

AMENDMENTS TO LB 253

Introduced by Rogert, 16.

1           1. Insert the following new sections:

2           Sec. 2. Section 60-387, Revised Statutes Supplement,  
3 2007, is amended to read:

4           60-387 (1) An application for registration of a motor  
5 vehicle shall be accompanied by proof of financial responsibility  
6 or evidence of insurance covering the motor vehicle. Proof of  
7 financial responsibility shall be evidenced by a copy of proof of  
8 financial responsibility filed pursuant to subdivision (2), (3), or  
9 (4) of section 60-528 bearing the seal of the department. Evidence  
10 of insurance shall give the effective dates of the automobile  
11 liability policy, which dates shall be evidence that the coverage  
12 is in effect on and following the date of registration, and shall  
13 designate, by explicit description or by appropriate reference,  
14 all motor vehicles covered. Evidence of insurance in the form of  
15 a certificate of insurance for fleet vehicles may include, as an  
16 appropriate reference, a designation that the insurance coverage is  
17 applicable to all vehicles owned by the named insured, or wording  
18 of similar effect, in lieu of an explicit description. Proof of  
19 financial responsibility also may be evidenced by ~~(1)~~ (a) a check  
20 by the department or its agents of the motor vehicle insurance data  
21 base created under section 60-3,136 or ~~(2)~~ (b) any other automated  
22 or electronic means as prescribed or developed by the department.  
23 For purposes of this section, fleet means a group of at least five

1 vehicles that belong to the same owner.

2 (2) If a motorcycle is being registered, an application  
3 for registration of the motorcycle shall be accompanied by, in  
4 addition to the requirements of subsection (1) of this section,  
5 proof of current and effective medical reimbursement insurance  
6 coverage of no less than one million dollars.

7 Sec. 3. Section 60-390, Revised Statutes Cumulative  
8 Supplement, 2006, is amended to read:

9 60-390 The certificate of registration shall contain upon  
10 the face thereof the name of the registered owner of the motor  
11 vehicle or trailer, his or her residential mailing address, a  
12 description of the motor vehicle or trailer as set forth in the  
13 application for registration, and whether alternative fuel was used  
14 to propel the motor vehicle and, if so, the type of fuel. The  
15 certificate of registration shall have and contain the identical  
16 registration number denoted on the license plate in connection  
17 with which such certificate of registration is issued and shall  
18 be valid only for the registration period for which it is issued.  
19 On the back of the certificate, the certificate of registration  
20 shall include a statement in boldface print that an automobile  
21 liability policy or proof of financial responsibility is required  
22 in Nebraska. On the back of the certificate for a motorcycle, the  
23 certificate of registration shall include a statement in boldface  
24 print that an automobile liability policy or proof of financial  
25 responsibility and proof of insurance as provided in subsection  
26 (2) of section 60-387 is required in Nebraska. By paying the  
27 required registration fees, every person whose name appears on

1 the registration of the motor vehicle or trailer certifies that  
2 a current and effective automobile liability policy or proof of  
3 financial responsibility will be maintained for the motor vehicle  
4 or trailer at the time of registration and while the motor vehicle  
5 or trailer is operated on a highway of this state and that he or  
6 she will also provide a current and effective automobile liability  
7 policy, evidence of insurance, or proof of financial responsibility  
8 for the motor vehicle or trailer upon demand. By paying the  
9 required registration fees, every person whose name appears on the  
10 registration of a motorcycle certifies that a current and effective  
11 automobile liability policy or proof of financial responsibility  
12 and proof of insurance as provided in subsection (2) of section  
13 60-387 will be maintained for the motor vehicle or trailer at  
14 the time of registration and while the motor vehicle or trailer  
15 is operated on a highway of this state and that he or she will  
16 also provide a current and effective automobile liability policy,  
17 evidence of insurance, or proof of financial responsibility and  
18 proof of insurance as provided in subsection (2) of section 60-387  
19 for the motorcycle upon demand.

20           Sec. 5. Section 60-3,167, Revised Statutes Cumulative  
21 Supplement, 2006, is amended to read:

22           60-3,167 (1) It shall be unlawful for any owner of a  
23 motor vehicle or trailer which is being operated or towed with  
24 In Transit stickers pursuant to section 60-376, which is being  
25 operated or towed pursuant to section 60-365 or 60-369, or which  
26 is required to be registered in this state and which is operated  
27 or towed on a public highway of this state to allow the operation

1 or towing of the motor vehicle or trailer on a public highway  
2 of this state without having a current and effective automobile  
3 liability policy, evidence of insurance, or proof of financial  
4 responsibility. With respect to the operation of a motorcycle under  
5 this subsection, the owner shall also be required to have insurance  
6 coverage as provided in subsection (2) of section 60-387. The owner  
7 shall be presumed to know of the operation or towing of his or her  
8 motor vehicle or trailer on a highway of this state in violation of  
9 this section when the motor vehicle or trailer is being operated or  
10 towed by a person other than the owner.

11 (2) An owner of a motor vehicle or trailer who operates  
12 or tows the motor vehicle or trailer or allows the operation or  
13 towing of the motor vehicle or trailer in violation of this section  
14 shall be guilty of a Class II misdemeanor and shall be advised by  
15 the court that his or her motor vehicle operator's license, motor  
16 vehicle certificate of registration, and license plates will be  
17 suspended by the department until he or she complies with sections  
18 60-505.02 and 60-528. Upon conviction the owner shall have his  
19 or her motor vehicle operator's license, motor vehicle certificate  
20 of registration, and license plates suspended by the department  
21 until he or she complies with sections 60-505.02 and 60-528.  
22 The owner shall also be required to comply with section 60-528  
23 for a continuous period of three years after the violation. This  
24 subsection shall not apply to motor vehicles or trailers registered  
25 in another state.

26 ~~(2)~~ (3) An owner who is unable to produce a current  
27 and effective automobile liability policy, evidence of insurance,

1 or proof of financial responsibility upon the request of a law  
2 enforcement officer shall be allowed ten days after the date of  
3 the request to produce proof to the appropriate prosecutor or  
4 county attorney that a current and effective automobile liability  
5 policy or proof of financial responsibility was in existence  
6 for the motor vehicle or trailer at the time of such request.  
7 An owner of a motorcycle who is unable to produce a current  
8 and effective automobile liability policy, evidence of insurance,  
9 or proof of financial responsibility and proof of insurance as  
10 provided in subsection (2) of section 60-387 upon the request of a  
11 law enforcement officer shall be allowed ten days after the date  
12 of the request to produce proof to the appropriate prosecutor or  
13 county attorney that a current and effective automobile liability  
14 policy or proof of financial responsibility and proof of insurance  
15 as provided in subsection (2) of section 60-387 was in existence  
16 for the motor vehicle or trailer at the time of such request. Upon  
17 presentation of such proof, the citation shall be dismissed by the  
18 prosecutor or county attorney without cost to the owner and no  
19 prosecution for the offense cited shall occur.

20 ~~(3)~~ (4) The department shall, for any person convicted  
21 for a violation of this section, reinstate such person's operator's  
22 license, motor vehicle certificate of registration, and license  
23 plates and rescind any order requiring such person to comply with  
24 section 60-528 without cost to such person upon presentation to the  
25 director that, at the time such person was cited for a violation of  
26 this section, a current and effective automobile liability policy  
27 or proof of financial responsibility or proof of insurance as

1 provided in subsection (2) of section 60-387 was in existence for  
2 the motor vehicle or trailer at the time the citation was issued.

3           2. Renumber the remaining sections and correct internal  
4 references accordingly, and correct the operative date provision  
5 so that the sections added by this amendment become operative on  
6 January 1, 2009.