

LEGISLATURE OF NEBRASKA
ONE HUNDREDTH LEGISLATURE
FIRST SESSION
LEGISLATIVE BILL 589

Introduced by Cornett, 45

Read first time January 17, 2007

Committee: Transportation and Telecommunications

A BILL

1 FOR AN ACT relating to motorcycles; to amend sections 60-4,127
2 and 60-4,128, Reissue Revised Statutes of Nebraska, and
3 sections 60-480 and 60-4,115, Revised Statutes Cumulative
4 Supplement, 2006; to change provisions relating to
5 motorcycle licenses; to provide for learners' permits and
6 motorcycle safety courses; to provide fees; to harmonize
7 provisions; to provide an operative date; and to repeal
8 the original sections.
9 Be it enacted by the people of the State of Nebraska,

1 Section 1. Section 60-480, Revised Statutes Cumulative
2 Supplement, 2006, is amended to read:

3 60-480 Operators' licenses issued by the Department of
4 Motor Vehicles pursuant to the Motor Vehicle Operator's License Act
5 shall be classified as follows:

6 (1) Class O license. The operator's license which
7 authorizes the person to whom it is issued to operate on highways
8 any motor vehicle except a commercial motor vehicle or motorcycle;

9 (2) Class M license. The operator's license or
10 endorsement on a Class O license, provisional operator's permit,
11 learner's permit, school permit, or commercial driver's license
12 which authorizes the person to whom it is issued to operate a
13 motorcycle on highways;

14 (3) CDL-commercial driver's license. The operator's
15 license which authorizes the person to whom it is issued to operate
16 a class of commercial motor vehicles or any motor vehicle, except
17 a motorcycle, on highways;

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

1 ranch currently being served as provided in such section or any
2 other motor vehicle, except a motorcycle, on highways;

3 (5) POP-provisional operator's permit. A motor vehicle
4 operating permit with restrictions issued pursuant to section
5 60-4,120.01 to a person who is at least sixteen years of age but
6 less than eighteen years of age which authorizes the person to
7 operate any motor vehicle except a commercial motor vehicle or
8 motorcycle;

9 (6) SCP-school permit. A permit issued to a student
10 between fourteen years and two months of age and sixteen years of
11 age for the purpose of driving in accordance with the requirements
12 of section 60-4,124;

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

17 (8) LPC-learner's permit. A permit which when held in
18 conjunction with a Class O license or commercial driver's license
19 authorizes a person to operate a commercial motor vehicle for
20 learning purposes when accompanied by a person who is at least
21 twenty-one years of age;

22 (9) LPD-learner's permit. A permit issued in accordance
23 with the requirements of section 60-4,123 to a person at least
24 fifteen years of age which authorizes the person to operate a motor
25 vehicle, except a commercial motor vehicle, for learning purposes

1 when accompanied by a licensed operator who is at least twenty-one
2 years of age and who possesses a valid operator's license issued by
3 this state or another state;

4 (10) LPE-learner's permit. A permit issued to a person at
5 least fourteen years of age which authorizes the person to operate
6 a motor vehicle, except a commercial motor vehicle, while learning
7 to drive in preparation for application for a school permit;

8 (11) LPM-Learner's permit. A permit issued to a person
9 which authorizes him or her to operate a motorcycle for purposes of
10 application for a Class M license;

11 ~~(11)~~ (12) EDP-employment driving permit. A permit issued
12 to a person which authorizes the person to operate a motor vehicle,
13 except a commercial motor vehicle, pursuant to the requirements of
14 sections 60-4,129 and 60-4,130;

15 ~~(12)~~ (13) SEP-seasonal permit. A permit issued to
16 a person who holds a restricted commercial driver's license
17 authorizing the person to operate a commercial motor vehicle, as
18 prescribed by section 60-4,146.01, for no more than one hundred
19 eighty consecutive days in any twelve-month period. The seasonal
20 permit shall be valid and run from the date of original issuance of
21 the permit for one hundred eighty days and from the date of annual
22 revalidation of the permit; and

23 ~~(13)~~ (14) MHP-medical hardship driving permit. A permit
24 issued to a person which authorizes the person to operate a
25 motor vehicle, except a commercial motor vehicle, pursuant to the

1 requirements of sections 60-4,130.01 and 60-4,130.02.

2 Sec. 2. Section 60-4,115, Revised Statutes Cumulative
3 Supplement, 2006, is amended to read:

4 60-4,115 (1) Fees for operators' licenses and state
5 identification cards shall be collected and distributed according
6 to the table in subsection (2) of this section. County officials
7 shall remit the county portion of the fees collected to the county
8 treasurer for placement in the county general fund. All other fees
9 collected shall be remitted to the State Treasurer for credit to
10 the appropriate fund. The State Treasurer shall transfer an amount
11 equal to three dollars and fifty cents times the number of original
12 or renewal Class M licenses issued pursuant to section 60-4,127
13 during the previous year from the Department of Motor Vehicles Cash
14 Fund to the Motorcycle Safety Education Fund.

15 (2) The fees provided in this subsection in the
16 following dollar amounts apply for operators' licenses and state
17 identification cards.

		Department			
		Total	County	of Motor	State
Document	Fee	General	General	Vehicles	General
		Fund	Fund	Cash Fund	Fund
22 State identification card:					
23 Valid for 1 year or less	4.75	2.75	1.00	1.00	
24 Valid for more than 1 year					

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1	but not more than 2 years	9.50	2.75	3.50	3.25
2	Valid for more than 2 years				
3	but not more than 3 years	14.25	2.75	5.50	6.00
4	Valid for more than 3 years				
5	but not more than 4 years	19.00	2.75	8.00	8.25
6	Valid for more than 4 years				
7	for person under 21	23.75	2.75	10.00	11.00
8	Valid for 5 years	23.75	3.50	10.00	10.25
9	Duplicate or replacement	11.25	2.75	6.25	2.25
10	Class O or M operator's				
11	license:				
12	Valid for 1 year or less	4.75	2.75	1.00	1.00
13	Valid for more than 1 year				
14	but not more than 2 years	9.50	2.75	3.50	3.25
15	Valid for more than 2 years				
16	but not more than 3 years	14.25	2.75	5.50	6.00
17	Valid for more than 3 years				
18	but not more than 4 years	19.00	2.75	8.00	8.25
19	Valid for 5 years	23.75	3.50	10.00	10.25
20	Biopic or telescopic lens				
21	restriction:				
22	Valid for 1 year or less	4.75	0	4.75	0
23	Valid for more than 1 year				
24	but not more than 2 years	9.50	2.75	3.50	3.25
25	Duplicate or replacement	11.25	2.75	6.25	2.25

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1	Change of class or	5.00	0	5.00	0
2	restriction				
3	Provisional operator's				
4	permit:				
5	Original	15.00	2.75	12.25	0
6	Bioptic or telescopic lens				
7	restriction:				
8	Valid for 1 year or less	4.75	0	4.75	0
9	Valid for more than 1 year				
10	but not more than 2 years	15.00	2.75	12.25	0
11	Duplicate or replacement	11.25	2.75	6.25	2.25
12	LPD-learner's permit:				
13	Original	8.00	.25	5.00	2.75
14	Duplicate or replacement	11.25	2.75	6.25	2.25
15	LPE-learner's permit:				
16	Original	8.00	.25	5.00	2.75
17	Duplicate or replacement	11.25	2.75	6.25	2.25
18	<u>LPM-learner's permit:</u>				
19	<u>Original</u>	<u>8.00</u>	<u>.25</u>	<u>5.00</u>	<u>2.75</u>
20	<u>Duplicate or replacement</u>	<u>11.25</u>	<u>2.75</u>	<u>6.25</u>	<u>2.25</u>
21	School permit:				
22	Original	8.00	.25	5.00	2.75
23	Duplicate	11.25	2.75	6.25	2.25
24	Farm permit:				
25	Original or renewal	5.00	.25	0	4.75

	LB 589			LB 589	
1	Duplicate	5.00	.25	0	4.75
2	Temporary	5.00	.25	0	4.75
3	Driving permits:				
4	Employment	45.00	0	5.00	40.00
5	Medical hardship	45.00	0	5.00	40.00
6	Commercial driver's license:				
7	Valid for 1 year or less	11.00	1.75	5.00	4.25
8	Valid for more than 1 year				
9	but not more than 2 years	22.00	1.75	5.00	15.25
10	Valid for more than 2 years				
11	but not more than 3 years	33.00	1.75	5.00	26.25
12	Valid for more than 3 years				
13	but not more than 4 years	44.00	1.75	5.00	37.25
14	Valid for 5 years	55.00	1.75	5.00	48.25
15	Bioptic or telescopic lens				
16	restriction:				
17	Valid for one year or less	11.00	1.75	5.00	4.25
18	Valid for more than 1 year				
19	but not more than 2 years	22.00	1.75	5.00	15.25
20	Duplicate or replacement	11.25	2.75	6.25	2.25
21	Change of class, endorsement,				
22	or restriction	10.00	1.75	5.00	3.25
23	LPC-learner's permit:				
24	Original or renewal	10.00	.25	5.00	4.75
25	Duplicate or replacement	10.00	.25	5.00	4.75

1	Change of class, endorsement,				
2	or restriction	10.00	.25	5.00	4.75
3	Seasonal permit:				
4	Original or renewal	10.00	.25	5.00	4.75
5	Duplicate or replacement	10.00	.25	5.00	4.75
6	Change of class, endorsement,				
7	or restriction	10.00	.25	5.00	4.75

8 (3) If the Department of Motor Vehicles issues an
 9 operator's license or a state identification card, the department
 10 shall remit the county portion of the fees to the State Treasurer
 11 for credit to the Department of Motor Vehicles Cash Fund.

12 Sec. 3. Section 60-4,127, Reissue Revised Statutes of
 13 Nebraska, is amended to read:

14 60-4,127 (1) No person shall operate a motorcycle on the
 15 alleys or highways of the State of Nebraska until such person has
 16 obtained a Class M license.

17 ~~No~~ (2) For persons born prior to January 1, 1987, no
 18 such license shall be issued until the applicant has appeared
 19 before an examiner and ~~(1)~~ (a) satisfied the examiner that he
 20 or she meets the vision and physical requirements established
 21 under section 60-4,118 for operation of a motor vehicle and ~~(2)~~
 22 (b) successfully completed an examination, including the actual
 23 operation of a motorcycle, prescribed by the director, except that
 24 an examiner shall waive the required examination, including the

1 actual operation of a motorcycle, if the applicant presents proof
2 of successful completion of a motorcycle safety course under the
3 Motorcycle Safety Education Act within the immediately preceding
4 forty-eight months or if the driving record abstract of the
5 applicant maintained in the computerized records of the Department
6 of Motor Vehicles shows that the applicant has had no traffic
7 violations as described in section 60-4,182 from the date the
8 applicant's operator's license was last issued to the date of the
9 abstract.

10 (2) For persons born on or after January 1, 1987,
11 no Class M license shall be issued until the applicant has
12 appeared before an examiner and (a) satisfied the examiner that
13 he or she meets the vision and physical requirements established
14 under section 60-4,118 for operation of a motor vehicle and (b)
15 surrendered his or her LPM-learner's permit.

16 (3) In order to obtain a Class M license pursuant
17 to subsection (2) of this section, an applicant shall have
18 held an LPM-learner's permit for at least three months without
19 conviction for motor vehicle traffic violations, other than parking
20 violations, during the three months prior to application for the
21 Class M license. In order to obtain an LPM-learner's permit, an
22 applicant shall have taken a motorcycle safety course approved
23 under subsection (4) of this section. In order to take a motorcycle
24 safety course, an applicant shall be at least sixteen years of age,
25 unless the applicant has a farm permit, in which case the applicant

1 shall be at least fourteen years of age.

2 (4) The department shall approve motorcycle safety
3 courses and certify qualified instructors for purposes of this
4 section. In order to be certified, a qualified instructor shall be
5 a person employed by a public or private elementary, secondary, or
6 postsecondary school, holding an operator's license and teaching
7 certificate issued by the State Department of Education to teach
8 driver's education or an instructor holding a permit under the
9 Motorcycle Safety Education Act. In order to be approved, a
10 motorcycle safety course shall be taught by a qualified instructor,
11 shall not cost more than a comparable motor vehicle driver's
12 education course, and shall consist of:

13 (a) An eight-hour block of instruction directly related
14 to the actual operation of motorcycles, emphasizing safety measures
15 designed to ensure greater awareness of careful and skillful
16 operation of motorcycles;

17 (b) Instruction and riding experience on a motorcycle
18 driving range; and

19 (c) An examination which includes a written test and an
20 operation test, both of which must be passed by the applicant.

21 (5) Any applicant who qualifies for a Class M license
22 shall be issued a license for such operation by the county
23 treasurer as provided for the issuance of an operator's license,
24 or if he or she is the holder of an operator's license, the
25 county treasurer shall, upon receipt of the examiner's certificate,

1 endorse on the license the authorization to operate a motorcycle.

2 (6) Fees for LPM-learner's permits and Class M licenses
3 shall be as provided by section 60-4,115.

4 Sec. 4. Section 60-4,128, Reissue Revised Statutes of
5 Nebraska, is amended to read:

6 60-4,128 Any person violating the provisions of section
7 60-4,127 shall be guilty of a traffic infraction and shall upon
8 conviction thereof be fined not less than ten dollars nor more
9 than one hundred dollars. In addition, a person operating a
10 motorcycle without a Class M license may be required to complete
11 the basic motorcycle safety course as provided in the Motorcycle
12 Safety Education Act or a motorcycle safety course meeting the
13 requirements of subsection (4) of section 60-4,127.

14 Sec. 5. This act becomes operative on January 1, 2008.

15 Sec. 6. Original sections 60-4,127 and 60-4,128, Reissue
16 Revised Statutes of Nebraska, and sections 60-480 and 60-4,115,
17 Revised Statutes Cumulative Supplement, 2006, are repealed.