records of the department.

30 (6) If the Board of Pardons reinstates a person's eligibility for an
31 operator's license or an ignition interlock permit or orders a reprieve

1 of such person's motor vehicle operator's license revocation, the board
2 shall notify the Department of Motor Vehicles of the reinstatement or
3 reprieve. Such person may apply for an operator's license upon payment of
4 a fee of one hundred twenty-five dollars and the filing of proof of
5 financial responsibility. The fees paid pursuant to this section shall be
6 collected by the department and remitted to the State Treasurer. The
7 State Treasurer shall credit seventy-five dollars of each fee to the
8 General Fund and fifty dollars of each fee to the Department of Motor
9 Vehicles Cash Fund.

10 Sec. 43. Original sections 37-1214, 37-1292, 60-3,162, 60-482,
11 60-4,146.01, and 60-4,155, Reissue Revised Statutes of Nebraska, and
12 sections 37-1278, 37-1280, 37-1293, 60-119.01, 60-144, 60-149, 60-151,
13 60-171, 60-173, 60-174, 60-336.01, 60-386, 60-3,104.01, 60-3,122,
14 60-3,122.02, 60-3,122.04, 60-3,123, 60-3,124, 60-3,125, 60-3,126,
15 60-3,128, 60-3,187, 60-3,221, 60-3,224, 60-3,227, 60-3,231, 60-3,233,
16 60-3,235, 60-495, 60-4,118, 60-4,122, 60-4,158, 60-4,182, 60-501,
17 60-628.01, and 60-6,209, Revised Statutes Cumulative Supplement, 2018,
18 are repealed.