

LEGISLATURE OF NEBRASKA
ONE HUNDRED SIXTH LEGISLATURE
FIRST SESSION

LEGISLATIVE BILL 697

Introduced by Bostelman, 23; Briese, 41; Gragert, 40; Halloran, 33.

Read first time January 23, 2019

Committee: Transportation and Telecommunications

1 A BILL FOR AN ACT relating to the Motor Vehicle Registration Act; to
2 amend section 60-3,102, Reissue Revised Statutes of Nebraska, and
3 sections 60-3,122, 60-3,122.02, 60-3,122.04, 60-3,123, 60-3,124, and
4 60-3,125, Revised Statutes Cumulative Supplement, 2018; to change
5 provisions relating to fees for Pearl Harbor plates, Gold Star
6 Family plates, Military Honor plates, prisoner-of-war plates,
7 disabled veteran plates, and Purple Heart plates; and to repeal the
8 original sections.

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

1 Section 1. Section 60-3,102, Reissue Revised Statutes of Nebraska,
2 is amended to read:

3 60-3,102 Except for license plates issued pursuant to sections
4 60-3,122, 60-3,122.02, 60-3,122.04, 60-3,123, 60-3,124, or 60-3,125,
5 which shall not be charged any fee, whenever ~~Whenever~~ new license plates,
6 including duplicate or replacement license plates, are issued to any
7 person, a fee per plate shall be charged in addition to all other
8 required fees. The plate fee shall be determined by the department and
9 shall only cover the cost of the license plate and validation decals but
10 shall not exceed three dollars and fifty cents. All fees collected
11 pursuant to this section shall be remitted to the State Treasurer for
12 credit to the Highway Trust Fund.

13 Sec. 2. Section 60-3,122, Revised Statutes Cumulative Supplement,
14 2018, is amended to read:

15 60-3,122 (1) Any person may, in addition to the application required
16 by section 60-385, apply to the department for license plates designed by
17 the department to indicate that he or she is a survivor of the Japanese
18 attack on Pearl Harbor if he or she:

19 (a) Was a member of the United States Armed Forces on December 7,
20 1941;

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

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

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

28 (2) The license plates shall be issued upon the applicant ~~paying the~~
29 ~~regular license fee and~~ furnishing proof satisfactory to the department
30 that the applicant fulfills the requirements provided by subsection (1)
31 of this section. Any number of motor vehicles, trailers, or semitrailers

1 owned by the applicant may be so licensed at any one time. Motor vehicles
2 and trailers registered under section 60-3,198 shall not be so licensed.

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

6 Sec. 3. Section 60-3,122.02, Revised Statutes Cumulative Supplement,
7 2018, is amended to read:

8 60-3,122.02 (1) A person may apply to the department for Gold Star
9 Family plates in lieu of regular license plates on an application
10 prescribed and provided by the department for any motor vehicle, trailer,
11 or semitrailer, except for a motor vehicle or trailer registered under
12 section 60-3,198. An applicant receiving a Gold Star Family plate for a
13 farm truck with a gross weight of over sixteen tons shall affix the
14 appropriate tonnage decal to the plate. The department shall make forms
15 available for such applications through the county treasurers. The
16 license plates shall be issued upon the applicant ~~payment of the license~~
17 ~~fee described in subsection (2) of this section and~~ furnishing proof
18 satisfactory to the department that the applicant is a surviving spouse,
19 whether remarried or not, or an ancestor, including a stepparent, a
20 descendant, including a stepchild, a foster parent or a person in loco
21 parentis, or a sibling of a person who died while in good standing on
22 active duty in the military service of the United States.

23 ~~(2)(a) Each application for initial issuance of consecutively~~
24 ~~numbered Gold Star Family plates shall be accompanied by a fee of five~~
25 ~~dollars. An application for renewal of such plates shall be accompanied~~
26 ~~by a fee of five dollars. County treasurers collecting fees for renewals~~
27 ~~pursuant to this subdivision shall remit them to the State Treasurer. The~~
28 ~~State Treasurer shall credit five dollars of the fee for initial issuance~~
29 ~~and renewal of such plates to the Nebraska Veteran Cemetery System~~
30 ~~Operation Fund.~~

31 ~~(b) Each application for initial issuance of personalized message~~

1 ~~Gold Star Family plates shall be accompanied by a fee of forty dollars.~~
2 ~~An application for renewal of such plates shall be accompanied by a fee~~
3 ~~of forty dollars. County treasurers collecting fees for renewals pursuant~~
4 ~~to this subdivision shall remit them to the State Treasurer. The State~~
5 ~~Treasurer shall credit twenty five percent of the fee for initial~~
6 ~~issuance and renewal of such plates to the Department of Motor Vehicles~~
7 ~~Cash Fund and seventy-five percent of the fee to the Nebraska Veteran~~
8 ~~Cemetery System Operation Fund.~~

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

24 (3) ~~(4)~~ The owner of a motor vehicle or trailer bearing Gold Star
25 Family plates may apply to the county treasurer to have such plates
26 transferred to a motor vehicle other than the vehicle for which such
27 plates were originally purchased if such vehicle is owned by the owner of
28 the plates. ~~The owner may have the unused portion of the fee for the~~
29 ~~plates credited to the other vehicle which will bear the plates at the~~
30 ~~rate of eight and one-third percent per month for each full month left in~~
31 ~~the registration period. Application for such transfer shall be~~

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

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

12 Sec. 4. Section 60-3,122.04, Revised Statutes Cumulative Supplement,
13 2018, is amended to read:

14 60-3,122.04 (1) An eligible person may apply to the department for
15 Military Honor Plates in lieu of regular license plates on an application
16 prescribed and provided by the department for any motor vehicle, trailer,
17 or semitrailer, except for a motor vehicle or trailer registered under
18 section 60-3,198. An applicant receiving a Military Honor Plate for a
19 farm truck with a gross weight of over sixteen tons shall affix the
20 appropriate tonnage decal to the plate. The department shall make forms
21 available for such applications through the county treasurers. The
22 license plates shall be issued upon ~~payment of the license fee described~~
23 ~~in subsection (2) of this section and~~ verification by the department of
24 an applicant's eligibility using the registry established by the
25 Department of Veterans' Affairs pursuant to section 80-414. To be
26 eligible an applicant shall be (a) active duty or reserve duty armed
27 forces personnel serving in any of the armed forces listed in subsection
28 (1) of section 60-3,122.03, (b) a veteran of any of such armed forces who
29 was discharged or otherwise separated with a characterization of
30 honorable or general (under honorable conditions), or (c) a current or
31 former commissioned officer of the United States Public Health Service or

1 National Oceanic and Atmospheric Administration who has been detailed
2 directly to any branch of such armed forces for service on active or
3 reserve duty and who was discharged or otherwise separated with a
4 characterization of honorable or general (under honorable conditions) as
5 proven with valid orders from the United States Department of Defense, a
6 statement of service provided by the United States Public Health Service,
7 or a report of transfer or discharge provided by the National Oceanic and
8 Atmospheric Administration. Any person using Military Honor Plates shall
9 surrender the plates to the county treasurer if such person is no longer
10 eligible for the plates. Regular plates shall be issued to any such
11 person upon surrender of the Military Honor Plates for a three-dollar
12 transfer fee and forfeiture of any of the remaining annual fee. The
13 three-dollar transfer fee shall be remitted to the State Treasurer for
14 credit to the Department of Motor Vehicles Cash Fund.

15 ~~(2)(a) 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 alphanumeric Military Honor Plates shall be accompanied by~~
18 ~~a fee of five dollars. County treasurers collecting fees pursuant to this~~
19 ~~subdivision shall remit them to the State Treasurer. The State Treasurer~~
20 ~~shall credit five dollars of the fee to the Nebraska Veteran Cemetery~~
21 ~~System Operation Fund.~~

22 ~~(b) In addition to all other fees required for registration under~~
23 ~~the Motor Vehicle Registration Act, each application for initial issuance~~
24 ~~or renewal of personalized message Military Honor Plates shall be~~
25 ~~accompanied by a fee of forty dollars. County treasurers collecting fees~~
26 ~~pursuant to this subdivision shall remit them to the State Treasurer. The~~
27 ~~State Treasurer shall credit twenty-five percent of the fee for initial~~
28 ~~issuance and renewal of such plates to the Department of Motor Vehicles~~
29 ~~Cash Fund and seventy-five percent of the fee to the Nebraska Veteran~~
30 ~~Cemetery System Operation Fund.~~

31 ~~(2) When (3) Until January 1, 2019, when the Department of Motor~~

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

16 (3) ~~(4) The owner of a motor vehicle or trailer bearing Military~~
17 ~~Honor Plates may apply to the county treasurer to have such plates~~
18 ~~transferred to a motor vehicle or trailer other than the motor vehicle or~~
19 ~~trailer for which such plates were originally purchased if such motor~~
20 ~~vehicle or trailer is owned by the owner of the plates. The owner may~~
21 ~~have the unused portion of the fee for the plates credited to the other~~
22 ~~motor vehicle or trailer which will bear the plates at the rate of eight~~
23 ~~and one-third percent per month for each full month left in the~~
24 ~~registration period. Application for such transfer shall be accompanied~~
25 ~~by a fee of three dollars. Fees collected pursuant to this subsection~~
26 ~~shall be remitted to the State Treasurer for credit to the Department of~~
27 ~~Motor Vehicles Cash Fund.~~

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

1 ~~Trust Fund in an amount equal to the difference between the manufacturing~~
2 ~~costs of Military Honor Plates and the amount charged pursuant to section~~
3 ~~60-3,102 with respect to such plates and the remainder shall be credited~~
4 ~~to the Nebraska Veteran Cemetery System Operation Fund.~~

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

10 Sec. 5. Section 60-3,123, Revised Statutes Cumulative Supplement,
11 2018, is amended to read:

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

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

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

28 Sec. 6. Section 60-3,124, Revised Statutes Cumulative Supplement,
29 2018, is amended to read:

30 60-3,124 (1) Any person who is a veteran of the United States Armed
31 Forces, who was discharged or otherwise separated with a characterization

1 of honorable or general (under honorable conditions), and who is
2 classified by the United States Department of Veterans Affairs as one
3 hundred percent service-connected disabled may, in addition to the
4 application required in section 60-385, apply to the Department of Motor
5 Vehicles for license plates designed by the department to indicate that
6 the applicant is a disabled veteran. The inscription on the license
7 plates shall be D.A.V. immediately below the license plate number to
8 indicate that the holder of the license plates is a disabled veteran.

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

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

18 Sec. 7. Section 60-3,125, Revised Statutes Cumulative Supplement,
19 2018, is amended to read:

20 60-3,125 (1) Any person may, in addition to the application required
21 by section 60-385, apply to the department for license plates designed by
22 the department to indicate that the applicant has received from the
23 federal government an award of a Purple Heart. The inscription of the
24 plates shall be designed so as to include a facsimile of the award and
25 beneath any numerical designation upon the plates pursuant to section
26 60-370 the words Purple Heart separately on one line and the words Combat
27 Wounded on the line below.

28 (2) The license plates shall be issued upon the applicant ~~payment of~~
29 ~~the regular license fee and~~ furnishing proof satisfactory to the
30 department that the applicant was awarded the Purple Heart. Any number of
31 motor vehicles, trailers, or semitrailers owned by the applicant may be

1 so licensed at any one time. Motor vehicles and trailers registered under
2 section 60-3,198 shall not be so licensed.

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

6 Sec. 8. Original section 60-3,102, Reissue Revised Statutes of
7 Nebraska, and sections 60-3,122, 60-3,122.02, 60-3,122.04, 60-3,123,
8 60-3,124, and 60-3,125, Revised Statutes Cumulative Supplement, 2018, are
9 repealed.