

LEGISLATIVE BILL 491

Approved by the Governor June 8, 1993

Introduced by Hillman, 48, Day, 19, Horgan, 4, Rasmussen, 20,
Schimek, 27, Wickersham, 49, Moore, 24, at the
request of the Governor

AN ACT relating to motor vehicles; to amend section 60-505.02, Reissue Revised Statutes of Nebraska, 1943, sections 39-669.16, 60-311.10, 60-311.11, 60-483, 60-4,100, 60-4,115, 60-4,126, 60-4,171, and 60-4,181, Revised Statutes Supplement, 1992, sections 60-311.12, 60-311.13, and 60-315.01, Reissue Revised Statutes of Nebraska, 1943, as amended by sections 23, 24, and 27, respectively, Legislative Bill 112, Ninety-third Legislature, First Session, 1993, and sections 60-115, 60-302, and 60-326.01, Revised Statutes Supplement, 1992, as amended by sections 13, 16, and 32, respectively, Legislative Bill 112, Ninety-third Legislature, First Session, 1993; to provide and change fees relating to certificates of title, operator's licenses, motor vehicle licensing and registration, certified abstracts of operating records, and state identification cards; to rename and change provisions relating to personalized prestige license plates; to change the distribution of the proceeds of certain fees; to change and transfer provisions relating to funds; to state findings and intent regarding the use of certain proceeds; to harmonize provisions; to provide an operative date; to repeal the original sections; and to declare an emergency.

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

Section 1. That section 39-669.16, Revised Statutes Supplement, 1992, be amended to read as follows:

39-669.16. (1) At the expiration of thirty days after the date of arrest pursuant to section 39-669.08 or if after a hearing pursuant to section 39-669.15 the director finds that the impounded operator's license should be revoked, the director shall (a) revoke the operator's license of a person arrested for refusal to submit to a chemical test of blood, breath, or urine as required by section 39-669.08 for a period of one year and (b) for a person who submits to a chemical test pursuant to section 39-669.08 which discloses the presence of a concentration of alcohol specified in section 39-669.07, revoke the impounded operator's license for a period of ninety days the first time such operator's license is revoked and one year for the second and any subsequent time the license is revoked within an eight-year period. The license shall not be restored nor shall a new operator's license be issued to such person until the period

of revocation has elapsed. If the person subject to the revocation is a nonresident of this state, the director shall revoke only the nonresident operating privilege of such person and shall immediately forward the operator's license and a statement of the factual basis for the revocation to the person's state of residence.

(2) Any person whose operator's license is revoked for a period of ninety days as provided by subsection (1) of this section may make application to the director for issuance of an employment driving permit pursuant to section 60-4,130. Any person who makes application for an employment driving permit pursuant to this subsection shall not be eligible for issuance of the permit until sixty days of the period of revocation ordered under subsection (1) of this section have elapsed.

(3) A person may have his or her license reinstated upon payment of a reinstatement fee of ~~fifty~~ ninety-five dollars to the department after the period of revocation has expired. The director shall remit all reinstatement fees to the State Treasurer. The State Treasurer shall credit fifty dollars of each fee to the General Fund and forty-five dollars of each fee for credit to the Department of Motor Vehicles Cash Fund.

(4) A person whose operator's license is subject to revocation pursuant to subsection (3) of section 39-669.15 shall have all proceedings dismissed or his or her operator's license immediately reinstated without payment of the reinstatement fee (a) upon presentation of suitable evidence to the director that within the thirty-day period following the date of arrest the prosecuting attorney responsible for the matter declined to file a complaint alleging a violation of section 39-669.07, (b) if the charge is dismissed, or (c) if the defendant, at trial, is found not guilty of violating section 39-669.07. The director shall adopt and promulgate rules and regulations establishing standards for the presentation of suitable evidence of compliance with subdivision (a), (b), or (c) of this subsection.

Sec. 2. That section 60-115, Revised Statutes Supplement, 1992, as amended by section 13, Legislative Bill 112, Ninety-third Legislature, First Session, 1993, be amended to read as follows:

60-115. (1) The county clerks or the Department of Motor Vehicles shall charge a fee of ten dollars for each replacement or duplicate copy of a certificate of title, and the duplicate copy issued shall show only those unreleased liens of record. A fee of four dollars shall be charged for refiling a certificate of title pursuant to section 60-107.01. Such fees shall be retained by the county or the department.

(2) In addition to the ~~foregoing~~ fees prescribed in subsection (1) of this section, the county clerks or the department shall charge a fee of six dollars for each certificate of title and a fee of three dollars for each notation of any lien on a certificate of title. The county clerks shall retain for the county three dollars and twenty-five cents of the six dollars charged for each certificate of title and two dollars for each notation of lien. Two dollars charged for the certificate of title and the remaining one dollar charged for notation of any lien on a certificate of

title shall be remitted to the State Treasurer for credit to the General Fund. Twenty cents of the fee for a certificate of title shall be remitted to the State Treasurer for credit to a fund to be administered by the Consumer Protection Division of the Attorney General's office at the direction of the Attorney General for the purposes of the investigation and prosecution of (a) odometer and motor vehicle fraud and (b) motor vehicle licensing violations, which may be referred by the Nebraska Motor Vehicle Industry Licensing Board. Forty-five cents of the fee charged for the certificate of title shall be remitted to the State Treasurer for credit to the Nebraska State Patrol Cash Fund. The remaining ten cents of the fee charged for the certificate of title shall be remitted to the State Treasurer for credit to the Nebraska Motor Vehicle Industry Licensing Fund for the purpose of conducting preliminary investigations of motor vehicle licensing violations relating to odometer and motor vehicle fraud.

(3) In addition to the fees prescribed in subsections (1) and (2) of this section, the county clerks or the department shall charge a fee of four dollars for each certificate of title, each replacement or duplicate copy of a certificate of title, each refile of a certificate of title, and each notation of lien on a certificate of title. The county clerks or the department shall remit the fee charged under this subsection to the State Treasurer for credit to the Department of Motor Vehicles Computerization and Operations Fund.

(4) The county clerks shall remit all funds due the State Treasurer under sections 60-102 to 60-117 monthly and not later than the fifth day of the month following the collection thereof. The county clerks shall remit fees not due the State of Nebraska to their respective county treasurers who shall credit such fees so remitted to the county general fund. All fees not otherwise provided for in this section received by the department pursuant to this section shall be deposited in the Interstate Registration Operations Cash Fund.

~~(2)~~ (5) If a county board consolidates services under the office of a designated county official other than the county clerk pursuant to section 1 of this act, the designated county official shall charge, retain, and remit the fees prescribed in this section.

Sec. 3. That section 60-302, Revised Statutes Supplement, 1992, as amended by section 16, Legislative Bill 112, Ninety-third Legislature, First Session, 1993, be amended to read as follows:

60-302. (1) No motor vehicle, trailer, semitrailer, or cabin trailer, unless otherwise expressly provided, shall be operated on the highways of this state unless such vehicle is registered in accordance with Chapter 60, article 3. Every owner of a vehicle required to be registered shall make application for registration to the county treasurer of the county in which the vehicle has tax situs as defined in section 77-1240. The application shall be a copy of a certificate of title or, in the case of a renewal of a registration, the application shall be the previous registration period's certificate. A salvage certificate of title as defined in section 60-129 and a nontransferable certificate of title provided for in section 60-131 shall not be valid for registration purposes.

(2) All applications for registration of motor vehicles shall be accompanied by proof of financial responsibility. Proof of financial responsibility shall be evidenced by a copy of proof of financial responsibility filed pursuant to subdivision (2), (3), or (4) of section 60-528 bearing the seal of the Department of Motor Vehicles or by a certificate or policy of insurance. Such certificate or policy of insurance shall be written by an insurance carrier duly authorized to do business in this state and shall certify that there is in effect a motor vehicle liability policy for the benefit of the person required to furnish proof of financial responsibility. Such certificate or policy shall give the effective dates of such motor vehicle liability policy, which dates shall be evidence that the coverage is in effect on and following the date of registration, and shall designate, by explicit description or by appropriate reference, all motor vehicles covered thereby.

(3) Any nonresident owner; who desires to register a vehicle or vehicles in this state; shall register in the county where the vehicle is domiciled or where the owner conducts a bona fide business.

(4) Each new application shall contain, in addition to such other information as may be required by the department, the name and post office address of the applicant and a description of the vehicle, including the color, the manufacturer, the identification number, and the weight of the vehicle required by Chapter 60, article 3. With such application and proof of financial responsibility, the applicant shall pay the proper registration fee as provided in sections 60-305.08 to 60-339 and shall state whether the vehicle is propelled by electricity, motor vehicle fuel as defined in section 66-482, or special fuel as defined in section 66-602, and if special fuel, the type of fuel. The form shall also contain a notice that bulk special or diesel fuel purchasers may be subject to federal excise tax liability. The department shall prescribe a form, containing such notice, for supplying the information for vehicles to be registered. The county assessor shall include the form in each mailing made pursuant to section 77-1240.

(5) The county treasurer or his or her agent shall collect, in addition to the registration fees, one dollar and fifty cents for each and every certificate issued and shall remit one dollar and fifty cents of each additional fee collected to the State Treasurer for credit to the Department of Motor Vehicles Computerization and Operations Fund.

(6) The county treasurer or his or her agent shall collect, in addition to other registration fees, the sum of one dollar and fifty cents for each and every certificate issued, which fee shall be remitted by the county treasurer to the State Treasurer for credit to the State Recreation Road Fund.

~~(6)~~ (7) If a county board consolidates services under the office of a designated county official other than the county treasurer pursuant to section 1 of this act, the powers and duties of the county treasurer relating to registration under sections 60-301 to 60-347 shall be performed by the designated county official.

Sec. 4. That section 60-311.10, Revised Statutes

Supplement, 1992, be amended to read as follows:

60-311.10. In lieu of the number plates provided for by section 60-311, the Department of Motor Vehicles shall issue personalized prestige message license plates for passenger vehicles, commercial trucks registered for ten tons gross weight or less, motorcycles, self-propelled mobile homes, and cabin trailers to all applicants who meet the requirements of sections 60-305.08, 60-311, and 60-311.10 to 60-311.13.

Sec. 5. That section 60-311.11, Revised Statutes Supplement, 1992, be amended to read as follows:

60-311.11. (1) Plates issued pursuant to sections 60-305.08 and 60-311.10 to 60-311.13 shall be the same size and of the same basic design as the regular number plates issued pursuant to section 60-311.

(2) The following conditions shall apply to all personalized prestige message license plates:

(a) County prefixes shall not be used;

(b) The characters used shall consist only of letters and numerals of the same size and design and shall comply with the requirements of subdivision (1)(a) of section 60-311;

(c) A maximum of seven characters may be used;

(d) The characters in the order used shall not conflict with or duplicate any license number used or to be used on the regular license plates or any license number or plate already approved pursuant to sections 60-305.08, 60-311, and 60-311.10 to 60-311.13;

(e) The characters in the order used shall not express, connote, or imply any obscene or objectionable words or abbreviations; and

(f) An applicant receiving a prestige personalized message license plate for a commercial truck shall affix the appropriate tonnage sticker to such plate.

(3) The Department of Motor Vehicles shall have sole authority to determine if the conditions prescribed in subsection (2) of this section have been met.

Sec. 6. That section 60-311.12, Reissue Revised Statutes of Nebraska, 1943, as amended by section 23, Legislative Bill 112, Ninety-third Legislature, First Session, 1993, be amended to read as follows:

60-311.12. Application for personalized prestige message license plates shall be made to the Department of Motor Vehicles. The department shall make available through each county treasurer or designated county official as provided in section 60-302 forms to be used for such applications.

Each initial application shall be accompanied by a fee of ~~seventy-five dollars~~ thirty dollars for a full year or two dollars and fifty cents per month for the remainder of the vehicle registration period. Each application for renewal of a license number previously approved and issued shall be accompanied by a fee of ~~thirty-five~~ thirty dollars. All such fees shall be ~~transmitted~~ remitted to the State Treasurer for credit

to the Department of Motor Vehicles Computerization and Operations deposit in the General Fund.

Sec. 7. That section 60-311.13, Reissue Revised Statutes of Nebraska, 1943, as amended by section 24, Legislative Bill 112, Ninety-third Legislature, First Session, 1993, be amended to read as follows:

60-311.13. When the Department of Motor Vehicles approves an application for personalized prestige message license plates, it shall notify the applicant and deliver the plates to the county treasurer or designated county official as provided in section 60-302 of the county in which the vehicle is to be registered. The county treasurer or designated county official shall deliver such plates to the applicant, in lieu of regular number plates, when the applicant complies with the other provisions of law for registration of the vehicle.

Sec. 8. That section 60-315.01, Reissue Revised Statutes of Nebraska, 1943, as amended by section 27, Legislative Bill 112, Ninety-third Legislature, First Session, 1993, be amended to read as follows:

60-315.01. The owner of a vehicle bearing personalized prestige message license plates may make application to the county treasurer or designated county official as provided in section 60-302 to have such plates transferred to a motor vehicle other than the vehicle for which such plates were originally purchased ~~(1) if such vehicle is owned and registered by the owner of the prestige plates, and (2) if the license plates from the vehicle on which the prestige plates are to be placed are placed on the vehicle from which the prestige plates are taken. Plates may only be transferred from a commercial truck to a commercial truck or from a passenger vehicle to a passenger vehicle.~~ Application for such transfer shall be accompanied by a fee of three dollars.

Sec. 9. That section 60-326.01, Revised Statutes Supplement, 1992, as amended by section 32, Legislative Bill 112, Ninety-third Legislature, First Session, 1993, be amended to read as follows:

60-326.01. The various county treasurers or designated county officials as provided in section 60-302 shall act as agents for the Department of Motor Vehicles in the collection of all motor vehicle registration fees. While acting as such agents, the county treasurers or designated county officials shall in addition to the registration fees collect and retain for the county ~~one dollar~~ two dollars for each registration of a motor vehicle of a resident of the State of Nebraska and five dollars for each registration of a motor vehicle of a nonresident from the funds collected for the registration issued. Such additional fees collected for the county shall be accounted for as other fees passing through their hands. The county treasurers or designated county officials shall transmit all registration fees collected by them to the State Treasurer for deposit in the Highway Trust Fund except as provided in section 60-302. The Legislature finds that the cost of registering vehicles which belong to nonresidents has increased and therefore the additional fee collected from

nonresidents should be raised to compensate for the increase.

Sec. 10. That section 60-483, Revised Statutes Supplement, 1992, be amended to read as follows:

60-483. The director shall assign a distinguishing number to each operator's license issued and shall keep a record of the same which shall be open to public inspection. Any person requesting such driver record information shall furnish to the department the name of the person whose record is being requested, and when the name alone is insufficient to identify the correct record, the department may request additional identifying information. The department shall, upon request of any applicant, furnish a certified abstract of the operating record of any person and shall charge such applicant a fee of ~~one dollar and seventy-five cents~~ two dollars per abstract. ~~The fee on abstracts shall be deposited in department shall remit twenty-five cents of each abstract fee to the State Treasurer for credit to the Department of Motor Vehicles Computerization and Operations Fund and shall remit one dollar and seventy-five cents of each abstract fee to the State Treasurer for credit to the General Fund.~~

~~The Department of Motor Vehicles Computerization and Operations Fund is hereby created. Such fund shall be used to carry out the duties of the department as deemed necessary by the director. Any money in the fund available for investment shall be invested by the state investment officer pursuant to sections 72-1237 to 72-1276.~~

The director shall, upon receiving a request and an agreement from the United States Selective Service System to comply with requirements of this section and the rules and regulations adopted and promulgated to carry out this section, furnish driver record information to the United States Selective Service System to include the name, post office address, date of birth, sex, and social security number of licensees. The United States Selective Service System shall pay all costs incurred by the department in providing such information but shall not be required to pay any other fee required by law for such information. No driver record information shall be furnished regarding any female, nor regarding any male other than those between the ages of seventeen years and twenty-six years. Such information shall only be used in the fulfillment of the required duties of the United States Selective Service System and shall not be furnished to any other person. The director may adopt and promulgate rules and regulations concerning the preparation, transmittal, safeguarding, and disposition of such information.

The director shall also keep a record of all applications for operators' licenses that are disapproved with a brief statement of the reason for disapproval of the application.

Sec. 11. That section 60-4,100, Revised Statutes Supplement, 1992, be amended to read as follows:

60-4,100. The director may suspend or revoke the operator's license of any resident of this state:

(1) Upon receiving a copy of the judgment of the conviction of such person in another state of an offense therein which, if committed

in this state, would be grounds for the suspension or revocation of the license of such operator by any trial judge or magistrate in this state;

(2) ~~who~~ Who has violated a promise to comply with the terms of a traffic citation issued by a law enforcement officer for a moving violation in any jurisdiction outside this state pursuant to the Nonresident Violator Compact until satisfactory evidence of compliance with the terms of the citation has been furnished to the director; or

(3) ~~who~~ Who has violated a promise to comply with the terms of a traffic citation issued on or after July 1, 1986, by a law enforcement officer for a moving violation in any jurisdiction inside this state until satisfactory evidence of compliance with the terms of the citation has been furnished to the director.

The court having jurisdiction over the offense for which the citation has been issued shall notify the director of a violation of a promise to comply with the terms of the citation only after twenty working days have elapsed from the date of the failure to comply.

Upon notice to the director that a resident has violated a promise to comply with the terms of a traffic citation as provided in this section, the director shall not suspend or revoke such resident's license until he or she has sent written notice to such resident by registered or certified mail to the resident's last-known address. Such notice shall state that such resident has twenty working days from the date of the notice to show the director that the resident has complied with the terms of such traffic citation. No suspension or revocation shall be entered by the director if the resident complies with the terms of a citation during such twenty working days.

Upon the expiration of any license revocation ordered pursuant to this section, a resident may have his or her license reinstated upon payment of a fee of ~~forty~~ fifty ninety-five dollars. The fees paid pursuant to this section shall be remitted to the State Treasurer. The State Treasurer shall credit fifty dollars of each fee to the General Fund and forty-five dollars of each fee to deposited in the Department of Motor Vehicles Cash Fund.

Sec. 12. That section 60-4,115, Revised Statutes Supplement, 1992, be amended to read as follows:

60-4,115. The applications for operators' licenses, school permits, farm permits, LPD-learners' permits, or LPE-learners' permits shall be filed with the county treasurer who is required to transmit the same weekly to the director. The application shall be accompanied by a fee of ~~ten~~ fifteen dollars from each successful applicant for an original or renewal Class O or M operator's license issued under the Motor Vehicle Operator's License Act, except that the fee for licenses which will be valid for one year or less shall be three dollars and ~~forty~~ fifty seventy-five cents, the fee for licenses which will be valid for more than one year but less than two years shall be ~~five~~ seven dollars and fifty cents, and the fee for licenses which will be valid for ~~more than~~ two years ~~or more~~ but less than three years shall be ~~eight dollars~~ eleven dollars and twenty-five cents. ~~One dollar~~ Two dollars and seventy-five cents of each of the

original and renewal fees for operators' licenses and twenty-five cents of each of the fees for school permits, farm permits, LPD-learners' permits, or LPE-learners' permits shall be credited immediately to the general fund of the county and shall be included by the county treasurer in his or her report of fees as provided by law. The county treasurer shall remit four dollars of each of the original and renewal fees for Class O or M operator's licenses to the State Treasurer for credit to the Department of Motor Vehicles Computerization and Operations Fund, except that for licenses which will be valid for more than one year but less than two years, one dollar and fifty cents of each fee shall be credited to the fund, and for licenses which will be valid for two years or more but less than three years, two dollars and fifty cents of each fee shall be credited to the fund. An amount equal to two dollars and fifty cents times the number of original or renewal Class M licenses issued pursuant to section 60-4,127 during the previous year shall be transferred to the Motorcycle Safety Education Fund. The balance of the original and renewal operator's license, school permit, farm permit, LPD-learner's permit, or LPE-learner's permit fees shall be remitted by the county treasurer to the State Treasurer and shall be credited to the General Fund.

Sec. 13. That section 60-4,126, Revised Statutes Supplement, 1992, be amended to read as follows:

60-4,126. Any person who is younger than sixteen years of age but is over thirteen years of age and resides upon a farm in this state or is fourteen years of age or older and is employed for compensation upon a farm in this state may obtain a farm permit authorizing the operation of farm tractors and other motorized implements of farm husbandry upon the highways of this state if the applicant for such farm permit furnishes to an examiner satisfactory proof of age and satisfactorily demonstrates to the examiner that he or she has knowledge of the operation of such equipment and of the rules of the road and laws respecting the operation of motor vehicles upon the highways of this state. Any person under sixteen years of age but not less than thirteen years of age may obtain a temporary permit to operate such equipment for a six-month period after presentation to the Department of Motor Vehicles of a request for the temporary permit signed by the person's parent or guardian and payment of five dollars. After the expiration of the six-month period, it shall be unlawful for such person to operate such equipment upon the highways of this state unless he or she has been issued a farm permit under this section. The fee for such an original, renewal, or duplicate farm permit shall be five dollars. All farm permits shall be subject to revocation under the terms of section 60-496. Any person who violates the terms of a farm permit shall be guilty of a Class III misdemeanor and shall not be eligible for another operator's license or school, farm, LPD-learner's, or LPE-learner's permit until he or she has attained the age of sixteen years.

Sec. 14. That section 60-4,171, Revised Statutes Supplement, 1992, be amended to read as follows:

60-4,171. (1) Following any period of revocation ordered

by a court, a resident who has had a commercial driver's license revoked pursuant to section 60-4,169 may apply, on a form prescribed by the director, for a Class O or M operator's license. If in the judgment of the director such person is eligible to be issued a Class O or M operator's license, the application shall be presented to the county treasurer of the person's county of residence. The county treasurer shall issue the Class O or M operator's license upon payment of the fee provided for in section 60-4,115.

(2) Any person who has had his or her commercial driver's license revoked pursuant to section 60-4,169 may, at the end of such revocation period, have his or her commercial driver's license reinstated upon payment of a ~~fifty-dollar~~ ninety-five-dollar reinstatement fee and shall surrender any operator's license issued pursuant to subsection (1) of this section. The reinstatement fee shall be remitted to the State Treasurer. The State Treasurer shall credit fifty dollars of each reinstatement fee to the General Fund and forty-five dollars of each reinstatement fee to the Department of Motor Vehicles Cash Fund.

Sec. 15. That section 60-4,181, Revised Statutes Supplement, 1992, be amended to read as follows:

60-4,181. (1) A state identification card shall be issued by the county treasurer after the person requesting the card (a) files an application with an examining officer, (b) furnishes two forms of proof of identification described in section 60-484, and (c) pays a fee to the county treasurer of ~~ten~~ fifteen dollars for a card which will be valid for three years or more, ~~eight dollars~~ eleven dollars and twenty-five cents for a card which will be valid two years or more but less than three years, ~~five~~ seven dollars and fifty cents for a card which will be valid for one year or more but less than two years, and three dollars and ~~fifty~~ seventy-five cents for a card which will be valid for less than one year. ~~One-dollar~~ Two dollars and seventy-five cents of the fee shall be credited to the general fund of the county and shall be included in the report of fees required by law by the county treasurer. An amount of the fee shall be remitted to the State Treasurer by the county treasurer for credit to the Department of Motor Vehicles Computerization and Operations Fund as follows: Four dollars for a card which will be valid for three years or more; two dollars and fifty cents for a card which will be valid two years or more but less than three years; and one dollar and fifty cents for a card which will be valid for one year or more but less than two years. The balance of the fee shall be remitted to the State Treasurer by the county treasurer and credited to the General Fund. The state identification card shall contain the anatomical gift information specified in section 60-494.

(2) The application shall include the name, age, post office address, place of residence, date of birth, sex, and physical description of the applicant and after January 1, 1994, the following:

OPTIONAL-YOU ARE NOT REQUIRED TO ANSWER ANY OF THE FOLLOWING QUESTIONS:

- (a) Do you wish to make an anatomical gift?*
- If so, please complete the following:

I give:

- (i) any needed organs or tissues
- (ii) only the following organs or tissues

.....
(specify the organ or tissue)

for transplantation, therapy, or medical or dental education or research.

- (iii) my body for anatomical study if needed.**

Limitations or special wishes if any

(b) Do you wish to receive any additional specific information regarding anatomical gifts?

*An anatomical gift means a gift of all or any part of your body for transplantation, therapy, or medical or dental education or research. For purposes of an anatomical gift, parts of your body include organs, tissues, eyes, bones, arteries, blood, other fluids, and other portions of the human body. You may make an anatomical gift if you are of sound mind. The anatomical gift is effective upon your death and the consent of your next of kin, guardian, or other person as listed in section 71-4802.

**In order for you to donate your body to the State Anatomical Board, you must complete a bequeathal form which is available from the board.

.....
Signature of Donor

.....
Date of Birth of Donor

.....
Date Signed

.....
City and State

.....
Witness

.....
Witness

(3) The director may summarily cancel any state identification card, and any judge or magistrate may order a state identification card canceled in a judgment of conviction, if the application for the card contains any false or fraudulent statements which were deliberately and knowingly made as to any matter material to the issuance of the card or if the application does not contain required or correct information. Any state identification card so obtained shall be void from the date of issuance. Any judgment of conviction ordering cancellation of a state identification card shall be transmitted to the director who shall cancel the card.

Sec. 16. That section 60-505.02, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

60-505.02. Whenever a license or registration is suspended or revoked and the filing of proof of financial responsibility is, by ~~sections 60-501 to 60-569~~ the Motor Vehicle Safety Responsibility Act, made a prerequisite to reinstatement of such license or registration, or both, or to the issuance of a new license or registration, or both, no such license or registration shall be reinstated or new license or registration issued unless the licensee or registrant, in addition to complying with the other provisions of ~~sections 60-501 to 60-569~~ the act, pays to the ~~department~~ Department of Motor Vehicles a fee of fifty ninety-five

dollars.

The fees paid pursuant to this section shall be deposited in remitted to the State Treasurer. The State Treasurer shall credit fifty dollars of each fee to the General Fund and forty-five dollars of each fee to the Department of Motor Vehicles Cash Fund, which fund is hereby created. Such fund shall be used by the department to carry out its duties under Chapter 60, articles 1, 3, and 5. Any money in the fund available for investment shall be invested by the state investment officer pursuant to sections 72-1237 to 72-1259.

Sec. 17. The Department of Motor Vehicles Cash Fund is hereby created. The fund shall be used by the Department of Motor Vehicles to carry out its duties as deemed necessary by the Director 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 72-1276.

Sec. 18. The Department of Motor Vehicles Computerization and Operations Fund is hereby created. The fund shall be used to carry out the duties of the Department of Motor Vehicles as deemed necessary by the Director 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 72-1276.

Sec. 19. (1) The Legislature hereby finds and declares that a statewide system for the collection, storage, and transfer of data on vehicle titles and registration and the cooperation of state and local government in implementing such a system is essential to the efficient operation of state and local government in vehicle titling and registration.

(2) It is therefore the intent of the Legislature that the Department of Motor Vehicles shall use a portion of the fees appropriated by the Legislature to the Department of Motor Vehicles Computerization and Operations Fund as follows:

(a) To pay for the cost of issuing motor vehicle titles and registrations on a system designated by the department. The costs shall include, but not be limited to, software and software maintenance, programming, processing charges, and equipment including such terminals, printers, or other devices as deemed necessary by the department after consultation with the county to support the issuance of motor vehicle titles and registrations. The costs shall not include the cost of county personnel or physical facilities provided by the counties;

(b) To furnish to the counties the certificate of registration forms specified in section 60-312. The certificate of registration form shall be prescribed by the department; and

(c) To pay for the costs of an operator's license system as specified in section 60-4.119 and designated by the department. The costs shall be limited to such terminals, printers, software, programming, and other equipment or devices as deemed necessary by the department to support the issuance of such licenses in the counties.

Sec. 20. This act shall become operative on July 1, 1993.

Sec. 21. That original section 60-505.02, Reissue Revised

Statutes of Nebraska, 1943, sections 39-669.16, 60-311.10, 60-311.11, 60-483, 60-4,100, 60-4,115, 60-4,126, 60-4,171, and 60-4,181, Revised Statutes Supplement, 1992, sections 60-311.12, 60-311.13, and 60-315.01, Reissue Revised Statutes of Nebraska, 1943, as amended by sections 23, 24, and 27, respectively, Legislative Bill 112, Ninety-third Legislature, First Session, 1993, and sections 60-115, 60-302, and 60-326.01, Revised Statutes Supplement, 1992, as amended by sections 13, 16, and 32, respectively, Legislative Bill 112, Ninety-third Legislature, First Session, 1993, are repealed.

Sec. 22. Since an emergency exists, this act shall be in full force and take effect, from and after its passage and approval, according to law.