

LEGISLATURE OF NEBRASKA

ONE HUNDREDTH LEGISLATURE

SECOND SESSION

LEGISLATIVE BILL 911

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 Act;

2 to amend sections 60-479, 60-495, 60-498, 60-4,113,

3 60-4,114, 60-4,117, 60-4,118.05, 60-4,121, 60-4,122,

4 60-4,126, 60-4,127, 60-4,148, 60-4,149, 60-4,151,

5 60-4,156, 60-4,157, and 60-4,181, Reissue Revised

6 Statutes of Nebraska, sections 60-484, 60-484.01,

7 60-490, 60-4,115, 60-4,118, 60-4,119, 60-4,120, 60-4,141,

8 60-4,142, 60-4,144, 60-4,145, 60-4,149.01, 60-4,150,

9 and 60-1515, Revised Statutes Cumulative Supplement,

10 2006, and sections 60-462, 60-463, 60-493, 60-4,120.01,

11 60-4,123, and 60-4,124, Revised Statutes Supplement,

12 2007; to define a term; to provide powers for the

13 Department of Motor Vehicles regarding the design,

14 production, issuance, payment, and renewal of operators'

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1 licenses and state identification cards; to eliminate
2 county issuance of such licenses and cards; to change
3 fees; to harmonize provisions; and to repeal the original
4 sections.

5 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, 5,
4 7, 8, 9, 10, 13, and 14 of this act shall be known and may be cited
5 as the Motor 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 operator's licenses and state identification cards
9 designed to protect the identity of card applicants and holders of
10 such licenses and cards and reduce identity theft, fraud, forgery,
11 and counterfeiting to the maximum extent possible with respect to
12 such licenses and cards. The department shall adopt security and
13 technology practices to enhance the enrollment, production, data
14 storage, and credentialing system of such licenses and cards in
15 order to maximize the integrity of the process.

16 Sec. 3. Section 60-463, Revised Statutes Supplement,
17 2007, is amended to read:

18 60-463 For purposes of the Motor Vehicle Operator's
19 License Act, the definitions found in sections 60-463.01 to 60-478
20 and sections 4 and 5 of this act shall be used.

21 Sec. 4. Department shall mean the Department of Motor
22 Vehicles.

23 Sec. 5. REAL ID Act of 2005 shall mean the federal REAL
24 ID Act of 2005, Public Law 109-13, as the act existed on the
25 effective date of this act.

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

3 60-479 Sections 60-480 to 60-4,111.01 and sections 8, 9,
4 and 10 of this act and 60-4,182 to 60-4,188 shall apply to any
5 operator's license subject to the Motor Vehicle Operator's License
6 Act.

7 Sec. 7. (1) This section applies beginning on an
8 implementation date designated by the director. The department
9 shall establish effective procedures to confirm or verify an
10 applicant's identity each time his or her operator's license or
11 state identification card is renewed or reissued.

12 (2) If an applicant has images of source documents
13 on file with the department and no information has changed the
14 department may conduct renewal or reissuance that is not in
15 person upon verification that no information of those documents
16 has changed. If information on those documents has changed, the
17 applicant shall present new original source documents showing the
18 change.

19 (3) Every individual shall have his or her operator's
20 license or state identification card renewed in person before
21 department personnel every other renewal cycle or at least once
22 every ten years.

23 Sec. 8. (1) This section applies beginning on an
24 implementation date designated by the director. All persons
25 involved in the recording of verified application or operator's

1 license and state identification card information, involved in the
2 manufacture or production of licenses or cards, or who have the
3 ability to affect information on such licenses or cards, shall be
4 subject to a criminal history record information check as provided
5 in the REAL ID Act of 2005, including a check of prior employment
6 references, a financial history check, and a lawful status check.
7 Any person convicted of a disqualifying crime as provided in the
8 REAL ID Act of 2005 and any rules and regulations adopted and
9 promulgated pursuant to the act shall not be involved in the
10 recording of verified application or operator's license and state
11 identification card information, involved in the manufacture or
12 production of licenses or cards, or be involved in any capacity in
13 which such person would have the ability to affect information on
14 such licenses or cards. Any employee or prospective employee of the
15 department shall be provided notice that he or she shall undergo
16 such criminal history record information check prior to employment
17 or prior to any involvement with the issuance of operator's
18 licenses or state identification cards.

19 Sec. 9. This section applies beginning on an
20 implementation date designated by the director. The department
21 shall retain images of applications, declarations, and source
22 documents presented by applicants for and holders of operator's
23 licenses and identification cards. Such images shall be retained
24 for a minimum of ten years.

25 Sec. 10. This section applies beginning on an

1 implementation date designated by the director. The department
2 shall apply with the United States Department of Homeland Security
3 for initial certification of its program for issuing operator's
4 licenses and identification cards under the requirements of the
5 REAL ID Act of 2005. Each year the department shall review its
6 compliance with the REAL ID Act of 2005 and certify compliance to
7 the United States Department of Homeland Security.

8 Sec. 11. Section 60-484, Revised Statutes Cumulative
9 Supplement, 2006, is amended to read:

10 60-484 ~~(1)~~ (1)(a) This subsection applies until the
11 implementation date designated by the director pursuant to
12 subsection (2) of this section. Except as otherwise provided in
13 the Motor Vehicle Operator's License Act, no resident of the State
14 of Nebraska shall operate a motor vehicle upon the alleys or
15 highways of the State of Nebraska until the person has obtained an
16 operator's license for that purpose.

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

24 ~~(3)~~ (c) In addition to any other information and
25 questions necessary to comply with the requirements and purposes of

1 the act, the applicant ~~(a)~~ (i) shall provide his or her name, age,
 2 post office address, place of residence unless the applicant is a
 3 program participant under the Address Confidentiality Act, date of
 4 birth, ~~sex~~, gender, social security number, and brief description
 5 of himself or herself, ~~(b)~~ (ii) may complete the voter registration
 6 portion pursuant to section 32-308, ~~(c)~~ (iii) shall be provided the
 7 advisement language required by subsection (5) of section 60-6,197,
 8 ~~(d)~~ (iv) shall answer the following:

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

12 ~~(A)~~ (I) lost voluntary control or consciousness ... yes
 13 ... no

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

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

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

18 ~~(E)~~ (V) experienced impairment of memory, memory loss ...
 19 yes ... no

20 Please explain:

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

25 Please explain:

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

4 Please explain, including how the above affects your
5 ability to drive:, and ~~(e)~~ (v) may answer
6 the following:

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

9 OPTIONAL - YOU ARE NOT REQUIRED TO ANSWER ANY OF THE
10 FOLLOWING QUESTIONS:

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

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

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

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

19 ~~(5)~~ (e) The social security number shall not be printed
20 on the operator's license and shall be used only ~~(a)~~ (i) to furnish
21 driver record information to the United States Selective Service
22 System under section 60-483, ~~(b)~~ (ii) with the permission of the
23 director in connection with the verification of the status of an
24 individual's driving record in this state or any other state, ~~(e)~~
25 (iii) for purposes of child support enforcement pursuant to section

1 42-358.08 or 43-512.06, or ~~(d)~~ beginning on an implementation date
2 designated by the director, (iv) to furnish information regarding
3 an applicant for or holder of a commercial driver's license with
4 a hazardous materials endorsement to the Transportation Security
5 Administration of the United States Department of Homeland Security
6 or its agent.

7 ~~(6)(a)~~ (f)(i) Except for an individual under the age
8 of eighteen years, each individual applying for an operator's
9 license or a state identification card shall furnish proof of date
10 of birth and identity by a valid Nebraska operator's license, a
11 valid Nebraska learner's permit, a valid Nebraska school permit,
12 a valid operator's license from another state or jurisdiction of
13 the United States, a certified birth certificate, a certified birth
14 registration, a valid United States passport, a valid United States
15 military identification card, United States military discharge
16 papers, other United States-based identification as approved by
17 the director, or information preserved in the digital system
18 implemented under section 60-484.01.

19 ~~(b)~~ (ii) Any individual under the age of eighteen years
20 applying for an operator's license or a state identification card
21 shall provide a certified copy of his or her birth certificate,
22 a certified birth registration, or other reliable proof of his or
23 her identity and age accompanied by a certification signed by a
24 parent or guardian explaining the inability to produce a copy of
25 such birth certificate. The applicant may be required to furnish

1 proof to the examiner that the parent or guardian signing the
2 certification is in fact the parent or guardian of such applicant.

3 (2) (a) This subsection applies beginning on an
4 implementation date designated by the director. Except as otherwise
5 provided in the Motor Vehicle Operator's License Act, no resident
6 of the State of Nebraska shall operate a motor vehicle upon the
7 alleys or highways of this state until the person has obtained an
8 operator's license for that purpose.

9 (b) Application for an operator's license shall be made
10 in a manner prescribed by the department. Such application may be
11 made to department personnel who conduct the examination of the
12 applicant.

13 (c) In addition to any other information and questions
14 necessary to comply with the requirements and purposes of the act,
15 the applicant (i) shall provide documentation showing his or her
16 full legal name, mailing address, two forms of proof of address of
17 his or her principal residence unless the applicant is a program
18 participant under the Address Confidentiality Act, date of birth,
19 gender, social security number, evidence of lawful status in the
20 United States as provided in section 13 of this act, and a brief
21 physical description of himself or herself, (ii) may complete the
22 voter registration portion pursuant to section 32-308, (iii) shall
23 be provided the advisement language required by subsection (5) of
24 section 60-6,197, (iv) shall answer the following:

25 (A) Have you within the last three months (e.g. due

1 to diabetes, epilepsy, mental illness, head injury, strike, heart
2 condition, neurological disease, etc.):

3 (I) lost voluntary control or consciousness ... yes ...
4 no

5 (II) experienced vertigo or multiple episodes of
6 dizziness or fainting ... yes ... no

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

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

9 (V) experienced impairment of memory, memory loss ... yes
10 ... no

11 Please explain:

12 (B) Do you experience any condition which affects your
13 ability to operate a motor vehicle? (e.g. due to loss of, or
14 impairment of, foot, leg, hand, arm; neurological or neuromuscular
15 disease, etc.) ... yes ... no

16 Please explain:

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

20 Please explain, including how the above affects your
21 ability to drive:, and

22 (v) may answer the following:

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

25 OPTIONAL - YOU ARE NOT REQUIRED TO ANSWER ANY OF THE

1 FOLLOWING QUESTIONS:

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

3 (C) Do you wish to receive any additional specific
4 information regarding organ and tissue donation and the Donor
5 Registry of Nebraska?

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

8 (d) Application for an operator's license shall be made
9 under a signed oath, affirmation, or declaration of the applicant
10 that the information provided on the application is true and
11 correct.

12 (e) The social security number shall not be printed on
13 the operator's license and shall be used only (i) to furnish driver
14 record information to the United States Selective Service System
15 under section 56-483, (ii) with the permission of the director in
16 connection with the verification of the status of an individual's
17 driving record in this state or any other state, (iii) for purposes
18 of child support enforcement pursuant to section 42-358.08 or
19 43-512.06, or (iv) to furnish information regarding an applicant
20 for or holder of a commercial driver's license with a hazardous
21 materials endorsement to the Transportation Security Administration
22 of the United States Department of Homeland Security or its agent.

23 (f)(i) Persons eighteen years of age or over applying
24 for an operator's license or a state identification card shall
25 furnish proof of date of birth and identity by presenting at least

1 one of the following documents containing a photograph or nonphoto
2 identity document including full name and date of birth:

3 (A) A valid unexpired United States passport;

4 (B) Certified copy of a birth certificate issued by
5 a United States state or local office of public health, vital
6 records, vital statistics, or equivalent office;

7 (C) Consular Report of Birth Abroad issued by the United
8 States Department of State, Form FS-240, DS-1350, or FS-545;

9 (D) An unexpired Permanent Resident Card issued by the
10 United States Department of Homeland Security, Form I-551;

11 (E) An unexpired employment authorization document (EAD)
12 issued by the United States Department of Homeland Security, Form
13 I-766 or Form I-688B;

14 (F) Unexpired foreign passport with a valid unexpired
15 United States visa affixed;

16 (G) Certificate of Naturalization issued by the United
17 States Department of Homeland Security, Form N-550 or Form N-570;

18 (H) Certificate of Citizenship, Form N-560 or Form N-561;

19 or

20 (I) REAL ID Act of 2005 compliant operator's license or
21 identification card issued in compliance with federal regulatory
22 standards, if accompanied by another document from this list.

23 (ii) The department shall not accept any foreign
24 document, other than an official passport, to satisfy a requirement
25 of this section.

1 (iii) Any individual under the age of eighteen years
2 applying for an operator's license or a state identification
3 card shall provide proof of identity as provided in subdivision
4 (2)(f)(i) of this section and shall provide a certified copy of
5 his or her birth certificate, or other reliable proof of his or
6 her identity and age accompanied by a certification signed by a
7 parent or guardian explaining the inability to produce a copy of
8 such birth certificate. An applicant under eighteen years of age
9 may provide proof of place of principal residence with an affidavit
10 from a parent or guardian. Such applicant may be required to
11 furnish proof to department personnel that the parent or guardian
12 signing the certification is in fact the parent or guardian of such
13 applicant.

14 (iv) If an applicant's name has changed through adoption,
15 marriage, divorce, court order, or any other reason, the applicant
16 shall present an original or certified copy of the documents
17 showing the legal name change before the name can be changed on
18 the operator's license or state identification card. The documents
19 must come from a United States or state-level court or government
20 agency.

21 (g) An applicant may present other documents designated
22 by the director to establish written exceptions as permitted by the
23 REAL ID Act of 2005.

24 (3) Beginning on an implementation date designated by
25 the director, the Department of Motor Vehicles shall be the

1 exclusive issuer of operators' licenses and state identification
2 cards. All operator's licenses and state identification cards shall
3 be processed at locations which are physically secure and comply
4 with the REAL ID Act of 2005. The department may issue operators'
5 licenses and state identification cards at regional service centers
6 throughout the state as prescribed by the director.

7 Sec. 12. Section 60-484.01, Revised Statutes Cumulative
8 Supplement, 2006, is amended to read:

9 60-484.01 (1) This subsection applies until an
10 implementation date designated by the director, it ~~It~~ is the
11 intent of the Legislature to authorize the Department of Motor
12 Vehicles department to begin issuing operators' licenses and state
13 identification cards using digital images and digital signatures
14 and to allow for electronic renewal of certain operators' licenses
15 and state identification cards. The department shall implement such
16 a digital system.

17 (2) (a) This subsection applies beginning on an
18 implementation date designated by the director. The department may
19 provide for electronic or mail renewal of an operator's license or
20 a state identification card as prescribed by the director.

21 (b) A person who is out of the state at the time of
22 renewal of his or her operator's license or state identification
23 card may apply for and be issued a license or card if the
24 department has a color digital image of such person and the image
25 is not over ten years old, the department has the appropriate

1 documentation on record and there has been no status change in such
2 documents, and the person pays the fees and surcharge pursuant to
3 section 60-4,115. The license or card may be issued at any time
4 within one year after the expiration of the original license. Such
5 application shall be made to the department, and the department
6 shall issue the license or card.

7 (c) A holder of a temporary operator's license or a
8 temporary state identification card shall renew his or her license
9 or card in person.

10 Sec. 13. (1) Beginning on an implementation date
11 designated by the director, before being issued any type of
12 operator's license or a state identification card under the Motor
13 Vehicle Operator's License Act, the department shall require an
14 applicant to present valid documentary evidence that he or she:

15 (a) Is a citizen of the United States;

16 (b) Is an alien lawfully admitted for permanent or
17 temporary residence in the United States;

18 (c) Has conditional permanent resident status in the
19 United States;

20 (d) Has an approved application for asylum in the United
21 States or has entered into the United States in refugee status;

22 (e) Has a valid, unexpired nonimmigrant visa or
23 nonimmigrant visa status for entry into the United States;

24 (f) Has a pending application for asylum in the United
25 States;

1 (g) Has a pending or approved application for temporary
2 protected status in the United States;

3 (h) Has approved deferred action status; or

4 (i) Has a pending application for adjustment of status
5 to that of an alien law fully admitted for permanent residence in
6 the United States or conditional permanent resident status in the
7 United States.

8 (2) If an applicant for an operator's license, other
9 than a commercial driver's license, or a state identification card
10 presents evidence under any of subdivisions (1)(e) through (i) of
11 this section, the department shall only issue an operator's license
12 or a state identification card that is temporary. An operator's
13 license or a state identification card that is temporary shall be
14 valid only during the period of time of the applicant's authorized
15 stay in the United States or, if there is no definite end to the
16 period of authorized stay, a period of one year.

17 (3) An operator's license or state identification card
18 that is temporary shall clearly indicate that it is temporary with
19 a special notation on the front of the license or card and shall
20 state the date on which it expires.

21 (4) An operator's license or state identification card
22 that is temporary may be renewed only upon presentation of
23 valid documentary evidence that the status by which the applicant
24 qualified for the operator's license or state identification card
25 that is temporary has been extended by the Secretary of Homeland

1 Security.

2 Sec. 14. Beginning on an implementation date designated
3 by the director, before issuing any operator's license or state
4 identification card under the Motor Vehicle Operator's License
5 Act, the department may verify, with the issuing agency, the
6 issuance, validity, and completeness of each document required to
7 be presented by a person pursuant to section 60-484 and section 13
8 of this act.

9 Sec. 15. Section 60-490, Revised Statutes Cumulative
10 Supplement, 2006, is amended to read:

11 60-490 (1) Operators' licenses issued to persons required
12 to use bioptic or telescopic lenses as provided in section 60-4,118
13 shall expire annually on the licensee's birthday ~~for all such~~
14 ~~licenses issued prior to January 1, 2007, and on the licensee's~~
15 ~~birthday in the second year after issuance, unless specifically~~
16 ~~restricted to a shorter renewal period as determined under section~~
17 ~~60-4,118. , for all such licenses issued on or after January 1,~~
18 ~~2007.~~

19 (2) Except for state identification cards issued to
20 persons less than twenty-one years of age and state identification
21 cards that are temporary pursuant to section 13 of this act, all
22 state identification cards expire on the cardholder's birthday in
23 the fifth year after issuance. A state identification card issued
24 to a person who is less than twenty-one years of age expires on his
25 or her twenty-first birthday or on his or her birthday in the fifth

1 year after issuance, whichever comes first.

2 (3) Except as otherwise provided in subsection (1) of
3 this section, and section 60-4,147.05, and except for operators'
4 licenses issued to persons less than twenty-one years of age,
5 and operator's licenses that are temporary pursuant to section
6 13 of this act, operators' licenses issued pursuant to the Motor
7 Vehicle Operator's License Act expire on the licensee's birthday
8 in the fifth year after issuance. An operator's license issued
9 to a person less than twenty-one years of age expires on his or
10 her twenty-first birthday. Except as otherwise provided in section
11 60-4,147.05, the Department of Motor Vehicles shall mail out a
12 renewal notice for each operator's license at least thirty days
13 before the expiration of the operator's license.

14 (4)(a) The expiration date shall be stated on each
15 operator's license or state identification card.

16 (b) Except as otherwise provided in section 60-4,147.05,
17 licenses and state identification cards issued to persons who are
18 twenty-one years of age or older which expire under this section
19 may be renewed within a ninety-day period before the expiration
20 date. Any person who is twenty-one years of age or older and who
21 is the holder of a valid operator's license or state identification
22 card may renew his or her license or card prior to the ninety-day
23 period before the expiration date on such license or card if such
24 applicant furnishes proof that he or she will be absent from the
25 state during the ninety-day period prior to such expiration date.

1 (c) A person who is twenty years of age may apply for an
2 operator's license or a state identification card within sixty days
3 prior to his or her twenty-first birthday. The operator's license
4 or state identification card may be issued within ten days prior to
5 such birthday.

6 (d) A person who is under twenty years of age and who
7 holds a state identification card may apply for renewal within a
8 ninety-day period prior to the expiration date.

9 Sec. 16. Section 60-493, Revised Statutes Supplement,
10 2007, is amended to read:

11 60-493 (1)(a) Until the implementation date designated by
12 the director pursuant to section 60-484, when ~~When~~ a person applies
13 for an operator's license or state identification card, the county
14 treasurer or examiner of the Department of Motor Vehicles shall
15 distribute a brochure provided by an organ and tissue procurement
16 organization and approved by the Department of Health and Human
17 Services containing a description and explanation of the Uniform
18 Anatomical Gift Act to each person applying for a new or renewal
19 license or card.

20 (b) Beginning on the implementation date designated by
21 the director pursuant to section 60-484, when a person applies
22 for an operator's license or state identification card, personnel
23 of the Department of Motor Vehicles shall distribute a brochure
24 provided by an organ and tissue procurement organization and
25 approved by the Department of Health and Human Services containing

1 a description and explanation of the Uniform Anatomical Gift Act to
2 each person applying for a new or renewal license or card.

3 (2) If an individual desires to receive additional
4 specific information regarding organ and tissue donation and
5 the Donor Registry of Nebraska as indicated on an application
6 ~~or examiner's certificate~~ under section 60-484, 60-4,144, or
7 60-4,181, the ~~department~~ Department of Motor Vehicles shall notify
8 a representative of the federally designated organ procurement
9 organization in Nebraska within five working days of the name and
10 address of such individual.

11 Sec. 17. Section 60-495, Reissue Revised Statutes of
12 Nebraska, is amended to read:

13 60-495 (1) The director shall adopt and promulgate such
14 rules and regulations and prepare and furnish all forms and
15 information necessary to carry out sections 60-493 to 60-495,
16 71-4802, and 71-4804.

17 (2) The Organ and Tissue Donor Awareness and Education
18 Fund is created. ~~The county treasurer shall remit all funds~~
19 ~~contributed under sections 60-484, 60-4,144, and 60-4,181 to the~~
20 ~~State Treasurer for credit to the fund.~~ The Department of Health
21 and Human Services shall administer the Organ and Tissue Donor
22 Awareness and Education Fund for the promotion of organ and
23 tissue donation. The ~~department~~ Department of Health and Human
24 Services shall use the fund to assist organizations such as
25 the Organ and Tissue Donor Task Force of Nebraska, Inc., in

1 carrying out activities which promote organ and tissue donation
2 through the creation and dissemination of educational information.
3 Until the implementation date designated by the director pursuant
4 to section 60-484, the county treasurer shall remit all funds
5 contributed under sections 60-484, 60-4,144, and 60-4,181 to
6 the State Treasurer for credit to the fund. Beginning on the
7 implementation date designated by the director pursuant to section
8 60-484, the Department of Motor Vehicles shall remit all funds
9 contributed under sections 60-484, 60-4,144, and 60-4,181 to the
10 State Treasurer for credit to the fund. Any money in the fund
11 available for investment shall be invested by the state investment
12 officer pursuant to the Nebraska Capital Expansion Act and the
13 Nebraska State Funds Investment Act.

14 Sec. 18. Section 60-498, Reissue Revised Statutes of
15 Nebraska, is amended to read:

16 60-498 The director shall immediately revoke the
17 operator's license of any person upon receiving a copy of judgment
18 of such person's conviction of any of the following offenses when
19 such conviction becomes final:

20 (1) Manslaughter resulting from the operation of a motor
21 vehicle;

22 (2) Driving a motor vehicle while under the influence
23 of alcoholic liquor or any drug as provided in city or village
24 ordinances or in section 60-6,196. The period of revocation shall,
25 in each case except for revocations pursuant to sections 60-498.01

1 to 60-498.04 and offenses specified in section 60-4,168, correspond
2 with the period that is determined by the court;

3 (3) Any felony in the commission of which a motor vehicle
4 is used;

5 (4) Failure to stop and render aid as required under
6 the laws of this state in the event of a motor vehicle accident
7 resulting in the death or personal injury of another;

8 (5) Perjury or making of a false affidavit or statement
9 under oath to the director, ~~examining officer,~~ personnel of the
10 department, or other officer under the Motor Vehicle Operator's
11 License Act or under any law relating to the ownership or operation
12 of motor vehicles;

13 (6) Conviction or forfeiture of bail, not vacated, upon
14 three charges of reckless driving committed within a period of
15 twelve months; or

16 (7) Willful reckless driving as provided in city or
17 village ordinances or as described in section 60-6,214.

18 Sec. 19. Section 60-4,113, Reissue Revised Statutes of
19 Nebraska, is amended to read:

20 60-4,113 ~~is~~ (1) Until the implementation date designated
21 by the director pursuant to section 60-484, in and for each county
22 in the State of Nebraska, the director shall appoint as his or
23 her agents one or more examiners who shall examine all applicants
24 for an operator's license as provided in section 60-4,114 except
25 as otherwise provided in subsection (8) of section 60-4,122. The

1 director may, in his or her discretion, also appoint one or more
2 examining officers with similar powers as are set forth in section
3 60-4,114. The same examiner may be assigned to one or more counties
4 by 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) Beginning on the implementation date designated by
21 the director pursuant to section 60-484, for each regional service
22 center in the State of Nebraska, the director shall appoint
23 personnel of the department to examine all applicants for an
24 operator's license as provided in section 60-4,114 except as
25 otherwise provided in subsection (8) of section 60-4,122. The

1 department personnel shall conduct examinations of applicants.
2 Upon payment of appropriate fees and surcharges as provided in
3 section 60-4,115, the department shall issue a receipt with driving
4 privileges, if appropriate, for up to thirty days to a successful
5 applicant and cause an operator's license to be delivered to
6 the applicant as provided in section 60-4,117. If the department
7 personnel refuse to issue such receipt for cause, the department
8 personnel shall state such cause in writing and deliver the same to
9 the applicant.

10 Sec. 20. Section 60-4,114, Reissue Revised Statutes of
11 Nebraska, is amended to read:

12 60-4,114 (1) The Until the implementation date designated
13 by the director pursuant to section 60-484, the county treasurer
14 may employ such additional clerical help as may be necessary to
15 assist him or her in the performance of the ministerial duties
16 required of him or her under the Motor Vehicle Operator's License
17 Act and, for such additional expense, shall be reimbursed as set
18 out in section 60-4,115.

19 (2) The director may, in his or her discretion, appoint
20 ~~one or more examining officers who shall personally~~ personnel of
21 the department to examine all applicants who apply for an initial
22 a new or renewal license or whose licenses have been revoked or
23 canceled to ascertain such person's ability to operate a motor
24 vehicle properly and safely.

25 (3) Except as otherwise provided in section 60-4,122, the

1 application process, in addition to the other requisites of the
2 act, ~~shall~~ may include the following:

3 (a) An inquiry into the medical condition and visual
4 ability of the applicant to operate a motor vehicle;

5 (b) An inquiry into the applicant's ability to drive and
6 maneuver a motor vehicle;

7 (c) An inquiry touching upon the applicant's knowledge
8 of the motor vehicle laws of this state, which shall include
9 sufficient questions to indicate familiarity with the provisions
10 thereof; and

11 (d) An inquiry into the applicant's knowledge of the laws
12 for operating a motor vehicle to avoid arrest.

13 (4) If an applicant is denied or refused a certificate
14 for license, ~~by the examiners,~~ such applicant shall have the right
15 to an immediate appeal to the director from the decision ~~of such~~
16 ~~examiners.~~ It shall be the duty of the director to review the
17 appeal and issue a final order, to be made not later than ten days
18 after the receipt of the appeal by the director, except that if the
19 director requests the advice of the Health Advisory Board on the
20 matter, the director shall have up to forty-five days after the day
21 a medical or vision problem is referred to him or her to consult
22 with members of the board to obtain the medical opinion necessary
23 to make a decision and shall issue a final order not later than ten
24 days following receipt of the medical opinion. After consideration
25 of the advice of the board, the director shall make a determination

1 of the applicant's physical or mental ability to operate a motor
2 vehicle and shall issue a final order. The order shall be in
3 writing, shall be accompanied by findings of fact and conclusions
4 of law, and shall be sent by registered or certified mail to
5 the applicant's last-known address. The order may be appealed as
6 provided in section 60-4,105.

7 Sec. 21. Section 60-4,115, Revised Statutes Cumulative
8 Supplement, 2006, is amended to read:

9 60-4,115 ~~(1)~~ (1) (a) This subsection applies to the
10 collection and distribution of fees until the implementation
11 date designated by the director pursuant to section 60-484. Fees
12 for operators' licenses and state identification cards shall be
13 collected and distributed according to the table in ~~subsection~~
14 ~~(2) subdivision (b) of this section.~~ subsection. County officials
15 shall remit the county portion of the fees collected to the county
16 treasurer for placement in the county general fund. All other fees
17 collected shall be remitted to the State Treasurer for credit to
18 the appropriate fund. The State Treasurer shall transfer an amount
19 equal to three dollars and fifty cents times the number of original
20 or renewal Class M licenses issued pursuant to section 60-4,127
21 during the previous year from the Department of Motor Vehicles Cash
22 Fund to the Motorcycle Safety Education Fund.

23 ~~(2) (b)~~ The fees provided in this subsection subdivision
24 in the following dollar amounts apply for operators' licenses and
25 state identification cards.

LB 911

LB 911

	Department			
	County of Motor		State	
Document	Total	General	Vehicles	General
	Fee	Fund	Cash Fund	Fund
5 State identification card:				
6 Valid for 1 year or less	4.75	2.75	1.00	1.00
7 Valid for more than 1 year				
8 but not more than 2 years	9.50	2.75	3.50	3.25
9 Valid for more than 2 years				
10 but not more than 3 years	14.25	2.75	5.50	6.00
11 <u>Valid for 1 year or less</u>	5.00	2.75	1.25	1.00
12 <u>Valid for more than 1 year</u>				
13 <u>but not more than 2 years</u>	10.00	2.75	4.00	3.25
14 <u>Valid for more than 2 years</u>				
15 <u>but not more than 3 years</u>	14.00	2.75	5.25	6.00
16 Valid for more than 3 years				
17 but not more than 4 years	19.00	2.75	8.00	8.25
18 Valid for more than 4 years				
19 for person under 21	23.75	2.75	10.00	11.00
20 Valid for 5 years	23.75	3.50	10.00	10.25
21 Duplicate or replacement	11.25	2.75	6.25	2.25
22 Class O or M operator's license:				
23 Valid for 1 year or less	4.75	2.75	1.00	1.00
24 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	Valid for more than 2 years				
3	but not more than 3 years	14.25	2.75	5.50	6.00
4	Valid for more than 3 years				
5	but not more than 4 years	19.00	2.75	8.00	8.25
6	Valid for 5 years	23.75	3.50	10.00	10.25
7	Bioptic or telescopic lens restriction:				
8	Valid for 1 year or less	4.75	0	4.75	0
9	Valid for more than 1 year				
10	but not more than 2 years	9.50	2.75	3.50	3.25
11	Duplicate or replacement	11.25	2.75	6.25	2.25
12	<u>Valid for more than 4 years</u>				
13	<u>for person under 21</u>	<u>24.00</u>	<u>2.75</u>	<u>10.25</u>	<u>11.00</u>
14	<u>Valid for 5 years</u>	<u>24.00</u>	<u>3.50</u>	<u>10.25</u>	<u>10.25</u>
15	<u>Duplicate or replacement</u>	<u>11.00</u>	<u>2.75</u>	<u>6.00</u>	<u>2.25</u>
16	<u>Class O or M operator's license:</u>				
17	<u>Valid for 1 year or less</u>	<u>5.00</u>	<u>2.75</u>	<u>1.25</u>	<u>1.00</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>Valid for more than 2 years</u>				
21	<u>but not more than 3 years</u>	<u>14.00</u>	<u>2.75</u>	<u>5.25</u>	<u>6.00</u>
22	<u>Valid for more than 3 years</u>				
23	<u>but not more than 4 years</u>	<u>19.00</u>	<u>2.75</u>	<u>8.00</u>	<u>8.25</u>
24	<u>Valid for 5 years</u>	<u>24.00</u>	<u>3.50</u>	<u>10.25</u>	<u>10.25</u>
25	<u>Bioptic or telescopic lens restriction:</u>				

LB 911		LB 911			
1	<u>Valid for 1 year or less</u>	<u>5.00</u>	<u>0</u>	<u>5.00</u>	<u>0</u>
2	<u>Valid for more than 1 year</u>				
3	<u>but not more than 2 years</u>	<u>10.00</u>	<u>2.75</u>	<u>4.00</u>	<u>3.25</u>
4	<u>Duplicate or replacement</u>	<u>11.00</u>	<u>2.75</u>	<u>6.00</u>	<u>2.25</u>
5	Change of class or restriction	5.00	0	5.00	0
6	Provisional operator's permit:				
7	Original	15.00	2.75	12.25	0
8	Bioptic or telescopic lens restriction:				
9	Valid for 1 year or less	4.75	0	4.75	0
10	<u>Valid for 1 year or less</u>	<u>5.00</u>	<u>0</u>	<u>5.00</u>	<u>0</u>
11	Valid for more than 1 year				
12	but not more than 2 years	15.00	2.75	12.25	0
13	Duplicate or replacement	11.25	2.75	6.25	2.25
14	<u>Duplicate or replacement</u>	<u>11.00</u>	<u>2.75</u>	<u>6.00</u>	<u>2.25</u>
15	LPD-learner's permit:				
16	Original	8.00	.25	5.00	2.75
17	Duplicate or replacement	11.25	2.75	6.25	2.25
18	<u>Duplicate or replacement</u>	<u>11.00</u>	<u>2.75</u>	<u>6.00</u>	<u>2.25</u>
19	LPE-learner's permit:				
20	Original	8.00	.25	5.00	2.75
21	Duplicate or replacement	11.25	2.75	6.25	2.25
22	<u>Duplicate or replacement</u>	<u>11.00</u>	<u>2.75</u>	<u>6.00</u>	<u>2.25</u>
23	School permit:				
24	Original	8.00	.25	5.00	2.75
25	Duplicate	11.25	2.75	6.25	2.25

LB 911		LB 911			
1	<u>Duplicate</u>	<u>11.00</u>	<u>2.75</u>	<u>6.00</u>	<u>2.25</u>
2	Farm permit:				
3	Original or renewal	5.00	.25	0	4.75
4	Duplicate	5.00	.25	0	4.75
5	Temporary	5.00	.25	0	4.75
6	Driving permits:				
7	Employment	45.00	0	5.00	40.00
8	Medical hardship	45.00	0	5.00	40.00
9	Commercial driver's license:				
10	Valid for 1 year or less	11.00	1.75	5.00	4.25
11	Valid for more than 1 year				
12	but not more than 2 years	22.00	1.75	5.00	15.25
13	Valid for more than 2 years				
14	but not more than 3 years	33.00	1.75	5.00	26.25
15	Valid for more than 3 years				
16	but not more than 4 years	44.00	1.75	5.00	37.25
17	Valid for 5 years	55.00	1.75	5.00	48.25
18	Bioptic or telescopic lens restriction:				
19	Valid for one year or less	11.00	1.75	5.00	4.25
20	Valid for more than 1 year				
21	but not more than 2 years	22.00	1.75	5.00	15.25
22	Duplicate or replacement	11.25	2.75	6.25	2.25
23	<u>Duplicate or replacement</u>	<u>11.00</u>	<u>2.75</u>	<u>6.00</u>	<u>2.25</u>
24	Change of class, endorsement,				
25	or restriction	10.00	1.75	5.00	3.25

LB 911

LB 911

1	LPC-learner's permit:				
2	Original or renewal	10.00	.25	5.00	4.75
3	Duplicate or replacement	10.00	.25	5.00	4.75
4	Change of class, endorsement,				
5	or restriction	10.00	.25	5.00	4.75
6	Seasonal permit:				
7	Original or renewal	10.00	.25	5.00	4.75
8	Duplicate or replacement	10.00	.25	5.00	4.75
9	Change of class, endorsement,				
10	or restriction	10.00	.25	5.00	4.75

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

15 (2) (a) Beginning on an implementation date designated by
16 the director, fees for operators' licenses and state identification
17 cards shall be collected and distributed according to the table
18 in subdivision (b) of this subsection and according to subdivision
19 (d) of this subsection. All fees collected shall be remitted to
20 the State Treasurer for credit to the appropriate fund. The State
21 Treasurer shall transfer an amount equal to three dollars and fifty
22 cents times the number of original or renewal Class M licenses
23 issued pursuant to section 60-4,127 during the previous year from
24 the Department of Motor Vehicles Cash Fund to the Motorcycle Safety

1 Education Fund.

2 (b) The fees provided in this subdivision in the
 3 following dollar amounts apply for operators' licenses and state
 4 identification cards.

5	<u>Department</u>		<u>of Motor</u>	<u>State</u>
6	<u>Document</u>	<u>Total</u>	<u>Vehicles</u>	<u>General</u>
8		<u>Fee</u>	<u>Cash Fund</u>	<u>Fund</u>
9	<u>State identification card:</u>			
10	<u>Valid for 1 year or less</u>	<u>5.00</u>	<u>4.00</u>	<u>1.00</u>
11	<u>Valid for more than 1 year</u>			
12	<u>but not more than 2 years</u>	<u>10.00</u>	<u>6.75</u>	<u>3.25</u>
13	<u>Valid for more than 2 years</u>			
14	<u>but not more than 3 years</u>	<u>14.00</u>	<u>8.00</u>	<u>6.00</u>
15	<u>Valid for more than 3 years</u>			
16	<u>but not more than 4 years</u>	<u>19.00</u>	<u>10.75</u>	<u>8.25</u>
17	<u>Valid for more than 4 years</u>			
18	<u>for person under 21</u>	<u>24.00</u>	<u>13.00</u>	<u>11.00</u>
19	<u>Valid for 5 years</u>	<u>24.00</u>	<u>13.00</u>	<u>11.00</u>
20	<u>Duplicate or replacement</u>	<u>11.00</u>	<u>8.75</u>	<u>2.25</u>
21	<u>Class O or M operator's license:</u>			
22	<u>Valid for 1 year or less</u>	<u>5.00</u>	<u>4.00</u>	<u>1.00</u>
23	<u>Valid for more than 1 year</u>			
24	<u>but not more than 2 years</u>	<u>10.00</u>	<u>6.75</u>	<u>3.25</u>

LB 911

LB 911

1	<u>Valid for more than 2 years</u>			
2	<u>but not more than 3 years</u>	<u>14.00</u>	<u>8.00</u>	<u>6.00</u>
3	<u>Valid for more than 3 years</u>			
4	<u>but not more than 4 years</u>	<u>19.00</u>	<u>10.75</u>	<u>8.25</u>
5	<u>Valid for 5 years</u>	<u>24.00</u>	<u>13.75</u>	<u>10.25</u>
6	<u>Bioptic or telescopic lens restriction:</u>			
7	<u>Valid for 1 year or less</u>	<u>5.00</u>	<u>5.00</u>	<u>0</u>
8	<u>Valid for more than 1 year</u>			
9	<u>but not more than 2 years</u>	<u>10.00</u>	<u>6.75</u>	<u>3.25</u>
10	<u>Duplicate or replacement</u>	<u>11.00</u>	<u>8.75</u>	<u>2.25</u>
11	<u>Add, change, or remove class,</u>			
12	<u>endorsement, or restriction</u>	<u>5.00</u>	<u>5.00</u>	<u>0</u>
13	<u>Provisional operator's permit:</u>			
14	<u>Original</u>	<u>15.00</u>	<u>15.00</u>	<u>0</u>
15	<u>Bioptic or telescopic lens restriction:</u>			
16	<u>Valid for 1 year or less</u>	<u>5.00</u>	<u>5.00</u>	<u>0</u>
17	<u>Valid for more than 1 year</u>			
18	<u>but not more than 2 years</u>	<u>15.00</u>	<u>15.00</u>	<u>0</u>
19	<u>Duplicate or replacement</u>	<u>11.00</u>	<u>8.75</u>	<u>2.25</u>
20	<u>Add, change, or remove class,</u>			
21	<u>endorsement, or restriction</u>	<u>5.00</u>	<u>5.00</u>	<u>0</u>
22	<u>LPD-learner's permit:</u>			
23	<u>Original</u>	<u>8.00</u>	<u>5.25</u>	<u>2.75</u>
24	<u>Duplicate or replacement</u>	<u>11.00</u>	<u>8.75</u>	<u>2.25</u>
25	<u>Add, change, or remove class,</u>			

LB 911			LB 911
1	<u>endorsement, or restriction</u>	<u>5.00</u>	<u>5.00</u> <u>0</u>
2	<u>LPE-learner's permit:</u>		
3	<u>Original</u>	<u>8.00</u>	<u>5.25</u> <u>2.75</u>
4	<u>Duplicate or replacement</u>	<u>11.00</u>	<u>8.75</u> <u>2.25</u>
5	<u>Add, change, or remove class,</u>		
6	<u>endorsement, or restriction</u>	<u>5.00</u>	<u>5.00</u> <u>0</u>
7	<u>School permit:</u>		
8	<u>Original</u>	<u>8.00</u>	<u>5.25</u> <u>2.75</u>
9	<u>Duplicate or replacement</u>	<u>11.00</u>	<u>8.75</u> <u>2.25</u>
10	<u>Add, change, or remove class,</u>		
11	<u>endorsement, or restriction</u>	<u>5.00</u>	<u>5.00</u> <u>0</u>
12	<u>Farm permit:</u>		
13	<u>Original</u>	<u>5.00</u>	<u>5.00</u> <u>0</u>
14	<u>Duplicate or replacement</u>	<u>5.00</u>	<u>5.00</u> <u>0</u>
15	<u>Temporary</u>	<u>5.00</u>	<u>5.00</u> <u>0</u>
16	<u>Add, change, or remove class,</u>		
17	<u>endorsement, or restriction</u>	<u>5.00</u>	<u>5.00</u> <u>0</u>
18	<u>Driving permits:</u>		
19	<u>Employment</u>	<u>45.00</u>	<u>5.00</u> <u>40.00</u>
20	<u>Medical hardship</u>	<u>45.00</u>	<u>5.00</u> <u>40.00</u>
21	<u>Duplicate or replacement</u>	<u>11.00</u>	<u>8.75</u> <u>2.25</u>
22	<u>Add, change, or remove class,</u>		
23	<u>endorsement, or restriction</u>	<u>5.00</u>	<u>5.00</u> <u>0</u>
24	<u>Commercial driver's license:</u>		
25	<u>Valid for 1 year or less</u>	<u>11.00</u>	<u>6.75</u> <u>4.25</u>

LB 911

LB 911

1	<u>Valid for more than 1 year</u>			
2	<u>but not more than 2 years</u>	<u>22.00</u>	<u>6.75</u>	<u>15.25</u>
3	<u>Valid for more than 2 years</u>			
4	<u>but not more than 3 years</u>	<u>33.00</u>	<u>6.75</u>	<u>26.25</u>
5	<u>Valid for more than 3 years</u>			
6	<u>but not more than 4 years</u>	<u>44.00</u>	<u>6.75</u>	<u>37.25</u>
7	<u>Valid for 5 years</u>	<u>55.00</u>	<u>6.75</u>	<u>48.25</u>
8	<u>Bioptic or telescopic lens restriction:</u>			
9	<u>Valid for 1 year or less</u>	<u>11.00</u>	<u>6.75</u>	<u>4.25</u>
10	<u>Valid for more than 1 year</u>			
11	<u>but not more than 2 years</u>	<u>22.00</u>	<u>6.75</u>	<u>15.25</u>
12	<u>Duplicate or replacement</u>	<u>11.00</u>	<u>8.75</u>	<u>2.25</u>
13	<u>Add, change, or remove class,</u>			
14	<u>endorsement, or restriction</u>	<u>10.00</u>	<u>6.75</u>	<u>3.25</u>
15	<u>LPC-learner's permit:</u>			
16	<u>Original or renewal</u>	<u>10.00</u>	<u>5.25</u>	<u>4.75</u>
17	<u>Duplicate or replacement</u>	<u>10.00</u>	<u>5.25</u>	<u>4.75</u>
18	<u>Add, change, or remove class,</u>			
19	<u>endorsement, or restriction</u>	<u>10.00</u>	<u>5.25</u>	<u>4.75</u>
20	<u>Seasonal permit:</u>			
21	<u>Original or renewal</u>	<u>10.00</u>	<u>5.25</u>	<u>4.75</u>
22	<u>Duplicate or replacement</u>	<u>10.00</u>	<u>5.25</u>	<u>4.75</u>
23	<u>Add, change, or remove class,</u>			
24	<u>endorsement, or restriction</u>	<u>10.00</u>	<u>5.25</u>	<u>4.75</u>
25	<u>School bus permit:</u>			

LB 911

LB 911

1	<u>Original or renewal</u>	<u>5.00</u>	<u>5.00</u>	<u>0</u>
2	<u>Duplicate or replacement</u>	<u>5.00</u>	<u>5.00</u>	<u>0</u>
3	<u>Add, change, or remove class,</u>			
4	<u>endorsement, or restriction</u>	<u>5.00</u>	<u>5.00</u>	<u>0</u>

5 (c) Beginning on an implementation date designated by the
6 director, the department may accept credit cards, charge cards,
7 debit cards, electronic funds transfers, or any other mode of funds
8 transfer as designated by the director as payment for an operator's
9 license or a state identification card.

10 (d) Beginning on an implementation date designated by
11 the director, the department may collect a federal identity
12 security requirements surcharge to cover the cost of compliance
13 with the requirements of federal law. The surcharge shall be in
14 addition to all other required fees for operator's licenses or
15 state identification cards. The amount of the surcharge shall
16 be determined by the department. The surcharge shall not exceed
17 thirty-five dollars. The surcharge collected pursuant to this
18 subdivision shall be remitted to the State Treasurer for credit to
19 the Department of Motor Vehicles Cash Fund.

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

22 60-4,117 ~~(1)~~ Upon (1)(a) Until the implementation date
23 designated by the director pursuant to section 60-484, upon
24 presentation of the certificate for an operator's license issued

1 by the examining officer to the applicant for such license, the
2 county treasurer shall issue such license to the applicant. The
3 license shall be in full force and effect until the expiration date
4 thereon, until officially revoked, suspended, canceled by an order
5 of the director, or until ordered revoked or impounded by a court
6 of competent jurisdiction.

7 (b) Beginning on the implementation date designated by
8 the director pursuant to section 60-484 the department shall
9 collect the fee and surcharge, provide a receipt with operating
10 privileges for up to thirty days, and cause the operator's license
11 to be delivered to the successful applicant.

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

18 (a) The name and principal residential and post office
19 address of the holder;

20 (b) The holder's full facial color photograph ~~or~~ digital
21 image;

22 (c) A physical description of the holder, including ~~sex~~,
23 gender, height, weight, and eye and hair colors;

24 (d) The holder's date of birth;

25 (e) The holder's signature;

1 (f) The class of motor vehicle which the holder is
2 authorized to operate and any endorsements or restrictions;

3 (g) ~~The dates between which the license is valid;~~ issue
4 and expiration dates;

5 (h) The organ and tissue donation information specified
6 in section 60-494; and

7 (i) The unique operator's license or identification card
8 number;

9 (j) Encoded machine-readable information which contains
10 the holder's full legal name, date of birth, gender, license issue
11 date, license expiration date, principal residence address, unique
12 identification number, revision date, and inventory control number;
13 and

14 ~~(i)~~ (k) Such other facts and information as the director
15 may determine.

16 ~~(3) Machine-readable information encoded on an operator's~~
17 ~~license shall be limited to the information appearing on the face~~
18 ~~of the license.~~

19 Sec. 23. Section 60-4,118, Revised Statutes Cumulative
20 Supplement, 2006, is amended to read:

21 60-4,118 (1) No operator's license shall be granted
22 to any applicant until such applicant ~~satisfies the examiner~~
23 demonstrates that he or she possesses sufficient powers of eyesight
24 to enable him or her to obtain a Class O license and to operate
25 a motor vehicle on the highways of this state with a reasonable

1 degree of safety. The ~~Department of Motor Vehicles,~~ department,
2 with the advice of the Health Advisory Board, shall adopt and
3 promulgate rules and regulations:

4 (a) Requiring a minimum acuity level of vision. Such
5 level may be obtained through the use of standard eyeglasses,
6 contact lenses, or bioptic or telescopic lenses which are specially
7 constructed vision correction devices which include a lens system
8 attached to or used in conjunction with a carrier lens; and

9 (b) Requiring a minimum field of vision. Such field of
10 vision may be obtained through standard eyeglasses, contact lenses,
11 or the carrier lens of the bioptic or telescopic lenses.

12 (2) If a vision aid is used by the applicant to meet
13 the vision requirements of this section, the operator's license of
14 the applicant shall be restricted to the use of such vision aid
15 when operating the motor vehicle. If the applicant fails to meet
16 the vision requirements, the ~~examiner shall require the applicant~~
17 ~~to~~ shall present an optometrist's or ophthalmologist's statement
18 certifying the vision reading obtained when testing the applicant
19 within ninety days of the applicant's license examination. If the
20 vision reading meets the vision requirements prescribed by the
21 department, the vision requirements of this section shall have
22 been met. If the vision reading demonstrates that the applicant is
23 required to use bioptic or telescopic lenses to operate a motor
24 vehicle, the statement from the optometrist or ophthalmologist
25 shall also indicate when the applicant needs to be reexamined

1 for purposes of meeting the vision requirements for an operator's
2 license as prescribed by the department. If such time period is two
3 years or more after the date of the application, the license shall
4 be valid for two years. If such time period is less than two years,
5 the license shall be valid for such time period.

6 (3) If the applicant for an operator's license discloses
7 that he or she has any other physical impairment which may affect
8 the safety of operation by such applicant of a motor vehicle, the
9 ~~examiner shall require~~ the applicant ~~to~~ shall show cause why such
10 license should be granted and, through such personal examination
11 and demonstration as may be prescribed by the director with the
12 advice of the Health Advisory Board, ~~to~~ and show the necessary
13 ability to safely operate a motor vehicle on the highways. The
14 director may also require the person to appear before the board
15 or a designee of the board. If the ~~examiner,~~ department personnel,
16 board, or designee is then satisfied that such applicant has the
17 ability to safely operate a motor vehicle, an operator's license
18 may be issued to the applicant subject, at the discretion of the
19 director, to a limitation to operate only such motor vehicles at
20 such time, for such purpose, and within such area as the license
21 shall designate.

22 (4) (a) The director may, when requested by a law
23 enforcement officer, when the director has reason to believe
24 that a person may be physically or mentally incompetent to operate
25 a motor vehicle, or when a person's driving record appears to the

1 department to justify an examination, request the advice of the
2 Health Advisory Board and may give notice to the person to appear
3 before ~~an examiner,~~ department personnel, the board, or a designee
4 of the director for examination concerning the person's ability
5 to operate a motor vehicle safely. Any such request by a law
6 enforcement officer shall be accompanied by written justification
7 for such request and shall be approved by a supervisory law
8 enforcement officer, police chief, or county sheriff.

9 (b) A refusal to appear before ~~an examiner,~~ department
10 personnel, the board, or a designee of the director for an
11 examination after notice to do so shall be unlawful and shall
12 result in the immediate cancellation of the person's operator's
13 license by the director.

14 (c) If the person cannot qualify at the examination, by
15 ~~an examiner,~~ his or her operator's license shall be immediately
16 surrendered to ~~the examiner~~ department personnel and forwarded to
17 the director who shall cancel the person's operator's license.

18 (d) If, in the opinion of the board, the person cannot
19 qualify at the examination by the board, the board shall advise
20 the director. If the director determines after consideration of the
21 advice of the board that the person lacks the physical or mental
22 ability to operate a motor vehicle, the director shall notify the
23 person in writing of the decision. Upon receipt of the notice, the
24 person shall immediately surrender his or her operator's license to
25 the director who shall cancel the person's operator's license.

1 (e) Refusal to surrender an operator's license on demand
2 shall be unlawful, and any person failing to surrender his or her
3 operator's license as required by this subsection shall be guilty
4 of a Class III misdemeanor.

5 Sec. 24. Section 60-4,118.05, Reissue Revised Statutes of
6 Nebraska, is amended to read:

7 60-4,118.05 (1) No operator's license referred to in
8 section 60-4,118 shall, under any circumstances, be issued to any
9 person who has not attained the age of seventeen years.

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

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

16 (b) Has not accumulated three or more points pursuant
17 to section 60-4,182 during the twelve-month period immediately
18 preceding the date of the application for the operator's license.

19 ÷ and

20 ~~(c) Has surrendered the provisional operator's permit to~~
21 ~~the examiner.~~

22 (3) The Department of Motor Vehicles shall department
23 may waive the written examination and the driving test required
24 under section 60-4,118 for any person seventeen to twenty-one
25 years of age applying for his or her initial operator's license

1 if he or she has been issued a provisional operator's permit.
2 The department shall not waive the written examination and the
3 driving test required under this section if the person is applying
4 for a commercial driver's license or permit or if the operator's
5 license being applied for contains a class or endorsement which
6 is different from the class or endorsement of the provisional
7 operator's permit.

8 Sec. 25. Section 60-4,119, Revised Statutes Cumulative
9 Supplement, 2006, is amended to read:

10 60-4,119 ~~(1)~~ (1) (a) This subsection applies until the
11 implementation date designated by the director pursuant to section
12 60-484. All state identification cards and operators' licenses,
13 except farm snowmobile permits and except as otherwise provided
14 in subsection (2) subdivision (b) of this section subsection
15 and section 60-4,120, shall include a color photograph or a
16 digital image of the cardholder or licensee as provided in section
17 60-484.02. State identification cards and operators' licenses shall
18 be issued by the county treasurer or the Department of Motor
19 Vehicles. The director shall negotiate and enter into a contract
20 to provide the necessary equipment, supplies, and forms for the
21 issuance of the licenses and cards. All costs incurred by the
22 Department of Motor Vehicles department under this section shall be
23 paid by the state out of appropriations made to the department. All
24 costs of taking the photographs or digital images shall be paid by
25 the issuer from the fees provided to the issuer pursuant to section

1 60-4,115.

2 ~~(2)~~ (b) A person who is out of the state at the time of
3 renewal of his or her operator's license may apply for a license
4 without a photograph upon payment of a fee as provided in section
5 60-4,115. The license may be issued at any time within one year
6 after the expiration of the original license. Such application
7 shall be made to the department, and the department shall issue the
8 license.

9 ~~(3)~~ (c) Any operator's license and any state
10 identification card issued to a minor as defined in section
11 53-103, as such definition may be amended from time to time by
12 the Legislature, shall be of a distinct designation, of a type
13 prescribed by the director, from the operator's license or state
14 identification card of a person who is not a minor.

15 (2)(a) This subsection applies beginning on the
16 implementation date designated by the director pursuant to section
17 60-484. All state identification cards and operators' licenses,
18 except snowmobile permits, shall include a color digital image of
19 the cardholder or licensee as provided in section 60-484.02. The
20 director shall negotiate and enter into a contract to provide the
21 necessary equipment, supplies, and forms for the issuance of the
22 licenses and cards. All costs incurred by the department under this
23 section shall be paid by the state out of appropriations made to
24 the department. All costs of taking the digital images shall be
25 paid by the issuer from the fees and surcharge provided to the

1 issuer pursuant to section 60-4,115.

2 (b) Any operator's license and any state identification
3 card issued to a minor as defined in section 53-103, as such
4 definition may be amended from time to time by the Legislature,
5 shall be of a distinct designation, of a type prescribed by the
6 director, from the operator's license or state identification card
7 of a person who is not a minor.

8 (c) The department may provide for the central production
9 and issuance of operators' licenses and state identification cards.
10 Production shall take place at a secure production facility
11 designated by the director. The licenses and cards shall be of
12 such a design and produced in such a way as to discourage to the
13 maximum extent possible fraud in applicant enrollment, identity
14 theft, forgery, and counterfeiting of such licenses and cards.
15 Delivery of the operator's license or state identification card
16 shall be to the mailing address provided by the applicant at the
17 time of application.

18 Sec. 26. Section 60-4,120, Revised Statutes Cumulative
19 Supplement, 2006, is amended to read:

20 60-4,120 ~~(1)~~ (1)(a) This subsection applies until the
21 implementation date designated by the director pursuant to section
22 60-484. Except as provided in subsection ~~(4)~~ of this section
23 subdivision (d) of this subsection for persons temporarily out
24 of the state, any person duly licensed or holding a valid state
25 identification card issued under the Motor Vehicle Operator's

1 License Act who loses his or her operator's license or card may
2 obtain a duplicate upon filing with the county treasurer or the
3 ~~Department of Motor Vehicles~~ department an application showing such
4 loss and furnishing proof of identification in accordance with
5 section 60-484. If satisfied that the loss is genuine, the issuer
6 shall cause to be issued, upon the payment of the fee prescribed
7 in section 60-4,115, a duplicate license or card. No more than two
8 duplicates of a license or card may be issued in this manner. Upon
9 the issuance of any duplicate or replacement license or card, the
10 license or card from which the duplicate or replacement is issued
11 shall be void.

12 ~~(2)~~ (b) If any person changes his or her name because
13 of marriage or divorce or by court order or a common-law name
14 change, he or she shall apply to the county treasurer for a
15 replacement operator's license or state identification card and
16 furnish proof of identification in accordance with section 60-484.
17 If any person changes his or her address, the person shall apply
18 to the county treasurer for a replacement operator's license or
19 state identification card and furnish satisfactory evidence of such
20 change. The application shall be made within sixty days after the
21 change of name or address. The license or card shall be issued upon
22 payment of the fee prescribed in section 60-4,115.

23 ~~(3)~~ (c) In the event a mutilated and unreadable
24 operator's license is held by any person duly licensed under the
25 act or a mutilated and unreadable state identification card which

1 was issued under the act is held by a person, such person may
2 obtain a replacement license or card upon showing the original
3 mutilated or unreadable license or card to the county treasurer. A
4 replacement license or card may be issued, without a photograph, to
5 any person who is out of the state at the time of application for
6 the replacement license or card. Such license or card shall state
7 on its face that it shall become invalid thirty days after such
8 person resumes residence in the state. If the county treasurer is
9 satisfied that the license or card is mutilated or unreadable, the
10 county treasurer shall cause to be issued, upon the payment of the
11 fee prescribed in section 60-4,115, a replacement license or card.

12 ~~(4)~~ (d) If any person duly licensed under the act
13 loses his or her operator's license or if any holder of a state
14 identification card loses his or her card while temporarily out of
15 the state, he or she may apply for a duplicate operator's license
16 or card without a photograph by filing with the county treasurer an
17 application and affidavit showing such loss. Upon the officer being
18 satisfied that the loss is genuine, the officer shall cause to be
19 issued, upon the payment of the fee prescribed in section 60-4,115,
20 a duplicate operator's license or card without a photograph. Upon
21 the issuance of the duplicate, the original license or card shall
22 be void.

23 ~~(5)~~ (e) Any person holding a valid operator's license
24 or state identification card without a photograph shall surrender
25 such license or card to the treasurer of his or her county of

1 residence within thirty days after resuming residency in this
2 state. After the thirty-day period, such license or card shall be
3 considered invalid. Upon the timely surrender of the license or
4 card and payment of the fee prescribed in section 60-4,115, such
5 person shall be issued an operator's license or card with a color
6 photograph or digital image of the licensee included.

7 ~~(6)~~ (f) An application form for a replacement or
8 duplicate operator's license or state identification card shall
9 include a voter registration portion pursuant to section 32-308 and
10 the following specific question: Do you wish to register to vote as
11 part of this application process?

12 ~~(7)~~ (g) An applicant may obtain a replacement or
13 duplicate operator's license or state identification card pursuant
14 to ~~subsection (1), (3), or (4) of this section~~ subdivision (a),
15 (c), or (d) of this subsection by electronic means in a manner
16 prescribed by the department. If the applicant has a digital
17 image and digital signature preserved in the digital system, the
18 replacement or duplicate shall be issued with the preserved digital
19 image and digital signature.

20 (2)(a) This subsection applies beginning on the
21 implementation date designated by the director pursuant to section
22 60-484. Except as provided in subdivision (d) of this subsection
23 for persons temporarily out of the state, any person duly licensed
24 or holding a valid state identification card issued under the Motor
25 Vehicle Operator's License Act who loses his or her operator's

1 license or card may obtain a duplicate upon filing with the
2 department an application showing such loss and furnishing proof
3 of identification in accordance with section 60-484. If satisfied
4 that the loss is genuine, the department shall cause to be issued,
5 pursuant to subdivision (e) of this subdivision, a duplicate
6 license or card. Upon the issuance of any duplicate or replacement
7 license or card, the license or card from which the duplicate or
8 replacement is issued shall be void.

9 (b) If any person changes his or her name because
10 of marriage or divorce or by court order or a common-law
11 name change, he or she shall apply to the department for a
12 replacement operator's license or state identification card and
13 furnish proof of identification in accordance with section 60-484.
14 If any person changes his or her address, the person shall apply
15 to the department for a replacement operator's license or state
16 identification card and furnish satisfactory evidence of such
17 change. The application shall be made within sixty days after the
18 change of name or address.

19 (c) In the event a mutilated and unreadable operator's
20 license is held by any person duly licensed under the act or
21 a mutilated and unreadable state identification card which was
22 issued under the act is held by a person, such person may obtain
23 a replacement license or card upon filing with the department
24 an application and showing the original mutilated or unreadable
25 license or card to the department. Such license or card shall

1 state on its face that it shall become invalid thirty days after
2 such person resumes residence in the state. If the department is
3 satisfied that the license or card is mutilated or unreadable, the
4 department shall cause to be issued, pursuant to subdivision (e) of
5 this subdivision, a replacement license or card.

6 (d) Any person holding a valid operator's license or
7 state identification card without a photograph shall surrender such
8 license or card to the department within thirty days after resuming
9 residency in this state. After the thirty-day period, such license
10 or card shall be considered invalid. Upon the timely surrender
11 of the license or card such person shall apply for an operator's
12 license or state identification card with a color digital image.

13 (e) An application form for a replacement or duplicate
14 operator's license or state identification card shall include a
15 voter registration portion pursuant to section 32-308 and the
16 following specific question: Do you wish to register to vote as
17 part of this application process?

18 (f) Any person who applies for a replacement or duplicate
19 operator's license or state identification card shall pay the
20 appropriate fee and surcharge as provided in section 60-4,115. The
21 person shall be issued a receipt with driving privileges for up
22 to thirty days, if applicable, and the department shall cause the
23 license or card to be delivered to the person.

24 Sec. 27. Section 60-4,120.01, Revised Statutes
25 Supplement, 2007, is amended to read:

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

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

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

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

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

23 (2) In order to obtain a provisional operator's permit,
24 the applicant shall present ~~to the examiner~~ (a)(i) proof of
25 successful completion of a department-approved driver safety course

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

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

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

24 (b) The holder of a provisional operator's permit shall
25 only operate a motor vehicle on the highways of this state during

1 the first six months of holding the permit with no more than one
2 passenger who is not an immediate family member and who is under
3 nineteen years of age.

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

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

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

14 Sec. 28. Section 60-4,121, Reissue Revised Statutes of
15 Nebraska, is amended to read:

16 60-4,121 ~~(1)~~ (1)(a) This subsection applies until the
17 implementation date designated by the director pursuant to section
18 60-484. The operator's license of any person serving on active
19 duty, other than members of the National Guard or reserves
20 activated for training purposes only, outside the State of Nebraska
21 as a member of the United States Armed Forces, or the spouse of
22 any such person or a dependent of such member of the armed forces,
23 shall be valid during such person's period of active duty and
24 for not more than sixty days immediately following such person's
25 date of separation from service and shall be renewed after the

1 expiration date without examination upon written application to
2 the county treasurer who issued the license. No person shall be
3 permitted to renew a license in such manner more than twice.

4 ~~(2)~~ (b) The county treasurer also shall issue a renewal
5 license, without examination, to any person who is serving in the
6 armed forces of the United States, or the spouse of any such person
7 or a dependent of such member of the armed forces, and who makes
8 application for renewal within ninety days prior to the expiration
9 date of his or her license while the member is still on active duty
10 upon proof that such member is still on active duty. If such person
11 is twenty years of age, he or she may be issued a renewal license
12 in such manner within ten days prior to his or her twenty-first
13 birthday.

14 ~~(3)~~ (c) The county treasurer also shall issue a renewal
15 license, without examination, to any person whose license expired
16 while serving in the armed forces of the United States, or the
17 spouse of any such person or a dependent of such member of the
18 armed forces, and who makes application for renewal within sixty
19 days after his or her ~~(a)~~ (i) discharge or return to the State of
20 Nebraska to reside, whichever is later, or ~~(b)~~ (ii) return to the
21 State of Nebraska while the member is still on active duty upon
22 proof that such member is still on active duty.

23 ~~(4)~~ (d) Each individual who is applying for renewal
24 of his or her operator's license shall submit his or her
25 previous license to the examiner or, when the previous license

1 is unavailable, furnish proof of identification in accordance with
2 section 60-484.

3 (2) (a) This subsection applies beginning on the
4 implementation date designated by the director pursuant to section
5 60-484. The operator's license of any person serving on active
6 duty, other than members of the National Guard or reserves
7 activated for training purposes only, outside the State of Nebraska
8 as a member of the United States Armed Forces, or the spouse of
9 any such person or a dependent of such member of the armed forces,
10 shall be valid during such person's period of active duty and
11 for not more than sixty days immediately following such person's
12 date of separation from service and shall be renewed after the
13 expiration date without examination upon written application to the
14 department.

15 (b) The department also shall issue a renewal license,
16 without examination, to any person who is serving in the armed
17 forces of the United States, or the spouse of any such person
18 or a dependent of such member of the armed forces, and who makes
19 application for renewal within ninety days prior to the expiration
20 date of his or her license while the member is still on active duty
21 upon proof that such member is still on active duty. If such person
22 is twenty years of age, he or she may be issued a renewal license
23 in such manner within ten days prior to his or her twenty-first
24 birthday.

25 (c) The department also shall issue a renewal license,

1 without examination, to any person whose license expired while
2 servicing in the armed forces of the United States, or the spouse of
3 any such person or a dependent of such member of the armed forces,
4 and who makes application for renewal within sixty days after his
5 or her (i) discharge or return to the State of Nebraska to reside,
6 whichever is later, or (ii) return to the State of Nebraska while
7 the member is still on active duty upon proof that such member is
8 still on active duty.

9 (d) Each individual who is applying for renewal of his
10 or her operator's license shall provide documentation in accordance
11 with section 60-484 and section 13 of this act.

12 Sec. 29. Section 60-4,122, Reissue Revised Statutes of
13 Nebraska, is amended to read:

14 60-4,122 (1) Except as otherwise provided in subsections
15 (2), (3), and (8) of this section, no original or renewal
16 operator's license shall be issued to any person until such
17 person has ~~appeared before an examiner to demonstrate~~ demonstrated
18 his or her ability to operate a motor vehicle safely as provided in
19 section 60-4,114.

20 (2) Except as otherwise provided in this section and
21 section 60-4,127, any person who renews his or her Class O or Class
22 M license shall ~~appear before an examiner to demonstrate~~ his or her
23 ability to drive and maneuver a motor vehicle safely as provided
24 in subdivision (3)(b) of section 60-4,114 only at the discretion
25 of ~~the examiner,~~ personnel of the department, except that a person

1 required to use bioptic or telescopic lenses shall be required
2 to demonstrate his or her ability to drive and maneuver a motor
3 vehicle safely each time he or she renews his or her license.

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

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

17 (5) Any person who renews a state identification card
18 shall appear before ~~an examiner~~ department personnel and present
19 his or her current state identification card or shall follow the
20 procedure for electronic renewal in subsection (9) of this section.
21 ~~The examining officer,~~ Department personnel, upon examination
22 of the card, may require one additional form of proof of
23 identification described in section 60-484.

24 (6) A nonresident who applies for an initial operator's
25 license in this state and who holds a valid operator's license from

1 another state which is his or her state of residence ~~shall~~ may
2 not be required to demonstrate his or her knowledge of the motor
3 vehicle laws of this state if he or she surrenders to the examiner
4 his or her valid out-of-state operator's license.

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

15 (8) A qualified licensee as determined by the department
16 who is twenty-one years of age or older and less than sixty-five
17 years of age and who has a digital image and digital signature
18 preserved in the digital system may renew his or her Class O or
19 Class M license once by electronic means in a manner prescribed
20 by the department using the preserved digital image and digital
21 signature without taking any examination required under section
22 60-4,114 if such renewal is prior to or within one year after
23 the expiration of the license and if his or her driving record
24 abstract maintained in the records of the department shows that
25 such person's license is not suspended, revoked, or canceled. Every

1 licensee must apply for renewal in person at least once every ten
2 years and have a new digital image and digital signature taken.

3 (9) Any person who is twenty-one years of age or older
4 and who has been issued a state identification card with a digital
5 image and digital signature may electronically renew his or her
6 state identification card once by electronic means in a manner
7 prescribed by the department using the preserved digital image and
8 digital signature.

9 Sec. 30. Section 60-4,123, Revised Statutes Supplement,
10 2007, is amended to read:

11 60-4,123 (1) Any person who is at least fifteen years of
12 age may apply for an LPD-learner's permit from the ~~Department of~~
13 ~~Motor Vehicles-~~ department. In order to obtain an LPD-learner's
14 permit, the applicant shall successfully complete a written
15 examination. A person may take the written examination beginning
16 sixty days prior to his or her fifteenth birthday but shall not
17 be issued a permit until he or she is fifteen years of age. The
18 written examination ~~shall~~ may be waived for any person who has been
19 issued an LPE-learner's permit after January 1, 2006.

20 (2) Upon successful completion of the written examination
21 and the payment of a fee and surcharge, the applicant shall
22 be issued an LPD-learner's permit ~~from the county treasurer.~~ as
23 provided in section 60-4,113. The permit shall be valid for twelve
24 months.

25 (3) (a) The holder of an LPD-learner's permit shall only

1 operate a motor vehicle on the highways of this state if he or
2 she is accompanied at all times by a licensed operator who is at
3 least twenty-one years of age and who has been licensed by this
4 state or another state and if he or she is actually occupying the
5 seat beside the licensed operator or, in the case of a motorcycle
6 or moped, if he or she is within visual contact of and under the
7 supervision of, in the case of a motorcycle, a licensed motorcycle
8 operator or, in the case of a moped, a licensed motor vehicle
9 operator.

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

16 ~~(4) The county treasurer shall collect the fee prescribed~~
17 ~~in section 60-4,115 for the issuance of each LPD-learner's permit.~~

18 Sec. 31. Section 60-4,124, Revised Statutes Supplement,
19 2007, is amended to read:

20 60-4,124 (1) A person who is younger than sixteen years
21 and three months of age but is older than fourteen years and two
22 months of age may be issued, by the county treasurer, a school
23 permit if such person lives a distance of one and one-half miles or
24 more from the school he or she attends and either resides outside
25 a city of the metropolitan, primary, or first class or attends a

1 school which is outside a city of the metropolitan, primary, or
2 first class and if such person has held an LPE-learner's permit
3 for two months. A school permit shall not be issued until such
4 person has ~~appeared before an examiner to demonstrate~~ demonstrated
5 that he or she is capable of successfully operating a motor
6 vehicle, moped, or motorcycle and has in his or her possession an
7 examiner's certificate authorizing the ~~county treasurer to issue~~
8 issuance of a school permit. In order to obtain an examiner's
9 certificate, the applicant shall present ~~to the examiner~~ (a)
10 proof of successful completion of a department-approved driver
11 safety course which includes behind-the-wheel driving specifically
12 emphasizing (i) the effects of the consumption of alcohol on a
13 person operating a motor vehicle, (ii) occupant protection systems,
14 (iii) risk assessment, and (iv) railroad crossing safety and (b) (i)
15 proof of successful completion of a written examination and driving
16 test administered by a driver safety course instructor or (ii)
17 a certificate in a form prescribed by the department, signed by
18 a parent, guardian, or licensed driver at least twenty-one years
19 of age, verifying that the applicant has completed fifty hours
20 of lawful motor vehicle operation, under conditions that reflect
21 department-approved driver safety course curriculum, with a parent,
22 guardian, or adult at least twenty-one years of age, who has a ~~then~~
23 current Nebraska operator's license or who is licensed in another
24 state. The ~~Department of Motor Vehicles shall~~ department may waive
25 the written examination if the applicant ~~surrenders~~ has been issued

1 an LPE-learner's permit issued after January 1, 2006, and if such
2 permit is valid or has expired no more than one year prior to
3 application. The written examination shall not be waived if the
4 permit being applied for contains a class or endorsement which
5 is different from the class or endorsement of the LPE-learner's
6 permit.

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

9 (a) To and from where he or she attends school and
10 between schools of enrollment over the most direct and accessible
11 route by the nearest highway from his or her place of residence
12 to transport such person or any family member who resides with
13 such person to attend duly scheduled courses of instruction and
14 extracurricular or school-related activities at the school he or
15 she attends; or

16 (b) Under the personal supervision of a licensed
17 operator. Such licensed operator shall be at least twenty-one years
18 of age and licensed by this state or another state and shall
19 actually occupy the seat beside the permitholder or, in the case of
20 a motorcycle or moped, if the permitholder is within visual contact
21 of and under the supervision of, in the case of a motorcycle, a
22 licensed motorcycle operator or, in the case of a moped, a licensed
23 motor vehicle operator.

24 (3) The holder of a school permit shall not use any
25 type of interactive wireless communication device while operating a

1 motor vehicle on the highways of this state. Enforcement of this
2 subsection shall be accomplished only as a secondary action when
3 the holder of the school permit has been cited or charged with a
4 violation of some other law.

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

13 (5) (a) While holding the LPE-learner's permit, the person
14 may operate a motor vehicle on the highways of this state if he
15 or she has seated next to him or her a person who is a licensed
16 operator or, in the case of a motorcycle or moped, if he or she is
17 within visual contact of and is under the supervision of a person
18 who, in the case of a motorcycle, is a licensed motorcycle operator
19 or, in the case of a moped, is a licensed motor vehicle operator.
20 Such licensed motor vehicle or motorcycle operator shall be at
21 least twenty-one years of age and licensed by this state or another
22 state.

23 (b) The holder of an LPE-learner's permit shall not
24 use any type of interactive wireless communication device while
25 operating a motor vehicle on the highways of this state.

1 Enforcement of this subdivision shall be accomplished only as a
2 secondary action when the holder of the LPE-learner's permit has
3 been cited or charged with a violation of some other law.

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

12 Sec. 32. Section 60-4,126, Reissue Revised Statutes of
13 Nebraska, is amended to read:

14 60-4,126 Any person who is younger than sixteen years of
15 age but is over thirteen years of age and resides upon a farm in
16 this state or is fourteen years of age or older and is employed
17 for compensation upon a farm in this state may obtain a farm permit
18 authorizing the operation of farm tractors and other motorized
19 implements of farm husbandry upon the highways of this state
20 if the applicant for such farm permit furnishes ~~to an examiner~~
21 satisfactory proof of age and satisfactorily demonstrates ~~to the~~
22 ~~examiner~~ that he or she has knowledge of the operation of such
23 equipment and of the rules of the road and laws respecting the
24 operation of motor vehicles upon the highways of this state. Any
25 person under sixteen years of age but not less than thirteen years

1 of age may obtain a temporary permit to operate such equipment
2 for a six-month period after presentation to the ~~Department of~~
3 ~~Meter Vehicles~~ department of a request for the temporary permit
4 signed by the person's parent or guardian and payment of the fee
5 and surcharge prescribed in section 60-4,115. After the expiration
6 of the six-month period, it shall be unlawful for such person to
7 operate such equipment upon the highways of this state unless he or
8 she has been issued a farm permit under this section. The fee and
9 surcharge for an original, renewal, or duplicate farm permit shall
10 be the fee and surcharge prescribed in section 60-4,115. All farm
11 permits shall be subject to revocation under the terms of section
12 60-496. Any person who violates the terms of a farm permit shall
13 be guilty of an infraction and shall not be eligible for another
14 ~~operator's license or school, farm, LPD-learner's, or LPE-learner's~~
15 permit until he or she has attained the age of sixteen years.
16 ~~Farm permits are not part of the digital system implemented under~~
17 ~~section 60-484.01 and may not be issued or renewed electronically.~~

18 Sec. 33. Section 60-4,127, Reissue Revised Statutes of
19 Nebraska, is amended to read:

20 60-4,127 No person shall operate a motorcycle on the
21 alleys or highways of the State of Nebraska until such person
22 has obtained a Class M license. No such license shall be issued
23 until the applicant has ~~appeared before an examiner and~~ (1)
24 ~~satisfied the examiner that he or she meets~~ met the vision
25 and physical requirements established under section 60-4,118 for

1 operation of a motor vehicle and (2) successfully completed
2 an examination, including the actual operation of a motorcycle,
3 prescribed by the director, except that ~~an examiner shall waive~~
4 the required examination may be waived, including the actual
5 operation of a motorcycle, if the applicant presents proof of
6 successful completion of a motorcycle safety course under the
7 Motorcycle Safety Education Act within the immediately preceding
8 forty-eight months, ~~or if the driving record abstract of the~~
9 ~~applicant maintained in the computerized records of the Department~~
10 ~~of Motor Vehicles shows that the applicant has had no traffic~~
11 ~~violations as described in section 60-4,182 from the date the~~
12 ~~applicant's operator's license was last issued to the date of the~~
13 ~~abstract.~~

14 Any applicant who qualifies for a Class M license shall
15 be issued a license for such operation ~~by the county treasurer~~
16 as provided for the issuance of an operator's license. If the
17 applicant, ~~or if he or she~~ is the holder of an operator's
18 license, ~~the county treasurer~~ he or she shall, upon receipt of
19 the examiner's certificate, ~~endorse~~ have endorsed on the license
20 the authorization to operate a motorcycle. Fees and surcharges for
21 Class M licenses shall be as provided by section 60-4,115.

22 Sec. 34. Section 60-4,141, Revised Statutes Cumulative
23 Supplement, 2006, is amended to read:

24 60-4,141 (1) Except as provided in subsections (2)
25 and (3) of this section, no person shall operate any class

1 of commercial motor vehicle upon the highways of this state
2 unless such person possesses a valid commercial driver's license
3 authorizing the operation of the class of commercial motor vehicle
4 being operated, except that (a) any person possessing a valid
5 commercial driver's license authorizing the operation of a Class
6 A commercial motor vehicle may lawfully operate any Class B
7 or C commercial motor vehicle and (b) any person possessing
8 a valid commercial driver's license authorizing the operation
9 of a Class B commercial motor vehicle may lawfully operate a
10 Class C commercial motor vehicle. No person shall operate upon
11 the highways of this state any commercial motor vehicle which
12 requires a specific endorsement unless such person possesses a
13 valid commercial driver's license with such endorsement. No person
14 possessing a restricted commercial driver's license shall operate
15 upon the highways of this state any commercial motor vehicle to
16 which such restriction is applicable.

17 (2) Any person holding an LPC-learner's permit may
18 operate a commercial motor vehicle for learning purposes upon
19 the highways of this state if accompanied by a person who is
20 twenty-one years of age or older, who holds a commercial driver's
21 license valid for the class of commercial motor vehicle being
22 operated, and who occupies the seat beside the person for the
23 purpose of giving instruction in the operation of the commercial
24 motor vehicle. Any person holding an LPC-learner's permit may
25 operate a commercial motor vehicle upon the highways of this state

1 for purposes of taking a driving skills examination if accompanied
2 by ~~an examiner who is~~ personnel of the department designated by
3 the director under section 60-4,149 or employed by a third-party
4 tester certified pursuant to section 60-4,158 and who occupies the
5 seat beside the person for the purpose of giving the examination.
6 A person holding an LPC-learner's permit shall not operate a
7 commercial motor vehicle transporting hazardous materials.

8 (3) The provisions of subsection (1) of this section
9 shall not apply to any nonresident until the state of residence
10 of such nonresident begins the issuance of commercial drivers'
11 licenses in conformance with the requirements of the Commercial
12 Motor Vehicle Safety Act of 1986, 49 U.S.C. 31100 et seq., and
13 the Motor Carrier Safety Improvement Act of 1999, 49 U.S.C. 31301
14 et seq., and section 1012 of the federal Uniting and Strengthening
15 America by Providing Appropriate Tools Required to Intercept and
16 Obstruct Terrorism Act of 2001, USA PATRIOT Act, 49 U.S.C. 5103a,
17 and such nonresident is required by his or her state of residence
18 to possess a commercial driver's license to operate a commercial
19 motor vehicle. Any nonresident who is in this state for a period of
20 thirty consecutive days or more shall apply for a Nebraska-issued
21 commercial driver's license and shall surrender to the ~~Department~~
22 ~~of Motor Vehicles~~ department any operator's license issued to such
23 nonresident by any other state.

24 (4) Any person who operates a commercial motor vehicle
25 upon the highways of this state in violation of this section shall,

1 upon conviction, be guilty of a Class III misdemeanor.

2 Sec. 35. Section 60-4,142, Revised Statutes Cumulative
3 Supplement, 2006, is amended to read:

4 60-4,142 ~~Any~~ (1) Until the implementation date designated
5 by the director pursuant to section 60-484, any resident
6 may obtain, on a form to be prescribed by the director,
7 an LPC-learner's permit from the county treasurer by making
8 application to an examiner of the ~~Department of Motor Vehicles-~~
9 department. An applicant shall present proof to the examiner that
10 he or she holds a valid Class O license or commercial driver's
11 license or shall successfully complete the requirements for the
12 Class O license before an LPC-learner's permit is issued. An
13 applicant shall also successfully complete the commercial driver's
14 license general knowledge examination under section 60-4,155.
15 Upon application, the examination may be waived if the applicant
16 presents a Nebraska commercial driver's license which is valid
17 or has been expired for less than one year, presents a valid
18 commercial driver's license from another state, or is renewing
19 an LPC-learner's permit. The LPC-learner's permit shall be valid
20 for a period of six months and shall be renewed only once within
21 any two-year period. The county treasurer shall charge the fee
22 prescribed in section 60-4,115 for the issuance or renewal of an
23 LPC-learner's permit.

24 (2) Beginning on the implementation date designated by
25 the director pursuant to section 60-484, any resident may obtain

1 an LPC-learner's permit by making application to personnel of
2 the department. An applicant shall present proof to department
3 personnel that he or she holds a valid Class O license or
4 commercial driver's license or shall successfully complete the
5 requirements for the Class O license before an LPC-learner's
6 permit is issued. An applicant shall also successfully complete
7 the commercial driver's license general knowledge examination under
8 section 60-4,155. Upon application, the examination may be waived
9 if the applicant has been issued a Nebraska commercial driver's
10 license which is valid or has been expired for less than one year,
11 presents a valid commercial driver's license from another state, or
12 is renewing an LPC-learner's permit. The LPC-learner's permit shall
13 be valid for a period of six months and shall be renewed only once
14 within any two-year period.

15 Sec. 36. Section 60-4,144, Revised Statutes Cumulative
16 Supplement, 2006, is amended to read:

17 60-4,144 ~~(1)~~ (1)(a) This subsection applies until the
18 implementation date designated by the director pursuant to section
19 60-484. Application for any original or renewal commercial driver's
20 license or application for any change of class of commercial
21 motor vehicle, endorsement, or restriction may be made in a manner
22 prescribed by the department. Such application may be made to
23 an examiner in any county. The examiner shall personally conduct
24 the examination of the applicant and deliver to each successful
25 applicant an examiner's certificate containing the statements made

1 pursuant to subsection (2) of this section.

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

6 ~~(a)~~ (i) The full name, the current mailing address,
7 and the residential address of the applicant, except that
8 if the applicant is a program participant under the Address
9 Confidentiality Act, he or she need not supply his or her
10 residential address;

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

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

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

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

16 ~~(f)~~ (vi) Certification that the commercial motor vehicle
17 in which the applicant takes any driving skills examination is
18 representative of the class of commercial motor vehicle that the
19 applicant operates or expects to operate;

20 ~~(g)~~ (vii) The certification required pursuant to section
21 60-4,145 or 60-4,146;

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

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

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

4 ~~(A)~~ (I) lost voluntary control or consciousness ... yes
5 ... no

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

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

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

10 ~~(E)~~ (V) experienced impairment of memory, memory loss ...
11 yes ... no

12 Please explain:

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

17 Please explain:

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

21 Please explain, including how the above affects your
22 ability to drive:

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

25 OPTIONAL - YOU ARE NOT REQUIRED TO ANSWER ANY OF THE

1 FOLLOWING QUESTIONS:

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

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

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

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

10 (2) (a) This subsection applies beginning on an
11 implementation date designated by the director. Application for any
12 original or renewal commercial driver's license or application for
13 any change of class of commercial motor vehicle, endorsement, or
14 restriction may be made in a manner prescribed by the department.
15 Such application may be made to department personnel who shall
16 conduct the examination of the applicant.

17 (b) The application shall include information and
18 questions necessary to comply with the requirements and purposes of
19 the Motor Vehicle Operator's License Act, the voter registration
20 portion pursuant to section 32-308, and the advisement language
21 required by subsection (5) of section 60-6,197. Each individual
22 applying for a commercial driver's license card shall furnish proof
23 of date of birth and identity by presenting at least one of the
24 following documents containing a photograph or nonphoto identity
25 document including full name and date of birth:

- 1 (i) A valid unexpired United States passport;
- 2 (ii) Certified copy of a birth certificate issued by
3 a United States state or local office of public health, vital
4 records, vital statistics, or equivalent office;
- 5 (iii) Consular Report of Birth Abroad issued by the
6 United States Department of State, Form FS-240, DS-1350, or FS545;
- 7 (iv) An unexpired Permanent Resident Card issued by the
8 United States Department of Homeland Security, Form I-551;
- 9 (v) An unexpired employment authorization document (EAD)
10 issued by the United State Department of Homeland Security, Form
11 I-766 or Form I-688B;
- 12 (vi) Unexpired foreign passport with a valid unexpired
13 United Statutes visa affixed;
- 14 (vii) Certificate of Naturalization issued by the United
15 States Department of Homeland Security, Form N-550 or Form N-570;
- 16 (viii) Certificate of Citizenship, Form N-560 or Form
17 N-561;
- 18 (ix) REAL ID Act of 2005 compliant operator's license or
19 identification card issued in compliance with federal regulatory
20 standards, if accompanied by another document from this list; or
- 21 (x) Other documents designated by the director to
22 establish written exceptions as permitted by the REAL ID Act of
23 2005.
- 24 (c) The applicant shall provide documentation showing the
25 following information:

1 (i) The full legal name, the current mailing address,
 2 and the residential address of the applicant, except that
 3 if the applicant is a program participant under the Address
 4 Confidentiality Act, he or she need not supply his or her
 5 residential address;

6 (ii) A physical description of the applicant, including
 7 gender, height, weight, and eye and hair colors;

8 (iii) The applicant's date of birth;

9 (iv) The applicant's social security number;

10 (v) The applicant's signature;

11 (vi) Certification that the commercial motor vehicle
 12 in which the applicant takes any driving skills examination is
 13 representative of the class of commercial motor vehicle that the
 14 applicant operates or expects to operate;

15 (vii) The certification or license required pursuant to
 16 section 60-4,145 or 60-4,146, respectively;

17 (viii) Since September 30, 2005, the names of all states
 18 where the applicant has been licensed to operate any type of motor
 19 vehicle in the ten years prior to the date of application;

20 (ix) The following specific questions;

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

24 (I) lost voluntary control or consciousness ... yes ...
 25 no

1 (II) experienced vertigo or multiple episodes of
2 dizziness or fainting ... yes ... no

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

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

5 (V) experienced impairment of memory, memory loss ... yes
6 ... no

7 Please explain:

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

12 Please explain:

13 (C) Since the issuance of your last driver's
14 license/permit has your health or medical condition changed or
15 worsened? ... yes ... no

16 Please explain, including how the above affects your
17 ability to drive:

18 (x) Do you wish to register to vote as part of this
19 application process?

20 OPTIONAL - YOU ARE NOT REQUIRED TO ANSWER ANY OF THE
21 FOLLOWING QUESTIONS:

22 (xi) Do you wish to be an organ and tissue donor?

23 (xii) Do you wish to receive any additional specific
24 information regarding organ and tissue donation and the Donor
25 Registry of Nebraska?

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

3 (d) Application shall be made under oath or affirmation
4 of the applicant.

5 Sec. 37. Section 60-4,145, Revised Statutes Cumulative
6 Supplement, 2006, is amended to read:

7 60-4,145 Upon making any application pursuant to section
8 60-4,144, any applicant who operates or expects to operate a
9 commercial motor vehicle in interstate or foreign commerce and
10 who is subject to 49 C.F.R. part 391 adopted pursuant to section
11 75-363 shall certify that the applicant meets the qualification
12 requirements of 49 C.F.R. part 391. A Department personnel
13 examining an applicant for a commercial driver's license examiner
14 may require any applicant making certification pursuant to this
15 section to demonstrate, with or without the aid of corrective
16 devices, sufficient powers of eyesight to enable him or her to
17 operate a commercial motor vehicle in conformance with the minimum
18 vision requirements of 49 C.F.R. part 391 adopted pursuant to
19 section 75-363. If, from the examination given, it appears that
20 any applicant's powers of eyesight are such that he or she cannot
21 meet the minimum vision requirements, the ~~examiner shall allow the~~
22 applicant ~~to~~ shall present an ophthalmologist's or optometrist's
23 certificate to the effect that the applicant has sufficient
24 powers of eyesight for such purpose before issuing a commercial
25 driver's license to the applicant. If the examination given by ~~the~~

1 ~~commercial driver's license examiner~~ department personnel or the
2 ophthalmologist's or optometrist's certificate indicates that the
3 applicant must wear a corrective device to meet the minimum vision
4 requirements established by this section, the applicant shall have
5 the use of the commercial driver's license issued to him or her
6 restricted to wearing a corrective device while operating a motor
7 vehicle. An applicant who has been issued a waiver or exemption
8 by the Federal Motor Carrier Safety Administration from the vision
9 requirements set forth in 49 C.F.R. 391.41(b)(10) may be issued an
10 interstate commercial driver's license without meeting the vision
11 requirements set forth in 49 C.F.R. 391.41(b)(10).

12 Sec. 38. Section 60-4,148, Reissue Revised Statutes of
13 Nebraska, is amended to read:

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

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

1 fee and surcharge prescribed in section 60-4,115.

2 Sec. 39. Section 60-4,149, Reissue Revised Statutes of
3 Nebraska, is amended to read:

4 60-4,149 ~~(1)~~ (1)(a) This subsection applies until the
5 implementation date designated by the director pursuant to section
6 60-484. The examination for commercial drivers' licenses by the
7 ~~Department of Motor Vehicles~~ department shall occur in and for
8 each county of the State of Nebraska. Each county shall furnish
9 office space for the administration of the examinations, except
10 that two or more counties may, with the permission of the director,
11 establish a separate facility to jointly conduct the examinations
12 for such licenses.

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

23 ~~(3)~~ (c) The successful applicant shall, within thirty
24 days, present his or her certificate to the county treasurer
25 who shall immediately issue the commercial driver's license and

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

4 (2) This subsection applies beginning on the
5 implementation date designated by the director pursuant to
6 section 60-484. Except as provided for by section 60-4,157, all
7 commercial driver's license examinations shall be conducted by
8 personnel of the department designated by the director. Upon
9 payment of appropriate fees and surcharge pursuant to section
10 60-4,115, the successful applicant for a commercial driver's
11 license shall be issued a receipt with driving privileges, if
12 appropriate, for up to thirty days and the department shall cause
13 an operator's license to be delivered to the applicant as provided
14 in section 60-4,117. If department personnel refuses to issue such
15 certificate for cause, he or she shall state such cause in writing
16 and deliver the same to the applicant. Department personnel are
17 not required to hold commercial driver's licenses to administer
18 driving skills examinations and occupy the seat beside applicants
19 for commercial driver's licenses.

20 Sec. 40. Section 60-4,149.01, Revised Statutes Cumulative
21 Supplement, 2006, is amended to read:

22 60-4,149.01 (1) A Department personnel examining an
23 applicant for a commercial driver's license examiner shall may
24 not require the commercial driver's license knowledge examination,
25 except the hazardous material portion of the examination and any

1 knowledge examinations not previously taken for that class of
2 commercial motor vehicle or endorsement, if the applicant renews
3 his or her commercial driver's license prior to its expiration or
4 within one year after its expiration and if the applicant's driving
5 record abstract maintained in the department's computerized records
6 shows that his or her commercial driver's license is not suspended,
7 revoked, canceled, or disqualified.

8 (2) A nonresident who holds a valid commercial driver's
9 license from another state shall not be required to take the
10 commercial driver's license knowledge examination, except the
11 hazardous material portion of the examination and any knowledge
12 examinations not previously taken for that class of commercial
13 motor vehicle or endorsement, if the nonresident surrenders his
14 or her valid out-of-state commercial driver's license to ~~the~~
15 ~~commercial driver's license examiner.~~ department personnel.

16 (3) The commercial motor vehicle general knowledge
17 examination ~~shall~~ may be waived for the commercial driver's license
18 applicant if the applicant holds a Nebraska-issued LPC-learner's
19 permit that is valid or has been expired less than one year that is
20 not canceled, suspended, revoked, or disqualified.

21 Sec. 41. Section 60-4,150, Revised Statutes Cumulative
22 Supplement, 2006, is amended to read:

23 60-4,150 (1) Any person holding a commercial driver's
24 license who loses his or her license, who requires issuance of
25 a replacement license because of a change of name or address, or

1 whose license is mutilated or unreadable may obtain a duplicate or
2 replacement commercial driver's license by filing ~~with an examiner~~
3 ~~of the Department of Motor Vehicles~~ an application and affidavit
4 and by furnishing proof of identification in accordance with
5 section 60-484.

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

9 (3) Upon the examiner being satisfied that a duplicate
10 or replacement commercial driver's license should be issued, the
11 applicant shall receive such license upon payment of the fee and
12 surcharge prescribed in section 60-4,115. ~~to the county treasurer.~~

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

21 Sec. 42. Section 60-4,151, Reissue Revised Statutes of
22 Nebraska, is amended to read:

23 60-4,151 (1) The commercial driver's license shall be
24 conspicuously marked Nebraska Commercial Driver's License, shall
25 be, to the maximum extent practicable, tamper and forgery proof,

1 and shall include the following information:

2 (a) The name and principal residential address of the
3 holder;

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

5 (c) A physical description of the holder, including ~~sex~~,
6 gender, height, weight, and eye and hair colors;

7 (d) The holder's date of birth;

8 (e) The holder's signature;

9 (f) The class of commercial motor vehicle or vehicles
10 which the holder is authorized to operate, including any
11 endorsements or restrictions;

12 (g) ~~The dates between which the commercial driver's~~
13 ~~license is valid~~; and issuance date and the expiration date;

14 (h) A unique operator's license or identification card
15 number;

16 ~~(i)~~ (i) The organ and tissue donor information specified
17 in section 60-494; and -

18 (j) Encoded machine-readable information which shall
19 contain the holder's full legal name, date of birth, gender,
20 license issue date, license expiration date, principal residential
21 address, unique identification number, revision date, and inventory
22 control number.

23 (2) The restricted commercial driver's license shall
24 be conspicuously marked Nebraska Restricted Commercial Driver's
25 License and shall be, to the maximum extent practicable, tamper

1 and forgery proof. The restricted commercial driver's license shall
2 contain such additional information as deemed necessary by the
3 director.

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

9 Sec. 43. Section 60-4,156, Reissue Revised Statutes of
10 Nebraska, is amended to read:

11 60-4,156 A Department personnel examining an applicant
12 for a commercial driver's license ~~examiner~~ may waive the driving
13 skills examination when an applicant provides, on a form prescribed
14 by the director, certification that during the two-year period
15 immediately prior to the date of application he or she:

16 (1) Has not possessed more than one operator's license at
17 any one time;

18 (2) Has not had any operator's license suspended,
19 revoked, or canceled;

20 (3) Has not been convicted in any type of motor vehicle
21 for any of the disqualification offenses provided for in sections
22 60-4,168 and 60-4,168.01;

23 (4) Has not had more than one conviction for any type of
24 motor vehicle for a serious traffic violation;

25 (5) Has not been convicted of any violation of state law

1 or local ordinance related to motor vehicle traffic control arising
2 in connection with any traffic accident and has no record of an
3 accident when the applicant was at fault; and

4 (6) Provides suitable evidence that he or she has
5 previously taken a driving skills examination given by a state
6 with a classified licensing and testing system and that the
7 examination included operation of a representative vehicle for
8 the applicant's commercial driver's license classification or that
9 the applicant has operated, for at least two years immediately
10 preceding application, a vehicle representative of the commercial
11 motor vehicle the applicant operates or expects to operate.

12 Sec. 44. Section 60-4,157, Reissue Revised Statutes of
13 Nebraska, is amended to read:

14 60-4,157 A Department personnel examining an applicant
15 for a commercial driver's license examiner may waive the driving
16 skills examination when an applicant presents evidence, on a form
17 to be prescribed by the director, that he or she has successfully
18 passed a driving skills examination administered by a third-party
19 tester.

20 For purposes of this section and section 60-4,158,
21 third-party tester shall mean another state's licensing authority,
22 any agency, department, board, or commission of this state, any
23 employer, any public or private driver training facility, or any
24 political subdivision of this state authorized by the director
25 to conduct the driving skills examination for the issuance of

1 commercial drivers' licenses.

2 Sec. 45. Section 60-4,181, Reissue Revised Statutes of
3 Nebraska, is amended to read:

4 60-4,181 (1) A state identification card shall be issued
5 ~~by the county treasurer~~ after the person requesting the card (a)
6 files an application or examiner's certificate with an examining
7 officer, (b) furnishes ~~two forms of proof of identification~~ the
8 documentation described in section 60-484 and section 13 of this
9 act, and (c) pays the fee and surcharge prescribed in section
10 60-4,115. ~~to the county treasurer. The state identification card~~
11 ~~shall contain the organ and tissue donor information specified in~~
12 ~~section 60-494.~~

13 (2) ~~The application or examiner's certificate shall~~
14 ~~include~~ applicant shall provide documentation showing the full
15 legal name, age, post office mailing address, place of principal
16 residence unless the applicant is a program participant under the
17 Address Confidentiality Act, date of birth, ~~sex~~, gender, social
18 security number, and physical description of the applicant, the
19 voter registration portion pursuant to section 32-308, and the
20 following:

21 (a) Do you wish to register to vote as part of this
22 application process?

23 (b) Do you wish to have a state identification card that
24 complies with the REAL ID Act of 2005?

25 OPTIONAL - YOU ARE NOT REQUIRED TO ANSWER ANY OF THE

1 FOLLOWING QUESTIONS;2 ~~(b)~~ (c) Do you wish to be an organ and tissue donor?3 ~~(e)~~ (d) Do you wish to receive any additional specific
4 information regarding organ and tissue donation and the Donor
5 Registry of Nebraska?6 ~~(d)~~ (e) Do you wish to donate \$1 to promote the Organ and
7 Tissue Donor Awareness and Education Fund?8 (3) The following information shall appear on the face of
9 a state identification card:10 (a) The name and principal residential address of the
11 holder;12 (b) The holder's color digital image;13 (c) A physical description of the holder, including
14 gender, height, weight, and eye and hair colors;15 (d) The holder's date of birth;16 (e) The holder's signature;17 (f) The issuance date and the expiration date;18 (g) A unique operator's license or identification card
19 number which shall not be the individual's social security number;20 (h) The organ and tissue donor information specified in
21 section 60-494; and22 (i) Encoded machine-readable information which shall
23 contain the holder's full legal name, date of birth, gender, card
24 issue date, card expiration date, principal residential address,
25 unique identification number, revision date, and inventory control

1 number.

2 ~~(3)~~ (4) The director may summarily cancel any state
3 identification card, and any judge or magistrate may order a
4 state identification card canceled in a judgment of conviction,
5 if the application or examiner's certificate for the card contains
6 any false or fraudulent statements which were deliberately and
7 knowingly made as to any matter material to the issuance of the
8 card or if the application or examiner's certificate does not
9 contain required or correct information. Any state identification
10 card so obtained shall be void from the date of issuance.
11 Any judgment of conviction ordering cancellation of a state
12 identification card shall be transmitted to the director who
13 shall cancel the card.

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

17 Sec. 46. Section 60-1515, Revised Statutes Cumulative
18 Supplement, 2006, is amended to read:

19 60-1515 (1) The Legislature hereby finds and declares
20 that a statewide system for the collection, storage, and transfer
21 of data on vehicle titles and registration and the cooperation
22 of state and local government in implementing such a system is
23 essential to the efficient operation of state and local government
24 in vehicle titling and registration. The Legislature hereby finds
25 and declares that the electronic issuance of operators' licenses

1 and state identification cards using a digital system as described
2 in section 60-484.01 and the ~~cooperation of state and local~~
3 ~~government in implementing such a system~~ is essential to the
4 efficient operation of state and ~~local~~ government in issuing
5 operators' licenses and state identification cards.

6 (2) It is therefor the intent of the Legislature that
7 the Department of Motor Vehicles shall use a portion of the fees
8 and surcharges appropriated by the Legislature to the Department of
9 Motor Vehicles Cash Fund as follows:

10 (a) To pay for the cost of issuing motor vehicle titles
11 and registrations on a system designated by the department. The
12 costs shall include, but not be limited to, software and software
13 maintenance, programming, processing charges, and equipment
14 including such terminals, printers, or other devices as deemed
15 necessary by the department after consultation with the county to
16 support the issuance of motor vehicle titles and registrations. The
17 costs shall not include the cost of county personnel or physical
18 facilities provided by the counties;

19 (b) To furnish to the counties the certificate of
20 registration forms specified in section 60-390. The certificate
21 of registration form shall be prescribed by the department;

22 (c) To pay for the costs of an operator's license system
23 as specified in sections 60-484.01 and 60-4,119 and designated
24 by the department. The costs shall be limited to such terminals,
25 printers, software, programming, and other equipment or devices as

1 deemed necessary by the department to support the issuance of such
2 licenses and state identification cards ~~in the counties~~ and by the
3 department; and

4 (d) To pay for the motor vehicle insurance data base
5 created under section 60-3,136.

6 Sec. 47. Original sections 60-479, 60-495, 60-498,
7 60-4,113, 60-4,114, 60-4,117, 60-4,118.05, 60-4,121, 60-4,122,
8 60-4,126, 60-4,127, 60-4,148, 60-4,149, 60-4,151, 60-4,156,
9 60-4,157, and 60-4,181, Reissue Revised Statutes of Nebraska,
10 sections 60-484, 60-484.01, 60-490, 60-4,115, 60-4,118, 60-4,119,
11 60-4,120, 60-4,141, 60-4,142, 60-4,144, 60-4,145, 60-4,149.01,
12 60-4,150, and 60-1515, Revised Statutes Cumulative Supplement,
13 2006, and sections 60-462, 60-463, 60-493, 60-4,120.01, 60-4,123,
14 and 60-4,124, Revised Statutes Supplement, 2007, are repealed.