

LEGISLATIVE BILL 279

Approved by the Governor March 10, 2008

Introduced by Stuthman, 22.

FOR AN ACT relating to motor vehicles; to amend sections 60-4,173, 60-4,174, and 60-4,175, Reissue Revised Statutes of Nebraska; to change provisions relating to driver training schools; to harmonize provisions; and to repeal the original sections.

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

Section 1. Section 60-4,173, Reissue Revised Statutes of Nebraska, is amended to read:

60-4,173 For purposes of sections 60-4,173 to 60-4,179:

(1) ~~Commercial driver~~ Driver training school or school means a business enterprise conducted by an individual, association, partnership, limited liability company, or corporation or a public or private educational facility which educates or trains persons to operate or drive motor vehicles or which furnishes educational materials to prepare an applicant for an examination by the state for an operator's license, provisional operator's permit, or LPD-learner's or LPE-learner's permit and which charges consideration or tuition for such service or materials; and

(2) Instructor means any person who operates a ~~commercial~~ driver training school or who teaches, conducts classes, gives demonstrations, or supervises practical training of persons learning to operate or drive motor vehicles in connection with operation of a ~~commercial~~ driver training school.

Sec. 2. Section 60-4,174, Reissue Revised Statutes of Nebraska, is amended to read:

60-4,174 (1) The director shall adopt and promulgate such rules and regulations for the administration and enforcement of sections 60-4,173 to 60-4,179 as are necessary to protect the public. The director or his or her authorized representative shall examine applicants for ~~Commercial~~ Driver Training School and Instructor's Licenses, license successful applicants, and inspect school facilities and equipment. The director shall administer and enforce such sections and may call upon the Commissioner of Education for assistance in developing and formulating appropriate rules and regulations.

(2) Rules and regulations which have been adopted and promulgated pursuant to this section prior to the effective date of this act shall remain in effect and be applicable to all driver training schools and instructors until such time as new rules and regulations are adopted and promulgated.

Sec. 3. Section 60-4,175, Reissue Revised Statutes of Nebraska, is amended to read:

60-4,175 No ~~commercial~~ driver training school shall be established nor any existing school be continued unless such school applies for and obtains from the director a license in the manner and form prescribed by the director. Rules and regulations adopted and promulgated by the director shall state the requirements for a school license, including requirements concerning location, equipment, courses of instruction, instructors, financial statements, schedule of fees and charges, character and reputation of the operators, insurance, bond, or other security in such sum and with such provisions as the director deems necessary to protect adequately the interests of the public, and such other matters as the director may prescribe.

Sec. 4. Original sections 60-4,173, 60-4,174, and 60-4,175, Reissue Revised Statutes of Nebraska, are repealed.