

LEGISLATURE OF NEBRASKA
ONE HUNDRED EIGHTH LEGISLATURE
SECOND SESSION

LEGISLATIVE BILL 1200

Introduced by Moser, 22.

Read first time January 16, 2024

Committee: Transportation and Telecommunications

1 A BILL FOR AN ACT relating to motor vehicles; to amend sections 18-1737,
2 43-3314, 43-3318, 60-164.01, 60-172, 60-3,162, 60-3,202, 60-3,205,
3 60-480, 60-497.01, 60-4,131, 60-4,131.01, 60-4,139, 60-4,143,
4 60-4,144.03, 60-4,146.01, 60-4,148, 60-4,148.01, 60-4,149, 60-4,150,
5 60-4,151, 60-6,253, and 60-6,254, Reissue Revised Statutes of
6 Nebraska, sections 60-144, 60-146, 60-149, 60-3,198, and 60-490,
7 Revised Statutes Cumulative Supplement, 2022, and sections
8 30-24,125, 60-107, 60-119.01, 60-169, 60-302.01, 60-336.01, 60-386,
9 60-3,113.04, 60-3,193.01, 60-462, 60-462.01, 60-479.01, 60-4,111.01,
10 60-4,115, 60-4,132, 60-4,134, 60-4,142, 60-4,144, 60-4,147.02,
11 60-4,168, 60-501, 60-628.01, 60-6,265, 60-2705, 60-2909.01, 75-363,
12 75-364, 75-366, 75-369.03, 75-392, and 75-393, Revised Statutes
13 Supplement, 2023; to adopt updates to federal law and update certain
14 federal references; to change provisions relating to certificates of
15 title under the Nebraska Probate Code, delivery of certain
16 notifications relating to operator's licenses, the Motor Vehicle
17 Certificate of Title Act, the Motor Vehicle Registration Act, the
18 Motor Vehicle Operator's License Act, and the Nebraska Rules of the
19 Road; to change certain civil penalties; to eliminate obsolete
20 provisions; to harmonize provisions; to repeal the original
21 sections; and to declare an emergency.
22 Be it enacted by the people of the State of Nebraska,

1 Section 1. Section 18-1737, Reissue Revised Statutes of Nebraska, is
2 amended to read:

3 18-1737 (1) Any city or village, any state agency, and any person in
4 lawful possession of any offstreet parking facility may designate stalls
5 or spaces, including access aisles, in such facility owned or operated by
6 the city, village, state agency, or person for the exclusive use of
7 handicapped or disabled persons whose motor vehicles display the
8 distinguishing license plates issued to such individuals pursuant to
9 section 60-3,113, such other handicapped or disabled persons or
10 temporarily handicapped or disabled persons whose motor vehicles display
11 a handicapped or disabled parking permit, and such other motor vehicles
12 which display a handicapped or disabled parking permit. Such designation
13 shall be made by posting aboveground and immediately adjacent to and
14 visible from each stall or space, including access aisles, a sign which
15 is in conformance with the Manual on Uniform Traffic Control Devices
16 adopted pursuant to section 60-6,118 and the federal Americans with
17 Disabilities Act of 1990 and the federal regulations adopted in response
18 to the act, as the act and the regulations existed on January 1, 2024
19 ~~2011~~.

20 (2) The owner or person in lawful possession of an offstreet parking
21 facility, after notifying the police or sheriff's department, as the case
22 may be, and any city, village, or state agency providing onstreet parking
23 or owning, operating, or providing an offstreet parking facility may
24 cause the removal, from a stall or space, including access aisles,
25 designated exclusively for handicapped or disabled persons or temporarily
26 handicapped or disabled persons or motor vehicles for the transportation
27 of handicapped or disabled persons or temporarily handicapped or disabled
28 persons, of any vehicle not displaying the proper handicapped or disabled
29 parking permit or the distinguishing license plates specified in this
30 section if there is posted aboveground and immediately adjacent to and
31 visible from such stall or space, including access aisles, a sign which

1 clearly and conspicuously states the area so designated as a tow-in zone.

2 (3) A person who parks a vehicle in any onstreet parking space or
3 access aisle which has been designated exclusively for handicapped or
4 disabled persons or temporarily handicapped or disabled persons or motor
5 vehicles for the transportation of handicapped or disabled persons or
6 temporarily handicapped or disabled persons, or in any so exclusively
7 designated parking space or access aisle in any offstreet parking
8 facility, without properly displaying the proper license plates or
9 handicapped or disabled parking permit or when the handicapped or
10 disabled person to whom or for whom, as the case may be, the license
11 plate or permit is issued will not enter or exit the vehicle while it is
12 parked in the designated space or access aisle shall be guilty of a
13 handicapped parking infraction as defined in section 18-1741.01 and shall
14 be subject to the penalties and procedures set forth in sections
15 18-1741.01 to 18-1741.07. The display on a motor vehicle of a
16 distinguishing license plate or permit issued to a handicapped or
17 disabled person by and under the duly constituted authority of another
18 state shall constitute a full and complete defense in any action for a
19 handicapped parking infraction as defined in section 18-1741.01. If the
20 identity of the person who parked the vehicle in violation of this
21 section cannot be readily determined, the owner or person in whose name
22 the vehicle is registered shall be held prima facie responsible for such
23 violation and shall be guilty and subject to the penalties and procedures
24 described in this section. In the case of a privately owned offstreet
25 parking facility, a city or village shall not require the owner or person
26 in lawful possession of such facility to inform the city or village of a
27 violation of this section prior to the city or village issuing the
28 violator a handicapped parking infraction citation.

29 (4) For purposes of this section and section 18-1741.01, state
30 agency means any division, department, board, bureau, commission, or
31 agency of the State of Nebraska created by the Constitution of Nebraska

1 or established by act of the Legislature, including the University of
2 Nebraska and the Nebraska state colleges, when the entity owns, leases,
3 controls, or manages property which includes offstreet parking
4 facilities.

5 Sec. 2. Section 30-24,125, Revised Statutes Supplement, 2023, is
6 amended to read:

7 30-24,125 (a) Thirty days after the death of a decedent, any person
8 indebted to the decedent or having possession of tangible personal
9 property or an instrument evidencing a debt, obligation, stock, or chose
10 in action belonging to the decedent shall make payment of the
11 indebtedness or deliver the tangible personal property or an instrument
12 evidencing a debt, obligation, stock, or chose in action to a person
13 claiming to be the successor of the decedent upon being presented an
14 affidavit made by or on behalf of the successor stating:

15 (1) the value of all of the personal property in the decedent's
16 estate, wherever located, less liens and encumbrances, does not exceed
17 one hundred thousand dollars;

18 (2) thirty days have elapsed since the death of the decedent as
19 shown in a certified or authenticated copy of the decedent's death
20 certificate attached to the affidavit;

21 (3) the claiming successor's relationship to the decedent or, if
22 there is no relationship, the basis of the successor's claim to the
23 personal property;

24 (4) the person or persons claiming as successors under the affidavit
25 swear or affirm that all statements in the affidavit are true and
26 material and further acknowledge that any false statement may subject the
27 person or persons to penalties relating to perjury under section 28-915;

28 (5) no application or petition for the appointment of a personal
29 representative is pending or has been granted in any jurisdiction; and

30 (6) the claiming successor is entitled to payment or delivery of the
31 property.

1 (b) A transfer agent of any security shall change the registered
2 ownership on the books of a corporation from the decedent to the
3 successor or successors upon the presentation of an affidavit as provided
4 in subsection (a).

5 (c) Upon the presentation of an affidavit as provided in subsection
6 (a), the claiming successor may endorse or negotiate any instrument
7 evidencing a debt belonging to the decedent that is a check, draft, or
8 other negotiable instrument that is payable to the decedent or the
9 decedent's estate. Notwithstanding the provisions of section 3-403,
10 3-417, or 3-420, Uniform Commercial Code, a financial institution
11 accepting such a check, draft, or other negotiable instrument presented
12 for deposit in such manner is discharged from all claims for the amount
13 accepted.

14 (d)(1) Except as provided in subdivision (d)(2), in ~~(d)~~ In addition
15 to compliance with the requirements of subsection (a), a person seeking a
16 transfer of a certificate of title to a motor vehicle, motorboat, all-
17 terrain vehicle, utility-type vehicle, or minibike shall be required to
18 furnish to the Department of Motor Vehicles an affidavit showing
19 applicability of this section and compliance with the requirements of
20 this section to authorize the department to issue a new certificate of
21 title.

22 (2) After ten years have elapsed since the estate has closed, the
23 Department of Motor Vehicles shall waive the requirements of subdivision
24 (a)(5) if the person seeking a transfer of a certificate of title
25 provides evidence that the estate has closed and a certified
26 authenticated copy of the decedent's death certificate.

27 Sec. 3. Section 43-3314, Reissue Revised Statutes of Nebraska, is
28 amended to read:

29 43-3314 (1) When the department or a county attorney or authorized
30 attorney has made reasonable efforts to verify and has reason to believe
31 that a license holder in a case receiving services under Title IV-D of

1 the Social Security Act, as amended, (a) is delinquent on a support order
2 in an amount equal to the support due and payable for more than a three-
3 month period of time, (b) is not in compliance with a payment plan for
4 amounts due as determined by a county attorney, an authorized attorney,
5 or the department for such past-due support, or (c) is not in compliance
6 with a payment plan for amounts due under a support order pursuant to a
7 court order for such past-due support, and therefor determines to certify
8 the license holder to the appropriate licensing authority, the
9 department, county attorney, or authorized attorney shall send written
10 notice to the license holder by regular United States ~~certified~~ mail to
11 the last-known address of the license holder or to the last-known address
12 of the license holder available to the court pursuant to section
13 42-364.13. For purposes of this section, reasonable efforts to verify
14 means reviewing the case file and having written or oral communication
15 with the clerk of the court of competent jurisdiction and with the
16 license holder. Reasonable efforts to verify may also include written or
17 oral communication with custodial parents.

18 (2) The notice shall specify:

19 (a) That the Department of Health and Human Services, county
20 attorney, or authorized attorney intends to certify the license holder to
21 the Department of Motor Vehicles and to relevant licensing authorities
22 pursuant to subsection (3) of section 43-3318 as a license holder
23 described in subsection (1) of this section;

24 (b) The court or agency of competent jurisdiction which issued the
25 support order or in which the support order is registered;

26 (c) That an enforcement action for a support order will incorporate
27 any amount delinquent under the support order which may accrue in the
28 future;

29 (d) That a license holder who is in violation of a support order can
30 come into compliance by:

31 (i) Paying current support if a current support obligation exists;

1 and

2 (ii) Paying all past-due support or, if unable to pay all past-due
3 support and if a payment plan for such past-due support has not been
4 determined, by making payments in accordance with a payment plan
5 determined by the county attorney, the authorized attorney, or the
6 Department of Health and Human Services for such past-due support; and

7 (e) That within thirty days after issuance of the notice, the
8 license holder may either:

9 (i) Request administrative review in the manner specified in the
10 notice to contest a mistake of fact. Mistake of fact means an error in
11 the identity of the license holder or an error in the determination of
12 whether the license holder is a license holder described in subsection
13 (1) of this section; or

14 (ii) Seek judicial review by filing a petition in the court of
15 competent jurisdiction of the county where the support order was issued
16 or registered or, in the case of a foreign support order not registered
17 in Nebraska, the court of competent jurisdiction of the county where the
18 child resides if the child resides in Nebraska or the court of competent
19 jurisdiction of the county where the license holder resides if the child
20 does not reside in Nebraska.

21 Sec. 4. Section 43-3318, Reissue Revised Statutes of Nebraska, is
22 amended to read:

23 43-3318 (1) The Department of Health and Human Services, county
24 attorney, authorized attorney, or court of competent jurisdiction may
25 certify in writing to the Department of Motor Vehicles, relevant
26 licensing authorities, and, if the license holder is a member of the
27 Nebraska State Bar Association, the Counsel for Discipline of the
28 Nebraska Supreme Court, that a license holder is a license holder
29 described in subsection (1) of section 43-3314 if:

30 (a) The license holder does not timely request either administrative
31 review or judicial review upon issuance of a notice under subsection (2)

1 of section 43-3314, is still a license holder described in subsection (1)
2 of section 43-3314 thirty-one days after issuance of the notice, and does
3 not obtain a written confirmation of compliance from the Department of
4 Health and Human Services, county attorney, or authorized attorney
5 pursuant to section 43-3320 within thirty-one days after issuance of the
6 notice;

7 (b) The Department of Health and Human Services issues a decision
8 after a hearing that finds the license holder is a license holder
9 described in subsection (1) of section 43-3314, the license holder is
10 still a license holder described in such subsection thirty-one days after
11 issuance of that decision, and the license holder does not seek judicial
12 review of the decision within the ten-day appeal period provided in
13 section 43-3317; or

14 (c) The court of competent jurisdiction enters a judgment on a
15 petition for judicial review, initiated under either section 43-3315 or
16 43-3317, that finds the license holder is a license holder described in
17 subsection (1) of section 43-3314.

18 (2) The court of competent jurisdiction, after providing appropriate
19 notice, may certify a license holder to the Department of Motor Vehicles
20 and relevant licensing authorities if a license holder has failed to
21 comply with subpoenas or warrants relating to paternity or child support
22 proceedings.

23 (3) If the Department of Health and Human Services, county attorney,
24 authorized attorney, or court of competent jurisdiction determines to
25 certify a license holder to the appropriate licensing authority, then the
26 department, county attorney, authorized attorney, or court of competent
27 jurisdiction shall certify a license holder in the following order and in
28 compliance with the following restrictions:

29 (a) To the Department of Motor Vehicles to suspend the license
30 holder's operator's license, except the Department of Motor Vehicles
31 shall not suspend the license holder's commercial driver's license or

1 restricted commercial driver's license. If a license holder possesses a
2 commercial driver's license or restricted commercial driver's license,
3 the Department of Health and Human Services, county attorney, authorized
4 attorney, or court of competent jurisdiction shall certify such license
5 holder pursuant to subdivision (b) of this subsection. If the license
6 holder fails to come into compliance with the support order as provided
7 in section 43-3314 or with subpoenas and warrants relating to paternity
8 or child support proceedings within ten working days after the date on
9 which the license holder's operator's license suspension becomes
10 effective, then the department, county attorney, authorized attorney, or
11 court of competent jurisdiction may certify the license holder pursuant
12 to subdivision (b) of this subsection without further notice;

13 (b) To the relevant licensing authority to suspend the license
14 holder's recreational license once the Game and Parks Commission has
15 operative the electronic or other automated retrieval system necessary to
16 suspend recreational licenses. If the license holder does not have a
17 recreational license and until the Game and Parks Commission has
18 operative the electronic or other automated retrieval system necessary to
19 suspend recreational licenses, the department, county attorney,
20 authorized attorney, or court of competent jurisdiction may certify the
21 license holder pursuant to subdivision (c) of this subsection. If the
22 license holder fails to come into compliance with the support order as
23 provided in section 43-3314 or with subpoenas and warrants relating to
24 paternity or child support proceedings within ten working days after the
25 date on which the license holder's recreational license suspension
26 becomes effective, the department, county attorney, authorized attorney,
27 or court of competent jurisdiction may certify the license holder
28 pursuant to subdivision (c) of this subsection without further notice;
29 and

30 (c) To the relevant licensing authority to suspend the license
31 holder's professional license, occupational license, commercial driver's

1 license, or restricted commercial driver's license.

2 (4) If the Department of Health and Human Services, county attorney,
3 authorized attorney, or court of competent jurisdiction certifies the
4 license holder to the Department of Motor Vehicles, the Department of
5 Motor Vehicles shall suspend the operator's license of the license holder
6 ten working days after the date of certification. The Department of Motor
7 Vehicles shall without undue delay notify the license holder by regular
8 United States ~~certified~~ mail that the license holder's operator's license
9 will be suspended and the date the suspension becomes effective. No
10 person shall be issued an operator's license by the State of Nebraska if
11 at the time of application for a license the person's operator's license
12 is suspended under this section. Any person whose operator's license has
13 been suspended shall return his or her license to the Department of Motor
14 Vehicles within five working days after receiving the notice of the
15 suspension. If any person fails to return the license, the Department of
16 Motor Vehicles shall direct any peace officer to secure possession of the
17 operator's license and to return it to the Department of Motor Vehicles.
18 The peace officer who is directed to secure possession of the license
19 shall make every reasonable effort to secure the license and return it to
20 the Department of Motor Vehicles or shall show good cause why the license
21 cannot be returned. An appeal of the suspension of an operator's license
22 under this section shall be pursuant to section 60-4,105. A license
23 holder whose operator's license has been suspended under this section may
24 apply for an employment driving permit as provided by sections 60-4,129
25 and 60-4,130, except that the license holder is not required to fulfill
26 the driver improvement or driver education and training course
27 requirements of subsection (2) of section 60-4,130.

28 (5) Except as provided in subsection (6) of this section as it
29 pertains to a license holder who is a member of the Nebraska State Bar
30 Association, if the Department of Health and Human Services, county
31 attorney, authorized attorney, or court of competent jurisdiction

1 certifies the license holder to a relevant licensing authority, the
2 relevant licensing authority, notwithstanding any other provision of law,
3 shall suspend the license holder's professional, occupational, or
4 recreational license and the license holder's right to renew the
5 professional, occupational, or recreational license ten working days
6 after the date of certification. The relevant licensing authority shall
7 without undue delay notify the license holder by regular United States
8 ~~certified~~ mail that the license holder's professional, occupational, or
9 recreational license will be suspended and the date the suspension
10 becomes effective.

11 (6) If the department, county attorney, authorized attorney, or
12 court of competent jurisdiction certifies a license holder who is a
13 member of the Nebraska State Bar Association to the Counsel for
14 Discipline of the Nebraska Supreme Court, the Nebraska Supreme Court may
15 suspend the license holder's license to practice law. It is the intent of
16 the Legislature to encourage all license holders to comply with their
17 child support obligations. Therefor, the Legislature hereby requests that
18 the Nebraska Supreme Court adopt amendments to the rules regulating
19 attorneys, if necessary, which provide for the discipline of an attorney
20 who is delinquent in the payment of or fails to pay his or her child
21 support obligation.

22 (7) The Department of Health and Human Services, or court of
23 competent jurisdiction when appropriate, shall send by regular United
24 States ~~certified~~ mail to the license holder at the license holder's last-
25 known address a copy of any certification filed with the Department of
26 Motor Vehicles or a relevant licensing authority and a notice which
27 states that the license holder's operator's license will be suspended ten
28 working days after the date of certification and that the suspension of a
29 professional, occupational, or recreational license pursuant to
30 subsection (5) of this section becomes effective ten working days after
31 the date of certification.

1 Sec. 5. Section 60-107, Revised Statutes Supplement, 2023, is
2 amended to read:

3 60-107 Cabin trailer means a trailer or a semitrailer, which is
4 designed, constructed, and equipped as a dwelling place, living abode, or
5 sleeping place, whether used for such purposes or instead permanently or
6 temporarily for the advertising, sale, display, or promotion of
7 merchandise or services or for any other commercial purpose except
8 transportation of property for hire or transportation of property for
9 distribution by a private carrier. Cabin trailer does not mean a trailer
10 or semitrailer which is permanently attached to real estate. There are
11 four classes of cabin trailers:

12 (1) Camping trailer which includes cabin trailers one hundred two
13 inches or less in width and forty feet or less in length and adjusted
14 mechanically smaller for towing;

15 (2) Mobile home which includes cabin trailers more than one hundred
16 two inches in width or more than forty feet in length;

17 (3) Travel trailer which includes cabin trailers not more than one
18 hundred two inches in width nor more than forty feet in length from front
19 hitch to rear bumper, except as provided in subdivision (2)(k) of section
20 60-6,288; and

21 (4) Manufactured home means a structure, transportable in one or
22 more sections, which in the traveling mode is eight body feet or more in
23 width or forty body feet or more in length or when erected on site is
24 three hundred twenty or more square feet and which is built on a
25 permanent frame and designed to be used as a dwelling with or without a
26 permanent foundation when connected to the required utilities and
27 includes the plumbing, heating, air conditioning, and electrical systems
28 contained in the structure, except that manufactured home includes any
29 structure that meets all of the requirements of this subdivision other
30 than the size requirements and with respect to which the manufacturer
31 voluntarily files a certification required by the United States Secretary

1 of Housing and Urban Development and complies with the standards
2 established under the National Manufactured Housing Construction and
3 Safety Standards Act of 1974, as such act existed on January 1, 2024
4 ~~2023~~, 42 U.S.C. 5401 et seq.

5 Sec. 6. Section 60-119.01, Revised Statutes Supplement, 2023, is
6 amended to read:

7 60-119.01 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, 2024 ~~2023~~, or (2) three-wheeled motor vehicle (a) whose
13 maximum speed attainable is not more than twenty-five miles per hour on a
14 paved, level surface, (b) whose gross vehicle weight rating is less than
15 three thousand pounds, and (c) which is equipped with a windshield and an
16 occupant protection system. A motorcycle with a sidecar attached is not a
17 low-speed vehicle.

18 Sec. 7. Section 60-144, Revised Statutes Cumulative Supplement,
19 2022, is amended to read:

20 60-144 (1)(a)(i) Except as provided in subdivisions (b), (c), and
21 (d) of this subsection, the county treasurer shall be responsible for
22 issuing and filing certificates of title for vehicles, and each county
23 shall issue and file such certificates of title using the Vehicle Title
24 and Registration System which shall be provided and maintained by the
25 department. Application for a certificate of title shall be made upon a
26 form prescribed by the department. All applications shall be accompanied
27 by the appropriate fee or fees.

28 (ii) In addition to the information required under subdivision (1)
29 (a)(i) of this section, the application for a certificate of title shall
30 contain (A)(I) the full legal name as defined in section 60-468.01 of
31 each owner or (II) the name of each owner as such name appears on the

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

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

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

16 (d) The department shall issue certificates of title pursuant to
17 subsection (2) of section 60-142.01 and section 60-142.06. Application
18 for a certificate of title shall be made upon a form prescribed by the
19 department. All applications shall be accompanied by the appropriate fee
20 or fees.

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

25 (2) If the owner of an all-terrain vehicle, a utility-type vehicle,
26 or a minibike resides in Nebraska, the application ~~may~~ shall be filed
27 with the county treasurer of any ~~the county in which the owner resides~~.

28 (3)(a) If a vehicle has situs in Nebraska, the application for a
29 certificate of title may be filed with the county treasurer of any
30 county.

31 (b) If a motor vehicle dealer licensed under the Motor Vehicle

1 Industry Regulation Act applies for a certificate of title for a vehicle,
2 the application may be filed with the county treasurer of any county.

3 (c) An approved licensed dealer participating in the electronic
4 dealer services system pursuant to section 60-1507 may apply for a
5 certificate of title for a vehicle to the county treasurer of any county
6 or the department in a manner provided by the electronic dealer services
7 system.

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

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

12 (6) All applicants registering a vehicle pursuant to section
13 60-3,198 shall file the application for a certificate of title with the
14 Division of Motor Carrier Services of the department. The division shall
15 deliver the certificate to the applicant if there are no liens on the
16 vehicle. If there are one or more liens on the vehicle, the certificate
17 of title shall be handled as provided in section 60-164. All certificates
18 of title issued by the division shall be issued in the manner prescribed
19 for the county treasurer in section 60-152.

20 Sec. 8. Section 60-146, Revised Statutes Cumulative Supplement,
21 2022, is amended to read:

22 60-146 (1) An application for a certificate of title for a vehicle
23 shall include a statement that an identification inspection has been
24 conducted on the vehicle unless (a) the title sought is a salvage branded
25 certificate of title or a nontransferable certificate of title, (b) the
26 surrendered ownership document is a Nebraska certificate of title, a
27 manufacturer's statement of origin, an importer's statement of origin, a
28 United States Government Certificate to Obtain Title to a Vehicle of
29 ~~Release of a vehicle~~, or a nontransferable certificate of title, (c) the
30 application contains a statement that the vehicle is to be registered
31 under section 60-3,198, (d) the vehicle is a cabin trailer, (e) the title

1 sought is the first title for the vehicle sold directly by the
2 manufacturer of the vehicle to a dealer franchised by the manufacturer,
3 or (f) the vehicle was sold at an auction authorized by the manufacturer
4 and purchased by a dealer franchised by the manufacturer of the vehicle.

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

10 (3) The statement that an identification inspection has been
11 conducted shall be furnished by the county sheriff of any county or by
12 any other holder of a certificate of training issued pursuant to section
13 60-183, shall be in a format as determined by the department, and shall
14 expire ninety days after the date of the inspection. The county treasurer
15 shall accept a certificate of inspection, approved by the superintendent,
16 from an officer of a state police agency of another state unless an
17 inspection is required under section 60-174.

18 (4)(a) Except as provided in subdivision (b) of this subsection, the
19 identification inspection shall include examination and notation of the
20 then current odometer reading, if any, and a comparison of the vehicle
21 identification number with the number listed on the ownership records,
22 except that if a lien is registered against a vehicle and recorded on the
23 vehicle's ownership records, the county treasurer shall provide a copy of
24 the ownership records for use in making such comparison. If such numbers
25 are not identical, if there is reason to believe further inspection is
26 necessary, or if the inspection is for a Nebraska assigned number, the
27 person performing the inspection shall make a further inspection of the
28 vehicle which may include, but shall not be limited to, examination of
29 other identifying numbers placed on the vehicle by the manufacturer and
30 an inquiry into the numbering system used by the state issuing such
31 ownership records to determine ownership of a vehicle. The identification

1 inspection shall also include a statement that the vehicle identification
2 number has been checked for entry in (i) the National Crime Information
3 Center and (ii) the Nebraska Crime Information Service or the National
4 Motor Vehicle Title Information System. In the case of an assembled
5 vehicle, a vehicle designated as reconstructed, or a vehicle designated
6 as replica, the identification inspection shall include, but not be
7 limited to, an examination of the records showing the date of receipt and
8 source of each major component part. No identification inspection shall
9 be conducted unless all major component parts are properly attached to
10 the vehicle in the correct location.

11 (b) Each county sheriff shall establish a process by which to enter
12 into an agreement with any motor vehicle dealer as defined in section
13 60-1401.26 with an established place of business as defined in section
14 60-1401.15 in the county in which the sheriff has jurisdiction in order
15 to collect information for the identification inspection on motor
16 vehicles which are in the inventory of the motor vehicle dealer at the
17 dealer's established place of business in such county. The agreement
18 entered into shall require that the motor vehicle dealer provide the
19 required fee, a copy of the documents evidencing transfer of ownership,
20 and the make, model, vehicle identification number, and odometer reading
21 in a form and manner prescribed by the county sheriff, which shall
22 include a requirement to provide one or more photographs or digital
23 images of the vehicle, the vehicle identification number, and the
24 odometer reading. The county sheriff shall complete the identification
25 inspection as required under subdivision (a) of this subsection using
26 such information and return to the motor vehicle dealer the statement
27 that an identification inspection has been conducted for each motor
28 vehicle as provided in subsection (3) of this section. If the information
29 is incomplete or if there is reason to believe that further inspection is
30 necessary, the county sheriff shall inform the motor vehicle dealer. If
31 the motor vehicle dealer knowingly provides inaccurate or false

1 information, the motor vehicle dealer shall be liable for any damages
2 that result from the provision of such information. The motor vehicle
3 dealer shall keep the records for five years after the date the
4 identification inspection is complete.

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

10 (6) The county treasurer or the department may also request an
11 identification inspection of a vehicle to determine if it meets the
12 definition of motor vehicle as defined in section 60-123.

13 Sec. 9. Section 60-149, Revised Statutes Cumulative Supplement,
14 2022, is amended to read:

15 60-149 (1)(a) If a certificate of title has previously been issued
16 for a vehicle in this state, the application for a new certificate of
17 title shall be accompanied by the certificate of title duly assigned
18 except as otherwise provided in the Motor Vehicle Certificate of Title
19 Act.

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

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

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

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

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

31 (v) A court order issued by a court of record, a manufacturer's

1 certificate of origin, or an assigned registration certificate, if the
2 law of the state from which the vehicle was brought into this state does
3 not have a certificate of title law;

4 (vi) Evidence of ownership as provided for in section 30-24,125,
5 sections 52-601.01 to 52-605, sections 60-1901 to 60-1911, or sections
6 60-2401 to 60-2411;

7 (vii) Documentation prescribed in section 60-142.01, 60-142.02,
8 60-142.04, 60-142.05, 60-142.09, or 60-142.11 or documentation of
9 compliance with section 76-1607;

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

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

21 (x) A United States Government Certificate to Obtain Title to a
22 Vehicle.

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

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

31 (2)(a) If the application for a certificate of title for a

1 manufactured home or a mobile home is being made in accordance with
2 subdivision (4)(b) of section 60-137 or if the certificate of title for a
3 manufactured home or a mobile home is unavailable, the application shall
4 be accompanied by proof of ownership in the form of:

- 5 (i) A duly assigned manufacturer's or importer's certificate;
- 6 (ii) A certificate of title from another state;
- 7 (iii) A court order issued by a court of record;
- 8 (iv) Evidence of ownership as provided for in section 30-24,125,
9 sections 52-601.01 to 52-605, sections 60-1901 to 60-1911, or sections
10 60-2401 to 60-2411, or documentation of compliance with section 76-1607;
11 or

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

14 (b) If the applicant cannot produce proof of ownership described in
15 subdivision (a) of this subsection, he or she may submit to the
16 department such evidence as he or she may have, and the department may
17 thereupon, if it finds the evidence sufficient, issue the certificate of
18 title or authorize the county treasurer to issue a certificate of title,
19 as the case may be.

20 (3) For purposes of this section, certificate of title includes a
21 salvage certificate, a salvage branded certificate of title, or any other
22 document of ownership issued by another state or jurisdiction for a
23 salvage vehicle. Only a salvage branded certificate of title shall be
24 issued to any vehicle conveyed upon a salvage certificate, a salvage
25 branded certificate of title, or any other document of ownership issued
26 by another state or jurisdiction for a salvage vehicle. A previously
27 salvage branded certificate of title may be issued if, prior to
28 application, the applicant's vehicle has been repaired and inspected as
29 provided in section 60-146.

30 (4) The county treasurer shall retain the evidence of title
31 presented by the applicant and on which the certificate of title is

1 issued.

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

12 (b) The notice under subdivision (5)(a)(ii) of this section shall
13 contain a description of the property noted in the affidavit and a
14 statement that title to the property noted in the affidavit shall vest in
15 the holder of the motor vehicle auction dealer's license thirty days
16 after the date such notice was mailed.

17 (c) The mailing of notice and the expiration of thirty days under
18 subdivision (5)(a)(ii) of this section shall extinguish any lien or
19 security interest of a lienholder or security interest holder in the
20 property noted in the affidavit, unless the lienholder or security
21 interest holder has claimed such property within such thirty-day period.
22 The holder of a motor vehicle auction dealer's license shall transfer
23 possession of the property noted in the affidavit to the lienholder or
24 security interest holder claiming such property.

25 Sec. 10. Section 60-164.01, Reissue Revised Statutes of Nebraska, is
26 amended to read:

27 60-164.01 If a certificate of title is an electronic certificate of
28 title record, upon application by an owner or a lienholder and payment of
29 the fee prescribed in section 60-154, the following changes may be made
30 to a certificate of title electronically and without printing a
31 certificate of title:

- 1 (1) Changing the name of an owner to reflect a legal change of name;
- 2 (2) Removing the name of an owner with the consent of all owners and
- 3 lienholders;
- 4 (3) Adding an additional owner with the consent of all owners and
- 5 lienholders;~~or~~
- 6 (4) ~~Adding~~ ~~Beginning on an implementation date designated by the~~
- 7 ~~director on or before January 1, 2022, adding,~~ changing, or removing a
- 8 transfer-on-death beneficiary designation; ~~or -~~
- 9 (5) Allowing an owner that has elected to retain a salvage vehicle
- 10 pursuant to subsection (2) of section 60-173 to obtain a salvage branded
- 11 certificate of title.

12 Sec. 11. Section 60-169, Revised Statutes Supplement, 2023, is

13 amended to read:

14 60-169 (1)(a) Except as otherwise provided in subdivision (c) of

15 this subsection, each owner of a vehicle and each person mentioned as

16 owner in the last certificate of title, when the vehicle is dismantled,

17 destroyed, or changed in such a manner that it loses its character as a

18 vehicle or changed in such a manner that it is not the vehicle described

19 in the certificate of title, shall surrender his or her certificate of

20 title to any county treasurer or to the department. If the certificate of

21 title is surrendered to a county treasurer, he or she shall, with the

22 consent of any holders of any liens noted thereon, enter a cancellation

23 upon the records and shall notify the department of such cancellation.

24 Beginning on the implementation date designated by the director pursuant

25 to subsection (3) of section 60-1508, a wrecker or salvage dealer shall

26 report electronically to the department using the electronic reporting

27 system. If the certificate is surrendered to the department, it shall,

28 with the consent of any holder of any lien noted thereon, enter a

29 cancellation upon its records.

30 (b) This subdivision applies to all licensed wrecker or salvage

31 dealers and, except as otherwise provided in this subdivision, to each

1 vehicle located on the premises of such dealer. For each vehicle required
2 to be reported under 28 C.F.R. 25.56, as such regulation existed on
3 January 1, 2024 ~~2023~~, the information obtained by the department under
4 this section may be reported to the National Motor Vehicle Title
5 Information System in a format that will satisfy the requirement for
6 reporting under 28 C.F.R. 25.56, as such regulation existed on January 1,
7 2024 ~~2023~~. Such report shall include:

8 (i) The name, address, and contact information for the reporting
9 entity;

10 (ii) The vehicle identification number;

11 (iii) The date the reporting entity obtained such motor vehicle;

12 (iv) The name of the person from whom such motor vehicle was
13 obtained, for use only by a law enforcement or other appropriate
14 government agency;

15 (v) A statement of whether the motor vehicle was or will be crushed,
16 disposed of, offered for sale, or used for another purpose; and

17 (vi) Whether the motor vehicle is intended for export outside of the
18 United States.

19 The department may set and collect a fee, not to exceed the cost of
20 reporting to the National Motor Vehicle Title Information System, from
21 wrecker or salvage dealers for electronic reporting to the National Motor
22 Vehicle Title Information System, which shall be remitted to the State
23 Treasurer for credit to the Department of Motor Vehicles Cash Fund. This
24 subdivision does not apply to any vehicle reported by a wrecker or
25 salvage dealer to the National Motor Vehicle Title Information System as
26 required under 28 C.F.R. 25.56, as such regulation existed on January 1,
27 2024 ~~2023~~.

28 (c)(i) In the case of a mobile home or manufactured home for which a
29 certificate of title has been issued, if such mobile home or manufactured
30 home is affixed to real property in which each owner of the mobile home
31 or manufactured home has any ownership interest, the certificate of title

1 may be surrendered for cancellation to the county treasurer of the county
2 where such mobile home or manufactured home is affixed to real property
3 if at the time of surrender the owner submits to the county treasurer an
4 affidavit of affixture on a form provided by the department that contains
5 all of the following, as applicable:

6 (A) The names and addresses of all of the owners of record of the
7 mobile home or manufactured home;

8 (B) A description of the mobile home or manufactured home that
9 includes the name of the manufacturer, the year of manufacture, the
10 model, and the manufacturer's serial number;

11 (C) The legal description of the real property upon which the mobile
12 home or manufactured home is affixed and the names of all of the owners
13 of record of the real property;

14 (D) A statement that the mobile home or manufactured home is affixed
15 to the real property;

16 (E) The written consent of each holder of a lien duly noted on the
17 certificate of title to the release of such lien and the cancellation of
18 the certificate of title;

19 (F) A copy of the certificate of title surrendered for cancellation;
20 and

21 (G) The name and address of an owner, a financial institution, or
22 another entity to which notice of cancellation of the certificate of
23 title may be delivered.

24 (ii) The person submitting an affidavit of affixture pursuant to
25 subdivision (c)(i) of this subsection shall swear or affirm that all
26 statements in the affidavit are true and material and further acknowledge
27 that any false statement in the affidavit may subject the person to
28 penalties relating to perjury under section 28-915.

29 (2) If a certificate of title of a mobile home or manufactured home
30 is surrendered to the county treasurer, along with the affidavit required
31 by subdivision (1)(c) of this section, he or she shall enter a

1 cancellation upon his or her records, notify the department of such
2 cancellation, forward a duplicate original of the affidavit to the
3 department, and deliver a duplicate original of the executed affidavit
4 under subdivision (1)(c) of this section to the register of deeds for the
5 county in which the real property is located to be filed by the register
6 of deeds. The county treasurer shall be entitled to collect fees from the
7 person submitting the affidavit in accordance with section 33-109 to
8 cover the costs of filing such affidavit. Following the cancellation of a
9 certificate of title for a mobile home or manufactured home, the county
10 treasurer or designated county official shall not issue a certificate of
11 title for such mobile home or manufactured home, except as provided in
12 subsection (5) of this section.

13 (3) If a mobile home or manufactured home is affixed to real estate
14 before June 1, 2006, a person who is the holder of a lien or security
15 interest in both the mobile home or manufactured home and the real estate
16 to which it is affixed on such date may enforce its liens or security
17 interests by accepting a deed in lieu of foreclosure or in the manner
18 provided by law for enforcing liens on the real estate.

19 (4) A mobile home or manufactured home for which the certificate of
20 title has been canceled and for which an affidavit of affixture has been
21 duly recorded pursuant to subsection (2) of this section shall be treated
22 as part of the real estate upon which such mobile home or manufactured
23 home is located. Any lien thereon shall be perfected and enforced in the
24 same manner as a lien on real estate. The owner of such mobile home or
25 manufactured home may convey ownership of the mobile home or manufactured
26 home only as a part of the real estate to which it is affixed.

27 (5)(a) If each owner of both the mobile home or manufactured home
28 and the real estate described in subdivision (1)(c) of this section
29 intends to detach the mobile home or manufactured home from the real
30 estate, the owner shall do both of the following: (i) Before detaching
31 the mobile home or manufactured home, record an affidavit of detachment

1 in the office of the register of deeds in the county in which the
2 affidavit is recorded under subdivision (1)(c) of this section; and (ii)
3 apply for a certificate of title for the mobile home or manufactured home
4 pursuant to section 60-147.

5 (b) The affidavit of detachment shall contain all of the following:

6 (i) The names and addresses of all of the owners of record of the
7 mobile home or manufactured home;

8 (ii) A description of the mobile home or manufactured home that
9 includes the name of the manufacturer, the year of manufacture, the
10 model, and the manufacturer's serial number;

11 (iii) The legal description of the real estate from which the mobile
12 home or manufactured home is to be detached and the names of all of the
13 owners of record of the real estate;

14 (iv) A statement that the mobile home or manufactured home is to be
15 detached from the real property;

16 (v) A statement that the certificate of title of the mobile home or
17 manufactured home has previously been canceled;

18 (vi) The name of each holder of a lien of record against the real
19 estate from which the mobile home or manufactured home is to be detached,
20 with the written consent of each holder to the detachment; and

21 (vii) The name and address of an owner, a financial institution, or
22 another entity to which the certificate of title may be delivered.

23 (6) An owner of an affixed mobile home or manufactured home for
24 which the certificate of title has previously been canceled pursuant to
25 subsection (2) of this section shall not detach the mobile home or
26 manufactured home from the real estate before a certificate of title for
27 the mobile home or manufactured home is issued by the county treasurer or
28 department. If a certificate of title is issued by the county treasurer
29 or department, the mobile home or manufactured home is no longer
30 considered part of the real property. Any lien thereon shall be perfected
31 pursuant to section 60-164. The owner of such mobile home or manufactured

1 home may convey ownership of the mobile home or manufactured home only by
2 way of a certificate of title.

3 (7) For purposes of this section:

4 (a) A mobile home or manufactured home is affixed to real estate if
5 the wheels, towing hitches, and running gear are removed and it is
6 permanently attached to a foundation or other support system; and

7 (b) Ownership interest means the fee simple interest in real estate
8 or an interest as the lessee under a lease of the real property that has
9 a term that continues for at least twenty years after the recording of
10 the affidavit under subsection (2) of this section.

11 (8) Upon cancellation of a certificate of title in the manner
12 prescribed by this section, the county treasurer and the department may
13 cancel and destroy all certificates and all memorandum certificates in
14 that chain of title.

15 Sec. 12. Section 60-172, Reissue Revised Statutes of Nebraska, is
16 amended to read:

17 60-172 A certificate of title issued on or after January 1, 2003,
18 shall disclose in writing, from any records readily accessible to the
19 department or county officials or a law enforcement officer, anything
20 which indicates that the vehicle was previously issued a title in another
21 jurisdiction that bore any word or symbol signifying that the vehicle was
22 branded ~~damaged~~, including, but not limited to, older model salvage,
23 unrebuildable, parts only, scrap, junk, nonrepairable, reconstructed,
24 rebuilt, flood damaged, damaged, buyback, or any other indication,
25 symbol, or word of like kind, and the name of the jurisdiction issuing
26 the previous title.

27 Sec. 13. Section 60-302.01, Revised Statutes Supplement, 2023, is
28 amended to read:

29 60-302.01 Access aisle means a space adjacent to a handicapped
30 parking space or passenger loading zone which is constructed and designed
31 in compliance with the federal Americans with Disabilities Act of 1990

1 and the federal regulations adopted in response to the act, as the act
2 and the regulations existed on January 1, 2024 ~~2023~~.

3 Sec. 14. Section 60-336.01, Revised Statutes Supplement, 2023, is
4 amended to read:

5 60-336.01 Low-speed vehicle means a (1) four-wheeled motor vehicle
6 (a) whose speed attainable in one mile is more than twenty miles per hour
7 and not more than twenty-five miles per hour on a paved, level surface,
8 (b) whose gross vehicle weight rating is less than three thousand pounds,
9 and (c) that complies with 49 C.F.R. part 571, as such part existed on
10 January 1, 2024 ~~2023~~, or (2) three-wheeled motor vehicle (a) whose
11 maximum speed attainable is not more than twenty-five miles per hour on a
12 paved, level surface, (b) whose gross vehicle weight rating is less than
13 three thousand pounds, and (c) which is equipped with a windshield and an
14 occupant protection system. A motorcycle with a sidecar attached is not a
15 low-speed vehicle.

16 Sec. 15. Section 60-386, Revised Statutes Supplement, 2023, is
17 amended to read:

18 60-386 (1) Each new application shall contain, in addition to other
19 information as may be required by the department, the name and
20 residential and mailing address of the applicant and a description of the
21 motor vehicle or trailer, including the color, the manufacturer, the
22 identification number, the United States Department of Transportation
23 number if required by 49 C.F.R. 390.5 through 390.21, as such regulations
24 existed on January 1, 2024 ~~2023~~, and the weight of the motor vehicle or
25 trailer required by the Motor Vehicle Registration Act. For trailers
26 which are not required to have a certificate of title under section
27 60-137 and which have no identification number, the assignment of an
28 identification number shall be required and the identification number
29 shall be issued by the county treasurer or department. With the
30 application the applicant shall pay the proper registration fee and shall
31 state whether the motor vehicle is propelled by alternative fuel and, if

1 alternative fuel, the type of fuel. The application shall also contain a
2 notification that bulk fuel purchasers may be subject to federal excise
3 tax liability. The department shall include such notification in the
4 notices required by section 60-3,186.

5 (2) In addition to the information required under subsection (1) of
6 this section, the application for registration shall contain (a)(i) the
7 full legal name as defined in section 60-468.01 of each owner or (ii) the
8 name of each owner as such name appears on the owner's motor vehicle
9 operator's license or state identification card and (b)(i) the motor
10 vehicle operator's license number or state identification card number of
11 each owner, if applicable, and one or more of the identification elements
12 as listed in section 60-484 of each owner, if applicable, and (ii) if any
13 owner is a business entity, a nonprofit organization, an estate, a trust,
14 or a church-controlled organization, its tax identification number.

15 Sec. 16. Section 60-3,113.04, Revised Statutes Supplement, 2023, is
16 amended to read:

17 60-3,113.04 (1) A handicapped or disabled parking permit shall be of
18 a design, size, configuration, color, and construction and contain such
19 information as specified in the regulations adopted by the United States
20 Department of Transportation in 23 C.F.R. part 1235, UNIFORM SYSTEM FOR
21 PARKING FOR PERSONS WITH DISABILITIES, as such regulations existed on
22 January 1, 2024 ~~2023~~.

23 (2) No handicapped or disabled parking permit shall be issued to any
24 person or for any motor vehicle if any permit has been issued to such
25 person or for such motor vehicle and such permit has been suspended
26 pursuant to section 18-1741.02. At the expiration of such suspension, a
27 permit may be renewed in the manner provided for renewal in sections
28 60-3,113.02, 60-3,113.03, and 60-3,113.05.

29 (3) A duplicate handicapped or disabled parking permit may be
30 provided up to two times during any single permit period if a permit is
31 destroyed, lost, or stolen. Such duplicate permit shall be issued as

1 provided in section 60-3,113.02 or 60-3,113.03, whichever is applicable,
2 except that a new certification by a physician, a physician assistant, or
3 an advanced practice registered nurse need not be provided. A duplicate
4 permit shall be valid for the remainder of the period for which the
5 original permit was issued. If a person has been issued two duplicate
6 permits under this subsection and needs another permit, such person shall
7 reapply for a new permit under section 60-3,113.02 or 60-3,113.03,
8 whichever is applicable.

9 Sec. 17. Section 60-3,162, Reissue Revised Statutes of Nebraska, is
10 amended to read:

11 60-3,162 (1) The department shall, upon a sworn complaint in
12 writing of any person, investigate whether a certificate of registration:

13 (a) Has ~~has~~ been issued on a motor vehicle or trailer that exceeds
14 ~~exceeding~~ the length, height, or width provided by law;

15 (b) Was ~~or~~ issued contrary to any law of this state; or

16 (c) Was issued to a person who has had a certificate of registration
17 revoked pursuant to subdivision (1)(c) of section 60-3,183 under the
18 International Registration Plan Act.

19 (2) If the department validates the information in the complaint
20 after conducting such ~~determines from the investigation that such~~
21 ~~certificate of registration has been improperly issued,~~ it shall have the
22 power to revoke such certificate of registration.

23 Sec. 18. Section 60-3,193.01, Revised Statutes Supplement, 2023, is
24 amended to read:

25 60-3,193.01 For purposes of the Motor Vehicle Registration Act, the
26 International Registration Plan is adopted and incorporated by reference
27 as the plan existed on January 1, 2024 ~~2023~~.

28 Sec. 19. Section 60-3,198, Revised Statutes Cumulative Supplement,
29 2022, is amended to read:

30 60-3,198 (1)(a) Any owner engaged in operating a fleet of
31 apportionable vehicles in this state in interjurisdiction commerce may,

1 in lieu of registration of such apportionable vehicles under the general
2 provisions of the Motor Vehicle Registration Act, register and license
3 such fleet for operation in this state by filing a statement and the
4 application required by section 60-3,203 with the Division of Motor
5 Carrier Services of the department. The statement shall be in such form
6 and contain such information as the division requires, declaring the
7 total mileage operated by such vehicles in all jurisdictions and in this
8 state during the preceding year and describing and identifying each such
9 apportionable vehicle to be operated in this state during the ensuing
10 license period.

11 ~~(b)(i) Until July 1, 2021, upon receipt of such statement and~~
12 ~~application, the division shall determine the total fee payment, which~~
13 ~~shall be equal to the amount of fees due pursuant to section 60-3,203 and~~
14 ~~the amount obtained by applying the formula provided in section 60-3,204~~
15 ~~to a fee of thirty-two dollars per ton based upon gross vehicle weight of~~
16 ~~the empty weights of a truck or truck-tractor and the empty weights of~~
17 ~~any trailer or combination thereof with which it is to be operated in~~
18 ~~combination at any one time plus the weight of the maximum load to be~~
19 ~~carried thereon at any one time, and shall notify the applicant of the~~
20 ~~amount of payment required to be made. Mileage operated in noncontracting~~
21 ~~reciprocity jurisdictions by apportionable vehicles based in Nebraska~~
22 ~~shall be applied to the portion of the formula for determining the~~
23 ~~Nebraska injurisdiction fleet distance.~~

24 (b)(i) Before (ii) Beginning July 1, 2021, and until July 1, 2024
25 2025, upon receipt of such statement and application, the division shall
26 determine the total fee payment, which shall be equal to the amount of
27 fees due pursuant to section 60-3,203 and the amount obtained by applying
28 the formula provided in section 60-3,204 to a fee of thirty-five dollars
29 per ton based upon gross vehicle weight of the empty weights of a truck
30 or truck-tractor and the empty weights of any trailer or combination
31 thereof with which it is to be operated in combination at any one time

1 plus the weight of the maximum load to be carried thereon at any one
2 time, and shall notify the applicant of the amount of payment required to
3 be made. Mileage operated in noncontracting reciprocity jurisdictions by
4 apportionable vehicles based in Nebraska shall be applied to the portion
5 of the formula for determining the Nebraska injurisdiction fleet
6 distance.

7 (ii) (~~iii~~) Beginning July 1, 2024 ~~2025~~, upon receipt of such
8 statement and application, the division shall determine the total fee
9 payment, which shall be equal to the amount of fees due pursuant to
10 section 60-3,203 and the amount obtained by applying the formula provided
11 in section 60-3,204 to a fee of thirty-three dollars and fifty cents per
12 ton based upon gross vehicle weight of the empty weights of a truck or
13 truck-tractor and the empty weights of any trailer or combination thereof
14 with which it is to be operated in combination at any one time plus the
15 weight of the maximum load to be carried thereon at any one time, and
16 shall notify the applicant of the amount of payment required to be made.
17 Mileage operated in noncontracting reciprocity jurisdictions by
18 apportionable vehicles based in Nebraska shall be applied to the portion
19 of the formula for determining the Nebraska injurisdiction fleet
20 distance.

21 (c) Temporary authority which permits the operation of a fleet or an
22 addition to a fleet in this state while the application is being
23 processed may be issued upon application to the division if necessary to
24 complete processing of the application.

25 (d) Upon completion of such processing and receipt of the
26 appropriate fees, the division shall issue to the applicant a sufficient
27 number of distinctive registration certificates which provide a list of
28 the jurisdictions in which the apportionable vehicle has been
29 apportioned, the weight for which registered, and such other evidence of
30 registration for display on the apportionable vehicle as the division
31 determines appropriate for each of the apportionable vehicles of his or

1 her fleet, identifying it as a part of an interjurisdiction fleet
2 proportionately registered. Such registration certificates may be
3 displayed as a legible paper copy or electronically as authorized by the
4 department. All fees received as provided in this section shall be
5 remitted to the State Treasurer for credit to the Motor Carrier Services
6 Division Distributive Fund.

7 (e) The apportionable vehicles so registered shall be exempt from
8 all further registration and license fees under the Motor Vehicle
9 Registration Act for movement or operation in the State of Nebraska
10 except as provided in section 60-3,203. The proportional registration and
11 licensing provision of this section shall apply to apportionable vehicles
12 added to such fleets and operated in this state during the license period
13 except with regard to permanent license plates issued under section
14 60-3,203.

15 (f) The right of applicants to proportional registration under this
16 section shall be subject to the terms and conditions of any reciprocity
17 agreement, contract, or consent made by the division.

18 (g) When a nonresident fleet owner has registered his or her
19 apportionable vehicles, his or her apportionable vehicles shall be
20 considered as fully registered for both interjurisdiction and
21 intrajurisdiction commerce when the jurisdiction of base registration for
22 such fleet accords the same consideration for fleets with a base
23 registration in Nebraska. Each apportionable vehicle of a fleet
24 registered by a resident of Nebraska shall be considered as fully
25 registered for both interjurisdiction and intrajurisdiction commerce.

26 (2) Mileage proportions for interjurisdiction fleets not operated in
27 this state during the preceding year shall be determined by the division
28 upon the application of the applicant on forms to be supplied by the
29 division which shall show the operations of the preceding year in other
30 jurisdictions and estimated operations in Nebraska or, if no operations
31 were conducted the previous year, a full statement of the proposed method

1 of operation.

2 (3) Any owner complying with and being granted proportional
3 registration shall preserve the records on which the application is made
4 for a period of three years following the current registration period.
5 Upon request of the division, the owner shall make such records available
6 to the division at its office for audit as to accuracy of computation and
7 payments or pay the costs of an audit at the home office of the owner by
8 a duly appointed representative of the division if the office where the
9 records are maintained is not within the State of Nebraska. The division
10 may enter into agreements with agencies of other jurisdictions
11 administering motor vehicle registration laws for joint audits of any
12 such owner. All payments received to cover the costs of an audit shall be
13 remitted by the division to the State Treasurer for credit to the Motor
14 Carrier Division Cash Fund. No deficiency shall be assessed and no claim
15 for credit shall be allowed for any license registration period for which
16 records on which the application was made are no longer required to be
17 maintained.

18 (4) If the division claims that a greater amount of fee is due under
19 this section than was paid, the division shall notify the owner of the
20 additional amount claimed to be due. The owner may accept such claim and
21 pay the amount due, or he or she may dispute the claim and submit to the
22 division any information which he or she may have in support of his or
23 her position. If the dispute cannot otherwise be resolved within the
24 division, the owner may petition for an appeal of the matter. The
25 director shall appoint a hearing officer who shall hear the dispute and
26 issue a written decision. Any appeal shall be in accordance with the
27 Administrative Procedure Act. Upon expiration of the time for perfecting
28 an appeal if no appeal is taken or upon final judicial determination if
29 an appeal is taken, the division shall deny the owner the right to
30 further registration for a fleet license until the amount finally
31 determined to be due, together with any costs assessed against the owner,

1 has been paid.

2 (5) Every applicant who licenses any apportionable vehicles under
3 this section and section 60-3,203 shall have his or her registration
4 certificates issued only after all fees under such sections are paid and,
5 if applicable, proof has been furnished of payment, in the form
6 prescribed by the director as directed by the United States Secretary of
7 the Treasury, of the federal heavy vehicle use tax imposed by 26 U.S.C.
8 4481 of the Internal Revenue Code as defined in section 49-801.01.

9 (6)(a) In the event of the transfer of ownership of any registered
10 apportionable vehicle, (b) in the case of loss of possession because of
11 fire, natural disaster, theft, or wrecking, junking, or dismantling of
12 any registered apportionable vehicle, (c) when a salvage branded
13 certificate of title is issued for any registered apportionable vehicle,
14 (d) whenever a type or class of registered apportioned vehicle is
15 subsequently declared by legislative act or court decision to be illegal
16 or ineligible to be operated or towed on the public roads and no longer
17 subject to registration fees and taxes, (e) upon trade-in or surrender of
18 a registered apportionable vehicle under a lease, or (f) in case of a
19 change in the situs of a registered apportionable vehicle to a location
20 outside of this state, its registration shall expire, except that if the
21 registered owner or lessee applies to the division after such transfer or
22 loss of possession and accompanies the application with a fee of one
23 dollar and fifty cents, he or she may have any remaining credit of
24 vehicle fees and taxes from the previously registered apportionable
25 vehicle applied toward payment of any vehicle fees and taxes due and
26 owing on another registered apportionable vehicle. If such registered
27 apportionable vehicle has a greater gross vehicle weight than that of the
28 previously registered apportionable vehicle, the registered owner or
29 lessee of the registered apportionable vehicle shall additionally pay
30 only the registration fee for the increased gross vehicle weight for the
31 remaining months of the registration period based on the factors

1 determined by the division in the original fleet application.

2 (7) Whenever a Nebraska-based fleet owner files an application with
3 the division to delete a registered apportionable vehicle from a fleet of
4 registered apportionable vehicles (a) because of a transfer of ownership
5 of the registered apportionable vehicle, (b) because of loss of
6 possession due to fire, natural disaster, theft, or wrecking, junking, or
7 dismantling of the registered apportionable vehicle, (c) because a
8 salvage branded certificate of title is issued for the registered
9 apportionable vehicle, (d) because a type or class of registered
10 apportioned vehicle is subsequently declared by legislative act or court
11 decision to be illegal or ineligible to be operated or towed on the
12 public roads and no longer subject to registration fees and taxes, (e)
13 because of a trade-in or surrender of the registered apportionable
14 vehicle under a lease, or (f) because of a change in the situs of the
15 registered apportionable vehicle to a location outside of this state, the
16 registered owner may, by returning the registration certificate or
17 certificates and such other evidence of registration used by the division
18 or, if such certificate or certificates or such other evidence of
19 registration is unavailable, then by making an affidavit to the division
20 of such transfer or loss, receive a refund of that portion of the unused
21 registration fee based upon the number of unexpired months remaining in
22 the registration period from the date of transfer or loss. No refund
23 shall be allowed for any fees paid under section 60-3,203. When such
24 apportionable vehicle is transferred or lost within the same month as
25 acquired, no refund shall be allowed for such month. Such refund may be
26 in the form of a credit against any registration fees that have been
27 incurred or are, at the time of the refund, being incurred by the
28 registered apportionable vehicle owner. The Nebraska-based fleet owner
29 shall make a claim for a refund under this subsection within the
30 registration period or shall be deemed to have forfeited his or her right
31 to the refund.

1 (8) In case of addition to the registered fleet during the
2 registration period, the owner engaged in operating the fleet shall pay
3 the proportionate registration fee from the date the vehicle was placed
4 into service or, if the vehicle was previously registered, the date the
5 prior registration expired or the date Nebraska became the base
6 jurisdiction for the fleet, whichever is first, for the remaining balance
7 of the registration period. The fee for any permanent license plate
8 issued for such addition pursuant to section 60-3,203 shall be the full
9 fee required by such section, regardless of the number of months
10 remaining in the license period.

11 (9) In lieu of registration under subsections (1) through (8) of
12 this section, the title holder of record may apply to the division for
13 special registration, to be known as an unladen-weight registration, for
14 any commercial motor vehicle or combination of vehicles which have been
15 registered to a Nebraska-based fleet owner within the current or previous
16 registration period. Such registration shall be valid only for a period
17 of thirty days and shall give no authority to operate the vehicle except
18 when empty. The fee for such registration shall be twenty dollars for
19 each vehicle, which fee shall be remitted to the State Treasurer for
20 credit to the Highway Trust Fund. The issuance of such permits shall be
21 governed by section 60-3,179.

22 (10) Any person may, in lieu of registration under subsections (1)
23 through (8) of this section or for other jurisdictions as approved by the
24 director, purchase a trip permit for any nonresident truck, truck-
25 tractor, bus, or truck or truck-tractor combination. A trip permit shall
26 be issued before any person required to obtain a trip permit enters this
27 state with such vehicle. The trip permit shall be issued by the director
28 through Internet sales from the department's website. The trip permit
29 shall be valid for a period of seventy-two hours. The fee for the trip
30 permit shall be twenty-five dollars for each truck, truck-tractor, bus,
31 or truck or truck-tractor combination. The fee collected by the director

1 shall be remitted to the State Treasurer for credit to the Highway Cash
2 Fund.

3 Sec. 20. Section 60-3,202, Reissue Revised Statutes of Nebraska, is
4 amended to read:

5 ~~60-3,202 (1)(a) Until July 1, 2021, registration fees credited to~~
6 ~~the Motor Carrier Services Division Distributive Fund pursuant to section~~
7 ~~60-3,198 and remaining in such fund at the close of each calendar month~~
8 ~~shall be remitted to the State Treasurer for credit as follows: (a) Three~~
9 ~~percent of thirty percent of such amount shall be credited to the~~
10 ~~Department of Revenue Property Assessment Division Cash Fund; (b) the~~
11 ~~remainder of such thirty percent shall be credited to the Highway Tax~~
12 ~~Fund; and (c) seventy percent of such amount shall be credited to the~~
13 ~~Highway Trust Fund.~~

14 ~~(1)(a) Before (b) Beginning July 1, 2021, and until July 1, 2024~~
15 ~~2025, registration fees credited to the Motor Carrier Services Division~~
16 ~~Distributive Fund pursuant to section 60-3,198 and remaining in such fund~~
17 ~~at the close of each calendar month shall be remitted to the State~~
18 ~~Treasurer for credit as follows: (i) Twenty-seven percent of such amount~~
19 ~~shall be credited to the Highway Tax Fund; (ii) sixty-four percent of~~
20 ~~such amount shall be credited to the Highway Trust Fund; and (iii) nine~~
21 ~~percent of such amount shall be credited to the Motor Carrier Services~~
22 ~~System Replacement and Maintenance Fund.~~

23 ~~(b) (c) Beginning July 1, 2024 2025, registration fees credited to~~
24 ~~the Motor Carrier Services Division Distributive Fund pursuant to section~~
25 ~~60-3,198 and remaining in such fund at the close of each calendar month~~
26 ~~shall be remitted to the State Treasurer for credit as follows: (i)~~
27 ~~Twenty-eight percent of such amount shall be credited to the Highway Tax~~
28 ~~Fund; (ii) sixty-seven percent of such amount shall be credited to the~~
29 ~~Highway Trust Fund; and (iii) five percent of such amount shall be~~
30 ~~credited to the Motor Carrier Services System Replacement and Maintenance~~
31 ~~Fund.~~

1 (2) On or before the last day of each quarter of the calendar year,
2 the State Treasurer shall distribute all funds in the Highway Tax Fund to
3 the county treasurer of each county in the same proportion as the number
4 of original motor vehicle registrations in each county bears to the total
5 of all original registrations within the state in the registration year
6 immediately preceding.

7 (3) Upon receipt of motor vehicle tax funds from the State Treasurer
8 pursuant to subsection (2) of this section, the county treasurer shall
9 distribute such funds to taxing agencies within the county in the same
10 proportion that the levy of each such taxing agency bears to the total of
11 such levies of all taxing agencies in the county.

12 (4) In the event any taxing district has been annexed, merged,
13 dissolved, or in any way absorbed into another taxing district, any
14 apportionment of motor vehicle tax funds under subsection (3) of this
15 section to which such taxing district would have been entitled shall be
16 apportioned to the successor taxing district which has assumed the
17 functions of the annexed, merged, dissolved, or absorbed taxing district.

18 (5) On or before March 1 of each year, the department shall furnish
19 to the State Treasurer a tabulation showing the total number of original
20 motor vehicle registrations in each county for the immediately preceding
21 calendar year, which shall be the basis for computing the distribution of
22 motor vehicle tax funds as provided in subsection (2) of this section.

23 (6) The Highway Tax Fund is created. Any money in the fund available
24 for investment shall be invested by the state investment officer pursuant
25 to the Nebraska Capital Expansion Act and the Nebraska State Funds
26 Investment Act.

27 Sec. 21. Section 60-3,205, Reissue Revised Statutes of Nebraska, is
28 amended to read:

29 60-3,205 (1)(a) The director may suspend, revoke, cancel, or refuse
30 to issue or renew a registration certificate under the International
31 Registration Plan Act:

1 (i) If the applicant or certificate holder has had his or her
2 license issued under the International Fuel Tax Agreement Act revoked or
3 the director refused to issue or refused to renew such license;~~or~~

4 (ii) If the applicant or certificate holder is in violation of
5 sections 75-392 to 75-3,100; or -

6 (iii) If the applicant or certificate holder committed any violation
7 of the International Registration Plan Act or any rule or regulation
8 adopted and promulgated under the act.

9 (b) Prior to taking action under this section, the director shall
10 notify and advise the applicant or certificate holder of the proposed
11 action and the reasons for such action in writing, by regular United
12 States mail, to his or her last-known business address as shown on the
13 application for the certificate or renewal. The notice shall also include
14 an advisement of the procedures in subdivision (c) of this subsection.

15 (c) The applicant or certificate holder may, within thirty days
16 after the date of the mailing of the notice, petition the director for a
17 hearing to contest the proposed action. The hearing shall be commenced in
18 accordance with the rules and regulations adopted and promulgated by the
19 department. If a petition is filed, the director shall, within twenty
20 days after receipt of the petition, set a hearing date at which the
21 applicant or certificate holder may show cause why the proposed action
22 should not be taken. The director shall give the applicant or certificate
23 holder reasonable notice of the time and place of the hearing. If the
24 director's decision is adverse to the applicant or certificate holder,
25 the applicant or certificate holder may appeal the decision in accordance
26 with the Administrative Procedure Act.

27 (d) Except as provided in subsections (2) and (3) of this section,
28 the filing of the petition shall stay any action by the director until a
29 hearing is held and a final decision and order is issued.

30 (e) Except as provided in subsections (2) and (3) of this section,
31 if no petition is filed at the expiration of thirty days after the date

1 on which the notification was mailed, the director may take the proposed
2 action described in the notice.

3 (f) If, in the judgment of the director, the applicant or
4 certificate holder has complied with or is no longer in violation of the
5 provisions for which the director took action under this subsection, the
6 director may reinstate the registration certificate without delay.

7 (2)(a) The director may suspend, revoke, cancel, or refuse to issue
8 or renew a registration certificate under the International Registration
9 Plan Act or a license under the International Fuel Tax Agreement Act if
10 the applicant, licensee, or certificate holder has issued to the
11 department a check or draft which has been returned because of
12 insufficient funds, no funds, or a stop-payment order. The director may
13 take such action no sooner than seven days after the written notice
14 required in subdivision (1)(b) of this section has been provided. Any
15 petition to contest such action filed pursuant to subdivision (1)(c) of
16 this section shall not stay such action of the director.

17 (b) If the director takes an action pursuant to this subsection, the
18 director shall reinstate the registration certificate or license without
19 delay upon the payment of certified funds by the applicant, licensee, or
20 certificate holder for any fees due and reasonable administrative costs,
21 not to exceed twenty-five dollars, incurred in taking such action.

22 (c) The rules, regulations, and orders of the director and the
23 department that pertain to hearings commenced in accordance with this
24 section and that are in effect prior to March 17, 2006, shall remain in
25 effect, unless changed or eliminated by the director or the department,
26 except for those portions involving a stay upon the filing of a petition
27 to contest any action taken pursuant to this subsection, in which case
28 this subsection shall supersede those provisions.

29 (3) Any person who receives notice from the director of action taken
30 pursuant to subsection (1) or (2) of this section shall, within three
31 business days, return such registration certificate and license plates to

1 the department as provided in this section. If any person fails to return
2 the registration certificate and license plates to the department, the
3 department shall notify the Nebraska State Patrol that any such person is
4 in violation of this section.

5 Sec. 22. Section 60-462, Revised Statutes Supplement, 2023, is
6 amended to read:

7 60-462 Sections 60-462 to 60-4,189 and section 39 of this act shall
8 be known and may be cited as the Motor Vehicle Operator's License Act.

9 Sec. 23. Section 60-462.01, Revised Statutes Supplement, 2023, is
10 amended to read:

11 60-462.01 For purposes of the Motor Vehicle Operator's License Act,
12 the following federal regulations are adopted as Nebraska law as they
13 existed on January 1, 2024 ~~2023~~:

14 The parts, subparts, and sections of Title 49 of the Code of Federal
15 Regulations, as referenced in the Motor Vehicle Operator's License Act.

16 Sec. 24. Section 60-479.01, Revised Statutes Supplement, 2023, is
17 amended to read:

18 60-479.01 (1) All persons handling source documents or engaged in
19 the issuance of new, renewed, or reissued operators' licenses or state
20 identification cards shall have periodic fraudulent document recognition
21 training.

22 (2) All persons and agents of the department involved in the
23 recording of verified application information or verified operator's
24 license and state identification card information, involved in the
25 manufacture or production of licenses or cards, or who have the ability
26 to affect information on such licenses or cards shall be subject to a
27 criminal history record information check, including a check of prior
28 employment references, and a lawful status check as required by 6 C.F.R.
29 part 37, as such part existed on January 1, 2024 ~~2023~~. Such persons and
30 agents shall provide fingerprints which shall be submitted to the Federal
31 Bureau of Investigation. The bureau shall use its records for the

1 criminal history record information check.

2 (3) Upon receipt of a request pursuant to subsection (2) of this
3 section, the Nebraska State Patrol shall undertake a search for criminal
4 history record information relating to such applicant, including
5 transmittal of the applicant's fingerprints to the Federal Bureau of
6 Investigation for a national criminal history record information check.
7 The criminal history record information check shall include information
8 concerning the applicant from federal repositories of such information
9 and repositories of such information in other states, if authorized by
10 federal law. The Nebraska State Patrol shall issue a report to the
11 employing public agency that shall include the criminal history record
12 information concerning the applicant. The cost of any background check
13 shall be borne by the employer of the person or agent.

14 (4) Any person convicted of any disqualifying offense as provided in
15 6 C.F.R. part 37, as such part existed on January 1, ~~2024~~ 2023, shall not
16 be involved in the recording of verified application information or
17 verified operator's license and state identification card information,
18 involved in the manufacture or production of licenses or cards, or
19 involved in any capacity in which such person would have the ability to
20 affect information on such licenses or cards. Any employee or prospective
21 employee of the department shall be provided notice that he or she will
22 undergo such criminal history record information check prior to
23 employment or prior to any involvement with the issuance of operators'
24 licenses or state identification cards.

25 Sec. 25. Section 60-480, Reissue Revised Statutes of Nebraska, is
26 amended to read:

27 60-480 (1) Operators' licenses issued by the department pursuant to
28 the Motor Vehicle Operator's License Act shall be classified as follows:

29 (a) Class 0 license. The operator's license which authorizes the
30 person to whom it is issued to operate on highways any motor vehicle
31 except a commercial motor vehicle or motorcycle;

1 (b) Class M license. The operator's license or endorsement on a
2 Class 0 license, provisional operator's permit, learner's permit, school
3 permit, or commercial driver's license which authorizes the person to
4 whom it is issued to operate a motorcycle on highways;

5 (c) CDL-commercial driver's license. The operator's license which
6 authorizes the person to whom it is issued to operate a class of
7 commercial motor vehicle or any motor vehicle, except a motorcycle, on
8 highways;

9 (d) CLP-commercial learner's permit. A permit which when carried
10 with a Class 0 license authorizes an individual to operate a class of
11 commercial motor vehicle when accompanied by a holder of a valid
12 commercial driver's license for purposes of behind-the-wheel training.
13 When issued to a commercial driver's license holder, a CLP-commercial
14 learner's permit serves as authorization for accompanied behind-the-wheel
15 training in a commercial motor vehicle for which the holder's current
16 commercial driver's license is not valid;

17 (e) RCDL-restricted commercial driver's license. The class of
18 commercial driver's license which, ~~when held with an annual seasonal~~
19 ~~permit,~~ authorizes a ~~seasonal~~ commercial motor vehicle operator described
20 ~~as defined~~ in section 60-4,146.01 to operate any Class B Heavy Straight
21 Vehicle or Class C Small Vehicle commercial motor vehicle for purposes of
22 a farm-related or ranch-related service industry as defined in such
23 section within one hundred fifty miles of the employer's place of
24 business or the farm or ranch currently being served as provided in such
25 section or any other motor vehicle, except a motorcycle, on highways;

26 (f) POP-provisional operator's permit. A motor vehicle operating
27 permit with restrictions issued pursuant to section 60-4,120.01 to a
28 person who is at least sixteen years of age but less than eighteen years
29 of age which authorizes the person to operate any motor vehicle except a
30 commercial motor vehicle or motorcycle;

31 (g) SCP-school permit. A permit issued to a student between fourteen

1 years and two months of age and sixteen years of age for the purpose of
2 driving in accordance with the requirements of section 60-4,124;

3 (h) FMP-farm permit. A permit issued to a person for purposes of
4 operating farm tractors and other motorized implements of farm husbandry
5 on highways in accordance with the requirements of section 60-4,126;

6 (i) LPD-learner's permit. A permit issued in accordance with the
7 requirements of section 60-4,123 to a person at least fifteen years of
8 age which authorizes the person to operate a motor vehicle, except a
9 commercial motor vehicle, for learning purposes when accompanied by a
10 licensed operator who is at least twenty-one years of age and who
11 possesses a valid operator's license issued by this state or another
12 state;

13 (j) LPE-learner's permit. A permit issued to a person at least
14 fourteen years of age which authorizes the person to operate a motor
15 vehicle, except a commercial motor vehicle, while learning to drive in
16 preparation for application for a school permit;

17 (k) EDP-employment driving permit. A permit issued to a person which
18 authorizes the person to operate a motor vehicle, except a commercial
19 motor vehicle, pursuant to the requirements of sections 60-4,129 and
20 60-4,130;

21 (l) IIP-ignition interlock permit. A permit issued to a person which
22 authorizes the person to operate a motor vehicle, except a commercial
23 motor vehicle, which is equipped with an ignition interlock device;

24 ~~(m) SEP-seasonal permit. A permit issued to a person who holds a~~
25 ~~restricted commercial driver's license authorizing the person to operate~~
26 ~~a commercial motor vehicle, as prescribed by section 60-4,146.01, for no~~
27 ~~more than one hundred eighty consecutive days in any twelve-month period.~~
28 ~~The seasonal permit shall be valid and run from the date of original~~
29 ~~issuance of the permit for one hundred eighty days and from the date of~~
30 ~~annual revalidation of the permit;~~

31 (m) ~~(n)~~ MHP-medical hardship driving permit. A permit issued to a

1 person which authorizes the person to operate a motor vehicle, except a
2 commercial motor vehicle, pursuant to the requirements of sections
3 60-4,130.01 and 60-4,130.02; and

4 (n) ~~(o)~~ SPP-24/7 sobriety program permit. A permit issued to a
5 person which authorizes the person to operate a motor vehicle, except a
6 commercial motor vehicle, pursuant to the 24/7 Sobriety Program Act.

7 (2) For purposes of this section, motorcycle does not include an
8 autocycle.

9 Sec. 26. Section 60-490, Revised Statutes Cumulative Supplement,
10 2022, is amended to read:

11 60-490 (1) Operators' licenses issued to persons required to use
12 bioptic or telescopic lenses as provided in section 60-4,118 shall expire
13 on the licensee's birthday in the second year after issuance unless
14 specifically restricted to a shorter renewal period as determined under
15 section 60-4,118.

16 (2) Except for state identification cards issued to persons less
17 than twenty-one years of age, all state identification cards expire on
18 the cardholder's birthday in the fifth year after issuance. A state
19 identification card issued to a person who is less than twenty-one years
20 of age expires on his or her twenty-first birthday or on his or her
21 birthday in the fifth year after issuance, whichever comes first.

22 (3) Except as otherwise provided in subsection (1) of this section
23 and section 60-4,147.05 and except for operators' licenses issued to
24 persons less than twenty-one years of age, operators' licenses issued
25 pursuant to the Motor Vehicle Operator's License Act expire on the
26 licensee's birthday in the fifth year after issuance. An operator's
27 license issued to a person less than twenty-one years of age expires on
28 his or her twenty-first birthday. Except as otherwise provided in section
29 60-4,147.05, the Department of Motor Vehicles shall mail out a renewal
30 notice for each operator's license at least thirty days before the
31 expiration of the operator's license.

1 (4)(a) The expiration date shall be stated on each operator's
2 license or state identification card.

3 (b) Except as otherwise provided in section 60-4,147.05, licenses
4 and state identification cards issued to persons who are twenty-one years
5 of age or older which expire under this section may be renewed within a
6 ninety-day period before the expiration date. Any person who is twenty-
7 one years of age or older and who is the holder of a valid operator's
8 license or state identification card may renew his or her license or card
9 prior to the ninety-day period before the expiration date on such license
10 or card if such applicant furnishes proof that he or she will be absent
11 from the state during the ninety-day period prior to such expiration
12 date.

13 (c) A person who is twenty years of age may apply for an operator's
14 license or a state identification card within sixty days prior to his or
15 her twenty-first birthday. The operator's license or state identification
16 card may be issued within thirty ~~ten~~ days prior to such birthday.

17 (d) A person who is under twenty years of age and who holds a state
18 identification card may apply for renewal within a ninety-day period
19 prior to the expiration date.

20 Sec. 27. Section 60-497.01, Reissue Revised Statutes of Nebraska, is
21 amended to read:

22 60-497.01 (1) An abstract of the court record of every case in which
23 a person is convicted of violating any provision of the Motor Vehicle
24 Operator's License Act, the Motor Vehicle Safety Responsibility Act, the
25 Nebraska Rules of the Road, or section 28-524, as from time to time
26 amended by the Legislature, or any traffic regulations in city or village
27 ordinances shall be transmitted within thirty days of sentencing or other
28 disposition by the court to the director. Any abstract received by the
29 director more than thirty days after the date of sentencing or other
30 disposition shall be reported by the director to the State Court
31 Administrator.

1 (2) Any person violating section 28-306, 28-394, 28-1254, 60-696,
2 60-697, 60-6,196, 60-6,197, 60-6,213, or 60-6,214 who is placed on
3 probation shall be assessed the same points under section 60-4,182 as if
4 such person were not placed on probation unless a court has ordered that
5 such person shall ~~must~~ obtain an ignition interlock permit in order to
6 operate a motor vehicle with an ignition interlock device pursuant to
7 section 60-6,211.05 and sufficient evidence is presented to the
8 department that such a device is installed. For any other violation, the
9 director shall not assess such person with any points under section
10 60-4,182 for such violation when the person is placed on probation until
11 the director is advised by the court that such person previously placed
12 on probation has violated the terms of his or her probation and such
13 probation has been revoked. Upon receiving notice of revocation of
14 probation, the director shall assess to such person the points which such
15 person would have been assessed had the person not been placed on
16 probation. All such points shall be assessed as of the date of the
17 violation. When a person fails to successfully complete probation, the
18 court shall notify the director immediately.

19 Sec. 28. Section 60-4,111.01, Revised Statutes Supplement, 2023, is
20 amended to read:

21 60-4,111.01 (1) The Department of Motor Vehicles, the courts, or law
22 enforcement agencies may store or compile information acquired from an
23 operator's license or a state identification card for their statutorily
24 authorized purposes.

25 (2) Except as otherwise provided in subsection (3) or (4) of this
26 section, no person having use of or access to machine-readable
27 information encoded on an operator's license or a state identification
28 card shall compile, store, preserve, trade, sell, or share such
29 information. Any person who trades, sells, or shares such information
30 shall be guilty of a Class IV felony. Any person who compiles, stores, or
31 preserves such information except as authorized in subsection (3) or (4)

1 of this section shall be guilty of a Class IV felony.

2 (3)(a) For purposes of compliance with and enforcement of
3 restrictions on the purchase of alcohol, lottery tickets, and tobacco
4 products, a retailer who sells any of such items pursuant to a license
5 issued or a contract under the applicable statutory provision may scan
6 machine-readable information encoded on an operator's license or a state
7 identification card presented for the purpose of such a sale. The
8 retailer may store only the following information obtained from the
9 license or card: Age and license or card identification number. The
10 retailer shall post a sign at the point of sale of any of such items
11 stating that the license or card will be scanned and that the age and
12 identification number will be stored. The stored information may only be
13 used by a law enforcement agency for purposes of enforcement of the
14 restrictions on the purchase of alcohol, lottery tickets, and tobacco
15 products and may not be shared with any other person or entity.

16 (b) For purposes of compliance with the provisions of sections
17 28-458 to 28-462, a seller who sells methamphetamine precursors pursuant
18 to such sections may scan machine-readable information encoded on an
19 operator's license or a state identification card presented for the
20 purpose of such a sale. The seller may store only the following
21 information obtained from the license or card: Name, age, address, type
22 of identification presented by the customer, the governmental entity that
23 issued the identification, and the number on the identification. The
24 seller shall post a sign at the point of sale stating that the license or
25 card will be scanned and stating what information will be stored. The
26 stored information may only be used by law enforcement agencies,
27 regulatory agencies, and the exchange for purposes of enforcement of the
28 restrictions on the sale or purchase of methamphetamine precursors
29 pursuant to sections 28-458 to 28-462 and may not be shared with any
30 other person or entity. For purposes of this subsection, the terms
31 exchange, methamphetamine precursor, and seller have the same meanings as

1 in section 28-458.

2 (c) The retailer or seller shall utilize software that stores only
3 the information allowed by this subsection. A programmer for computer
4 software designed to store such information shall certify to the retailer
5 that the software stores only the information allowed by this subsection.
6 Intentional or grossly negligent programming by the programmer which
7 allows for the storage of more than the age and identification number or
8 wrongfully certifying the software shall be a Class IV felony.

9 (d) A retailer or seller who knowingly stores more information than
10 authorized under this subsection from the operator's license or state
11 identification card shall be guilty of a Class IV felony.

12 (e) Information scanned, compiled, stored, or preserved pursuant to
13 subdivision (a) of this subsection may not be retained longer than
14 eighteen months unless required by state or federal law.

15 (4) In order to approve a negotiable instrument, an electronic funds
16 transfer, or a similar method of payment, a person having use of or
17 access to machine-readable information encoded on an operator's license
18 or a state identification card may:

19 (a) Scan, compile, store, or preserve such information in order to
20 provide the information to a check services company subject to and in
21 compliance with the federal Fair Credit Reporting Act, 15 U.S.C. 1681 et
22 seq., as such act existed on January 1, ~~2024~~ 2023, for the purpose of
23 effecting, administering, or enforcing a transaction requested by the
24 holder of the license or card or preventing fraud or other criminal
25 activity; or

26 (b) Scan and store such information only as necessary to protect
27 against or prevent actual or potential fraud, unauthorized transactions,
28 claims, or other liability or to resolve a dispute or inquiry by the
29 holder of the license or card.

30 (5) Except as provided in subdivision (4)(a) of this section,
31 information scanned, compiled, stored, or preserved pursuant to this

1 section may not be traded or sold to or shared with a third party; used
2 for any marketing or sales purpose by any person, including the retailer
3 who obtained the information; or, unless pursuant to a court order,
4 reported to or shared with any third party. A person who violates this
5 subsection shall be guilty of a Class IV felony.

6 Sec. 29. Section 60-4,115, Revised Statutes Supplement, 2023, is
7 amended to read:

8 60-4,115 (1) Fees for operators' licenses and state identification
9 cards shall be collected by department personnel or the county treasurer
10 and distributed according to the table in subsection (2) of this section,
11 except for the ignition interlock permit and associated fees as outlined
12 in subsection (4) of this section and the 24/7 sobriety program permit
13 and associated fees as outlined in subsection (5) of this section. County
14 officials shall remit the county portion of the fees collected to the
15 county treasurer for placement in the county general fund. All other fees
16 collected shall be remitted to the State Treasurer for credit to the
17 appropriate fund.

18 (2) Except as otherwise provided in subsection (7) of this section,
19 the fees provided in this subsection in the following dollar amounts
20 apply for operators' licenses and state identification cards.

			Department
			County of Motor
	Document	Total	General Vehicles
		Fee	Fund Cash Fund
25	State identification card:		
26	Valid for 1 year or less	5.00	2.75 2.25
27	Valid for more than 1 year		
28	but not more than 2 years	10.00	2.75 7.25
29	Valid for more than 2 years		
30	but not more than 3 years	14.00	2.75 11.25
31	Valid for more than 3 years		

1	but not more than 4 years	19.00	2.75	16.25
2	Valid for more than 4 years			
3	for a person under 21	24.00	2.75	21.25
4	Valid for 5 years	24.00	3.50	20.50
5	Replacement	11.00	2.75	8.25
6	Class 0 or M operator's license:			
7	Valid for 1 year or less	5.00	2.75	2.25
8	Valid for more than 1 year			
9	but not more than 2 years	10.00	2.75	7.25
10	Valid for more than 2 years			
11	but not more than 3 years	14.00	2.75	11.25
12	Valid for more than 3 years			
13	but not more than 4 years	19.00	2.75	16.25
14	Valid for 5 years	24.00	3.50	20.50
15	Bioptic or telescopic lens			
16	restriction:			
17	Valid for 1 year or less	5.00	0	5.00
18	Valid for more than 1 year			
19	but not more than 2 years	10.00	2.75	7.25
20	Replacement	11.00	2.75	8.25
21	Add, change, or remove class,			
22	endorsement, or restriction	5.00	0	5.00
23	Provisional operator's permit:			
24	Original	15.00	2.75	12.25
25	Bioptic or telescopic lens			
26	restriction:			
27	Valid for 1 year or less	5.00	0	5.00
28	Valid for more than 1 year			
29	but not more than 2 years	15.00	2.75	12.25
30	Replacement	11.00	2.75	8.25

1	Add, change, or remove class,			
2	endorsement, or restriction	5.00	0	5.00
3	LPD-learner's permit:			
4	Original	8.00	.25	7.75
5	Replacement	11.00	2.75	8.25
6	Add, change, or remove class,			
7	endorsement, or restriction	5.00	0	5.00
8	LPE-learner's permit:			
9	Original	8.00	.25	7.75
10	Replacement	11.00	2.75	8.25
11	Add, change, or remove class,			
12	endorsement, or restriction	5.00	0	5.00
13	School permit:			
14	Original	8.00	.25	7.75
15	Replacement	11.00	2.75	8.25
16	Add, change, or remove class,			
17	endorsement, or restriction	5.00	0	5.00
18	Farm permit:			
19	Original or renewal	5.00	.25	4.75
20	Replacement	5.00	.25	4.75
21	Add, change, or remove class,			
22	endorsement, or restriction	5.00	0	5.00
23	Driving permits:			
24	Employment	45.00	0	45.00
25	Medical hardship	45.00	0	45.00
26	Replacement	10.00	.25	9.75
27	Add, change, or remove class,			
28	endorsement, or restriction	5.00	0	5.00
29	Commercial driver's license:			
30	Valid for 1 year or less	11.00	1.75	9.25

1	Valid for more than 1 year			
2	but not more than 2 years	22.00	1.75	20.25
3	Valid for more than 2 years			
4	but not more than 3 years	33.00	1.75	31.25
5	Valid for more than 3 years			
6	but not more than 4 years	44.00	1.75	42.25
7	Valid for 5 years	55.00	1.75	53.25
8	Bioptic or telescopic lens			
9	restriction:			
10	Valid for one year or less	11.00	1.75	9.25
11	Valid for more than 1 year			
12	but not more than 2 years	22.00	1.75	20.25
13	Replacement	11.00	2.75	8.25
14	Add, change, or remove class,			
15	endorsement, or restriction	10.00	1.75	8.25
16	CLP-commercial learner's permit:			
17	<u>Original</u>	<u>10.00</u>	<u>.25</u>	<u>9.75</u>
18	Original or renewal	10.00	-.25	9.75
19	Replacement	10.00	.25	9.75
20	Add, change, or remove class,			
21	endorsement, or restriction	10.00	.25	9.75
22	Seasonal permit:			
23	Original or renewal	10.00	-.25	9.75
24	Replacement	10.00	-.25	9.75
25	Add, change, or remove class,			
26	endorsement, or restriction	10.00	-.25	9.75

27 (3) If the department issues an operator's license or a state
 28 identification card and collects the fees, the department shall remit the
 29 county portion of the fees to the State Treasurer for credit to the
 30 Department of Motor Vehicles Cash Fund.

1 (4)(a) The fee for an ignition interlock permit shall be forty-five
2 dollars. Five dollars of the fee shall be remitted to the State Treasurer
3 for credit to the Department of Motor Vehicles Cash Fund. Forty dollars
4 of the fee shall be remitted to the State Treasurer for credit to the
5 Department of Motor Vehicles Ignition Interlock Fund.

6 (b) The fee for a replacement ignition interlock permit shall be
7 eleven dollars. Two dollars and seventy-five cents of the fee shall be
8 remitted to the county treasurer for credit to the county general fund.
9 Eight dollars and twenty-five cents of the fee shall be remitted to the
10 State Treasurer for credit to the Department of Motor Vehicles Cash Fund.

11 (c) The fee for adding, changing, or removing a class, endorsement,
12 or restriction on an ignition interlock permit shall be five dollars. The
13 fee shall be remitted to the State Treasurer for credit to the Department
14 of Motor Vehicles Cash Fund.

15 (5)(a) The fee for a 24/7 sobriety program permit shall be forty-
16 five dollars. Forty dollars of the fee shall be remitted to the State
17 Treasurer for credit to the Department of Motor Vehicles Cash Fund. Five
18 dollars of the fee shall be remitted to the county treasurer for credit
19 to the county general fund.

20 (b) The fee for a replacement 24/7 sobriety program permit shall be
21 eleven dollars. Two dollars and seventy-five cents of the fee shall be
22 remitted to the county treasurer for credit to the county general fund.
23 Eight dollars and twenty-five cents of the fee shall be remitted to the
24 State Treasurer for credit to the Department of Motor Vehicles Cash Fund.

25 (c) The fee for adding, changing, or removing a class, endorsement,
26 or restriction on a 24/7 sobriety program permit shall be five dollars.
27 The fee shall be remitted to the State Treasurer for credit to the
28 Department of Motor Vehicles Cash Fund.

29 (6) The department and its agents may collect an identity security
30 surcharge to cover the cost of security and technology practices used to
31 protect the identity of applicants for and holders of operators' licenses

1 and state identification cards and to reduce identity theft, fraud, and
2 forgery and counterfeiting of such licenses and cards to the maximum
3 extent possible. The surcharge shall be in addition to all other required
4 fees for operators' licenses and state identification cards. The amount
5 of the surcharge shall be determined by the department. The surcharge
6 shall not exceed eight dollars. The surcharge shall be remitted to the
7 State Treasurer for credit to the Department of Motor Vehicles Cash Fund.

8 (7) No fee shall be charged for issuance of an original, renewal, or
9 duplicate state identification card to a resident of Nebraska who (a)
10 does not have a valid Nebraska driver's license, (b) is requesting
11 issuance of such card for voting purposes, and (c) is at least eighteen
12 years of age or is seventeen years of age and will attain the age of
13 eighteen years on or before the first Tuesday after the first Monday in
14 November of the then-current calendar year.

15 Sec. 30. Section 60-4,131, Reissue Revised Statutes of Nebraska, is
16 amended to read:

17 60-4,131 (1) Sections 60-462.01 and 60-4,132 to 60-4,172 and section
18 39 of this act shall apply to the operation of any commercial motor
19 vehicle.

20 (2) For purposes of such sections:

21 (a) Disqualification means:

22 (i) The suspension, revocation, cancellation, or any other
23 withdrawal by a state of a person's privilege to operate a commercial
24 motor vehicle;

25 (ii) A determination by the Federal Motor Carrier Safety
26 Administration, under the rules of practice for motor carrier safety
27 contained in 49 C.F.R. part 386, that a person is no longer qualified to
28 operate a commercial motor vehicle under 49 C.F.R. part 391; or

29 (iii) The loss of qualification which automatically follows
30 conviction of an offense listed in 49 C.F.R. 383.51;

31 (b) Downgrade means the state:

1 (i) Allows the driver of a commercial motor vehicle to change his or
2 her self-certification to interstate, but operating exclusively in
3 transportation or operation excepted from 49 C.F.R. part 391, as provided
4 in 49 C.F.R. 390.3(f), 391.2, 391.68, or 398.3;

5 (ii) Allows the driver of a commercial motor vehicle to change his
6 or her self-certification to intrastate only, if the driver qualifies
7 under a state's physical qualification requirements for intrastate only;

8 (iii) Allows the driver of a commercial motor vehicle to change his
9 or her certification to intrastate, but operating exclusively in
10 transportation or operations excepted from all or part of a state driver
11 qualification requirement; or

12 (iv) Removes the commercial driver's license privilege from the
13 operator's license;

14 (c) Employee means any operator of a commercial motor vehicle,
15 including full-time, regularly employed drivers; casual, intermittent, or
16 occasional drivers; and leased drivers and independent, owner-operator
17 contractors, while in the course of operating a commercial motor vehicle,
18 who are either directly employed by or under lease to an employer;

19 (d) Employer means any person, including the United States, a state,
20 the District of Columbia, or a political subdivision of a state, that
21 owns or leases a commercial motor vehicle or assigns employees to operate
22 a commercial motor vehicle;

23 (e) Endorsement means an authorization to an individual's CLP-
24 commercial learner's permit or commercial driver's license required to
25 permit the individual to operate certain types of commercial motor
26 vehicles;

27 (f) Foreign means outside the fifty United States and the District
28 of Columbia;

29 (g) Imminent hazard means the existence of a condition relating to
30 hazardous material that presents a substantial likelihood that death,
31 serious illness, severe personal injury, or a substantial endangerment to

1 health, property, or the environment may occur before the reasonably
2 foreseeable completion date of a formal proceeding begun to lessen the
3 risk of that death, illness, injury, or endangerment;

4 (h) Issue and issuance means initial issuance, transfer, renewal, or
5 upgrade of a ~~CLP-commercial learner's permit,~~ commercial driver's
6 license, ~~nondomiciled CLP-commercial learner's permit,~~ or nondomiciled
7 commercial driver's license, or issuance, transfer, or upgrade of a CLP-
8 commercial learner's permit or nondomiciled CLP-commercial learner's
9 permit, as described in 49 C.F.R. 383.73;

10 (i) Medical examiner means an individual certified by the Federal
11 Motor Carrier Safety Administration and listed on the National Registry
12 of Certified Medical Examiners in accordance with 49 C.F.R. part 390,
13 subpart D;

14 (j) Medical examiner's certificate means a form meeting the
15 requirements of 49 C.F.R. 391.43 issued by a medical examiner in
16 compliance with such regulation;

17 (k) Medical variance means the Federal Motor Carrier Safety
18 Administration has provided a driver with either an exemption letter
19 permitting operation of a commercial motor vehicle pursuant to 49 C.F.R.
20 381, subpart C, or 49 C.F.R. 391.64 or a Skill Performance Evaluation
21 Certificate permitting operation of a commercial motor vehicle pursuant
22 to 49 C.F.R. 391.49;

23 (l) Nondomiciled CLP-commercial learner's permit or nondomiciled
24 commercial driver's license means a CLP-commercial learner's permit or
25 commercial driver's license, respectively, issued by this state or other
26 jurisdiction under either of the following two conditions:

27 (i) To an individual domiciled in a foreign country meeting the
28 requirements of 49 C.F.R. 383.23(b)(1); or

29 (ii) To an individual domiciled in another state meeting the
30 requirements of 49 C.F.R. 383.23(b)(2);

31 (m) Representative vehicle means a motor vehicle which represents

1 the type of motor vehicle that a driver applicant operates or expects to
2 operate;

3 (n) State means a state of the United States and the District of
4 Columbia;

5 (o) State of domicile means that state where a person has his or her
6 true, fixed, and permanent home and principal residence and to which he
7 or she has the intention of returning whenever he or she is absent;

8 (p) Tank vehicle means any commercial motor vehicle that is designed
9 to transport any liquid or gaseous materials within a tank or tanks that
10 have an individual rated capacity of more than one hundred nineteen
11 gallons and an aggregate rated capacity of one thousand gallons or more
12 and that are either permanently or temporarily attached to the vehicle or
13 the chassis. A commercial motor vehicle transporting an empty storage
14 container tank, not designed for transportation, with a rated capacity of
15 one thousand gallons or more that is temporarily attached to a flatbed
16 trailer is not considered a tank vehicle;

17 (q) Third-party skills test examiner means a person employed by a
18 third-party tester who is authorized by this state to administer the
19 commercial driver's license skills tests specified in 49 C.F.R. part 383,
20 subparts G and H;

21 (r) Third-party tester means a person, including, but not limited
22 to, another state, a motor carrier, a private driver training facility or
23 other private institution, or a department, agency, or instrumentality of
24 a local government, authorized by this state to employ skills test
25 examiners to administer the commercial driver's license skills tests
26 specified in 49 C.F.R. part 383, subparts G and H;

27 (s) United States means the fifty states and the District of
28 Columbia; and

29 (t) Vehicle group means a class or type of vehicle with certain
30 operating characteristics.

31 Sec. 31. Section 60-4,131.01, Reissue Revised Statutes of Nebraska,

1 is amended to read:

2 60-4,131.01 Sections 60-462.01 and 60-4,132 to 60-4,172 and section
3 39 of this act shall not apply to individuals who operate commercial
4 motor vehicles for military purposes, including and limited to:

5 (1) Active duty military personnel;

6 (2) Members of the military reserves, other than military
7 technicians;

8 (3) Active duty United States Coast Guard personnel; and

9 (4) Members of the National Guard on active duty, including:

10 (a) Personnel on full-time National Guard duty;

11 (b) Personnel on part-time National Guard training; and

12 (c) National Guard military technicians required to wear military
13 uniforms.

14 Such individuals must have a valid military driver's license unless
15 such individual is operating the vehicle under written orders from a
16 commanding officer in an emergency declared by the federal government or
17 by the State of Nebraska.

18 Sec. 32. Section 60-4,132, Revised Statutes Supplement, 2023, is
19 amended to read:

20 60-4,132 The purposes of sections 60-462.01, 60-4,133, and 60-4,137
21 to 60-4,172 and section 39 of this act are to implement the requirements
22 mandated by the federal Commercial Motor Vehicle Safety Act of 1986, 49
23 U.S.C. 31100 et seq., the federal Motor Carrier Safety Improvement Act of
24 1999, Public Law 106-159, 49 U.S.C. 101 et seq., section 1012 of the
25 federal Uniting and Strengthening America by Providing Appropriate Tools
26 Required to Intercept and Obstruct Terrorism Act of 2001, USA PATRIOT
27 Act, 49 U.S.C. 5103a, and federal regulations as such acts and
28 regulations existed on January 1, 2024 ~~2023~~, and to reduce or prevent
29 commercial motor vehicle accidents, fatalities, and injuries by: (1)
30 Permitting drivers to hold only one operator's license; (2) disqualifying
31 drivers for specified offenses and serious traffic violations; and (3)

1 strengthening licensing and testing standards.

2 Sec. 33. Section 60-4,134, Revised Statutes Supplement, 2023, is
3 amended to read:

4 60-4,134 In conformance with section 7208 of the federal Fixing
5 America's Surface Transportation Act and 49 C.F.R. 383.3(i), as such
6 section and regulation existed on January 1, 2024 ~~2023~~, no hazardous
7 materials endorsement authorizing the holder of a Class A commercial
8 driver's license to operate a commercial motor vehicle transporting
9 diesel fuel shall be required if such driver is (1) operating within the
10 state and acting within the scope of his or her employment as an employee
11 of a custom harvester operation, an agrichemical business, a farm retail
12 outlet and supplier, or a livestock feeder and (2) operating a service
13 vehicle that is (a) transporting diesel in a quantity of one thousand
14 gallons or less and (b) clearly marked with a flammable or combustible
15 placard, as appropriate.

16 Sec. 34. Section 60-4,139, Reissue Revised Statutes of Nebraska, is
17 amended to read:

18 60-4,139 Any nonresident may operate a commercial motor vehicle upon
19 the highways of this state if:

20 (1) Such ~~such~~ nonresident has in his or her immediate possession a
21 valid commercial driver's license or a valid commercial learner's permit
22 issued by his or her state of residence or by a jurisdiction with
23 standards that are in accord with 49 C.F.R. parts 383 and 391; ~~τ~~

24 (2) The ~~the~~ license or permit is not suspended, revoked, or
25 canceled; ~~τ~~

26 (3) Such ~~such~~ nonresident is not disqualified from operating a
27 commercial motor vehicle; ~~τ~~ ~~and~~

28 (4) The ~~the~~ commercial motor vehicle is not operated in violation of
29 any downgrade; and ~~τ~~

30 (5) Such nonresident does not have a status of prohibited in the
31 federal Drug and Alcohol Clearinghouse.

1 Sec. 35. Section 60-4,142, Revised Statutes Supplement, 2023, is
2 amended to read:

3 60-4,142 Any resident or nondomiciled applicant may obtain a CLP-
4 commercial learner's permit from the department by making application to
5 licensing staff of the department. An applicant shall present proof to
6 licensing staff that he or she holds a valid Class 0 license or
7 commercial driver's license or a foreign nondomiciled applicant shall
8 successfully complete the requirements for the Class 0 license before a
9 CLP-commercial learner's permit is issued. An applicant shall also
10 successfully complete the commercial driver's license general knowledge
11 examination under section 60-4,155 and examinations for all previously
12 issued endorsements as provided in 49 C.F.R. 383.25(a)(3) and 49 C.F.R.
13 383.153(b)(2)(vii). Upon application, the examination may be waived if
14 the applicant presents (1) a Nebraska commercial driver's license which
15 is valid or has been expired for less than one year or (2) a valid
16 commercial driver's license from another state. The CLP-commercial
17 learner's permit shall be valid for one year from the date of issuance.
18 The successful applicant shall pay the fee prescribed in section 60-4,115
19 for the issuance ~~or renewal~~ of a CLP-commercial learner's permit.

20 Sec. 36. Section 60-4,143, Reissue Revised Statutes of Nebraska, is
21 amended to read:

22 60-4,143 (1) No commercial driver's license or CLP-commercial
23 learner's permit shall, under any circumstances, be issued to any person
24 who has not attained the age of eighteen years.

25 (2) A commercial driver's license or CLP-commercial learner's permit
26 shall not be issued to any person:

27 (a) During ~~during~~ the period the person is subject to a
28 disqualification in this or any other state; ~~or~~

29 (b) While ~~while~~ the person's operator's license is suspended,
30 revoked, or canceled in this or any other state; ~~or~~

31 (c) When ~~when~~ the Commercial Driver License Information System

1 indicates "not-certified"; or -

2 (d) When a federal Drug and Alcohol Clearinghouse query indicates
3 "prohibited".

4 (3) The department shall not issue any commercial driver's license
5 to any person unless the person applying for a commercial driver's
6 license first surrenders to the department all operators' licenses issued
7 to such person by this or any other state. Any operator's license issued
8 by another state which is surrendered to the department shall be
9 destroyed, and the director shall send notice to the other state that the
10 operator's license has been surrendered.

11 Sec. 37. Section 60-4,144, Revised Statutes Supplement, 2023, is
12 amended to read:

13 60-4,144 (1) An applicant for issuance of any original or renewal
14 commercial driver's license or an applicant for a change of class of
15 commercial motor vehicle, endorsement, or restriction shall demonstrate
16 his or her knowledge and skills for operating a commercial motor vehicle
17 as prescribed in the Motor Vehicle Operator's License Act. An applicant
18 for a commercial driver's license shall provide the information and
19 documentation required by this section and section 60-4,144.01. Such
20 information and documentation shall include any additional information
21 required by 49 C.F.R. parts 383 and 391 and also include:

22 (a) Certification that the commercial motor vehicle in which the
23 applicant takes any driving skills examination is representative of the
24 class of commercial motor vehicle that the applicant operates or expects
25 to operate; and

26 (b) The names of all states where the applicant has been licensed to
27 operate any type of motor vehicle in the ten years prior to the date of
28 application.

29 (2)(a) Before being issued a CLP-commercial learner's permit or
30 commercial driver's license, the applicant shall provide (i) his or her
31 full legal name, date of birth, mailing address, gender, race or

1 ethnicity, and social security number, (ii) two forms of proof of address
2 of his or her principal residence unless the applicant is a program
3 participant under the Address Confidentiality Act, except that a
4 nondomiciled applicant for a CLP-commercial learner's permit or
5 nondomiciled commercial driver's license holder does not have to provide
6 proof of residence in Nebraska, (iii) evidence of identity as required by
7 this section, and (iv) a brief physical description of himself or
8 herself.

9 (b) The applicant's social security number shall not be printed on
10 the CLP-commercial learner's permit or commercial driver's license and
11 shall be used only (i) to furnish information to the United States
12 Selective Service System under section 60-483, (ii) with the permission
13 of the director in connection with the certification of the status of an
14 individual's driving record in this state or any other state, (iii) for
15 purposes of child support enforcement pursuant to section 42-358.08 or
16 43-512.06, (iv) to furnish information regarding an applicant for or
17 holder of a commercial driver's license with a hazardous materials
18 endorsement to the Transportation Security Administration of the United
19 States Department of Homeland Security or its agent, (v) to furnish
20 information to the Department of Revenue under section 77-362.02, ~~or~~ (vi)
21 to furnish information to the Secretary of State for purposes of the
22 Election Act, or (vii) to query the federal Drug and Alcohol
23 Clearinghouse.

24 (c) No person shall be a holder of a CLP-commercial learner's permit
25 or commercial driver's license and a state identification card at the
26 same time.

27 (3) Before being issued a CLP-commercial learner's permit or
28 commercial driver's license, an applicant, except a nondomiciled
29 applicant, shall provide proof that this state is his or her state of
30 residence. Acceptable proof of residence is a document with the person's
31 name and residential address within this state.

1 (4)(a) Before being issued a CLP-commercial learner's permit or
2 commercial driver's license, an applicant shall provide proof of
3 identity.

4 (b) The following are acceptable as proof of identity:

5 (i) A valid, unexpired United States passport;

6 (ii) A certified copy of a birth certificate filed with a state
7 office of vital statistics or equivalent agency in the individual's state
8 of birth;

9 (iii) A Consular Report of Birth Abroad issued by the United States
10 Department of State;

11 (iv) A valid, unexpired permanent resident card issued by the United
12 States Department of Homeland Security or United States Citizenship and
13 Immigration Services;

14 (v) An unexpired employment authorization document issued by the
15 United States Department of Homeland Security;

16 (vi) An unexpired foreign passport with a valid, unexpired United
17 States visa affixed accompanied by the approved form documenting the
18 applicant's most recent admittance into the United States;

19 (vii) A Certificate of Naturalization issued by the United States
20 Department of Homeland Security;

21 (viii) A Certificate of Citizenship issued by the United States
22 Department of Homeland Security;

23 (ix) A driver's license or identification card issued in compliance
24 with the standards established by the federal REAL ID Act of 2005, Public
25 Law 109-13, division B, section 1, 119 Stat. 302; or

26 (x) Such other documents as the director may approve.

27 (c) If an applicant presents one of the documents listed under
28 subdivision (b)(i), (ii), (iii), (iv), (vii), or (viii) of this
29 subsection, the verification of the applicant's identity will also
30 provide satisfactory evidence of lawful status.

31 (d) If the applicant presents one of the identity documents listed

1 under subdivision (b)(v), (vi), or (ix) of this subsection, the
2 verification of the identity documents does not provide satisfactory
3 evidence of lawful status. The applicant shall ~~must~~ also present a second
4 document from subdivision (4)(b) of this section, a document from
5 subsection (5) of this section, or documentation issued by the United
6 States Department of Homeland Security or other federal agencies
7 demonstrating lawful status as determined by the United States
8 Citizenship and Immigration Services.

9 (e) An applicant may present other documents as designated by the
10 director as proof of identity. Any documents accepted shall be recorded
11 according to a written exceptions process established by the director.

12 (f)(i) ~~Any~~ ~~On a date determined by the director but not later than~~
13 ~~November 1, 2023,~~ any person assigned a parolee immigration status by the
14 United States Department of Homeland Security may apply for and be issued
15 a CLP-commercial learner's permit or commercial driver's license that is
16 not in compliance with the federal REAL ID Act of 2005, Public Law
17 109-13, if the person:

18 (A) Possessed an unexpired foreign passport issued to such person at
19 the time of such person's entry into the United States of America; and

20 (B) Fulfills the requirements of subdivision (2)(a) of this section
21 and such requirements are verified pursuant to section 60-484.06.

22 (ii) Any CLP-commercial learner's permit or commercial driver's
23 license issued under this subsection is otherwise subject to all laws
24 relating to CLP-commercial learner's permits or commercial driver's
25 licenses.

26 (5)(a) Whenever a person, as a nondomiciled individual to this
27 state, is renewing, replacing, upgrading, transferring, or applying ~~as a~~
28 ~~nondomiciled individual to this state~~ for a ~~CLP-commercial learner's~~
29 ~~permit~~ ~~or~~ commercial driver's license, or replacing, upgrading,
30 transferring, or applying for a CLP-commercial learner's permit, the
31 Department of Motor Vehicles shall verify the citizenship in the United

1 States of the person or the lawful status in the United States of the
2 person.

3 (b) The following are acceptable as proof of citizenship or lawful
4 status:

5 (i) A valid, unexpired United States passport;

6 (ii) A certified copy of a birth certificate filed with a state
7 office of vital statistics or equivalent agency in the individual's state
8 of birth, Puerto Rico, the Virgin Islands, Guam, American Samoa, or the
9 Commonwealth of the Northern Mariana Islands;

10 (iii) A Consular Report of Birth Abroad issued by the United States
11 Department of State;

12 (iv) A Certificate of Naturalization issued by the United States
13 Department of Homeland Security;

14 (v) A Certificate of Citizenship issued by the United States
15 Department of Homeland Security; or

16 (vi) A valid, unexpired Permanent Resident Card issued by the United
17 States Department of Homeland Security or United States Citizenship and
18 Immigration Services.

19 (6) An applicant may present other documents as designated by the
20 director as proof of lawful status. Any documents accepted shall be
21 recorded according to a written exceptions process established by the
22 director.

23 (7)(a) An applicant shall obtain a nondomiciled CLP-commercial
24 driver's license or nondomiciled CLP-commercial learner's permit:

25 (i) If the applicant is domiciled in a foreign jurisdiction and the
26 Federal Motor Carrier Safety Administrator has not determined that the
27 commercial motor vehicle operator testing and licensing standards of that
28 jurisdiction meet the standards contained in subparts G and H of 49
29 C.F.R. part 383; or

30 (ii) If the applicant is domiciled in a state that is prohibited
31 from issuing commercial learners' permits and commercial drivers'

1 licenses in accordance with 49 C.F.R. 384.405. Such person is eligible to
2 obtain a nondomiciled CLP-commercial learner's permit or nondomiciled
3 commercial driver's license from Nebraska that complies with the testing
4 and licensing standards contained in subparts F, G, and H of 49 C.F.R.
5 part 383.

6 (b) An applicant for a nondomiciled CLP-commercial learner's permit
7 and nondomiciled commercial driver's license shall ~~must~~ do the following:

8 (i) Complete the requirements to obtain a CLP-commercial learner's
9 permit or a commercial driver's license under the Motor Vehicle
10 Operator's License Act, except that an applicant domiciled in a foreign
11 jurisdiction shall ~~must~~ provide an unexpired employment authorization
12 document issued by the United States Citizenship and Immigration Services
13 or an unexpired foreign passport accompanied by an approved I-94 form
14 documenting the applicant's most recent admittance into the United
15 States. No proof of domicile is required;

16 (ii) After receipt of the nondomiciled CLP-commercial learner's
17 permit or nondomiciled commercial driver's license and, for as long as
18 the permit or license is valid, notify the Department of Motor Vehicles
19 of any adverse action taken by any jurisdiction or governmental agency,
20 foreign or domestic, against his or her driving privileges. Such adverse
21 actions include, but are not limited to, license disqualification or
22 disqualification from operating a commercial motor vehicle for the
23 convictions described in 49 C.F.R. 383.51. Notifications shall ~~must~~ be
24 made within the time periods specified in 49 C.F.R. 383.33; and

25 (iii) Provide a mailing address to the Department of Motor Vehicles.
26 If the applicant is applying for a foreign nondomiciled CLP-commercial
27 learner's permit or foreign nondomiciled commercial driver's license, he
28 or she shall ~~must~~ provide a Nebraska mailing address and his or her
29 employer's mailing address to the Department of Motor Vehicles.

30 (c) An applicant for a nondomiciled CLP-commercial learner's permit
31 or nondomiciled commercial driver's license who holds a foreign

1 operator's license is not required to surrender his or her foreign
2 operator's license.

3 (8) Any person applying for a CLP-commercial learner's permit or
4 commercial driver's license may answer the following:

5 (a) Do you wish to register to vote as part of this application
6 process?

7 (b) Do you wish to have a veteran designation displayed on the front
8 of your operator's license to show that you served in the armed forces of
9 the United States? (To be eligible you shall ~~must~~ register with the
10 Nebraska Department of Veterans' Affairs registry.)

11 (c) Do you wish to include your name in the Donor Registry of
12 Nebraska and donate your organs and tissues at the time of your death?

13 (d) Do you wish to receive any additional specific information
14 regarding organ and tissue donation and the Donor Registry of Nebraska?

15 (e) Do you wish to donate \$1 to promote the Organ and Tissue Donor
16 Awareness and Education Fund?

17 (9) Application for a CLP-commercial learner's permit or commercial
18 driver's license shall include a signed oath, affirmation, or declaration
19 of the applicant that the information provided on the application for the
20 permit or license is true and correct.

21 (10) Any person applying for a CLP-commercial learner's permit or
22 commercial driver's license shall ~~must~~ make one of the certifications in
23 section 60-4,144.01 and any certification required under section 60-4,146
24 and shall ~~must~~ provide such certifications to the Department of Motor
25 Vehicles in order to be issued a CLP-commercial learner's permit or a
26 commercial driver's license.

27 (11) Every person who holds any commercial driver's license shall
28 ~~must~~ provide to the department medical certification as required by
29 section 60-4,144.01. The department may provide notice and prescribe
30 medical certification compliance requirements for all holders of
31 commercial drivers' licenses. Holders of commercial drivers' licenses who

1 fail to meet the prescribed medical certification compliance requirements
2 may be subject to downgrade.

3 Sec. 38. Section 60-4,144.03, Reissue Revised Statutes of Nebraska,
4 is amended to read:

5 60-4,144.03 (1) The department shall issue a CLP-commercial
6 learner's permit or a commercial driver's license that is temporary only
7 to any applicant who presents documentation under section 60-4,144 that
8 shows his or her authorized stay in the United States is temporary. A
9 CLP-commercial learner's permit or a commercial driver's license that is
10 temporary shall be valid only during the period of time of the
11 applicant's authorized stay in the United States or, if there is no
12 definite end to the period of authorized stay, a period of one year.

13 (2) A CLP-commercial learner's permit or a commercial driver's
14 license that is temporary shall clearly indicate that it is temporary
15 with a special notation that states the date on which it expires.

16 (3) A ~~CLP-commercial learner's permit or a~~ commercial driver's
17 license that is temporary may be renewed only upon presentation of valid
18 documentary evidence that the status, by which the applicant qualified
19 for the ~~CLP-commercial learner's permit or~~ commercial driver's license
20 that is temporary, has been extended by the United States Department of
21 Homeland Security.

22 Sec. 39. (1) Beginning November 18, 2024, in compliance with 49
23 C.F.R. part 382, within sixty calendar days of receiving notification
24 from the Federal Motor Carrier Safety Administration that a driver is
25 prohibited from operating a commercial motor vehicle due to a drug or
26 alcohol violation, the department shall:

27 (a) Update the Commercial Driver License Information System driver
28 record to include the information provided in the notification;

29 (b) Notify the holder of the commercial driver's license or CLP-
30 commercial learner's permit of such holder's prohibited status and that
31 the commercial driver's license privilege or CLP-commercial learner's

1 permit privilege will be removed from such license or permit; and

2 (c) Downgrade such license and cancel the permit for holders of a
3 CLP-commercial learner's permit pursuant to established procedures of the
4 department and, if applicable, update the driver's record maintained by
5 the department.

6 (2) Beginning November 18, 2024, in compliance with 49 C.F.R. part
7 382, within ten calendar days of receiving notification from the Federal
8 Motor Carrier Safety Administration that a driver was erroneously
9 identified as prohibited on the federal Drug and Alcohol Clearinghouse,
10 the department shall:

11 (a) Restore the commercial driving privilege as it existed before
12 the erroneous notification;

13 (b) Notify the holder of the commercial driver's license or CLP-
14 commercial learner's permit of:

15 (i) Such holder's updated status; and

16 (ii) Procedures the driver shall follow to reinstate such driver's
17 license or permit; and

18 (c) Expunge the Commercial Driver License Information System driver
19 record or motor vehicle record of any reference to the erroneous
20 prohibited status.

21 Sec. 40. Section 60-4,146.01, Reissue Revised Statutes of Nebraska,
22 is amended to read:

23 60-4,146.01 (1) Any resident of this state who is a ~~seasonal~~
24 commercial motor vehicle operator for a farm-related or ranch-related
25 service industry may apply for a restricted commercial driver's license.
26 If the applicant is an individual, the application or examiner's
27 certificate shall include the applicant's social security number. A
28 restricted commercial driver's license shall authorize the holder to
29 operate any Class B Heavy Straight Vehicle commercial motor vehicle or
30 any Class B Heavy Straight Vehicle or Class C Small Vehicle commercial
31 motor vehicle required to be placarded pursuant to section 75-364 when

1 the hazardous material being transported is (a) diesel fuel in quantities
2 of one thousand gallons or less, (b) liquid fertilizers in vehicles or
3 implements of husbandry with total capacities of three thousand gallons
4 or less, or (c) solid fertilizers that are not transported or mixed with
5 any organic substance within one hundred fifty miles of the employer's
6 place of business or the farm or ranch being served.

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

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

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

16 (ii) Has not been subject to any order of suspension, revocation, or
17 cancellation of any type;

18 (iii) Has no convictions involving any type or classification of
19 motor vehicle of the disqualification offenses enumerated in sections
20 60-4,168 and 60-4,168.01; and

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

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

28 ~~(3)(a) Until January 1, 2022, the commercial motor vehicle operating~~
29 ~~privilege as conferred by the restricted commercial driver's license~~
30 ~~shall be valid for five years if annually revalidated by the seasonal~~
31 ~~permit which shall be valid for no more than one hundred eighty~~

1 ~~consecutive days in any twelve-month period. To revalidate the restricted~~
2 ~~commercial driver's license, the applicant shall meet the requirements of~~
3 ~~subsection (2) of this section and shall designate a time period he or~~
4 ~~she desires the commercial motor vehicle operating privilege to be valid.~~
5 ~~The time period designated by the applicant shall appear and be clearly~~
6 ~~indicated on the seasonal permit. A seasonal permit shall not be issued~~
7 ~~to any person more than once in any twelve-month period. The holder of a~~
8 ~~restricted commercial driver's license shall operate commercial motor~~
9 ~~vehicles in the course or scope of his or her employment within one~~
10 ~~hundred fifty miles of the employer's place of business or the farm or~~
11 ~~ranch currently being served.~~

12 (3)(a) ~~(b)~~ Beginning January 1, 2022, the restricted commercial
13 driver's license shall be valid for five years and shall clearly indicate
14 the commercial motor vehicle operating privilege for the seasonal period
15 of validity on the back of the restricted commercial driver's license.
16 The seasonal period of validity shall be valid for no more than one
17 hundred eighty consecutive days in any twelve-month period. The applicant
18 shall designate the seasonal period of validity when making application
19 for the restricted commercial driver's license. The holder of the
20 restricted commercial driver's license may change the seasonal period of
21 validity by renewing or obtaining a replacement of the restricted
22 commercial driver's license. 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 The department shall annually revalidate the restricted commercial
27 driver's license to confirm that the holder of the restricted commercial
28 driver's license meets the requirements of subsection (2) of this
29 section. If the holder of the restricted commercial driver's license does
30 not meet the requirements of subsection (2) of this section upon
31 revalidation, the department shall provide notice to the holder that the

1 restricted commercial driver's license is canceled and the holder shall
2 ~~must~~ apply for a Class 0 operator's license within thirty calendar days
3 after the date notice was sent.

4 (b) Beginning January 1, 2025, the restricted commercial driver's
5 license shall be valid for five years and shall clearly indicate the
6 commercial motor vehicle operating privilege for the seasonal period of
7 validity on the back of the restricted commercial driver's license. The
8 seasonal period of validity shall be valid for no more than two hundred
9 ten days in any calendar year. The applicant shall designate the seasonal
10 period of validity when making application for the restricted commercial
11 driver's license. The holder of the restricted commercial driver's
12 license may change the seasonal period of validity by renewing or
13 obtaining a replacement of the restricted commercial driver's license.
14 The holder of a restricted commercial driver's license shall operate
15 commercial motor vehicles in the course or scope of his or her employment
16 within one hundred fifty miles of the employer's place of business or the
17 farm or ranch currently being served. The department shall annually
18 revalidate the restricted commercial driver's license to confirm that the
19 holder of the restricted commercial driver's license meets the
20 requirements of subsection (2) of this section. If the holder of the
21 restricted commercial driver's license does not meet the requirements of
22 subsection (2) of this section upon revalidation, the department shall
23 provide notice to the holder that the restricted commercial driver's
24 license is canceled and the holder must apply for a Class 0 operator's
25 license within thirty calendar days after the date notice was sent.

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 adopt and promulgate rules
2 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; and

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. 41. Section 60-4,147.02, Revised Statutes Supplement, 2023, is
19 amended to read:

20 60-4,147.02 No endorsement authorizing the driver to operate a
21 commercial motor vehicle transporting hazardous materials shall be
22 issued, renewed, or transferred by the Department of Motor Vehicles
23 unless the endorsement is issued, renewed, or transferred in conformance
24 with the requirements of section 1012 of the federal Uniting and
25 Strengthening America by Providing Appropriate Tools Required to
26 Intercept and Obstruct Terrorism Act of 2001, USA PATRIOT Act, 49 U.S.C.
27 5103a, including all amendments and federal regulations adopted pursuant
28 thereto as of January 1, 2024 ~~2023~~, for the issuance of licenses to
29 operate commercial motor vehicles transporting hazardous materials.

30 Sec. 42. Section 60-4,148, Reissue Revised Statutes of Nebraska, is
31 amended to read:

1 60-4,148 (1) All commercial drivers' licenses shall be issued by the
2 department as provided in sections 60-4,148.01 and 60-4,149. Successful
3 applicants shall pay the fee and surcharge prescribed in section
4 60-4,115.

5 (2) Any person making application to add or remove a class of
6 commercial motor vehicle, any endorsement, or any restriction to or from
7 a previously issued and outstanding commercial driver's license shall pay
8 the fee and surcharge prescribed in section 60-4,115. ~~The fee for an~~
9 ~~original or renewal seasonal permit to revalidate the restricted~~
10 ~~commercial motor vehicle operating privilege to a previously issued and~~
11 ~~outstanding restricted commercial driver's license shall be the fee and~~
12 ~~surcharge prescribed in section 60-4,115.~~

13 Sec. 43. Section 60-4,148.01, Reissue Revised Statutes of Nebraska,
14 is amended to read:

15 60-4,148.01 (1) The department may develop and offer methods for
16 successful applicants to obtain, renew, and replace commercial drivers'
17 licenses electronically and for the electronic ~~renewal and replacement~~ of
18 ~~commercial drivers' licenses and CLP-commercial learners' permits.~~

19 (2)(a) An applicant who has successfully passed the knowledge and
20 skills tests for a commercial driver's license pursuant to section
21 60-4,149 and who has a digital image and digital signature preserved in
22 the digital system that is not more than ten years old may obtain a
23 commercial driver's license using the preserved digital image and digital
24 signature by electronic means in a manner prescribed by the department
25 pursuant to this subsection.

26 (b) To be eligible to obtain a license pursuant to this subsection:

27 (i) There shall ~~must~~ have been no changes to the applicant's name
28 since his or her most recent application for a CLP-commercial learner's
29 permit;

30 (ii) The new license shall ~~must~~ not contain a hazardous materials
31 endorsement;

1 (iii) The applicant shall ~~must~~ meet the requirements of section
2 60-4,144 and submit the information and documentation and make the
3 certifications required under section 60-4,144; and

4 (iv) The applicant shall ~~must~~ satisfy any other eligibility criteria
5 that the department may prescribe pursuant to subsection (6) of this
6 section.

7 (c) The successful applicant shall pay the fee and surcharge
8 prescribed in section 60-4,115. Upon receipt of such fee and surcharge
9 and an application it deems satisfactory, the department shall deliver
10 the license by mail.

11 (3)(a) An applicant whose commercial driver's license ~~or CLP~~
12 ~~commercial learner's permit~~ expires prior to his or her seventy-second
13 birthday and who has a digital image and digital signature preserved in
14 the digital system may, once every ten years, renew such license ~~or~~
15 ~~permit~~ using the preserved digital image and digital signature by
16 electronic means in a manner prescribed by the department pursuant to
17 this subsection.

18 (b) To be eligible for renewal under this subsection:

19 (i) The renewal shall ~~must~~ be prior to or within one year after
20 expiration of such license ~~or permit~~;

21 (ii) The driving record abstract maintained in the department's
22 computerized records shall ~~must~~ show that such license ~~or permit~~ is not
23 suspended, revoked, canceled, or disqualified;

24 (iii) There shall ~~must~~ be no changes to the applicant's name or to
25 the class, endorsements, or restrictions on such license ~~or permit~~;

26 (iv) The applicant shall ~~must~~ not hold a hazardous materials
27 endorsement or shall ~~must~~ relinquish such endorsement;

28 (v) The applicant shall ~~must~~ meet the requirements of section
29 60-4,144 and submit the information and documentation and make the
30 certifications required under section 60-4,144; and

31 (vi) The applicant shall ~~must~~ satisfy any other eligibility criteria

1 that the department may prescribe pursuant to subsection (6) of this
2 section.

3 (c) Every applicant seeking renewal of his or her commercial
4 driver's license shall ~~or CLP-commercial learner's permit~~ must apply for
5 renewal in person at least once every ten years and have a new digital
6 image and digital signature captured.

7 (d) An applicant seeking renewal under this subsection (3) shall pay
8 the fee and surcharge prescribed in section 60-4,115. Upon receipt of
9 such fee and surcharge and an application it deems satisfactory, the
10 department shall deliver the renewal license or permit by mail.

11 (4)(a) Any person holding a commercial driver's license or CLP-
12 commercial learner's permit who has a digital image and digital signature
13 not more than ten years old preserved in the digital system and who loses
14 his or her license or permit, who requires issuance of a replacement
15 license or permit because of a change of address, or whose license or
16 permit is mutilated or unreadable may obtain a replacement commercial
17 driver's license or CLP-commercial learner's permit using the preserved
18 digital image and digital signature by electronic means in a manner
19 prescribed by the department pursuant to this subsection.

20 (b) To be eligible to obtain a replacement license or permit
21 pursuant to this subsection:

22 (i) There shall ~~must~~ be no changes to the applicant's name and no
23 changes to the class, endorsements, or restrictions on such license or
24 permit;

25 (ii) The applicant shall ~~must~~ meet the requirements of section
26 60-4,144 and submit the information and documentation and make the
27 certifications required under section 60-4,144; and

28 (iii) The applicant shall ~~must~~ satisfy any other eligibility
29 criteria that the department may prescribe pursuant to subsection (6) of
30 this section.

31 (c) An application for a replacement license or permit because of a

1 change of address shall be made within sixty days after the change of
2 address.

3 (d) An applicant seeking replacement under this subsection (4) shall
4 pay the fee and surcharge prescribed in section 60-4,115. Upon receipt of
5 such fee and surcharge and an application it deems satisfactory, the
6 department shall deliver the replacement license or permit by mail. The
7 replacement license or permit shall be subject to the provisions of
8 subsection (4) of section 60-4,150.

9 (5) An application to obtain, renew, or replace a commercial
10 driver's license or to ~~renew or replace a commercial driver's license or~~
11 CLP-commercial learner's permit because of a change of name may not be
12 made electronically pursuant to this section and shall be made in person
13 at a licensing station within sixty days after the change of name.

14 (6) The department may adopt and promulgate rules and regulations
15 governing eligibility for the use of electronic methods for successful
16 applicants to obtain, renew, or replace commercial drivers' licenses and
17 for the ~~renewal and replacement of commercial drivers' licenses and~~ CLP-
18 commercial learners' permits, taking into consideration medical and
19 vision requirements, safety concerns, and any other factors consistent
20 with the purposes of the Motor Vehicle Operator's License Act that the
21 director deems relevant.

22 Sec. 44. Section 60-4,149, Reissue Revised Statutes of Nebraska, is
23 amended to read:

24 60-4,149 (1) The director shall appoint as his or her agents one or
25 more department personnel who shall examine all applicants for a
26 commercial driver's license or a CLP-commercial learner's permit as
27 provided in section 60-4,144. The same department personnel may be
28 assigned to one or more counties by the director. In counties in which
29 the county treasurer collects the fees and issues receipts, the county
30 shall furnish office space for the administration of the license or
31 permit examination. Department personnel shall conduct the examination of

1 applicants and deliver to each successful applicant an issuance
2 certificate or receipt. The certificate may be presented to the county
3 treasurer within ninety days after issuance, and the county treasurer
4 shall collect the fee and surcharge as provided in section 60-4,115 and
5 issue a receipt which is valid for up to thirty days. If a commercial
6 driver's license or CLP-commercial learner's permit is being issued, the
7 receipt shall also authorize driving privileges for such thirty-day
8 period. If department personnel refuse to issue an issuance certificate
9 or receipt, the department personnel shall state such cause in writing
10 and deliver such written cause to the applicant.

11 (2)(a) The segments of the driving skills examination shall be
12 administered and successfully completed in the following order: Pre-trip
13 inspection, basic vehicle control skills, and on-road skills. If an
14 applicant fails one segment of the driving skills examination, ~~the~~ ~~÷~~ ~~(i)~~
15 ~~The applicant cannot continue to the next segment of the examination. ÷~~
16 ~~and~~

17 ~~(ii) Scores for the passed segments of the examination are only~~
18 ~~valid during initial issuance of a CLP-commercial learner's permit. If a~~
19 ~~CLP-commercial learner's permit is renewed, all three segments of the~~
20 ~~skills examination must be retaken.~~

21 (b) Passing scores for the knowledge and skills tests shall ~~must~~
22 meet the standards contained in 49 C.F.R. 383.135.

23 (3) Except as provided for in sections 60-4,157 and 60-4,158, all
24 commercial driver's license examinations shall be conducted by department
25 personnel designated by the director. Each successful applicant shall be
26 issued a certificate or receipt entitling the applicant to secure a
27 commercial driver's license. If department personnel refuse to issue such
28 certificate or receipt, he or she shall state such cause in writing and
29 deliver the same to the applicant. Department personnel shall not be
30 required to hold a commercial driver's license to administer a driving
31 skills examination and occupy the seat beside an applicant for a

1 commercial driver's license.

2 (4) The successful applicant shall, within ten days after renewal or
3 within twenty-four hours after initial issuance, pay the fee and
4 surcharge as provided in section 60-4,115. A receipt with driving
5 privileges which is valid for up to thirty days shall be issued. The
6 commercial driver's license shall be delivered to the applicant as
7 provided in section 60-4,113.

8 (5) In lieu of proceeding under subsection (4) of this section, the
9 successful applicant may pay the fee and surcharge as provided in section
10 60-4,115 and electronically submit an application prescribed by the
11 department in a manner prescribed by the department pursuant to section
12 60-4,148.01.

13 Sec. 45. Section 60-4,150, Reissue Revised Statutes of Nebraska, is
14 amended to read:

15 60-4,150 (1) Any person holding a commercial driver's license or
16 CLP-commercial learner's permit who loses his or her license or permit,
17 who requires issuance of a replacement license or permit because of a
18 change of name or address, or whose license or permit is mutilated or
19 unreadable may obtain a replacement commercial driver's license or CLP-
20 commercial learner's permit by filing an application pursuant to this
21 section and by furnishing proof of identification in accordance with
22 section 60-4,144. Any person seeking a replacement license or permit for
23 such reasons, except because of a change of name, may also obtain a
24 replacement license or permit by submitting an electronic application
25 pursuant to section 60-4,148.01.

26 (2) An application for a replacement license or permit because of a
27 change of name or address shall be made within sixty days after the
28 change of name or address.

29 (3) A replacement commercial driver's license or CLP-commercial
30 learner's permit issued pursuant to this section shall be delivered to
31 the applicant as provided in section 60-4,113 after department personnel

1 or the county treasurer collects the fee and surcharge prescribed in
2 section 60-4,115 and issues the applicant a receipt with driving
3 privileges which is valid for up to thirty days. Replacement commercial
4 drivers' licenses or CLP-commercial learners' permits issued pursuant to
5 this section shall be issued in the manner provided for the issuance of
6 original and renewal commercial drivers' licenses or the issuance of
7 permits as provided for by section 60-4,149.

8 (4) Upon issuance of any replacement commercial driver's license or
9 permit, the commercial driver's license or CLP-commercial learner's
10 permit for which the replacement license or permit is issued shall be
11 void. Each replacement commercial driver's license or CLP-commercial
12 learner's permit shall be issued with the same expiration date as the
13 license or permit for which the replacement is issued. The replacement
14 license or permit shall also state the new issuance date.

15 Sec. 46. Section 60-4,151, Reissue Revised Statutes of Nebraska, is
16 amended to read:

17 60-4,151 (1)(a) The commercial driver's license shall be
18 conspicuously marked Nebraska Commercial Driver's License and shall be,
19 to the maximum extent practicable, tamper and forgery proof. The
20 commercial driver's license shall be marked Nondomiciled if the license
21 is a nondomiciled commercial driver's license.

22 (b) The form of the commercial driver's license shall also comply
23 with section 60-4,117.

24 (2) The RCDL-restricted commercial driver's license shall be
25 conspicuously marked Nebraska Restricted Commercial Driver's License and
26 shall be, to the maximum extent practicable, tamper and forgery proof.
27 The RCDL-restricted commercial driver's license shall contain such
28 additional information as deemed necessary by the director.

29 ~~(3) The SEP-seasonal permit shall contain such information as deemed~~
30 ~~necessary by the director but shall include the time period during which~~
31 ~~the commercial motor vehicle operating privilege is effective. The SEP-~~

1 ~~seasonal permit shall be valid only when held in conjunction with an~~
2 ~~RCDL restricted commercial driver's license.~~

3 (3) (4) The CLP-commercial learner's permit shall be conspicuously
4 marked Nebraska Commercial Learner's Permit and shall be, to the maximum
5 extent practicable, tamper and forgery proof. The permit shall also be
6 marked Nondomiciled if the permit is a nondomiciled CLP-commercial
7 learner's permit.

8 Sec. 47. Section 60-4,168, Revised Statutes Supplement, 2023, is
9 amended to read:

10 60-4,168 (1) Except as provided in subsections (2) and (3) of this
11 section, a person shall be disqualified from operating a commercial motor
12 vehicle for one year upon his or her first conviction, after April 1,
13 1992, in this or any other state for:

14 (a) Operating a commercial motor vehicle in violation of section
15 60-6,196 or 60-6,197 or under the influence of a controlled substance or,
16 beginning September 30, 2005, operating any motor vehicle in violation of
17 section 60-6,196 or 60-6,197 or under the influence of a controlled
18 substance;

19 (b) Operating a commercial motor vehicle in violation of section
20 60-4,163 or 60-4,164;

21 (c) Leaving the scene of an accident involving a commercial motor
22 vehicle operated by the person or, beginning September 30, 2005, leaving
23 the scene of an accident involving any motor vehicle operated by the
24 person;

25 (d) Using a commercial motor vehicle in the commission of a felony
26 other than a felony described in subdivision (3)(b) of this section or,
27 beginning September 30, 2005, using any motor vehicle in the commission
28 of a felony other than a felony described in subdivision (3)(b) of this
29 section;

30 (e) Beginning September 30, 2005, operating a commercial motor
31 vehicle after his or her commercial driver's license has been suspended,

1 revoked, or canceled or the driver is disqualified from operating a
2 commercial motor vehicle; or

3 (f) Beginning September 30, 2005, causing a fatality through the
4 negligent or criminal operation of a commercial motor vehicle.

5 (2) Except as provided in subsection (3) of this section, if any of
6 the offenses described in subsection (1) of this section occurred while a
7 person was transporting hazardous material in a commercial motor vehicle
8 which required placarding pursuant to section 75-364, the person shall,
9 upon conviction or administrative determination, be disqualified from
10 operating a commercial motor vehicle for three years.

11 (3) A person shall be disqualified from operating a commercial motor
12 vehicle for life if, after April 1, 1992, he or she:

13 (a) Is convicted of or administratively determined to have committed
14 a second or subsequent violation of any of the offenses described in
15 subsection (1) of this section or any combination of those offenses
16 arising from two or more separate incidents;

17 (b) Beginning September 30, 2005, used a motor vehicle in the
18 commission of a felony involving the manufacturing, distributing, or
19 dispensing of a controlled substance; or

20 (c) Used a commercial motor vehicle in the commission of a felony
21 involving an act or practice of severe forms of trafficking in persons,
22 as defined and described in 22 U.S.C. 7102(11), as such section existed
23 on January 1, 2024 ~~2023~~.

24 (4)(a) A person is disqualified from operating a commercial motor
25 vehicle for a period of not less than sixty days if he or she is
26 convicted in this or any other state of two serious traffic violations,
27 or not less than one hundred twenty days if he or she is convicted in
28 this or any other state of three serious traffic violations, arising from
29 separate incidents occurring within a three-year period while operating a
30 commercial motor vehicle.

31 (b) A person is disqualified from operating a commercial motor

1 vehicle for a period of not less than sixty days if he or she is
2 convicted in this or any other state of two serious traffic violations,
3 or not less than one hundred twenty days if he or she is convicted in
4 this or any other state of three serious traffic violations, arising from
5 separate incidents occurring within a three-year period while operating a
6 motor vehicle other than a commercial motor vehicle if the convictions
7 have resulted in the revocation, cancellation, or suspension of the
8 person's operator's license or driving privileges.

9 (5)(a) A person who is convicted of operating a commercial motor
10 vehicle in violation of a federal, state, or local law or regulation
11 pertaining to one of the following six offenses at a highway-rail grade
12 crossing shall be disqualified for the period of time specified in
13 subdivision (5)(b) of this section:

14 (i) For drivers who are not required to always stop, failing to slow
15 down and check that the tracks are clear of an approaching train;

16 (ii) For drivers who are not required to always stop, failing to
17 stop before reaching the crossing, if the tracks are not clear;

18 (iii) For drivers who are always required to stop, failing to stop
19 before driving onto the crossing;

20 (iv) For all drivers, failing to have sufficient space to drive
21 completely through the crossing without stopping;

22 (v) For all drivers, failing to obey a traffic control device or the
23 directions of an enforcement official at the crossing; or

24 (vi) For all drivers, failing to negotiate a crossing because of
25 insufficient undercarriage clearance.

26 (b)(i) A person shall be disqualified for not less than sixty days
27 if the person is convicted of a first violation described in this
28 subsection.

29 (ii) A person shall be disqualified for not less than one hundred
30 twenty days if, during any three-year period, the person is convicted of
31 a second violation described in this subsection in separate incidents.

1 (iii) A person shall be disqualified for not less than one year if,
2 during any three-year period, the person is convicted of a third or
3 subsequent violation described in this subsection in separate incidents.

4 (6) A person shall be disqualified from operating a commercial motor
5 vehicle for at least one year if, on or after July 8, 2015, the person
6 has been convicted of fraud related to the issuance of his or her CLP-
7 commercial learner's permit or commercial driver's license.

8 (7) If the department receives credible information that a CLP-
9 commercial learner's permit holder or a commercial driver's license
10 holder is suspected, but has not been convicted, on or after July 8,
11 2015, of fraud related to the issuance of his or her CLP-commercial
12 learner's permit or commercial driver's license, the department must
13 require the driver to retake the skills and knowledge tests. Within
14 thirty days after receiving notification from the department that
15 retesting is necessary, the affected CLP-commercial learner's permit
16 holder or commercial driver's license holder must make an appointment or
17 otherwise schedule to take the next available test. If the CLP-commercial
18 learner's permit holder or commercial driver's license holder fails to
19 make an appointment within thirty days, the department must disqualify
20 his or her CLP-commercial learner's permit or commercial driver's
21 license. If the driver fails either the knowledge or skills test or does
22 not take the test, the department must disqualify his or her CLP-
23 commercial learner's permit or commercial driver's license. If the holder
24 of a CLP-commercial learner's permit or commercial driver's license has
25 had his or her CLP-commercial learner's permit or commercial driver's
26 license disqualified, he or she must reapply for a CLP-commercial
27 learner's permit or commercial driver's license under department
28 procedures applicable to all applicants for a CLP-commercial learner's
29 permit or commercial driver's license.

30 (8) For purposes of this section, controlled substance has the same
31 meaning as in section 28-401.

1 (9) For purposes of this section, conviction means an unvacated
2 adjudication of guilt, or a determination that a person has violated or
3 failed to comply with the law, in a court of original jurisdiction or by
4 an authorized administrative tribunal, an unvacated forfeiture of bail or
5 collateral deposited to secure the person's appearance in court, a plea
6 of guilty or nolo contendere accepted by the court, the payment of a fine
7 or court costs, or a violation of a condition of release without bail,
8 regardless of whether or not the penalty is rebated, suspended, or
9 probated.

10 (10) For purposes of this section, serious traffic violation means:

11 (a) Speeding at or in excess of fifteen miles per hour over the
12 legally posted speed limit;

13 (b) Willful reckless driving as described in section 60-6,214 or
14 reckless driving as described in section 60-6,213;

15 (c) Improper lane change as described in section 60-6,139;

16 (d) Following the vehicle ahead too closely as described in section
17 60-6,140;

18 (e) A violation of any law or ordinance related to motor vehicle
19 traffic control, other than parking violations or overweight or vehicle
20 defect violations, arising in connection with an accident or collision
21 resulting in death to any person;

22 (f) Beginning September 30, 2005, operating a commercial motor
23 vehicle without a commercial driver's license;

24 (g) Beginning September 30, 2005, operating a commercial motor
25 vehicle without a commercial driver's license in the operator's
26 possession;

27 (h) Beginning September 30, 2005, operating a commercial motor
28 vehicle without the proper class of commercial driver's license and any
29 endorsements, if required, for the specific vehicle group being operated
30 or for the passengers or type of cargo being transported on the vehicle;

31 (i) Beginning October 27, 2013, texting while driving as described

1 in section 60-6,179.02; and

2 (j) Using a handheld mobile telephone as described in section
3 60-6,179.02.

4 (11) Each period of disqualification imposed under this section
5 shall be served consecutively and separately.

6 Sec. 48. Section 60-501, Revised Statutes Supplement, 2023, is
7 amended to read:

8 60-501 For purposes of the Motor Vehicle Safety Responsibility Act,
9 unless the context otherwise requires:

10 (1) Department means Department of Motor Vehicles;

11 (2) Former military vehicle means a motor vehicle that was
12 manufactured for use in any country's military forces and is maintained
13 to accurately represent its military design and markings, regardless of
14 the vehicle's size or weight, but is no longer used, or never was used,
15 by a military force;

16 (3) Golf car vehicle means a vehicle that has at least four wheels,
17 has a maximum level ground speed of less than twenty miles per hour, has
18 a maximum payload capacity of one thousand two hundred pounds, has a
19 maximum gross vehicle weight of two thousand five hundred pounds, has a
20 maximum passenger capacity of not more than four persons, and is designed
21 and manufactured for operation on a golf course for sporting and
22 recreational purposes;

23 (4) Judgment means any judgment which shall have become final by the
24 expiration of the time within which an appeal might have been perfected
25 without being appealed, or by final affirmation on appeal, rendered by a
26 court of competent jurisdiction of any state or of the United States, (a)
27 upon a cause of action arising out of the ownership, maintenance, or use
28 of any motor vehicle for damages, including damages for care and loss of
29 services, because of bodily injury to or death of any person or for
30 damages because of injury to or destruction of property, including the
31 loss of use thereof, or (b) upon a cause of action on an agreement of

1 settlement for such damages;

2 (5) License means any license issued to any person under the laws of
3 this state pertaining to operation of a motor vehicle within this state;

4 (6) Low-speed vehicle means a (a) four-wheeled motor vehicle (i)
5 whose speed attainable in one mile is more than twenty miles per hour and
6 not more than twenty-five miles per hour on a paved, level surface, (ii)
7 whose gross vehicle weight rating is less than three thousand pounds, and
8 (iii) that complies with 49 C.F.R. part 571, as such part existed on
9 January 1, 2024 ~~2023~~, or (b) three-wheeled motor vehicle (i) whose
10 maximum speed attainable is not more than twenty-five miles per hour on a
11 paved, level surface, (ii) whose gross vehicle weight rating is less than
12 three thousand pounds, and (iii) which is equipped with a windshield and
13 an occupant protection system. A motorcycle with a sidecar attached is
14 not a low-speed vehicle;

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

26 (8) Motor vehicle means any self-propelled vehicle which is designed
27 for use upon a highway, including trailers designed for use with such
28 vehicles, minitrucks, and low-speed vehicles. Motor vehicle includes a
29 former military vehicle. Motor vehicle does not include (a) mopeds as
30 defined in section 60-637, (b) traction engines, (c) road rollers, (d)
31 farm tractors, (e) tractor cranes, (f) power shovels, (g) well drillers,

1 (h) every vehicle which is propelled by electric power obtained from
2 overhead wires but not operated upon rails, (i) electric personal
3 assistive mobility devices as defined in section 60-618.02, (j) off-road
4 designed vehicles, including, but not limited to, golf car vehicles, go-
5 carts, riding lawnmowers, garden tractors, all-terrain vehicles and
6 utility-type vehicles as defined in section 60-6,355, minibikes as
7 defined in section 60-636, and snowmobiles as defined in section 60-663,
8 and (k) bicycles as defined in section 60-611;

9 (9) Nonresident means every person who is not a resident of this
10 state;

11 (10) Nonresident's operating privilege means the privilege conferred
12 upon a nonresident by the laws of this state pertaining to the operation
13 by him or her of a motor vehicle or the use of a motor vehicle owned by
14 him or her in this state;

15 (11) Operator means every person who is in actual physical control
16 of a motor vehicle;

17 (12) Owner means a person who holds the legal title of a motor
18 vehicle, or in the event (a) a motor vehicle is the subject of an
19 agreement for the conditional sale or lease thereof with the right of
20 purchase upon performance of the conditions stated in the agreement and
21 with an immediate right of possession vested in the conditional vendee or
22 lessee or (b) a mortgagor of a vehicle is entitled to possession, then
23 such conditional vendee or lessee or mortgagor shall be deemed the owner
24 for the purposes of the act;

25 (13) Person means every natural person, firm, partnership, limited
26 liability company, association, or corporation;

27 (14) Proof of financial responsibility means evidence of ability to
28 respond in damages for liability, on account of accidents occurring
29 subsequent to the effective date of such proof, arising out of the
30 ownership, maintenance, or use of a motor vehicle, (a) in the amount of
31 twenty-five thousand dollars because of bodily injury to or death of one

1 person in any one accident, (b) subject to such limit for one person, in
2 the amount of fifty thousand dollars because of bodily injury to or death
3 of two or more persons in any one accident, and (c) in the amount of
4 twenty-five thousand dollars because of injury to or destruction of
5 property of others in any one accident;

6 (15) Registration means registration certificate or certificates and
7 registration plates issued under the laws of this state pertaining to the
8 registration of motor vehicles;

9 (16) State means any state, territory, or possession of the United
10 States, the District of Columbia, or any province of the Dominion of
11 Canada; and

12 (17) The forfeiture of bail, not vacated, or of collateral deposited
13 to secure an appearance for trial shall be regarded as equivalent to
14 conviction of the offense charged.

15 Sec. 49. Section 60-628.01, Revised Statutes Supplement, 2023, is
16 amended to read:

17 60-628.01 Low-speed vehicle means a (1) four-wheeled motor vehicle
18 (a) whose speed attainable in one mile is more than twenty miles per hour
19 and not more than twenty-five miles per hour on a paved, level surface,
20 (b) whose gross vehicle weight rating is less than three thousand pounds,
21 and (c) that complies with 49 C.F.R. part 571, as such part existed on
22 January 1, ~~2023~~ 2024, or (2) three-wheeled motor vehicle (a) whose
23 maximum speed attainable is not more than twenty-five miles per hour on a
24 paved, level surface, (b) whose gross vehicle weight rating is less than
25 three thousand pounds, and (c) which is equipped with a windshield and an
26 occupant protection system. A motorcycle with a sidecar attached is not a
27 low-speed vehicle.

28 Sec. 50. Section 60-6,253, Reissue Revised Statutes of Nebraska, is
29 amended to read:

30 60-6,253 Each truck shall be equipped with:

31 (1) Two a rearview mirrors, ~~mirror~~ which shall be kept clean,

1 repaired, and installed; or -

2 (2) A camera monitor system that is compliant with the Federal Motor
3 Carrier Safety Administration.

4 Sec. 51. Section 60-6,254, Reissue Revised Statutes of Nebraska, is
5 amended to read:

6 60-6,254 (1)(a) ~~(1)~~ No person shall drive a motor vehicle, other
7 than a motorcycle, on a highway when the motor vehicle is so constructed
8 or loaded as to prevent the driver from obtaining a view of the highway
9 to the rear by looking backward from the driver's position unless such
10 vehicle is equipped with the following that are a right-side and a left-
11 side outside mirror so located as to reflect to the driver a view of the
12 highway for a distance of at least two hundred feet to the rear of such
13 vehicle; -

14 (i) A right-side and a left-side outside mirror; or

15 (ii) A camera monitor system that is compliant with the Federal
16 Motor Carrier Safety Administration.

17 (b) Temporary outside mirrors and attachments used when towing a
18 vehicle shall be removed from such motor vehicle or retracted within the
19 outside dimensions thereof when it is operated upon the highway without
20 such trailer.

21 (2) For purposes of this section, motorcycle does not include an
22 autocycle.

23 Sec. 52. Section 60-6,265, Revised Statutes Supplement, 2023, is
24 amended to read:

25 60-6,265 For purposes of sections 60-6,266 to 60-6,273:

26 (1) Occupant protection system means a system utilizing a lap belt,
27 a shoulder belt, or any combination of belts installed in a motor vehicle
28 which (a) restrains drivers and passengers and (b) conforms to Federal
29 Motor Vehicle Safety Standards, 49 C.F.R. 571.207, 571.208, 571.209, and
30 571.210, as such standards existed on January 1, 2024 ~~2023~~, or, as a
31 minimum standard, to the federal motor vehicle safety standards for

1 passenger restraint systems applicable for the motor vehicle's model
2 year; and

3 (2) Three-point safety belt system means a system utilizing a
4 combination of a lap belt and a shoulder belt installed in a motor
5 vehicle which restrains drivers and passengers.

6 Sec. 53. Section 60-2705, Revised Statutes Supplement, 2023, is
7 amended to read:

8 60-2705 The Director of Motor Vehicles shall adopt standards for an
9 informal dispute settlement procedure which substantially comply with the
10 provisions of 16 C.F.R. part 703, as such part existed on January 1, 2024
11 ~~2023~~.

12 If a manufacturer has established or participates in a dispute
13 settlement procedure certified by the Director of Motor Vehicles within
14 the guidelines of such standards, the provisions of section 60-2703
15 concerning refunds or replacement shall not apply to any consumer who has
16 not first resorted to such a procedure.

17 Sec. 54. Section 60-2909.01, Revised Statutes Supplement, 2023, is
18 amended to read:

19 60-2909.01 The department and any officer, employee, agent, or
20 contractor of the department having custody of a motor vehicle record
21 shall, upon the verification of identity and purpose of a requester,
22 disclose and make available the requested motor vehicle record, including
23 the sensitive personal information in the record, other than the social
24 security number, for the following purposes:

25 (1) For use by any federal, state, or local governmental agency,
26 including any court or law enforcement agency, in carrying out the
27 agency's functions or by a private person or entity acting on behalf of a
28 governmental agency in carrying out the agency's functions;

29 (2) For use in connection with any civil, criminal, administrative,
30 or arbitral proceeding in any federal, state, or local court or
31 governmental agency or before any self-regulatory body, including service

1 of process, investigation in anticipation of litigation, and execution or
2 enforcement of judgments and orders, or pursuant to an order of a
3 federal, state, or local court, an administrative agency, or a self-
4 regulatory body;

5 (3) For use by any insurer or insurance support organization, or by
6 a self-insured entity, or its agents, employees, or contractors, in
7 connection with claims investigation activities, anti-fraud activities,
8 rating, or underwriting;

9 (4) For use by an employer or the employer's agent or insurer to
10 obtain or verify information relating to a holder of a commercial
11 driver's license or CLP-commercial learner's permit that is required
12 under the Commercial Motor Vehicle Safety Act of 1986, 49 U.S.C. 31301 et
13 seq., as such act existed on January 1, 2024 ~~2023~~, or pursuant to
14 sections 60-4,132 and 60-4,141; and

15 (5) For use by employers of a holder of a commercial driver's
16 license or CLP-commercial learner's permit and by the Commercial Driver
17 License Information System as provided in section 60-4,144.02 and 49
18 C.F.R. 383.73, as such regulation existed on January 1, 2024 ~~2023~~.

19 Sec. 55. Section 75-363, Revised Statutes Supplement, 2023, is
20 amended to read:

21 75-363 (1) The parts, subparts, and sections of Title 49 of the Code
22 of Federal Regulations listed below, as modified in this section, or any
23 other parts, subparts, and sections referred to by such parts, subparts,
24 and sections, in existence and effective as of January 1, 2024 ~~2023~~, are
25 adopted as Nebraska law.

26 (2) Except as otherwise provided in this section, the regulations
27 shall be applicable to:

28 (a) All motor carriers, drivers, and vehicles to which the federal
29 regulations apply; and

30 (b) All motor carriers transporting persons or property in
31 intrastate commerce to include:

1 (i) All vehicles of such motor carriers with a gross vehicle weight
2 rating, gross combination weight rating, gross vehicle weight, or gross
3 combination weight over ten thousand pounds;

4 (ii) All vehicles of such motor carriers designed or used to
5 transport more than eight passengers, including the driver, for
6 compensation, or designed or used to transport more than fifteen
7 passengers, including the driver, and not used to transport passengers
8 for compensation;

9 (iii) All vehicles of such motor carriers transporting hazardous
10 materials required to be placarded pursuant to section 75-364; and

11 (iv) All drivers of such motor carriers if the drivers are operating
12 a commercial motor vehicle as defined in section 60-465 which requires a
13 commercial driver's license.

14 (3) The Legislature hereby adopts, as modified in this section, the
15 following parts of Title 49 of the Code of Federal Regulations:

16 (a) Part 382 - CONTROLLED SUBSTANCES AND ALCOHOL USE AND TESTING;

17 (b) Part 385 - SAFETY FITNESS PROCEDURES;

18 (c) Part 386 - RULES OF PRACTICE FOR FMCSA PROCEEDINGS;

19 (d) Part 387 - MINIMUM LEVELS OF FINANCIAL RESPONSIBILITY FOR MOTOR
20 CARRIERS;

21 (e) Part 390 - FEDERAL MOTOR CARRIER SAFETY REGULATIONS; GENERAL;

22 (f) Part 391 - QUALIFICATIONS OF DRIVERS AND LONGER COMBINATION
23 VEHICLE (LCV) DRIVER INSTRUCTORS;

24 (g) Part 392 - DRIVING OF COMMERCIAL MOTOR VEHICLES;

25 (h) Part 393 - PARTS AND ACCESSORIES NECESSARY FOR SAFE OPERATION;

26 (i) Part 395 - HOURS OF SERVICE OF DRIVERS;

27 (j) Part 396 - INSPECTION, REPAIR, AND MAINTENANCE;

28 (k) Part 397 - TRANSPORTATION OF HAZARDOUS MATERIALS; DRIVING AND
29 PARKING RULES; and

30 (l) Part 398 - TRANSPORTATION OF MIGRANT WORKERS.

31 (4) The provisions of subpart E - Physical Qualifications and

1 Examinations of 49 C.F.R. part 391 - QUALIFICATIONS OF DRIVERS AND LONGER
2 COMBINATION VEHICLE (LCV) DRIVER INSTRUCTORS shall not apply to any
3 driver subject to this section who: (a) Operates a commercial motor
4 vehicle exclusively in intrastate commerce; and (b) holds, or has held, a
5 commercial driver's license issued by this state prior to July 30, 1996.

6 (5) The regulations adopted in subsection (3) of this section shall
7 not apply to farm trucks registered pursuant to section 60-3,146 with a
8 gross weight of sixteen tons or less. The following parts and sections of
9 49 C.F.R. chapter III shall not apply to drivers of farm trucks
10 registered pursuant to section 60-3,146 and operated solely in intrastate
11 commerce:

- 12 (a) All of part 391;
- 13 (b) Section 395.8 of part 395; and
- 14 (c) Section 396.11 of part 396.

15 (6) The following parts and subparts of 49 C.F.R. chapter III shall
16 not apply to the operation of covered farm vehicles:

- 17 (a) Part 382 - CONTROLLED SUBSTANCES AND ALCOHOL USE AND TESTING;
- 18 (b) Part 391, subpart E - Physical Qualifications and Examinations;
- 19 (c) Part 395 - HOURS OF SERVICE OF DRIVERS; and
- 20 (d) Part 396 - INSPECTION, REPAIR, AND MAINTENANCE.

21 (7) Part 393 - PARTS AND ACCESSORIES NECESSARY FOR SAFE OPERATION
22 and Part 396 - INSPECTION, REPAIR, AND MAINTENANCE shall not apply to
23 fertilizer and agricultural chemical application and distribution
24 equipment transported in units with a capacity of three thousand five
25 hundred gallons or less.

26 (8) For purposes of this section, intrastate motor carriers shall
27 not include any motor carrier or driver excepted from 49 C.F.R. chapter
28 III by section 390.3(f) of part 390.

29 (9)(a) Part 395 - HOURS OF SERVICE OF DRIVERS shall apply to motor
30 carriers and drivers who engage in intrastate commerce as defined in
31 section 75-362, except that no motor carrier who engages in intrastate

1 commerce shall permit or require any driver used by it to drive nor shall
2 any driver drive:

3 (i) More than twelve hours following ten consecutive hours off duty;
4 or

5 (ii) For any period after having been on duty sixteen hours
6 following ten consecutive hours off duty.

7 (b) No motor carrier who engages in intrastate commerce shall permit
8 or require a driver of a commercial motor vehicle, regardless of the
9 number of motor carriers using the driver's services, to drive, nor shall
10 any driver of a commercial motor vehicle drive, for any period after:

11 (i) Having been on duty seventy hours in any seven consecutive days
12 if the employing motor carrier does not operate every day of the week; or

13 (ii) Having been on duty eighty hours in any period of eight
14 consecutive days if the employing motor carrier operates motor vehicles
15 every day of the week.

16 (10) Part 395 - HOURS OF SERVICE OF DRIVERS, as adopted in
17 subsections (3) and (9) of this section, shall not apply to drivers
18 transporting agricultural commodities or farm supplies for agricultural
19 purposes during planting and harvesting season when:

20 (a) The transportation of such agricultural commodities is from the
21 source of the commodities to a location within a one-hundred-fifty-air-
22 mile radius of the source of the commodities;

23 (b) The transportation of such farm supplies is from a wholesale or
24 retail distribution point of the farm supplies to a farm or other
25 location where the farm supplies are intended to be used which is within
26 a one-hundred-fifty-air-mile radius of the wholesale or retail
27 distribution point; or

28 (c) The transportation of such farm supplies is from a wholesale
29 distribution point of the farm supplies to a retail distribution point of
30 the farm supplies which is within a one-hundred-fifty-air-mile radius of
31 the wholesale distribution point.

1 (11) 49 C.F.R. 390.21 - Marking of self-propelled CMVs and
2 intermodal equipment shall not apply to farm trucks and farm truck-
3 tractors registered pursuant to section 60-3,146 and operated solely in
4 intrastate commerce.

5 (12) 49 C.F.R. 392.9a - Operating authority shall not apply to
6 Nebraska motor carriers operating commercial motor vehicles solely in
7 intrastate commerce.

8 (13) No motor carrier shall permit or require a driver of a
9 commercial motor vehicle to violate, and no driver of a commercial motor
10 vehicle shall violate, any out-of-service order.

11 Sec. 56. Section 75-364, Revised Statutes Supplement, 2023, is
12 amended to read:

13 75-364 The parts, subparts, and sections of Title 49 of the Code of
14 Federal Regulations listed below, or any other parts, subparts, and
15 sections referred to by such parts, subparts, and sections, in existence
16 and effective as of January 1, 2024 ~~2023~~, are adopted as part of Nebraska
17 law and shall be applicable to all motor carriers whether engaged in
18 interstate or intrastate commerce, drivers of such motor carriers, and
19 vehicles of such motor carriers:

20 (1) Part 107 - HAZARDOUS MATERIALS PROGRAM PROCEDURES, subpart F -
21 Registration of Cargo Tank and Cargo Tank Motor Vehicle Manufacturers,
22 Assemblers, Repairers, Inspectors, Testers, and Design Certifying
23 Engineers;

24 (2) Part 107 - HAZARDOUS MATERIALS PROGRAM PROCEDURES, subpart G -
25 Registration of Persons Who Offer or Transport Hazardous Materials;

26 (3) Part 171 - GENERAL INFORMATION, REGULATIONS, AND DEFINITIONS;

27 (4) Part 172 - HAZARDOUS MATERIALS TABLE, SPECIAL PROVISIONS,
28 HAZARDOUS MATERIALS COMMUNICATIONS, EMERGENCY RESPONSE INFORMATION,
29 TRAINING REQUIREMENTS, AND SECURITY PLANS;

30 (5) Part 173 - SHIPPERS - GENERAL REQUIREMENTS FOR SHIPMENTS AND
31 PACKAGINGS;

- 1 (6) Part 177 - CARRIAGE BY PUBLIC HIGHWAY;
- 2 (7) Part 178 - SPECIFICATIONS FOR PACKAGINGS; and
- 3 (8) Part 180 - CONTINUING QUALIFICATION AND MAINTENANCE OF
- 4 PACKAGINGS.

5 Sec. 57. Section 75-366, Revised Statutes Supplement, 2023, is
6 amended to read:

7 75-366 For the purpose of enforcing Chapter 75, article 3, any
8 officer of the Nebraska State Patrol may, upon demand, inspect the
9 accounts, records, and equipment of any motor carrier or shipper. Any
10 officer of the Nebraska State Patrol shall have the authority to enforce
11 the federal motor carrier safety regulations, as such regulations existed
12 on January 1, 2024 ~~2023~~, and federal hazardous materials regulations, as
13 such regulations existed on January 1, 2024 ~~2023~~, and is authorized to
14 enter upon, inspect, and examine any and all lands, buildings, and
15 equipment of any motor carrier, any shipper, and any other person subject
16 to the federal Interstate Commerce Act, the federal Department of
17 Transportation Act, and other related federal laws and to inspect and
18 copy any and all accounts, books, records, memoranda, correspondence, and
19 other documents of a motor carrier, a shipper, and any other person
20 subject to Chapter 75, article 3, for the purposes of enforcing Chapter
21 75, article 3. To promote uniformity of enforcement, the carrier
22 enforcement division of the Nebraska State Patrol shall cooperate and
23 consult with the Public Service Commission and the Division of Motor
24 Carrier Services.

25 Sec. 58. Section 75-369.03, Revised Statutes Supplement, 2023, is
26 amended to read:

27 75-369.03 (1) The Superintendent of Law Enforcement and Public
28 Safety may issue an order imposing a civil penalty against a motor
29 carrier transporting persons or property in interstate commerce for a
30 violation of sections 75-392 to 75-3,100 or against a motor carrier
31 transporting persons or property in intrastate commerce for a violation

1 or violations of section 75-363 or 75-364 based upon an inspection
2 conducted pursuant to section 75-366 in an amount which shall not exceed
3 nine hundred seventy-one ~~nine hundred one~~ dollars for any single
4 violation in any proceeding or series of related proceedings against any
5 person or motor carrier as defined in 49 C.F.R. 390.5 as adopted in
6 section 75-363.

7 (2) The superintendent shall issue an order imposing a civil penalty
8 in an amount not to exceed nineteen thousand three hundred eighty-nine
9 ~~seventeen thousand nine hundred ninety-five~~ dollars against a motor
10 carrier transporting persons or property in interstate commerce for a
11 violation of subdivision (2)(e) of section 60-4,162 based upon a
12 conviction of such a violation.

13 (3) The superintendent shall issue an order imposing a civil penalty
14 against a driver operating a commercial motor vehicle, as defined in
15 section 60-465, that requires a commercial driver's license or CLP-
16 commercial learner's permit, in violation of an out-of-service order. The
17 civil penalty shall be in an amount not less than three thousand seven
18 hundred forty ~~three thousand four hundred seventy-one~~ dollars for a first
19 violation and not less than seven thousand four hundred eighty-one ~~six~~
20 ~~thousand nine hundred forty-three~~ dollars for a second or subsequent
21 violation.

22 (4) The superintendent shall issue an order imposing a civil penalty
23 against a motor carrier who knowingly allows, requires, permits, or
24 authorizes the operation of a commercial motor vehicle, as defined in
25 section 60-465, that requires a commercial driver's license or CLP-
26 commercial learner's permit, in violation of an out-of-service order. The
27 civil penalty shall be not less than six thousand seven hundred fifty-
28 five ~~six thousand two hundred sixty-nine~~ dollars but not more than
29 thirty-seven thousand four hundred ~~thirty-four thousand seven hundred~~
30 ~~twelve~~ dollars per violation.

31 (5) Upon the discovery of any violation by a motor carrier

1 transporting persons or property in interstate commerce of section
2 75-307, 75-363, or 75-364 or sections 75-392 to 75-3,100 based upon an
3 inspection conducted pursuant to section 75-366, the superintendent shall
4 immediately refer such violation to the appropriate federal agency for
5 disposition, and upon the discovery of any violation by a motor carrier
6 transporting persons or property in intrastate commerce of section 75-307
7 based upon such inspection, the superintendent shall refer such violation
8 to the Public Service Commission for disposition.

9 Sec. 59. Section 75-392, Revised Statutes Supplement, 2023, is
10 amended to read:

11 75-392 For purposes of sections 75-392 to 75-3,100:

12 (1) Director means the Director of Motor Vehicles;

13 (2) Division means the Division of Motor Carrier Services of the
14 Department of Motor Vehicles; and

15 (3) Unified carrier registration plan and agreement means the plan
16 and agreement established and authorized pursuant to 49 U.S.C. 14504a, as
17 such section existed on January 1, 2024 ~~2023~~.

18 Sec. 60. Section 75-393, Revised Statutes Supplement, 2023, is
19 amended to read:

20 75-393 The director may participate in the unified carrier
21 registration plan and agreement pursuant to the Unified Carrier
22 Registration Act of 2005, 49 U.S.C. 13908, as the act existed on January
23 1, 2024 ~~2023~~, and may file on behalf of this state the plan required by
24 such plan and agreement for enforcement of the act in this state.

25 Sec. 61. Original sections 18-1737, 43-3314, 43-3318, 60-164.01,
26 60-172, 60-3,162, 60-3,202, 60-3,205, 60-480, 60-497.01, 60-4,131,
27 60-4,131.01, 60-4,139, 60-4,143, 60-4,144.03, 60-4,146.01, 60-4,148,
28 60-4,148.01, 60-4,149, 60-4,150, 60-4,151, 60-6,253, and 60-6,254,
29 Reissue Revised Statutes of Nebraska, sections 60-144, 60-146, 60-149,
30 60-3,198, and 60-490, Revised Statutes Cumulative Supplement, 2022, and
31 sections 30-24,125, 60-107, 60-119.01, 60-169, 60-302.01, 60-336.01,

1 60-386, 60-3,113.04, 60-3,193.01, 60-462, 60-462.01, 60-479.01,
2 60-4,111.01, 60-4,115, 60-4,132, 60-4,134, 60-4,142, 60-4,144,
3 60-4,147.02, 60-4,168, 60-501, 60-628.01, 60-6,265, 60-2705, 60-2909.01,
4 75-363, 75-364, 75-366, 75-369.03, 75-392, and 75-393, Revised Statutes
5 Supplement, 2023, are repealed.

6 Sec. 62. Since an emergency exists, this act takes effect when
7 passed and approved according to law.