

LEGISLATURE OF NEBRASKA
ONE HUNDRED FIFTH LEGISLATURE
FIRST SESSION

LEGISLATIVE BILL 419

Introduced by McCollister, 20; Brewer, 43; Lowe, 37; Smith, 14.

Read first time January 13, 2017

Committee: Transportation and Telecommunications

1 A BILL FOR AN ACT relating to motor vehicles; to amend section 80-414,
2 Reissue Revised Statutes of Nebraska, and sections 60-3,122.03 and
3 60-3,122.04, Revised Statutes Cumulative Supplement, 2016; to change
4 provisions relating to Military Honor Plates; to harmonize
5 provisions; to provide an operative date; and to repeal the original
6 sections.

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

1 Section 1. Section 60-3,122.03, Revised Statutes Cumulative
2 Supplement, 2016, is amended to read:

3 60-3,122.03 (1) The department shall design license plates to be
4 known as Military Honor Plates. The department shall create designs
5 honoring persons who have served or are serving in the United States
6 Army, United States Army Reserve, United States Navy, United States Navy
7 Reserve, United States Marine Corps, United States Marine Corps Reserve,
8 United States Coast Guard, United States Coast Guard Reserve, United
9 States Air Force, United States Air Force Reserve, or National Guard.
10 There shall be ~~e~~leven ~~six~~ designs, one for each of such armed forces
11 reflecting its official emblem, official seal, or other official image.
12 The issuance of plates for each of such armed forces shall be conditioned
13 on the approval of the armed forces owning the copyright to the official
14 emblem, official seal, or other official image. A person may qualify for
15 a Military Honor Plate by registering with the Department of Veterans'
16 Affairs pursuant to section 80-414. The Department of Motor Vehicles
17 shall verify the applicant's eligibility for a plate created pursuant to
18 this section by consulting the registry established by the Department of
19 Veterans' Affairs.

20 (2) The design shall be selected on the basis of limiting the
21 manufacturing cost of each plate to an amount less than or equal to the
22 amount charged for license plates pursuant to section 60-3,102. The
23 Department of Motor Vehicles shall make applications available for each
24 type of plate when it is designed. The department may adopt and
25 promulgate rules and regulations to carry out this section and section
26 60-3,122.04.

27 (3) One type of Military Honor Plates shall be alphanumeric plates.
28 The department shall:

29 (a) Assign a designation up to five characters; and

30 (b) Not use a county designation.

31 (4) One type of Military Honor Plates shall be personalized message

1 plates. Such plates shall be issued subject to the same conditions
2 specified for personalized message license plates in section 60-3,118,
3 except that a maximum of five characters may be used.

4 Sec. 2. Section 60-3,122.04, Revised Statutes Cumulative Supplement,
5 2016, is amended to read:

6 60-3,122.04 (1) ~~An Beginning January 2, 2016,~~ an eligible person may
7 apply to the department for Military Honor Plates in lieu of regular
8 license plates on an application prescribed and provided by the
9 department for any motor vehicle, trailer, semitrailer, or cabin trailer,
10 except for a motor vehicle or trailer registered under section 60-3,198.
11 An applicant receiving a Military Honor Plate for a farm truck with a
12 gross weight of over sixteen tons shall affix the appropriate tonnage
13 decal to the plate. The department shall make forms available for such
14 applications through the county treasurers. The license plates shall be
15 issued upon payment of the license fee described in subsection (2) of
16 this section and verification by the department of an applicant's
17 eligibility using the registry established by the Department of Veterans'
18 Affairs pursuant to section 80-414. To be eligible an applicant shall be
19 (a) active duty or reserve duty armed forces personnel serving in any of
20 the armed forces listed in subsection (1) of section 60-3,122.03, ~~or~~ (b)
21 a veteran of any of such armed forces who was discharged or otherwise
22 separated with a characterization of honorable or general (under
23 honorable conditions), (c) a current or former commissioned officer of
24 the United States Public Health Service or National Oceanic and
25 Atmospheric Administration who has been detailed directly to any branch
26 of such armed forces for service on active or reserve duty and who was
27 discharged or otherwise separated with a characterization of honorable or
28 general (under honorable conditions) as proven with valid orders from the
29 United States Department of Defense, a statement of service provided by
30 the United States Public Health Service, or a report of transfer or
31 discharge provided by the National Oceanic and Atmospheric

1 Administration, or (d) a trust that owns the motor vehicle, trailer,
2 semitrailer, or cabin trailer if a designated beneficiary of the trust
3 qualifies under subdivision (1)(a), (b), or (c) of this section. Any
4 person using Military Honor Plates shall surrender the plates to the
5 county treasurer if such person is no longer eligible for the plates.
6 Regular plates shall be issued to any such person upon surrender of the
7 Military Honor Plates for a three-dollar transfer fee and forfeiture of
8 any of the remaining annual fee. The three-dollar transfer fee shall be
9 remitted to the State Treasurer for credit to the Department of Motor
10 Vehicles Cash Fund.

11 (2)(a) In addition to all other fees required for registration under
12 the Motor Vehicle Registration Act, each application for initial issuance
13 or renewal of alphanumeric Military Honor Plates shall be accompanied by
14 a fee of five dollars. County treasurers collecting fees pursuant to this
15 subdivision shall remit them to the State Treasurer. The State Treasurer
16 shall credit five dollars of the fee to the Nebraska Veteran Cemetery
17 System Operation Fund.

18 (b) In addition to all other fees required for registration under
19 the Motor Vehicle Registration Act, each application for initial issuance
20 or renewal of personalized message Military Honor Plates shall be
21 accompanied by a fee of forty dollars. County treasurers collecting fees
22 pursuant to this subdivision shall remit them to the State Treasurer. The
23 State Treasurer shall credit twenty-five percent of the fee for initial
24 issuance and renewal of such plates to the Department of Motor Vehicles
25 Cash Fund and seventy-five percent of the fee to the Nebraska Veteran
26 Cemetery System Operation Fund.

27 (3) When the Department of Motor Vehicles receives an application
28 for Military Honor Plates, the department shall deliver the plates to the
29 county treasurer of the county in which the motor vehicle or cabin
30 trailer is registered. The county treasurer shall issue Military Honor
31 Plates in lieu of regular license plates when the applicant complies with

1 the other provisions of the Motor Vehicle Registration Act for
2 registration of the motor vehicle or cabin trailer. If Military Honor
3 Plates are lost, stolen, or mutilated, the licensee shall be issued
4 replacement license plates upon request pursuant to section 60-3,157.

5 (4) The owner of a motor vehicle or cabin trailer bearing Military
6 Honor Plates may apply to the county treasurer to have such plates
7 transferred to a motor vehicle other than the vehicle for which such
8 plates were originally purchased if such vehicle is owned by the owner of
9 the plates. The owner may have the unused portion of the fee for the
10 plates credited to the other vehicle which will bear the plates at the
11 rate of eight and one-third percent per month for each full month left in
12 the registration period. Application for such transfer shall be
13 accompanied by a fee of three dollars. Fees collected pursuant to this
14 subsection shall be remitted to the State Treasurer for credit to the
15 Department of Motor Vehicles Cash Fund.

16 (5) If the cost of manufacturing Military Honor Plates at any time
17 exceeds the amount charged for license plates pursuant to section
18 60-3,102, any money to be credited to the Nebraska Veteran Cemetery
19 System Operation Fund shall instead be credited first to the Highway
20 Trust Fund in an amount equal to the difference between the manufacturing
21 costs of Military Honor Plates and the amount charged pursuant to section
22 60-3,102 with respect to such plates and the remainder shall be credited
23 to the Nebraska Veteran Cemetery System Operation Fund.

24 (6) If the director discovers evidence of fraud in an application
25 for Military Honor Plates or that the holder is no longer eligible to
26 have Military Honor Plates, the director may summarily cancel the plates
27 and registration and send notice of the cancellation to the holder of the
28 license plates.

29 Sec. 3. Section 80-414, Reissue Revised Statutes of Nebraska, is
30 amended to read:

31 80-414 (1) The Department of Veterans' Affairs shall create and

1 maintain a registry of residents of Nebraska who meet the requirements of
2 subsection (1) subdivision ~~(1)(a) or (b)~~ of section 60-3,122.04 or
3 subsection (1) of section 60-4,189. The Department of Veterans' Affairs
4 may adopt and promulgate rules and regulations governing the
5 establishment and maintenance of the registry. The registry may be used
6 to assist the department in carrying out the duties of the department and
7 shall provide for the collection of sufficient information to identify an
8 individual who qualifies for Military Honor Plates or a notation of
9 "veteran" on his or her operator's license or state identification card
10 issued by the Department of Motor Vehicles. The registry may include
11 information such as identifying information on an individual, an
12 individual's records on active duty or reserve duty in the armed forces
13 of the United States, or an individual's status of active duty, reserve
14 duty, retired, discharged, or other.

15 (2) Any resident of Nebraska who meets the requirements of
16 subsection (1) subdivision ~~(1)(a) or (b)~~ of section 60-3,122.04 or
17 subsection (1) of section 60-4,189 shall register with the Department of
18 Veterans' Affairs using the registry created by this section before being
19 eligible for Military Honor Plates or a notation of "veteran" on his or
20 her operator's license or state identification card issued by the
21 Department of Motor Vehicles. No person shall be deemed eligible until
22 his or her status has been verified on the registry.

23 (3) The Department of Motor Vehicles may adopt and promulgate rules
24 and regulations governing use of the registry of the Department of
25 Veterans' Affairs for determination of eligibility for the issuance of
26 Military Honor Plates or the notation of "veteran" on operators' licenses
27 and state identification cards.

28 Sec. 4. This act becomes operative on January 1, 2018.

29 Sec. 5. Original section 80-414, Reissue Revised Statutes of
30 Nebraska, and sections 60-3,122.03 and 60-3,122.04, Revised Statutes
31 Cumulative Supplement, 2016, are repealed.