

LEGISLATURE OF NEBRASKA

ONE HUNDRED FIRST LEGISLATURE

FIRST SESSION

LEGISLATIVE BILL 384

Introduced by Pahls, 31.

Read first time January 16, 2009

Committee: Transportation and Telecommunications

A BILL

1 FOR AN ACT relating to the Motor Vehicle Operator's License Act;
2 to amend section 60-484.02, Revised Statutes Cumulative
3 Supplement, 2008; to authorize release of certain digital
4 information to federal civil enforcement agencies; and to
5 repeal the original section.
6 Be it enacted by the people of the State of Nebraska,

1 Section 1. Section 60-484.02, Revised Statutes Cumulative
2 Supplement, 2008, is amended to read:

3 60-484.02 (1) Each applicant for an operator's license
4 or state identification card shall have his or her digital image
5 taken. Digital images shall be preserved for use as prescribed in
6 sections 60-4,119, 60-4,151, and 60-4,180. The images shall be used
7 for issuing operators' licenses and state identification cards. The
8 images may be retrieved only by the Department of Motor Vehicles
9 for issuing renewal, duplicate, and replacement operators' licenses
10 and state identification cards and may not be otherwise released
11 except in accordance with subsection (3) of this section.

12 (2) Upon application for an operator's license or
13 state identification card, each applicant shall provide his
14 or her signature in a form prescribed by the department.
15 Digital signatures shall be preserved for use on original,
16 renewal, duplicate, and replacement operators' licenses and state
17 identification cards and may not be otherwise released except in
18 accordance with subsection (3) of this section.

19 (3) No officer, employee, agent, or contractor of the
20 department or a law enforcement officer shall release a digital
21 image or a digital signature except to a federal, state, or local
22 law enforcement agency, a federal civil enforcement agency, or
23 a driver licensing agency of another state for the purpose of
24 carrying out the functions of the agency or assisting another
25 agency in carrying out its functions upon the verification of the

1 identity of the person requesting the release of the information
2 and the verification of the purpose of the requester in requesting
3 the release. Any officer, employee, agent, or contractor of the
4 department or law enforcement officer that knowingly discloses
5 or knowingly permits disclosure of a digital image or digital
6 signature in violation of this section shall be guilty of a Class
7 IV felony and shall be subject to removal from office or discharge
8 in the discretion of the Governor or agency head, as appropriate.

9 Sec. 2. Original section 60-484.02, Revised Statutes
10 Cumulative Supplement, 2008, is repealed.