

LEGISLATURE OF NEBRASKA  
ONE HUNDRED FOURTH LEGISLATURE  
SECOND SESSION

**LEGISLATIVE BILL 785**

Introduced by Friesen, 34.

Read first time January 07, 2016

Committee: Transportation and Telecommunications

1 A BILL FOR AN ACT relating to motor vehicles; to amend sections 60-493,  
2 60-495, and 60-4,120.01, Reissue Revised Statutes of Nebraska,  
3 sections 60-479, 60-484, 60-4,113, 60-4,115, 60-4,117, 60-4,127,  
4 60-4,149, 60-4,150, and 60-4,181, Revised Statutes Cumulative  
5 Supplement, 2014, and sections 60-462, 60-4,123, and 60-4,124,  
6 Revised Statutes Supplement, 2015; to change provisions relating to  
7 the Motor Vehicle Operator's License Act; to harmonize provisions;  
8 and to repeal the original sections.  
9 Be it enacted by the people of the State of Nebraska,

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

3 60-462 Sections 60-462 to 60-4,189 and section 8 of this act shall  
4 be known and may be cited as the Motor Vehicle Operator's License Act.

5 Sec. 2. Section 60-479, Revised Statutes Cumulative Supplement,  
6 2014, is amended to read:

7 60-479 Sections 60-479.01 to 60-4,111.01, 60-4,113, 60-4,114,  
8 60-4,115 to 60-4,118, and 60-4,182 to 60-4,189 and section 8 of this act  
9 shall apply to any operator's license subject to the Motor Vehicle  
10 Operator's License Act.

11 Sec. 3. Section 60-484, Revised Statutes Cumulative Supplement,  
12 2014, is amended to read:

13 60-484 (1) Except as otherwise provided in the Motor Vehicle  
14 Operator's License Act, no resident of the State of Nebraska shall  
15 operate a motor vehicle upon the alleys or highways of this state until  
16 the person has obtained an operator's license for that purpose.

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

23 (3) The applicant shall provide his or her full legal name, date of  
24 birth, mailing address, gender, race or ethnicity, and social security  
25 number, two forms of proof of address of his or her principal residence  
26 unless the applicant is a program participant under the Address  
27 Confidentiality Act, evidence of identity as required by subsection (6)  
28 of this section, and a brief physical description of himself or herself.  
29 The applicant (a) may also complete the voter registration portion  
30 pursuant to section 32-308, (b) shall be provided the advisement language  
31 required by subsection (5) of section 60-6,197, (c) shall answer the

1 following:

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

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

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

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

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

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

11 Please explain: .....

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

16 Please explain: .....

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

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

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

23 (ii) Do you wish to have the word "veteran" displayed on the front  
24 of your operator's license or state identification card to show that you  
25 served in the armed forces of the United States? (To be eligible you must  
26 register with the Nebraska Department of Veterans' Affairs registry.)

27 OPTIONAL - YOU ARE NOT REQUIRED TO ANSWER ANY OF THE FOLLOWING  
28 QUESTIONS:

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

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

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

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

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

20 (6)(a) Each individual applying for an operator's license or a state  
21 identification card shall furnish proof of date of birth and identity  
22 with documents containing a photograph or with nonphoto identity  
23 documents which include his or her full legal name and date of birth.  
24 Such documents shall be those provided in subsection (1) of section  
25 60-484.04.

26 (b) Any individual under the age of eighteen years applying for an  
27 operator's license or a state identification card shall provide a  
28 certified copy of his or her birth certificate or, if such individual is  
29 unable to provide a certified copy of his or her birth certificate, other  
30 reliable proof of his or her identity and age, as required in subdivision  
31 (6)(a) of this section, accompanied by a certification signed by a parent

1 or guardian explaining the inability to produce a copy of such birth  
2 certificate. The applicant also may be required to furnish proof to  
3 department personnel that the parent or guardian signing the  
4 certification is in fact the parent or guardian of such applicant.

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

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

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

15 Sec. 4. Section 60-493, Reissue Revised Statutes of Nebraska, is  
16 amended to read:

17 60-493 (1) When a person applies for an operator's license or state  
18 identification card, the county treasurer or licensing staff ~~examiner~~ of  
19 the Department of Motor Vehicles shall distribute a brochure provided by  
20 an organ and tissue procurement organization and approved by the  
21 Department of Health and Human Services containing a description and  
22 explanation of the Revised Uniform Anatomical Gift Act to each person  
23 applying for a new or renewal license or card.

24 (2) If an individual desires to receive additional specific  
25 information regarding organ and tissue donation and the Donor Registry of  
26 Nebraska as indicated on an application and retained by the department ~~or~~  
27 ~~examiner's certificate~~ under section 60-484, 60-4,144, or 60-4,181, the  
28 department shall notify a representative of the federally designated  
29 organ procurement organization for Nebraska within five working days of  
30 the name and address of such individual.

31 Sec. 5. Section 60-495, Reissue Revised Statutes of Nebraska, is

1 amended to read:

2 60-495 (1) The director shall adopt and promulgate such rules and  
3 regulations and prepare and furnish all forms and information necessary  
4 to carry out sections 60-493 to 60-495 and the duties of the department  
5 under the Revised Uniform Anatomical Gift Act.

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

19 Sec. 6. Section 60-4,113, Revised Statutes Cumulative Supplement,  
20 2014, is amended to read:

21 60-4,113 ~~The (1) In and for each county in the State of Nebraska,~~  
22 ~~the~~ director shall appoint as his or her agents one or more department  
23 personnel who shall examine all applicants for a state identification  
24 card or an operator's license as provided in section 60-4,114, except as  
25 otherwise provided in subsection (8) of section 60-4,122. The same  
26 department personnel may be assigned to one or more counties by the  
27 director. In counties in which the county treasurer collects the fees and  
28 issues receipts, the ~~Each~~ county shall furnish office space for the  
29 administration of the operator's license examination. Department ~~The~~  
30 ~~department~~ personnel shall conduct the examination of applicants and  
31 deliver to each successful applicant an issuance certificate or receipt.

1 The certificate may be presented to the county treasurer ~~of any county~~  
2 within ninety days after issuance, and the county treasurer shall collect  
3 the fee and surcharge as provided in section 60-4,115 and issue a receipt  
4 which is valid for up to thirty days. If an operator's license is being  
5 issued, the receipt shall also authorize driving privileges for such  
6 thirty-day period. If ~~the~~ department personnel refuse to issue an  
7 issuance certificate or receipt ~~for cause~~, the department personnel shall  
8 state such cause in writing and deliver such written cause to the  
9 applicant.

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

19 Sec. 7. Section 60-4,115, Revised Statutes Cumulative Supplement,  
20 2014, is amended to read:

21 60-4,115 (1) Fees for operators' licenses and state identification  
22 cards shall be collected by department personnel or the county treasurer  
23 and distributed according to the table in subsection (2) of this section,  
24 except for the ignition interlock permit and associated fees as outlined  
25 in subsection (4) of this section. County officials shall remit the  
26 county portion of the fees collected to the county treasurer for  
27 placement in the county general fund. All other fees collected shall be  
28 remitted to the State Treasurer for credit to the appropriate fund.

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

31

Department

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



1	Replacement	11.00	2.75	6.00	2.25
2	Add, change, or remove class,				
3	endorsement, or restriction	5.00	0	5.00	0
4	Provisional operator's permit:				
5	Original	15.00	2.75	12.25	0
6	Bioptic or telescopic lens				
7	restriction:				
8	Valid for 1 year or less	5.00	0	5.00	0
9	Valid for more than 1 year				
10	but not more than 2 years	15.00	2.75	12.25	0
11	Replacement	11.00	2.75	6.00	2.25
12	Add, change, or remove class,				
13	endorsement, or restriction	5.00	0	5.00	0
14	LPD-learner's permit:				
15	Original	8.00	.25	5.00	2.75
16	Replacement	11.00	2.75	6.00	2.25
17	Add, change, or remove class,				
18	endorsement, or restriction	5.00	0	5.00	0
19	LPE-learner's permit:				
20	Original	8.00	.25	5.00	2.75
21	Replacement	11.00	2.75	6.00	2.25
22	Add, change, or remove class,				
23	endorsement, or restriction	5.00	0	5.00	0
24	School permit:				
25	Original	8.00	.25	5.00	2.75
26	Replacement	11.00	2.75	6.00	2.25
27	Add, change, or remove class,				
28	endorsement, or restriction	5.00	0	5.00	0
29	Farm permit:				
30	Original or renewal	5.00	.25	0	4.75

1	Replacement	5.00	.25	0	4.75
2	Temporary	5.00	.25	0	4.75
3	Add, change, or remove class,				
4	endorsement, or restriction	5.00	0	5.00	0
5	Driving permits:				
6	Employment	45.00	0	5.00	40.00
7	Medical hardship	45.00	0	5.00	40.00
8	Replacement	10.00	.25	5.00	4.75
9	Add, change, or remove class,				
10	endorsement, or restriction	5.00	0	5.00	0
11	Commercial driver's license:				
12	Valid for 1 year or less	11.00	1.75	5.00	4.25
13	Valid for more than 1 year				
14	but not more than 2 years	22.00	1.75	5.00	15.25
15	Valid for more than 2 years				
16	but not more than 3 years	33.00	1.75	5.00	26.25
17	Valid for more than 3 years				
18	but not more than 4 years	44.00	1.75	5.00	37.25
19	Valid for 5 years	55.00	1.75	5.00	48.25
20	Bioptic or telescopic lens				
21	restriction:				
22	Valid for one year or less	11.00	1.75	5.00	4.25
23	Valid for more than 1 year				
24	but not more than 2 years	22.00	1.75	5.00	15.25
25	Replacement	11.00	2.75	6.00	2.25
26	Add, change, or remove class,				
27	endorsement, or restriction	10.00	1.75	5.00	3.25
28	CLP-commercial learner's				
29	permit:				
30	Original or renewal	10.00	.25	5.00	4.75

1	Replacement	10.00	.25	5.00	4.75
2	Add, change, or remove class,				
3	endorsement, or restriction	10.00	.25	5.00	4.75
4	Seasonal permit:				
5	Original or renewal	10.00	.25	5.00	4.75
6	Replacement	10.00	.25	5.00	4.75
7	Add, change, or remove class,				
8	endorsement, or restriction	10.00	.25	5.00	4.75
9	School bus permit:				
10	Original or renewal	5.00	0	5.00	0
11	Replacement	5.00	0	5.00	0
12	Add, change, or remove class,				
13	endorsement, or restriction	5.00	0	5.00	0

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

18 (4)(a) The fee for an ignition interlock permit shall be forty-five  
 19 dollars. Five dollars of the fee shall be remitted to the State Treasurer  
 20 for credit to the Department of Motor Vehicles Cash Fund. Forty dollars  
 21 of the fee shall be remitted to the State Treasurer for credit to the  
 22 Department of Motor Vehicles Ignition Interlock Fund.

23 (b) The fee for a replacement ignition interlock permit shall be  
 24 eleven dollars. Two dollars and seventy-five cents of the fee shall be  
 25 remitted to the county treasurer for credit to the county general fund.  
 26 Six dollars of the fee shall be remitted to the State Treasurer for  
 27 credit to the Department of Motor Vehicles Cash Fund. Two dollars and  
 28 twenty-five cents of the fee shall be remitted to the State Treasurer for  
 29 credit to the General Fund.

30 (c) The fee for adding, changing, or removing a class, endorsement,  
 31 or restriction on an ignition interlock permit shall be five dollars. The

1 fee shall be remitted to the State Treasurer for credit to the Department  
2 of Motor Vehicles Cash Fund.

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

13 Sec. 8. (1) If a fee required under the Motor Vehicle Operator's  
14 License Act for issuance of any operator's license or state  
15 identification card has been paid by check, draft, or other financial  
16 transaction, including an electronic financial transaction, and the  
17 check, draft, or financial transaction has been returned or not honored  
18 because of insufficient funds, no account, a stop-payment order, or any  
19 other reason, the department may cancel or refuse to issue or renew the  
20 operator's license or state identification card. Such license shall  
21 remain cancelled or shall not be issued until the applicant has made full  
22 payment as required by subsection (4) of this section.

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

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

31 (4) If an operator's license or state identification card is

1 cancelled or refused by the department pursuant to this section, the  
2 department shall issue or reinstate the operator's license or state  
3 identification card without delay upon the full payment of the fees owed  
4 by the applicant and payment of costs as authorized by section 84-620.

5       Sec. 9. Section 60-4,117, Revised Statutes Cumulative Supplement,  
6 2014, is amended to read:

7       60-4,117 (1) An applicant shall present ~~Upon presentation of an~~  
8 ~~issuance certificate to the county treasurer for an operator's license or~~  
9 ~~state identification card. Department personnel or issued by department~~  
10 ~~personnel to the applicant,~~ the county treasurer shall collect the  
11 applicable fee and surcharge as prescribed in section 60-4,115 and issue  
12 a receipt which is valid for up to thirty days. If there is cause for an  
13 operator's license to be issued, the receipt shall also authorize driving  
14 privileges for such thirty-day period. The license or card shall be  
15 delivered as provided in section 60-4,113.

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

22       (a) The full legal name and principal residence address of the  
23 holder;

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

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

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

28       (e) The holder's signature;

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

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

1 (h) The organ and tissue donation information specified in section  
2 60-494;

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

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

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

12 Sec. 10. Section 60-4,120.01, Reissue Revised Statutes of Nebraska,  
13 is amended to read:

14 60-4,120.01 (1)(a) Any person who is at least sixteen years of age  
15 but less than eighteen years of age may be issued a provisional  
16 operator's permit by the Department of Motor Vehicles. The provisional  
17 operator's permit shall expire on the applicant's eighteenth birthday.

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

20 (i) Has possessed a valid LPD-learner's permit, LPE-learner's  
21 permit, or SCP-school permit for at least a six-month period beginning on  
22 the date of issuance of such person's LPD-learner's permit, LPE-learner's  
23 permit, or SCP-school permit; and

24 (ii) Has not accumulated three or more points pursuant to section  
25 60-4,182 during the six-month period immediately preceding the date of  
26 the application for the provisional operator's permit.

27 (c) The requirements for the provisional operator's permit  
28 prescribed in subdivisions (2)(a) and (b) of this section may be  
29 completed prior to the applicant's sixteenth birthday. A person may apply  
30 for a provisional operator's permit and take the driving test and the  
31 written examination, if required, at any time within sixty days prior to

1 his or her sixteenth birthday upon proof of age in the manner provided in  
2 section 60-484.

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

1 written examination and the driving test if the applicant has been issued  
2 a school permit and such permit is valid or has expired no more than one  
3 year prior to application. The written examination shall not be waived if  
4 the provisional operator's permit being applied for contains a class or  
5 endorsement which is different from the class or endorsement of the  
6 school permit.

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

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

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

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

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

30 Sec. 11. Section 60-4,123, Revised Statutes Supplement, 2015, is  
31 amended to read:



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

10           (2) Upon successful completion of the written examination and the  
11 payment of a fee and surcharge as prescribed in section 60-4,115, the  
12 applicant shall be issued an LPD-learner's permit as provided in section  
13 60-4,113. The permit shall be valid for twelve months.

14           (3)(a) The holder of an LPD-learner's permit shall only operate a  
15 motor vehicle on the highways of this state if he or she is accompanied  
16 at all times by a licensed operator who is at least twenty-one years of  
17 age and who has been licensed by this state or another state and if (i)  
18 for all motor vehicles other than autocycles, motorcycles, or mopeds, he  
19 or she is actually occupying the seat beside the licensed operator, (ii)  
20 in the case of an autocycle, he or she is actually occupying the seat  
21 beside or in front of the licensed operator, or (iii) in the case of a  
22 motorcycle or moped, he or she is within visual contact of and under the  
23 supervision of, in the case of a motorcycle, a licensed motorcycle  
24 operator or, in the case of a moped, a licensed motor vehicle operator.

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

31           (4) Department personnel or the ~~The~~ county treasurer shall collect

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

3 Sec. 12. Section 60-4,124, Revised Statutes Supplement, 2015, is  
4 amended to read:

5 60-4,124 (1) A person who is younger than sixteen years and three  
6 months of age but is older than fourteen years and two months of age may  
7 be issued a school permit if such person lives a distance of one and one-  
8 half miles or more from the school he or she attends and either resides  
9 outside a city of the metropolitan, primary, or first class or attends a  
10 school which is outside a city of the metropolitan, primary, or first  
11 class and if such person has held an LPE-learner's permit for two months.  
12 A school permit shall not be issued until such person has demonstrated  
13 that he or she is capable of successfully operating a motor vehicle,  
14 moped, or motorcycle and has in his or her possession an issuance  
15 certificate authorizing the county treasurer to issue a school permit. In  
16 order to obtain an issuance certificate, the applicant shall present (a)  
17 proof of successful completion of a department-approved driver safety  
18 course which includes behind-the-wheel driving specifically emphasizing  
19 (i) the effects of the consumption of alcohol on a person operating a  
20 motor vehicle, (ii) occupant protection systems, (iii) risk assessment,  
21 and (iv) railroad crossing safety and (b)(i) proof of successful  
22 completion of a written examination and driving test administered by a  
23 driver safety course instructor or (ii) a certificate in a form  
24 prescribed by the department, signed by a parent, guardian, or licensed  
25 driver at least twenty-one years of age, verifying that the applicant has  
26 completed fifty hours of lawful motor vehicle operation, under conditions  
27 that reflect department-approved driver safety course curriculum, with a  
28 parent, guardian, or adult at least twenty-one years of age, who has a  
29 current Nebraska operator's license or who is licensed in another state.  
30 The department may waive the written examination if the applicant has  
31 been issued an LPE-learner's permit or LPD-learner's permit and if such

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

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

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

13 (b) Under the personal supervision of a licensed operator. Such  
14 licensed operator shall be at least twenty-one years of age and licensed  
15 by this state or another state and shall (i) for all motor vehicles other  
16 than autocycles, motorcycles, or mopeds, actually occupy the seat beside  
17 the permitholder, (ii) in the case of an autocycle, actually occupy the  
18 seat beside or behind the permitholder, or (iii) in the case of a  
19 motorcycle or moped, if the permitholder is within visual contact of and  
20 under the supervision of, in the case of a motorcycle, a licensed  
21 motorcycle operator or, in the case of a moped, a licensed motor vehicle  
22 operator.

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

28 (4) A person who is younger than sixteen years of age but is over  
29 fourteen years of age may be issued an LPE-learner's permit, which permit  
30 shall be valid for a period of three months. An LPE-learner's permit  
31 shall not be issued until such person successfully completes a written

1 examination prescribed by the department and demonstrates that he or she  
2 has sufficient powers of eyesight to safely operate a motor vehicle,  
3 moped, or motorcycle or an autocycle.

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

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

22 (6) Department personnel or the ~~The~~ county treasurer shall collect  
23 the fee and surcharge prescribed in section 60-4,115 from each successful  
24 applicant for a school or LPE-learner's permit. All school permits shall  
25 be subject to impoundment or revocation under the terms of section  
26 60-496. Any person who violates the terms of a school permit shall be  
27 guilty of an infraction and shall not be eligible for another school,  
28 farm, LPD-learner's, or LPE-learner's permit until he or she has attained  
29 the age of sixteen years.

30 (7) Any person who holds a permit issued under this section and has  
31 violated subdivision (3)(b) or (c) of section 28-306, subdivision (3)(b)

1 or (c) of section 28-394, or section 28-1254, 60-6,196, 60-6,197, or  
2 60-6,197.06 shall not be eligible for an ignition interlock permit.

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

5 60-4,127 (1) No person shall operate a motorcycle on the alleys or  
6 highways of the State of Nebraska until such person has obtained a Class  
7 M license. No such license shall be issued until the applicant has (a)  
8 met the vision and physical requirements established under section  
9 60-4,118 for operation of a motor vehicle and (b) successfully completed  
10 an examination, including the actual operation of a motorcycle,  
11 prescribed by the director, except that the required examination may be  
12 waived, including the actual operation of a motorcycle, if the applicant  
13 presents proof of successful completion of a motorcycle safety course  
14 under the Motorcycle Safety Education Act within the immediately  
15 preceding twenty-four months.

16 (2) Department personnel shall conduct the examination of the  
17 applicants and deliver to each successful applicant an issuance  
18 certificate or a receipt. If department personnel issue a receipt,  
19 department personnel shall collect the fee and surcharge as provided in  
20 section 60-4,115 and issue a receipt with driving privileges which is  
21 valid for up to thirty days. In counties where the county treasurer  
22 collects fees and issues receipts, the certificate may be presented to  
23 the county treasurer within ninety days after issuance. Upon presentation  
24 of an issuance certificate, the county treasurer shall collect the fee  
25 and surcharge for a Class M license as prescribed by section 60-4,115 and  
26 issue a receipt with driving privileges which is valid for up to thirty  
27 days. If department personnel refuse to issue an issuance certificate or  
28 receipt, the department personnel shall state such cause in writing and  
29 deliver such written cause to the applicant. The license shall be  
30 delivered as provided in section 60-4,113. If the applicant is the holder  
31 of an operator's license, the county treasurer or department personnel

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

4 Sec. 14. Section 60-4,149, Revised Statutes Cumulative Supplement,  
5 2014, is amended to read:

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

12 (1) The director shall appoint as his or her agents one or more  
13 department personnel who shall examine all applicants for a commercial  
14 driver's license or a CLP-commercial learner's permit as provided in  
15 section 60-4,144. The same department personnel may be assigned to one or  
16 more counties by the director. In counties in which the county treasurer  
17 collects the fees and issues receipts, the county shall furnish office  
18 space for the administration of the license or permit examination.  
19 Department personnel shall conduct the examination of applicants and  
20 deliver to each successful applicant an issuance certificate or receipt.  
21 The certificate may be presented to the county treasurer within ninety  
22 days after issuance, and the county treasurer shall collect the fee and  
23 surcharge as provided in section 60-4,115 and issue a receipt which is  
24 valid for up to thirty days. If a commercial driver's license or CLP-  
25 commerical learner's permit is being issued, the receipt shall also  
26 authorize driving privileges for such thirty-day period. If department  
27 personnel refuse to issue an issuance certificate or receipt, the  
28 department personnel shall state such cause in writing and deliver such  
29 written cause to the applicant.

30 (2)(a) The segments of the driving skills examination shall be  
31 administered and successfully completed in the following order: Pre-trip

1 inspection, basic vehicle control skills, and on-road skills. If an  
2 applicant fails one segment of the driving skills examination:

3 (i) The applicant cannot continue to the next segment of the  
4 examination; and

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

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

11 (3) Except as provided for in sections 60-4,157 and 60-4,158, all  
12 commercial driver's license examinations shall be conducted by department  
13 personnel designated by the director. Each successful applicant shall be  
14 issued a certificate or receipt entitling the applicant to secure a  
15 commercial driver's license. If department personnel refuse to issue such  
16 certificate or receipt ~~for cause~~, he or she shall state such cause in  
17 writing and deliver the same to the applicant. Department personnel shall  
18 not be required to hold a commercial driver's license to administer a  
19 driving skills examination and occupy the seat beside an applicant for a  
20 commercial driver's license.

21 (4) The successful applicant shall, within ten days after renewal or  
22 within twenty-four hours after initial issuance, ~~present his or her~~  
23 ~~issuance certificate and~~ pay the fee and surcharge as provided in section  
24 60-4,115. A receipt with driving privileges which is valid for up to  
25 thirty days shall be issued. The commercial driver's license shall be  
26 delivered to the applicant as provided in section 60-4,113.

27 Sec. 15. Section 60-4,150, Revised Statutes Cumulative Supplement,  
28 2014, is amended to read:

29 60-4,150 (1) Any person holding a commercial driver's license or  
30 CLP-commercial learner's permit who loses his or her license or permit,  
31 who requires issuance of a replacement license or permit because of a

1 change of name or address, or whose license or permit is mutilated or  
2 unreadable may obtain a replacement commercial driver's license or CLP-  
3 commercial learner's permit by filing an application and by furnishing  
4 proof of identification in accordance with section 60-4,144.

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

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

14 (4) Replacement commercial drivers' licenses or CLP-commercial  
15 learners' permits shall be issued in the manner provided for the issuance  
16 of original and renewal commercial drivers' licenses or permits as  
17 provided for by section 60-4,149. Upon issuance of any replacement  
18 commercial driver's license or permit, the commercial driver's license or  
19 CLP-commercial learner's permit for which the replacement license or  
20 permit is issued shall be void.

21 (5) Each replacement commercial driver's license or CLP-commercial  
22 learner's permit shall be issued with the same expiration date as the  
23 license or permit for which the replacement is issued. The replacement  
24 license or permit shall also state the new issuance date.

25 Sec. 16. Section 60-4,181, Revised Statutes Cumulative Supplement,  
26 2014, is amended to read:

27 60-4,181 (1) Each applicant for a state identification card shall  
28 provide the information and documentation required by section 60-484 and  
29 also, ~~beginning on an implementation date designated by the director on~~  
30 ~~or before January 1, 2014,~~ the information and documentation required by  
31 section 60-484.04. The form of the state identification card shall comply



1 with section 60-4,117. ~~The applicant shall present Upon presentation of~~  
2 ~~an applicant's issuance certificate to the county treasurer for a state~~  
3 ~~identification card. Department personnel or~~ ~~the county treasurer shall~~  
4 collect the fee and surcharge as prescribed in section 60-4,115 and issue  
5 a receipt to the applicant which is valid up to thirty days. The state  
6 identification card shall be delivered to the applicant as provided in  
7 section 60-4,113.

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

20 (3) ~~This subsection applies beginning on an implementation date~~  
21 ~~designated by the director on or before January 1, 2014.~~ No person shall  
22 be a holder of a state identification card and an operator's license at  
23 the same time.

24 Sec. 17. Original sections 60-493, 60-495, and 60-4,120.01, Reissue  
25 Revised Statutes of Nebraska, sections 60-479, 60-484, 60-4,113,  
26 60-4,115, 60-4,117, 60-4,127, 60-4,149, 60-4,150, and 60-4,181, Revised  
27 Statutes Cumulative Supplement, 2014, and sections 60-462, 60-4,123, and  
28 60-4,124, Revised Statutes Supplement, 2015, are repealed.