

LEGISLATURE OF NEBRASKA
ONE HUNDREDTH LEGISLATURE
FIRST SESSION

LEGISLATIVE BILL 437

Introduced by Cornett, 45

Read first time January 16, 2007

Committee: Transportation and Telecommunications

A BILL

1 FOR AN ACT relating to license plates; to amend section 43-1906,
2 Reissue Revised Statutes of Nebraska, and sections
3 39-2215, 60-301, 60-393, 60-395, 60-396, 60-3,101,
4 60-3,104, 60-3,118, 60-3,122, 60-3,123, 60-3,124,
5 60-3,125, 60-3,127, 60-3,128, and 60-3,141, Revised
6 Statutes Cumulative Supplement, 2006; to authorize
7 additional specialty and personalized license plates; to
8 provide powers and duties to the Department of Motor
9 Vehicles; to direct certain funds as prescribed; to
10 eliminate obsolete provisions; to harmonize provisions;
11 to repeal the original sections; and to outright repeal
12 section 81-5,157, Reissue Revised Statutes of Nebraska.
13 Be it enacted by the people of the State of Nebraska,

1 Section 1. Section 39-2215, Revised Statutes Cumulative
2 Supplement, 2006, is amended to read:

3 39-2215 (1) There is hereby created in the state treasury
4 a special fund to be known as the Highway Trust Fund.

5 (2) All funds credited to the Highway Trust Fund pursuant
6 to sections 66-4,140, 66-4,147, and 66-6,108, and related penalties
7 and interest, shall be allocated as provided in such sections.

8 (3) All other motor vehicle fuel taxes, diesel fuel
9 taxes, compressed fuel taxes, and alternative fuel taxes related to
10 highway use retained by the state, all motor vehicle registration
11 fees retained by the state other than those fees credited to
12 the State Recreation Road Fund a specific named fund pursuant to
13 subdivision (3) of section 60-3,156, the Motor Vehicle Registration
14 Act, and other highway-user taxes imposed by state law and
15 allocated to the Highway Trust Fund, except for the proceeds of
16 the sales and use taxes derived from motor vehicles, trailers, and
17 semitrailers credited to the fund pursuant to section 77-27,132,
18 are hereby irrevocably pledged for the terms of the bonds issued
19 prior to January 1, 1988, to the payment of the principal,
20 interest, and redemption premium, if any, of such bonds as they
21 mature and become due at maturity or prior redemption and for any
22 reserves therefor and shall, as received by the State Treasurer, be
23 deposited in the fund for such purpose.

24 (4) Of the money in the fund specified in subsection
25 (3) of this section which is not required for the use specified

1 in such subsection, (a) an amount equal to three dollars times
2 the number of motorcycles registered during the previous month
3 shall be placed in the Motorcycle Safety Education Fund, (b) an
4 amount to be determined annually by the Legislature through the
5 appropriations process may be transferred to the Motor Fuel Tax
6 Enforcement and Collection Cash Fund for use as provided in section
7 66-738 on a monthly or other less frequent basis as determined by
8 the appropriation language, (c) an amount to be determined annually
9 by the Legislature through the appropriations process shall be
10 transferred to the License Plate Cash Fund as certified by the
11 Director of Motor Vehicles, and (d) the remaining money may be
12 used for the purchase for retirement of the bonds issued prior to
13 January 1, 1988, in the open market.

14 (5) The State Treasurer shall monthly transfer, from the
15 proceeds of the sales and use taxes credited to the Highway Trust
16 Fund and any money remaining in the fund after the requirements of
17 subsections (2) through (4) of this section are satisfied, thirty
18 thousand dollars to the Grade Crossing Protection Fund.

19 (6) Except as provided in subsection (7) of this
20 section, the balance of the Highway Trust Fund shall be allocated
21 fifty-three and one-third percent, less the amount provided for
22 in section 39-847.01, to the Department of Roads, twenty-three
23 and one-third percent, less the amount provided for in section
24 39-847.01, to the various counties for road purposes, and
25 twenty-three and one-third percent to the various municipalities

1 for street purposes. If bonds are issued pursuant to subsection
2 (2) of section 39-2223, the portion allocated to the Department
3 of Roads shall be credited monthly to the Highway Restoration
4 and Improvement Bond Fund, and if no bonds are issued pursuant
5 to such subsection, the portion allocated to the department
6 shall be credited monthly to the Highway Cash Fund. The portions
7 allocated to the counties and municipalities shall be credited
8 monthly to the Highway Allocation Fund and distributed monthly as
9 provided by law. Vehicles accorded prorated registration pursuant
10 to section 60-3,198 shall not be included in any formula involving
11 motor vehicle registrations used to determine the allocation and
12 distribution of state funds for highway purposes to political
13 subdivisions.

14 (7) If it is determined by December 20 of any year that a
15 county will receive from its allocation of state-collected highway
16 revenue and from any funds relinquished to it by municipalities
17 within its boundaries an amount in such year which is less than
18 such county received in state-collected highway revenue in calendar
19 year 1969, based upon the 1976 tax rates for highway-user fuels and
20 registration fees, the Department of Roads shall notify the State
21 Treasurer that an amount equal to the sum necessary to provide such
22 county with funds equal to such county's 1969 highway allocation
23 for such year shall be transferred to such county from the Highway
24 Trust Fund. Such makeup funds shall be matched by the county as
25 provided in sections 39-2501 to 39-2510. The balance remaining in

1 the fund after such transfer shall then be reallocated as provided
2 in subsection (6) of this section.

3 (8) The State Treasurer shall disburse the money in the
4 Highway Trust Fund as directed by resolution of the commission.
5 All disbursements from the fund shall be made upon warrants drawn
6 by the Director of Administrative Services. Any money in the fund
7 available for investment shall be invested by the state investment
8 officer pursuant to the Nebraska Capital Expansion Act and the
9 Nebraska State Funds Investment Act and the earnings, if any,
10 credited to the fund.

11 Sec. 2. Section 43-1906, Reissue Revised Statutes of
12 Nebraska, is amended to read:

13 43-1906 (1) There is hereby established the Nebraska
14 Child Abuse Prevention Fund. The additional docket fee as provided
15 in section 33-106.03, the additional charge for supplying a
16 certified copy of the record of any birth as provided in sections
17 71-612, 71-617.15, 71-627, and 71-628, proceeds from the sale of
18 child abuse prevention plates allocated to the fund under section
19 8 of this act, and all amounts which may be received from grants,
20 gifts, bequests, the federal government, or other sources granted
21 or given for the purposes specified in sections 43-1901 to 43-1906
22 shall be remitted to the State Treasurer for credit to the Nebraska
23 Child Abuse Prevention Fund. The fund shall be administered and
24 disbursed by the department.

25 (2) Any money in the fund available for investment

1 shall be invested by the state investment officer pursuant to
2 the Nebraska Capital Expansion Act and the Nebraska State Funds
3 Investment Act.

4 (3) In any one fiscal year, no more than twenty percent
5 of the annually appropriated funds shall be disbursed to any one
6 agency, organization, or individual.

7 (4) Funds allocated from the fund shall only be used for
8 purposes authorized under sections 43-1901 to 43-1906 and shall not
9 be used to supplant any existing governmental program or service.
10 No grants may be made to any state department or agency.

11 Sec. 3. Section 60-301, Revised Statutes Cumulative
12 Supplement, 2006, is amended to read:

13 60-301 Sections 60-301 to 60-3,220 and sections 4 to 9
14 of this act shall be known and may be cited as the Motor Vehicle
15 Registration Act.

16 Sec. 4. Sections 60-3,118 to 60-3,129 and sections 5 to
17 9 of this act shall not apply to motor vehicles and trailers
18 registered pursuant to section 60-3,198.

19 Sec. 5. The following provisions apply to specialty
20 license plates authorized pursuant to sections 6 to 9 of this
21 section:

22 (1) A person may apply to the department for specialty
23 license plates in lieu of regular license plates on an application
24 prescribed and provided by the department for any motor vehicle,
25 trailer, semitrailer, or cabin trailer. An applicant receiving a

1 specialty license plate for a farm truck with a gross weight of
2 over sixteen tons or for a commercial motor vehicle with a gross
3 weight of five tons or over shall affix the appropriate tonnage
4 sticker to the plate. The department shall make forms available
5 for such applications through the county treasurers or designated
6 county officials;

7 (2) One type of specialty license plates shall be plates
8 with a combination of letters and numerals assigned by the
9 department. Such combination of letters and numerals shall not
10 be the same as the alphanumeric system described in subdivision

11 (3) (c) of section 60-370. The department shall not use the county
12 number system as described in subsection (2) of section 60-370.

13 Each application for initial issuance of speciality license plates
14 with a combination of letters and numerals shall be accompanied
15 by a fee of fifteen dollars. The department shall remit the fees
16 to the State Treasurer. An application for renewal of such plates
17 shall be accompanied by a fee of fifteen dollars. The county
18 treasurer or designated county official shall remit the renewal
19 fees to the State Treasurer;

20 (3) One type of specialty license plates shall be
21 personalized message plates. Such plates shall be issued subject
22 to the same conditions specified for message plates in subsection
23 (2) of section 60-3,118, and a maximum of five characters may be
24 used. Each application for initial issuance of such personalized
25 message plates shall be accompanied by a fee of forty dollars.

1 The department shall remit the fee to the State Treasurer. An
2 application for renewal of such personalized message plates shall
3 be accompanied by a fee of forty dollars. The county treasurer
4 or designated county official shall remit the renewal fees to the
5 State Treasurer;

6 (4) When the department receives an application for
7 specialty license plates, the department shall deliver the plates
8 to the county treasurer or designated county official of the county
9 in which the motor vehicle, trailer, semitrailer, or cabin trailer
10 is registered. The county treasurer or designated county official
11 shall issue specialty license plates in lieu of regular license
12 plates when the applicant complies with the other provisions of
13 law for registration of the motor vehicle, trailer, semitrailer,
14 or cabin trailer. If such plates are lost, stolen, or mutilated,
15 the licensee shall be issued replacement plates pursuant to section
16 60-3,157;

17 (5) The owner of a motor vehicle, trailer, semitrailer,
18 or cabin trailer bearing specialty license plates may apply to the
19 county treasurer or designated county official to have such plates
20 transferred to a motor vehicle, trailer, semitrailer, or cabin
21 trailer other than the one for which such plates were originally
22 purchased if such motor vehicle, trailer, semitrailer, or cabin
23 trailer is owned by the owner of the plates. The owner may have
24 the unused portion of the fee for such plates credited to the
25 other motor vehicle, trailer, semitrailer, or cabin trailer which

1 will bear the plates at the rate of eight and one-third percent
2 per month for each full month left in the registration period.
3 Application for such transfer shall be accompanied by a fee of
4 three dollars. Fees collected pursuant to this subsection shall be
5 remitted to the State Treasurer for credit to the Department of
6 Motor Vehicles Cash Fund;

7 (6) If the cost of manufacturing any category of
8 specialty license plates at any time exceeds the amount charged
9 for regular license plates pursuant to section 60-3,102, any
10 money to be credited to a fund associated with that category of
11 specialty plates under sections 6 to 9 of this act shall instead
12 be credited first to the Highway Trust Fund in an amount equal to
13 the difference between the manufacturing costs of such category of
14 specialty license plates and the amount charged pursuant to section
15 60-3,102 with respect to such plates, and the remainder shall be
16 credited to the fund associated with that category of specialty
17 license plates; and

18 (7) The department may adopt and promulgate rules and
19 regulations to carry out this section and sections 6 to 9 of this
20 act.

21 Sec. 6. (1) The department shall design license plates to
22 be known as military plates. The department shall create designs
23 for a United States Air Force plate, a United States Army plate,
24 a United States Coast Guard plate, a United States Marine Corps
25 plate, a United States Navy plate, and a Support Our Troops plate

1 in consultation with the Department of Veterans' Affairs and the
2 Military Department. The designs shall be selected on the basis
3 of (a) enhancing the marketability of the plates to supporters of
4 the United States Armed Forces and (b) limiting the manufacturing
5 cost of each plate to an amount less than or equal to the amount
6 charged for license plates pursuant to section 60-3,102. Beginning
7 July 1, 2008, the department shall make applications available for
8 this type of plate.

9 (2) Except as otherwise provided in subdivision (6) of
10 section 5 of this act:

11 (a) The State Treasurer shall credit thirty-three and
12 one-third percent of the fees for initial issuance and renewal of
13 military plates collected under subsection (2) of section 5 of this
14 act to the Department of Motor Vehicles Cash Fund and sixty-six and
15 two-thirds percent of such fees to the Nebraska Veteran Cemetery
16 System Operation Fund; and

17 (b) The State Treasurer shall credit seventy-five percent
18 of the fees for initial issuance and renewal of military plates
19 collected under subsection (3) of section 5 of this act to the
20 Department of Motor Vehicles Cash Fund and twenty-five percent of
21 such fees to the Nebraska Veteran Cemetery System Operation Fund.

22 Sec. 7. (1) The department shall design license plates
23 to be known as firefighter support plates. The department shall
24 create a design for the plates in consultation with the State Fire
25 Marshal. The design shall be selected on the basis of (a) enhancing

1 the marketability of the plates to firefighters and firefighter
2 supporters and (b) limiting the manufacturing cost of each plate
3 to an amount less than or equal to the amount charged for license
4 plates pursuant to section 60-3,102. Beginning July 1, 2008, the
5 department shall make applications available for this type of
6 plate.

7 (2) Except as otherwise provided in subdivision (6) of
8 section 5 of this act:

9 (a) The State Treasurer shall credit thirty-three and
10 one-third percent of the fees for initial issuance and renewal
11 of firefighter support plates collected under subsection (2) of
12 section 5 of this act to the Department of Motor Vehicles Cash Fund
13 and sixty-six and two-thirds percent of such fees to the Training
14 Division Cash Fund; and

15 (b) The State Treasurer shall credit seventy-five percent
16 of the fees for initial issuance and renewal of firefighter support
17 plates collected under subsection (3) of section 5 of this act to
18 the Department of Motor Vehicles Cash Fund and twenty-five percent
19 of such fees to the Training Division Cash Fund.

20 Sec. 8. (1) The department shall design license plates
21 to be known as child abuse prevention plates. The department shall
22 create a design in consultation with the Department of Health
23 and Human Services reflecting support for preventing child abuse
24 in Nebraska. The design shall be selected on the basis of (a)
25 enhancing the marketability of the plates to supporters of the

1 prevention of child abuse and (b) limiting the manufacturing cost
2 of each plate to an amount less than or equal to the amount charged
3 for license plates pursuant to section 60-3,102. Beginning July
4 1, 2008, the department shall make applications available for the
5 plate.

6 (2) Except as otherwise provided in subdivision (6) of
7 section 5 of this act:

8 (a) The State Treasurer shall credit thirty-three and
9 one-third percent of the fees for initial issuance and renewal of
10 child abuse prevention plates collected under subsection (2) of
11 section 5 of this act to the Department of Motor Vehicles Cash Fund
12 and sixty-six and two-thirds percent of such fees to the Nebraska
13 Child Abuse Prevention Fund; and

14 (b) The State Treasurer shall credit seventy-five percent
15 of the fees for initial issuance and renewal of child abuse
16 prevention plates collected under subsection (3) of section 5
17 of this act to the Department of Motor Vehicles Cash Fund and
18 twenty-five percent of such fees to the Nebraska Child Abuse
19 Prevention Fund.

20 Sec. 9. (1) The department shall design license plates
21 to be known as wildlife conservation plates. The department
22 shall create a design reflecting support for the Game and Parks
23 Commission in consultation with the commission. The design shall
24 be selected on the basis of (a) enhancing the marketability of
25 the plates to supporters of the state's natural resources and

1 wildlife and (b) limiting the manufacturing cost of each plate to
2 an amount less than or equal to the amount charged for license
3 plates pursuant to section 60-3,102. Beginning July 1, 2008, the
4 department shall make applications available for this type of
5 plate.

6 (2) Except as otherwise provided in subdivision (6) of
7 section 5 of this act:

8 (a) The State Treasurer shall credit thirty-three and
9 one-third percent of the fees for initial issuance and renewal of
10 such wildlife conservation plates collected under subsection (2) of
11 section 5 of this act to the Department of Motor Vehicles Cash Fund
12 and sixty-six and two-thirds percent of such fees to the Nongame
13 and Endangered Species Conservation Fund; and

14 (b) The State Treasurer shall credit seventy-five percent
15 of the fees for initial issuance and renewal of such wildlife
16 conservation plates collected under subsection (2) of section 5
17 of this act to the Department of Motor Vehicles Cash Fund and
18 twenty-five percent of such fees to the Nongame and Endangered
19 Species Conservation Fund.

20 Sec. 10. Section 60-393, Revised Statutes Cumulative
21 Supplement, 2006, is amended to read:

22 60-393 Any owner who has two or more motor vehicles
23 or trailers required to be registered under the Motor Vehicle
24 Registration Act may register all such motor vehicles or trailers
25 on a calendar-year basis or on an annual basis for the same

1 registration period beginning in a month chosen by the owner. When
2 electing to establish the same registration period for all such
3 motor vehicles or trailers, the owner shall pay the registration
4 fee, the motor vehicle tax imposed in section 60-3,185, and
5 the motor vehicle fee imposed in section 60-3,190 on each motor
6 vehicle for the number of months necessary to extend its current
7 registration period to the registration period under which all
8 such motor vehicles or trailers will be registered. Credit shall
9 be given for registration paid on each motor vehicle or trailer
10 when the motor vehicle or trailer has a later expiration date than
11 that chosen by the owner except as otherwise provided in sections
12 60-3,121 and 60-3,128, and section 5 of this act. Thereafter all
13 such motor vehicles or trailers shall be registered on an annual
14 basis starting in the month chosen by the owner.

15 Sec. 11. Section 60-395, Revised Statutes Cumulative
16 Supplement, 2006, is amended to read:

17 60-395 Except as otherwise provided in sections 60-3,121
18 and 60-3,128, and section 5 of this act, (1) upon transfer of
19 ownership of any motor vehicle or trailer, (2) in case of loss
20 of possession because of fire, theft, dismantlement, or junking,
21 (3) when a salvage branded certificate of title is issued, (4)
22 whenever a type or class of motor vehicle or trailer previously
23 registered is subsequently declared by legislative act or court
24 decision to be illegal or ineligible to be operated or towed on the
25 public roads and no longer subject to registration fees, the motor

1 vehicle tax imposed in section 60-3,185, and the motor vehicle
2 fee imposed in section 60-3,190, or (5) in case of a change in
3 the situs of a motor vehicle or trailer to a location outside of
4 this state, the registration shall expire and the registered owner
5 may, by returning the registration certificate, the license plates,
6 and, when appropriate, the validation decals and by either making
7 affidavit to the county treasurer or designated county official of
8 the occurrence of an event described in subdivisions (1) through
9 (4) of this section or, in the case of a change in situs,
10 displaying to the county treasurer or designated county official
11 the registration certificate of such other state as evidence of a
12 change in situs, receive a refund of that part of the unused fees
13 on motor vehicles or trailers based on the number of unexpired
14 months remaining in the registration period from the date of the
15 event, except that when such date falls within the same calendar
16 month in which the motor vehicle or trailer is acquired, no refund
17 shall be allowed for such month. The registered owner shall make
18 a claim for credit or refund of the unused fees within sixty days
19 after the date of the event or shall be deemed to have forfeited
20 his or her right to such refund. For purposes of this section, the
21 date of the event shall be, in the case of a transfer or loss,
22 the date of the transfer or loss, in the case of a change in the
23 situs, the date of registration in another state, in the case of
24 a legislative act, the effective date of the act, and in the case
25 of a court decision, the date the decision is rendered. Application

1 for registration or for reassignment of license plates and, when
2 appropriate, validation decals to another motor vehicle or trailer
3 shall be made within thirty days of the date of purchase.

4 Sec. 12. Section 60-396, Revised Statutes Cumulative
5 Supplement, 2006, is amended to read:

6 60-396 Whenever the registered owner files an application
7 with the county treasurer or designated county official showing
8 that a motor vehicle or trailer is disabled and has been
9 removed from service, the registered owner may, by returning
10 the registration certificate, the license plates, and, when
11 appropriate, the validation decals or, in the case of the
12 unavailability of such registration certificate or certificates,
13 license plates, or validation decals, then by making an affidavit
14 to the county treasurer or designated county official of such
15 disablement and removal from service, receive a credit for a
16 portion of the registration fee from the fee deposited with the
17 State Treasurer at the time of registration based upon the number
18 of unexpired months remaining in the registration year except as
19 otherwise provided in sections 60-3,121 and 60-3,128, and section 5
20 of this act. The owner shall also receive a credit for the unused
21 portion of the motor vehicle tax and fee based upon the number
22 of unexpired months remaining in the registration year. When the
23 owner registers a replacement motor vehicle or trailer at the time
24 of filing such affidavit, the credit may be immediately applied
25 against the registration fee and the motor vehicle tax and fee for

1 the replacement motor vehicle or trailer. When no such replacement
2 motor vehicle or trailer is so registered, the county treasurer
3 or designated county official shall forward the application and
4 affidavit, if any, to the State Treasurer who shall determine the
5 amount, if any, of the allowable credit for the registration fee
6 and issue a credit certificate to the owner. For the motor vehicle
7 tax and fee, the county treasurer or designated county official
8 shall determine the amount, if any, of the allowable credit and
9 issue a credit certificate to the owner. When such motor vehicle
10 or trailer is removed from service within the same month in which
11 it was registered, no credits shall be allowed for such month.
12 The credits may be applied against taxes and fees for new or
13 replacement motor vehicles or trailers incurred within one year
14 after cancellation of registration of the motor vehicle or trailer
15 for which the credits were allowed. When any such motor vehicle or
16 trailer is reregistered within the same registration year in which
17 its registration has been canceled, the taxes and fees shall be
18 that portion of the registration fee and the motor vehicle tax and
19 fee for the remainder of the registration year.

20 Sec. 13. Section 60-3,101, Revised Statutes Cumulative
21 Supplement, 2006, is amended to read:

22 60-3,101 (1) Except for license plates issued pursuant to
23 section 60-3,203, as otherwise provided in subsection (3) of this
24 section, license plates shall be issued every six years beginning
25 with the license plates issued in the year 2005.

1 (2) Except for plates issued pursuant to such section, as
2 otherwise provided in subsection (3) of this section, in the years
3 in which plates are not issued, in lieu of issuing such license
4 plates, the department shall furnish to every person whose motor
5 vehicle or trailer is registered one or two validation decals,
6 as the case may be, which validation decals shall bear the year
7 for which issued and be so constructed as to permit them to be
8 permanently affixed to the plates.

9 (3) (a) Subsections (1) and (2) of this section do not
10 apply to license plates issued pursuant to section 60-3,203.

11 (b) Subsection (1) of this section does not apply to:
12 (i) License plates issued pursuant to sections 6 to 9 of
13 this act; and
14 (ii) Beginning January 1, 2011, license plates issued
15 pursuant to sections 60-3,122, 60-3,123, 60-3,124, and 60-3,125.

16 Sec. 14. Section 60-3,104, Revised Statutes Cumulative
17 Supplement, 2006, is amended to read:

18 60-3,104 The department shall issue the following types
19 of license plates:

20 (1) Amateur radio station license plates issued pursuant
21 to section 60-3,126;

22 (2) Boat dealer license plates issued pursuant to section
23 60-379;

24 (3) Bus license plates issued pursuant to section
25 60-3,144;

1 (4) Child abuse prevention plates issued pursuant to
2 section 8 of this act;

3 (4) (5) Commercial truck and truck-tractor license plates
4 issued pursuant to section 60-3,147;

5 (5) (6) Dealer or manufacturer license plates issued
6 pursuant to sections 60-3,114 and 60-3,115;

7 (6) (7) Disabled veteran license plates issued pursuant
8 to section 60-3,124;

9 (7) (8) Farm trailer license plates issued pursuant to
10 section 60-3,151;

11 (8) (9) Farm truck license plates issued pursuant to
12 section 60-3,146;

13 (9) (10) Farm trucks with a gross weight of over sixteen
14 tons license plates issued pursuant to section 60-3,146;

15 (10) (11) Fertilizer trailer license plates issued
16 pursuant to section 60-3,151;

17 (11) (12) Film vehicle license plates issued pursuant to
18 section 60-383;

19 (13) Firefighter support plates issued pursuant to
20 section 7 of this act;

21 (12) Fleets of apportionable commercial vehicles (14)
22 Apportionable vehicle license plates issued pursuant to section
23 60-3,203;

24 (13) (15) Handicapped or disabled person license plates
25 issued pursuant to section 60-3,113;

1 (14) (16) Historical vehicle license plates issued
2 pursuant to sections 60-3,130 to 60-3,134;

3 (15) (17) Local truck license plates issued pursuant to
4 section 60-3,145;

5 (18) Military plates issued pursuant to section 6 of this
6 act, including a United States Air Force plate, a United States
7 Army plate, a United States Coast Guard plate, a United States
8 Marine Corps plate, a United States Navy plate, and a Support Our
9 Troops plate;

10 (16) (19) Motor vehicle license plates for motor vehicles
11 owned or operated by the state, counties, municipalities, or school
12 districts issued pursuant to section 60-3,105;

13 (17) (20) Motor vehicles exempt pursuant to section
14 60-3,107;

15 (18) (21) Motorcycle license plates issued pursuant to
16 section 60-3,100;

17 (19) (22) Nebraska Cornhusker Spirit Plates issued
18 pursuant to sections 60-3,127 to 60-3,129;

19 (20) (23) Nonresident owner thirty-day license plates
20 issued pursuant to section 60-382;

21 (21) (24) Passenger car having a seating capacity of ten
22 persons or less and not used for hire issued pursuant to section
23 60-3,100; 60-3,143;

24 (22) (25) Passenger car having a seating capacity of
25 ten persons or less and used for hire issued pursuant to section

1 60-3,100; 60-3,143;

2 (23) (26) Pearl Harbor license plates issued pursuant to
3 section 60-3,122;

4 (24) (27) Personal-use dealer license plates issued
5 pursuant to section 60-3,116;

6 (25) (28) Personalized message license plates for motor
7 vehicles and cabin trailers, except commercial trucks registered
8 for over ten tons gross weight, issued pursuant to sections
9 60-3,118 to 60-3,121;

10 (26) (29) Prisoner-of-war license plates issued pursuant
11 to section 60-3,123;

12 (27) (30) Purple Heart license plates issued pursuant to
13 section 60-3,125;

14 (28) (31) Recreational vehicle license plates issued
15 pursuant to section 60-3,151;

16 (29) (32) Repossession license plates issued pursuant to
17 section 60-375;

18 (30) (33) Trailer license plates issued for trailers
19 owned or operated by the state, counties, municipalities, or school
20 districts issued pursuant to section 60-3,106;

21 (31) (34) Trailer license plates issued pursuant to
22 section 60-3,100;

23 (32) (35) Trailers exempt pursuant to section 60-3,108;

24 (33) (36) Transporter license plates issued pursuant to
25 section 60-378;

1 (34) (37) Trucks or combinations of trucks,
2 truck-tractors or trailers which are not for hire and
3 engaged in soil and water conservation work and used for the
4 purpose of transporting pipe and equipment exclusively used by such
5 contractors for soil and water conservation construction license
6 plates issued pursuant to section 60-3,149;

7 (35) (38) Utility trailer license plates issued pursuant
8 to section 60-3,151; and

9 (36) (39) Well-boring apparatus and well-servicing
10 equipment license plates issued pursuant to section 60-3,109; and -
11 (40) Wildlife conservation plates issued pursuant to
12 section 9 of this act.

13 Sec. 15. Section 60-3,118, Revised Statutes Cumulative
14 Supplement, 2006, is amended to read:

15 60-3,118 (1) In lieu of the license plates provided
16 for by section 60-3,100, the department shall issue personalized
17 message license plates for motor vehicles, trailers, semitrailers,
18 or cabin trailers, except ~~commercial trucks registered for over ten~~
19 ~~tens gross weight, for motor vehicles and trailers registered under~~
20 section 60-3,198, to all applicants who meet the requirements of
21 sections 60-3,119 to 60-3,121. Personalized message license plates
22 shall be the same size and of the same basic design as regular
23 license plates issued pursuant to section 60-3,100. The characters
24 used shall consist only of letters and numerals of the same size
25 and design and shall comply with the requirements of subdivision

1 (1) (a) of section 60-3,100. A maximum of seven characters may be
2 used, except that for motorcycles, a maximum of six characters may
3 be used.

4 (2) The following conditions apply to all personalized
5 message license plates:

6 (a) County prefixes shall not be allowed except
7 in counties using the alphanumeric system for motor vehicle
8 registration. The numerals in the county prefix shall be the
9 numerals assigned to the county, pursuant to subsection (2) of
10 section 60-370, in which the motor vehicle or cabin trailer
11 is registered. Renewal of a personalized message license plate
12 containing a county prefix shall be conditioned upon the motor
13 vehicle or cabin trailer being registered in such county. The
14 numerals in the county prefix, including the hyphen or any other
15 unique design for an existing license plate style, count against
16 the maximum number of characters allowed under this section;

17 (b) The characters in the order used shall not conflict
18 with or duplicate any number used or to be used on the regular
19 license plates or any number or license plate already approved
20 pursuant to sections 60-3,118 to 60-3,121;

21 (c) The characters in the order used shall not
22 express, connote, or imply any obscene or objectionable words or
23 abbreviations; and

24 (d) An applicant receiving a personalized message license
25 plate for a farm truck with a gross weight of over sixteen tons

1 or a commercial truck or truck-tractor with a gross weight of five
2 tons or over shall affix the appropriate tonnage decal to such
3 license plate.

4 (3) The department shall have sole authority to determine
5 if the conditions prescribed in subsection (2) of this section have
6 been met.

7 Sec. 16. Section 60-3,122, Revised Statutes Cumulative
8 Supplement, 2006, is amended to read:

9 60-3,122 (1) Any resident of this state person may,
10 in addition to the application required by section 60-385, make
11 application apply to the department for a set of license plates
12 designed by the department to indicate that he or she is a survivor
13 of the Japanese attack on Pearl Harbor if he or she:

14 (a) Was a member of the United States Armed Forces on
15 December 7, 1941;

16 (b) Was on station on December 7, 1941, during the hours
17 of 7:55 a.m. to 9:45 a.m. Hawaii time at Pearl Harbor, the island
18 of Oahu, or offshore at a distance not to exceed three miles;

19 (c) Was discharged or otherwise separated with a
20 characterization of honorable from the United States Armed Forces;
21 and

22 (d) Holds a current membership in a Nebraska Chapter of
23 the Pearl Harbor Survivors Association.

24 (2) The license plates shall be issued upon the applicant
25 paying the regular license fee and an additional fee of five

1 dollars and furnishing proof satisfactory to the department that
2 the applicant fulfills the requirements provided by subsection (1)
3 of this section. The additional fee shall be remitted to the State
4 Treasurer for credit to the Highway Trust Fund. Only one motor
5 vehicle, or trailer, semitrailer, or cabin trailer owned by the
6 applicant shall be so licensed at any one time. Motor vehicles
7 and trailers registered under section 60-3,198 shall not be so
8 licensed.

9 (3) Beginning January 1, 2011, Pearl Harbor license
10 plates issued under this section shall have a combination of
11 letters and numerals assigned by the department. Such combination
12 of letters and numerals shall not be the same as the alphanumeric
13 system described in subdivision (3)(c) of section 60-370. The
14 department shall not use the county number system as described in
15 subsection (2) of section 60-370.

16 (3) (4) If the license plates issued pursuant to this
17 section are lost, stolen, or mutilated, the recipient of the
18 license plates shall be issued replacement license plates upon
19 request and without charge.

20 Sec. 17. Section 60-3,123, Revised Statutes Cumulative
21 Supplement, 2006, is amended to read:

22 60-3,123 (1) Any resident of this state person who was
23 captured and incarcerated by an enemy of the United States during
24 a period of conflict with such enemy and who was discharged
25 or otherwise separated with a characterization of honorable from

1 or is currently serving in the United States Armed Forces may,
2 in addition to the application required in section 60-385, make
3 application apply to the department for a set of license plates
4 designed to indicate that he or she is a former prisoner of war.

5 (2) The license plates shall be issued upon the applicant
6 paying the regular license fee and an additional fee of five
7 dollars and furnishing proof satisfactory to the department that
8 the applicant was formerly a prisoner of war. The additional fee
9 shall be remitted to the State Treasurer for credit to the Highway
10 Trust Fund. Only one motor vehicle, or trailer, semitrailer, or
11 cabin trailer owned by an applicant shall be so licensed at any one
12 time. Motor vehicles and trailers registered under section 60-3,198
13 shall not be so licensed.

14 (3) Beginning January 1, 2011, prisoner-of-war license
15 plates issued under this section shall have a combination of
16 letters and numerals assigned by the department. Such combination
17 of letters and numerals shall not be the same as the alphanumeric
18 system described in subdivision (3)(c) of section 60-370. The
19 department shall not use the county number system as described in
20 subsection (2) of section 60-370.

21 (2) (4) If the license plates issued under this section
22 are lost, stolen, or mutilated, the recipient of the license plates
23 shall be issued replacement license plates upon request and without
24 charge.

25 Sec. 18. Section 60-3,124, Revised Statutes Cumulative

1 Supplement, 2006, is amended to read:

2 60-3,124 (1) Any resident of this state person who is
3 a veteran of the United States Armed Forces, who was discharged
4 or otherwise separated with a characterization of honorable or
5 general (under honorable conditions), and who is classified by the
6 United States Department of Veterans Affairs as one hundred percent
7 service-connected disabled may, in addition to the application
8 required in section 60-385, apply to the Department of Motor
9 Vehicles for a set of license plates designed by the department to
10 indicate that the applicant for the plates is a disabled veteran.
11 The inscription on the license plates shall be D.A.V. immediately
12 below the license plate number to indicate that the holder of the
13 license plates is a disabled veteran.

14 (2) The plates shall be issued upon the applicant paying
15 the regular license fee and an additional fee of five dollars and
16 furnishing proof satisfactory to the department that the applicant
17 is a disabled veteran. The additional fee shall be remitted to
18 the State Treasurer for credit to the Highway Trust Fund. Only one
19 motor vehicle, or trailer, semitrailer, or cabin trailer owned by
20 the applicant shall be so licensed at any one time. Motor vehicles
21 and trailers registered under section 60-3,198 shall not be so
22 licensed.

23 (3) Beginning January 1, 2011, disabled veteran license
24 plates issued under this section shall have a combination of
25 letters and numerals assigned by the department. Such combination

1 of letters and numerals shall not be the same as the alphanumeric
2 system described in subdivision (3)(c) of section 60-370. The
3 department shall not use the county number system as described in
4 subsection (2) of section 60-370.

5 (2) (4) If the license plates issued under this section
6 are lost, stolen, or mutilated, the recipient of the plates
7 shall be issued replacement license plates as provided in section
8 60-3,157.

9 Sec. 19. Section 60-3,125, Revised Statutes Cumulative
10 Supplement, 2006, is amended to read:

11 60-3,125 (1) Any resident of this state person may,
12 in addition to the application required by section 60-385, make
13 application apply to the department for a set of license plates
14 designed by the department to indicate that the applicant ~~for the~~
15 license plates has received from the federal government an award of
16 a Purple Heart. The inscription of the plates shall be designed so
17 as to include a facsimile of the award and beneath any numerical
18 designation upon the plates pursuant to section 60-370 the words
19 Purple Heart separately on one line and the words Combat Wounded on
20 the line below.

21 (2) The license plates shall be issued upon payment of
22 the regular license fee and an additional fee of five dollars and
23 furnishing proof satisfactory to the department that the applicant
24 was awarded the Purple Heart. The additional fee shall be remitted
25 to the State Treasurer for credit to the Highway Trust Fund. Only

1 one motor vehicle, or trailer, semitrailer, or cabin trailer owned
2 by the applicant shall be so licensed at any one time. Motor
3 vehicles and trailers registered under section 60-3,198 shall not
4 be so licensed.

5 (3) Beginning January 1, 2011, Purple Heart license
6 plates issued under this section shall have a combination of
7 letters and numerals assigned by the department. Such combination
8 of letters and numerals shall not be the same as the alphanumeric
9 system described in subdivision (3)(c) of section 60-370. The
10 department shall not use the county number system as described in
11 subsection (2) of section 60-370.

12 (3) (4) If license plates issued pursuant to this section
13 are lost, stolen, or mutilated, the recipient of the plates shall
14 be issued replacement license plates upon request and without
15 charge.

16 Sec. 20. Section 60-3,127, Revised Statutes Cumulative
17 Supplement, 2006, is amended to read:

18 60-3,127 (1) The department, in designing Nebraska
19 Cornhusker Spirit Plates, shall:

20 (a) Include the word Cornhuskers or Huskers prominently
21 in the design;

22 (b) Use scarlet and cream colors in the design or such
23 other similar colors as the department determines to best represent
24 the official team colors of the University of Nebraska Cornhuskers
25 athletic programs and to provide suitable reflection and contrast;

1 (c) Use cream or a similar color for the background of
2 the design and scarlet or a similar color for the printing; and
3 (d) Create a design reflecting support for the University
4 of Nebraska Cornhuskers athletic programs in consultation with
5 the University of Nebraska-Lincoln Athletic Department. The design
6 shall be selected on the basis of (i) enhancing the marketability
7 of spirit plates to supporters of University of Nebraska
8 Cornhuskers athletic programs and (ii) limiting the manufacturing
9 cost of each spirit plate to an amount less than or equal to the
10 amount charged for license plates pursuant to section 60-3,102.

11 (2) One Until January 1, 2011, one type of Nebraska
12 Cornhusker Spirit Plates shall be consecutively numbered spirit
13 plates. The department shall:

14 (a) Number the spirit plates consecutively beginning
15 with the number one, using numerals the size of which maximizes
16 legibility; and

17 (b) Not use a county designation or any characters other
18 than numbers on the spirit plates.

19 (3) Beginning January 1, 2011, Nebraska Cornhusker Spirit
20 Plates issued under this section shall have a combination of
21 letters and numerals assigned by the department. Such combination
22 of letters and numerals shall not be the same as the alphanumeric
23 system described in subdivision (3)(c) of section 60-370. The
24 department shall not use the county number system as described in
25 subsection (2) of section 60-370.

1 (3) (4) One type of Nebraska Cornhusker Spirit Plates
2 shall be personalized message spirit plates. Such plates shall be
3 issued subject to the same conditions specified for message plates
4 in subsection (2) of section 60-3,118. The characters used shall
5 consist only of letters and numerals of the same size and design
6 and shall comply with the requirements of subdivision (1)(a) of
7 section 60-3,100. A maximum of seven characters may be used.

8 Sec. 21. Section 60-3,128, Revised Statutes Cumulative
9 Supplement, 2006, is amended to read:

10 60-3,128 (1) A ~~resident of Nebraska~~ person may apply to
11 the department for Nebraska Cornhusker Spirit Plates in lieu of
12 regular license plates on an application prescribed and provided
13 by the department for any motor vehicle, trailer, semitrailer, or
14 cabin trailer, except for a ~~commercial truck registered for over~~
15 ~~ten tons gross weight or a motorcycle.~~ motor vehicles or trailers
16 registered under section 60-3,198. An applicant receiving a spirit
17 plate for a farm truck with a gross weight of over sixteen tons
18 or for a commercial ~~truck or truck-tractor~~ motor vehicle registered
19 for a gross weight of five tons or over shall affix the appropriate
20 tonnage decal to the spirit plate. The department shall make forms
21 available for such applications through the county treasurers or
22 designated county officials. Each application for initial issuance
23 or renewal of spirit plates shall be accompanied by a fee of
24 seventy dollars. Fees collected pursuant to this subsection shall
25 be remitted to the State Treasurer. The State Treasurer shall

1 credit forty-three percent of the fees for initial issuance and
2 renewal of spirit plates to the Department of Motor Vehicles Cash
3 Fund and fifty-seven percent of the fees to the Spirit Plate
4 Proceeds Fund.

5 (2) When the department receives an application for
6 spirit plates, it shall deliver the plates to the county treasurer
7 or designated county official of the county in which the motor
8 vehicle or cabin trailer is registered. The county treasurer or
9 designated county official shall issue spirit plates in lieu of
10 regular license plates when the applicant complies with the other
11 provisions of law for registration of the motor vehicle or cabin
12 trailer. If spirit plates are lost, stolen, or mutilated, the
13 licensee shall be issued replacement license plates pursuant to
14 section 60-3,157.

15 (3) (a) The owner of a motor vehicle or cabin trailer
16 bearing spirit plates may make application to the county
17 treasurer or designated county official to have such spirit
18 plates transferred to a motor vehicle or cabin trailer other than
19 the motor vehicle or cabin trailer for which such plates were
20 originally purchased if such motor vehicle or cabin trailer is
21 owned by the owner of the spirit plates.

22 (b) The owner may have the unused portion of the spirit
23 plate fee credited to the other motor vehicle or cabin trailer
24 which will bear the spirit plate at the rate of eight and one-third
25 percent per month for each full month left in the registration

1 period.

2 (c) Application for such transfer shall be accompanied by
3 a fee of three dollars. Fees collected pursuant to this subsection
4 shall be remitted to the State Treasurer for credit to the
5 Department of Motor Vehicles Cash Fund.

6 Sec. 22. Section 60-3,141, Revised Statutes Cumulative
7 Supplement, 2006, is amended to read:

8 60-3,141 (1) The various county treasurers or designated
9 county officials shall act as agents for the department in the
10 collection of all motor vehicle taxes, motor vehicle fees, and
11 registration fees.

12 (2) While acting as agents pursuant to subsection (1) of
13 this section, the county treasurers or designated county officials
14 shall in addition to the taxes and registration fees collect and
15 retain for the county two dollars for each registration of a motor
16 vehicle or trailer of a resident of the State of Nebraska and five
17 dollars for each registration of a motor vehicle or trailer of a
18 nonresident from the funds collected for the registration issued.
19 Such fees collected by the county shall be remitted to the county
20 treasurer for credit to the county general fund.

21 (3) The county treasurers or designated county officials
22 shall transmit all motor vehicle fees and registration fees
23 collected to the State Treasurer on or before the twenty-fifth
24 day of each month and at such other times as the State Treasurer
25 requires for credit to the Motor Vehicle Fee Fund and the Highway

1 Trust Fund, respectively, except as provided in section 60-3,156.
2 Any county treasurer or designated county official who fails to
3 transfer to the State Treasurer the amount due the state at the
4 times required in this section shall pay interest at the rate
5 specified in section 45-104.02, as such rate may be adjusted from
6 time to time, from the time the motor vehicle fees and registration
7 fees become due until paid.

8 Sec. 23. Original section 43-1906, Reissue Revised
9 Statutes of Nebraska, and sections 39-2215, 60-301, 60-393, 60-395,
10 60-396, 60-3,101, 60-3,104, 60-3,118, 60-3,122, 60-3,123, 60-3,124,
11 60-3,125, 60-3,127, 60-3,128, and 60-3,141, Revised Statutes
12 Cumulative Supplement, 2006, are repealed.

13 Sec. 24. The following section is outright repealed:
14 Section 81-5,157, Reissue Revised Statutes of Nebraska.