

LEGISLATURE OF NEBRASKA
 ONE HUNDREDTH LEGISLATURE
 SECOND SESSION
LEGISLATIVE BILL 911

FINAL READING

Introduced by Hudkins, 21.

Read first time January 14, 2008

Committee: Transportation and Telecommunications

A BILL

1 FOR AN ACT relating to the Motor Vehicle Operator's License
 2 Act; to amend sections 60-479, 60-4,112, 60-4,113,
 3 60-4,117, 60-4,118.05, 60-4,122, 60-4,126, 60-4,127,
 4 60-4,148, 60-4,149, 60-4,151, and 60-4,181, Reissue
 5 Revised Statutes of Nebraska, sections 60-484,
 6 60-4,115, 60-4,144, and 60-4,150, Revised Statutes
 7 Cumulative Supplement, 2006, and sections 60-462,
 8 60-463, 60-4,120.01, 60-4,123, and 60-4,124, Revised
 9 Statutes Supplement, 2007; to change provisions relating
 10 to issuance of motor vehicle operators' licenses
 11 and permits, commercial drivers' licenses, and state
 12 identification cards; to state intent; to define
 13 and redefine terms; to change provisions relating to

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1 examinations, issuance, and fees; to provide a surcharge;
2 to harmonize provisions; and to repeal the original
3 sections.
4 Be it enacted by the people of the State of Nebraska,

1 Section 1. Section 60-462, Revised Statutes Supplement,
2 2007, is amended to read:

3 60-462 Sections 60-462 to 60-4,188 and sections 2, 4 to
4 6, and 8 of this act shall be known and may be cited as the Motor
5 Vehicle Operator's License Act.

6 Sec. 2. It is the intent of the Legislature that the
7 department develop, implement, and maintain processes for the
8 issuance of operators' licenses and state identification cards
9 designed to protect the identity of applicants for and holders
10 of such licenses and cards and reduce identity theft, fraud,
11 forgery, and counterfeiting to the maximum extent possible with
12 respect to such licenses and cards. The director shall designate an
13 implementation date for such processes which date is on or before
14 April 1, 2009. The department shall adopt security and technology
15 practices to enhance the enrollment, production, data storage,
16 and credentialing system of such licenses and cards in order to
17 maximize the integrity of the process.

18 Sec. 3. Section 60-463, Revised Statutes Supplement,
19 2007, is amended to read:

20 60-463 For purposes of the Motor Vehicle Operator's
21 License Act, the definitions found in sections 60-463.01 to 60-478
22 and sections 4 to 6 of this act shall be used.

23 Sec. 4. Department means the Department of Motor
24 Vehicles.

25 Sec. 5. Full legal name means an individual's first

1 name, middle name, and last or surname without use of initials or
2 nicknames.

3 Sec. 6. Principal residence means the location in
4 Nebraska where a person resides at the time of application even
5 if such residence is temporary.

6 Sec. 7. Section 60-479, Reissue Revised Statutes of
7 Nebraska, is amended to read:

8 60-479 Sections 60-480 to 60-4,111.01 and 60-4,182 to
9 60-4,188 and section 8 of this act shall apply to any operator's
10 license subject to the Motor Vehicle Operator's License Act.

11 Sec. 8. This section applies beginning on an
12 implementation date designated by the director pursuant to section
13 2 of this act. All persons handling source documents or engaged in
14 the issuance of new, renewed, or reissued operators' licenses or
15 state identification cards shall have periodic fraudulent document
16 recognition training.

17 Sec. 9. Section 60-484, Revised Statutes Cumulative
18 Supplement, 2006, is amended to read:

19 60-484 ~~(1)~~ (1)(a) This subsection applies until the
20 implementation date designated by the director pursuant to section
21 2 of this act. Except as otherwise provided in the Motor Vehicle
22 Operator's License Act, no resident of the State of Nebraska shall
23 operate a motor vehicle upon the alleys or highways of the State
24 of Nebraska until the person has obtained an operator's license for
25 that purpose.

1 ~~(2)~~ (b) Application for an operator's license may be
 2 made in a manner prescribed by the ~~Department of Motor Vehicles~~
 3 department. Such application may be made to an examiner in any
 4 county. The examiner shall personally conduct the examination
 5 of the applicant and deliver to each successful applicant an
 6 examiner's certificate containing the statements made pursuant to
 7 ~~subsection (3)~~ subdivision (c) of this ~~section~~ subsection.

8 ~~(3)~~ (c) In addition to any other information and
 9 questions necessary to comply with the requirements and purposes of
 10 the act, the applicant ~~(a)~~ (i) shall provide his or her name, age,
 11 post office address, place of residence unless the applicant is a
 12 program participant under the Address Confidentiality Act, date of
 13 birth, ~~sex~~, gender, social security number, and brief description
 14 of himself or herself, ~~(b)~~ (ii) may complete the voter registration
 15 portion pursuant to section 32-308, ~~(e)~~ (iii) shall be provided the
 16 advisement language required by subsection (5) of section 60-6,197,
 17 ~~(d)~~ (iv) shall answer the following:

18 ~~(i)~~ (A) Have you within the last three months (e.g. due
 19 to diabetes, epilepsy, mental illness, head injury, stroke, heart
 20 condition, neurological disease, etc.):

21 ~~(A)~~ (I) lost voluntary control or consciousness ... yes
 22 ... no

23 ~~(B)~~ (II) experienced vertigo or multiple episodes of
 24 dizziness or fainting ... yes ... no

25 ~~(C)~~ (III) experienced disorientation ... yes ... no

1 ~~(D)~~ (IV) experienced seizures ... yes ... no

2 ~~(E)~~ (V) experienced impairment of memory, memory loss ...
3 yes ... no

4 Please explain:

5 ~~(ii)~~ (B) Do you experience any condition which affects
6 your ability to operate a motor vehicle? (e.g. due to loss of, or
7 impairment of, foot, leg, hand, arm; neurological or neuromuscular
8 disease, etc.) ... yes ... no

9 Please explain:

10 ~~(iii)~~ (C) Since the issuance of your last driver's
11 license/permit has your health or medical condition changed or
12 worsened? ... yes ... no

13 Please explain, including how the above affects your
14 ability to drive:, and ~~(e)~~ (v) may answer
15 the following:

16 ~~(i)~~ (A) Do you wish to register to vote as part of this
17 application process?

18 OPTIONAL - YOU ARE NOT REQUIRED TO ANSWER ANY OF THE
19 FOLLOWING QUESTIONS:

20 ~~(ii)~~ (B) Do you wish to be an organ and tissue donor?

21 ~~(iii)~~ (C) Do you wish to receive any additional specific
22 information regarding organ and tissue donation and the Donor
23 Registry of Nebraska?

24 ~~(iv)~~ (D) Do you wish to donate \$1 to promote the Organ
25 and Tissue Donor Awareness and Education Fund?

1 ~~(4)~~ (d) Application for an operator's license shall be
2 made under oath or affirmation of the applicant.

3 ~~(5)~~ (e) The social security number shall not be printed
4 on the operator's license and shall be used only ~~(a)~~ (i) to furnish
5 driver record information to the United States Selective Service
6 System under section 60-483, ~~(b)~~ (ii) with the permission of the
7 director in connection with the verification of the status of an
8 individual's driving record in this state or any other state, ~~(c)~~
9 (iii) for purposes of child support enforcement pursuant to section
10 42-358.08 or 43-512.06, or ~~(d)~~ beginning on an implementation date
11 designated by the director, (iv) to furnish information regarding
12 an applicant for or holder of a commercial driver's license with
13 a hazardous materials endorsement to the Transportation Security
14 Administration of the United States Department of Homeland Security
15 or its agent.

16 ~~(6)~~~~(a)~~ (f)(i) Except for an individual under the age
17 of eighteen years, each individual applying for an operator's
18 license or a state identification card shall furnish proof of date
19 of birth and identity by a valid Nebraska operator's license, a
20 valid Nebraska learner's permit, a valid Nebraska school permit,
21 a valid operator's license from another state or jurisdiction of
22 the United States, a certified birth certificate, a certified birth
23 registration, a valid United States passport, a valid United States
24 military identification card, United States military discharge
25 papers, other United States-based identification as approved by

1 the director, or information preserved in the digital system
2 implemented under section 60-484.01.

3 ~~(b)~~ (ii) Any individual under the age of eighteen years
4 applying for an operator's license or a state identification card
5 shall provide a certified copy of his or her birth certificate,
6 a certified birth registration, or other reliable proof of his or
7 her identity and age accompanied by a certification signed by a
8 parent or guardian explaining the inability to produce a copy of
9 such birth certificate. The applicant may be required to furnish
10 proof to the examiner that the parent or guardian signing the
11 certification is in fact the parent or guardian of such applicant.

12 (2) (a) This subsection applies beginning on the
13 implementation date designated by the director pursuant to section
14 2 of this act. Except as otherwise provided in the Motor Vehicle
15 Operator's License Act, no resident of the State of Nebraska shall
16 operate a motor vehicle upon the alleys or highways of this state
17 until the person has obtained an operator's license for that
18 purpose.

19 (b) Application for an operator's license or a state
20 identification card shall be made in a manner prescribed by the
21 department. Such application may be made to department personnel in
22 any county. Department personnel shall conduct the examination of
23 the applicant and deliver to each successful applicant an issuance
24 certificate containing the statements made pursuant to subdivision
25 (c) of this subsection.

1 (c) The applicant (i) shall provide his or her full legal
 2 name, date of birth, mailing address, gender, race or ethnicity,
 3 and social security number, two forms of proof of address of
 4 his or her principal residence unless the applicant is a program
 5 participant under the Address Confidentiality Act, evidence of
 6 identity as required by subdivision (2)(f) of this subsection,
 7 and a brief physical description of himself or herself, (ii)
 8 may complete the voter registration portion pursuant to section
 9 32-308, (iii) shall be provided the advisement language required
 10 by subsection (5) of section 60-6,197, (iv) shall answer the
 11 following:

12 (A) Have you within the last three months (e.g. due
 13 to diabetes, epilepsy, mental illness, head injury, stroke, heart
 14 condition, neurological disease, etc.):

15 (I) lost voluntary control or consciousness ... yes ...
 16 no

17 (II) experienced vertigo or multiple episodes of
 18 dizziness or fainting ... yes ... no

19 (III) experienced disorientation ... yes ... no

20 (IV) experienced seizures ... yes ... no

21 (V) experienced impairment of memory, memory loss ... yes
 22 ... no

23 Please explain:

24 (B) Do you experience any condition which affects your
 25 ability to operate a motor vehicle? (e.g. due to loss of, or

1 impairment of, foot, leg, hand, arm; neurological or neuromuscular
2 disease, etc.) ... yes ... no

3 Please explain:

4 (C) Since the issuance of your last driver's
5 license/permit, has your health or medical condition changed or
6 worsened? ... yes ... no

7 Please explain, including how the above affects your
8 ability to drive:, and (v) may answer the
9 following:

10 (A) Do you wish to register to vote as part of this
11 application process?

12 OPTIONAL - YOU ARE NOT REQUIRED TO ANSWER ANY OF THE
13 FOLLOWING QUESTIONS:

14 (B) Do you wish to be an organ and tissue donor?

15 (C) Do you wish to receive any additional specific
16 information regarding organ and tissue donation and the Donor
17 Registry of Nebraska?

18 (D) Do you wish to donate \$1 to promote the Organ and
19 Tissue Donor Awareness and Education Fund?

20 (d) Application for an operator's license or state
21 identification card shall include a signed oath, affirmation,
22 or declaration of the applicant that the information provided on
23 the application for the license or card is true and correct.

24 (e) The social security number shall not be printed on
25 the operator's license or state identification card and shall be

1 used only (i) to furnish information to the United States Selective
2 Service System under section 60-483, (ii) with the permission of
3 the director in connection with the verification of the status of
4 an individual's driving record in this state or any other state,
5 (iii) for purposes of child support enforcement pursuant to section
6 42-358.08 or 43-512.06, or (iv) to furnish information regarding
7 an applicant for or holder of a commercial driver's license with
8 a hazardous materials endorsement to the Transportation Security
9 Administration of the United States Department of Homeland Security
10 or its agent.

11 (f)(i) Each individual applying for an operator's license
12 or a state identification card shall furnish proof of date of
13 birth and identity with documents containing a photograph or with
14 nonphoto identity documents which include his or her full legal
15 name and date of birth. Such documents shall include, but not be
16 limited to, any valid Nebraska operator's license or Nebraska state
17 identification card, a valid operator's license or identification
18 card from another state or jurisdiction of the United States, a
19 certified birth certificate, a valid United States passport, or
20 any other United States-based identification as approved by the
21 director.

22 (ii) Any individual under the age of eighteen years
23 applying for an operator's license or a state identification card
24 shall provide a certified copy of his or her birth certificate
25 or, if such individual is unable to provide a certified copy of

1 his or her birth certificate, other reliable proof of his or her
2 identity and age, as required in subdivision (2)(f)(i) of this
3 section, accompanied by a certification signed by a parent or
4 guardian explaining the inability to produce a copy of such birth
5 certificate. The applicant also may be required to furnish proof
6 to department personnel that the parent or guardian signing the
7 certification is in fact the parent or guardian of such applicant.

8 (iii) An applicant may present other documents as proof
9 of identification and age designated by the director. Any documents
10 accepted shall be recorded according to a written exceptions
11 process established by the director.

12 Sec. 10. Section 60-4,112, Reissue Revised Statutes of
13 Nebraska, is amended to read:

14 60-4,112 Sections ~~60-4,113~~ 60-4,114, 60-4,116, and
15 60-4,118 to 60-4,130.05 shall apply to the operation of any motor
16 vehicle except a commercial motor vehicle.

17 Sec. 11. Section 60-4,113, Reissue Revised Statutes of
18 Nebraska, is amended to read:

19 60-4,113 ~~is~~ (1) This subsection applies until the
20 implementation date designated by the director pursuant to section
21 2 of this act. In and for each county in the State of Nebraska,
22 the director shall appoint as his or her agents one or more
23 examiners who shall examine all applicants for an operator's
24 license as provided in section 60-4,114 except as otherwise
25 provided in subsection (8) of section 60-4,122. The director may,

1 in his or her discretion, also appoint one or more examining
2 officers with similar powers as are set forth in section 60-4,114.
3 The same examiner may be assigned to one or more counties by
4 the director. Each county shall furnish office space for the
5 administration of the operator's license examination. The examiner
6 shall ~~actually~~ conduct the examination of applicants and deliver to
7 each successful applicant a certificate entitling such applicant to
8 secure an operator's license. If the examiner refuses to issue such
9 certificate for cause, he or she shall state such cause in writing
10 and deliver the same to the applicant. The successful applicant
11 shall, within ninety days, present his or her certificate to the
12 county treasurer who shall immediately issue the operator's license
13 and collect the fee therefor. ~~The certificate shall be presented~~
14 ~~in the applicant's county of residence until the Department of~~
15 ~~Motor Vehicles has established the appropriate procedures for the~~
16 ~~certificate to be presented to the county treasurer of any county~~
17 ~~which shall be not later than January 1, 2003.~~ The county treasurer
18 shall report the issuance of such licenses to the ~~Department of~~
19 ~~Motor Vehicles~~ department within five days after issuance.

20 (2)(a) This subsection applies beginning on the
21 implementation date designated by the director pursuant to section
22 2 of this act. In and for each county in the State of Nebraska,
23 the director shall appoint as his or her agents one or more
24 department personnel who shall examine all applicants for a
25 state identification card or an operator's license as provided

1 in section 60-4,114 except as otherwise provided in subsection
2 (8) of section 60-4,122. The same department personnel may be
3 assigned to one or more counties by the director. Each county
4 shall furnish office space for the administration of the operator's
5 license examination. The department personnel shall conduct the
6 examination of applicants and deliver to each successful applicant
7 an issuance certificate. The certificate may be presented to the
8 county treasurer of any county within ninety days after issuance,
9 and the county treasurer shall collect the fee and surcharge as
10 provided in section 60-4,115 and issue a receipt which is valid for
11 up to thirty days. If an operator's license is being issued, the
12 receipt shall also authorize driving privileges for such thirty-day
13 period. If the department personnel refuse to issue an issuance
14 certificate for cause, the department personnel shall state such
15 cause in writing and deliver such written cause to the applicant.

16 (b) The department may provide for the central production
17 and issuance of operators' licenses and state identification cards.
18 Production shall take place at a secure production facility
19 designated by the director. The licenses and cards shall be of
20 such a design and produced in such a way as to discourage, to the
21 maximum extent possible, fraud in applicant enrollment, identity
22 theft, and the forgery and counterfeiting of such licenses and
23 cards. Delivery of an operator's license or state identification
24 card shall be to the mailing address provided by the applicant at
25 the time of application.

1 Sec. 12. Section 60-4,115, Revised Statutes Cumulative
2 Supplement, 2006, is amended to read:

3 60-4,115 (1) Fees for operators' licenses and state
4 identification cards shall be collected and distributed according
5 to the table in subsection (2) of this section. County officials
6 shall remit the county portion of the fees collected to the county
7 treasurer for placement in the county general fund. All other fees
8 collected shall be remitted to the State Treasurer for credit to
9 the appropriate fund. The State Treasurer shall transfer an amount
10 equal to three dollars and fifty cents times the number of original
11 or renewal Class M licenses issued pursuant to section 60-4,127
12 during the previous year from the Department of Motor Vehicles Cash
13 Fund to the Motorcycle Safety Education Fund.

14 (2) The fees provided in this subsection in the
15 following dollar amounts apply for operators' licenses and state
16 identification cards.

	Department			
	County of Motor		State	
Document	Total	General	Vehicles	General
	Fee	Fund	Cash Fund	Fund
21 State identification card:				
22 Valid for 1 year or less	4.75	2.75	1.00	1.00
23 Valid for more than 1 year				
24 but not more than 2 years	9.50	2.75	3.50	3.25

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1	Valid for more than 2 years				
2	but not more than 3 years	14.25	2.75	5.50	6.00
3	<u>Valid for 1 year or less</u>	<u>5.00</u>	<u>2.75</u>	<u>1.25</u>	<u>1.00</u>
4	<u>Valid for more than 1 year</u>				
5	<u>but not more than 2 years</u>	<u>10.00</u>	<u>2.75</u>	<u>4.00</u>	<u>3.25</u>
6	<u>Valid for more than 2 years</u>				
7	<u>but not more than 3 years</u>	<u>14.00</u>	<u>2.75</u>	<u>5.25</u>	<u>6.00</u>
8	Valid for more than 3 years				
9	but not more than 4 years	19.00	2.75	8.00	8.25
10	Valid for more than 4 years				
11	for person under 21	23.75	2.75	10.00	11.00
12	Valid for 5 years	23.75	3.50	10.00	10.25
13	Duplicate or replacement	11.25	2.75	6.25	2.25
14	Class O or M operator's license:				
15	Valid for 1 year or less	4.75	2.75	1.00	1.00
16	Valid for more than 1 year				
17	but not more than 2 years	9.50	2.75	3.50	3.25
18	Valid for more than 2 years				
19	but not more than 3 years	14.25	2.75	5.50	6.00
20	Valid for more than 3 years				
21	but not more than 4 years	19.00	2.75	8.00	8.25
22	Valid for 5 years	23.75	3.50	10.00	10.25
23	Bioptic or telescopic lens restriction:				
24	Valid for 1 year or less	4.75	0	4.75	0
25	Valid for more than 1 year				

LB 911		LB 911			
1	but not more than 2 years	9.50	2.75	3.50	3.25
2	Duplicate or replacement	11.25	2.75	6.25	2.25
3	<u>Valid for more than 4 years</u>				
4	<u>for person under 21</u>	<u>24.00</u>	<u>2.75</u>	<u>10.25</u>	<u>11.00</u>
5	<u>Valid for 5 years</u>	<u>24.00</u>	<u>3.50</u>	<u>10.25</u>	<u>10.25</u>
6	<u>Duplicate or replacement</u>	<u>11.00</u>	<u>2.75</u>	<u>6.00</u>	<u>2.25</u>
7	<u>Class O or M operator's license:</u>				
8	<u>Valid for 1 year or less</u>	<u>5.00</u>	<u>2.75</u>	<u>1.25</u>	<u>1.00</u>
9	<u>Valid for more than 1 year</u>				
10	<u>but not more than 2 years</u>	<u>10.00</u>	<u>2.75</u>	<u>4.00</u>	<u>3.25</u>
11	<u>Valid for more than 2 years</u>				
12	<u>but not more than 3 years</u>	<u>14.00</u>	<u>2.75</u>	<u>5.25</u>	<u>6.00</u>
13	<u>Valid for more than 3 years</u>				
14	<u>but not more than 4 years</u>	<u>19.00</u>	<u>2.75</u>	<u>8.00</u>	<u>8.25</u>
15	<u>Valid for 5 years</u>	<u>24.00</u>	<u>3.50</u>	<u>10.25</u>	<u>10.25</u>
16	<u>Bioptic or telescopic lens restriction:</u>				
17	<u>Valid for 1 year or less</u>	<u>5.00</u>	<u>0</u>	<u>5.00</u>	<u>0</u>
18	<u>Valid for more than 1 year</u>				
19	<u>but not more than 2 years</u>	<u>10.00</u>	<u>2.75</u>	<u>4.00</u>	<u>3.25</u>
20	<u>Duplicate or replacement</u>	<u>11.00</u>	<u>2.75</u>	<u>6.00</u>	<u>2.25</u>
21	<u>Change of class or restriction</u>	<u>5.00</u>	<u>0</u>	<u>5.00</u>	<u>0</u>
22	<u>Add, change, or remove class,</u>				
23	<u>endorsement, or restriction</u>	<u>5.00</u>	<u>0</u>	<u>5.00</u>	<u>0</u>
24	<u>Provisional operator's permit:</u>				
25	<u>Original</u>	<u>15.00</u>	<u>2.75</u>	<u>12.25</u>	<u>0</u>

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1	Bioptic or telescopic lens restriction:				
2	Valid for 1 year or less	4.75	0	4.75	0
3	<u>Valid for 1 year or less</u>	5.00	0	5.00	0
4	Valid for more than 1 year				
5	but not more than 2 years	15.00	2.75	12.25	0
6	Duplicate or replacement	11.25	2.75	6.25	2.25
7	<u>Duplicate or replacement</u>	11.00	2.75	6.00	2.25
8	<u>Add, change, or remove class,</u>				
9	<u>endorsement, or restriction</u>	5.00	0	5.00	0
10	LPD-learner's permit:				
11	Original	8.00	.25	5.00	2.75
12	Duplicate or replacement	11.25	2.75	6.25	2.25
13	<u>Duplicate or replacement</u>	11.00	2.75	6.00	2.25
14	<u>Add, change, or remove class,</u>				
15	<u>endorsement, or restriction</u>	5.00	0	5.00	0
16	LPE-learner's permit:				
17	Original	8.00	.25	5.00	2.75
18	Duplicate or replacement	11.25	2.75	6.25	2.25
19	<u>Duplicate or replacement</u>	11.00	2.75	6.00	2.25
20	<u>Add, change, or remove class,</u>				
21	<u>endorsement, or restriction</u>	5.00	0	5.00	0
22	School permit:				
23	Original	8.00	.25	5.00	2.75
24	Duplicate	11.25	2.75	6.25	2.25
25	<u>Duplicate or replacement</u>	11.00	2.75	6.00	2.25

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1	<u>Add, change, or remove class,</u>				
2	<u>endorsement, or restriction</u>	<u>5.00</u>	<u>0</u>	<u>5.00</u>	<u>0</u>
3	Farm permit:				
4	Original or renewal	5.00	.25	0	4.75
5	Duplicate <u>or replacement</u>	5.00	.25	0	4.75
6	Temporary	5.00	.25	0	4.75
7	<u>Add, change, or remove class,</u>				
8	<u>endorsement, or restriction</u>	<u>5.00</u>	<u>0</u>	<u>5.00</u>	<u>0</u>
9	Driving permits:				
10	Employment	45.00	0	5.00	40.00
11	Medical hardship	45.00	0	5.00	40.00
12	<u>Duplicate or replacement</u>	<u>10.00</u>	<u>.25</u>	<u>5.00</u>	<u>4.75</u>
13	<u>Add, change, or remove class,</u>				
14	<u>endorsement, or restriction</u>	<u>5.00</u>	<u>0</u>	<u>5.00</u>	<u>0</u>
15	Commercial driver's license:				
16	Valid for 1 year or less	11.00	1.75	5.00	4.25
17	Valid for more than 1 year				
18	but not more than 2 years	22.00	1.75	5.00	15.25
19	Valid for more than 2 years				
20	but not more than 3 years	33.00	1.75	5.00	26.25
21	Valid for more than 3 years				
22	but not more than 4 years	44.00	1.75	5.00	37.25
23	Valid for 5 years	55.00	1.75	5.00	48.25
24	Bioptic or telescopic lens restriction:				
25	Valid for one year or less	11.00	1.75	5.00	4.25

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1	Valid for more than 1 year				
2	but not more than 2 years	22.00	1.75	5.00	15.25
3	Duplicate or replacement	11.25	2.75	6.25	2.25
4	Change of class, endorsement,				
5	or restriction	10.00	1.75	5.00	3.25
6	<u>Duplicate or replacement</u>	<u>11.00</u>	<u>2.75</u>	<u>6.00</u>	<u>2.25</u>
7	<u>Add, change, or remove class,</u>				
8	<u>endorsement, or restriction</u>	<u>10.00</u>	<u>1.75</u>	<u>5.00</u>	<u>3.25</u>
9	LPC-learner's permit:				
10	Original or renewal	10.00	.25	5.00	4.75
11	Duplicate or replacement	10.00	.25	5.00	4.75
12	Change of class, endorsement,				
13	or restriction	10.00	.25	5.00	4.75
14	<u>Add, change, or remove class,</u>				
15	<u>endorsement, or restriction</u>	<u>10.00</u>	<u>.25</u>	<u>5.00</u>	<u>4.75</u>
16	Seasonal permit:				
17	Original or renewal	10.00	.25	5.00	4.75
18	Duplicate or replacement	10.00	.25	5.00	4.75
19	Change of class, endorsement,				
20	or restriction	10.00	.25	5.00	4.75
21	<u>Add, change, or remove class,</u>				
22	<u>endorsement, or restriction</u>	<u>10.00</u>	<u>.25</u>	<u>5.00</u>	<u>4.75</u>
23	<u>School bus permit:</u>				
24	<u>Original or renewal</u>	<u>5.00</u>	<u>0</u>	<u>5.00</u>	<u>0</u>
25	<u>Duplicate or replacement</u>	<u>5.00</u>	<u>0</u>	<u>5.00</u>	<u>0</u>

1 <u>Add, change, or remove class,</u>				
2 <u>endorsement, or restriction</u>	5.00	0	5.00	0

3 (3) If the ~~Department of Motor Vehicles~~ department
4 issues an operator's license or a state identification card,
5 the department shall remit the county portion of the fees to the
6 State Treasurer for credit to the Department of Motor Vehicles Cash
7 Fund.

8 (4) This subsection applies beginning on the
9 implementation date designated by the director pursuant to
10 section 2 of this act. The department and its agents may collect
11 an identity security surcharge to cover the cost of security and
12 technology practices used to protect the identity of applicants for
13 and holders of operators' licenses and state identification cards
14 and to reduce identity theft, fraud, and forgery and counterfeiting
15 of such licenses and cards to the maximum extent possible. The
16 surcharge shall be in addition to all other required fees for
17 operators' licenses and state identification cards. The amount of
18 the surcharge shall be determined by the department. The surcharge
19 shall not exceed eight dollars. The surcharge shall be remitted to
20 the State Treasurer for credit to the Department of Motor Vehicles
21 Cash Fund.

22 Sec. 13. Section 60-4,117, Reissue Revised Statutes of
23 Nebraska, is amended to read:

24 60-4,117 ~~(1)~~ Upon (1)(a) This subsection applies until

1 the implementation date designated by the director pursuant to
2 section 2 of this act. Upon presentation of the certificate for an
3 operator's license issued by the examining officer to the applicant
4 for such license, the county treasurer shall issue such license to
5 the applicant. The license shall be in full force and effect until
6 the expiration date thereon, until officially revoked, suspended,
7 canceled by an order of the director, or until ordered revoked or
8 impounded by a court of competent jurisdiction.

9 ~~(2)~~ (b) The operator's license shall be in a form
10 prescribed by the ~~Department of Motor Vehicles.~~ department. The
11 license may include security features prescribed by the department.
12 The license shall be conspicuously marked Nebraska Operator's
13 License, shall be, to the maximum extent practicable, tamper proof,
14 and shall include the following information:

15 ~~(a)~~ (i) The name and residential and post office address
16 of the holder;

17 ~~(b)~~ (ii) The holder's color photograph or digital image;

18 ~~(c)~~ (iii) A physical description of the holder, including
19 sex, height, weight, and eye and hair colors;

20 ~~(d)~~ (iv) The holder's date of birth;

21 ~~(e)~~ (v) The holder's signature;

22 ~~(f)~~ (vi) The class of motor vehicle which the holder is
23 authorized to operate and any endorsements or restrictions;

24 ~~(g)~~ (vii) The dates between which the license is valid;

25 ~~(h)~~ (viii) The organ and tissue donation information

1 specified in section 60-494; and

2 ~~(i)~~ (ix) Such other facts and information as the director
3 may determine.

4 ~~(3)~~ (c) Machine-readable information encoded on an
5 operator's license shall be limited to the information appearing
6 on the face of the license.

7 (2) (a) This subsection applies beginning on the
8 implementation date designated by the director pursuant to section
9 2 of this act. Upon presentation of an issuance certificate for
10 an operator's license or state identification card issued by
11 department personnel to the applicant, the county treasurer shall
12 collect the applicable fee and surcharge as prescribed in section
13 60-4,115 and issue a receipt which is valid for up to thirty days.
14 If there is cause for an operator's license to be issued, the
15 receipt shall also authorize driving privileges for such thirty-day
16 period. The license or card shall be delivered as provided in
17 section 60-4,113.

18 (b) The operator's license and state identification card
19 shall be in a form prescribed by the department. The license and
20 card may include security features prescribed by the department.
21 The license and card shall be conspicuously marked Nebraska
22 Operator's License or Nebraska Identification Card, shall be,
23 to the maximum extent practicable, tamper and forgery proof, and
24 shall include the following information:

25 (i) The full legal name and principal residence address

1 of the holder;

2 (ii) The holder's full facial digital image;

3 (iii) A physical description of the holder, including
4 gender, height, weight, and eye and hair colors;

5 (iv) The holder's date of birth;

6 (v) The holder's signature;

7 (vi) The class of motor vehicle which the holder
8 is authorized to operate and any applicable endorsements or
9 restrictions;

10 (vii) The issuance and expiration date of the license or
11 card;

12 (viii) The organ and tissue donation information
13 specified in section 60-494; and

14 (ix) Such other marks and information as the director may
15 determine.

16 (c) Each operator's license and state identification card
17 shall contain the following encoded, machine-readable information:
18 The holder's full legal name; date of birth; gender; race or
19 ethnicity; document issue date; document expiration date; principal
20 residence address; unique identification number; revision date;
21 inventory control number; and state of issuance.

22 Sec. 14. Section 60-4,118.05, Reissue Revised Statutes of
23 Nebraska, is amended to read:

24 60-4,118.05 (1) No operator's license referred to in
25 section 60-4,118 shall, under any circumstances, be issued to any

1 person who has not attained the age of seventeen years.

2 (2) No operator's license shall be issued to a person
3 under eighteen years of age applying for an operator's license
4 under section 60-4,118 unless such person:

5 (a) Has possessed a valid provisional operator's permit
6 for at least a twelve-month period beginning on the date of
7 issuance of such person's provisional operator's permit; and

8 (b) Has not accumulated three or more points pursuant
9 to section 60-4,182 during the twelve-month period immediately
10 preceding the date of the application for the operator's license; +
11 and

12 ~~(c) Has surrendered the provisional operator's permit to~~
13 ~~the examiner.~~

14 (3) The Department of Motor Vehicles shall department
15 may waive the written examination and the driving test required
16 under section 60-4,118 for any person seventeen to twenty-one
17 years of age applying for his or her initial operator's license
18 if he or she has been issued a provisional operator's permit.
19 The department shall not waive the written examination and the
20 driving test required under this section if the person is applying
21 for a commercial driver's license or permit or if the operator's
22 license being applied for contains a class or endorsement which
23 is different from the class or endorsement of the provisional
24 operator's permit.

25 Sec. 15. Section 60-4,120.01, Revised Statutes

1 Supplement, 2007, is amended to read:

2 60-4,120.01 (1)(a) Any person who is at least sixteen
3 years of age but less than eighteen years of age may be issued a
4 provisional operator's permit by the Department of Motor Vehicles.
5 The provisional operator's permit shall expire on the applicant's
6 eighteenth birthday.

7 (b) No provisional operator's permit shall be issued to
8 any person unless such person:

9 (i) Has possessed a valid ~~Nebraska~~ LPD-learner's permit,
10 LPE-learner's permit, or SCP-school permit for at least a six-month
11 period beginning on the date of issuance of such person's
12 LPD-learner's permit, LPE-learner's permit, or SCP-school permit;
13 and

14 (ii) Has not accumulated three or more points pursuant to
15 section 60-4,182 during the six-month period immediately preceding
16 the date of the application for the provisional operator's permit.

17 (c) The requirements for the provisional operator's
18 permit prescribed in subdivisions (2)(a) and (b) of this section
19 may be completed prior to the applicant's sixteenth birthday. A
20 person may apply for a provisional operator's permit and take the
21 driving test and the written examination, if required, at any time
22 within sixty days prior to his or her sixteenth birthday upon proof
23 of age in the manner provided in section 60-484.

24 (2) In order to obtain a provisional operator's permit,
25 the applicant shall present ~~to the examiner~~ (a)(i) proof of

1 successful completion of a department-approved driver safety course
2 which includes behind-the-wheel driving specifically emphasizing
3 (A) the effects of the consumption of alcohol on a person
4 operating a motor vehicle, (B) occupant protection systems, (C)
5 risk assessment, and (D) railroad crossing safety and (ii) proof
6 of successful completion of a written examination and driving
7 test administered by a driver safety course instructor or (b)
8 a certificate in a form prescribed by the department, signed
9 by a parent, guardian, or licensed driver at least twenty-one
10 years of age, verifying that the applicant has completed fifty
11 hours of lawful motor vehicle operation including at least ten
12 hours of motor vehicle operation between sunset and sunrise,
13 under conditions that reflect department-approved driver safety
14 course curriculum, with a parent, guardian, or adult at least
15 twenty-one years of age, who has a current Nebraska operator's
16 license or who is licensed in another state. If the applicant
17 presents such a certificate, the applicant shall be required
18 to successfully complete a driving test administered by ~~an~~
19 ~~examiner~~ of the department. The written examination shall be
20 waived if the applicant ~~surrenders~~ has been issued a Nebraska
21 LPD-learner's permit or has been issued a Nebraska LPE-learner's
22 permit ~~after January 1, 2006,~~ and such permit is valid or has been
23 expired for no more than one year. ~~prior to surrender.~~ However,
24 the department shall not waive the written examination if the
25 provisional operator's permit being applied for contains a class

1 or endorsement which is different from the class or endorsement of
2 the LPD-learner's or LPE-learner's permit. Upon presentation ~~to the~~
3 ~~examiner~~ by the applicant of a form prescribed by the department
4 showing successful completion of the driver safety course, the
5 ~~examiner shall waive the written examination and driving test~~ may
6 be waived. Upon presentation ~~to the examiner~~ of the certificate,
7 the ~~examiner shall waive the written examination but not the~~
8 driving test may be waived. The examiner shall waive the written
9 examination and the driving test if the applicant has been issued a
10 school permit and such permit is valid or has expired no more than
11 one year prior to application. The written examination shall not
12 be waived if the provisional operator's permit being applied for
13 contains a class or endorsement which is different from the class
14 or endorsement of the school permit.

15 (3)(a) The holder of a provisional operator's permit
16 shall only operate a motor vehicle on the highways of this state
17 during the period beginning at 6 a.m. and ending at 12 midnight
18 except when he or she is en route to or from his or her residence
19 to his or her place of employment or a school activity. The holder
20 of a provisional operator's permit may operate a motor vehicle on
21 the highways of this state at any hour of the day or night if
22 accompanied by a parent, guardian, or adult at least twenty-one
23 years of age, who has a current Nebraska operator's license or who
24 is licensed in another state.

25 (b) The holder of a provisional operator's permit shall

1 only operate a motor vehicle on the highways of this state during
2 the first six months of holding the permit with no more than one
3 passenger who is not an immediate family member and who is under
4 nineteen years of age.

5 (c) The holder of a provisional operator's permit shall
6 not use any type of interactive wireless communication device while
7 operating a motor vehicle on the highways of this state.

8 (d) Enforcement of subdivisions (a), (b), and (c) of this
9 subsection shall be accomplished only as a secondary action when
10 the holder of the provisional operator's permit has been cited or
11 charged with a violation of some other law.

12 (4) The county treasurer shall collect the fee and
13 surcharge prescribed in section 60-4,115 for the issuance of each
14 provisional operator's permit.

15 Sec. 16. Section 60-4,122, Reissue Revised Statutes of
16 Nebraska, is amended to read:

17 60-4,122 (1) Except as otherwise provided in subsections
18 (2), (3), and (8) of this section, no original or renewal
19 operator's license shall be issued to any person until such
20 person has ~~appeared before an examiner to demonstrate~~ demonstrated
21 his or her ability to operate a motor vehicle safely as provided in
22 section 60-4,114.

23 (2) Except as otherwise provided in this section and
24 section 60-4,127, any person who renews his or her Class O or
25 Class M license shall ~~appear before an examiner to demonstrate~~

1 his or her ability to drive and maneuver a motor vehicle safely
2 as provided in subdivision (3)(b) of section 60-4,114 only at
3 the discretion of ~~the examiner,~~ department personnel, except that
4 a person required to use bioptic or telescopic lenses shall be
5 required to demonstrate his or her ability to drive and maneuver a
6 motor vehicle safely each time he or she renews his or her license.

7 (3) Any person who renews his or her Class O or Class M
8 license prior to or within one year after its expiration ~~shall~~ may
9 not be required to demonstrate his or her knowledge of the motor
10 vehicle laws of this state as provided in subdivision (3)(c) of
11 section 60-4,114 if his or her driving record abstract maintained
12 in the computerized records of the ~~Department of Motor Vehicles~~
13 department shows that such person's license is not suspended,
14 revoked, or canceled.

15 (4) Except for operators' licenses issued to persons
16 required to use bioptic or telescopic lenses, any person who renews
17 his or her operator's license which has been valid for fifteen
18 months or less shall not be required to take any examination
19 required under section 60-4,114.

20 (5) Any person who renews a state identification card
21 shall appear before ~~an examiner~~ department personnel and present
22 his or her current state identification card or shall follow the
23 procedure for electronic renewal in subsection (9) of this section.
24 ~~The examining officer, upon examination of the card, may require~~
25 ~~one additional form of proof of identification described in section~~

1 ~~60-484.~~ Proof of identification shall be required as prescribed in
2 sections 60-484 and 60-4,181.

3 (6) A nonresident who applies for an initial operator's
4 license in this state and who holds a valid operator's license from
5 another state which is his or her state of residence ~~shall~~ may
6 not be required to demonstrate his or her knowledge of the motor
7 vehicle laws of this state if he or she surrenders to the examiner
8 his or her valid out-of-state operator's license.

9 (7) An applicant for an original operator's license ~~shall~~
10 may not be required to demonstrate his or her knowledge of the
11 motor vehicle laws of this state if he or she ~~surrenders to~~
12 ~~the examiner his or her~~ has been issued a Nebraska LPD-learner's
13 permit issued after January 1, 1999, and such permit that is
14 valid or has been expired for no more than one year, prior to
15 ~~surrender.~~ The written examination shall not be waived if the
16 original operator's license being applied for contains a class or
17 endorsement which is different from the class or endorsement of the
18 Nebraska LPD-learner's permit.

19 (8) A qualified licensee as determined by the department
20 who is twenty-one years of age or older and less than sixty-five
21 years of age and who has a digital image and digital signature
22 preserved in the digital system may renew his or her Class O or
23 Class M license once by electronic means in a manner prescribed
24 by the department using the preserved digital image and digital
25 signature without taking any examination required under section

1 60-4,114 if such renewal is prior to or within one year after
2 the expiration of the license and if his or her driving record
3 abstract maintained in the records of the department shows that
4 such person's license is not suspended, revoked, or canceled. Every
5 licensee must apply for renewal in person at least once every ten
6 years and have a new digital image and digital signature taken.

7 (9) Any person who is twenty-one years of age or older
8 and who has been issued a state identification card with a digital
9 image and digital signature may electronically renew his or her
10 state identification card once by electronic means in a manner
11 prescribed by the department using the preserved digital image
12 and digital signature. Every holder of a state identification card
13 shall apply for renewal in person at least once every ten years and
14 have a new digital image and digital signature taken.

15 Sec. 17. Section 60-4,123, Revised Statutes Supplement,
16 2007, is amended to read:

17 60-4,123 (1) Any person who is at least fifteen years of
18 age may apply for an LPD-learner's permit from the ~~Department of~~
19 ~~Motor Vehicles.~~ department. In order to obtain an LPD-learner's
20 permit, the applicant shall successfully complete a written
21 examination. A person may take the written examination beginning
22 sixty days prior to his or her fifteenth birthday but shall not
23 be issued a permit until he or she is fifteen years of age. The
24 written examination ~~shall~~ may be waived for any person who has been
25 issued an LPE-learner's permit, LPD-learner's permit, or SCP-school

1 permit that has been expired for no more than one year. after
2 January 1, 2006.

3 (2) Upon successful completion of the written examination
4 and the payment of a fee and surcharge as prescribed in section
5 60-4,115, the applicant shall be issued an LPD-learner's permit
6 from the county treasurer. as provided in section 60-4,113. The
7 permit shall be valid for twelve months.

8 (3) (a) The holder of an LPD-learner's permit shall only
9 operate a motor vehicle on the highways of this state if he or
10 she is accompanied at all times by a licensed operator who is at
11 least twenty-one years of age and who has been licensed by this
12 state or another state and if he or she is actually occupying the
13 seat beside the licensed operator or, in the case of a motorcycle
14 or moped, if he or she is within visual contact of and under the
15 supervision of, in the case of a motorcycle, a licensed motorcycle
16 operator or, in the case of a moped, a licensed motor vehicle
17 operator.

18 (b) The holder of an LPD-learner's permit shall not
19 use any type of interactive wireless communication device while
20 operating a motor vehicle on the highways of this state.
21 Enforcement of this subdivision shall be accomplished only as a
22 secondary action when the holder of the LPD-learner's permit has
23 been cited or charged with a violation of some other law.

24 (4) The county treasurer shall collect the fee and
25 surcharge prescribed in section 60-4,115 for the issuance of each

1 LPD-learner's permit.

2 Sec. 18. Section 60-4,124, Revised Statutes Supplement,
3 2007, is amended to read:

4 60-4,124 (1) A person who is younger than sixteen years
5 and three months of age but is older than fourteen years and
6 two months of age may be issued ~~by the county treasurer,~~
7 a school permit if such person lives a distance of one and
8 one-half miles or more from the school he or she attends and
9 either resides outside a city of the metropolitan, primary, or
10 first class or attends a school which is outside a city of the
11 metropolitan, primary, or first class and if such person has held
12 an LPE-learner's permit for two months. A school permit shall not
13 be issued until such person has ~~appeared before an examiner to~~
14 ~~demonstrate~~ demonstrated that he or she is capable of successfully
15 operating a motor vehicle, moped, or motorcycle and has in his
16 or her possession an ~~examiner's certificate~~ issuance certificate
17 authorizing the county treasurer to issue a school permit. In
18 order to obtain an ~~examiner's certificate~~ issuance certificate, the
19 applicant shall present ~~to the examiner~~ (a) proof of successful
20 completion of a department-approved driver safety course which
21 includes behind-the-wheel driving specifically emphasizing (i) the
22 effects of the consumption of alcohol on a person operating
23 a motor vehicle, (ii) occupant protection systems, (iii) risk
24 assessment, and (iv) railroad crossing safety and (b)(i) proof
25 of successful completion of a written examination and driving

1 test administered by a driver safety course instructor or (ii)
2 a certificate in a form prescribed by the department, signed by
3 a parent, guardian, or licensed driver at least twenty-one years
4 of age, verifying that the applicant has completed fifty hours
5 of lawful motor vehicle operation, under conditions that reflect
6 department-approved driver safety course curriculum, with a parent,
7 guardian, or adult at least twenty-one years of age, who has a
8 ~~then~~ current Nebraska operator's license or who is licensed in
9 another state. The ~~Department of Motor Vehicles shall~~ department
10 may waive the written examination if the applicant ~~surrenders~~
11 has been issued an LPE-learner's permit ~~issued after January 1,~~
12 ~~2006,~~ or LPD-learner's permit and if such permit is valid or has
13 expired no more than one year prior to application. The written
14 examination shall not be waived if the permit being applied for
15 contains a class or endorsement which is different from the class
16 or endorsement of the LPE-learner's permit.

17 (2) A person holding a school permit may operate a motor
18 vehicle, moped, or motorcycle:

19 (a) To and from where he or she attends school and
20 between schools of enrollment over the most direct and accessible
21 route by the nearest highway from his or her place of residence
22 to transport such person or any family member who resides with
23 such person to attend duly scheduled courses of instruction and
24 extracurricular or school-related activities at the school he or
25 she attends; or

1 (b) Under the personal supervision of a licensed
2 operator. Such licensed operator shall be at least twenty-one years
3 of age and licensed by this state or another state and shall
4 actually occupy the seat beside the permitholder or, in the case of
5 a motorcycle or moped, if the permitholder is within visual contact
6 of and under the supervision of, in the case of a motorcycle, a
7 licensed motorcycle operator or, in the case of a moped, a licensed
8 motor vehicle operator.

9 (3) The holder of a school permit shall not use any
10 type of interactive wireless communication device while operating a
11 motor vehicle on the highways of this state. Enforcement of this
12 subsection shall be accomplished only as a secondary action when
13 the holder of the school permit has been cited or charged with a
14 violation of some other law.

15 (4) A person who is younger than sixteen years of age
16 but is over fourteen years of age may be issued an LPE-learner's
17 permit, ~~from the county treasurer,~~ which permit shall be valid
18 for a period of three months. An LPE-learner's permit shall not
19 be issued until such person successfully completes a written
20 examination prescribed by the department and demonstrates that he
21 or she has sufficient powers of eyesight to safely operate a motor
22 vehicle, moped, or motorcycle.

23 (5) (a) While holding the LPE-learner's permit, the person
24 may operate a motor vehicle on the highways of this state if he
25 or she has seated next to him or her a person who is a licensed

1 operator or, in the case of a motorcycle or moped, if he or she is
2 within visual contact of and is under the supervision of a person
3 who, in the case of a motorcycle, is a licensed motorcycle operator
4 or, in the case of a moped, is a licensed motor vehicle operator.
5 Such licensed motor vehicle or motorcycle operator shall be at
6 least twenty-one years of age and licensed by this state or another
7 state.

8 (b) The holder of an LPE-learner's permit shall not
9 use any type of interactive wireless communication device while
10 operating a motor vehicle on the highways of this state.
11 Enforcement of this subdivision shall be accomplished only as a
12 secondary action when the holder of the LPE-learner's permit has
13 been cited or charged with a violation of some other law.

14 (6) The county treasurer shall collect the fee and
15 surcharge prescribed in section 60-4,115 from each successful
16 applicant for a school or LPE-learner's permit. All school permits
17 shall be subject to impoundment or revocation under the terms of
18 section 60-496. Any person who violates the terms of a school
19 permit shall be guilty of an infraction and shall not be eligible
20 for another ~~operator's license or~~ school, farm, LPD-learner's, or
21 LPE-learner's permit until he or she has attained the age of
22 sixteen years.

23 Sec. 19. Section 60-4,126, Reissue Revised Statutes of
24 Nebraska, is amended to read:

25 60-4,126 Any person who is younger than sixteen years of

1 age but is over thirteen years of age and resides upon a farm in
2 this state or is fourteen years of age or older and is employed
3 for compensation upon a farm in this state may obtain a farm permit
4 authorizing the operation of farm tractors and other motorized
5 implements of farm husbandry upon the highways of this state
6 if the applicant for such farm permit furnishes ~~to an examiner~~
7 satisfactory proof of age and satisfactorily demonstrates ~~to the~~
8 ~~examiner~~ that he or she has knowledge of the operation of such
9 equipment and of the rules of the road and laws respecting the
10 operation of motor vehicles upon the highways of this state. Any
11 person under sixteen years of age but not less than thirteen years
12 of age may obtain a temporary permit to operate such equipment
13 for a six-month period after presentation to the ~~Department of~~
14 ~~Motor Vehicles~~ department of a request for the temporary permit
15 signed by the person's parent or guardian and payment of the fee
16 and surcharge prescribed in section 60-4,115. After the expiration
17 of the six-month period, it shall be unlawful for such person to
18 operate such equipment upon the highways of this state unless he or
19 she has been issued a farm permit under this section. The fee for
20 an original, renewal, or duplicate farm permit shall be the fee and
21 surcharge prescribed in section 60-4,115. All farm permits shall be
22 subject to revocation under the terms of section 60-496. Any person
23 who violates the terms of a farm permit shall be guilty of an
24 infraction and shall not be eligible for another ~~operator's license~~
25 ~~or~~ school, farm, LPD-learner's, or LPE-learner's permit until he or

1 she has attained the age of sixteen years. ~~Farm permits are not~~
2 ~~part of the digital system implemented under section 60-484.01 and~~
3 ~~may not be issued or renewed electronically.~~

4 Sec. 20. Section 60-4,127, Reissue Revised Statutes of
5 Nebraska, is amended to read:

6 60-4,127 (1) No person shall operate a motorcycle on the
7 alleys or highways of the State of Nebraska until such person
8 has obtained a Class M license. No such license shall be issued
9 until the applicant has ~~appeared before an examiner and~~ ~~(1)~~
10 ~~satisfied the examiner that he or she meets~~ (a) met the vision
11 and physical requirements established under section 60-4,118 for
12 operation of a motor vehicle and ~~(2)~~ (b) successfully completed
13 an examination, including the actual operation of a motorcycle,
14 prescribed by the director, except that ~~an examiner shall waive~~
15 ~~the required examination~~ may be waived, including the actual
16 operation of a motorcycle, if the applicant presents proof of
17 successful completion of a motorcycle safety course under the
18 Motorcycle Safety Education Act within the immediately preceding
19 forty-eight months. ~~or if the driving record abstract of the~~
20 ~~applicant maintained in the computerized records of the Department~~
21 ~~of Motor Vehicles shows that the applicant has had no traffic~~
22 ~~violations as described in section 60-4,182 from the date the~~
23 ~~applicant's operator's license was last issued to the date of the~~
24 ~~abstract.~~

25 (2)(a) This subdivision applies until the implementation

1 date designated by the director pursuant to section 2 of this act.

2 Any applicant who qualifies for a Class M license shall be issued a
3 license for such operation by the county treasurer as provided for
4 the issuance of an operator's license. If the applicant, ~~or if he~~

5 ~~or she~~ is the holder of an operator's license, the county treasurer
6 shall, upon receipt of the examiner's certificate, ~~endorse~~ have
7 endorsed on the license the authorization to operate a motorcycle.

8 Fees for Class M licenses shall be as provided by section 60-4,115.

9 (b) This subdivision applies beginning on the
10 implementation date designated by the director pursuant to section

11 2 of this act. Upon presentation of an issuance certificate, the

12 county treasurer shall collect the fee and surcharge for a Class

13 M license as prescribed by section 60-4,115 and issue a receipt

14 with driving privileges which is valid for up to thirty days. The

15 license shall be delivered as provided in section 60-4,113. If

16 the applicant is the holder of an operator's license, the county

17 treasurer shall, upon receipt of the examiner's certificate, have

18 endorsed on the license the authorization to operate a motorcycle.

19 Fees for Class M licenses shall be as provided by section 60-4,115.

20 Sec. 21. Section 60-4,144, Revised Statutes Cumulative
21 Supplement, 2006, is amended to read:

22 60-4,144 ~~(1)~~ (1)(a) This subsection applies until the
23 implementation date designated by the director pursuant to section

24 2 of this act. Application for any original or renewal commercial

25 driver's license or application for any change of class of

1 commercial motor vehicle, endorsement, or restriction may be
2 made in a manner prescribed by the department. Such application
3 may be made to an examiner in any county. The examiner shall
4 personally conduct the examination of the applicant and deliver to
5 each successful applicant an examiner's certificate containing the
6 statements made pursuant to ~~subsection (2)~~ subdivision (b) of this
7 ~~section.~~ subsection.

8 ~~(2)~~ (b) The application or examiner's certificate shall
9 include the voter registration portion pursuant to section 32-308,
10 the advisement language required by subsection (5) of section
11 60-6,197, and the following:

12 ~~(a)~~ (i) The full name, the current mailing address,
13 and the residential address of the applicant, except that
14 if the applicant is a program participant under the Address
15 Confidentiality Act, he or she need not supply his or her
16 residential address;

17 ~~(b)~~ (ii) A physical description of the applicant,
18 including sex, height, weight, and eye and hair colors;

19 ~~(c)~~ (iii) The applicant's date of birth;

20 ~~(d)~~ (iv) The applicant's social security number;

21 ~~(e)~~ (v) The applicant's signature;

22 ~~(f)~~ (vi) Certification that the commercial motor vehicle
23 in which the applicant takes any driving skills examination is
24 representative of the class of commercial motor vehicle that the
25 applicant operates or expects to operate;

1 ~~(g)~~ (vii) The certification required pursuant to section
2 60-4,145 or 60-4,146;

3 ~~(h)~~ (viii) Beginning September 30, 2005, the names of all
4 states where the applicant has been licensed to operate any type of
5 motor vehicle in the ten years prior to the date of application;

6 ~~(i)~~ (ix) The following specific questions:

7 ~~(i)~~ (A) Have you within the last three months (e.g. due
8 to diabetes, epilepsy, mental illness, head injury, stroke, heart
9 condition, neurological disease, etc.):

10 ~~(A)~~ (I) lost voluntary control or consciousness ... yes
11 ... no

12 ~~(B)~~ (II) experienced vertigo or multiple episodes of
13 dizziness or fainting ... yes ... no

14 ~~(C)~~ (III) experienced disorientation ... yes ... no

15 ~~(D)~~ (IV) experienced seizures ... yes ... no

16 ~~(E)~~ (V) experienced impairment of memory, memory loss ...
17 yes ... no

18 Please explain:

19 ~~(ii)~~ (B) Do you experience any condition which affects
20 your ability to operate a motor vehicle? (e.g. due to loss
21 of or impairment of foot, leg, hand, or arm; neurological or
22 neuromuscular disease, etc.) ... yes ... no

23 Please explain:

24 ~~(iii)~~ (C) Since the issuance of your last driver's
25 license/permit has your health or medical condition changed or

1 worsened? ... yes ... no

2 Please explain, including how the above affects your
3 ability to drive:

4 ~~(j)~~ (x) Do you wish to register to vote as part of this
5 application process?

6 OPTIONAL - YOU ARE NOT REQUIRED TO ANSWER ANY OF THE
7 FOLLOWING QUESTIONS:

8 ~~(k)~~ (xi) Do you wish to be an organ and tissue donor?

9 ~~(l)~~ (xii) Do you wish to receive any additional specific
10 information regarding organ and tissue donation and the Donor
11 Registry of Nebraska?

12 ~~(m)~~ (xiii) Do you wish to donate \$1 to promote the Organ
13 and Tissue Donor Awareness and Education Fund?

14 ~~(3)~~ (c) Application shall be made under oath or
15 affirmation of the applicant.

16 (2) This subsection applies beginning on the
17 implementation date designated by the director pursuant to
18 section 2 of this act. An applicant for any original or renewal
19 commercial driver's license or an applicant for a change of
20 class of commercial motor vehicle, endorsement, or restriction
21 shall demonstrate his or her knowledge and skills for operating
22 a commercial motor vehicle as prescribed in the Motor Vehicle
23 Operator's License Act. An applicant for a commercial driver's
24 license shall provide the information and documentation required by
25 this section and section 60-484. Such information and documentation

1 shall include:

2 (a) Certification that the commercial motor vehicle
3 in which the applicant takes any driving skills examination is
4 representative of the class of commercial motor vehicle that the
5 applicant operates or expects to operate;

6 (b) The certification required pursuant to section
7 60-4,145 or 60-4,146; and

8 (c) The names of all states where the applicant has been
9 licensed to operate any type of motor vehicle in the ten years
10 prior to the date of application.

11 Sec. 22. Section 60-4,148, Reissue Revised Statutes of
12 Nebraska, is amended to read:

13 60-4,148 (1) All commercial drivers' licenses shall be
14 issued by the ~~Department of Motor Vehicles~~ department as provided
15 in section 60-4,149. Successful applicants shall pay ~~to the county~~
16 ~~treasurer~~ the fee and surcharge prescribed in section 60-4,115.

17 (2) Any person making application to add or remove
18 a class of commercial motor vehicle, any endorsement, or any
19 restriction to or from a previously issued and outstanding
20 commercial driver's license shall pay the fee and surcharge
21 prescribed in section 60-4,115. The fee for an original or
22 renewal seasonal permit to revalidate the restricted commercial
23 motor vehicle operating privilege to a previously issued and
24 outstanding restricted commercial driver's license shall be the fee
25 and surcharge prescribed in section 60-4,115.

1 Sec. 23. Section 60-4,149, Reissue Revised Statutes of
2 Nebraska, is amended to read:

3 60-4,149 (1) The examination for commercial drivers'
4 licenses by the ~~Department of Motor Vehicles~~ department shall occur
5 in and for each county of the State of Nebraska. Each county shall
6 furnish office space for the administration of the examinations,
7 except that two or more counties may, with the permission of the
8 director, establish a separate facility to jointly conduct the
9 examinations for such licenses.

10 (2) Except as provided for by section 60-4,157, all
11 commercial driver's license examinations shall be conducted by
12 ~~examiners~~ department personnel designated by the director. ~~The~~
13 ~~examiner shall deliver to each~~ Each successful applicant shall be
14 issued a certificate entitling the applicant to secure a commercial
15 driver's license. If ~~the examiner refuses~~ department personnel
16 refuse to issue such certificate for cause, he or she shall state
17 such cause in writing and deliver the same to the applicant.
18 ~~An examiner is not~~ Department personnel shall not be required
19 to hold a commercial driver's license to administer a driving
20 skills examination and occupy the seat beside an applicant for a
21 commercial driver's license.

22 ~~(3)~~ (3)(a) This subdivision applies until the
23 implementation date designated by the director pursuant to section
24 2 of this act. The successful applicant shall, within thirty days,
25 present his or her certificate to the county treasurer who shall

1 immediately issue the commercial driver's license and collect the
2 fee. The county treasurer shall report the issuance of commercial
3 drivers' licenses and LPC-learners' permits to the department
4 within five days after issuance.

5 (b) This subdivision applies beginning on the
6 implementation date designated by the director pursuant to section
7 2 of this act. The successful applicant shall, within thirty days,
8 present his or her issuance certificate to the county treasurer who
9 shall collect the fee and surcharge as provided in section 60-4,115
10 and issue a receipt with driving privileges which is valid for up
11 to thirty days. The commercial driver's license shall be delivered
12 to the applicant as provided in section 60-4,113.

13 Sec. 24. Section 60-4,150, Revised Statutes Cumulative
14 Supplement, 2006, is amended to read:

15 60-4,150 (1) Any person holding a commercial driver's
16 license who loses his or her license, who requires issuance of
17 a replacement license because of a change of name or address, or
18 whose license is mutilated or unreadable may obtain a duplicate or
19 replacement commercial driver's license by filing with an ~~examiner~~
20 ~~of the Department of Motor Vehicles~~ an application and affidavit
21 and by furnishing proof of identification in accordance with
22 section 60-484.

23 (2) The application for a replacement license because of
24 a change of name or address shall be made within sixty days after
25 the change of name or address.

1 ~~(3)~~ (3) (a) This subdivision applies until the
2 implementation date designated by the director pursuant to section
3 2 of this act. Upon the examiner being satisfied that a duplicate
4 or replacement commercial driver's license should be issued, the
5 applicant shall receive such license upon payment of the fee
6 prescribed in section 60-4,115 to the county treasurer.

7 (b) This subdivision applies beginning on the
8 implementation date designated by the director pursuant to section
9 2 of this act. A duplicate or replacement commercial driver's
10 license shall be delivered to the applicant as provided in section
11 60-4,113 after the county treasurer collects the fee and surcharge
12 prescribed in section 60-4,115 and issues the applicant a receipt
13 with driving privileges which is valid for up to thirty days.

14 (4) Duplicate and replacement commercial drivers'
15 licenses shall be issued in the manner provided for the issuance of
16 original and renewal commercial drivers' licenses as provided for
17 by section 60-4,149. ~~No more than two duplicate commercial drivers'~~
18 ~~licenses shall be issued to any applicant in any five-year period.~~
19 Upon issuance of any duplicate or replacement commercial driver's
20 license, the commercial driver's license for which the duplicate or
21 replacement license is issued shall be void.

22 Sec. 25. Section 60-4,151, Reissue Revised Statutes of
23 Nebraska, is amended to read:

24 60-4,151 ~~(1)~~ (1) (a) The commercial driver's license shall
25 be conspicuously marked Nebraska Commercial Driver's License, and

1 shall be, to the maximum extent practicable, tamper and forgery
2 proof, and

3 (b) This subdivision applies until the implementation
4 date designated by the director pursuant to section 2 of this
5 act. The commercial driver's license shall include the following
6 information:

7 ~~(a)~~ (i) The name and residential address of the holder;
8 ~~(b)~~ (ii) The holder's color photograph or digital image;
9 ~~(c)~~ (iii) A physical description of the holder, including
10 sex, height, weight, and eye and hair colors;

11 ~~(d)~~ (iv) The holder's date of birth;

12 ~~(e)~~ (v) The holder's signature;

13 ~~(f)~~ (vi) The class of commercial motor vehicle or
14 vehicles which the holder is authorized to operate, including
15 any endorsements or restrictions;

16 ~~(g)~~ (vii) The dates between which the commercial driver's
17 license is valid; and

18 ~~(h)~~ (viii) The organ and tissue donor information
19 specified in section 60-494.

20 (c) This subdivision applies beginning on the
21 implementation date designated by the director pursuant to section
22 2 of this act. The form of the commercial driver's license shall
23 also comply with section 60-4,117.

24 (2) The restricted commercial driver's license shall
25 be conspicuously marked Nebraska Restricted Commercial Driver's

1 License and shall be, to the maximum extent practicable, tamper
2 and forgery proof. The restricted commercial driver's license shall
3 contain such additional information as deemed necessary by the
4 director.

5 (3) The seasonal permit shall contain such information as
6 deemed necessary by the director but shall include the time period
7 during which the commercial motor vehicle operating privilege is
8 effective. The seasonal permit shall be valid only when held in
9 conjunction with a restricted commercial driver's license.

10 Sec. 26. Section 60-4,181, Reissue Revised Statutes of
11 Nebraska, is amended to read:

12 60-4,181 ~~(1)~~ (1) (a) This subsection applies until the
13 implementation date designated by the director pursuant to section
14 2 of this act. A state identification card shall be issued by the
15 county treasurer after the person requesting the card ~~(a)~~ (i) files
16 an application or examiner's certificate with an examining officer,
17 ~~(b)~~ (ii) furnishes two forms of proof of identification described
18 in section 60-484, and ~~(c)~~ (iii) pays the fee prescribed in section
19 60-4,115 to the county treasurer. The state identification card
20 shall contain the organ and tissue donor information specified in
21 section 60-494.

22 ~~(2)~~ (b) The application or examiner's certificate shall
23 include the name, age, post office address, place of residence
24 unless the applicant is a program participant under the Address
25 Confidentiality Act, date of birth, sex, social security number,

1 and physical description of the applicant, the voter registration
2 portion pursuant to section 32-308, and the following:

3 ~~(a)~~ (i) Do you wish to register to vote as part of this
4 application process?

5 ~~(b)~~ (ii) Do you wish to be an organ and tissue donor?

6 ~~(c)~~ (iii) Do you wish to receive any additional specific
7 information regarding organ and tissue donation and the Donor
8 Registry of Nebraska?

9 ~~(d)~~ (iv) Do you wish to donate \$1 to promote the Organ
10 and Tissue Donor Awareness and Education Fund?

11 (c) Each state identification card shall contain the
12 following encoded, machine-readable information: The holder's full
13 legal name; date of birth; gender; document issue date; document
14 expiration date; principal residence address; unique identification
15 number; revision date; inventory control number; and state of
16 issuance.

17 (2) This subsection applies beginning on the
18 implementation date designated by the director pursuant to
19 section 2 of this act. Each applicant for a state identification
20 card shall provide the information and documentation required by
21 section 60-484. The form of the state identification card shall
22 comply with section 60-4,117. Upon presentation of an applicant's
23 issuance certificate, the county treasurer shall collect the fee
24 and surcharge as prescribed in section 60-4,115 and issue a receipt
25 to the applicant which is valid up to thirty days. The state

1 identification card shall be delivered to the applicant as provided
2 in section 60-4,113.

3 (3) The director may summarily cancel any state
4 identification card, and any judge or magistrate may order a
5 state identification card canceled in a judgment of conviction, if
6 the application or examiner's certificate for the card contains
7 any false or fraudulent statements which were deliberately and
8 knowingly made as to any matter material to the issuance of the
9 card or if the application or examiner's certificate or issuance
10 certificate does not contain required or correct information. Any
11 state identification card so obtained shall be void from the date
12 of issuance. Any judgment of conviction ordering cancellation of a
13 state identification card shall be transmitted to the director who
14 shall cancel the card.

15 ~~(4) Machine-readable information encoded on a state~~
16 ~~identification card shall be limited to the information appearing~~
17 ~~on the face of the card.~~

18 Sec. 27. Original sections 60-479, 60-4,112, 60-4,113,
19 60-4,117, 60-4,118.05, 60-4,122, 60-4,126, 60-4,127, 60-4,148,
20 60-4,149, 60-4,151, and 60-4,181, Reissue Revised Statutes of
21 Nebraska, sections 60-484, 60-4,115, 60-4,144, and 60-4,150,
22 Revised Statutes Cumulative Supplement, 2006, and sections 60-462,
23 60-463, 60-4,120.01, 60-4,123, and 60-4,124, Revised Statutes
24 Supplement, 2007, are repealed.