

LEGISLATURE OF NEBRASKA

ONE HUNDRED FIRST LEGISLATURE

SECOND SESSION

**LEGISLATIVE BILL 998**

Introduced by Gay, 14.

Read first time January 20, 2010

Committee: Transportation and Telecommunications

A BILL

1 FOR AN ACT relating to the Motor Vehicle Operator's License Act;  
2 to amend sections 60-495, 60-498, 60-4,114, 60-4,121,  
3 60-4,156, and 60-4,157, Reissue Revised Statutes of  
4 Nebraska, sections 60-484, 60-493, 60-4,113, 60-4,117,  
5 60-4,118, 60-4,119, 60-4,120, 60-4,120.01, 60-4,123,  
6 60-4,124, 60-4,127, 60-4,141, 60-4,142, 60-4,144,  
7 60-4,145, 60-4,149, 60-4,149.01, 60-4,150, 60-4,151,  
8 60-4,181, and 60-1515, Revised Statutes Cumulative  
9 Supplement, 2008, and section 60-4,115, Revised Statutes  
10 Supplement, 2009; to provide for regional service  
11 centers for the issuance of driver's licenses and state  
12 identification cards; to provide powers and duties for  
13 the Director of Motor Vehicles and the Department of  
14 Motor Vehicles; to harmonize provisions; and to repeal

LB 998

LB 998

1                   the original sections.

2   Be it enacted by the people of the State of Nebraska,

1           Section 1. Section 60-484, Revised Statutes Cumulative  
2 Supplement, 2008, is amended to read:

3           60-484 ~~(1)(a)~~ This subsection applies until the  
4 implementation date designated by the director pursuant to section  
5 ~~60-462.02~~. Except as otherwise provided in the Motor Vehicle  
6 Operator's License Act, no resident of the State of Nebraska shall  
7 operate a motor vehicle upon the alleys or highways of the State  
8 of Nebraska until the person has obtained an operator's license  
9 for that purpose.

10           ~~(b)~~ Application for an operator's license may be made in  
11 a manner prescribed by the department. Such application may be made  
12 to an examiner in any county. The examiner shall personally conduct  
13 the examination of the applicant and deliver to each successful  
14 applicant an examiner's certificate containing the statements made  
15 pursuant to subdivision ~~(c)~~ of this subsection.

16           ~~(c)~~ In addition to any other information and questions  
17 necessary to comply with the requirements and purposes of the act,  
18 the applicant ~~(i)~~ shall provide his or her name, age, post office  
19 address, place of residence unless the applicant is a program  
20 participant under the Address Confidentiality Act, date of birth,  
21 gender, social security number, and brief description of himself or  
22 herself, ~~(ii)~~ may complete the voter registration portion pursuant  
23 to section 32-308, ~~(iii)~~ shall be provided the advisement language  
24 required by subsection ~~(5)~~ of section 60-6,197, ~~(iv)~~ shall answer  
25 the following:

1           (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           (I) lost voluntary control or consciousness ... yes ...  
5 no

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

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

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

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

12          Please explain: .....

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

17          Please explain: .....

18          (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: ....., and (v) may answer the  
23 following:

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

1           OPTIONAL - YOU ARE NOT REQUIRED TO ANSWER ANY OF THE  
2 FOLLOWING QUESTIONS:

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

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

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

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

11           ~~(e) The social security number shall not be printed on  
12 the operator's license and shall be used only (i) to furnish driver  
13 record information to the United States Selective Service System  
14 under section 60-483, (ii) with the permission of the director in  
15 connection with the verification of the status of an individual's  
16 driving record in this state or any other state, (iii) for purposes  
17 of child support enforcement pursuant to section 42-358.08 or  
18 43-512.06, or (iv) to furnish information regarding an applicant  
19 for or holder of a commercial driver's license with a hazardous  
20 materials endorsement to the Transportation Security Administration  
21 of the United States Department of Homeland Security or its agent.~~

22           ~~(f)(i) Except for an individual under the age of eighteen  
23 years, each individual applying for an operator's license or a  
24 state identification card shall furnish proof of date of birth  
25 and identity by a valid Nebraska operator's license, a valid~~

1 Nebraska learner's permit, a valid Nebraska school permit, a  
2 valid operator's license from another state or jurisdiction of the  
3 United States, a certified birth certificate, a certified birth  
4 registration, a valid United States passport, a valid United States  
5 military identification card, United States military discharge  
6 papers, other United States-based identification as approved by  
7 the director, or information preserved in the digital system  
8 implemented under section 60-484.01.

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

18           (2)(a) This subsection applies beginning on the  
19 implementation date designated by the director pursuant to section  
20 60-462.02. (1) Except as otherwise provided in the Motor Vehicle  
21 Operator's License Act, no resident of the State of Nebraska shall  
22 operate a motor vehicle upon the alleys or highways of this state  
23 until the person has obtained an operator's license for that  
24 purpose.

25           (b) (2) Application for an operator's license or a state

1 identification card shall be made in a manner prescribed by the  
 2 department. Such application may be made to department personnel  
 3 in any ~~county~~, regional services center. Department personnel  
 4 shall conduct the examination of the applicant and deliver to  
 5 each successful applicant an issuance certificate containing the  
 6 statements made pursuant to subdivision ~~(e)~~ (3) of this subsection.

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

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

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

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

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

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

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

4           Please explain: .....

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

9           Please explain: .....

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

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

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

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

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

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

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

1           ~~(d)~~ (4) Application for an operator's license or state  
2 identification card shall include a signed oath, affirmation, or  
3 declaration of the applicant that the information provided on the  
4 application for the license or card is true and correct.

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

17           ~~(f)~~~~(i)~~ (6)(a) Each individual applying for an operator's  
18 license or a state identification card shall furnish proof of  
19 date of birth and identity with documents containing a photograph  
20 or with nonphoto identity documents which include his or her  
21 full legal name and date of birth. Such documents shall include,  
22 but not be limited to, any valid Nebraska operator's license or  
23 Nebraska state identification card, a valid operator's license  
24 or identification card from another state or jurisdiction of  
25 the United States, a certified birth certificate, a valid United

1 States passport, or any other United States-based identification as  
2 approved by the director.

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

14 ~~(iii)~~ (c) An applicant may present other documents as  
15 proof of identification and age designated by the director.  
16 Any documents accepted shall be recorded according to a written  
17 exceptions process established by the director.

18 (7) Beginning on an implementation date designated by  
19 the director, the Department of Motor Vehicles shall be the  
20 exclusive issuer of operators' licenses and state identification  
21 cards. The department may issue operators' licenses and state  
22 identification cards at regional service centers throughout the  
23 state as prescribed by the director.

24 Sec. 2. Section 60-493, Revised Statutes Cumulative  
25 Supplement, 2008, is amended to read:

1                   60-493   (1) (a) This subdivision applies until the  
2 implementation date designated by the director pursuant to section  
3 60-484. When a person applies for an operator's license or state  
4 identification card, the county treasurer or examiner of the  
5 Department of Motor Vehicles shall distribute a brochure provided  
6 by an organ and tissue procurement organization and approved by the  
7 Department of Health and Human Services containing a description  
8 and explanation of the Uniform Anatomical Gift Act to each person  
9 applying for a new or renewal license or card.

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

19                   (2) If an individual desires to receive additional  
20 specific information regarding organ and tissue donation and  
21 the Donor Registry of Nebraska as indicated on an application  
22 or examiner's certificate under section 60-484, 60-4,144, or  
23 60-4,181, the ~~department~~ Department of Motor Vehicles shall notify  
24 a representative of the federally designated organ procurement  
25 organization in Nebraska within five working days of the name and

1 address of such individual.

2           Sec. 3. Section 60-495, Reissue Revised Statutes of  
3 Nebraska, is amended to read:

4           60-495 (1) The director shall adopt and promulgate such  
5 rules and regulations and prepare and furnish all forms and  
6 information necessary to carry out sections 60-493 to 60-495,  
7 71-4802, and 71-4804.

8           (2) The Organ and Tissue Donor Awareness and Education  
9 Fund is created. ~~The county treasurer shall remit all funds~~  
10 ~~contributed under sections 60-484, 60-4,144, and 60-4,181 to the~~  
11 ~~State Treasurer for credit to the fund.~~ The Department of Health  
12 and Human Services shall administer the Organ and Tissue Donor  
13 Awareness and Education Fund for the promotion of organ and  
14 tissue donation. ~~The department~~ Department of Health and Human  
15 Services shall use the fund to assist organizations such as  
16 the Organ and Tissue Donor Task Force of Nebraska, Inc., in  
17 carrying out activities which promote organ and tissue donation  
18 through the creation and dissemination of educational information.  
19 Until the implementation date designated by the director pursuant  
20 to section 60-484, the county treasurer shall remit all funds  
21 contributed under sections 60-484, 60-4,144, and 60-4,181 to  
22 the State Treasurer for credit to the fund. Beginning on the  
23 implementation date designated by the director pursuant to section  
24 60-484, the Department of Motor Vehicles shall remit all funds  
25 contributed under sections 60-484, 60-4,144, and 60-4,181 to the

1 State Treasurer for credit to the fund. Any money in the fund  
2 available for investment shall be invested by the state investment  
3 officer pursuant to the Nebraska Capital Expansion Act and the  
4 Nebraska State Funds Investment Act.

5 Sec. 4. Section 60-498, Reissue Revised Statutes of  
6 Nebraska, is amended to read:

7 60-498 The director shall immediately revoke the  
8 operator's license of any person upon receiving a copy of judgment  
9 of such person's conviction of any of the following offenses when  
10 such conviction becomes final:

11 (1) Manslaughter resulting from the operation of a motor  
12 vehicle;

13 (2) Driving a motor vehicle while under the influence  
14 of alcoholic liquor or any drug as provided in city or village  
15 ordinances or in section 60-6,196. The period of revocation shall,  
16 in each case except for revocations pursuant to sections 60-498.01  
17 to 60-498.04 and offenses specified in section 60-4,168, correspond  
18 with the period that is determined by the court;

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

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

24 (5) Perjury or making of a false affidavit or statement  
25 under oath to the director, ~~examining officer,~~ department

1 personnel, or other officer under the Motor Vehicle Operator's  
2 License Act or under any law relating to the ownership or operation  
3 of motor vehicles;

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

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

9 Sec. 5. Section 60-4,113, Revised Statutes Cumulative  
10 Supplement, 2008, is amended to read:

11 60-4,113 ~~(1)~~ This subsection applies until the  
12 implementation date designated by the director pursuant to section  
13 60-462.02. In and for each county in the State of Nebraska, the  
14 director shall appoint as his or her agents one or more examiners  
15 who shall examine all applicants for an operator's license as  
16 provided in section 60-4,114 except as otherwise provided in  
17 subsection ~~(8)~~ of section 60-4,122. The director may, in his or  
18 her discretion, also appoint one or more examining officers with  
19 similar powers as are set forth in section 60-4,114. The same  
20 examiner may be assigned to one or more counties by the director.  
21 Each county shall furnish office space for the administration of  
22 the operator's license examination. The examiner shall conduct the  
23 examination of applicants and deliver to each successful applicant  
24 a certificate entitling such applicant to secure an operator's  
25 license. If the examiner refuses to issue such certificate for

1 cause, he or she shall state such cause in writing and deliver  
2 the same to the applicant. The successful applicant shall, within  
3 ninety days, present his or her certificate to the county treasurer  
4 who shall immediately issue the operator's license and collect the  
5 fee therefor. The county treasurer shall report the issuance of  
6 such licenses to the department within five days after issuance.

7 ~~(2)(a)~~ (1)(a) This subsection subdivision applies  
8 beginning ~~on~~ until the implementation date designated by the  
9 director pursuant to section ~~60-462.02~~, 60-484. In and for each  
10 county in the State of Nebraska, the director shall appoint as his  
11 or her agents one or more department personnel who shall examine  
12 all applicants for a state identification card or an operator's  
13 license as provided in section 60-4,114 except as otherwise  
14 provided in subsection (8) of section 60-4,122. The same department  
15 personnel may be assigned to one or more counties by the director.  
16 Each county shall furnish office space for the administration  
17 of the operator's license examination. The department personnel  
18 shall conduct the examination of applicants and deliver to each  
19 successful applicant an issuance certificate. The certificate may  
20 be presented to the county treasurer of any county within ninety  
21 days after issuance, and the county treasurer shall collect the fee  
22 and surcharge as provided in section 60-4,115 and issue a receipt  
23 which is valid for up to thirty days. If an operator's license is  
24 being issued, the receipt shall also authorize driving privileges  
25 for such thirty-day period. If the department personnel refuse to

1 issue an issuance certificate for cause, the department personnel  
2 shall state such cause in writing and deliver such written cause  
3 to the applicant.

4 (b) This subdivision applies beginning on the  
5 implementation date designated by the director pursuant to section  
6 60-484. For each regional service center in the State of Nebraska,  
7 the director shall appoint department personnel who shall examine  
8 all applicants for a state identification card or an operator's  
9 license as provided in section 60-4,114 except as otherwise  
10 provided in subsection (8) of section 60-4,122. The department  
11 personnel shall conduct the examination of applicants and deliver  
12 to each successful applicant an issuance certificate. The issuance  
13 certificate may be presented to department personnel within ninety  
14 days after issuance, and department personnel shall collect the fee  
15 and surcharge as provided in section 60-4,115 and issue a receipt  
16 which is valid for up to thirty days. If an operator's license is  
17 being issued, the receipt shall also authorize driving privileges  
18 for such thirty-day period. If department personnel refuse to issue  
19 an issuance certificate for cause, the department personnel shall  
20 state such cause in writing and deliver such written cause to the  
21 applicant.

22 ~~(b)~~ (2) The department may provide for the central  
23 production and issuance of operators' licenses and state  
24 identification cards. Production shall take place at a secure  
25 production facility designated by the director. The licenses and

1 cards shall be of such a design and produced in such a way as  
2 to discourage, to the maximum extent possible, fraud in applicant  
3 enrollment, identity theft, and the forgery and counterfeiting of  
4 such licenses and cards. Delivery of an operator's license or state  
5 identification card shall be to the mailing address provided by the  
6 applicant at the time of application.

7           Sec. 6. Section 60-4,114, Reissue Revised Statutes of  
8 Nebraska, is amended to read:

9           60-4,114   (1) This subsection applies until the  
10 implementation date designated by the director pursuant to section  
11 60-484. The county treasurer may employ such additional clerical  
12 help as may be necessary to assist him or her in the performance  
13 of the ministerial duties required of him or her under the Motor  
14 Vehicle Operator's License Act and, for such additional expense,  
15 shall be reimbursed as set out in section 60-4,115.

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

22           (3) Except as otherwise provided in section 60-4,122, the  
23 application process, in addition to the other requisites of the  
24 act, shall include the following:

25           (a) An inquiry into the medical condition and visual

1 ability of the applicant to operate a motor vehicle;

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

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

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

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

1 of law, and shall be sent by registered or certified mail to  
2 the applicant's last-known address. The order may be appealed as  
3 provided in section 60-4,105.

4 Sec. 7. Section 60-4,115, Revised Statutes Supplement,  
5 2009, is amended to read:

6 60-4,115 (1) This subsection applies until the  
7 implementation date designated by the director pursuant to section  
8 60-484.

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

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

LB 998

LB 998

		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	5.00	2.75	1.25	1.00
7	Valid for more than 1 year				
8	but not more than 2 years	10.00	2.75	4.00	3.25
9	Valid for more than 2 years				
10	but not more than 3 years	14.00	2.75	5.25	6.00
11	Valid for more than 3 years				
12	but not more than 4 years	19.00	2.75	8.00	8.25
13	Valid for more than 4 years				
14	for person under 21	24.00	2.75	10.25	11.00
15	Valid for 5 years	24.00	3.50	10.25	10.25
16	Duplicate or replacement	11.00	2.75	6.00	2.25
17	Class O or M operator's license:				
18	Valid for 1 year or less	5.00	2.75	1.25	1.00
19	Valid for more than 1 year				
20	but not more than 2 years	10.00	2.75	4.00	3.25
21	Valid for more than 2 years				
22	but not more than 3 years	14.00	2.75	5.25	6.00
23	Valid for more than 3 years				
24	but not more than 4 years	19.00	2.75	8.00	8.25

	LB 998			LB 998	
1	Valid for 5 years	24.00	3.50	10.25	10.25
2	Bioptic or telescopic lens restriction:				
3	Valid for 1 year or less	5.00	0	5.00	0
4	Valid for more than 1 year				
5	but not more than 2 years	10.00	2.75	4.00	3.25
6	Duplicate or replacement	11.00	2.75	6.00	2.25
7	Add, change, or remove class,				
8	endorsement, or restriction	5.00	0	5.00	0
9	Provisional operator's permit:				
10	Original	15.00	2.75	12.25	0
11	Bioptic or telescopic lens restriction:				
12	Valid for 1 year or less	5.00	0	5.00	0
13	Valid for more than 1 year				
14	but not more than 2 years	15.00	2.75	12.25	0
15	Duplicate or replacement	11.00	2.75	6.00	2.25
16	Add, change, or remove class,				
17	endorsement, or restriction	5.00	0	5.00	0
18	LPD-learner's permit:				
19	Original	8.00	.25	5.00	2.75
20	Duplicate or replacement	11.00	2.75	6.00	2.25
21	Add, change, or remove class,				
22	endorsement, or restriction	5.00	0	5.00	0
23	LPE-learner's permit:				
24	Original	8.00	.25	5.00	2.75
25	Duplicate or replacement	11.00	2.75	6.00	2.25

LB 998		LB 998			
1	Add, change, or remove class,				
2	endorsement, or restriction	5.00	0	5.00	0
3	School permit:				
4	Original	8.00	.25	5.00	2.75
5	Duplicate or replacement	11.00	2.75	6.00	2.25
6	Add, change, or remove class,				
7	endorsement, or restriction	5.00	0	5.00	0
8	Farm permit:				
9	Original or renewal	5.00	.25	0	4.75
10	Duplicate or replacement	5.00	.25	0	4.75
11	Temporary	5.00	.25	0	4.75
12	Add, change, or remove class,				
13	endorsement, or restriction	5.00	0	5.00	0
14	Driving permits:				
15	Employment	45.00	0	5.00	40.00
16	Medical hardship	45.00	0	5.00	40.00
17	Duplicate or replacement	10.00	.25	5.00	4.75
18	Add, change, or remove class,				
19	endorsement, or restriction	5.00	0	5.00	0
20	Commercial driver's license:				
21	Valid for 1 year or less	11.00	1.75	5.00	4.25
22	Valid for more than 1 year				
23	but not more than 2 years	22.00	1.75	5.00	15.25
24	Valid for more than 2 years				
25	but not more than 3 years	33.00	1.75	5.00	26.25

LB 998

LB 998

1	Valid for more than 3 years				
2	but not more than 4 years	44.00	1.75	5.00	37.25
3	Valid for 5 years	55.00	1.75	5.00	48.25
4	Bioptic or telescopic lens restriction:				
5	Valid for one year or less	11.00	1.75	5.00	4.25
6	Valid for more than 1 year				
7	but not more than 2 years	22.00	1.75	5.00	15.25
8	Duplicate or replacement	11.00	2.75	6.00	2.25
9	Add, change, or remove class,				
10	endorsement, or restriction	10.00	1.75	5.00	3.25
11	LPC-learner's permit:				
12	Original or renewal	10.00	.25	5.00	4.75
13	Duplicate or replacement	10.00	.25	5.00	4.75
14	Add, change, or remove class,				
15	endorsement, or restriction	10.00	.25	5.00	4.75
16	Seasonal permit:				
17	Original or renewal	10.00	.25	5.00	4.75
18	Duplicate or replacement	10.00	.25	5.00	4.75
19	Add, change, or remove class,				
20	endorsement, or restriction	10.00	.25	5.00	4.75
21	School bus permit:				
22	Original or renewal	5.00	0	5.00	0
23	Duplicate or replacement	5.00	0	5.00	0
24	Add, change, or remove class,				
25	endorsement, or restriction	5.00	0	5.00	0

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

5           ~~(4)(a)~~ (d)(i) The fee for an ignition interlock permit  
6 shall be forty-five dollars. Five dollars of the fee shall be  
7 remitted to the State Treasurer for credit to the Department  
8 of Motor Vehicles Cash Fund. Forty dollars of the fee shall be  
9 remitted to the State Treasurer for credit to the Probation Cash  
10 Fund.

11           ~~(b)~~ (ii) The fee for a duplicate or replacement ignition  
12 interlock permit shall be ten dollars. Twenty-five cents of the  
13 fee shall be remitted to the county treasurer for credit to the  
14 county general fund. Five dollars of the fee shall be remitted to  
15 the State Treasurer for credit to the Department of Motor Vehicles  
16 Cash Fund. Four dollars and seventy-five cents of the fee shall be  
17 remitted to the State Treasurer for credit to the Probation Cash  
18 Fund.

19           ~~(e)~~ (iii) The fee for adding, changing, or removing a  
20 class, endorsement, or restriction on an ignition interlock permit  
21 shall be five dollars. The fee shall be remitted to the State  
22 Treasurer for credit to the Department of Motor Vehicles Cash Fund.

23           ~~(5)~~ This subsection applies beginning on the  
24 implementation date designated by the director pursuant to  
25 section ~~60-462.02~~. (e) The department and its agents may collect

1 an identity security surcharge to cover the cost of security and  
2 technology practices used to protect the identity of applicants for  
3 and holders of operators' licenses and state identification cards  
4 and to reduce identity theft, fraud, and forgery and counterfeiting  
5 of such licenses and cards to the maximum extent possible. The  
6 surcharge shall be in addition to all other required fees for  
7 operators' licenses and state identification cards. The amount of  
8 the surcharge shall be determined by the department. The surcharge  
9 shall not exceed eight dollars. The surcharge shall be remitted to  
10 the State Treasurer for credit to the Department of Motor Vehicles  
11 Cash Fund.

12 (2) This subsection applies beginning on the  
13 implementation date designated by the director pursuant to  
14 section 60-484.

15 (a) Fees for operators' licenses and state identification  
16 cards shall be collected and distributed according to the table  
17 in subdivision (b) of this subsection, except for the ignition  
18 interlock permit and associated fees as outlined in subdivision  
19 (c) 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  
25 Education Fund.

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

	<u>Department</u>		
	<u>Total</u>	<u>of Motor</u>	<u>State</u>
<u>Document</u>	<u>Fee</u>	<u>Vehicles</u>	<u>General</u>
		<u>Cash Fund</u>	<u>Fund</u>
8 <u>State identification card:</u>			
9 <u>Valid for 1 year or less</u>	<u>5.00</u>	<u>4.00</u>	<u>1.00</u>
10 <u>Valid for more than 1 year but not</u>			
11 <u>more than 2 years</u>	<u>10.00</u>	<u>6.75</u>	<u>3.25</u>
12 <u>Valid for more than 2 years but not</u>			
13 <u>more than 3 years</u>	<u>14.00</u>	<u>8.00</u>	<u>6.00</u>
14 <u>Valid for more than 3 years but not</u>			
15 <u>more than 4 years</u>	<u>19.00</u>	<u>10.75</u>	<u>8.25</u>
16 <u>Valid for more than 4 years for person</u>			
17 <u>under 21</u>	<u>24.00</u>	<u>13.00</u>	<u>11.00</u>
18 <u>Valid for 5 years</u>	<u>24.00</u>	<u>13.75</u>	<u>10.25</u>
19 <u>Duplicate or replacement</u>	<u>11.00</u>	<u>8.75</u>	<u>2.25</u>
20 <u>Class O or M operator's license:</u>			
21 <u>Valid for 1 year or less</u>	<u>5.00</u>	<u>4.00</u>	<u>1.00</u>
22 <u>Valid for more than 1 year but not</u>			
23 <u>more than 2 years</u>	<u>10.00</u>	<u>6.75</u>	<u>3.25</u>
24 <u>Valid for more than 2 years but not</u>			

LB 998		LB 998		
1	<u>more than 3 years</u>	<u>14.00</u>	<u>8.00</u>	<u>6.00</u>
2	<u>Valid for more than 3 years but not</u>			
3	<u>more than 4 years</u>	<u>19.00</u>	<u>10.75</u>	<u>8.25</u>
4	<u>Valid for 5 years</u>	<u>24.00</u>	<u>13.75</u>	<u>10.25</u>
5	<u>Bioptic or telescopic lens restriction:</u>			
6	<u>Valid for 1 year or less</u>	<u>5.00</u>	<u>5.00</u>	<u>0</u>
7	<u>Valid for more than 1 year but not</u>			
8	<u>more than 2 years</u>	<u>10.00</u>	<u>6.75</u>	<u>3.25</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, endorsement,</u>			
11	<u>or restriction</u>	<u>5.00</u>	<u>5.00</u>	<u>0</u>
12	<u>Provisional operator's permit:</u>			
13	<u>Original</u>	<u>15.00</u>	<u>15.00</u>	<u>0</u>
14	<u>Bioptic or telescopic lens restriction:</u>			
15	<u>Valid for 1 year or less</u>	<u>5.00</u>	<u>5.00</u>	<u>0</u>
16	<u>Valid for more than 1 year but not</u>			
17	<u>more than 2 years</u>	<u>15.00</u>	<u>15.00</u>	<u>0</u>
18	<u>Duplicate or replacement</u>	<u>11.00</u>	<u>8.75</u>	<u>2.25</u>
19	<u>Add, change, or remove class, endorsement,</u>			
20	<u>or restriction</u>	<u>5.00</u>	<u>5.00</u>	<u>0</u>
21	<u>LPD-learner's permit:</u>			
22	<u>Original</u>	<u>8.00</u>	<u>5.25</u>	<u>2.75</u>
23	<u>Duplicate or replacement</u>	<u>11.00</u>	<u>8.75</u>	<u>2.25</u>
24	<u>Add, change, or remove class, endorsement,</u>			
25	<u>or restriction</u>	<u>5.00</u>	<u>5.00</u>	<u>0</u>

## LB 998

## LB 998

1	<u>LPE-learner's permit:</u>			
2	<u>Original</u>	<u>8.00</u>	<u>5.25</u>	<u>2.75</u>
3	<u>Duplicate or replacement</u>	<u>11.00</u>	<u>8.75</u>	<u>2.25</u>
4	<u>Add, change, or remove class, endorsement,</u>			
5	<u>or restriction</u>	<u>5.00</u>	<u>5.00</u>	<u>0</u>
6	<u>School permit:</u>			
7	<u>Original</u>	<u>8.00</u>	<u>5.25</u>	<u>2.75</u>
8	<u>Duplicate or replacement</u>	<u>11.00</u>	<u>8.75</u>	<u>2.25</u>
9	<u>Add, change, or remove class, endorsement,</u>			
10	<u>or restriction</u>	<u>5.00</u>	<u>5.00</u>	<u>0</u>
11	<u>Farm permit:</u>			
12	<u>Original or renewal</u>	<u>5.00</u>	<u>.25</u>	<u>4.75</u>
13	<u>Duplicate or replacement</u>	<u>5.00</u>	<u>.25</u>	<u>4.75</u>
14	<u>Temporary</u>	<u>5.00</u>	<u>.25</u>	<u>4.75</u>
15	<u>Add, change, or remove class, endorsement,</u>			
16	<u>or restriction</u>	<u>5.00</u>	<u>5.00</u>	<u>0</u>
17	<u>Driving permits:</u>			
18	<u>Employment</u>	<u>45.00</u>	<u>5.00</u>	<u>40.00</u>
19	<u>Medical hardship</u>	<u>45.00</u>	<u>5.00</u>	<u>40.00</u>
20	<u>Duplicate or replacement</u>	<u>10.00</u>	<u>5.25</u>	<u>4.75</u>
21	<u>Add, change, or remove class, endorsement,</u>			
22	<u>or restriction</u>	<u>5.00</u>	<u>5.00</u>	<u>0</u>
23	<u>Commercial driver's license:</u>			
24	<u>Valid for 1 year or less</u>	<u>11.00</u>	<u>6.75</u>	<u>4.25</u>
25	<u>Valid for more than 1 year but not</u>			

	LB 998		LB 998	
1	<u>more than 2 years</u>	<u>22.00</u>	<u>6.75</u>	<u>15.25</u>
2	<u>Valid for more than 2 years but not</u>			
3	<u>more than 3 years</u>	<u>33.00</u>	<u>6.75</u>	<u>26.25</u>
4	<u>Valid for more than 3 years but not</u>			
5	<u>more than 4 years</u>	<u>44.00</u>	<u>6.75</u>	<u>37.25</u>
6	<u>Valid for 5 years</u>	<u>55.00</u>	<u>6.75</u>	<u>48.25</u>
7	<u>Bioptic or telescopic lens restriction:</u>			
8	<u>Valid for one year or less</u>	<u>11.00</u>	<u>6.75</u>	<u>4.25</u>
9	<u>Valid for more than 1 year but not</u>			
10	<u>more than 2 years</u>	<u>22.00</u>	<u>6.75</u>	<u>15.25</u>
11	<u>Duplicate or replacement</u>	<u>11.00</u>	<u>8.75</u>	<u>2.25</u>
12	<u>Add, change, or remove class, endorsement,</u>			
13	<u>or restriction</u>	<u>10.00</u>	<u>6.75</u>	<u>3.25</u>
14	<u>LPC-learner's permit:</u>			
15	<u>Original or renewal</u>	<u>10.00</u>	<u>5.25</u>	<u>4.75</u>
16	<u>Duplicate or replacement</u>	<u>10.00</u>	<u>5.25</u>	<u>4.75</u>
17	<u>Add, change, or remove class, endorsement,</u>			
18	<u>or restriction</u>	<u>10.00</u>	<u>5.25</u>	<u>4.75</u>
19	<u>Seasonal permit:</u>			
20	<u>Original or renewal</u>	<u>10.00</u>	<u>5.25</u>	<u>4.75</u>
21	<u>Duplicate or replacement</u>	<u>10.00</u>	<u>5.25</u>	<u>4.75</u>
22	<u>Add, change, or remove class, endorsement,</u>			
23	<u>or restriction</u>	<u>10.00</u>	<u>5.25</u>	<u>4.75</u>
24	<u>School bus permit:</u>			
25	<u>Original or renewal</u>	<u>5.00</u>	<u>5.00</u>	<u>0</u>

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

4           (c) (i) The fee for an ignition interlock permit shall be  
5 forty-five dollars. Five dollars of the fee shall be remitted to  
6 the State Treasurer for credit to the Department of Motor Vehicles  
7 Cash Fund. Forty dollars of the fee shall be remitted to the State  
8 Treasurer for credit to the Probation Cash Fund.

9           (ii) The fee for a duplicate or replacement ignition  
10 interlock permit shall be ten dollars. Twenty-five cents of the  
11 fee shall be remitted to the county treasurer for credit to the  
12 county general fund. Five dollars of the fee shall be remitted to  
13 the State Treasurer for credit to the Department of Motor Vehicles  
14 Cash Fund. Four dollars and seventy-five cents of the fee shall be  
15 remitted to the State Treasurer for credit to the Probation Cash  
16 Fund.

17           (iii) The fee for adding, changing, or removing a class,  
18 endorsement, or restriction on an ignition interlock permit shall  
19 be five dollars. The fee shall be remitted to the State Treasurer  
20 for credit to the Department of Motor Vehicles Cash Fund.

21           (d) Department personnel may collect an identity security  
22 surcharge to cover the cost of security and technology practices  
23 used to protect the identity of applicants for and holders of  
24 operators' licenses and state identification cards and to reduce

1 identity theft, fraud, and forgery and counterfeiting of such  
2 licenses and cards to the maximum extent possible. The surcharge  
3 shall be in addition to all other required fees for operators'  
4 licenses and state identification cards. The amount of the  
5 surcharge shall be determined by the department. The surcharge  
6 shall not exceed eight dollars. The surcharge shall be remitted to  
7 the State Treasurer for credit to the Department of Motor Vehicles  
8 Cash Fund.

9 (e) Beginning on an implementation date designated by the  
10 director, the department may accept credit cards, charge cards,  
11 debit cards, or electronic funds transfers as a means of payment  
12 for an operator's license or a state identification card.

13 Sec. 8. Section 60-4,117, Revised Statutes Cumulative  
14 Supplement, 2008, is amended to read:

15 60-4,117 (1)(a) This subsection applies until the  
16 implementation date designated by the director pursuant to section  
17 60-462.02. Upon presentation of the certificate for an operator's  
18 license issued by the examining officer to the applicant for such  
19 license, the county treasurer shall issue such license to the  
20 applicant. The license shall be in full force and effect until  
21 the expiration date thereon, until officially revoked, suspended,  
22 canceled by an order of the director, or until ordered revoked or  
23 impounded by a court of competent jurisdiction.

24 (b) The operator's license shall be in a form prescribed  
25 by the department. The license may include security features

1 prescribed by the department. The license shall be conspicuously  
2 marked Nebraska Operator's License, shall be, to the maximum  
3 extent practicable, tamper proof, and shall include the following  
4 information:

5 (i) The name and residential and post office address of  
6 the holder;

7 (ii) The holder's color photograph or digital image;

8 (iii) A physical description of the holder, including  
9 sex, height, weight, and eye and hair colors;

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

11 (v) The holder's signature;

12 (vi) The class of motor vehicle which the holder is  
13 authorized to operate and any endorsements or restrictions;

14 (vii) The dates between which the license is valid;

15 (viii) The organ and tissue donation information  
16 specified in section 60-494, and

17 (ix) Such other facts and information as the director may  
18 determine.

19 (c) Machine-readable information encoded on an operator's  
20 license shall be limited to the information appearing on the face  
21 of the license.

22 (2)(a) (1)(a) This subsection subdivision applies  
23 beginning on until the implementation date designated by the  
24 director pursuant to section 60-462.02, 60-484. Upon presentation  
25 of an issuance certificate for an operator's license or state

1 identification card issued by department personnel to the  
2 applicant, the county treasurer shall collect the applicable fee  
3 and surcharge as prescribed in section 60-4,115 and issue a receipt  
4 which is valid for up to thirty days. If there is cause for an  
5 operator's license to be issued, the receipt shall also authorize  
6 driving privileges for such thirty-day period. The license or card  
7 shall be delivered as provided in section 60-4,113.

8 (b) This subdivision applies beginning on the  
9 implementation date designated by the director pursuant to  
10 section 60-484. Upon presentation of an issuance certificate for  
11 an operator's license or state identification card issued by  
12 department personnel to the applicant, department personnel shall  
13 collect the applicable fee and surcharge as prescribed in section  
14 60-4,115 and issue a receipt which is valid for up to thirty days.  
15 If there is cause for an operator's license to be issued, the  
16 receipt shall also authorize driving privileges for such thirty-day  
17 period. The license or card shall be delivered as provided in  
18 section 60-4,113.

19 ~~(b)~~ (2) The operator's license and state identification  
20 card shall be in a form prescribed by the department. The  
21 license and card may include security features prescribed by  
22 the department. The license and card shall be conspicuously marked  
23 Nebraska Operator's License or Nebraska Identification Card, shall  
24 be, to the maximum extent practicable, tamper and forgery proof,  
25 and shall include the following information:

1           ~~(i)~~ (a) The full legal name and principal residence  
2 address of the holder;  
3           ~~(ii)~~ (b) The holder's full facial digital image;  
4           ~~(iii)~~ (c) A physical description of the holder, including  
5 gender, height, weight, and eye and hair colors;  
6           ~~(iv)~~ (d) The holder's date of birth;  
7           ~~(v)~~ (e) The holder's signature;  
8           ~~(vi)~~ (f) The class of motor vehicle which the holder  
9 is authorized to operate and any applicable endorsements or  
10 restrictions;  
11           ~~(vii)~~ (g) The issuance and expiration date of the license  
12 or card;  
13           ~~(viii)~~ (h) The organ and tissue donation information  
14 specified in section 60-494; and  
15           ~~(ix)~~ (i) Such other marks and information as the director  
16 may determine.

17           ~~(e)~~ (3) Each operator's license and state identification  
18 card shall contain the following encoded, machine-readable  
19 information: The holder's full legal name; date of birth; gender;  
20 race or ethnicity; document issue date; document expiration date;  
21 principal residence address; unique identification number; revision  
22 date; inventory control number; and state of issuance.

23           Sec. 9. Section 60-4,118, Revised Statutes Cumulative  
24 Supplement, 2008, is amended to read:

25           60-4,118 (1) No operator's license shall be granted

1 to any applicant until such applicant ~~satisfies the examiner~~  
2 demonstrates that he or she possesses sufficient powers of eyesight  
3 to enable him or her to obtain a Class O license and to operate  
4 a motor vehicle on the highways of this state with a reasonable  
5 degree of safety. The ~~Department of Motor Vehicles,~~ department,  
6 with the advice of the Health Advisory Board, shall adopt and  
7 promulgate rules and regulations:

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

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

16 (2) If a vision aid is used by the applicant to meet  
17 the vision requirements of this section, the operator's license of  
18 the applicant shall be restricted to the use of such vision aid  
19 when operating the motor vehicle. If the applicant fails to meet  
20 the vision requirements, the ~~examiner shall require the applicant~~  
21 ~~to~~ shall present an optometrist's or ophthalmologist's statement  
22 certifying the vision reading obtained when testing the applicant  
23 within ninety days of the applicant's license examination. If the  
24 vision reading meets the vision requirements prescribed by the  
25 department, the vision requirements of this section shall have

1 been met. If the vision reading demonstrates that the applicant is  
2 required to use bioptic or telescopic lenses to operate a motor  
3 vehicle, the statement from the optometrist or ophthalmologist  
4 shall also indicate when the applicant needs to be reexamined  
5 for purposes of meeting the vision requirements for an operator's  
6 license as prescribed by the department. If such time period is two  
7 years or more after the date of the application, the license shall  
8 be valid for two years. If such time period is less than two years,  
9 the license shall be valid for such time period.

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

25 (4) (a) The director may, when requested by a law

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

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

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

21 (d) If in the opinion of the board, the person cannot  
22 qualify at the examination by the board, the board shall advise  
23 the director. If the director determines after consideration of the  
24 advice of the board that the person lacks the physical or mental  
25 ability to operate a motor vehicle, the director shall notify the

1 person in writing of the decision. Upon receipt of the notice, the  
2 person shall immediately surrender his or her operator's license to  
3 the director who shall cancel the person's operator's license.

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

8 Sec. 10. Section 60-4,119, Revised Statutes Cumulative  
9 Supplement, 2008, is amended to read:

10 60-4,119 (1) All state identification cards and  
11 operators' licenses, except farm permits and except as otherwise  
12 provided in subsection (2) of this section and section 60-4,120,  
13 shall include a color photograph or a digital image of the  
14 cardholder or licensee as provided in section 60-484.02. ~~State~~  
15 ~~identification cards and operators' licenses shall be issued by the~~  
16 ~~county treasurer or the Department of Motor Vehicles.~~ The director  
17 shall negotiate and enter into a contract to provide the necessary  
18 equipment, supplies, and forms for the issuance of the licenses  
19 and cards. All costs incurred by the ~~Department of Motor Vehicles~~  
20 department under this section shall be paid by the state out of  
21 appropriations made to the department. All costs of taking the  
22 photographs or digital images shall be paid by the issuer from the  
23 fees provided to the issuer pursuant to section 60-4,115.

24 (2) A Until the implementation date designated by the  
25 director pursuant to section 60-484, a person who is out of the

1 state at the time of renewal of his or her operator's license may  
2 apply for a license without a photograph upon payment of a fee as  
3 provided in section 60-4,115. The license 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.

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

13 Sec. 11. Section 60-4,120, Revised Statutes Cumulative  
14 Supplement, 2008, is amended to read:

15 60-4,120 ~~(1)~~ (1)(a) This subsection applies until the  
16 implementation date designated by the director pursuant to section  
17 60-484. Except as provided in subsection (4) of this section  
18 subdivision (d) of this subsection for persons temporarily out  
19 of the state, any person duly licensed or holding a valid state  
20 identification card issued under the Motor Vehicle Operator's  
21 License Act who loses his or her operator's license or card may  
22 obtain a duplicate upon filing with the county treasurer or the  
23 Department of Motor Vehieles department an application showing such  
24 loss and furnishing proof of identification in accordance with  
25 section sections 60-484 and 60-4,181. If satisfied that the loss

1 is genuine, the issuer shall cause to be issued, upon the payment  
2 of the fee prescribed in section 60-4,115, a duplicate license  
3 or card. No more than two duplicates of a license or card may  
4 be issued in this manner. Upon the issuance of any duplicate or  
5 replacement license or card, the license or card from which the  
6 duplicate or replacement is issued shall be void.

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

18 ~~(3)~~ (c) In the event a mutilated and unreadable  
19 operator's license is held by any person duly licensed under the  
20 act or a mutilated and unreadable state identification card which  
21 was issued under the act is held by a person, such person may  
22 obtain a replacement license or card upon showing the original  
23 mutilated or unreadable license or card to the county treasurer. A  
24 replacement license or card may be issued, without a photograph, to  
25 any person who is out of the state at the time of application for

1 the replacement license or card. Such license or card shall state  
2 on its face that it shall become invalid thirty days after such  
3 person resumes residence in the state. If the county treasurer is  
4 satisfied that the license or card is mutilated or unreadable, the  
5 county treasurer shall cause to be issued, upon the payment of the  
6 fee prescribed in section 60-4,115, a replacement license or card.

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

18 ~~(5)~~ (e) Any person holding a valid operator's license  
19 or state identification card without a photograph shall surrender  
20 such license or card to the treasurer of his or her county of  
21 residence within thirty days after resuming residency in this  
22 state. After the thirty-day period, such license or card shall be  
23 considered invalid. Upon the timely surrender of the license or  
24 card and payment of the fee prescribed in section 60-4,115, such  
25 person shall be issued an operator's license or card with a color

1 photograph or digital image of the licensee included.

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

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

15 (2)(a) This subsection applies beginning on the  
16 implementation date designated by the director pursuant to section  
17 60-484. Except as provided in subdivision (d) of this subsection  
18 for persons temporarily out of the state, any person duly licensed  
19 or holding a valid state identification card issued under the Motor  
20 Vehicle Operator's License Act who loses his or her operator's  
21 license or card may obtain a duplicate upon filing with the  
22 department an application showing such loss and furnishing proof  
23 of identification in accordance with sections 60-484 and 60-4,181.  
24 If satisfied that the loss is genuine, the department shall cause  
25 to be issued, upon the payment of the fee prescribed in section

1 60-4,115, a duplicate license or card. No more than two duplicates  
2 of a license or card may be issued in this manner. Upon the  
3 issuance of any duplicate or replacement license or card, the  
4 license or card from which the duplicate or replacement is issued  
5 shall be void.

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

17 (c) In the event a mutilated and unreadable operator's  
18 license is held by any person duly licensed under the act or a  
19 mutilated and unreadable state identification card which was issued  
20 under the act is held by a person, such person may obtain a  
21 replacement license or card upon showing the original mutilated or  
22 unreadable license or card to the department. Such license or card  
23 shall state on its face that it shall become invalid thirty days  
24 after such person resumes residence in the state. If the department  
25 is satisfied that the license or card is mutilated or unreadable,

1 the department shall cause to be issued, upon the payment of the  
2 fee prescribed in section 60-4,115, a replacement license or card.

3 (d) Any person holding a valid operator's license or  
4 state identification card without a photograph shall surrender such  
5 license or card to the department within thirty days after resuming  
6 residency in this state. After the thirty-day period, such license  
7 or card shall be considered invalid. Upon the timely surrender of  
8 the license or card and payment of the fee prescribed in section  
9 60-4,115, such person shall be issued an operator's license or card  
10 with a color photograph or digital image of the licensee included.

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

16 Sec. 12. Section 60-4,120.01, Revised Statutes Cumulative  
17 Supplement, 2008, is amended to read:

18 60-4,120.01 (1)(a) Any person who is at least sixteen  
19 years of age but less than eighteen years of age may be issued a  
20 provisional operator's permit by the Department of Motor Vehicles.  
21 The provisional operator's permit shall expire on the applicant's  
22 eighteenth birthday.

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

25 (i) Has possessed a valid LPD-learner's permit,

1 LPE-learner's permit, or SCP-school permit for at least a six-month  
2 period beginning on the date of issuance of such person's  
3 LPD-learner's permit, LPE-learner's permit, or SCP-school permit;  
4 and

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

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

15 (2) In order to obtain a provisional operator's permit,  
16 the applicant shall present (a)(i) proof of successful completion  
17 of a department-approved driver safety course which includes  
18 behind-the-wheel driving specifically emphasizing (A) the effects  
19 of the consumption of alcohol on a person operating a motor  
20 vehicle, (B) occupant protection systems, (C) risk assessment,  
21 and (D) railroad crossing safety and (ii) proof of successful  
22 completion of a written examination and driving test administered  
23 by a driver safety course instructor or (b) a certificate in a  
24 form prescribed by the department, signed by a parent, guardian,  
25 or licensed driver at least twenty-one years of age, verifying

1 that the applicant has completed fifty hours of lawful motor  
2 vehicle operation including at least ten hours of motor vehicle  
3 operation between sunset and sunrise, under conditions that reflect  
4 department-approved driver safety course curriculum, with a parent,  
5 guardian, or adult at least twenty-one years of age, who has  
6 a current Nebraska operator's license or who is licensed in  
7 another state. If the applicant presents such a certificate, the  
8 applicant shall be required to successfully complete a driving test  
9 administered by the department. The written examination shall be  
10 waived if the applicant has been issued a Nebraska LPD-learner's  
11 permit or has been issued a Nebraska LPE-learner's permit and  
12 such permit is valid or has been expired for no more than  
13 one year. However, the department shall not waive the written  
14 examination if the provisional operator's permit being applied  
15 for contains a class or endorsement which is different from the  
16 class or endorsement of the LPD-learner's or LPE-learner's permit.  
17 Upon presentation by the applicant of a form prescribed by the  
18 department showing successful completion of the driver safety  
19 course, the written examination and driving test may be waived.  
20 Upon presentation of the certificate, the written examination but  
21 not the driving test may be waived. The ~~examiner shall waive~~  
22 ~~the written examination and the driving test~~ shall be waived if  
23 the applicant has been issued a school permit and such permit is  
24 valid or has expired no more than one year prior to application.  
25 The written examination shall not be waived if the provisional

1 operator's permit being applied for contains a class or endorsement  
2 which is different from the class or endorsement of the school  
3 permit.

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

14 (b) The holder of a provisional operator's permit shall  
15 only operate a motor vehicle on the highways of this state during  
16 the first six months of holding the permit with no more than one  
17 passenger who is not an immediate family member and who is under  
18 nineteen years of age.

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

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

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

4           Sec. 13. Section 60-4,121, Reissue Revised Statutes of  
5 Nebraska, is amended to read:

6           60-4,121 (1) The operator's license of any person serving  
7 on active duty, other than members of the National Guard or  
8 reserves activated for training purposes only, outside the State  
9 of Nebraska as a member of the United States Armed Forces, or  
10 the spouse of any such person or a dependent of such member of  
11 the armed forces, shall be valid during such person's period of  
12 active duty and for not more than sixty days immediately following  
13 such person's date of separation from service\_ and shall be  
14 renewed after the expiration date without examination upon written  
15 application to the county treasurer who issued the license. No  
16 person shall be permitted to renew a license in such manner more  
17 than twice.

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

1 in such manner within ten days prior to his or her twenty-first  
2 birthday.

3           ~~(3)~~ The county treasurer also shall issue a renewal  
4 license, without examination, to any person whose license expired  
5 while serving in the armed forces of the United States, or the  
6 spouse of any such person or a dependent of such member of the  
7 armed forces, and who makes application for renewal within sixty  
8 days after his or her ~~(a)~~ discharge or return to the State of  
9 Nebraska to reside, whichever is later, or ~~(b)~~ return to the State  
10 of Nebraska while the member is still on active duty upon proof  
11 that such member is still on active duty.

12           ~~(4)~~ (2) Each individual who is applying for renewal  
13 of his or her operator's license shall submit his or her  
14 previous license to the examiner or, when the previous license  
15 is unavailable, furnish proof of identification in accordance with  
16 section 60-484.

17           Sec. 14. Section 60-4,123, Revised Statutes Cumulative  
18 Supplement, 2008, is amended to read:

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

1 waived for any person who has been issued an LPE-learner's permit,  
2 LPD-learner's permit, or SCP-school permit that has been expired  
3 for no more than one year.

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

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

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

25 ~~(4) The county treasurer shall collect the fee and~~

1 surcharge prescribed in section 60-4,115 for the issuance of each  
2 LPD-learner's permit.

3 Sec. 15. Section 60-4,124, Revised Statutes Cumulative  
4 Supplement, 2008, is amended to read:

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

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

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

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

24 (b) Under the personal supervision of a licensed  
25 operator. Such licensed operator shall be at least twenty-one years

1 of age and licensed by this state or another state and shall  
2 actually occupy the seat beside the permitholder or, in the case of  
3 a motorcycle or moped, if the permitholder is within visual contact  
4 of and under the supervision of, in the case of a motorcycle, a  
5 licensed motorcycle operator or, in the case of a moped, a licensed  
6 motor vehicle operator.

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

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

20 (5) (a) While holding the LPE-learner's permit, the person  
21 may operate a motor vehicle on the highways of this state if he  
22 or she has seated next to him or her a person who is a licensed  
23 operator or, in the case of a motorcycle or moped, if he or she is  
24 within visual contact of and is under the supervision of a person  
25 who, in the case of a motorcycle, is a licensed motorcycle operator

1 or, in the case of a moped, is a licensed motor vehicle operator.  
2 Such licensed motor vehicle or motorcycle operator shall be at  
3 least twenty-one years of age and licensed by this state or another  
4 state.

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

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

19 Sec. 16. Section 60-4,127, Revised Statutes Cumulative  
20 Supplement, 2008, is amended to read:

21 60-4,127 (1) No person shall operate a motorcycle on the  
22 alleys or highways of the State of Nebraska until such person has  
23 obtained a Class M license. No such license shall be issued until  
24 the applicant has (a) met the vision and physical requirements  
25 established under section 60-4,118 for operation of a motor vehicle

1 and (b) successfully completed an examination, including the actual  
2 operation of a motorcycle, prescribed by the director, except  
3 that the required examination may be waived, including the actual  
4 operation of a motorcycle, if the applicant presents proof of  
5 successful completion of a motorcycle safety course under the  
6 Motorcycle Safety Education Act within the immediately preceding  
7 forty-eight months.

8 ~~(2)(a) This subdivision applies until the implementation~~  
9 ~~date designated by the director pursuant to section 60-462.02. Any~~  
10 ~~applicant who qualifies for a Class M license shall be issued a~~  
11 ~~license for such operation by the county treasurer as provided~~  
12 ~~for the issuance of an operator's license. If the applicant is~~  
13 ~~the holder of an operator's license, the county treasurer shall,~~  
14 ~~upon receipt of the examiner's certificate, have endorsed on the~~  
15 ~~license the authorization to operate a motorcycle. Fees for Class M~~  
16 ~~licenses shall be as provided by section 60-4,115.~~

17 ~~(b) (2)(a) This subdivision applies beginning on until~~  
18 ~~the implementation date designated by the director pursuant~~  
19 ~~to section 60-462.02. 60-484. Upon presentation of an issuance~~  
20 ~~certificate, the county treasurer shall collect the fee and~~  
21 ~~surcharge for a Class M license as prescribed by section 60-4,115~~  
22 ~~and issue a receipt with driving privileges which is valid for~~  
23 ~~up to thirty days. The license shall be delivered as provided in~~  
24 ~~section 60-4,113. If the applicant is the holder of an operator's~~  
25 ~~license, the county treasurer shall, upon receipt of the examiner's~~

1 certificate, have endorsed on the license the authorization to  
2 operate a motorcycle. Fees for Class M licenses shall be as  
3 provided by section 60-4,115.

4 (b) This subdivision applies beginning on the  
5 implementation date designated by the director pursuant to section  
6 60-484. Upon presentation of an issuance certificate, department  
7 personnel shall collect the fee and surcharge for a Class M license  
8 as prescribed by section 60-4,115 and issue a receipt with driving  
9 privileges which is valid for up to thirty days. The license shall  
10 be delivered as provided in section 60-4,113. If the applicant is  
11 the holder of an operator's license, department personnel shall,  
12 upon receipt of the examiner's certificate, have endorsed on the  
13 license the authorization to operate a motorcycle. Fees for Class M  
14 licenses shall be as provided by section 60-4,115.

15 Sec. 17. Section 60-4,141, Revised Statutes Cumulative  
16 Supplement, 2008, is amended to read:

17 60-4,141 (1) Except as provided in subsections (2)  
18 and (3) of this section, no person shall operate any class  
19 of commercial motor vehicle upon the highways of this state  
20 unless such person possesses a valid commercial driver's license  
21 authorizing the operation of the class of commercial motor vehicle  
22 being operated, except that (a) any person possessing a valid  
23 commercial driver's license authorizing the operation of a Class  
24 A commercial motor vehicle may lawfully operate any Class B  
25 or C commercial motor vehicle and (b) any person possessing

1 a valid commercial driver's license authorizing the operation  
2 of a Class B commercial motor vehicle may lawfully operate a  
3 Class C commercial motor vehicle. No person shall operate upon  
4 the highways of this state any commercial motor vehicle which  
5 requires a specific endorsement unless such person possesses a  
6 valid commercial driver's license with such endorsement. No person  
7 possessing a restricted commercial driver's license shall operate  
8 upon the highways of this state any commercial motor vehicle to  
9 which such restriction is applicable.

10 (2) Any person holding an LPC-learner's permit may  
11 operate a commercial motor vehicle for learning purposes upon  
12 the highways of this state if accompanied by a person who is  
13 twenty-one years of age or older, who holds a commercial driver's  
14 license valid for the class of commercial motor vehicle being  
15 operated, and who occupies the seat beside the person for the  
16 purpose of giving instruction in the operation of the commercial  
17 motor vehicle. Any person holding an LPC-learner's permit may  
18 operate a commercial motor vehicle upon the highways of this  
19 state for purposes of taking a driving skills examination if  
20 accompanied by ~~an examiner who is~~ department personnel designated  
21 by the director under section 60-4,149 or employed by a third-party  
22 tester certified pursuant to section 60-4,158 and who occupies the  
23 seat beside the person for the purpose of giving the examination.  
24 A person holding an LPC-learner's permit shall not operate a  
25 commercial motor vehicle transporting hazardous materials.

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

17           (4) Any person who operates a commercial motor vehicle  
18 upon the highways of this state in violation of this section shall,  
19 upon conviction, be guilty of a Class III misdemeanor.

20           Sec. 18. Section 60-4,142, Revised Statutes Cumulative  
21 Supplement, 2008, is amended to read:

22           60-4,142 (1) This subsection applies until the  
23 implementation date designated by the director pursuant to section  
24 60-484. Any resident may obtain, on a form to be prescribed by  
25 the director, an LPC-learner's permit from the county treasurer

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

17 (2) This subsection applies beginning on the  
18 implementation date designated by the director pursuant to  
19 section 60-484. Any resident may obtain an LPC-learner's permit  
20 by making application to department personnel. An applicant shall  
21 present proof to department personnel that he or she holds a  
22 valid Class O license or commercial driver's license or shall  
23 successfully complete the requirements for the Class O license  
24 before an LPC-learner's permit is issued. An applicant shall also  
25 successfully complete the commercial driver's license general

1 knowledge examination under section 60-4,155. Upon application, the  
 2 examination may be waived if the applicant presents a Nebraska  
 3 commercial driver's license which is valid or has been expired for  
 4 less than one year, presents a valid commercial driver's license  
 5 from another state, or is renewing an LPC-learner's permit. The  
 6 LPC-learner's permit shall be valid for a period of six months and  
 7 shall be renewed only once within any two-year period.

8           Sec. 19. Section 60-4,144, Revised Statutes Cumulative  
 9 Supplement, 2008, is amended to read:

10           60-4,144 (1)(a) This subsection applies until the  
 11 implementation date designated by the director pursuant to section  
 12 60-462.02. Application for any original or renewal commercial  
 13 driver's license or application for any change of class of  
 14 commercial motor vehicle, endorsement, or restriction may be made  
 15 in a manner prescribed by the department. Such application may be  
 16 made to an examiner in any county. The examiner shall personally  
 17 conduct the examination of the applicant and deliver to each  
 18 successful applicant an examiner's certificate containing the  
 19 statements made pursuant to subdivision (b) of this subsection.

20           (b) The application or examiner's certificate shall  
 21 include the voter registration portion pursuant to section 32-308,  
 22 the advisement language required by subsection (5) of section  
 23 60-6,197, and the following:

24           (i) The full name, the current mailing address, and the  
 25 residential address of the applicant, except that if the applicant

1 is a program participant under the Address Confidentiality Act, he  
 2 or she need not supply his or her residential address;

3           (ii) A physical description of the applicant, including  
 4 sex, height, weight, and eye and hair colors;

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

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

7           (v) The applicant's signature;

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

12           (vii) The certification required pursuant to section  
 13 60-4,145 or 60-4,146;

14           (viii) Beginning September 30, 2005, the names of all  
 15 states where the applicant has been licensed to operate any type of  
 16 motor vehicle in the ten years prior to the date of application;

17           (ix) The following specific questions:

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

21           (I) lost voluntary control or consciousness ... yes ...

22           no

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

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

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

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

4           Please explain: .....

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

9           Please explain: .....

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

13          Please explain, including how the above affects your  
14 ability to drive: .....

15          ~~(x)~~ Do you wish to register to vote as part of this  
16 application process?

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

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

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

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

25          ~~(e)~~ Application shall be made under oath or affirmation

1 of the applicant.

2           ~~(2)~~ This subsection applies beginning on the  
3 implementation date designated by the director pursuant to  
4 section ~~60-462.02~~. An applicant for any original or renewal  
5 commercial driver's license or an applicant for a change of  
6 class of commercial motor vehicle, endorsement, or restriction  
7 shall demonstrate his or her knowledge and skills for operating  
8 a commercial motor vehicle as prescribed in the Motor Vehicle  
9 Operator's License Act. An applicant for a commercial driver's  
10 license shall provide the information and documentation required by  
11 this section and section 60-484. Such information and documentation  
12 shall include:

13           ~~(a)~~ (1) Certification that the commercial motor vehicle  
14 in which the applicant takes any driving skills examination is  
15 representative of the class of commercial motor vehicle that the  
16 applicant operates or expects to operate;

17           ~~(b)~~ (2) The certification required pursuant to section  
18 60-4,145 or 60-4,146; and

19           ~~(c)~~ (3) The names of all states where the applicant has  
20 been licensed to operate any type of motor vehicle in the ten years  
21 prior to the date of application.

22           Sec. 20. Section 60-4,145, Revised Statutes Cumulative  
23 Supplement, 2008, is amended to read:

24           60-4,145 Upon making any application pursuant to section  
25 60-4,144, any applicant who operates or expects to operate a

1 commercial motor vehicle in interstate or foreign commerce and  
2 who is subject to 49 C.F.R. part 391 adopted pursuant to section  
3 75-363 shall certify that the applicant meets the qualification  
4 requirements of 49 C.F.R. part 391. A Department personnel  
5 examining an applicant for a commercial driver's license ~~examiner~~  
6 may require any applicant making certification pursuant to this  
7 section to demonstrate, with or without the aid of corrective  
8 devices, sufficient powers of eyesight to enable him or her to  
9 operate a commercial motor vehicle in conformance with the minimum  
10 vision requirements of 49 C.F.R. part 391 adopted pursuant to  
11 section 75-363. If, from the examination given, it appears that  
12 any applicant's powers of eyesight are such that he or she cannot  
13 meet the minimum vision requirements, the ~~examiner shall allow the~~  
14 applicant ~~to~~ shall present an ophthalmologist's or optometrist's  
15 certificate to the effect that the applicant has sufficient  
16 powers of eyesight for such purpose before issuing a commercial  
17 driver's license to the applicant. If the examination given by ~~the~~  
18 ~~commercial driver's license examiner~~ department personnel or the  
19 ophthalmologist's or optometrist's certificate indicates that the  
20 applicant must wear a corrective device to meet the minimum vision  
21 requirements established by this section, the applicant shall have  
22 the use of the commercial driver's license issued to him or her  
23 restricted to wearing a corrective device while operating a motor  
24 vehicle. An applicant who has been issued a waiver or exemption  
25 by the Federal Motor Carrier Safety Administration from the vision

1 requirements set forth in 49 C.F.R. 391.41(b)(10) may be issued an  
2 interstate commercial driver's license without meeting the vision  
3 requirements set forth in 49 C.F.R. 391.41(b)(10).

4 Sec. 21. Section 60-4,149, Revised Statutes Cumulative  
5 Supplement, 2008, is amended to read:

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

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

1           ~~(3)(a) This subdivision applies until the implementation~~  
2           ~~date designated by the director pursuant to section 60-462.02. The~~  
3           ~~successful applicant shall, within thirty days, present his or her~~  
4           ~~certificate to the county treasurer who shall immediately issue~~  
5           ~~the commercial driver's license and collect the fee. The county~~  
6           ~~treasurer shall report the issuance of commercial drivers' licenses~~  
7           ~~and LPC-learners' permits to the department within five days after~~  
8           ~~issuance.~~

9           ~~(b) This subdivision applies beginning on the~~  
10           ~~implementation date designated by the director pursuant to section~~  
11           ~~60-462.02. (c) The successful applicant shall, within thirty days,~~  
12           ~~present his or her issuance certificate to the county treasurer who~~  
13           ~~shall collect the fee and surcharge as provided in section 60-4,115~~  
14           ~~and issue a receipt with driving privileges which is valid for up~~  
15           ~~to thirty days. The commercial driver's license shall be delivered~~  
16           ~~to the applicant as provided in section 60-4,113.~~

17           (2)(a) This subsection applies beginning on the  
18           implementation date designated by the director pursuant to section  
19           60-484. Except as provided for by section 60-4,157, all commercial  
20           driver's license examinations shall be conducted by department  
21           personnel designated by the director. Department personnel shall  
22           deliver to each successful applicant a certificate entitling the  
23           applicant to secure a commercial driver's license. If department  
24           personnel refuses to issue such certificate for cause, he or she  
25           shall state such cause in writing and deliver the same to the

1 applicant. Department personnel are not required to hold commercial  
2 driver's licenses to administer driving skills examinations and  
3 occupy the seat beside applicants for commercial driver's licenses.

4 (b) The successful applicant shall, within thirty days,  
5 present his or her issuance certificate to the department. The  
6 department shall collect the fee and surcharge as provided in  
7 section 60-4,115 and issue a receipt with driving privileges  
8 which is valid for up to thirty days. The commercial driver's  
9 license shall be delivered to the applicant as provided in section  
10 60-4,113.

11 Sec. 22. Section 60-4,149.01, Revised Statutes Cumulative  
12 Supplement, 2008, is amended to read:

13 60-4,149.01 (1) A Department personnel examining an  
14 applicant for a commercial driver's license examiner shall not  
15 require the commercial driver's license knowledge examination,  
16 except the hazardous material portion of the examination and any  
17 knowledge examinations not previously taken for that class of  
18 commercial motor vehicle or endorsement, if the applicant renews  
19 his or her commercial driver's license prior to its expiration or  
20 within one year after its expiration and if the applicant's driving  
21 record abstract maintained in the department's computerized records  
22 shows that his or her commercial driver's license is not suspended,  
23 revoked, canceled, or disqualified.

24 (2) A nonresident who holds a valid commercial driver's  
25 license from another state shall not be required to take the

1 commercial driver's license knowledge examination, except the  
2 hazardous material portion of the examination and any knowledge  
3 examinations not previously taken for that class of commercial  
4 motor vehicle or endorsement, if the nonresident surrenders his  
5 or her valid out-of-state commercial driver's license to ~~the~~  
6 ~~commercial driver's license examiner.~~ department personnel.

7 (3) The commercial motor vehicle general knowledge  
8 examination shall be waived for the commercial driver's license  
9 applicant if the applicant holds a Nebraska-issued LPC-learner's  
10 permit that is valid or has been expired less than one year that is  
11 not canceled, suspended, revoked, or disqualified.

12 Sec. 23. Section 60-4,150, Revised Statutes Cumulative  
13 Supplement, 2008, is amended to read:

14 60-4,150 (1) Any person holding a commercial driver's  
15 license who loses his or her license, who requires issuance of  
16 a replacement license because of a change of name or address, or  
17 whose license is mutilated or unreadable may obtain a duplicate or  
18 replacement commercial driver's license by filing an application  
19 and affidavit and by furnishing proof of identification in  
20 accordance with section 60-484.

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

24 ~~(3)(a) This subdivision applies until the implementation~~  
25 ~~date designated by the director pursuant to section 60-462.02.~~

1 Upon the examiner being satisfied that a duplicate or replacement  
2 commercial driver's license should be issued, the applicant shall  
3 receive such license upon payment of the fee prescribed in section  
4 60-4,115 to the county treasurer.

5 ~~(b)~~ (3)(a) This subdivision applies beginning ~~on~~ until  
6 the implementation date designated by the director pursuant to  
7 section ~~60-462.02.~~ 60-484. A duplicate or replacement commercial  
8 driver's license shall be delivered to the applicant as provided in  
9 section 60-4,113 after the county treasurer collects the fee and  
10 surcharge prescribed in section 60-4,115 and issues the applicant  
11 a receipt with driving privileges which is valid for up to thirty  
12 days.

13 (b) This subdivision applies beginning on the  
14 implementation date designated by the director pursuant to section  
15 60-484. A duplicate or replacement commercial driver's license  
16 shall be delivered to the applicant as provided in section  
17 60-4,113 after department personnel collects the fee and surcharge  
18 prescribed in section 60-4,115 and issues the applicant a receipt  
19 with driving privileges which is valid for up to thirty days.

20 (4) Duplicate and replacement commercial drivers'  
21 licenses shall be issued in the manner provided for the issuance of  
22 original and renewal commercial drivers' licenses as provided for  
23 by section 60-4,149. Upon issuance of any duplicate or replacement  
24 commercial driver's license, the commercial driver's license for  
25 which the duplicate or replacement license is issued shall be void.

1           Sec. 24. Section 60-4,151, Revised Statutes Cumulative  
2 Supplement, 2008, is amended to read:

3           60-4,151 ~~(1)(a)~~ (1) The commercial driver's license shall  
4 be conspicuously marked Nebraska Commercial Driver's License and  
5 shall be, to the maximum extent practicable, tamper and forgery  
6 proof. The form of the commercial driver's license shall comply  
7 with section 60-4,117.

8           ~~(b) This subdivision applies until the implementation~~  
9 ~~date designated by the director pursuant to section 60-462.02.~~  
10 The commercial driver's license shall include the following  
11 information:

12           ~~(i) The name and residential address of the holder;~~  
13           ~~(ii) The holder's color photograph or digital image;~~  
14           ~~(iii) A physical description of the holder, including~~  
15 ~~sex, height, weight, and eye and hair colors;~~

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

17           ~~(v) The holder's signature;~~

18           ~~(vi) The class of commercial motor vehicle or vehicles~~  
19 ~~which the holder is authorized to operate, including any~~  
20 ~~endorsements or restrictions;~~

21           ~~(vii) The dates between which the commercial driver's~~  
22 ~~license is valid; and~~

23           ~~(viii) The organ and tissue donor information specified~~  
24 ~~in section 60-494.~~

25           ~~(c) This subdivision applies beginning on the~~

1 ~~implementation date designated by the director pursuant to section~~  
2 ~~60-462.02. The form of the commercial driver's license shall also~~  
3 ~~comply with section 60-4,117.~~

4 (2) The restricted commercial driver's license shall  
5 be conspicuously marked Nebraska Restricted Commercial Driver's  
6 License and shall be, to the maximum extent practicable, tamper  
7 and forgery proof. The form of the restricted commercial driver's  
8 license shall comply with section 60-4,117 and shall contain such  
9 additional information as deemed necessary by the director.

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

15 Sec. 25. Section 60-4,156, Reissue Revised Statutes of  
16 Nebraska, is amended to read:

17 60-4,156 A Department personnel examining an applicant  
18 for a commercial driver's license examiner may waive the driving  
19 skills examination when an applicant provides, on a form prescribed  
20 by the director, certification that during the two-year period  
21 immediately prior to the date of application he or she:

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

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

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

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

6           (5) Has not been convicted of any violation of state law  
7 or local ordinance related to motor vehicle traffic control arising  
8 in connection with any traffic accident and has no record of an  
9 accident when the applicant was at fault; and

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

18           Sec. 26. Section 60-4,157, Reissue Revised Statutes of  
19 Nebraska, is amended to read:

20           60-4,157 A (1) Department personnel examining an  
21 applicant for a commercial driver's license ~~examiner~~ may waive the  
22 driving skills examination when an applicant presents evidence,  
23 on a form to be prescribed by the director, that he or she has  
24 successfully passed a driving skills examination administered by  
25 a third-party tester.

1           (2) For purposes of this section and section 60-4,158,  
2 third-party tester shall mean means another state's licensing  
3 authority, any agency, department, board, or commission of this  
4 state, any employer, any public or private driver training  
5 facility, or any political subdivision of this state authorized  
6 by the director to conduct the driving skills examination for the  
7 issuance of commercial drivers' licenses.

8           Sec. 27. Section 60-4,181, Revised Statutes Cumulative  
9 Supplement, 2008, is amended to read:

10           60-4,181 (1)(a) This subsection applies until the  
11 implementation date designated by the director pursuant to section  
12 60-462.02. A state identification card shall be issued by the  
13 county treasurer after the person requesting the card (i) files an  
14 application or examiner's certificate with an examining officer,  
15 (ii) furnishes two forms of proof of identification described  
16 in section 60-484, and (iii) pays the fee prescribed in section  
17 60-4,115 to the county treasurer. The state identification card  
18 shall contain the organ and tissue donor information specified in  
19 section 60-494.

20           (b) The application or examiner's certificate shall  
21 include the name, age, post office address, place of residence  
22 unless the applicant is a program participant under the Address  
23 Confidentiality Act, date of birth, sex, social security number,  
24 and physical description of the applicant, the voter registration  
25 portion pursuant to section 32-308, and the following:

1           ~~(i) Do you wish to register to vote as part of this~~  
2     ~~application process?~~

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

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

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

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

15           ~~(2) (1)(a) This subsection subdivision applies beginning~~  
16    ~~on until the implementation date designated by the director~~  
17    ~~pursuant to section ~~60-462.02.~~ 60-484. Each applicant for a state~~  
18    ~~identification card shall provide the information and documentation~~  
19    ~~required by section 60-484. The form of the state identification~~  
20    ~~card shall comply with section 60-4,117. Upon presentation of~~  
21    ~~an applicant's issuance certificate, the county treasurer shall~~  
22    ~~collect the fee and surcharge as prescribed in section 60-4,115 and~~  
23    ~~issue a receipt to the applicant which is valid up to thirty days.~~  
24    ~~The state identification card shall be delivered to the applicant~~  
25    ~~as provided in section 60-4,113.~~

1           (b) This subdivision applies beginning on the  
2 implementation date designated by the director pursuant to section  
3 60-484. Each applicant for a state identification card shall  
4 provide the information and documentation required by section  
5 60-484. The form of the state identification card shall comply  
6 with section 60-4,117. Upon presentation of an applicant's issuance  
7 certificate, department personnel shall collect the fee and  
8 surcharge as prescribed in section 60-4,115 and issue a receipt  
9 to the applicant which is valid up to thirty days. The state  
10 identification card shall be delivered to the applicant as provided  
11 in section 60-4,113.

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

24           Sec. 28. Section 60-1515, Revised Statutes Cumulative  
25 Supplement, 2008, is amended to read:

1                   60-1515 (1) The Legislature hereby finds and declares  
2 that a statewide system for the collection, storage, and transfer  
3 of data on vehicle titles and registration and the cooperation  
4 of state and local government in implementing such a system is  
5 essential to the efficient operation of state and local government  
6 in vehicle titling and registration. The Legislature hereby finds  
7 and declares that the electronic issuance of operators' licenses  
8 and state identification cards using a digital system as described  
9 in section 60-484.01 and the cooperation of state and local  
10 government in implementing such a system is essential to the  
11 efficient operation of state and local government in issuing  
12 operators' licenses and state identification cards.

13                   (2) It is therefor the intent of the Legislature that  
14 the Department of Motor Vehicles shall use a portion of the fees  
15 appropriated by the Legislature to the Department of Motor Vehicles  
16 Cash Fund as follows:

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

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

4           (c) To pay for the costs of an operator's license system  
5 as specified in sections 60-484.01 and 60-4,119 and designated  
6 by the department. The costs shall be limited to such terminals,  
7 printers, software, programming, and other equipment or devices as  
8 deemed necessary by the department to support the issuance of such  
9 licenses and state identification cards ~~in the counties~~ and by the  
10 department; and

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

13           Sec. 29. Original sections 60-495, 60-498, 60-4,114,  
14 60-4,121, 60-4,156, and 60-4,157, Reissue Revised Statutes of  
15 Nebraska, sections 60-484, 60-493, 60-4,113, 60-4,117, 60-4,118,  
16 60-4,119, 60-4,120, 60-4,120.01, 60-4,123, 60-4,124, 60-4,127,  
17 60-4,141, 60-4,142, 60-4,144, 60-4,145, 60-4,149, 60-4,149.01,  
18 60-4,150, 60-4,151, 60-4,181, and 60-1515, Revised Statutes  
19 Cumulative Supplement, 2008, and section 60-4,115, Revised Statutes  
20 Supplement, 2009, are repealed.