



Ninety-Seventh Legislature - First Session - 2001
Corrected Committee Statement
LB 387

Hearing Date: 01/22/01

Committee On: Transportation and Telecommunications

Introducers: (Bromm)

Title: Change provisions relating to motor vehicles

Roll Call Vote – Final Committee Action:

- X Advanced to General File
 - Advanced to General File with Amendments
 - Indefinitely Postponed
-

Vote Results:

8	Yes	Senators Jones, Baker, Robak, Dw. Pedersen, Byars, Hudkins, Brown, Bromm
	No	
	Present, not voting	
	Absent	

Proponents:

Senator Curt Bromm
Beverly Neth

Representing:

23rd District
Department of Motor Vehicles

Opponents:

Representing:

Neutral:

Representing:

Summary of purpose and/or changes:

Amend 48-604(6)(q) to include reference to Division of Motor Carrier services authority with regard to motor carriers. Amend 60-305.09(2) to eliminate the word "sworn". Current practice does not require the application to be a sworn document. Expand the definition of a Class M (motorcycle) license in 60-480 to codify the current policy of allowing a Class M endorsement on LPD (learner's permit) and school permits. Eliminate certain affidavits; currently affidavits are required from under 18 year old driver license applicants who cannot provide birth certificates (60-484(b)). Affidavits require notarization by law. The proposal would eliminate the affidavit (the notarized document) and have individuals certify the forms they present instead. This would speed up the process of licensing since individual members of the public would no longer be required to find a notary public to complete the required forms. Amend

statutes governing LPDs, school permits, and POPs to clarify that waivers of written tests are allowed only for like endorsements (i.e. An LPD with a Class M endorsement-only could be used to waive the written test for the school permit Class M endorsement, and not for a Class O). The bill would amend 60-4,120.01 to require that LPD (learner's permit) applicants who want to waive the written exam for the POP (provisional operator permit) to surrender the actual LPD to the examiner and have a Nebraska issued LPD. The LPD must be valid or have expired not more than year for the written exam to be waived. The bill would also eliminate certain affidavits. Currently affidavits are required from under 18 year old driver license applicants for provisional operators permits who present a driving log from parents or guardians to waive the written test (60-4,120.01). Affidavits require notarization by law; the proposal would eliminate the affidavit (the notarized document) and have individuals certify the forms they present instead. This would speed up the process of licensing since individual members of the public would no longer be required to find a notary public to complete the required forms. Would also waive written and driving examination of applicants moving from a School Permit(60-4,124) to a POP (provisional operator's permit - 60-4,120.01) if the applicant presents an valid school permit or one that expired within a year of the application for the POP. Amend 60-4,122(7) to provide that applicants for an original Class O license no longer need to present a valid LPD and allow expired permits to be accepted for up to one year after expiration. Amend 60-4,124 (School permits and school learner's permit (LPE) to provide that the holder of the permit may drive if accompanied at all times by a licensed operator age 21 or over. Currently, school permit holders must have a parent or legal guardian present if driving anywhere other than to or from school, while the LPE holder may drive with a licensed operator 21 or over. Reduce redundant written testing requirements in 60-4,149.01 to provide that commercial driver's license (CDL) holders who have previously passed knowledge tests for a specific class of CDL endorsement need not take the test over. Amend 66-1406(7) to provide that the interest rate on delinquent fuel taxes be set by the State of Nebraska not by the International Fuel Tax Agreement. This change would comport with sovereignty of the State of Nebraska on fiscal matters, and is consistent with recommendations of the National Council of State Legislatures regarding the International Fuel Tax Agreement and state participation in that agreement. Amend 75-352 to eliminate contradictory reference to 75-307. Section 75-348 through 75-358 are **interstate** motor carrier financial responsibility requirements administered by the Division of Motor Carrier Services after LB1218, 1996. Section 60-307 is an **intrastate** motor carrier section under the administration of the Public Service Commission.

Explanation of amendments, if any:

Senator Curt Bromm, Chairperson