

LEGISLATIVE BILL 118

Approved By the Governor May 25, 1983

Introduced by Warner, 25

AN ACT to amend sections 39-2215, 60-311, and 60-311.14, Revised Statutes Supplement, 1982, relating to motor vehicles; to change provisions relating to license plates as prescribed; to change provisions relating to certain highway funds; to provide a fee; to create a fund; to provide for plates for government-owned vehicles as prescribed; to provide a penalty; to harmonize provisions; to eliminate a requirement for identification on certain vehicles; to repeal the original sections, and also section 60-1003, Reissue Revised Statutes of Nebraska, 1943; and to declare an emergency.

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

Section 1. Any person who operates a motor vehicle, semitrailer, or cabin trailer on any highway as defined in section 60-301, which vehicle has not been registered as required by section 60-302, shall be subject to the penalty provided in section 39-6,188 and if such violation continues for thirty or more days shall be fined an additional one hundred fifty dollars.

Sec. 2. That section 39-2215, Revised Statutes Supplement, 1982, be amended to read as follows:

39-2215. There is hereby created in the state treasury a special fund to be known as the Highway Trust Fund. All motor fuel taxes and special fuel taxes related to highway use retained by the state, all motor vehicle registration fees retained by the state, and such other highway-user taxes which may be imposed by state law and allocated to the fund are hereby irrevocably pledged for the terms of the bonds to the payment of the principal, interest, and redemption premium, if any, of such bonds as they mature and become due at maturity or prior redemption, and for any reserves therefor and shall, as received by the State Treasurer, be deposited in the fund for such purpose. Of the money in the fund not required for such use (1) an amount equal to two dollars and fifty cents times the

number of motorcycles registered during the previous month shall be placed in the Motorcycle Safety Education Fund, (2) an amount, to be determined annually by the Legislature through the appropriations process, shall be transferred to the License Plate Cash Fund as needed to meet the current obligations associated with the manufacture of license plates and stickers or tabs provided for in sections 60-311, 60-311.02, and 60-1804, as certified by the Director of Motor Vehicles, not to exceed the equivalent of one cent per gallon of the money collected pursuant to sections 66-418, 66-428, and 66-605 shall be placed in the Alcohol Plant Fund only when calls or demands are made on such fund pursuant to lease agreements entered into under this act; and (3) the remaining money in the Highway Trust Fund may be used for the purchase for retirement of the bonds in the open market or for any other lawful purpose and the balance shall be transferred monthly to the Highway Allocation Fund, established by section 39-2401, for such use as may be provided by law. Any amounts in the Alcohol Plant Fund not utilized for purposes stated in section 66-828 may, in the discretion of the Governor, be used for the purchase for retirement of bonds authorized in this section or by section 66-829 in the open market or for any other lawful purpose, including transfer to the Highway Allocation Fund established by section 39-2401. The State Treasurer shall disburse the money in the Highway Trust Fund as directed by resolution of the commission. The money deposited in the Highway Trust Fund shall be invested in the manner provided by law. The earnings therefrom, if any, shall be credited to the fund. All disbursements for the Highway Trust Fund shall be made upon warrants drawn by the Director of Administrative Services. Any money in the Highway Trust Fund available for investment shall be invested by the state investment officer pursuant to the provisions of sections 72-1237 to 72-1259 72-1269.

Sec. 3. That section 60-311, Revised Statutes Supplement, 1982, be amended to read as follows:

60-311. (1) The Department of Motor Vehicles shall in 1969 furnish to every person, whose motor vehicle shall be registered, two fully reflectorized number plates, except that only one number plate shall be issued to dealers or for motorcycles, truck-tractors, semitrailers, and buses, upon which plates shall be displayed (a) the registration number assigned to such motor vehicle in figures not less than two and one half inches nor more than three inches in height and (b) also the words Cornhusker State word Nebraska suitably lettered so as to be attractive. The plates shall be of a color designated by the director. The color of the plates shall be changed each time the license plates are changed. Each such plate shall be treated with a

reflective material on either the entire surface of the plate or on the letters and numerals of the plate which shall provide effective and dependable reflective brightness during the service period required of the license plate. Such plate shall be visible under normal nighttime atmospheric conditions from a distance of at least five hundred feet, under illumination from headlights approved by the Department of Motor Vehicles. Each time the license plates are changed the Director of Motor Vehicles shall secure competitive bids for materials pursuant to sections 81-145 to 81-163.01. material systems that reflectorize letters and numerals and material systems that reflectorize the entire surface.

(2) Beginning with the number plates issued in the year 1984, such plates shall be issued every six three years. In the years in which plates are not issued, in lieu of furnishing such plates, the department shall furnish to every person, whose motor vehicle shall be registered, one or two renewal tabs, as the case may be, which renewal tabs shall bear the year for which furnished and be so constructed as to permit them to be permanently affixed to the plates.

(3) The Department of Motor Vehicles may provide a distinctive license plate for all motor vehicles owned or operated by the state, counties, municipalities, or school districts. Such government owned motor vehicles shall display such distinctive license plates when such license plates are issued.

(4) Whenever new license plates, including duplicate or replacement license plates, are furnished to any person, a fee of one dollar per plate shall be charged in addition to all other required fees. Such additional fees shall be transmitted to the State Treasurer and by him or her deposited in the Highway Trust Fund.

(5) There is hereby created a License Plate Cash Fund in the state treasury which shall consist of money transferred to it pursuant to section 39-2215. All costs associated with the manufacture of license plates and stickers or tabs provided for in sections 60-311, 60-311.02, and 60-1804 shall be paid from funds appropriated from the License Plate Cash Fund, which shall be used exclusively for such purposes and which shall be administered by the Department of Motor Vehicles. Any money in the fund available for investment shall be invested by the state investment officer pursuant to sections 72-1237 to 72-1269.

Sec. 4. That section 60-311.14, Revised Statutes Supplement, 1982, be amended to read as follows:

60-311.14. The Department of Motor Vehicles shall, without the payment of any fee, except the fees

required by section 60-311, issue license plates for one motor vehicle not used for hire, which plates shall carry the internationally accepted wheelchair symbol, which symbol is a representation of a person seated in a wheelchair surrounded by a border six units wide by seven units high, and such other letters or numbers as the Director of Motor Vehicles may prescribe to any person who applies for such plates and proves that he or she is a disabled person. Such plates shall be used by such person in lieu of the usual license plates. For purposes of this section, disabled person shall mean a person who has permanently lost the use of two or more extremities.

Sec. 5. That original sections 39-2215, 60-311, and 60-311.14, Revised Statutes Supplement, 1982, and also section 60-1003, Reissue Revised Statutes of Nebraska, 1943, are repealed.

Sec. 6. Since an emergency exists, this act shall be in full force and take effect, from and after its passage and approval, according to law.