

AMENDMENTS TO LB311

Introduced by Friesen, 34.

1 1. Strike original section 1 and insert the following new sections:

2 Section 1. Section 60-462, Revised Statutes Supplement, 2015, is
3 amended to read:

4 60-462 Sections 60-462 to 60-4,189 and sections 3 and 11 of this act
5 shall be known and may be cited as the Motor Vehicle Operator's License
6 Act.

7 Sec. 5. Section 60-479, Revised Statutes Cumulative Supplement,
8 2014, is amended to read:

9 60-479 Sections 60-479.01 to 60-4,111.01, 60-4,113, 60-4,114,
10 60-4,115 to 60-4,118, and 60-4,182 to 60-4,189 and section 11 of this act
11 shall apply to any operator's license subject to the Motor Vehicle
12 Operator's License Act.

13 Sec. 6. Section 60-484, Revised Statutes Cumulative Supplement,
14 2014, is amended to read:

15 60-484 (1) Except as otherwise provided in the Motor Vehicle
16 Operator's License Act, no resident of the State of Nebraska shall
17 operate a motor vehicle upon the alleys or highways of this state until
18 the person has obtained an operator's license for that purpose.

19 (2) Application for an operator's license or a state identification
20 card shall be made in a manner prescribed by the department.—Such
21 application may be made to department personnel in any county. Department
22 personnel shall conduct the examination of the applicant and deliver to
23 each successful applicant an issuance certificate containing the
24 statements made pursuant to subsection (3) of this section.

25 (3) The applicant shall provide his or her full legal name, date of
26 birth, mailing address, gender, race or ethnicity, and social security
27 number, two forms of proof of address of his or her principal residence

1 unless the applicant is a program participant under the Address
2 Confidentiality Act, evidence of identity as required by subsection (6)
3 of this section, and a brief physical description of himself or herself.
4 The applicant (a) may also complete the voter registration portion
5 pursuant to section 32-308, (b) shall be provided the advisement language
6 required by subsection (5) of section 60-6,197, (c) shall answer the
7 following:

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

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

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

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

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

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

17 Please explain:

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

22 Please explain:

23 (iii) Since the issuance of your last driver's license/permit, has
24 your health or medical condition changed or worsened? ... yes ... no

25 Please explain, including how the above affects your ability to
26 drive:, and (d) may answer the following:

27 (i) Do you wish to register to vote as part of this application
28 process?

29 (ii) Do you wish to have the word "veteran" displayed on the front
30 of your operator's license or state identification card to show that you
31 served in the armed forces of the United States? (To be eligible you must

1 register with the Nebraska Department of Veterans' Affairs registry.)

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

4 (iii) Do you wish to be an organ and tissue donor?

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

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

9 (4) Application for an operator's license or state identification
10 card shall include a signed oath, affirmation, or declaration of the
11 applicant that the information provided on the application for the
12 license or card is true and correct.

13 (5) The social security number shall not be printed on the
14 operator's license or state identification card and shall be used only
15 (a) to furnish information to the United States Selective Service System
16 under section 60-483, (b) with the permission of the director in
17 connection with the verification of the status of an individual's driving
18 record in this state or any other state, (c) for purposes of child
19 support enforcement pursuant to section 42-358.08 or 43-512.06, (d) to
20 furnish information regarding an applicant for or holder of a commercial
21 driver's license with a hazardous materials endorsement to the
22 Transportation Security Administration of the United States Department of
23 Homeland Security or its agent, (e) to furnish information to the
24 Department of Revenue under section 77-362.02, or (f) to furnish
25 information to the Secretary of State for purposes of the Election Act.

26 (6)(a) Each individual applying for an operator's license or a state
27 identification card shall furnish proof of date of birth and identity
28 with documents containing a photograph or with nonphoto identity
29 documents which include his or her full legal name and date of birth.
30 Such documents shall be those provided in subsection (1) of section
31 60-484.04.

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

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

15 (7) Any individual applying for an operator's license or a state
16 identification card who indicated his or her wish to have the word
17 "veteran" displayed on the front of such license or card shall comply
18 with section 60-4,189.

19 (8) No person shall be a holder of an operator's license and a state
20 identification card at the same time.

21 Sec. 7. Section 60-493, Reissue Revised Statutes of Nebraska, is
22 amended to read:

23 60-493 (1) When a person applies for an operator's license or state
24 identification card, the county treasurer or licensing staff ~~examiner~~ of
25 the Department of Motor Vehicles shall distribute a brochure provided by
26 an organ and tissue procurement organization and approved by the
27 Department of Health and Human Services containing a description and
28 explanation of the Revised Uniform Anatomical Gift Act to each person
29 applying for a new or renewal license or card.

30 (2) If an individual desires to receive additional specific
31 information regarding organ and tissue donation and the Donor Registry of

1 Nebraska as indicated on an application and retained by the department or
2 ~~examiner's certificate~~ under section 60-484, 60-4,144, or 60-4,181, the
3 department shall notify a representative of the federally designated
4 organ procurement organization for Nebraska within five working days of
5 the name and address of such individual.

6 Sec. 8. Section 60-495, Reissue Revised Statutes of Nebraska, is
7 amended to read:

8 60-495 (1) The director shall adopt and promulgate such rules and
9 regulations and prepare and furnish all forms and information necessary
10 to carry out sections 60-493 to 60-495 and the duties of the department
11 under the Revised Uniform Anatomical Gift Act.

12 (2) The Organ and Tissue Donor Awareness and Education Fund is
13 created. Department personnel and the ~~The~~ county treasurer shall remit
14 all funds contributed under sections 60-484, 60-4,144, and 60-4,181 to
15 the State Treasurer for credit to the fund. The Department of Health and
16 Human Services shall administer the Organ and Tissue Donor Awareness and
17 Education Fund for the promotion of organ and tissue donation. The
18 department shall use the fund to assist organizations such as the
19 federally designated organ procurement organization for Nebraska and the
20 State Anatomical Board in carrying out activities which promote organ and
21 tissue donation through the creation and dissemination of educational
22 information. Any money in the fund available for investment shall be
23 invested by the state investment officer pursuant to the Nebraska Capital
24 Expansion Act and the Nebraska State Funds Investment Act.

25 Sec. 9. Section 60-4,113, Revised Statutes Cumulative Supplement,
26 2014, is amended to read:

27 60-4,113 (1) ~~The In and for each county in the State of Nebraska,~~
28 the director shall appoint as his or her agents one or more department
29 personnel who shall examine all applicants for a state identification
30 card or an operator's license as provided in section 60-4,114, except as
31 otherwise provided in subsection (8) of section 60-4,122. The same

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

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

25 Sec. 10. Section 60-4,115, Revised Statutes Cumulative Supplement,
26 2014, is amended to read:

27 60-4,115 (1) Fees for operators' licenses and state identification
28 cards shall be collected by department personnel or the county treasurer
29 and distributed according to the table in subsection (2) of this section,
30 except for the ignition interlock permit and associated fees as outlined
31 in subsection (4) of this section. County officials shall remit the

1 county portion of the fees collected to the county treasurer for
 2 placement in the county general fund. All other fees collected shall be
 3 remitted to the State Treasurer for credit to the appropriate fund.

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

| 6 | 7 | 8 | 6 Department | | | |
|-----------------------------|-------|------|--------------|----------|----------|----------|
| | | | 9 | County | of Motor | State |
| | | | | Document | General | Vehicles |
| 10 | 11 | 12 | 13 | 14 | 15 | |
| 16 | 17 | 18 | 19 | 20 | 21 | |
| 22 | 23 | 24 | 25 | 26 | 27 | |
| 28 | 29 | 30 | 31 | 32 | 33 | |
| State identification card: | | | | | | |
| Valid for 1 year or less | 5.00 | 2.75 | 1.25 | 1.00 | | |
| Valid for more than 1 year | | | | | | |
| but not more than 2 years | 10.00 | 2.75 | 4.00 | 3.25 | | |
| Valid for more than 2 years | | | | | | |
| but not more than 3 years | 14.00 | 2.75 | 5.25 | 6.00 | | |
| Valid for more than 3 years | | | | | | |
| but not more than 4 years | 19.00 | 2.75 | 8.00 | 8.25 | | |
| Valid for more than 4 years | | | | | | |
| for person under 21 | 24.00 | 2.75 | 10.25 | 11.00 | | |
| Valid for 5 years | 24.00 | 3.50 | 10.25 | 10.25 | | |
| Replacement | 11.00 | 2.75 | 6.00 | 2.25 | | |
| Class 0 or M operator's | | | | | | |
| license: | | | | | | |
| Valid for 1 year or less | 5.00 | 2.75 | 1.25 | 1.00 | | |
| Valid for more than 1 year | | | | | | |
| but not more than 2 years | 10.00 | 2.75 | 4.00 | 3.25 | | |
| Valid for more than 2 years | | | | | | |
| but not more than 3 years | 14.00 | 2.75 | 5.25 | 6.00 | | |
| Valid for more than 3 years | | | | | | |

| | | | | | |
|----|--------------------------------|-------|------|-------|-------|
| 1 | but not more than 4 years | 19.00 | 2.75 | 8.00 | 8.25 |
| 2 | Valid for 5 years | 24.00 | 3.50 | 10.25 | 10.25 |
| 3 | Bioptic or telescopic lens | | | | |
| 4 | restriction: | | | | |
| 5 | Valid for 1 year or less | 5.00 | 0 | 5.00 | 0 |
| 6 | Valid for more than 1 year | | | | |
| 7 | but not more than 2 years | 10.00 | 2.75 | 4.00 | 3.25 |
| 8 | Replacement | 11.00 | 2.75 | 6.00 | 2.25 |
| 9 | Add, change, or remove class, | | | | |
| 10 | endorsement, or restriction | 5.00 | 0 | 5.00 | 0 |
| 11 | Provisional operator's permit: | | | | |
| 12 | Original | 15.00 | 2.75 | 12.25 | 0 |
| 13 | Bioptic or telescopic lens | | | | |
| 14 | restriction: | | | | |
| 15 | Valid for 1 year or less | 5.00 | 0 | 5.00 | 0 |
| 16 | Valid for more than 1 year | | | | |
| 17 | but not more than 2 years | 15.00 | 2.75 | 12.25 | 0 |
| 18 | Replacement | 11.00 | 2.75 | 6.00 | 2.25 |
| 19 | Add, change, or remove class, | | | | |
| 20 | endorsement, or restriction | 5.00 | 0 | 5.00 | 0 |
| 21 | LPD-learner's permit: | | | | |
| 22 | Original | 8.00 | .25 | 5.00 | 2.75 |
| 23 | Replacement | 11.00 | 2.75 | 6.00 | 2.25 |
| 24 | Add, change, or remove class, | | | | |
| 25 | endorsement, or restriction | 5.00 | 0 | 5.00 | 0 |
| 26 | LPE-learner's permit: | | | | |
| 27 | Original | 8.00 | .25 | 5.00 | 2.75 |
| 28 | Replacement | 11.00 | 2.75 | 6.00 | 2.25 |
| 29 | Add, change, or remove class, | | | | |

| | | | | | |
|----|-------------------------------|-------|------|------|-------|
| 1 | endorsement, or restriction | 5.00 | 0 | 5.00 | 0 |
| 2 | School permit: | | | | |
| 3 | Original | 8.00 | .25 | 5.00 | 2.75 |
| 4 | Replacement | 11.00 | 2.75 | 6.00 | 2.25 |
| 5 | Add, change, or remove class, | | | | |
| 6 | endorsement, or restriction | 5.00 | 0 | 5.00 | 0 |
| 7 | Farm permit: | | | | |
| 8 | Original or renewal | 5.00 | .25 | 0 | 4.75 |
| 9 | Replacement | 5.00 | .25 | 0 | 4.75 |
| 10 | Temporary | 5.00 | .25 | 0 | 4.75 |
| 11 | Add, change, or remove class, | | | | |
| 12 | endorsement, or restriction | 5.00 | 0 | 5.00 | 0 |
| 13 | Driving permits: | | | | |
| 14 | Employment | 45.00 | 0 | 5.00 | 40.00 |
| 15 | Medical hardship | 45.00 | 0 | 5.00 | 40.00 |
| 16 | Replacement | 10.00 | .25 | 5.00 | 4.75 |
| 17 | Add, change, or remove class, | | | | |
| 18 | endorsement, or restriction | 5.00 | 0 | 5.00 | 0 |
| 19 | Commercial driver's license: | | | | |
| 20 | Valid for 1 year or less | 11.00 | 1.75 | 5.00 | 4.25 |
| 21 | Valid for more than 1 year | | | | |
| 22 | but not more than 2 years | 22.00 | 1.75 | 5.00 | 15.25 |
| 23 | Valid for more than 2 years | | | | |
| 24 | but not more than 3 years | 33.00 | 1.75 | 5.00 | 26.25 |
| 25 | Valid for more than 3 years | | | | |
| 26 | but not more than 4 years | 44.00 | 1.75 | 5.00 | 37.25 |
| 27 | Valid for 5 years | 55.00 | 1.75 | 5.00 | 48.25 |
| 28 | Bioptic or telescopic lens | | | | |
| 29 | restriction: | | | | |

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

23 (3) If the department issues an operator's license or a state
24 identification card and collects the fees, the department shall remit the
25 county portion of the fees to the State Treasurer for credit to the
26 Department of Motor Vehicles Cash Fund.

27 (4)(a) The fee for an ignition interlock permit shall be forty-five
28 dollars. Five dollars of the fee shall be remitted to the State Treasurer
29 for credit to the Department of Motor Vehicles Cash Fund. Forty dollars
30 of the fee shall be remitted to the State Treasurer for credit to the

1 Department of Motor Vehicles Ignition Interlock Fund.

2 (b) The fee for a replacement ignition interlock permit shall be
3 eleven dollars. Two dollars and seventy-five cents of the fee shall be
4 remitted to the county treasurer for credit to the county general fund.
5 Six dollars of the fee shall be remitted to the State Treasurer for
6 credit to the Department of Motor Vehicles Cash Fund. Two dollars and
7 twenty-five cents of the fee shall be remitted to the State Treasurer for
8 credit to the General Fund.

9 (c) The fee for adding, changing, or removing a class, endorsement,
10 or restriction on an ignition interlock permit shall be five dollars. The
11 fee shall be remitted to the State Treasurer for credit to the Department
12 of Motor Vehicles Cash Fund.

13 (5) The department and its agents may collect an identity security
14 surcharge to cover the cost of security and technology practices used to
15 protect the identity of applicants for and holders of operators' licenses
16 and state identification cards and to reduce identity theft, fraud, and
17 forgery and counterfeiting of such licenses and cards to the maximum
18 extent possible. The surcharge shall be in addition to all other required
19 fees for operators' licenses and state identification cards. The amount
20 of the surcharge shall be determined by the department. The surcharge
21 shall not exceed eight dollars. The surcharge shall be remitted to the
22 State Treasurer for credit to the Department of Motor Vehicles Cash Fund.

23 Sec. 11. (1) If a fee required under the Motor Vehicle Operator's
24 License Act for issuance of any operator's license or state
25 identification card has been paid by check, draft, or other financial
26 transaction, including an electronic financial transaction, and the
27 check, draft, or financial transaction has been returned or not honored
28 because of insufficient funds, no account, a stop-payment order, or any
29 other reason, the department may cancel or refuse to issue or renew the
30 operator's license or state identification card. Such license shall
31 remain cancelled or shall not be issued until the applicant has made full

1 payment as required by subsection (4) of this section.

2 (2) Prior to taking action described in subsection (1) of this
3 section, the department shall notify the applicant of the proposed action
4 and the reasons for such action in writing, by first-class mail, mailed
5 to the applicant's last-known mailing address provided by the applicant
6 at the time of application.

7 (3) The department may take the action described in subsection (1)
8 of this section no sooner than seven days after the notice required in
9 subsection (2) of this section has been made.

10 (4) If an operator's license or state identification card is
11 cancelled or refused by the department pursuant to this section, the
12 department shall issue or reinstate the operator's license or state
13 identification card without delay upon the full payment of the fees owed
14 by the applicant and payment of costs as authorized by section 84-620.

15 Sec. 12. Section 60-4,117, Revised Statutes Cumulative Supplement,
16 2014, is amended to read:

17 60-4,117 (1) An applicant shall present ~~Upon presentation of an~~
18 issuance certificate to the county treasurer for an operator's license or
19 state identification card. Department personnel or issued by department
20 ~~personnel to the applicant,~~ the county treasurer shall collect the
21 applicable fee and surcharge as prescribed in section 60-4,115 and issue
22 a receipt which is valid for up to thirty days. If there is cause for an
23 operator's license to be issued, the receipt shall also authorize driving
24 privileges for such thirty-day period. The license or card shall be
25 delivered as provided in section 60-4,113.

26 (2) The operator's license and state identification card shall be in
27 a form prescribed by the department. The license and card may include
28 security features prescribed by the department. The license and card
29 shall be conspicuously marked Nebraska Operator's License or Nebraska
30 Identification Card, shall be, to the maximum extent practicable, tamper
31 and forgery proof, and shall include the following information:

1 (a) The full legal name and principal residence address of the
2 holder;

3 (b) The holder's full facial digital image;

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

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

7 (e) The holder's signature;

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

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

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

13 (i) A notation of the word "veteran" as provided in section
14 60-4,189; and

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

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

22 Sec. 13. Section 60-4,120.01, Reissue Revised Statutes of Nebraska,
23 is amended to read:

24 60-4,120.01 (1)(a) Any person who is at least sixteen years of age
25 but less than eighteen years of age may be issued a provisional
26 operator's permit by the Department of Motor Vehicles. The provisional
27 operator's permit shall expire on the applicant's eighteenth birthday.

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

30 (i) Has possessed a valid LPD-learner's permit, LPE-learner's
31 permit, or SCP-school permit for at least a six-month period beginning on

1 the date of issuance of such person's LPD-learner's permit, LPE-learner's
2 permit, or SCP-school permit; and

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

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

13 (2) In order to obtain a provisional operator's permit, the
14 applicant shall present (a)(i) proof of successful completion of a
15 department-approved driver safety course which includes behind-the-wheel
16 driving specifically emphasizing (A) the effects of the consumption of
17 alcohol on a person operating a motor vehicle, (B) occupant protection
18 systems, (C) risk assessment, and (D) railroad crossing safety and (ii)
19 proof of successful completion of a written examination and driving test
20 administered by a driver safety course instructor or (b) a certificate in
21 a form prescribed by the department, signed by a parent, guardian, or
22 licensed driver at least twenty-one years of age, verifying that the
23 applicant has completed fifty hours of lawful motor vehicle operation
24 including at least ten hours of motor vehicle operation between sunset
25 and sunrise, under conditions that reflect department-approved driver
26 safety course curriculum, with a parent, guardian, or adult at least
27 twenty-one years of age, who has a current Nebraska operator's license or
28 who is licensed in another state. If the applicant presents such a
29 certificate, the applicant shall be required to successfully complete a
30 driving test administered by the department. The written examination
31 shall be waived if the applicant has been issued a Nebraska LPD-learner's

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

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

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

30 (c) The holder of a provisional operator's permit shall not use any
31 type of interactive wireless communication device while operating a motor

1 vehicle on the highways of this state.

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

6 (4) Department personnel or the ~~The~~ county treasurer shall collect
7 the fee and surcharge prescribed in section 60-4,115 for the issuance of
8 each provisional operator's permit.

9 Sec. 14. Section 60-4,123, Revised Statutes Supplement, 2015, is
10 amended to read:

11 60-4,123 (1) Any person who is at least fifteen years of age may
12 apply for an LPD-learner's permit from the department. In order to obtain
13 an LPD-learner's permit, the applicant shall successfully complete a
14 written examination. A person may take the written examination beginning
15 sixty days prior to his or her fifteenth birthday but shall not be issued
16 a permit until he or she is fifteen years of age. The written examination
17 may be waived for any person who has been issued an LPE-learner's permit,
18 LPD-learner's permit, or SCP-school permit that has been expired for no
19 more than one year.

20 (2) Upon successful completion of the written examination and the
21 payment of a fee and surcharge as prescribed in section 60-4,115, the
22 applicant shall be issued an LPD-learner's permit as provided in section
23 60-4,113. The permit shall be valid for twelve months.

24 (3)(a) The holder of an LPD-learner's permit shall only operate a
25 motor vehicle on the highways of this state if he or she is accompanied
26 at all times by a licensed operator who is at least twenty-one years of
27 age and who has been licensed by this state or another state and if (i)
28 for all motor vehicles other than autocycles, motorcycles, or mopeds, he
29 or she is actually occupying the seat beside the licensed operator, (ii)
30 in the case of an autocycle, he or she is actually occupying the seat
31 beside or in front of the licensed operator, or (iii) in the case of a

1 motorcycle or moped, he or she is within visual contact of and under the
2 supervision of, in the case of a motorcycle, a licensed motorcycle
3 operator or, in the case of a moped, a licensed motor vehicle operator.

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

10 (4) Department personnel or the ~~The~~ county treasurer shall collect
11 the fee and surcharge prescribed in section 60-4,115 for the issuance of
12 each LPD-learner's permit.

13 Sec. 15. Section 60-4,124, Revised Statutes Supplement, 2015, is
14 amended to read:

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

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

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

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

23 (b) Under the personal supervision of a licensed operator. Such
24 licensed operator shall be at least twenty-one years of age and licensed
25 by this state or another state and shall (i) for all motor vehicles other
26 than autocycles, motorcycles, or mopeds, actually occupy the seat beside
27 the permitholder, (ii) in the case of an autocycle, actually occupy the
28 seat beside or behind the permitholder, or (iii) in the case of a
29 motorcycle or moped, if the permitholder is within visual contact of and
30 under the supervision of, in the case of a motorcycle, a licensed
31 motorcycle operator or, in the case of a moped, a licensed motor vehicle

1 operator.

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

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

14 (5)(a) While holding the LPE-learner's permit, the person may
15 operate a motor vehicle on the highways of this state if (i) for all
16 motor vehicles other than autocycles, motorcycles, or mopeds, he or she
17 has seated next to him or her a person who is a licensed operator, (ii)
18 in the case of an autocycle, he or she has seated next to or behind him
19 or her a person who is a licensed operator, or (iii) in the case of a
20 motorcycle or moped, he or she is within visual contact of and is under
21 the supervision of a person who, in the case of a motorcycle, is a
22 licensed motorcycle operator or, in the case of a moped, is a licensed
23 motor vehicle operator. Such licensed motor vehicle or motorcycle
24 operator shall be at least twenty-one years of age and licensed by this
25 state or another state.

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

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

9 (7) Any person who holds a permit issued under this section and has
10 violated subdivision (3)(b) or (c) of section 28-306, subdivision (3)(b)
11 or (c) of section 28-394, or section 28-1254, 60-6,196, 60-6,197, or
12 60-6,197.06 shall not be eligible for an ignition interlock permit.

13 Sec. 16. Section 60-4,127, Revised Statutes Cumulative Supplement,
14 2014, is amended to read:

15 60-4,127 (1) No person shall operate a motorcycle on the alleys or
16 highways of the State of Nebraska until such person has obtained a Class
17 M license. No such license shall be issued until the applicant has (a)
18 met the vision and physical requirements established under section
19 60-4,118 for operation of a motor vehicle and (b) successfully completed
20 an examination, including the actual operation of a motorcycle,
21 prescribed by the director, except that the required examination may be
22 waived, including the actual operation of a motorcycle, if the applicant
23 presents proof of successful completion of a motorcycle safety course
24 under the Motorcycle Safety Education Act within the immediately
25 preceding twenty-four months.

26 (2) Department personnel shall conduct the examination of the
27 applicants and deliver to each successful applicant an issuance
28 certificate or a receipt. If department personnel issue a receipt,
29 department personnel shall collect the fee and surcharge as provided in
30 section 60-4,115 and issue a receipt with driving privileges which is
31 valid for up to thirty days. In counties where the county treasurer

1 collects fees and issues receipts, the certificate may be presented to
2 the county treasurer within ninety days after issuance. Upon presentation
3 of an issuance certificate, the county treasurer shall collect the fee
4 and surcharge for a Class M license as prescribed by section 60-4,115 and
5 issue a receipt with driving privileges which is valid for up to thirty
6 days. If department personnel refuse to issue an issuance certificate or
7 receipt, the department personnel shall state such cause in writing and
8 deliver such written cause to the applicant. The license shall be
9 delivered as provided in section 60-4,113. If the applicant is the holder
10 of an operator's license, the county treasurer or department personnel
11 shall, upon receipt of the issuance certificate, have endorsed on the
12 license the authorization to operate a motorcycle. Fees for Class M
13 licenses shall be as provided by section 60-4,115.

14 Sec. 19. Section 60-4,149, Revised Statutes Cumulative Supplement,
15 2014, is amended to read:

16 60-4,149 (1) ~~The examination for commercial drivers' licenses by~~
17 ~~the department shall occur in and for each county of the State of~~
18 ~~Nebraska. Each county shall furnish office space for the administration~~
19 ~~of the examinations, except that two or more counties may, with the~~
20 ~~permission of the director, establish a separate facility to jointly~~
21 ~~conduct the examinations for such licenses.~~

22 (1) The director shall appoint as his or her agents one or more
23 department personnel who shall examine all applicants for a commercial
24 driver's license or a CLP-commercial learner's permit as provided in
25 section 60-4,144. The same department personnel may be assigned to one or
26 more counties by the director. In counties in which the county treasurer
27 collects the fees and issues receipts, the county shall furnish office
28 space for the administration of the license or permit examination.
29 Department personnel shall conduct the examination of applicants and
30 deliver to each successful applicant an issuance certificate or receipt.
31 The certificate may be presented to the county treasurer within ninety

1 days after issuance, and the county treasurer shall collect the fee and
2 surcharge as provided in section 60-4,115 and issue a receipt which is
3 valid for up to thirty days. If a commercial driver's license or CLP-
4 commerical learner's permit is being issued, the receipt shall also
5 authorize driving privileges for such thirty-day period. If department
6 personnel refuse to issue an issuance certificate or receipt, the
7 department personnel shall state such cause in writing and deliver such
8 written cause to the applicant.

9 (2)(a) The segments of the driving skills examination shall be
10 administered and successfully completed in the following order: Pre-trip
11 inspection, basic vehicle control skills, and on-road skills. If an
12 applicant fails one segment of the driving skills examination:

13 (i) The applicant cannot continue to the next segment of the
14 examination; and

15 (ii) Scores for the passed segments of the examination are only
16 valid during initial issuance of a CLP-commercial learner's permit. If a
17 CLP-commercial learner's permit is renewed, all three segments of the
18 skills examination must be retaken.

19 (b) Passing scores for the knowledge and skills tests must meet the
20 standards contained in 49 C.F.R. 383.135.

21 (3) Except as provided for in sections 60-4,157 and 60-4,158, all
22 commercial driver's license examinations shall be conducted by department
23 personnel designated by the director. Each successful applicant shall be
24 issued a certificate or receipt entitling the applicant to secure a
25 commercial driver's license. If department personnel refuse to issue such
26 certificate or receipt ~~for~~ cause, he or she shall state such cause in
27 writing and deliver the same to the applicant. Department personnel shall
28 not be required to hold a commercial driver's license to administer a
29 driving skills examination and occupy the seat beside an applicant for a
30 commercial driver's license.

31 (4) The successful applicant shall, within ten days after renewal or

1 within twenty-four hours after initial issuance, ~~present his or her~~
2 ~~issuance certificate and~~ pay the fee and surcharge as provided in section
3 60-4,115. A receipt with driving privileges which is valid for up to
4 thirty days shall be issued. The commercial driver's license shall be
5 delivered to the applicant as provided in section 60-4,113.

6 Sec. 20. Section 60-4,150, Revised Statutes Cumulative Supplement,
7 2014, is amended to read:

8 60-4,150 (1) Any person holding a commercial driver's license or
9 CLP-commercial learner's permit who loses his or her license or permit,
10 who requires issuance of a replacement license or permit because of a
11 change of name or address, or whose license or permit is mutilated or
12 unreadable may obtain a replacement commercial driver's license or CLP-
13 commercial learner's permit by filing an application and by furnishing
14 proof of identification in accordance with section 60-4,144.

15 (2) The application for a replacement license or permit because of a
16 change of name or address shall be made within sixty days after the
17 change of name or address.

18 (3) A replacement commercial driver's license or CLP-commercial
19 learner's permit shall be delivered to the applicant as provided in
20 section 60-4,113 after department personnel or the county treasurer
21 collects the fee and surcharge prescribed in section 60-4,115 and issues
22 the applicant a receipt with driving privileges which is valid for up to
23 thirty days.

24 (4) Replacement commercial drivers' licenses or CLP-commercial
25 learners' permits shall be issued in the manner provided for the issuance
26 of original and renewal commercial drivers' licenses or permits as
27 provided for by section 60-4,149. Upon issuance of any replacement
28 commercial driver's license or permit, the commercial driver's license or
29 CLP-commercial learner's permit for which the replacement license or
30 permit is issued shall be void.

31 (5) Each replacement commercial driver's license or CLP-commercial

1 learner's permit shall be issued with the same expiration date as the
2 license or permit for which the replacement is issued. The replacement
3 license or permit shall also state the new issuance date.

4 Sec. 22. Section 60-4,181, Revised Statutes Cumulative Supplement,
5 2014, is amended to read:

6 60-4,181 (1) Each applicant for a state identification card shall
7 provide the information and documentation required by section 60-484 and
8 also, ~~beginning on an implementation date designated by the director on~~
9 ~~or before January 1, 2014,~~ the information and documentation required by
10 section 60-484.04. The form of the state identification card shall comply
11 with section 60-4,117. The applicant shall present ~~Upon presentation of~~
12 ~~an applicant's issuance certificate to the county treasurer for a state~~
13 identification card. Department personnel or ~~,~~ the county treasurer shall
14 collect the fee and surcharge as prescribed in section 60-4,115 and issue
15 a receipt to the applicant which is valid up to thirty days. The state
16 identification card shall be delivered to the applicant as provided in
17 section 60-4,113.

18 (2) The director may summarily cancel any state identification card,
19 and any judge or magistrate may order a state identification card
20 canceled in a judgment of conviction, if the application or information
21 presented by the applicant ~~issuance certificate for the card~~ contains any
22 false or fraudulent statements which were deliberately and knowingly made
23 as to any matter material to the issuance of the card or if the
24 application or information presented by the applicant ~~issuance~~
25 ~~certificate~~ does not contain required or correct information. Any state
26 identification card so obtained shall be void from the date of issuance.
27 Any judgment of conviction ordering cancellation of a state
28 identification card shall be transmitted to the director who shall cancel
29 the card.

30 (3) ~~This subsection applies beginning on an implementation date~~
31 ~~designated by the director on or before January 1, 2014.~~ No person shall

1 be a holder of a state identification card and an operator's license at
2 the same time.
3 2. Renumber the remaining sections and correct the repealer
4 accordingly.