



**Ninety-Ninth Legislature - Second Session - 2006**  
**Committee Statement**  
**LB 853**

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**Hearing Date:** January 17, 2006

**Committee On:** Transportation and Telecommunications

**Introducer(s):** (Stuthman)

**Title:** Update certain references to federal law relating to motor vehicles

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**Roll Call Vote – Final Committee Action:**

- Advanced to General File
  - X Advanced to General File with Amendments
  - Indefinitely Postponed
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**Vote Results:**

8	Yes	Senators Brown, Smith, Stuthman, Baker, Aguilar, Hudkins, Dw. Pedersen and Foley
	No	
	Present, not voting	
	Absent	

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**Proponents:**

Senator Arnie Stuthman  
Beverly Neth

**Representing:**

Introducer, District #22  
Department of Motor Vehicles

**Opponents:**

**Representing:**

**Neutral:**

**Representing:**

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**Summary of purpose and/or changes:**

Legislative bill 853 changes references to federal law related to motor vehicle registrations, motor vehicle operators' licenses and occupant protection systems.

**Explanation of amendments, if any:**

Committee amendment – AM1986

The committee amendment strikes the original sections of the bill and contains the provisions of four bills- LB 832, LB 853, LB 895, and LB 947. The provisions of the committee amendment are as follows:

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**Section 1** (Section 1 of LB 853) amends §60-311 by changing the date referenced to 2005.

**Section 2** (Section 2 of LB 853) amends §60-342 by changing the date referenced to 2005.

**Section 3** (Section 1 of LB 947) amends §60-3,183 by striking a reference to carrier enforcement.

**Section 4** (Section 3 of LB 853) amends §60-3,196 by changing the date referenced to 2005.

Section 5 (Section 2 of LB 947) amends §60-3,205 by striking language that allowed the director to suspend, revoke, cancel or refuse to issue or renew a registration certification for a check or draft which is returned. This language is reinstated in subsection (2)(a). The director must give the individual seven day's notice before taking action. A petition to contest the action shall not stay the action. Under subsection (2)(b), the director may reinstate the registration certificate or license without delay upon payment of any fees due and reasonable administration costs. Under subsection (2)(c), the rules, regulations and order pertaining to hearing commenced in accordance with this section shall remain in effect unless changed or eliminated by the director or department, except for those portions involving a stay upon the filing of a petition, in which case this subsection supersedes those provisions. Under subsection (3), an individual receiving notice under the above subsections shall return their registration certificate and license plates. If not, the State Patrol shall secure the registration certificate and license plates and return them to the department.

**Section 6** (Section 2 of LB 895) amends §60-462 by adding internal references.

**Section 7** (Section 4 of LB 853) amends §60-462.01 by changing the date referenced to January 1, 2006.

**Section 8** (Section 3 of LB 895) amends §60-465 by adding a reference to the language in section 1.

**Section 9** (Section 1 of LB 832) amends §60-4,124 to allow the impoundment, rather than only the revocation, of a school permit.

**Section 10** (Section 4 of LB 895) amends §60-4,139 by allowing the operation of a commercial motor vehicle by a non-resident if the individual has a valid CDL or LPC-learner's permit from a jurisdiction with standards that are in accord with 49 CFR part 383.

**Section 11** (Section 5 of LB 895) amends §60-4,142 by striking language that allowed a person attending a CMV driver training school in this state to obtain a LPC-learner's permit from a Nebraska county treasurer and strikes language regarding the issuance of a CDL.

**Section 12** (Section 5 of LB 853) amends §60-4,147.02 by adopting those regulations relating to the PATRIOT Act to those adopted as of January 1, 2006.

**Section 13** (Section 6 of LB 853) amends §60-4,147.03 by adding the date of January 1, 2006.

**Section 14** (Section 1 of LB 895) adds new language to provide that §60-462.01 and §60-4,132 to §60-4,172 shall not apply to the operation of military vehicles by uniformed, military personnel. Eligible personnel are listed.

**Section 15** (Section 7 of LB 853) amends §60-6,265 by inserting the date of January 1, 2006.

**Section 16** (Section 8 of LB 853) amends §60-6,267 by inserting the date of January 1, 2006.

**Section 17** (Section 3 of LB 947) amends §66-1406.02 by adding internal references. Under subsection (8), an individual receiving notice under the above subsections shall return their registration certificate and license plates. If not, the State Patrol shall secure the registration certificate and license plates and return them to the department.

**Section 18** provides an operative date of January 1, 2007 for sections 11 and 19. The other sections become operative on their effective date.

**Section 19** contains the repealer clause for §60-6,142.

**Section 20** contains the repealer clause for the remaining statutes.

**Section 21** contains the emergency clause.

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**Senator Tom Baker, Chairperson**