

AMENDMENTS TO LB909

Introduced by Transportation and Telecommunications.

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

3 Section 1. Section 28-1204.04, Reissue Revised Statutes of Nebraska,
4 is amended to read:

5 28-1204.04 (1) Any person who possesses a firearm in a school, on
6 school grounds, in a school-owned vehicle, or at a school-sponsored
7 activity or athletic event is guilty of the offense of unlawful
8 possession of a firearm at a school. Unlawful possession of a firearm at
9 a school is a Class IV felony. This subsection shall not apply to (a) the
10 issuance of firearms to or possession by members of the armed forces of
11 the United States, active or reserve, National Guard of this state, or
12 Reserve Officers Training Corps or peace officers or other duly
13 authorized law enforcement officers when on duty or training, (b) the
14 possession of firearms by peace officers or other duly authorized law
15 enforcement officers when contracted by a school to provide school
16 security or school event control services, (c) firearms which may
17 lawfully be possessed by the person receiving instruction, for
18 instruction under the immediate supervision of an adult instructor, (d)
19 firearms which may lawfully be possessed by a member of a college or
20 university rifle team, within the scope of such person's duties as a
21 member of the team, (e) firearms which may lawfully be possessed by a
22 person employed by a college or university in this state as part of an
23 agriculture or a natural resources program of such college or university,
24 within the scope of such person's employment, (f) firearms contained
25 within a private vehicle operated by a nonstudent adult which are not
26 loaded and (i) are encased or (ii) are in a locked firearm rack that is
27 on a motor vehicle, (g) firearms which may lawfully be possessed by a

1 person for the purpose of using them, with the approval of the school, in
2 a historical reenactment, in a hunter education program, or as part of an
3 honor guard, or (h) a handgun carried as a concealed handgun by a valid
4 holder of a permit issued under the Concealed Handgun Permit Act in a
5 vehicle or on his or her person while riding in or on a vehicle into or
6 onto any parking area, which is open to the public and used by a school
7 if, prior to exiting the vehicle, the handgun is locked inside the glove
8 box, trunk, or other compartment of the vehicle, a storage box securely
9 attached to the vehicle, or, if the vehicle is a motorcycle, other than
10 an autocycle, a hardened compartment securely attached to the motorcycle
11 while the vehicle is in or on such parking area, except as prohibited by
12 federal law. For purposes of this subsection, encased means enclosed in a
13 case that is expressly made for the purpose of containing a firearm and
14 that is completely zipped, snapped, buckled, tied, or otherwise fastened
15 with no part of the firearm exposed.

16 (2) Any firearm possessed in violation of subsection (1) of this
17 section shall be confiscated without warrant by a peace officer or may be
18 confiscated without warrant by school administrative or teaching
19 personnel. Any firearm confiscated by school administrative or teaching
20 personnel shall be delivered to a peace officer as soon as practicable.

21 (3) Any firearm confiscated by or given to a peace officer pursuant
22 to subsection (2) of this section shall be declared a common nuisance and
23 shall be held by the peace officer prior to his or her delivery of the
24 firearm to the property division of the law enforcement agency which
25 employs the peace officer. The property division of such law enforcement
26 agency shall hold such firearm for as long as the firearm is needed as
27 evidence. After the firearm is no longer needed as evidence, it shall be
28 destroyed in such manner as the court may direct.

29 (4) Whenever a firearm is confiscated and held pursuant to this
30 section or section 28-1204.02, the peace officer who received such
31 firearm shall cause to be filed within ten days after the confiscation a

1 petition for destruction of such firearm. The petition shall be filed in
2 the district court of the county in which the confiscation is made. The
3 petition shall describe the firearm held, state the name of the owner, if
4 known, allege the essential elements of the violation which caused the
5 confiscation, and conclude with a prayer for disposition and destruction
6 in such manner as the court may direct. At any time after the
7 confiscation of the firearm and prior to court disposition, the owner of
8 the firearm seized may petition the district court of the county in which
9 the confiscation was made for possession of the firearm. The court shall
10 release the firearm to such owner only if the claim of ownership can
11 reasonably be shown to be true and either (a) the owner of the firearm
12 can show that the firearm was taken from his or her property or place of
13 business unlawfully or without the knowledge and consent of the owner and
14 that such property or place of business is different from that of the
15 person from whom the firearm was confiscated or (b) the owner of the
16 firearm is acquitted of the charge of unlawful possession of a handgun in
17 violation of section 28-1204, unlawful transfer of a firearm to a
18 juvenile, or unlawful possession of a firearm at a school. No firearm
19 having significant antique value or historical significance as determined
20 by the Nebraska State Historical Society shall be destroyed. If a firearm
21 has significant antique value or historical significance, it shall be
22 sold at auction and the proceeds shall be remitted to the State Treasurer
23 for distribution in accordance with Article VII, section 5, of the
24 Constitution of Nebraska.

25 Sec. 2. Section 37-1280, Reissue Revised Statutes of Nebraska, is
26 amended to read:

27 37-1280 (1) The Department of Motor Vehicles shall adopt and
28 promulgate rules and regulations necessary to carry out sections 37-1275
29 to 37-1290, and the county treasurers shall conform to the rules and
30 regulations and act at the direction of the department. The department
31 shall also provide the county treasurers with the necessary training for

1 the proper administration of such sections. The department shall receive
2 and file in its office all instruments forwarded to it by the county
3 treasurers under such sections and shall maintain indices covering the
4 entire state for the instruments so filed. These indices shall be by hull
5 identification number and alphabetically by the owner's name and shall be
6 for the entire state and not for individual counties. The department
7 shall provide and furnish the forms required by section 37-1286 to the
8 county treasurers except manufacturers' or importers' certificates. The
9 department shall check with its records all duplicate certificates of
10 title received from the county treasurers. If it appears that a
11 certificate of title has been improperly issued, the department shall
12 cancel the certificate of title. Upon cancellation of any certificate of
13 title, the department shall notify the county treasurer who issued the
14 certificate, and the county treasurer shall enter the cancellation upon
15 his or her records. The department shall also notify the person to whom
16 such certificate of title was issued and any lienholders appearing on the
17 certificate of the cancellation and shall demand the surrender of the
18 certificate of title, but the cancellation shall not affect the validity
19 of any lien noted on the certificate. The holder of the certificate of
20 title shall return the certificate to the department immediately. If a
21 certificate of number has been issued pursuant to section 37-1216 to the
22 holder of a certificate of title so canceled, the department shall notify
23 the commission. Upon receiving the notice, the commission shall
24 immediately cancel the certificate of number and demand the return of the
25 certificate of number and the holder of the certificate of number shall
26 return the certificate to the commission immediately.

27 (2) The department may remove a lien on a certificate of title when
28 such lien was improperly noted if evidence of the improperly noted lien
29 is submitted to the department and the department finds the evidence
30 sufficient to support removal of the lien. The department shall send
31 notification prior to removal of the lien to the last-known address of

1 the lienholder. The lienholder must respond within thirty days after the
2 date on the notice and provide sufficient evidence to support that the
3 lien should not be removed. If the lienholder fails to respond to the
4 notice, the lien may be removed by the department.

5 Sec. 3. Section 37-1283, Revised Statutes Supplement, 2017, as
6 amended by section 75, Legislative Bill 193, One Hundred Fifth
7 Legislature, Second Session, 2018, is amended to read:

8 37-1283 (1)(a) This subsection applies prior to the implementation
9 date designated by the Director of Motor Vehicles pursuant to subsection
10 (2) of section 100 of this act.

11 (b)(i) (1) Whenever ownership of a motorboat is transferred by
12 operation of law as upon inheritance, devise, bequest, order in
13 bankruptcy, insolvency, replevin, or execution sale, (ii) (2) whenever a
14 motorboat is sold to satisfy storage or repair charges or under section
15 76-1607, or (iii) (3) whenever repossession is had upon default in
16 performance of the terms of a chattel mortgage, trust receipt,
17 conditional sales contract, or other like agreement, and upon acceptance
18 of an electronic certificate of title record after repossession, in
19 addition to the title requirements in this section, the county treasurer
20 of any county or the Department of Motor Vehicles, upon the surrender of
21 the prior certificate of title or the manufacturer's or importer's
22 certificate, or when that is not possible, upon presentation of
23 satisfactory proof of ownership and right of possession to the motorboat,
24 and upon payment of the fee prescribed in section 37-1287 and the
25 presentation of an application for certificate of title, may issue to the
26 applicant a certificate of title thereto.

27 (2)(a) This subsection applies beginning on the implementation date
28 designated by the director pursuant to subsection (2) of section 100 of
29 this act.

30 (b)(i) Whenever ownership of a motorboat is transferred by operation
31 of law as upon inheritance, devise, bequest, order in bankruptcy,

1 insolvency, replevin, or execution sale, (ii) whenever a motorboat is
2 sold to satisfy storage or repair charges or under section 76-1607, or
3 (iii) whenever repossession is had upon default in performance of the
4 terms of a chattel mortgage, trust receipt, conditional sales contract,
5 or other like agreement, and upon acceptance of an electronic certificate
6 of title record after repossession, in addition to the title requirements
7 in this section, the county treasurer of any county or the Department of
8 Motor Vehicles, upon the surrender of the prior certificate of title or
9 the manufacturer's or importer's certificate, or when that is not
10 possible, upon presentation of satisfactory proof of ownership and right
11 of possession to the motorboat, and upon payment of the fee prescribed in
12 section 37-1287 and the presentation of an application for certificate of
13 title, may issue to the applicant a certificate of title thereto.

14 (3) If the prior certificate of title issued for the motorboat
15 provided for joint ownership with right of survivorship, a new
16 certificate of title shall be issued to a subsequent purchaser upon the
17 assignment of the prior certificate of title by the surviving owner and
18 presentation of satisfactory proof of death of the deceased owner.

19 (4) Only an affidavit by the person or agent of the person to whom
20 possession of the motorboat has so passed, setting forth facts entitling
21 him or her to such possession and ownership, together with a copy of a
22 court order or an instrument upon which such claim of possession and
23 ownership is founded shall be considered satisfactory proof of ownership
24 and right of possession, except that if the applicant cannot produce such
25 proof of ownership, he or she may submit to the department such evidence
26 as he or she may have and the department may thereupon, if it finds the
27 evidence sufficient, issue the certificate of title or authorize any
28 county treasurer to issue a certificate of title, as the case may be. If
29 from the records of the county treasurer or the department there appear
30 to be any liens on the motorboat, the certificate of title shall comply
31 with section 37-1282 regarding the liens unless the application is

1 accompanied by proper evidence of their satisfaction or extinction.

2 Sec. 4. Section 37-1285, Reissue Revised Statutes of Nebraska, is
3 amended to read:

4 37-1285 Each owner of a motorboat and each person mentioned as owner
5 in the last certificate of title, when the motorboat is dismantled,
6 destroyed, or changed in such a manner that it loses its character as a
7 motorboat or changed in such a manner that it is not the motorboat
8 described in the certificate of title, shall surrender his or her
9 certificate of title to any county treasurer or to the Department of
10 Motor Vehicles. If the certificate of title is surrendered to a county
11 treasurer, he or she shall, with the consent of any holders of any liens
12 noted on the certificate, enter a cancellation upon the records and shall
13 notify the department of the cancellation. Beginning on the
14 implementation date designated by the Director of Motor Vehicles pursuant
15 to subsection (3) of section 100 of this act, a wrecker or salvage dealer
16 shall report electronically to the department using the electronic
17 reporting system. If the certificate is surrendered to the department, it
18 shall, with the consent of any holder of any lien noted on the
19 certificate, enter a cancellation upon its records. Upon cancellation of
20 a certificate of title in the manner prescribed by this section, the
21 county treasurer and the department may cancel and destroy all
22 certificates and all memorandum certificates in that chain of title.

23 Sec. 5. Section 37-1285.01, Revised Statutes Supplement, 2017, is
24 amended to read:

25 37-1285.01 Beginning on the implementation date designated by the
26 Director of Motor Vehicles pursuant to subsection (2) of section 100 of
27 this act ~~January 1, 2019,~~ if a motorboat certificate of title is an
28 electronic certificate of title record, upon application by an owner or a
29 lienholder and payment of the fee prescribed in section 37-1287, the
30 following changes may be made to a certificate of title electronically
31 and without printing a certificate of title:

- 1 (1) Changing the name of an owner to reflect a legal change of name;
- 2 (2) Removing the name of an owner with the consent of all owners and
3 lienholders; or
- 4 (3) Adding an additional owner with the consent of all owners and
5 lienholders.

6 Sec. 6. Section 37-1293, Reissue Revised Statutes of Nebraska, is
7 amended to read:

8 37-1293 When an insurance company acquires a salvage motorboat
9 through payment of a total loss settlement on account of damage, the
10 company shall obtain the certificate of title from the owner, surrender
11 such certificate of title to the county treasurer, and make application
12 for a salvage branded certificate of title which shall be assigned when
13 the company transfers ownership. An insurer shall take title to a salvage
14 motorboat for which a total loss settlement is made unless the owner of
15 the motorboat elects to retain the motorboat. If the owner elects to
16 retain the motorboat, the insurance company shall notify the Department
17 of Motor Vehicles of such fact in a format prescribed by the department.
18 Beginning on the implementation date designated by the Director of Motor
19 Vehicles pursuant to subsection (3) of section 100 of this act, the
20 insurance company shall report electronically to the department using the
21 electronic reporting system. The department shall immediately enter the
22 salvage brand onto the computerized record of the motorboat. The
23 insurance company shall also notify the owner of the owner's
24 responsibility to comply with this section. The owner shall, within
25 thirty days after the settlement of the loss, forward the properly
26 endorsed acceptable certificate of title to the county treasurer. The
27 county treasurer shall, upon receipt of the certificate of title, issue a
28 salvage branded certificate of title for the motorboat.

29 Sec. 7. Section 60-101, Revised Statutes Supplement, 2017, is
30 amended to read:

31 60-101 Sections 60-101 to 60-197 and sections 11, 12, 16, 17, and 23

1 of this act shall be known and may be cited as the Motor Vehicle
2 Certificate of Title Act.

3 Sec. 8. Section 60-102, Revised Statutes Supplement, 2017, is
4 amended to read:

5 60-102 For purposes of the Motor Vehicle Certificate of Title Act,
6 unless the context otherwise requires, the definitions found in sections
7 60-103 to 60-136.01 and sections 11, 12, 16, and 17 of this act shall be
8 used.

9 Sec. 9. Section 60-104, Reissue Revised Statutes of Nebraska, is
10 amended to read:

11 60-104 Assembled vehicle means a vehicle which was manufactured or
12 assembled less than thirty years prior to application for a certificate
13 of title and which ~~that~~ is materially altered from its construction by
14 the removal, addition, or substitution of new or used major component
15 parts unless such major component parts were replaced under warranty by
16 the original manufacturer of the vehicle. Its make shall be assembled,
17 and its model year shall be the year in which the vehicle was assembled.
18 ~~Assembled vehicle also includes a specially constructed vehicle.~~

19 Sec. 10. Section 60-104.01, Revised Statutes Cumulative Supplement,
20 2016, is amended to read:

21 60-104.01 Autocycle means any motor vehicle (1) having a seat that
22 does not require the operator to straddle or sit astride it, (2) designed
23 to travel on three wheels in contact with the ground, (3) ~~in which the~~
24 ~~operator and passenger ride either side by side or in tandem in a seating~~
25 ~~area that is completely enclosed with a removable or fixed top and is~~
26 ~~equipped with manufacturer-installed air bags, a manufacturer-installed~~
27 ~~roll cage, and for each occupant a manufacturer-installed three-point~~
28 ~~safety belt system,~~ (4) having antilock brakes, (4) and (5) designed to
29 be controlled with a steering wheel and pedals, and (5) in which the
30 operator and passenger ride either side by side or in tandem in a seating
31 area that is equipped with a manufacturer-installed three-point safety

1 belt system for each occupant and that has a seating area that either (a)
2 is completely enclosed and is equipped with manufacturer-installed
3 airbags and a manufacturer-installed roll cage or (b) is not completely
4 enclosed and is equipped with a manufacturer-installed rollover
5 protection system.

6 Sec. 11. Auxiliary axle means an auxiliary undercarriage assembly
7 with a fifth wheel and tow bar used to convert a semitrailer to a full
8 trailer, commonly known as converter gears or converter dollies.

9 Sec. 12. Car toter or tow dolly means a two-wheeled conveyance
10 designed or adapted to support the weight of one axle of a motor vehicle
11 while being towed in combination behind another motor vehicle.

12 Sec. 13. Section 60-119, Reissue Revised Statutes of Nebraska, is
13 amended to read:

14 60-119 Kit vehicle means a vehicle which was assembled by a person
15 other than a generally recognized manufacturer of vehicles by the use of
16 a reproduction resembling a specific manufacturer's make and model that
17 is at least thirty years old replica purchased from an authorized
18 manufacturer and accompanied by a manufacturer's statement of origin. Kit
19 The term kit vehicle does not include glider kits.

20 Sec. 14. Section 60-119.01, Revised Statutes Supplement, 2017, is
21 amended to read:

22 60-119.01 Low-speed vehicle means a (1) four-wheeled motor vehicle
23 (a) (1) whose speed attainable in one mile is more than twenty miles per
24 hour and not more than twenty-five miles per hour on a paved, level
25 surface, (b) (2) whose gross vehicle weight rating is less than three
26 thousand pounds, and (c) (3) that complies with 49 C.F.R. part 571, as
27 such part existed on January 1, 2018, or (2) three-wheeled motor vehicle
28 (a) whose maximum speed attainable is not more than twenty-five miles per
29 hour on a paved, level surface, (b) whose gross vehicle weight rating is
30 less than three thousand pounds, (c) which is equipped with a windshield
31 and an occupant protection system, and (d) that complies with 49 C.F.R.

1 part 571, as such part existed on January 1, 2018. A motorcycle with a
2 sidecar attached is not a low-speed vehicle 2017.

3 Sec. 15. Section 60-124, Revised Statutes Cumulative Supplement,
4 2016, is amended to read:

5 60-124 Motorcycle means any motor vehicle having a seat or saddle
6 for the use of the operator and designed to travel on not more than three
7 wheels in contact with the ground. Motorcycle includes ~~does not include~~
8 an autocycle.

9 Sec. 16. Reconstructed means the designation of a vehicle which was
10 permanently altered from its original design construction by removing,
11 adding, or substituting major component parts.

12 Sec. 17. Replica means the designation of a vehicle which resembles
13 a specific manufacturer's make and model that is at least thirty years
14 old and which has been assembled as a kit vehicle.

15 Sec. 18. Section 60-129, Reissue Revised Statutes of Nebraska, is
16 amended to read:

17 60-129 Semitrailer means any trailer so constructed that some part
18 of its weight and that of its load rests upon or is carried by the towing
19 vehicle. Semitrailer does not include an auxiliary axle or a car toter or
20 tow dolly.

21 Sec. 19. Section 60-133, Reissue Revised Statutes of Nebraska, is
22 amended to read:

23 60-133 Trailer means any device without motive power designed for
24 carrying persons or property and being towed by a motor vehicle and so
25 constructed that no part of its weight rests upon the towing vehicle.
26 Trailer does not include an auxiliary axle or a car toter or tow dolly.

27 Sec. 20. Section 60-142.04, Reissue Revised Statutes of Nebraska, is
28 amended to read:

29 60-142.04 The owner of ~~(1) an assembled vehicle or (2) a vehicle~~
30 which was manufactured or assembled more than thirty years prior to
31 application for a certificate of title with one or more major component

1 parts replaced by replacement parts, other than replacement parts that
2 are essentially the same in design and material to that originally
3 supplied by the manufacturer for the specific year, make, and model of
4 vehicle, may apply for a certificate of title by presenting a certificate
5 of title for one major component part, a notarized bill of sale for all
6 other major component parts replaced, a statement that an inspection has
7 been conducted on the vehicle, and a vehicle identification number as
8 described in section 60-148. The certificate of title shall indicate the
9 year of the vehicle resembles, ~~as the year application for title was made~~
10 ~~and~~ the make of the vehicle resembles, and the model the vehicle
11 resembles and shall be branded as reconstructed assembled.

12 Sec. 21. Section 60-142.05, Reissue Revised Statutes of Nebraska, is
13 amended to read:

14 60-142.05 The owner of a kit vehicle may apply for a certificate of
15 title by presenting a manufacturer's statement of origin for the kit, a
16 notarized bill of sale for all major component parts not in the kit, a
17 statement that an inspection has been conducted on the vehicle, and a
18 vehicle identification number as described in section 60-148. The
19 certificate of title shall indicate the year of the vehicle resembles, ~~as~~
20 ~~the year application for title was made~~ and the make of the vehicle
21 resembles, and the model the vehicle resembles and shall be branded as
22 replica assembled.

23 Sec. 22. Section 60-142.06, Reissue Revised Statutes of Nebraska, is
24 amended to read:

25 60-142.06 An owner of a vehicle which has ~~previously~~ been issued a
26 certificate of title as an assembled vehicle prior to the effective date
27 of this section in this state may have the vehicle inspected by a
28 qualified car club representative who shall determine whether or not any
29 modifications or replacement parts are essentially the same in design and
30 material to that originally supplied by the manufacturer for the specific
31 year, make, and model of vehicle and obtain a statement as provided in

1 section 60-142.03. The owner may apply for a certificate of title
2 indicating the year, make, and model of the vehicle by presenting the
3 statement and an application for certificate of title to the department.
4 After review of the application, the department shall issue the
5 certificate of title to the owner if the vehicle meets the specifications
6 provided in section 60-142.02.

7 Sec. 23. The owner of an assembled vehicle may apply for a
8 certificate of title by presenting a certificate of title for one major
9 component part, a notarized bill of sale for all other major component
10 parts replaced, a statement that an inspection has been conducted on the
11 vehicle, and a vehicle identification number as described in section
12 60-148. The certificate of title shall indicate the year of the vehicle
13 as the year application for title was made and the make of the vehicle as
14 assembled.

15 Sec. 24. Section 60-146, Revised Statutes Cumulative Supplement,
16 2016, is amended to read:

17 60-146 (1) An application for a certificate of title for a vehicle
18 shall include a statement that an identification inspection has been
19 conducted on the vehicle unless (a) the title sought is a salvage branded
20 certificate of title or a nontransferable certificate of title, (b) the
21 surrendered ownership document is a Nebraska certificate of title, a
22 manufacturer's statement of origin, an importer's statement of origin, a
23 United States Government Certificate of Release of a vehicle, or a
24 nontransferable certificate of title, (c) the application contains a
25 statement that the vehicle is to be registered under section 60-3,198,
26 (d) the vehicle is a cabin trailer, (e) the title sought is the first
27 title for the vehicle sold directly by the manufacturer of the vehicle to
28 a dealer franchised by the manufacturer, or (f) the vehicle was sold at
29 an auction authorized by the manufacturer and purchased by a dealer
30 franchised by the manufacturer of the vehicle.

31 (2) The department shall prescribe a form to be executed by a dealer

1 and submitted with an application for a certificate of title for vehicles
2 exempt from inspection pursuant to subdivision (1)(e) or (f) of this
3 section. The form shall clearly identify the vehicle and state under
4 penalty of law that the vehicle is exempt from inspection.

5 (3) The statement that an identification inspection has been
6 conducted shall be furnished by the county sheriff of any county or by
7 any other holder of a certificate of training issued pursuant to section
8 60-183, shall be in a format as determined by the department, and shall
9 expire ninety days after the date of the inspection. The county treasurer
10 shall accept a certificate of inspection, approved by the superintendent,
11 from an officer of a state police agency of another state unless an
12 inspection is required under section 60-174.

13 (4) The identification inspection shall include examination and
14 notation of the then current odometer reading, if any, and a comparison
15 of the vehicle identification number with the number listed on the
16 ownership records, except that if a lien is registered against a vehicle
17 and recorded on the vehicle's ownership records, the county treasurer
18 shall provide a copy of the ownership records for use in making such
19 comparison. If such numbers are not identical, if there is reason to
20 believe further inspection is necessary, or if the inspection is for a
21 Nebraska assigned number, the person performing the inspection shall make
22 a further inspection of the vehicle which may include, but shall not be
23 limited to, examination of other identifying numbers placed on the
24 vehicle by the manufacturer and an inquiry into the numbering system used
25 by the state issuing such ownership records to determine ownership of a
26 vehicle. The identification inspection shall also include a statement
27 that the vehicle identification number has been checked for entry in the
28 National Crime Information Center and the Nebraska Crime Information
29 Service. In the case of an assembled vehicle, a vehicle designated as
30 reconstructed, or a vehicle designated as replica, the identification
31 inspection shall include, but not be limited to, an examination of the

1 records showing the date of receipt and source of each major component
2 part. No identification inspection shall be conducted unless all major
3 component parts are properly attached to the vehicle in the correct
4 location.

5 (5) If there is cause to believe that odometer fraud exists, written
6 notification shall be given to the office of the Attorney General. If
7 after such inspection the sheriff or his or her designee determines that
8 the vehicle is not the vehicle described by the ownership records, no
9 statement shall be issued.

10 (6) The county treasurer or the department may also request an
11 identification inspection of a vehicle to determine if it meets the
12 definition of motor vehicle as defined in section 60-123.

13 Sec. 25. Section 60-148, Revised Statutes Cumulative Supplement,
14 2016, is amended to read:

15 60-148 (1) Whenever a person applies for a certificate of title for
16 a vehicle, the department shall assign a distinguishing identification
17 number to the vehicle if the vehicle identification number is destroyed,
18 obliterated, or missing. The owner of such a vehicle to which such number
19 is assigned shall have such number affixed to such vehicle as provided in
20 subsection (2) of this section and sign an affidavit on a form prepared
21 by the department that such number has been attached. Before the
22 certificate of title for an assigned number is released to the applicant
23 by the county treasurer, the applicant shall also provide a statement
24 that an inspection has been conducted.

25 (2) The department shall develop a metallic assigned vehicle
26 identification number plate which can be permanently secured to a vehicle
27 by rivets or a permanent sticker or other form of marking or identifying
28 the vehicle with the distinguishing identification number as determined
29 by the director. All distinguishing identification numbers shall contain
30 seventeen characters in conformance with national standards. When the
31 manufacturer's vehicle identification number is known, it shall be used

1 by the department as the assigned number. In the case of an assembled
2 all-terrain vehicle, a utility-type vehicle, a ~~or~~ minibike, ~~an~~ ~~or~~
3 assembled vehicle, a vehicle designated as reconstructed, or a vehicle
4 designated as replica, the department shall use a distinguishing
5 identification number. The department shall, upon application by an
6 owner, provide the owner with a number plate or a permanent sticker or
7 other form of marking or identification displaying a distinguishing
8 identification number or the manufacturer's number.

9 (3) Any vehicle to which a distinguishing identification number is
10 assigned shall be titled under such distinguishing identification number
11 when titling of the vehicle is required under the Motor Vehicle
12 Certificate of Title Act.

13 Sec. 26. Section 60-149, Revised Statutes Supplement, 2017, is
14 amended to read:

15 60-149 (1)(a) If a certificate of title has previously been issued
16 for a vehicle in this state, the application for a new certificate of
17 title shall be accompanied by the certificate of title duly assigned
18 except as otherwise provided in the Motor Vehicle Certificate of Title
19 Act.

20 (b) Except for manufactured homes or mobile homes as provided in
21 subsection (2) of this section, if a certificate of title has not
22 previously been issued for the vehicle in this state or if a certificate
23 of title is unavailable ~~pursuant to subsection (4) of section 52-1801,~~
24 the application shall be accompanied by:

25 (i) A manufacturer's or importer's certificate except as otherwise
26 provided in subdivision (viii) ~~(vii)~~ of this subdivision;

27 (ii) A duly certified copy of the manufacturer's or importer's
28 certificate;

29 (iii) An affidavit by the owner affirming ownership in the case of
30 an all-terrain vehicle, a utility-type vehicle, or a minibike;

31 (iv) A certificate of title from another state;

1 (v) A court order issued by a court of record, a manufacturer's
2 certificate of origin, or an assigned registration certificate, if the
3 law of the state from which the vehicle was brought into this state does
4 not have a certificate of title law;

5 (vi) Evidence of ownership as provided for in sections 30-24,125,
6 52-601.01 to 52-605, 60-1901 to 60-1911, or 60-2401 to 60-2411;

7 (vii) (vi) Documentation prescribed in section 60-142.01, 60-142.02,
8 60-142.04, 60-142.05, or 60-142.09 or section 23 of this act or
9 documentation of compliance with section 76-1607;—or

10 (viii) (vii) A manufacturer's or importer's certificate and an
11 affidavit by the owner affirming ownership in the case of a minitruck;
12 or —

13 (ix) In the case of a motor vehicle, a trailer, an all-terrain
14 vehicle, a utility-type vehicle, or a minibike, an affidavit by the
15 holder of a motor vehicle auction dealer's license as described in
16 subdivision (11) of section 60-1406 affirming that the certificate of
17 title is unavailable and that the vehicle (A) is a salvage vehicle
18 through payment of a total loss settlement, (B) is a salvage vehicle
19 purchased by the auction dealer, or (C) has been donated to an
20 organization operating under section 501(c)(3) of the Internal Revenue
21 Code as defined in section 49-801.01.

22 (c) If the application for a certificate of title in this state is
23 accompanied by a valid certificate of title issued by another state which
24 meets that state's requirements for transfer of ownership, then the
25 application may be accepted by this state.

26 (d) If a certificate of title has not previously been issued for the
27 vehicle in this state and the applicant is unable to provide such
28 documentation, the applicant may apply for a bonded certificate of title
29 as prescribed in section 60-167.

30 (2)(a) If the application for a certificate of title for a
31 manufactured home or a mobile home is being made in accordance with

1 subdivision (4)(b) of section 60-137 or if the certificate of title for a
2 manufactured home or a mobile home is unavailable pursuant to section
3 52-1801, the application shall be accompanied by proof of ownership in
4 the form of:

- 5 (i) A duly assigned manufacturer's or importer's certificate;
- 6 (ii) A certificate of title from another state;
- 7 (iii) A court order issued by a court of record;
- 8 (iv) Evidence of ownership as provided for in section 30-24,125,
9 52-601.01 to 52-605, 60-1901 to 60-1911, or 60-2401 to 60-2411, or
10 documentation of compliance with section 76-1607; or
- 11 (v) Assessment records for the manufactured home or mobile home from
12 the county assessor and an affidavit by the owner affirming ownership.

13 (b) If the applicant cannot produce proof of ownership described in
14 subdivision (a) of this subsection, he or she may submit to the
15 department such evidence as he or she may have, and the department may
16 thereupon, if it finds the evidence sufficient, issue the certificate of
17 title or authorize the county treasurer to issue a certificate of title,
18 as the case may be.

19 (3) For purposes of this section, certificate of title includes a
20 salvage certificate, a salvage branded certificate of title, or any other
21 document of ownership issued by another state or jurisdiction for a
22 salvage vehicle. Only a salvage branded certificate of title shall be
23 issued to any vehicle conveyed upon a salvage certificate, a salvage
24 branded certificate of title, or any other document of ownership issued
25 by another state or jurisdiction for a salvage vehicle.

26 (4) The county treasurer shall retain the evidence of title
27 presented by the applicant and on which the certificate of title is
28 issued.

29 (5)(a) If an affidavit is submitted under subdivision (1)(b)(vix) of
30 this section, the holder of a motor vehicle auction dealer's license
31 shall certify that (i) it has made at least two written attempts and has

1 been unable to obtain the properly endorsed certificate of title to the
2 property noted in the affidavit from the owner and (ii) thirty days have
3 expired after the mailing of a written notice regarding the intended
4 disposition of the property noted in the affidavit by certified mail,
5 return receipt requested, to the last-known address of the owner and to
6 any lien or security interest holder of record of the property noted in
7 the affidavit.

8 (b) The notice under subdivision (5)(a)(ii) of this section shall
9 contain a description of the property noted in the affidavit and a
10 statement that title to the property noted in the affidavit shall vest in
11 the holder of the motor vehicle auction dealer's license thirty days
12 after the date such notice was mailed.

13 (c) The mailing of notice and the expiration of thirty days under
14 subdivision (5)(a)(ii) of this section shall extinguish any lien or
15 security interest of a lienholder or security interest holder in the
16 property noted in the affidavit, unless the lienholder or security
17 interest holder has claimed such property within such thirty-day period.
18 The holder of a motor vehicle auction dealer's license shall transfer
19 possession of the property noted in the affidavit to the lienholder or
20 security interest holder claiming such property.

21 Sec. 27. Section 60-164, Revised Statutes Supplement, 2017, is
22 amended to read:

23 60-164 (1) The department shall implement an electronic title and
24 lien system for vehicles. The holder of a security interest, trust
25 receipt, conditional sales contract, or similar instrument regarding a
26 vehicle, or beginning on the implementation date determined by the
27 director pursuant to subsection (7) of section 60-1507 ~~January 1, 2019,~~ a
28 licensed dealer, may file a lien electronically as prescribed by the
29 department. Upon receipt of an application for a certificate of title for
30 a vehicle, any lien filed electronically shall become part of the
31 electronic certificate of title record created by the county treasurer or

1 department maintained on the electronic title and lien system. If an
2 application for a certificate of title indicates that there is a lien or
3 encumbrance on a vehicle or if a lien or notice of lien has been filed
4 electronically, the department shall retain an electronic certificate of
5 title record and shall note and cancel such liens electronically on the
6 system. The department shall provide access to the electronic certificate
7 of title records for licensed dealers and lienholders who participate in
8 the system by a method determined by the director.

9 (2) Except as provided in section 60-165, the provisions of article
10 9, Uniform Commercial Code, shall never be construed to apply to or to
11 permit or require the deposit, filing, or other record whatsoever of a
12 security agreement, conveyance intended to operate as a mortgage, trust
13 receipt, conditional sales contract, or similar instrument or any copy of
14 the same covering a vehicle. Any mortgage, conveyance intended to operate
15 as a security agreement as provided by article 9, Uniform Commercial
16 Code, trust receipt, conditional sales contract, or other similar
17 instrument covering a vehicle, if such instrument is accompanied by
18 delivery of such manufacturer's or importer's certificate and followed by
19 actual and continued possession of the same by the holder of such
20 instrument or, in the case of a certificate of title, if a notation of
21 the same has been made electronically as prescribed in subsection (1) of
22 this section or by the county treasurer or department on the face of the
23 certificate of title or on the electronic certificate of title record,
24 shall be valid as against the creditors of the debtor, whether armed with
25 process or not, and subsequent purchasers, secured parties, and other
26 lienholders or claimants but otherwise shall not be valid against them,
27 except that during any period in which a vehicle is inventory, as defined
28 in section 9-102, Uniform Commercial Code, held for sale by a person or
29 corporation that is required to be licensed as provided in the Motor
30 Vehicle Industry Regulation Act and is in the business of selling such
31 vehicles, the filing provisions of article 9, Uniform Commercial Code, as

1 applied to inventory, shall apply to a security interest in such vehicle
2 created by such person or corporation as debtor without the notation of
3 lien on the certificate of title. A buyer of a vehicle at retail from a
4 dealer required to be licensed as provided in the Motor Vehicle Industry
5 Regulation Act shall take such vehicle free of any security interest. A
6 purchase-money security interest, as defined in section 9-103, Uniform
7 Commercial Code, in a vehicle is perfected against the rights of judicial
8 lien creditors and execution creditors on and after the date the
9 purchase-money security interest attaches.

10 (3) Subject to subsections (1) and (2) of this section, all liens,
11 security agreements, and encumbrances noted upon a certificate of title
12 or an electronic certificate of title record and all liens noted
13 electronically as prescribed in subsection (1) of this section shall take
14 priority according to the order of time in which the same are noted by
15 the county treasurer or department. Exposure for sale of any vehicle by
16 the owner thereof with the knowledge or with the knowledge and consent of
17 the holder of any lien, security agreement, or encumbrance on such
18 vehicle shall not render the same void or ineffective as against the
19 creditors of such owner or holder of subsequent liens, security
20 agreements, or encumbrances upon such vehicle.

21 (4) The holder of a security agreement, trust receipt, conditional
22 sales contract, or similar instrument, upon presentation of such
23 instrument to the department or to any county treasurer, together with
24 the certificate of title and the fee prescribed for notation of lien, may
25 have a notation of such lien made on the face of such certificate of
26 title. The owner of a vehicle may present a valid out-of-state
27 certificate of title issued to such owner for such vehicle with a
28 notation of lien on such certificate of title and the prescribed fee to
29 the county treasurer or department and have the notation of lien made on
30 the new certificate of title issued pursuant to section 60-144 without
31 presenting a copy of the lien instrument. The county treasurer or the

1 department shall enter the notation and the date thereof over the
2 signature of the person making the notation and the seal of the office.
3 If noted by a county treasurer, he or she shall on that day notify the
4 department which shall note the lien on its records. The county treasurer
5 or the department shall also indicate by appropriate notation and on such
6 instrument itself the fact that such lien has been noted on the
7 certificate of title.

8 (5) A transaction does not create a sale or a security interest in a
9 vehicle, other than an all-terrain vehicle, a utility-type vehicle, or a
10 minibike, merely because it provides that the rental price is permitted
11 or required to be adjusted under the agreement either upward or downward
12 by reference to the amount realized upon sale or other disposition of the
13 vehicle.

14 (6) The county treasurer or the department, upon receipt of a lien
15 instrument duly signed by the owner in the manner prescribed by law
16 governing such lien instruments together with the fee prescribed for
17 notation of lien, shall notify the first lienholder to deliver to the
18 county treasurer or the department, within fifteen days after the date of
19 notice, the certificate of title to permit notation of such other lien
20 and, after notation of such other lien, the county treasurer or the
21 department shall deliver the certificate of title to the first
22 lienholder. The holder of a certificate of title who refuses to deliver a
23 certificate of title to the county treasurer or the department for the
24 purpose of showing such other lien on such certificate of title within
25 fifteen days after the date of notice shall be liable for damages to such
26 other lienholder for the amount of damages such other lienholder suffered
27 by reason of the holder of the certificate of title refusing to permit
28 the showing of such lien on the certificate of title.

29 (7) Upon receipt of a subsequent lien instrument duly signed by the
30 owner in the manner prescribed by law governing such lien instruments or
31 a notice of lien filed electronically, together with an application for

1 notation of the subsequent lien, the fee prescribed in section 60-154,
2 and, if a printed certificate of title exists, the presentation of the
3 certificate of title, the county treasurer or department shall make
4 notation of such other lien. If the certificate of title is not an
5 electronic certificate of title record, the county treasurer or
6 department, upon receipt of a lien instrument duly signed by the owner in
7 the manner prescribed by law governing such lien instruments together
8 with the fee prescribed for notation of lien, shall notify the first
9 lienholder to deliver to the county treasurer or department, within
10 fifteen days after the date of notice, the certificate of title to permit
11 notation of such other lien. After such notation of lien, the lien shall
12 become part of the electronic certificate of title record created by the
13 county treasurer or department which is maintained on the electronic
14 title and lien system. The holder of a certificate of title who refuses
15 to deliver a certificate of title to the county treasurer or department
16 for the purpose of noting such other lien on such certificate of title
17 within fifteen days after the date when notified to do so shall be liable
18 for damages to such other lienholder for the amount of damages such other
19 lienholder suffered by reason of the holder of the certificate of title
20 refusing to permit the noting of such lien on the certificate of title.

21 (8) When a lien is discharged, the holder shall, within fifteen days
22 after payment is received, note a cancellation of the lien on the
23 certificate of title over his, her, or its signature and deliver the
24 certificate of title to the county treasurer or the department, which
25 shall note the cancellation of the lien on the face of the certificate of
26 title and on the records of such office. If delivered to a county
27 treasurer, he or she shall on that day notify the department which shall
28 note the cancellation on its records. The county treasurer or the
29 department shall then return the certificate of title to the owner or as
30 otherwise directed by the owner. The cancellation of lien shall be noted
31 on the certificate of title without charge. For an electronic certificate

1 of title record, the lienholder shall, within fifteen days after payment
2 is received when such lien is discharged, notify the department
3 electronically or provide written notice of such lien release, in a
4 manner prescribed by the department, to the county treasurer or
5 department. The department shall note the cancellation of lien and, if no
6 other liens exist, issue the certificate of title to the owner or as
7 otherwise directed by the owner or lienholder. If the holder of the title
8 cannot locate a lienholder, a lien may be discharged ten years after the
9 date of filing by presenting proof that thirty days have passed since the
10 mailing of a written notice by certified mail, return receipt requested,
11 to the last-known address of the lienholder.

12 Sec. 28. Section 60-164.01, Revised Statutes Supplement, 2017, is
13 amended to read:

14 60-164.01 Beginning on the implementation date designated by the
15 director pursuant to subsection (2) of section 100 of this act ~~January 1,~~
16 ~~2019~~, if a certificate of title is an electronic certificate of title
17 record, upon application by an owner or a lienholder and payment of the
18 fee prescribed in section 60-154, the following changes may be made to a
19 certificate of title electronically and without printing a certificate of
20 title:

- 21 (1) Changing the name of an owner to reflect a legal change of name;
- 22 (2) Removing the name of an owner with the consent of all owners and
23 lienholders; or
- 24 (3) Adding an additional owner with the consent of all owners and
25 lienholders.

26 Sec. 29. Section 60-166, Revised Statutes Supplement, 2017, as
27 amended by section 87, Legislative Bill 193, One Hundred Fifth
28 Legislature, Second Session, 2018, and section 2, Legislative Bill 275,
29 One Hundred Fifth Legislature, Second Session, 2018, is amended to read:

30 60-166 (1)(a) This subsection applies prior to the implementation
31 date designated by the Director of Motor Vehicles pursuant to subsection

1 (2) of section 100 of this act.

2 ~~(b) (1)~~ In the event of ~~(i) (a)~~ the transfer of ownership of a
3 vehicle by operation of law as upon inheritance, devise, ~~or~~ bequest,
4 order in bankruptcy, insolvency, replevin, or execution sale or as
5 provided in sections 30-24,125, 52-601.01 to 52-605, 60-1901 to 60-1911
6 and section 3 of this act, and 60-2401 to 60-2411, ~~(ii) (b)~~ the engine of
7 a vehicle being replaced by another engine, ~~(iii) (c)~~ a vehicle being
8 sold to satisfy storage or repair charges or under section 76-1607, or
9 ~~(iv) (d)~~ repossession being had upon default in performance of the terms
10 of a chattel mortgage, trust receipt, conditional sales contract, or
11 other like agreement, ~~and upon acceptance of an electronic certificate of~~
12 ~~title record after repossession, in addition to the title requirements in~~
13 ~~this section,~~ the county treasurer of any county or the department, upon
14 the surrender of the prior certificate of title or the manufacturer's or
15 importer's certificate, or when that is not possible, upon presentation
16 of satisfactory proof of ownership and right of possession to such
17 vehicle, and upon payment of the appropriate fee and the presentation of
18 an application for certificate of title, may issue to the applicant a
19 certificate of title thereto.

20 (2)(a) This subsection applies beginning on the implementation date
21 designated by the director pursuant to subsection (2) of section 100 of
22 this act.

23 (b) In the event of (i) the transfer of ownership of a vehicle by
24 operation of law as upon inheritance, devise, bequest, order in
25 bankruptcy, insolvency, replevin, or execution sale or as provided in
26 section 30-24,125, sections 52-601.01 to 52-605, sections 60-1901 to
27 60-1911 and section 3 of Legislative Bill 275, One Hundred Fifth
28 Legislature, Second Session, 2018, and sections 60-2401 to 60-2411, (ii)
29 the engine of a vehicle being replaced by another engine, (iii) a vehicle
30 being sold to satisfy storage or repair charges or under section 76-1607,
31 or (iv) repossession being had upon default in performance of the terms

1 of a chattel mortgage, trust receipt, conditional sales contract, or
2 other like agreement, and upon acceptance of an electronic certificate of
3 title record after repossession, in addition to the title requirements in
4 this section, the county treasurer of any county or the department, upon
5 the surrender of the prior certificate of title or the manufacturer's or
6 importer's certificate, or when that is not possible, upon presentation
7 of satisfactory proof of ownership and right of possession to such
8 vehicle, and upon payment of the appropriate fee and the presentation of
9 an application for certificate of title, may issue to the applicant a
10 certificate of title thereto.

11 (3) If the prior certificate of title issued for such vehicle
12 provided for joint ownership with right of survivorship, a new
13 certificate of title shall be issued to a subsequent purchaser upon the
14 assignment of the prior certificate of title by the surviving owner and
15 presentation of satisfactory proof of death of the deceased owner.

16 (4) Only an affidavit by the person or agent of the person to whom
17 possession of such vehicle has so passed, setting forth facts entitling
18 him or her to such possession and ownership, together with a copy of a
19 court order or an instrument upon which such claim of possession and
20 ownership is founded, shall be considered satisfactory proof of ownership
21 and right of possession, except that if the applicant cannot produce such
22 proof of ownership, he or she may submit to the department such evidence
23 as he or she may have, and the department may thereupon, if it finds the
24 evidence sufficient, issue the certificate of title or authorize any
25 county treasurer to issue a certificate of title, as the case may be.

26 (5) ~~(2)~~ If from the records of the county treasurer or the
27 department there appear to be any liens on such vehicle, such certificate
28 of title shall comply with section 60-164 or 60-165 regarding such liens
29 unless the application is accompanied by proper evidence of their
30 satisfaction or extinction.

31 Sec. 30. Section 60-168.01, Revised Statutes Cumulative Supplement,

1 2016, is amended to read:

2 60-168.01 (1) The department, upon receipt of clear and convincing
3 evidence of a failure to note a required brand or failure to note a lien
4 on a certificate of title, shall notify the holder of such certificate of
5 title to deliver to the county treasurer or the department, within
6 fifteen days after the date on the notice, such certificate of title to
7 permit the noting of such brand or lien. After notation, the county
8 treasurer or the department shall deliver the corrected certificate of
9 title to the holder as provided by section 60-152. If a holder fails to
10 deliver a certificate of title to the county treasurer or to the
11 department, within fifteen days after the date on the notice for the
12 purpose of noting such brand or lien on the certificate of title, the
13 department shall cancel the certificate of title. This subsection ~~section~~
14 does not apply when noting a lien in accordance with subsection (6) of
15 section 60-164.

16 (2) The department may remove a lien on a certificate of title when
17 such lien was improperly noted if evidence of the improperly noted lien
18 is submitted to the department and the department finds the evidence
19 sufficient to support removal of the lien. The department shall send
20 notification prior to removal of the lien to the last-known address of
21 the lienholder. The lienholder must respond within thirty days after the
22 date on the notice and provide sufficient evidence to support that the
23 lien should not be removed. If the lienholder fails to respond to the
24 notice, the lien may be removed by the department.

25 Sec. 31. Section 60-169, Revised Statutes Cumulative Supplement,
26 2016, is amended to read:

27 60-169 (1)(a) Except as otherwise provided in subdivision (b) of
28 this subsection, each owner of a vehicle and each person mentioned as
29 owner in the last certificate of title, when the vehicle is dismantled,
30 destroyed, or changed in such a manner that it loses its character as a
31 vehicle or changed in such a manner that it is not the vehicle described

1 in the certificate of title, shall surrender his or her certificate of
2 title to any county treasurer or to the department. If the certificate of
3 title is surrendered to a county treasurer, he or she shall, with the
4 consent of any holders of any liens noted thereon, enter a cancellation
5 upon the records and shall notify the department of such cancellation.
6 Beginning on the implementation date designated by the director pursuant
7 to subsection (3) of section 100 of this act, a wrecker or salvage dealer
8 shall report electronically to the department using the electronic
9 reporting system. If the certificate is surrendered to the department, it
10 shall, with the consent of any holder of any lien noted thereon, enter a
11 cancellation upon its records.

12 (b)(i) In the case of a mobile home or manufactured home for which a
13 certificate of title has been issued, if such mobile home or manufactured
14 home is affixed to real property in which each owner of the mobile home
15 or manufactured home has any ownership interest, the certificate of title
16 may be surrendered for cancellation to the county treasurer of the county
17 where such mobile home or manufactured home is affixed to real property
18 if at the time of surrender the owner submits to the county treasurer an
19 affidavit of affixture on a form provided by the department that contains
20 all of the following, as applicable:

21 (A) The names and addresses of all of the owners of record of the
22 mobile home or manufactured home;

23 (B) A description of the mobile home or manufactured home that
24 includes the name of the manufacturer, the year of manufacture, the
25 model, and the manufacturer's serial number;

26 (C) The legal description of the real property upon which the mobile
27 home or manufactured home is affixed and the names of all of the owners
28 of record of the real property;

29 (D) A statement that the mobile home or manufactured home is affixed
30 to the real property;

31 (E) The written consent of each holder of a lien duly noted on the

1 certificate of title to the release of such lien and the cancellation of
2 the certificate of title;

3 (F) A copy of the certificate of title surrendered for cancellation;
4 and

5 (G) The name and address of an owner, a financial institution, or
6 another entity to which notice of cancellation of the certificate of
7 title may be delivered.

8 (ii) The person submitting an affidavit of affixture pursuant to
9 subdivision (b)(i) of this subsection shall swear or affirm that all
10 statements in the affidavit are true and material and further acknowledge
11 that any false statement in the affidavit may subject the person to
12 penalties relating to perjury under section 28-915.

13 (2) If a certificate of title of a mobile home or manufactured home
14 is surrendered to the county treasurer, along with the affidavit required
15 by subdivision (1)(b) of this section, he or she shall enter a
16 cancellation upon his or her records, notify the department of such
17 cancellation, forward a duplicate original of the affidavit to the
18 department, and deliver a duplicate original of the executed affidavit
19 under subdivision (1)(b) of this section to the register of deeds for the
20 county in which the real property is located to be filed by the register
21 of deeds. The county treasurer shall be entitled to collect fees from the
22 person submitting the affidavit in accordance with section 33-109 to
23 cover the costs of filing such affidavit. Following the cancellation of a
24 certificate of title for a mobile home or manufactured home, the county
25 treasurer or designated county official shall not issue a certificate of
26 title for such mobile home or manufactured home, except as provided in
27 subsection (5) of this section.

28 (3) If a mobile home or manufactured home is affixed to real estate
29 before June 1, 2006, a person who is the holder of a lien or security
30 interest in both the mobile home or manufactured home and the real estate
31 to which it is affixed on such date may enforce its liens or security

1 interests by accepting a deed in lieu of foreclosure or in the manner
2 provided by law for enforcing liens on the real estate.

3 (4) A mobile home or manufactured home for which the certificate of
4 title has been canceled and for which an affidavit of affixture has been
5 duly recorded pursuant to subsection (2) of this section shall be treated
6 as part of the real estate upon which such mobile home or manufactured
7 home is located. Any lien thereon shall be perfected and enforced in the
8 same manner as a lien on real estate. The owner of such mobile home or
9 manufactured home may convey ownership of the mobile home or manufactured
10 home only as a part of the real estate to which it is affixed.

11 (5)(a) If each owner of both the mobile home or manufactured home
12 and the real estate described in subdivision (1)(b) of this section
13 intends to detach the mobile home or manufactured home from the real
14 estate, the owner shall do both of the following: (i) Before detaching
15 the mobile home or manufactured home, record an affidavit of detachment
16 in the office of the register of deeds in the county in which the
17 affidavit is recorded under subdivision (1)(b) of this section; and (ii)
18 apply for a certificate of title for the mobile home or manufactured home
19 pursuant to section 60-147.

20 (b) The affidavit of detachment shall contain all of the following:

21 (i) The names and addresses of all of the owners of record of the
22 mobile home or manufactured home;

23 (ii) A description of the mobile home or manufactured home that
24 includes the name of the manufacturer, the year of manufacture, the
25 model, and the manufacturer's serial number;

26 (iii) The legal description of the real estate from which the mobile
27 home or manufactured home is to be detached and the names of all of the
28 owners of record of the real estate;

29 (iv) A statement that the mobile home or manufactured home is to be
30 detached from the real property;

31 (v) A statement that the certificate of title of the mobile home or

1 manufactured home has previously been canceled;

2 (vi) The name of each holder of a lien of record against the real
3 estate from which the mobile home or manufactured home is to be detached,
4 with the written consent of each holder to the detachment; and

5 (vii) The name and address of an owner, a financial institution, or
6 another entity to which the certificate of title may be delivered.

7 (6) An owner of an affixed mobile home or manufactured home for
8 which the certificate of title has previously been canceled pursuant to
9 subsection (2) of this section shall not detach the mobile home or
10 manufactured home from the real estate before a certificate of title for
11 the mobile home or manufactured home is issued by the county treasurer or
12 department. If a certificate of title is issued by the county treasurer
13 or department, the mobile home or manufactured home is no longer
14 considered part of the real property. Any lien thereon shall be perfected
15 pursuant to section 60-164. The owner of such mobile home or manufactured
16 home may convey ownership of the mobile home or manufactured home only by
17 way of a certificate of title.

18 (7) For purposes of this section:

19 (a) A mobile home or manufactured home is affixed to real estate if
20 the wheels, towing hitches, and running gear are removed and it is
21 permanently attached to a foundation or other support system; and

22 (b) Ownership interest means the fee simple interest in real estate
23 or an interest as the lessee under a lease of the real property that has
24 a term that continues for at least twenty years after the recording of
25 the affidavit under subsection (2) of this section.

26 (8) Upon cancellation of a certificate of title in the manner
27 prescribed by this section, the county treasurer and the department may
28 cancel and destroy all certificates and all memorandum certificates in
29 that chain of title.

30 Sec. 32. Section 60-171, Revised Statutes Cumulative Supplement,
31 2016, is amended to read:

1 60-171 For purposes of sections 60-171 to 60-177:

2 (1) Cost of repairs means the estimated or actual retail cost of
3 parts needed to repair a vehicle plus the cost of labor computed by using
4 the hourly labor rate and time allocations for repair that are customary
5 and reasonable. Retail cost of parts and labor rates may be based upon
6 collision estimating manuals or electronic computer estimating systems
7 customarily used in the insurance industry;

8 (2) Flood damaged means damage to a vehicle resulting from being
9 submerged in water to the point that rising water has reached over the
10 floorboard, has entered the passenger compartment, and has caused damage
11 to any electrical, computerized, or mechanical components. Flood damaged
12 specifically does not apply to a vehicle that an inspection, conducted by
13 an insurance claim representative or a vehicle repairer, indicates:

14 (a) Has no electrical, computerized, or mechanical components
15 damaged by water; or

16 (b) Had one or more electrical, computerized, or mechanical
17 components damaged by water and all such damaged components were repaired
18 or replaced;

19 (3) ~~(2)~~ Late model vehicle means a vehicle which has (a) a
20 manufacturer's model year designation of, or later than, the year in
21 which the vehicle was wrecked, damaged, or destroyed, or any of the six
22 preceding years or (b)(i) in the case of vehicles other than all-terrain
23 vehicles, utility-type vehicles, and minibikes, a retail value of more
24 than ten thousand five hundred dollars until January 1, 2010, and a
25 retail value of more than ten thousand five hundred dollars increased by
26 five hundred dollars every five years thereafter or (ii) in the case of
27 all-terrain vehicles, utility-type vehicles, or minibikes, a retail value
28 of more than one thousand seven hundred fifty dollars until January 1,
29 2010, and a retail value of more than one thousand seven hundred fifty
30 dollars increased by two hundred fifty dollars every five years
31 thereafter;

1 (4) ~~(3)~~ Manufacturer buyback means the designation of a vehicle with
2 an alleged nonconformity when the vehicle (a) has been replaced by a
3 manufacturer or (b) has been repurchased by a manufacturer as the result
4 of court judgment, arbitration, or any voluntary agreement entered into
5 between the manufacturer or its agent and a consumer;

6 (5) ~~(4)~~ Previously salvaged means the designation of a rebuilt or
7 reconstructed vehicle which was previously required to be issued a
8 salvage branded certificate of title and which has been inspected as
9 provided in section 60-146;

10 (6) ~~(5)~~ Retail value means the actual cash value, fair market value,
11 or retail value of a vehicle as (a) set forth in a current edition of any
12 nationally recognized compilation, including automated data bases, of
13 retail values or (b) determined pursuant to a market survey of comparable
14 vehicles with respect to condition and equipment; and

15 (7) ~~(6)~~ Salvage means the designation of a vehicle which is:

16 (a) A late model vehicle which has been wrecked, damaged, or
17 destroyed to the extent that the estimated total cost of repair to
18 rebuild or reconstruct the vehicle to its condition immediately before it
19 was wrecked, damaged, or destroyed and to restore the vehicle to a
20 condition for legal operation, meets or exceeds seventy-five percent of
21 the retail value of the vehicle at the time it was wrecked, damaged, or
22 destroyed; or

23 (b) Voluntarily designated by the owner of the vehicle as a salvage
24 vehicle by obtaining a salvage branded certificate of title, without
25 respect to the damage to, age of, or value of the vehicle. ~~;~~ ~~or~~

26 ~~(c) Flood damaged resulting from being submerged in water to the~~
27 ~~point that rising water has reached over the floorboard, has entered the~~
28 ~~passenger compartment, and has caused damage to any electrical,~~
29 ~~computerized, or mechanical components. Flood damaged specifically does~~
30 ~~not apply to a vehicle that an inspection, conducted by an insurance~~
31 ~~claim representative or a vehicle repairer, indicates:~~

1 ~~(i) Has no electrical, computerized, or mechanical components~~
2 ~~damaged by water; or~~

3 ~~(ii) Had one or more electrical, computerized, or mechanical~~
4 ~~components damaged by water and all such damaged components were repaired~~
5 ~~or replaced.~~

6 Sec. 33. Section 60-173, Revised Statutes Cumulative Supplement,
7 2016, is amended to read:

8 60-173 (1) When an insurance company acquires a salvage vehicle
9 through payment of a total loss settlement on account of damage, the
10 company shall obtain the certificate of title from the owner, surrender
11 such certificate of title to the county treasurer, and make application
12 for a salvage branded certificate of title which shall be assigned when
13 the company transfers ownership. An insurer shall take title to a salvage
14 vehicle for which a total loss settlement is made unless the owner of the
15 salvage vehicle elects to retain the salvage vehicle.

16 (2) If the owner elects to retain the salvage vehicle, the insurance
17 company shall notify the department of such fact in a format prescribed
18 by the department. The department shall immediately enter the salvage
19 brand onto the computerized record of the vehicle. Beginning on the
20 implementation date designated by the director pursuant to subsection (3)
21 of section 100 of this act, the insurance company shall report
22 electronically to the department using the electronic reporting system.
23 The insurance company shall also notify the owner of the owner's
24 responsibility to comply with this section. The owner shall, within
25 thirty days after the settlement of the loss, forward the properly
26 endorsed acceptable certificate of title to the county treasurer in the
27 county designated in section 60-144. The county treasurer shall, upon
28 receipt of the certificate of title, issue a salvage branded certificate
29 of title for the vehicle.

30 (3) An insurance company may apply to the department for a salvage
31 branded certificate of title without obtaining a properly endorsed

1 certificate of title from the owner or other evidence of ownership as
2 prescribed by the department if it has been at least thirty days since
3 the company obtained oral or written acceptance by the owner of an offer
4 in an amount in settlement of a total loss. The insurance company shall
5 submit an application form prescribed by the department for a salvage
6 branded certificate of title accompanied by an affidavit from the
7 insurance company that it has made at least two written attempts and has
8 been unable to obtain the proper endorsed certificate of title from the
9 owner following an oral or written acceptance by the owner of an offer of
10 an amount in settlement of a total loss and evidence of settlement.

11 Sec. 34. Section 60-174, Reissue Revised Statutes of Nebraska, is
12 amended to read:

13 60-174 Whenever a title is issued in this state for a vehicle that
14 is designated a salvage, previously salvaged, flood damaged, or
15 manufacturer buyback, the following title brands shall be required:
16 Salvage, previously salvaged, flood damaged, or manufacturer buyback. A
17 certificate branded salvage, previously salvaged, flood damaged, or
18 manufacturer buyback shall be administered in the same manner and for the
19 same fee or fees as provided for a certificate of title in sections
20 60-154 to 60-160. When a salvage branded certificate of title is
21 surrendered for a certificate of title branded previously salvaged, the
22 application for a certificate of title shall be accompanied by a
23 statement of inspection as provided in section 60-146.

24 Sec. 35. Section 60-175, Revised Statutes Cumulative Supplement,
25 2016, is amended to read:

26 60-175 Any person who acquires ownership of a salvage, flood
27 damaged, or manufacturer buyback vehicle for which he or she does not
28 obtain a salvage branded, flood damaged branded, or manufacturer buyback
29 branded certificate of title shall surrender the certificate of title to
30 the county treasurer and make application for a salvage branded, flood
31 damaged branded, or manufacturer buyback branded certificate of title

1 within thirty days after acquisition or prior to the sale or resale of
2 the vehicle or any major component part of such vehicle or use of any
3 major component part of the vehicle, whichever occurs earlier.

4 Sec. 36. Section 60-191, Reissue Revised Statutes of Nebraska, is
5 amended to read:

6 60-191 If any odometer is repaired or replaced, the reading of the
7 repaired or replaced odometer shall be set at the reading of the odometer
8 repaired or replaced immediately prior to repair or replacement and the
9 adjustment shall not be deemed a violation of section 60-190, except that
10 when the repaired or replaced odometer is incapable of registering the
11 same mileage as before such repair or replacement, the repaired or
12 replaced odometer shall be adjusted to read zero and a notice in writing
13 on a form prescribed by the department shall be attached to the left door
14 frame of the motor vehicle, or in the case of a motorcycle, other than an
15 autocycle, to the frame of the motorcycle, by the owner or his or her
16 agent specifying the mileage prior to repair or replacement of the
17 odometer and the date on which it was repaired or replaced and any
18 removal or alteration of such notice so affixed shall be deemed a
19 violation of section 60-190.

20 Sec. 37. Section 60-192, Revised Statutes Supplement, 2017, is
21 amended to read:

22 60-192 The transferor of any motor vehicle of an age of less than
23 ten years, which was equipped with an odometer by the manufacturer, shall
24 provide to the transferee a statement, signed by the transferor, setting
25 forth: (1) The mileage on the odometer at the time of transfer; and (2)
26 (a) a statement that, to the transferor's best knowledge, such mileage is
27 that actually driven by the motor vehicle, (b) a statement that the
28 transferor has knowledge that the mileage shown on the odometer is in
29 excess of the designated mechanical odometer limit, or (c) a statement
30 that the odometer reading does not reflect the actual mileage and should
31 not be relied upon because the transferor has knowledge that the odometer

1 reading differs from the actual mileage and that the difference is
2 greater than that caused by odometer calibration error. If a discrepancy
3 exists between the odometer reading and the actual mileage, a warning
4 notice to alert the transferee shall be included with the statement. The
5 transferor shall retain a true copy of such statement for a period of
6 five years from the date of the transaction. Beginning on the
7 implementation date designated by the director pursuant to subsection (2)
8 of section 100 of this act, if ~~If~~ motor vehicle ownership has been
9 transferred by operation of law pursuant to repossession under
10 subdivision (2)(b)(iv) ~~(1)(d)~~ of section 60-166, the mileage shall be
11 listed as the odometer reading at the time of the most recent transfer of
12 ownership prior to the repossession of the motor vehicle. The adjustment
13 shall not be deemed a violation of section 60-190.

14 Sec. 38. Section 60-301, Revised Statutes Supplement, 2017, is
15 amended to read:

16 60-301 Sections 60-301 to 60-3,235 and sections 40, 41, 47, 49, and
17 50 of this act shall be known and may be cited as the Motor Vehicle
18 Registration Act.

19 Sec. 39. Section 60-302, Revised Statutes Supplement, 2017, is
20 amended to read:

21 60-302 For purposes of the Motor Vehicle Registration Act, unless
22 the context otherwise requires, the definitions found in sections
23 60-302.01 to 60-360 and sections 40, 41, 47, 49, and 50 of this act shall
24 be used.

25 Sec. 40. Auxiliary axle means an auxiliary undercarriage assembly
26 with a fifth wheel and tow bar used to convert a semitrailer to a full
27 trailer, commonly known as converter gears or converter dollies.

28 Sec. 41. Car toter or tow dolly means a two-wheeled conveyance
29 designed or adapted to support the weight of one axle of a motor vehicle
30 while being towed in combination behind another motor vehicle.

31 Sec. 42. Section 60-309, Reissue Revised Statutes of Nebraska, is

1 amended to read:

2 60-309 Assembled vehicle means a motor vehicle or trailer which was
3 manufactured or assembled less than thirty years prior to application for
4 registration under the Motor Vehicle Registration Act and which that is
5 materially altered from its construction by the removal, addition, or
6 substitution of new or used major component parts unless such major
7 component parts were replaced under warranty by the original manufacturer
8 of the motor vehicle or trailer. Its make shall be assembled, and its
9 model year shall be the year in which the motor vehicle or trailer was
10 assembled. ~~Assembled vehicle also includes a specially constructed~~
11 ~~vehicle.~~

12 Sec. 43. Section 60-309.01, Revised Statutes Cumulative Supplement,
13 2016, is amended to read:

14 60-309.01 Autocycle means any motor vehicle (1) having a seat that
15 does not require the operator to straddle or sit astride it, (2) designed
16 to travel on three wheels in contact with the ground, (3) ~~in which the~~
17 ~~operator and passenger ride either side by side or in tandem in a seating~~
18 ~~area that is completely enclosed with a removable or fixed top and is~~
19 ~~equipped with manufacturer-installed air bags, a manufacturer-installed~~
20 ~~roll cage, and for each occupant a manufacturer-installed three-point~~
21 ~~safety belt system, (4) having antilock brakes, (4) and (5) designed to~~
22 ~~be controlled with a steering wheel and pedals, and (5) in which the~~
23 operator and passenger ride either side by side or in tandem in a seating
24 area that is equipped with a manufacturer-installed three-point safety
25 belt system for each occupant and that has a seating area that either (a)
26 is completely enclosed and is equipped with manufacturer-installed
27 airbags and a manufacturer-installed roll cage or (b) is not completely
28 enclosed and is equipped with a manufacturer-installed rollover
29 protection system.

30 Sec. 44. Section 60-316, Revised Statutes Cumulative Supplement,
31 2016, is amended to read:

1 60-316 Commercial motor vehicle means any motor vehicle used or
2 maintained for the transportation of persons or property for hire,
3 compensation, or profit or designed, used, or maintained primarily for
4 the transportation of property and does not include farm trucks,
5 metropolitan utilities district motor vehicles, or public power district
6 motor vehicles.

7 Sec. 45. Section 60-335, Reissue Revised Statutes of Nebraska, is
8 amended to read:

9 60-335 Kit vehicle means a motor vehicle or trailer which was
10 assembled by a person other than a generally recognized manufacturer of
11 motor vehicles or trailers by the use of a reproduction resembling a
12 specific manufacturer's make and model that is at least thirty years old
13 ~~replica~~ purchased from an authorized manufacturer and accompanied by a
14 manufacturer's statement of origin. Kit vehicle does not include glider
15 kits.

16 Sec. 46. Section 60-336.01, Revised Statutes Supplement, 2017, is
17 amended to read:

18 60-336.01 Low-speed vehicle means a (1) four-wheeled motor vehicle
19 (a) (1) whose speed attainable in one mile is more than twenty miles per
20 hour and not more than twenty-five miles per hour on a paved, level
21 surface, (b) (2) whose gross vehicle weight rating is less than three
22 thousand pounds, and (c) (3) that complies with 49 C.F.R. part 571, as
23 such part existed on January 1, 2018, or (2) three-wheeled motor vehicle
24 (a) whose maximum speed attainable is not more than twenty-five miles per
25 hour on a paved, level surface, (b) whose gross vehicle weight rating is
26 less than three thousand pounds, (c) which is equipped with a windshield
27 and an occupant protection system, and (d) that complies with 49 C.F.R.
28 part 571, as such part existed on January 1, 2018. A motorcycle with a
29 sidecar attached is not a low-speed vehicle 2017.

30 Sec. 47. Metropolitan utilities district means a district created
31 pursuant to section 14-2101.

1 Sec. 48. Section 60-340, Revised Statutes Cumulative Supplement,
2 2016, is amended to read:

3 60-340 Motorcycle means any motor vehicle having a seat or saddle
4 for use of the operator and designed to travel on not more than three
5 wheels in contact with the ground. Motorcycle includes ~~does not include~~
6 an autocycle.

7 Sec. 49. Reconstructed means the designation of a vehicle which was
8 permanently altered from its original design construction by removing,
9 adding, or substituting major component parts.

10 Sec. 50. Replica means the designation of a vehicle which resembles
11 a specific manufacturer's make and model that is at least thirty years
12 old and which has been assembled as a kit vehicle.

13 Sec. 51. Section 60-348, Reissue Revised Statutes of Nebraska, is
14 amended to read:

15 60-348 Semitrailer means any trailer so constructed that some part
16 of its weight and that of its load rests upon or is carried by the towing
17 vehicle. Semitrailer does not include an auxiliary axle or a car toter or
18 tow dolly.

19 Sec. 52. Section 60-354, Reissue Revised Statutes of Nebraska, is
20 amended to read:

21 60-354 Trailer means any device without motive power designed for
22 carrying persons or property and being towed by a motor vehicle and so
23 constructed that no part of its weight rests upon the towing vehicle.
24 Trailer does not include an auxiliary axle or a car toter or tow dolly.

25 Sec. 53. Section 60-363, Revised Statutes Supplement, 2017, is
26 amended to read:

27 60-363 (1) No person shall operate or park a motor vehicle on the
28 highways unless such motor vehicle at all times carries in or upon it,
29 subject to inspection by any peace officer, the registration certificate
30 issued for it.

31 (2) No person shall tow or park a trailer on the highways unless the

1 registration certificate issued for the trailer or a copy thereof is
2 carried in or upon the trailer or in or upon the motor vehicle that is
3 towing or parking the trailer, subject to inspection by any peace
4 officer, except as provided in subsections ~~subsection~~ (4) and (5) of this
5 section and except fertilizer trailers as defined in section 60-326. The
6 registration certificate for a fertilizer trailer shall be kept at the
7 principal place of business of the owner of the fertilizer trailer.

8 (3) In the case of a motorcycle other than an autocycle, the
9 registration certificate shall be carried either in plain sight, affixed
10 to the motorcycle, or in the tool bag or some convenient receptacle
11 attached to the motorcycle.

12 (4) In the case of a motor vehicle or trailer operated by a public
13 power district registered pursuant to section 60-3,228, the registration
14 certificate shall be kept at the principal place of business of the
15 public power district.

16 (5) Beginning January 1, 2023, in the case of a motor vehicle or
17 trailer operated by a metropolitan utilities district registered pursuant
18 to section 60-3,228, the registration certificate shall be kept at the
19 principal place of business of the metropolitan utilities district.

20 Sec. 54. Section 60-378, Reissue Revised Statutes of Nebraska, is
21 amended to read:

22 60-378 (1) Any transporter doing business in this state may, in lieu
23 of registering each motor vehicle or trailer which such transporter is
24 transporting, upon payment of a fee of ten dollars, apply to the
25 department for a transporter's certificate and one transporter license
26 plate. Additional pairs of transporter certificates and transporter
27 license plates may be procured for a fee of ten dollars each. Transporter
28 license plates shall be displayed (a) upon the motor vehicle or trailer
29 being transported or (b) upon a properly registered truck or truck-
30 tractor which is a work or service vehicle in the process of towing a
31 trailer which is itself being delivered by the transporter, and such

1 registered truck or truck-tractor shall also display a transporter plate
2 upon the front thereof. The applicant for a transporter plate shall keep
3 for six years a record of each motor vehicle or trailer transported by
4 him or her under this section, and such record shall be available to the
5 department for inspection. Each applicant shall file with the department
6 proof of his or her status as a bona fide transporter.

7 (2) Transporter license plates may be the same size as license
8 plates issued for motorcycles other than autocycles, shall bear thereon a
9 mark to distinguish them as transporter plates, and shall be serially
10 numbered so as to distinguish them from each other. Such license plates
11 may only be displayed upon the front of a driven motor vehicle of a
12 lawful combination or upon the front of a motor vehicle driven singly or
13 upon the rear of a trailer being towed.

14 Sec. 55. Section 60-386, Revised Statutes Supplement, 2017, is
15 amended to read:

16 60-386 (1) Each new application shall contain, in addition to other
17 information as may be required by the department, the name and
18 residential and mailing address of the applicant and a description of the
19 motor vehicle or trailer, including the color, the manufacturer, the
20 identification number, the United States Department of Transportation
21 number if required by 49 C.F.R. 390.5 and 390.19, as such regulations
22 existed on January 1, 2017, and the weight of the motor vehicle or
23 trailer required by the Motor Vehicle Registration Act. Beginning on the
24 implementation date designated by the director pursuant to subsection (4)
25 of section 100 of this act, for trailers which are not required to have a
26 certificate of title under section 60-137 and which have no
27 identification number, the assignment of an identification number shall
28 be required and the identification number shall be issued by the county
29 treasurer or department. With the application the applicant shall pay the
30 proper registration fee and shall state whether the motor vehicle is
31 propelled by alternative fuel and, if alternative fuel, the type of fuel.

1 The application shall also contain a notification that bulk fuel
2 purchasers may be subject to federal excise tax liability. The department
3 shall include such notification in the notices required by section
4 60-3,186.

5 (2) This subsection applies beginning on an implementation date
6 designated by the director. The director shall designate an
7 implementation date which is on or before January 1, 2020. In addition to
8 the information required under subsection (1) of this section, the
9 application for registration shall contain (a) the full legal name as
10 defined in section 60-468.01 of each owner and (b)(i) the motor vehicle
11 operator's license number or state identification card number of each
12 owner, if applicable, and one or more of the identification elements as
13 listed in section 60-484 of each owner, if applicable, and (ii) if any
14 owner is a business entity, a nonprofit organization, an estate, a trust,
15 or a church-controlled organization, its tax identification number.

16 Sec. 56. Section 60-389, Reissue Revised Statutes of Nebraska, is
17 amended to read:

18 60-389 Upon the filing of such application, the department shall,
19 upon registration, assign to such motor vehicle or trailer a distinctive
20 registration number in the form of a license plate. Beginning on the
21 implementation date designated by the director pursuant to subsection (4)
22 of section 100 of this act, for trailers which are not required to have a
23 certificate of title under section 60-137 and which have an
24 identification number issued by the county treasurer or department under
25 section 60-386, trailer identification tags shall be supplied by the
26 department and shall be required to be affixed to the trailer after
27 issuance. Upon sale or transfer of any such motor vehicle or trailer,
28 such number may be canceled or may be reassigned to another motor vehicle
29 or trailer, at the option of the department, subject to the provisions of
30 the Motor Vehicle Registration Act.

31 Sec. 57. Section 60-395, Revised Statutes Supplement, 2017, is

1 amended to read:

2 60-395 (1) Except as otherwise provided in subsection (2) of this
3 section and sections 60-3,121, 60-3,122.02, 60-3,122.04, 60-3,128,
4 60-3,224, 60-3,227, 60-3,231, 60-3,233, and 60-3,235, the registration
5 shall expire and the registered owner or lessee may, by returning the
6 registration certificate, the license plates, and, when appropriate, the
7 validation decals and by either making application on a form prescribed
8 by the department to the county treasurer of the occurrence of an event
9 described in subdivisions (a) through (e) of this subsection or, in the
10 case of a change in situs, displaying to the county treasurer the
11 registration certificate of such other state as evidence of a change in
12 situs, receive a refund of that part of the unused fees and taxes on
13 motor vehicles or trailers based on the number of unexpired months
14 remaining in the registration period from the date of any of the
15 following events:

16 (a) Upon transfer of ownership of any motor vehicle or trailer;

17 (b) In case of loss of possession because of fire, theft,
18 dismantlement, or junking;

19 (c) When a salvage branded certificate of title is issued;

20 (d) Whenever a type or class of motor vehicle or trailer previously
21 registered is subsequently declared by legislative act or court decision
22 to be illegal or ineligible to be operated or towed on the public roads
23 and no longer subject to registration fees, the motor vehicle tax imposed
24 in section 60-3,185, the motor vehicle fee imposed in section 60-3,190,
25 and the alternative fuel fee imposed in section 60-3,191;

26 (e) Upon a trade-in or surrender of a motor vehicle under a lease;
27 or

28 (f) In case of a change in the situs of a motor vehicle or trailer
29 to a location outside of this state.

30 (2) If the date of the event falls within the same calendar month in
31 which the motor vehicle or trailer is acquired, no refund shall be

1 allowed for such month.

2 (3) If the transferor or lessee acquires another motor vehicle at
3 the time of the transfer, trade-in, or surrender, the transferor or
4 lessee shall have the credit provided for in this section applied toward
5 payment of the motor vehicle fees and taxes then owing. Otherwise, the
6 transferor or lessee shall file a claim for refund with the county
7 treasurer upon an application form prescribed by the department.

8 (4) The registered owner or lessee shall make a claim for refund or
9 credit of the fees and taxes for the unexpired months in the registration
10 period within sixty days after the date of the event or shall be deemed
11 to have forfeited his or her right to such refund or credit.

12 (5) For purposes of this section, the date of the event shall be:
13 (a) In the case of a transfer or loss, the date of the transfer or loss;
14 (b) in the case of a change in the situs, the date of registration in
15 another state; (c) in the case of a trade-in or surrender under a lease,
16 the date of trade-in or surrender; (d) in the case of a legislative act,
17 the effective date of the act; and (e) in the case of a court decision,
18 the date the decision is rendered.

19 (6) Application for registration or for reassignment of license
20 plates and, when appropriate, validation decals to another motor vehicle
21 or trailer shall be made within thirty days of the date of purchase.

22 (7) If a motor vehicle or trailer was reported stolen under section
23 60-178, a refund under this section shall not be reduced for a lost plate
24 charge and a credit under this section may be reduced for a lost plate
25 charge but the applicant shall not be required to pay the plate fee for
26 new plates.

27 (8) The county treasurer shall refund the motor vehicle fee and
28 registration fee from the fees which have not been transferred to the
29 State Treasurer. The county treasurer shall make payment to the claimant
30 from the undistributed motor vehicle taxes of the taxing unit where the
31 tax money was originally distributed. No refund of less than two dollars

1 shall be paid.

2 Sec. 58. Section 60-3,100, Revised Statutes Cumulative Supplement,
3 2016, is amended to read:

4 60-3,100 (1) The department shall issue to every person whose motor
5 vehicle or trailer is registered one or two fully reflectorized license
6 plates upon which shall be displayed (a) the registration number
7 consisting of letters and numerals assigned to such motor vehicle or
8 trailer in figures not less than two and one-half inches nor more than
9 three inches in height and (b) also the word Nebraska suitably lettered
10 so as to be attractive. The license plates shall be of a color designated
11 by the director. The color of the plates shall be changed each time the
12 license plates are changed. Each time the license plates are changed, the
13 director shall secure competitive bids for materials pursuant to sections
14 81-145 to 81-162. Autocycle, motorcycle, minitruck, low-speed vehicle,
15 and trailer license plate letters and numerals may be one-half the size
16 of those required in this section.

17 (2)(a) Except as otherwise provided in this subsection, two license
18 plates shall be issued for every motor vehicle.

19 (b) One license plate shall be issued for (i) apportionable
20 vehicles, (ii) buses, (iii) dealers, (iv) minitrucks, (v) motorcycles,
21 other than autocycles, (vi) special interest motor vehicles that use the
22 special interest motor vehicle license plate authorized by and issued
23 under section 60-3,135.01, (vii) trailers, and (viii) truck-tractors.

24 (c)(i) Beginning January 1, 2017, one license plate shall be issued,
25 upon request and compliance with this subdivision, for any passenger car
26 which is not manufactured to be equipped with a bracket on the front of
27 the vehicle to display a license plate. A license decal shall be issued
28 with the license plate as provided in subdivision (ii) of this
29 subdivision and shall be displayed on the driver's side of the
30 windshield. In order to request a single license plate and license decal,
31 there shall be an additional annual nonrefundable registration fee of one

1 hundred dollars plus the cost of the decal paid to the county treasurer
2 at the time of registration. All fees collected under this subdivision
3 shall be remitted to the State Treasurer for credit to the Highway Trust
4 Fund.

5 (ii) The department shall design, procure, and furnish to the county
6 treasurers a license decal which shall be displayed as evidence that a
7 license plate has been obtained under this subdivision. Each county
8 treasurer shall furnish a license decal to the person obtaining the
9 plate.

10 (d) When two license plates are issued, one shall be prominently
11 displayed at all times on the front and one on the rear of the registered
12 motor vehicle or trailer. When only one plate is issued, it shall be
13 prominently displayed on the rear of the registered motor vehicle or
14 trailer. When only one plate is issued for motor vehicles registered
15 pursuant to section 60-3,198 and truck-tractors, it shall be prominently
16 displayed on the front of the apportionable vehicle.

17 Sec. 59. Section 60-3,104, Revised Statutes Supplement, 2017, is
18 amended to read:

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

21 (1) Amateur radio station license plates issued pursuant to section
22 60-3,126;

23 (2) Apportionable vehicle license plates issued pursuant to section
24 60-3,203;

25 (3) Autocycle license plates issued pursuant to section 60-3,100;

26 (4) Boat dealer license plates issued pursuant to section 60-379;

27 (5) Breast Cancer Awareness Plates issued pursuant to sections
28 60-3,230 and 60-3,231;

29 (6) Bus license plates issued pursuant to section 60-3,144;

30 (7) Choose Life License Plates issued pursuant to sections 60-3,232
31 and 60-3,233;

1 (8) Commercial motor vehicle license plates issued pursuant to
2 section 60-3,147;

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

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

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

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

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

12 (14) Fertilizer trailer license plates issued pursuant to section
13 60-3,151;

14 (15) Gold Star Family license plates issued pursuant to sections
15 60-3,122.01 and 60-3,122.02;

16 (16) Handicapped or disabled person license plates issued pursuant
17 to section 60-3,113;

18 (17) Historical vehicle license plates issued pursuant to sections
19 60-3,130 to 60-3,134;

20 (18) Local truck license plates issued pursuant to section 60-3,145;

21 (19) Metropolitan utilities district license plates issued pursuant
22 to section 60-3,228;

23 (20) ~~(19)~~ Military Honor Plates issued pursuant to sections
24 60-3,122.03 and 60-3,122.04;

25 (21) ~~(20)~~ Minitruck license plates issued pursuant to section
26 60-3,100;

27 (22) ~~(21)~~ Motor vehicle license plates for motor vehicles owned or
28 operated by the state, counties, municipalities, or school districts
29 issued pursuant to section 60-3,105;

30 (23) ~~(22)~~ Motor vehicles exempt pursuant to section 60-3,107;

31 (24) ~~(23)~~ Motorcycle license plates issued pursuant to section

1 60-3,100;

2 ~~(25)~~ ~~(24)~~ Mountain Lion Conservation Plates issued pursuant to
3 sections 60-3,226 and 60-3,227;

4 ~~(26)~~ ~~(25)~~ Native American Cultural Awareness and History Plates
5 issued pursuant to sections 60-3,234 and 60-3,235;

6 ~~(27)~~ ~~(26)~~ Nebraska Cornhusker Spirit Plates issued pursuant to
7 sections 60-3,127 to 60-3,129;

8 ~~(28)~~ ~~(27)~~ Nebraska 150 Sesquicentennial Plates issued pursuant to
9 sections 60-3,223 to 60-3,225;

10 ~~(29)~~ ~~(28)~~ Nonresident owner thirty-day license plates issued
11 pursuant to section 60-382;

12 ~~(30)~~ ~~(29)~~ Passenger car having a seating capacity of ten persons or
13 less and not used for hire issued pursuant to section 60-3,143 other than
14 autocycles;

15 ~~(31)~~ ~~(30)~~ Passenger car having a seating capacity of ten persons or
16 less and used for hire issued pursuant to section 60-3,143 other than
17 autocycles;

18 ~~(32)~~ ~~(31)~~ Pearl Harbor license plates issued pursuant to section
19 60-3,122;

20 ~~(33)~~ ~~(32)~~ Personal-use dealer license plates issued pursuant to
21 section 60-3,116;

22 ~~(34)~~ ~~(33)~~ Personalized message license plates for motor vehicles,
23 trailers, and semitrailers, except motor vehicles, trailers, and
24 semitrailers registered under section 60-3,198, issued pursuant to
25 sections 60-3,118 to 60-3,121;

26 ~~(35)~~ ~~(34)~~ Prisoner-of-war license plates issued pursuant to section
27 60-3,123;

28 ~~(36)~~ ~~(35)~~ Public power district license plates issued pursuant to
29 section 60-3,228;

30 ~~(37)~~ ~~(36)~~ Purple Heart license plates issued pursuant to section
31 60-3,125;

1 ~~(38)~~ ~~(37)~~ Recreational vehicle license plates issued pursuant to
2 section 60-3,151;

3 ~~(39)~~ ~~(38)~~ Repossession license plates issued pursuant to section
4 60-375;

5 ~~(40)~~ ~~(39)~~ Special interest motor vehicle license plates issued
6 pursuant to section 60-3,135.01;

7 ~~(41)~~ ~~(40)~~ Specialty license plates issued pursuant to sections
8 60-3,104.01 and 60-3,104.02;

9 ~~(42)~~ ~~(41)~~ Trailer license plates issued for trailers owned or
10 operated by the state, counties, municipalities, or school districts
11 issued pursuant to section 60-3,106;

12 ~~(43)~~ ~~(42)~~ Trailer license plates issued pursuant to section
13 60-3,100;

14 ~~(44)~~ ~~(43)~~ Trailer license plates issued for trailers owned or
15 operated by a metropolitan utilities district or public power district
16 pursuant to section 60-3,228;

17 ~~(45)~~ ~~(44)~~ Trailers exempt pursuant to section 60-3,108;

18 ~~(46)~~ ~~(45)~~ Transporter license plates issued pursuant to section
19 60-378;

20 ~~(47)~~ ~~(46)~~ Trucks or combinations of trucks, truck-tractors, or
21 trailers which are not for hire and engaged in soil and water
22 conservation work and used for the purpose of transporting pipe and
23 equipment exclusively used by such contractors for soil and water
24 conservation construction license plates issued pursuant to section
25 60-3,149;

26 ~~(48)~~ ~~(47)~~ Utility trailer license plates issued pursuant to section
27 60-3,151; and

28 ~~(49)~~ ~~(48)~~ Well-boring apparatus and well-servicing equipment license
29 plates issued pursuant to section 60-3,109.

30 Sec. 60. Section 60-3,113.02, Revised Statutes Cumulative
31 Supplement, 2016, is amended to read:

1 60-3,113.02 (1) A handicapped or disabled person or temporarily
2 handicapped or disabled person or his or her parent, legal guardian,
3 foster parent, or certifying health care provider may apply for a
4 handicapped or disabled parking permit to the department or through a
5 health care provider using a secure online process developed by the
6 department which will entitle the holder of a permit or a person driving
7 a motor vehicle for the purpose of transporting such holder to park in
8 those spaces or access aisles provided for by sections 18-1736 and
9 18-1737 when the holder of the permit will enter or exit the motor
10 vehicle while it is parked in such spaces or access aisles. For purposes
11 of this section, (a) the handicapped or disabled person or temporarily
12 handicapped or disabled person is considered the holder of the permit and
13 (b) certifying health care provider means the physician, physician
14 assistant, or advanced practice registered nurse who makes the
15 certification required in subsection (2) of this section or his or her
16 designee.

17 (2) The application process for a handicapped or disabled parking
18 permit or for the renewal of a permit under this section shall include
19 presentation of proof of identity by the handicapped or disabled person
20 or temporarily handicapped or disabled person and certification by a
21 physician, a physician assistant, or an advanced practice registered
22 nurse practicing under and in accordance with his or her certification
23 act that the person who will be the holder meets the statutory criteria
24 for qualification. An application for the renewal of a permit under this
25 section may be submitted within one hundred eighty days prior to the
26 expiration of the permit. No applicant shall be required to provide his
27 or her social security number. In the case of a temporarily handicapped
28 or disabled person, the certifying physician, physician assistant, or
29 advanced practice registered nurse shall recommend that the permit for
30 the temporarily handicapped or disabled person be issued for either a
31 three-month period or a six-month period, with such recommendation to be

1 based on the estimated date of recovery.

2 (3) The department, upon receipt of a completed application for a
3 handicapped or disabled parking permit under this section, shall verify
4 that the applicant qualifies for such permit and, if so, shall deliver
5 the permit to the applicant. In issuing a renewal of a permit ~~renewed~~
6 ~~permits~~, the department shall deliver a new expiration sticker ~~each~~
7 ~~individual renewed permit~~ to the applicant to be affixed to the existing
8 permit. Such renewal sticker ~~The renewed permit~~ shall not be issued
9 sooner than ten days prior to the date of expiration of the existing
10 permit ~~, and the existing permit shall be invalid upon receipt of the~~
11 ~~renewed permit~~. A person may hold up to two permits under this section.
12 If a person holds a permit under this section, such person may not hold a
13 permit under section 60-3,113.03.

14 (4) In issuing any handicapped or disabled parking permit under this
15 section, the department shall include a notice and an identification
16 card. The notice shall contain information listing the legal uses of the
17 permit and that the permit is not transferable, is to be used by the
18 party to whom issued, is not to be altered or reproduced, and is to be
19 used only when a handicapped or disabled person or a temporarily
20 handicapped or disabled person will enter or exit the motor vehicle while
21 it is parked in a designated parking space or access aisle. The notice
22 shall also indicate that those convicted of handicapped parking
23 infractions shall be subject to suspension of the permit for six months.
24 The identification card shall show the expiration date of the permit and
25 such identifying information with regard to the handicapped or disabled
26 person or temporarily handicapped or disabled person to whom the permit
27 is issued as is necessary to the enforcement of sections 18-1736 to
28 18-1741.07 as determined by the department.

29 Sec. 61. Section 60-3,113.03, Revised Statutes Cumulative
30 Supplement, 2016, is amended to read:

31 60-3,113.03 (1) The department shall take an application from any

1 person for a handicapped or disabled parking permit that is issued for a
2 specific motor vehicle and entitles the holder thereof or a person
3 driving the motor vehicle for the purpose of transporting handicapped or
4 disabled persons or temporarily handicapped or disabled persons to park
5 in those spaces or access aisles provided for by sections 18-1736 and
6 18-1737 if the motor vehicle is used primarily for the transportation of
7 handicapped or disabled persons or temporarily handicapped or disabled
8 persons. Such permit shall be used only when the motor vehicle for which
9 it was issued is being used for the transportation of a handicapped or
10 disabled person or temporarily handicapped or disabled person and such
11 person will enter or exit the motor vehicle while it is parked in such
12 designated spaces or access aisles.

13 (2) A person applying for a handicapped or disabled parking permit
14 or for the renewal of a permit pursuant to this section shall apply for a
15 permit for each motor vehicle used for the transportation of handicapped
16 or disabled persons or temporarily handicapped or disabled persons and
17 shall include such information as is required by the department,
18 including a demonstration to the department that each such motor vehicle
19 is used primarily for the transportation of handicapped or disabled
20 persons or temporarily handicapped or disabled persons. An application
21 for the renewal of a permit under this section may be submitted within
22 one hundred eighty days prior to the expiration of the permit.

23 (3) The department, upon receipt of a completed application, shall
24 verify that the applicant qualifies for a handicapped or disabled parking
25 permit under this section and, if so, shall deliver the permit to the
26 applicant. In issuing renewed permits, the department shall deliver each
27 individual renewal ~~renewed permit~~ to the applicant as provided in section
28 60-3,113.02. The renewed permit shall not be issued sooner than ten days
29 prior to the date of expiration, and the existing permit shall be invalid
30 upon receipt of the renewed permit. No more than one such permit shall be
31 issued for each motor vehicle under this section.

1 (4) In issuing any handicapped or disabled parking permit under this
2 section, the department shall include a notice and an identification card
3 to the registered owner of the motor vehicle or the applicant. The notice
4 shall contain information listing the legal uses of the permit and that
5 the permit is not transferable, is to be used for the motor vehicle for
6 which it is issued, is not to be altered or reproduced, and is to be used
7 only when a handicapped or disabled person or a temporarily handicapped
8 or disabled person will enter or exit the motor vehicle while it is
9 parked in a designated parking space or access aisle. The notice shall
10 also indicate that those convicted of handicapped parking infractions
11 shall be subject to suspension of the permit for six months. The
12 identification card shall identify the motor vehicle for which the permit
13 is issued as is necessary to the enforcement of sections 18-1736 to
14 18-1741.07 as determined by the department.

15 Sec. 62. Section 60-3,143, Revised Statutes Cumulative Supplement,
16 2016, is amended to read:

17 60-3,143 (1) For autocycles, the registration fee shall be as
18 provided in section 60-3,153 ~~fifteen dollars~~.

19 (2) For every motor vehicle of ten-passenger capacity or less and
20 not used for hire, the registration fee shall be fifteen dollars.

21 (3) For each motor vehicle having a seating capacity of ten persons
22 or less and used for hire, the registration fee shall be six dollars plus
23 an additional four dollars for every person such motor vehicle is
24 equipped to carry in addition to the driver.

25 (4) For motor vehicles leased for hire when no driver or chauffeur
26 is furnished by the lessor as part of the consideration paid for by the
27 lessee, incident to the operation of the leased motor vehicle, the fee
28 shall be fifteen dollars.

29 Sec. 63. Section 60-3,147, Revised Statutes Cumulative Supplement,
30 2016, is amended to read:

31 60-3,147 (1) The registration fee on commercial motor vehicles,

1 metropolitan utilities district motor vehicles, and public power district
2 motor vehicles, except those motor vehicles registered under section
3 60-3,198, shall be based upon the gross vehicle weight, not to exceed the
4 maximum authorized by section 60-6,294.

5 (2) The registration fee on commercial motor vehicles, metropolitan
6 utilities district motor vehicles, and public power district motor
7 vehicles, except for motor vehicles and trailers registered under section
8 60-3,198, shall be based on the gross vehicle weight on such commercial
9 motor vehicles, metropolitan utilities district motor vehicles, or public
10 power district motor vehicles plus the gross vehicle weight of any
11 trailer or combination with which it is operated, except that for the
12 purpose of determining the registration fee, the gross vehicle weight of
13 a commercial motor vehicle towing or hauling a disabled or wrecked motor
14 vehicle properly registered for use on the highways shall be only the
15 gross vehicle weight of the towing commercial motor vehicle fully
16 equipped and not including the weight of the motor vehicle being towed or
17 hauled.

18 (3) Except as provided in subsection (4) of this section, the
19 registration fee on such commercial motor vehicles, metropolitan
20 utilities district motor vehicles, and public power district motor
21 vehicles shall be at the following rates:

22 (a) For a gross vehicle weight of three tons or less, eighteen
23 dollars;

24 (b) For a gross vehicle weight exceeding three tons and not
25 exceeding four tons, twenty-five dollars;

26 (c) For a gross vehicle weight exceeding four tons and not exceeding
27 five tons, thirty-five dollars;

28 (d) For a gross vehicle weight exceeding five tons and not exceeding
29 six tons, sixty dollars;

30 (e) For a gross vehicle weight exceeding six tons but not exceeding
31 seven tons, eighty-five dollars; and

1 (f) For a gross vehicle weight in excess of seven tons, the fee
2 shall be that for a commercial motor vehicle, metropolitan utilities
3 district motor vehicle, or public power district motor vehicle having a
4 gross vehicle weight of seven tons and, in addition thereto, twenty-five
5 dollars for each ton of gross vehicle weight over seven tons.

6 (4)(a) For fractional tons in excess of the twenty percent or the
7 tolerance of one thousand pounds, as provided in section 60-6,300, the
8 fee shall be computed on the basis of the next higher bracket.

9 (b) The fees provided by this section shall be reduced ten percent
10 for motor vehicles used exclusively for the transportation of
11 agricultural products.

12 (c) Fees for commercial motor vehicles, metropolitan utilities
13 district motor vehicles, or public power district motor vehicles with a
14 gross vehicle weight in excess of thirty-six tons shall be increased by
15 twenty percent for all such commercial motor vehicles, metropolitan
16 utilities district motor vehicles, or public power district motor
17 vehicles operated on any highway not a part of the National System of
18 Interstate and Defense Highways.

19 (5)(a) Such fee may be paid one-half at the time of registration and
20 one-half on the first day of the seventh month of the registration period
21 when the license fee exceeds two hundred ten dollars. When the second
22 half is paid, the county treasurer shall furnish a registration
23 certificate and license plates issued by the department which shall be
24 displayed on such commercial motor vehicle in the manner provided by law.
25 In addition to the registration fee, the department shall collect a
26 sufficient fee to cover the cost of issuing the certificate and license
27 plates.

28 (b) If such second half is not paid within thirty days following the
29 first day of the seventh month, the registration of such commercial motor
30 vehicle shall be canceled and the registration certificate and license
31 plates shall be returned to the county treasurer.

1 (c) Such fee shall be paid prior to any subsequent registration or
2 renewal of registration.

3 (6) Except as provided in section 60-3,228, license plates issued
4 under this section shall be the same size and of the same basic design as
5 regular license plates issued under section 60-3,100.

6 (7) A license plate or plates issued to a commercial motor vehicle
7 with a gross weight of five tons or over shall display, in addition to
8 the registration number, the weight that the commercial motor vehicle is
9 licensed for, using a decal on the license plate or plates of the
10 commercial motor vehicle in letters and numerals of such size and design
11 as shall be determined and issued by the department.

12 Sec. 64. Section 60-3,148, Revised Statutes Cumulative Supplement,
13 2016, is amended to read:

14 60-3,148 No owner of a commercial motor vehicle, metropolitan
15 utilities district motor vehicle, or public power district motor vehicle
16 shall be permitted to increase the gross vehicle weight for which such
17 commercial motor vehicle, metropolitan utilities district motor vehicle,
18 or public power district motor vehicle is registered except at the office
19 of the county treasurer in the county where such commercial motor
20 vehicle, metropolitan utilities district motor vehicle, or public power
21 district motor vehicle is currently registered unless the need for such
22 increase occurs when such commercial motor vehicle is more than one
23 hundred miles from the county seat of such county or the metropolitan
24 utilities district motor vehicle or public power district motor vehicle
25 is more than one hundred miles from its base location, unless authorized
26 to do so by the Nebraska State Patrol or authorized state scale examiner
27 as an emergency.

28 Sec. 65. Section 60-3,185, Reissue Revised Statutes of Nebraska, is
29 amended to read:

30 60-3,185 A motor vehicle tax is imposed on motor vehicles registered
31 for operation upon the highways of this state, except:

1 (1) Motor vehicles exempt from the registration fee in section
2 60-3,160;

3 (2) One motor vehicle owned and used for his or her personal
4 transportation by a disabled or blind veteran of the United States Armed
5 Forces as defined in section 77-202.23 whose disability or blindness is
6 recognized by the United States Department of Veterans Affairs and who
7 was discharged or otherwise separated with a characterization of
8 honorable if an application for the exemption has been approved under
9 subsection (1) of section 60-3,189;

10 (3) Motor vehicles owned by Indians who are members of an Indian
11 tribe as defined in 25 U.S.C. 479;

12 (4) Motor vehicles owned by a member of the United States Armed
13 Forces serving in this state in compliance with military or naval orders
14 or his or her spouse if such servicemember or spouse person is a resident
15 of a state other than Nebraska;

16 (5) Motor vehicles owned by the state and its governmental
17 subdivisions and exempt as provided in subdivision (1)(a) or (b) of
18 section 77-202;

19 (6) Motor vehicles owned and used exclusively by an organization or
20 society qualified for a tax exemption provided in subdivision (1)(c) or
21 (d) of section 77-202 if an application for the exemption provided in
22 this subdivision has been approved under subsection (2) of section
23 60-3,189; and

24 (7) Trucks, trailers, or combinations thereof registered under
25 section 60-3,198.

26 Sec. 66. Section 60-3,187, Revised Statutes Cumulative Supplement,
27 2016, is amended to read:

28 60-3,187 (1) The motor vehicle tax schedules are set out in this
29 section.

30 (2) The motor vehicle tax shall be calculated by multiplying the
31 base tax times the fraction which corresponds to the age category of the

1 vehicle as shown in the following table:

2 YEAR	FRACTION
3 First	1.00
4 Second	0.90
5 Third	0.80
6 Fourth	0.70
7 Fifth	0.60
8 Sixth	0.51
9 Seventh	0.42
10 Eighth	0.33
11 Ninth	0.24
12 Tenth and Eleventh	0.15
13 Twelfth and Thirteenth	0.07
14 Fourteenth and older	0.00

15 (3) The base tax shall be:

16 (a) Automobiles, autocycles, and motorcycles - An amount determined
17 using the following table:

18 Value when new	Base tax
19 Up to \$3,999	\$ 25
20 \$4,000 to \$5,999	35
21 \$6,000 to \$7,999	45
22 \$8,000 to \$9,999	60
23 \$10,000 to \$11,999	100
24 \$12,000 to \$13,999	140
25 \$14,000 to \$15,999	180
26 \$16,000 to \$17,999	220
27 \$18,000 to \$19,999	260
28 \$20,000 to \$21,999	300
29 \$22,000 to \$23,999	340

1	\$24,000 to \$25,999	380
2	\$26,000 to \$27,999	420
3	\$28,000 to \$29,999	460
4	\$30,000 to \$31,999	500
5	\$32,000 to \$33,999	540
6	\$34,000 to \$35,999	580
7	\$36,000 to \$37,999	620
8	\$38,000 to \$39,999	660
9	\$40,000 to \$41,999	700
10	\$42,000 to \$43,999	740
11	\$44,000 to \$45,999	780
12	\$46,000 to \$47,999	820
13	\$48,000 to \$49,999	860
14	\$50,000 to \$51,999	900
15	\$52,000 to \$53,999	940
16	\$54,000 to \$55,999	980
17	\$56,000 to \$57,999	1,020
18	\$58,000 to \$59,999	1,060
19	\$60,000 to \$61,999	1,100
20	\$62,000 to \$63,999	1,140
21	\$64,000 to \$65,999	1,180
22	\$66,000 to \$67,999	1,220
23	\$68,000 to \$69,999	1,260
24	\$70,000 to \$71,999	1,300
25	\$72,000 to \$73,999	1,340
26	\$74,000 to \$75,999	1,380
27	\$76,000 to \$77,999	1,420
28	\$78,000 to \$79,999	1,460
29	\$80,000 to \$81,999	1,500

1	\$82,000 to \$83,999	1,540
2	\$84,000 to \$85,999	1,580
3	\$86,000 to \$87,999	1,620
4	\$88,000 to \$89,999	1,660
5	\$90,000 to \$91,999	1,700
6	\$92,000 to \$93,999	1,740
7	\$94,000 to \$95,999	1,780
8	\$96,000 to \$97,999	1,820
9	\$98,000 to \$99,999	1,860
10	\$100,000 and over	1,900
11	(b) Assembled automobiles – \$60	
12	(c) Assembled motorcycles <u>other than an autocycle</u> – \$25	
13	(d) Cabin trailers, up to one thousand pounds – \$10	
14	(e) Cabin trailers, one thousand pounds and over and less than two	
15	thousand pounds – \$25	
16	(f) Cabin trailers, two thousand pounds and over – \$40	
17	(g) Recreational vehicles, less than eight thousand pounds – \$160	
18	(h) Recreational vehicles, eight thousand pounds and over and less	
19	than twelve thousand pounds – \$410	
20	(i) Recreational vehicles, twelve thousand pounds and over – \$860	
21	(j) Assembled recreational vehicles and buses shall follow the	
22	schedules for body type and registered weight	
23	(k) Trucks - Over seven tons and less than ten tons – \$360	
24	(l) Trucks - Ten tons and over and less than thirteen tons – \$560	
25	(m) Trucks - Thirteen tons and over and less than sixteen tons –	
26	\$760	
27	(n) Trucks - Sixteen tons and over and less than twenty-five tons –	
28	\$960	
29	(o) Trucks - Twenty-five tons and over – \$1,160	
30	(p) Buses – \$360	

1 (q) Trailers other than semitrailers – \$10

2 (r) Semitrailers – \$110

3 (s) Minitrucks – \$50

4 (t) Low-speed vehicles – \$50

5 (4) For purposes of subsection (3) of this section, truck means all
6 trucks and combinations of trucks except those trucks, trailers, or
7 combinations thereof registered under section 60-3,198, and the tax is
8 based on the gross vehicle weight rating as reported by the manufacturer.

9 (5) Current model year vehicles are designated as first-year motor
10 vehicles for purposes of the schedules.

11 (6) When a motor vehicle is registered which is newer than the
12 current model year by the manufacturer's designation, the motor vehicle
13 is subject to the initial motor vehicle tax in the first registration
14 period and ninety-five percent of the initial motor vehicle tax in the
15 second registration period.

16 (7) Assembled cabin trailers, assembled recreational vehicles, and
17 assembled buses shall be designated as sixth-year motor vehicles in their
18 first year of registration for purposes of the schedules.

19 (8) When a motor vehicle is registered which is required to have a
20 title branded as previous salvage pursuant to section 60-175, the motor
21 vehicle tax shall be reduced by twenty-five percent.

22 Sec. 67. Section 60-3,190, Revised Statutes Cumulative Supplement,
23 2016, is amended to read:

24 60-3,190 (1) A motor vehicle fee is imposed on all motor vehicles
25 registered for operation in this state. An owner of a motor vehicle which
26 is exempt from the imposition of a motor vehicle tax pursuant to section
27 60-3,185 shall also be exempt from the imposition of the motor vehicle
28 fee imposed pursuant to this section.

29 (2) The department shall annually determine the motor vehicle fee on
30 each motor vehicle registered pursuant to this section and shall cause a
31 notice of the amount to be delivered to the registrant. The notice shall

1 be combined with the notice of the motor vehicle tax required by section
2 60-3,186.

3 (3) The motor vehicle fee schedules are set out in this subsection
4 and subsection (4) of this section. Except for automobiles with a value
5 when new of less than \$20,000, and for assembled, reconstructed-
6 designated, and replica-designated automobiles, the fee shall be
7 calculated by multiplying the base fee times the fraction which
8 corresponds to the age category of the automobile as shown in the
9 following table:

10 YEAR	FRACTION
11 First through fifth	1.00
12 Sixth through tenth	.70
13 Eleventh and over	.35

14 (4) The base fee shall be:

15 (a) Automobiles, with a value when new of less than \$20,000, and
16 assembled, reconstructed-designated, and replica-designated automobiles –
17 \$5

18 (b) Automobiles, with a value when new of \$20,000 through \$39,999 –
19 \$20

20 (c) Automobiles, with a value when new of \$40,000 or more – \$30

21 (d) Motorcycles and autocycles – \$10

22 (e) Recreational vehicles and cabin trailers – \$10

23 (f) Trucks over seven tons and buses – \$30

24 (g) Trailers other than semitrailers – \$10

25 (h) Semitrailers – \$30

26 (i) Minitrucks – \$10

27 (j) Low-speed vehicles – \$10.

28 ~~(k) Autocycles – \$10.~~

29 (5) The motor vehicle tax, motor vehicle fee, and registration fee
30 shall be paid to the county treasurer prior to the registration of the

1 motor vehicle for the following registration period. After retaining one
2 percent of the motor vehicle fee collected for costs, the remaining
3 proceeds shall be remitted to the State Treasurer for credit to the Motor
4 Vehicle Fee Fund. The State Treasurer shall return funds from the Motor
5 Vehicle Fee Fund remitted by a county treasurer which are needed for
6 refunds or credits authorized by law.

7 (6)(a) The Motor Vehicle Fee Fund is created. On or before the last
8 day of each calendar quarter, the State Treasurer shall distribute all
9 funds in the Motor Vehicle Fee Fund as follows: (i) Fifty percent to the
10 county treasurer of each county, amounts in the same proportion as the
11 most recent allocation received by each county from the Highway
12 Allocation Fund; and (ii) fifty percent to the treasurer of each
13 municipality, amounts in the same proportion as the most recent
14 allocation received by each municipality from the Highway Allocation
15 Fund. Any money in the fund available for investment shall be invested by
16 the state investment officer pursuant to the Nebraska Capital Expansion
17 Act and the Nebraska State Funds Investment Act.

18 (b) Funds from the Motor Vehicle Fee Fund shall be considered local
19 revenue available for matching state sources.

20 (c) All receipts by counties and municipalities from the Motor
21 Vehicle Fee Fund shall be used for road, bridge, and street purposes.

22 (7) For purposes of subdivisions (4)(a), (b), (c), and (f) of this
23 section, automobiles or trucks includes all trucks and combinations of
24 trucks or truck-tractors, except those trucks, trailers, or semitrailers
25 registered under section 60-3,198, and the fee is based on the gross
26 vehicle weight rating as reported by the manufacturer.

27 (8) Current model year vehicles are designated as first-year motor
28 vehicles for purposes of the schedules.

29 (9) When a motor vehicle is registered which is newer than the
30 current model year by the manufacturer's designation, the motor vehicle
31 is subject to the initial motor vehicle fee for six registration periods.

1 (10) Assembled vehicles other than assembled, reconstructed-
2 designated, or replica-designated automobiles shall follow the schedules
3 for the motor vehicle body type.

4 Sec. 68. Section 60-3,221, Revised Statutes Cumulative Supplement,
5 2016, is amended to read:

6 60-3,221 (1) Except as otherwise provided in the Motor Vehicle
7 Registration Act:

8 (a) A cabin trailer shall only be towed by a properly registered:

9 (i) Passenger car;

10 (ii) Commercial motor vehicle or apportionable vehicle;

11 (iii) Farm truck;

12 (iv) Local truck;

13 (v) Minitruck;

14 (vi) Recreational vehicle; or

15 (vii) Bus;

16 (b) A utility trailer shall only be towed by:

17 (i) A properly registered passenger car;

18 (ii) A properly registered commercial motor vehicle or apportionable
19 vehicle;

20 (iii) A properly registered farm truck;

21 (iv) A properly registered local truck;

22 (v) A properly registered minitruck;

23 (vi) A properly registered recreational vehicle;

24 (vii) A properly registered motor vehicle which is engaged in soil
25 and water conservation pursuant to section 60-3,149;

26 (viii) A properly registered well-boring apparatus;

27 (ix) A dealer-plated vehicle;

28 (x) A personal-use dealer-plated vehicle;

29 (xi) A properly registered bus; or

30 (xii) A properly registered metropolitan utilities district motor
31 vehicle or public power district motor vehicle;

- 1 (c) A farm trailer shall only be towed by a properly registered:
- 2 (i) Passenger car;
- 3 (ii) Commercial motor vehicle;
- 4 (iii) Farm truck; or
- 5 (iv) Minitruck;
- 6 (d) A commercial trailer shall only be towed by:
- 7 (i) A properly registered motor vehicle which is engaged in soil and
- 8 water conservation pursuant to section 60-3,149;
- 9 (ii) A properly registered local truck;
- 10 (iii) A properly registered well-boring apparatus;
- 11 (iv) A properly registered commercial motor vehicle or apportionable
- 12 vehicle;
- 13 (v) A dealer-plated vehicle;
- 14 (vi) A personal-use dealer-plated vehicle;
- 15 (vii) A properly registered bus;
- 16 (viii) A properly registered farm truck; or
- 17 (ix) A properly registered metropolitan utilities district motor
- 18 vehicle or public power district motor vehicle;
- 19 (e) A fertilizer trailer shall only be towed by a properly
- 20 registered:
- 21 (i) Passenger car;
- 22 (ii) Commercial motor vehicle or apportionable vehicle;
- 23 (iii) Farm truck; or
- 24 (iv) Local truck;
- 25 (f) A pole and cable reel trailer shall only be towed by a properly
- 26 registered:
- 27 (i) Commercial motor vehicle or apportionable vehicle;
- 28 (ii) Local truck; or
- 29 (iii) Metropolitan utilities district motor vehicle or public
- 30 power district motor vehicle;
- 31 (g) A dealer-plated trailer shall only be towed by:

- 1 (i) A dealer-plated vehicle;
- 2 (ii) A properly registered passenger car;
- 3 (iii) A properly registered commercial motor vehicle or
- 4 apportionable vehicle;
- 5 (iv) A properly registered farm truck;
- 6 (v) A properly registered minitruck; or
- 7 (vi) A personal-use dealer-plated vehicle; and
- 8 (h) Trailers registered pursuant to section 60-3,198 as part of an
- 9 apportioned fleet shall only be towed by:

- 10 (i) A properly registered motor vehicle which is engaged in soil and
- 11 water conservation pursuant to section 60-3,149;
- 12 (ii) A properly registered local truck;
- 13 (iii) A properly registered well-boring apparatus;
- 14 (iv) A properly registered commercial motor vehicle or apportionable
- 15 vehicle;
- 16 (v) A dealer-plated vehicle;
- 17 (vi) A personal-use dealer-plated vehicle;
- 18 (vii) A properly registered bus; or
- 19 (viii) A properly registered farm truck.

20 (2) Nothing in this section shall be construed to waive compliance
21 with the Nebraska Rules of the Road or Chapter 75.

22 (3) Nothing in this section shall be construed to prohibit any motor
23 vehicle or trailer from displaying dealer license plates or In Transit
24 stickers authorized by section 60-376.

25 Sec. 69. Section 60-3,228, Revised Statutes Cumulative Supplement,
26 2016, is amended to read:

27 60-3,228 (1) Upon application and payment of the fees required
28 pursuant to this section and section 60-3,229, each motor vehicle and
29 trailer operated by a metropolitan utilities district or a public power
30 district shall be issued permanent metropolitan utilities district or
31 public power district license plates. The metropolitan utilities district

1 or public power district license plates shall be issued by the county in
2 which the metropolitan utilities district or public power district is
3 headquartered.

4 (2) Metropolitan utilities district vehicles or public Public power
5 district vehicles shall display a distinctive license plate provided by
6 the department pursuant to this section.

7 (3) Any license plate issued pursuant to this section shall remain
8 affixed to the front and rear of the motor vehicle and to the rear of the
9 trailer as long as the metropolitan utilities district vehicle or public
10 power district vehicle is registered pursuant to this section by the
11 owner or lessor making the original application pursuant to subsection
12 (1) of this section.

13 Sec. 70. Section 60-3,229, Revised Statutes Supplement, 2017, is
14 amended to read:

15 60-3,229 The registration fee for a metropolitan utilities district
16 motor vehicle or public power district motor vehicle shall be the fee
17 provided for commercial motor vehicles in section 60-3,147. The
18 registration fee for a metropolitan utilities district trailer or public
19 power district trailer shall be the fee provided for a trailer in section
20 60-3,151.

21 Sec. 71. Section 60-463.02, Revised Statutes Cumulative Supplement,
22 2016, is amended to read:

23 60-463.02 Autocycle means any motor vehicle (1) having a seat that
24 does not require the operator to straddle or sit astride it, (2) designed
25 to travel on three wheels in contact with the ground, (3) ~~in which the~~
26 ~~operator and passenger ride either side by side or in tandem in a seating~~
27 ~~area that is completely enclosed with a removable or fixed top and is~~
28 ~~equipped with manufacturer-installed air bags, a manufacturer-installed~~
29 ~~roll cage, and for each occupant a manufacturer-installed three-point~~
30 ~~safety belt system,~~ (4) having antilock brakes, (4) and (5) designed to
31 be controlled with a steering wheel and pedals, and (5) in which the

1 operator and passenger ride either side by side or in tandem in a seating
2 area that is equipped with a manufacturer-installed three-point safety
3 belt system for each occupant and that has a seating area that either (a)
4 is completely enclosed and is equipped with manufacturer-installed
5 airbags and a manufacturer-installed roll cage or (b) is not completely
6 enclosed and is equipped with a manufacturer-installed rollover
7 protection system.

8 Sec. 72. Section 60-480, Revised Statutes Cumulative Supplement,
9 2016, is amended to read:

10 60-480 (1) Operators' licenses issued by the department pursuant to
11 the Motor Vehicle Operator's License Act shall be classified as follows:

12 (a) ~~(1)~~ Class O license. The operator's license which authorizes the
13 person to whom it is issued to operate on highways any motor vehicle
14 except a commercial motor vehicle or motorcycle;

15 (b) ~~(2)~~ Class M license. The operator's license or endorsement on a
16 Class O license, provisional operator's permit, learner's permit, school
17 permit, or commercial driver's license which authorizes the person to
18 whom it is issued to operate a motorcycle on highways;

19 (c) ~~(3)~~ CDL-commercial driver's license. The operator's license
20 which authorizes the person to whom it is issued to operate a class of
21 commercial motor vehicle or any motor vehicle, except a motorcycle, on
22 highways;

23 (d) ~~(4)~~ CLP-commercial learner's permit. A permit which when carried
24 with a Class O license authorizes an individual to operate a class of
25 commercial motor vehicle when accompanied by a holder of a valid
26 commercial driver's license for purposes of behind-the-wheel training.
27 When issued to a commercial driver's license holder, a CLP-commercial
28 learner's permit serves as authorization for accompanied behind-the-wheel
29 training in a commercial motor vehicle for which the holder's current
30 commercial driver's license is not valid;

31 (e) ~~(5)~~ RCDL-restricted commercial driver's license. The class of

1 commercial driver's license which, when held with an annual seasonal
2 permit, authorizes a seasonal commercial motor vehicle operator as
3 defined in section 60-4,146.01 to operate any Class B Heavy Straight
4 Vehicle or Class C Small Vehicle commercial motor vehicle for purposes of
5 a farm-related or ranch-related service industry as defined in such
6 section within one hundred fifty miles of the employer's place of
7 business or the farm or ranch currently being served as provided in such
8 section or any other motor vehicle, except a motorcycle, on highways;

9 (f) ~~(6)~~ POP-provisional operator's permit. A motor vehicle operating
10 permit with restrictions issued pursuant to section 60-4,120.01 to a
11 person who is at least sixteen years of age but less than eighteen years
12 of age which authorizes the person to operate any motor vehicle except a
13 commercial motor vehicle or motorcycle;

14 (g) ~~(7)~~ SCP-school permit. A permit issued to a student between
15 fourteen years and two months of age and sixteen years of age for the
16 purpose of driving in accordance with the requirements of section
17 60-4,124;

18 (h) ~~(8)~~ FMP-farm permit. A permit issued to a person for purposes of
19 operating farm tractors and other motorized implements of farm husbandry
20 on highways in accordance with the requirements of section 60-4,126;

21 (i) ~~(9)~~ LPD-learner's permit. A permit issued in accordance with the
22 requirements of section 60-4,123 to a person at least fifteen years of
23 age which authorizes the person to operate a motor vehicle, except a
24 commercial motor vehicle, for learning purposes when accompanied by a
25 licensed operator who is at least twenty-one years of age and who
26 possesses a valid operator's license issued by this state or another
27 state;

28 (j) ~~(10)~~ LPE-learner's permit. A permit issued to a person at least
29 fourteen years of age which authorizes the person to operate a motor
30 vehicle, except a commercial motor vehicle, while learning to drive in
31 preparation for application for a school permit;

1 (k) ~~(11)~~ EDP-employment driving permit. A permit issued to a person
2 which authorizes the person to operate a motor vehicle, except a
3 commercial motor vehicle, pursuant to the requirements of sections
4 60-4,129 and 60-4,130;

5 (l) ~~(12)~~ IIP-ignition interlock permit. A permit issued to a person
6 which authorizes the person to operate a motor vehicle, except a
7 commercial motor vehicle, which is equipped with an ignition interlock
8 device;

9 (m) ~~(13)~~ SEP-seasonal permit. A permit issued to a person who holds
10 a restricted commercial driver's license authorizing the person to
11 operate a commercial motor vehicle, as prescribed by section 60-4,146.01,
12 for no more than one hundred eighty consecutive days in any twelve-month
13 period. The seasonal permit shall be valid and run from the date of
14 original issuance of the permit for one hundred eighty days and from the
15 date of annual revalidation of the permit; and

16 (n) ~~(14)~~ MHP-medical hardship driving permit. A permit issued to a
17 person which authorizes the person to operate a motor vehicle, except a
18 commercial motor vehicle, pursuant to the requirements of sections
19 60-4,130.01 and 60-4,130.02.

20 (2) For purposes of this section, motorcycle does not include an
21 autocycle.

22 Sec. 73. Section 60-484, Revised Statutes Cumulative Supplement,
23 2016, is amended to read:

24 60-484 (1) Except as otherwise provided in the Motor Vehicle
25 Operator's License Act, no resident of the State of Nebraska shall
26 operate a motor vehicle upon the alleys or highways of this state until
27 the person has obtained an operator's license for that purpose.

28 (2) Application for an operator's license or a state identification
29 card shall be made in a manner prescribed by the department.

30 (3) The applicant shall provide his or her full legal name, date of
31 birth, mailing address, gender, race or ethnicity, and social security

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

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

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

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

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

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

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

18 Please explain:

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

23 Please explain:

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

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

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

30 (ii) Do you wish to have the word "veteran" displayed on the front
31 of your operator's license or state identification card to show that you

1 served in the armed forces of the United States? (To be eligible you must
2 register with the Nebraska Department of Veterans' Affairs registry.)

3 (iii) Do you wish to include your name in the Donor Registry of
4 Nebraska and donate your organs and tissues at the time of your death?

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. A person who has a digital image
21 and digital signature on file with the department may apply
22 electronically to change his or her Class 0 operator's license to a state
23 identification card.

24 Sec. 74. Section 60-4,122, Revised Statutes Cumulative Supplement,
25 2016, is amended to read:

26 60-4,122 (1) Except as otherwise provided in subsections (2), (3),
27 and (8) of this section, no original or renewal operator's license shall
28 be issued to any person until such person has demonstrated his or her
29 ability to operate a motor vehicle safely as provided in section
30 60-4,114.

31 (2) Except as otherwise provided in this section and section

1 60-4,127, any person who renews his or her Class O or Class M license
2 shall demonstrate his or her ability to drive and maneuver a motor
3 vehicle safely as provided in subdivision (3)(b) of section 60-4,114 only
4 at the discretion of department personnel, except that a person required
5 to use bioptic or telescopic lenses shall be required to demonstrate his
6 or her ability to drive and maneuver a motor vehicle safely each time he
7 or she renews his or her license.

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

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

19 (5) Any person who renews a state identification card shall appear
20 before department personnel and present his or her current state
21 identification card or shall follow the procedure for electronic renewal
22 in subsection (9) of this section. Proof of identification shall be
23 required as prescribed in sections 60-484 and 60-4,181 and the
24 information and documentation required by section 60-484.04.

25 (6) A nonresident who applies for an initial operator's license in
26 this state and who holds a valid operator's license from another state
27 which is his or her state of residence may not be required to demonstrate
28 his or her knowledge of the motor vehicle laws of this state if he or she
29 surrenders to the department his or her valid out-of-state operator's
30 license.

31 (7) An applicant for an original operator's license may not be

1 required to demonstrate his or her knowledge of the motor vehicle laws of
2 this state if he or she has been issued a Nebraska LPD-learner's permit
3 that is valid or has been expired for no more than one year. The written
4 examination shall not be waived if the original operator's license being
5 applied for contains a class or endorsement which is different from the
6 class or endorsement of the Nebraska LPD-learner's permit.

7 (8)(a) A qualified licensee as determined by the department who is
8 twenty-one years of age or older, whose license expires prior to his or
9 her seventy-second birthday, and who has a digital image and digital
10 signature preserved in the digital system may renew his or her Class O or
11 Class M license once by electronic means in a manner prescribed by the
12 department using the preserved digital image and digital signature
13 without taking any examination required under section 60-4,114 if such
14 renewal is prior to or within one year after the expiration of the
15 license, if his or her driving record abstract maintained in the records
16 of the department shows that such person's license is not impounded,
17 suspended, revoked, or canceled, and if his or her driving record
18 indicates that he or she is otherwise eligible. Every licensee, including
19 a licensee who is out of the state at the time of renewal, must apply for
20 renewal in person at least once every ten years and have a new digital
21 image and digital signature captured.

22 (b) In order to allow for an orderly progression through the various
23 types of operators' licenses issued to persons under twenty-one years of
24 age, a qualified holder of an operator's license who is under twenty-one
25 years of age and who has a digital image and digital signature preserved
26 in the digital system may apply for an operator's license by electronic
27 means in a manner prescribed by the department using the preserved
28 digital image and digital signature if the applicant has passed any
29 required examinations prior to application, if his or her driving record
30 abstract maintained in the records of the department shows that such
31 person's operator's license is not impounded, suspended, revoked, or

1 canceled, and if his or her driving record indicates that he or she is
2 otherwise eligible.

3 (9) Any person who is twenty-one years of age or older and who has
4 been issued a state identification card with a digital image and digital
5 signature may electronically renew his or her state identification card
6 ~~once~~ by electronic means in a manner prescribed by the department using
7 the preserved digital image and digital signature. ~~Every holder of a~~
8 ~~state identification card shall apply for renewal in person at least once~~
9 ~~every ten years and have a new digital image and digital signature~~
10 ~~captured.~~

11 (10) In addition to services available at driver license offices,
12 the department may develop requirements for using electronic means for
13 online issuance of operators' licenses and state identification cards to
14 qualified holders as determined by the department.

15 Sec. 75. Section 60-4,123, Revised Statutes Cumulative Supplement,
16 2016, is amended to read:

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

26 (2) Upon successful completion of the written examination and the
27 payment of a fee and surcharge as prescribed in section 60-4,115, the
28 applicant shall be issued an LPD-learner's permit as provided in section
29 60-4,113. The permit shall be valid for twelve months.

30 (3)(a) The holder of an LPD-learner's permit shall only operate a
31 motor vehicle on the highways of this state if he or she is accompanied

1 at all times by a licensed operator who is at least twenty-one years of
2 age and who has been licensed by this state or another state and if (i)
3 for all motor vehicles other than autocycles, motorcycles, or mopeds, he
4 or she is actually occupying the seat beside the licensed operator, (ii)
5 in the case of an autocycle, he or she is actually occupying the seat
6 beside or in front of the licensed operator, or (iii) in the case of a
7 motorcycle, other than an autocycle, or a moped, he or she is within
8 visual contact of and under the supervision of, in the case of a
9 motorcycle, a licensed motorcycle operator or, in the case of a moped, a
10 licensed motor vehicle operator.

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

17 (4) Department personnel or the county treasurer shall collect the
18 fee and surcharge prescribed in section 60-4,115 for the issuance of each
19 LPD-learner's permit.

20 Sec. 76. Section 60-4,123.01, Revised Statutes Cumulative
21 Supplement, 2016, is amended to read:

22 60-4,123.01 For purposes of driver training, any person who has
23 attained or will attain the age of fourteen years on or before October 15
24 of the current year may operate a motor vehicle, other than an autocycle,
25 upon the highways of this state if he or she is accompanied or, in the
26 case of a motorcycle, other than an autocycle, or a moped, supervised at
27 all times by a licensed operator who is a driver training instructor
28 certified by the Commissioner of Education.

29 Sec. 77. Section 60-4,124, Revised Statutes Cumulative Supplement,
30 2016, is amended to read:

31 60-4,124 (1) A person who is younger than sixteen years and three

1 months of age but is older than fourteen years and two months of age may
2 be issued a school permit if such person either resides outside a city of
3 the metropolitan, primary, or first class or attends a school which is
4 outside a city of the metropolitan, primary, or first class and if such
5 person has held an LPE-learner's permit for two months. A school permit
6 shall not be issued until such person has demonstrated that he or she is
7 capable of successfully operating a motor vehicle, moped, or motorcycle
8 and has in his or her possession an issuance certificate authorizing the
9 county treasurer to issue a school permit. In order to obtain an issuance
10 certificate, the applicant shall present (a) proof of successful
11 completion of a department-approved driver safety course which includes
12 behind-the-wheel driving specifically emphasizing (i) the effects of the
13 consumption of alcohol on a person operating a motor vehicle, (ii)
14 occupant protection systems, (iii) risk assessment, and (iv) railroad
15 crossing safety and (b)(i) proof of successful completion of a written
16 examination and driving test administered by a driver safety course
17 instructor or (ii) a certificate in a form prescribed by the department,
18 signed by a parent, guardian, or licensed driver at least twenty-one
19 years of age, verifying that the applicant has completed fifty hours of
20 lawful motor vehicle operation, under conditions that reflect department-
21 approved driver safety course curriculum, with a parent, guardian, or
22 adult at least twenty-one years of age, who has a current Nebraska
23 operator's license or who is licensed in another state. The department
24 may waive the written examination if the applicant has been issued an
25 LPE-learner's permit or LPD-learner's permit and if such permit is valid
26 or has expired no more than one year prior to application. The written
27 examination shall not be waived if the permit being applied for contains
28 a class or endorsement which is different from the class or endorsement
29 of the LPE-learner's permit.

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

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

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

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

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

29 (5)(a) While holding the LPE-learner's permit, the person may
30 operate a motor vehicle on the highways of this state if (i) for all
31 motor vehicles other than autocycles, motorcycles, or mopeds, he or she

1 has seated next to him or her a person who is a licensed operator, (ii)
2 in the case of an autocycle, he or she has seated next to or behind him
3 or her a person who is a licensed operator, or (iii) in the case of a
4 motorcycle, other than an autocycle, or a moped, he or she is within
5 visual contact of and is under the supervision of a person who, in the
6 case of a motorcycle, is a licensed motorcycle operator or, in the case
7 of a moped, is a licensed motor vehicle operator. Such licensed motor
8 vehicle or motorcycle operator shall be at least twenty-one years of age
9 and licensed by this state or another state.

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

16 (6) Department personnel or the county treasurer shall collect the
17 fee and surcharge prescribed in section 60-4,115 from each successful
18 applicant for a school or LPE-learner's permit. All school permits shall
19 be subject to impoundment or revocation under the terms of section
20 60-496. Any person who violates the terms of a school permit shall be
21 guilty of an infraction and shall not be eligible for another school,
22 farm, LPD-learner's, or LPE-learner's permit until he or she has attained
23 the age of sixteen years.

24 (7) Any person who holds a permit issued under this section and has
25 violated subdivision (3)(b) or (c) of section 28-306, subdivision (3)(b)
26 or (c) of section 28-394, or section 28-1254, 60-6,196, 60-6,197, or
27 60-6,197.06 shall not be eligible for an ignition interlock permit.

28 Sec. 78. Section 60-4,127, Revised Statutes Cumulative Supplement,
29 2016, is amended to read:

30 60-4,127 (1) No person shall operate a motorcycle on the alleys or
31 highways of the State of Nebraska until such person has obtained a Class

1 M license. No such license shall be issued until the applicant has (a)
2 met the vision and physical requirements established under section
3 60-4,118 for operation of a motor vehicle and (b) successfully completed
4 an examination, including the actual operation of a motorcycle,
5 prescribed by the director, except that the required examination may be
6 waived, including the actual operation of a motorcycle, if the applicant
7 presents proof of successful completion of a motorcycle safety course
8 under the Motorcycle Safety Education Act within the immediately
9 preceding twenty-four months.

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

29 (3) For purposes of this section, motorcycle does not include an
30 autocycle.

31 Sec. 79. Section 60-4,128, Reissue Revised Statutes of Nebraska, is

1 amended to read:

2 60-4,128 (1) Any person violating the provisions of section
3 60-4,127 shall be guilty of a traffic infraction and shall upon
4 conviction thereof be fined not less than ten dollars nor more than one
5 hundred dollars. In addition, a person operating a motorcycle without a
6 Class M license may be required to complete the basic motorcycle safety
7 course as provided in the Motorcycle Safety Education Act.

8 (2) For purposes of this section, motorcycle does not include an
9 autocycle.

10 Sec. 80. Section 60-4,130.04, Reissue Revised Statutes of Nebraska,
11 is amended to read:

12 60-4,130.04 Commercial driver safety course instructors shall
13 possess competence as outlined in rules and regulations adopted and
14 promulgated by the Department of Motor Vehicles. Instructors who teach
15 the department-approved driver safety course in a public school or
16 institution and possess competence as outlined in a driver's education
17 endorsement shall be eligible to sign a form prescribed by the department
18 or electronically submit test results to the department showing
19 successful completion of the driver safety course. Each public school or
20 institution offering a department-approved driver safety course shall be
21 required to obtain a certificate and pay the fee pursuant to section
22 60-4,130.05. The Nebraska Safety Center shall offer a department-approved
23 driver safety course at least once each year in any county where no
24 approved course is offered.

25 Sec. 81. Section 60-4,182, Revised Statutes Cumulative Supplement,
26 2016, is amended to read:

27 60-4,182 In order to prevent and eliminate successive traffic
28 violations, there is hereby provided a point system dealing with traffic
29 violations as disclosed by the files of the director. The following point
30 system shall be adopted:

31 (1) Conviction of motor vehicle homicide - 12 points;

1 (2) Third offense drunken driving in violation of any city or
2 village ordinance or of section 60-6,196, as disclosed by the records of
3 the director, regardless of whether the trial court found the same to be
4 a third offense - 12 points;

5 (3) Failure to stop and render aid as required under section 60-697
6 in the event of involvement in a motor vehicle accident resulting in the
7 death or personal injury of another - 6 points;

8 (4) Failure to stop and report as required under section 60-696 or
9 any city or village ordinance in the event of a motor vehicle accident
10 resulting in property damage - 6 points;

11 (5) Driving a motor vehicle while under the influence of alcoholic
12 liquor or any drug or when such person has a concentration of eight-
13 hundredths of one gram or more by weight of alcohol per one hundred
14 milliliters of his or her blood or per two hundred ten liters of his or
15 her breath in violation of any city or village ordinance or of section
16 60-6,196 - 6 points;

17 (6) Willful reckless driving in violation of any city or village
18 ordinance or of section 60-6,214 or 60-6,217 - 6 points;

19 (7) Careless driving in violation of any city or village ordinance
20 or of section 60-6,212 - 4 points;

21 (8) Negligent driving in violation of any city or village ordinance
22 - 3 points;

23 (9) Reckless driving in violation of any city or village ordinance
24 or of section 60-6,213 - 5 points;

25 (10) Speeding in violation of any city or village ordinance or any
26 of sections 60-6,185 to 60-6,190 and 60-6,313:

27 (a) Not more than five miles per hour over the speed limit - 1
28 point;

29 (b) More than five miles per hour but not more than ten miles per
30 hour over the speed limit - 2 points;

31 (c) More than ten miles per hour but not more than thirty-five miles

1 per hour over the speed limit - 3 points, except that one point shall be
2 assessed upon conviction of exceeding by not more than ten miles per
3 hour, two points shall be assessed upon conviction of exceeding by more
4 than ten miles per hour but not more than fifteen miles per hour, and
5 three points shall be assessed upon conviction of exceeding by more than
6 fifteen miles per hour but not more than thirty-five miles per hour the
7 speed limits provided for in subdivision (1)(e), (f), (g), or (h) of
8 section 60-6,186; and

9 (d) More than thirty-five miles per hour over the speed limit - 4
10 points;

11 (11) Failure to yield to a pedestrian not resulting in bodily injury
12 to a pedestrian - 2 points;

13 (12) Failure to yield to a pedestrian resulting in bodily injury to
14 a pedestrian - 4 points;

15 (13) Using a handheld wireless communication device in violation of
16 section 60-6,179.01 or texting while driving in violation of subsection
17 (1) or (3) of section 60-6,179.02 - 3 points;

18 (14) Using a handheld mobile telephone in violation of subsection
19 (2) or (4) of section 60-6,179.02 - 3 points;

20 (15) Unlawful obstruction or interference of the view of an operator
21 in violation of section 60-6,256 - 1 point;

22 (16) A violation of subsection (1) of section 60-6,175 - 3 points;
23 and

24 (17) All other traffic violations involving the operation of motor
25 vehicles by the operator for which reports to the Department of Motor
26 Vehicles are required under sections 60-497.01 and 60-497.02 - 1 point.

27 Subdivision (17) of this section does not include violations
28 involving an occupant protection system or a three-point safety belt
29 system pursuant to section 60-6,270; ~~parking violations;~~ ~~violations~~
30 for operating a motor vehicle without a valid operator's license in the
31 operator's possession; ~~muffler violations;~~ ~~overwidth, overheight, or~~

1 overlenght violations; autocycle, motorcycle, or moped protective helmet
2 violations; τ or overloading of trucks.

3 All such points shall be assessed against the driving record of the
4 operator as of the date of the violation for which conviction was had.
5 Points may be reduced by the department under section 60-4,188.

6 In all cases, the forfeiture of bail not vacated shall be regarded
7 as equivalent to the conviction of the offense with which the operator
8 was charged.

9 The point system shall not apply to persons convicted of traffic
10 violations committed while operating a bicycle as defined in section
11 60-611 or an electric personal assistive mobility device as defined in
12 section 60-618.02.

13 Sec. 82. Section 60-501, Revised Statutes Supplement, 2017, is
14 amended to read:

15 60-501 For purposes of the Motor Vehicle Safety Responsibility Act,
16 unless the context otherwise requires:

17 (1) Department means Department of Motor Vehicles;

18 (2) Golf car vehicle means a vehicle that has at least four wheels,
19 has a maximum level ground speed of less than twenty miles per hour, has
20 a maximum payload capacity of one thousand two hundred pounds, has a
21 maximum gross vehicle weight of two thousand five hundred pounds, has a
22 maximum passenger capacity of not more than four persons, and is designed
23 and manufactured for operation on a golf course for sporting and
24 recreational purposes;

25 (3) Judgment means any judgment which shall have become final by the
26 expiration of the time within which an appeal might have been perfected
27 without being appealed, or by final affirmation on appeal, rendered by a
28 court of competent jurisdiction of any state or of the United States, (a)
29 upon a cause of action arising out of the ownership, maintenance, or use
30 of any motor vehicle for damages, including damages for care and loss of
31 services, because of bodily injury to or death of any person or for

1 damages because of injury to or destruction of property, including the
2 loss of use thereof, or (b) upon a cause of action on an agreement of
3 settlement for such damages;

4 (4) License means any license issued to any person under the laws of
5 this state pertaining to operation of a motor vehicle within this state;

6 (5) Low-speed vehicle means a (a) four-wheeled motor vehicle (i) (a)
7 whose speed attainable in one mile is more than twenty miles per hour and
8 not more than twenty-five miles per hour on a paved, level surface, (ii)
9 ~~(b)~~ whose gross vehicle weight rating is less than three thousand pounds,
10 and (iii) (e) that complies with 49 C.F.R. part 571, as such part existed
11 on January 1, 2018, or (b) three-wheeled motor vehicle (i) whose maximum
12 speed attainable is not more than twenty-five miles per hour on a paved,
13 level surface, (ii) whose gross vehicle weight rating is less than three
14 thousand pounds, (iii) which is equipped with a windshield and an
15 occupant protection system, and (iv) that complies with 49 C.F.R. part
16 571, as such part existed on January 1, 2018. A motorcycle with a sidecar
17 attached is not a low-speed vehicle 2017;

18 (6) Minitruck means a foreign-manufactured import vehicle or
19 domestic-manufactured vehicle which (a) is powered by an internal
20 combustion engine with a piston or rotor displacement of one thousand
21 five hundred cubic centimeters or less, (b) is sixty-seven inches or less
22 in width, (c) has a dry weight of four thousand two hundred pounds or
23 less, (d) travels on four or more tires, (e) has a top speed of
24 approximately fifty-five miles per hour, (f) is equipped with a bed or
25 compartment for hauling, (g) has an enclosed passenger cab, (h) is
26 equipped with headlights, taillights, turnsignals, windshield wipers, a
27 rearview mirror, and an occupant protection system, and (i) has a four-
28 speed, five-speed, or automatic transmission;

29 (7) Motor vehicle means any self-propelled vehicle which is designed
30 for use upon a highway, including trailers designed for use with such
31 vehicles, minitrucks, and low-speed vehicles. Motor vehicle does not

1 include (a) mopeds as defined in section 60-637, (b) traction engines,
2 (c) road rollers, (d) farm tractors, (e) tractor cranes, (f) power
3 shovels, (g) well drillers, (h) every vehicle which is propelled by
4 electric power obtained from overhead wires but not operated upon rails,
5 (i) electric personal assistive mobility devices as defined in section
6 60-618.02, (j) off-road designed vehicles, including, but not limited to,
7 golf car vehicles, go-carts, riding lawnmowers, garden tractors, all-
8 terrain vehicles and utility-type vehicles as defined in section
9 60-6,355, minibikes as defined in section 60-636, and snowmobiles as
10 defined in section 60-663, and (k) bicycles as defined in section 60-611;

11 (8) Nonresident means every person who is not a resident of this
12 state;

13 (9) Nonresident's operating privilege means the privilege conferred
14 upon a nonresident by the laws of this state pertaining to the operation
15 by him or her of a motor vehicle or the use of a motor vehicle owned by
16 him or her in this state;

17 (10) Operator means every person who is in actual physical control
18 of a motor vehicle;

19 (11) Owner means a person who holds the legal title of a motor
20 vehicle, or in the event (a) a motor vehicle is the subject of an
21 agreement for the conditional sale or lease thereof with the right of
22 purchase upon performance of the conditions stated in the agreement and
23 with an immediate right of possession vested in the conditional vendee or
24 lessee or (b) a mortgagor of a vehicle is entitled to possession, then
25 such conditional vendee or lessee or mortgagor shall be deemed the owner
26 for the purposes of the act;

27 (12) Person means every natural person, firm, partnership, limited
28 liability company, association, or corporation;

29 (13) Proof of financial responsibility means evidence of ability to
30 respond in damages for liability, on account of accidents occurring
31 subsequent to the effective date of such proof, arising out of the

1 ownership, maintenance, or use of a motor vehicle, (a) in the amount of
2 twenty-five thousand dollars because of bodily injury to or death of one
3 person in any one accident, (b) subject to such limit for one person, in
4 the amount of fifty thousand dollars because of bodily injury to or death
5 of two or more persons in any one accident, and (c) in the amount of
6 twenty-five thousand dollars because of injury to or destruction of
7 property of others in any one accident;

8 (14) Registration means registration certificate or certificates and
9 registration plates issued under the laws of this state pertaining to the
10 registration of motor vehicles;

11 (15) State means any state, territory, or possession of the United
12 States, the District of Columbia, or any province of the Dominion of
13 Canada; and

14 (16) The forfeiture of bail, not vacated, or of collateral deposited
15 to secure an appearance for trial shall be regarded as equivalent to
16 conviction of the offense charged.

17 Sec. 83. Section 60-610.01, Revised Statutes Cumulative Supplement,
18 2016, is amended to read:

19 60-610.01 Autocycle means any motor vehicle (1) having a seat that
20 does not require the operator to straddle or sit astride it, (2) designed
21 to travel on three wheels in contact with the ground, (3) ~~in which the~~
22 ~~operator and passenger ride either side by side or in tandem in a seating~~
23 ~~area that is completely enclosed with a removable or fixed top and is~~
24 ~~equipped with manufacturer-installed air bags, a manufacturer-installed~~
25 ~~roll cage, and for each occupant a manufacturer-installed three-point~~
26 ~~safety belt system, (4) having antilock brakes, (4) and (5) designed to~~
27 ~~be controlled with a steering wheel and pedals, and (5) in which the~~
28 operator and passenger ride either side by side or in tandem in a seating
29 area that is equipped with a manufacturer-installed three-point safety
30 belt system for each occupant and that has a seating area that either (a)
31 is completely enclosed and is equipped with manufacturer-installed

1 airbags and a manufacturer-installed roll cage or (b) is not completely
2 enclosed and is equipped with a manufacturer-installed rollover
3 protection system.

4 Sec. 84. Section 60-628.01, Revised Statutes Supplement, 2017, is
5 amended to read:

6 60-628.01 Low-speed vehicle means a (1) four-wheeled motor vehicle
7 (a) ~~(1)~~ whose speed attainable in one mile is more than twenty miles per
8 hour and not more than twenty-five miles per hour on a paved, level
9 surface, (b) ~~(2)~~ whose gross vehicle weight rating is less than three
10 thousand pounds, and (c) ~~(3)~~ that complies with 49 C.F.R. part 571, as
11 such part existed on January 1, 2018, or (2) three-wheeled motor vehicle
12 (a) whose maximum speed attainable is not more than twenty-five miles per
13 hour on a paved, level surface, (b) whose gross vehicle weight rating is
14 less than three thousand pounds, (c) which is equipped with a windshield
15 and an occupant protection system, and (d) that complies with 49 C.F.R.
16 part 571, as such part existed on January 1, 2018. A motorcycle with a
17 sidecar attached is not a low-speed vehicle 2017.

18 Sec. 85. Section 60-639, Revised Statutes Cumulative Supplement,
19 2016, is amended to read:

20 60-639 Motorcycle means shall mean every motor vehicle having a seat
21 or saddle for the use of the rider and designed to travel on not more
22 than three wheels in contact with the ground, excluding ~~autocycles,~~
23 tractors, and electric personal assistive mobility devices. Motorcycle
24 includes an autocycle.

25 Sec. 86. Section 60-640, Revised Statutes Cumulative Supplement,
26 2016, is amended to read:

27 60-640 (1) Motor-driven cycle means shall mean every motorcycle,
28 including every motor scooter, with a motor which produces not to exceed
29 five brake horsepower as measured at the drive shaft, mopeds, and every
30 bicycle with motor attached except for a bicycle as described in
31 subdivision (2) of section 60-611. Motor-driven cycle shall not include

1 an electric personal assistive mobility device.

2 (2) For purposes of this section, motorcycle does not include an
3 autocycle.

4 Sec. 87. Section 60-6,226, Revised Statutes Cumulative Supplement,
5 2016, is amended to read:

6 60-6,226 (1) Any motor vehicle having four or more wheels which is
7 manufactured or assembled, whether from a kit or otherwise, after January
8 1, 1954, designed or used for the purpose of carrying passengers or
9 freight, any autocycle, or any trailer, in use on a highway, shall be
10 equipped with brake and turnsignal lights in good working order.

11 (2) Motorcycles other than autocycles, motor-driven cycles, motor
12 scooters, bicycles, electric personal assistive mobility devices,
13 vehicles used solely for agricultural purposes, vehicles not designed and
14 intended primarily for use on a highway, and, during daylight hours,
15 fertilizer trailers as defined in section 60-326 and implements of
16 husbandry designed primarily or exclusively for use in agricultural
17 operations shall not be required to have or maintain in working order
18 signal lights required by this section, but they may be so equipped. The
19 operator thereof shall comply with the requirements for utilizing hand
20 and arm signals or for utilizing such signal lights if the vehicle is so
21 equipped.

22 Sec. 88. Section 60-6,244, Reissue Revised Statutes of Nebraska, is
23 amended to read:

24 60-6,244 (1) Every motor vehicle when operated upon a highway shall
25 be equipped with brakes adequate to control the movement of and to stop
26 and to hold such vehicle, including two separate means of applying the
27 brakes, each of which means shall be effective to apply the brakes to at
28 least two wheels and so constructed that no part which is liable to
29 failure shall be common to the two, except that a motorcycle shall be
30 required to be equipped with only one brake. All such brakes shall be
31 maintained at all times in good working order.

1 (2) It shall be unlawful for any owner or operator of any motor
2 vehicle, other than a motorcycle, to operate such motor vehicle upon a
3 highway unless the brake equipment thereon qualifies with regard to
4 maximum stopping distances from a speed of twenty miles per hour on dry
5 asphalt or concrete pavement free from loose materials as follows:

6 (a) Two-wheel brakes, maximum stopping distance, forty feet;

7 (b) Four or more wheel brakes, vehicles up to seven thousand pounds
8 gross weight, maximum stopping distance, thirty feet;

9 (c) Four or more wheel brakes, vehicles seven thousand pounds or
10 more gross weight, maximum stopping distance, thirty-five feet;

11 (d) All hand, parking, or emergency brakes, vehicles up to seven
12 thousand pounds gross weight, maximum stopping distance, fifty-five feet;
13 and

14 (e) All hand, parking, or emergency brakes, vehicles seven thousand
15 pounds or more gross weight, maximum stopping distance, sixty-five feet.

16 (3) All braking distances specified in this section shall apply to
17 all vehicles whether unloaded or loaded to the maximum capacity permitted
18 by law.

19 (4) The retarding force of one side of the vehicle shall not exceed
20 the retarding force on the opposite side so as to prevent the vehicle
21 stopping in a straight line.

22 (5) For purposes of this section, motorcycle does not include an
23 autocycle.

24 Sec. 89. Section 60-6,254, Reissue Revised Statutes of Nebraska, is
25 amended to read:

26 60-6,254 (1) No person shall drive a motor vehicle, other than a
27 motorcycle, on a highway when the motor vehicle is so constructed or
28 loaded as to prevent the driver from obtaining a view of the highway to
29 the rear by looking backward from the driver's position unless such
30 vehicle is equipped with a right-side and a left-side outside mirror so
31 located as to reflect to the driver a view of the highway for a distance

1 of at least two hundred feet to the rear of such vehicle. Temporary
2 outside mirrors and attachments used when towing a vehicle shall be
3 removed from such motor vehicle or retracted within the outside
4 dimensions thereof when it is operated upon the highway without such
5 trailer.

6 (2) For purposes of this section, motorcycle does not include an
7 autocycle.

8 Sec. 90. Section 60-6,255, Reissue Revised Statutes of Nebraska, is
9 amended to read:

10 60-6,255 (1) Every motor vehicle registered pursuant to the Motor
11 Vehicle Registration Act, except motorcycles, shall be equipped with a
12 front windshield.

13 (2) It shall be unlawful for any person to drive any vehicle upon a
14 highway with any sign, poster, or other nontransparent material upon the
15 front windshield, side wing vents, or side or rear windows of such motor
16 vehicle other than a certificate or other paper required to be so
17 displayed by law. The front windshield, side wing vents, and side or rear
18 windows may have a visor or other shade device which is easily moved
19 aside or removable, is normally used by a motor vehicle operator during
20 daylight hours, and does not impair the driver's field of vision.

21 (3) Every windshield on a motor vehicle, other than a motorcycle,
22 shall be equipped with a device for cleaning rain, snow, or other
23 moisture from the windshield, which device shall be so constructed as to
24 be controlled or operated by the driver of the vehicle.

25 (4) For purposes of this section, motorcycle does not include an
26 autocycle.

27 Sec. 91. Section 60-6,263, Reissue Revised Statutes of Nebraska, is
28 amended to read:

29 60-6,263 (1) It shall be unlawful to operate on any highway in this
30 state any motor vehicle, other than a motorcycle, manufactured or
31 assembled, whether from a kit or otherwise, after January 1, 1935, which

1 is designed or used for the purpose of carrying passengers unless such
2 vehicle is equipped in all doors, windows, and windshields with safety
3 glass. Any windshield attached to a motorcycle shall be manufactured of
4 products which will successfully withstand discoloration due to exposure
5 to sunlight or abnormal temperatures over an extended period of time.

6 (2) For purposes of this section, motorcycle does not include an
7 autocycle.

8 (3) The owner or operator of any motor vehicle operated in violation
9 of this section shall be guilty of a Class III misdemeanor.

10 Sec. 92. Section 60-6,267, Revised Statutes Supplement, 2017, is
11 amended to read:

12 60-6,267 (1) Any person in Nebraska who drives any motor vehicle
13 which has or is required to have an occupant protection system or a
14 three-point safety belt system shall ensure that all children up to six
15 years of age being transported by such vehicle use a child passenger
16 restraint system of a type which meets Federal Motor Vehicle Safety
17 Standard 213 as developed by the National Highway Traffic Safety
18 Administration, as such standard existed on January 1, 2009, and which is
19 correctly installed in such vehicle.

20 (2) Any person in Nebraska who drives any motor vehicle which has or
21 is required to have an occupant protection system or a three-point safety
22 belt system shall ensure that all children six years of age and less than
23 eighteen years of age being transported by such vehicle use an occupant
24 protection system.

25 (3) Subsections (1) and (2) of this section apply to autocycles and
26 to every motor vehicle which is equipped with an occupant protection
27 system or is required to be equipped with restraint systems pursuant to
28 Federal Motor Vehicle Safety Standard 208, as such standard existed on
29 January 1, 2009, except taxicabs, mopeds, motorcycles, and any motor
30 vehicle designated by the manufacturer as a 1963 year model or earlier
31 which is not equipped with an occupant protection system.

1 (4) Whenever any licensed physician determines, through accepted
2 medical procedures, that use of a child passenger restraint system by a
3 particular child would be harmful by reason of the child's weight,
4 physical condition, or other medical reason, the provisions of subsection
5 (1) or (2) of this section shall be waived. The driver of any vehicle
6 transporting such a child shall carry on his or her person or in the
7 vehicle a signed written statement of the physician identifying the child
8 and stating the grounds for such waiver.

9 (5) The drivers of authorized emergency vehicles shall not be
10 subject to the requirements of subsection (1) or (2) of this section when
11 operating such authorized emergency vehicles pursuant to their
12 employment.

13 (6) A driver of a motor vehicle shall not be subject to the
14 requirements of subsection (1) or (2) of this section if the motor
15 vehicle is being operated in a parade or exhibition and the parade or
16 exhibition is being conducted in accordance with applicable state law and
17 local ordinances and resolutions.

18 (7) The Department of Transportation shall develop and implement an
19 ongoing statewide public information and education program regarding the
20 use of child passenger restraint systems and occupant protection systems
21 and the availability of distribution and discount programs for child
22 passenger restraint systems.

23 (8) All persons being transported by a motor vehicle operated by a
24 holder of a provisional operator's permit or a school permit shall use
25 such motor vehicle's occupant protection system or a three-point safety
26 belt system.

27 (9) For purposes of this section, motorcycle does not include an
28 autocycle.

29 Sec. 93. Section 60-6,279, Reissue Revised Statutes of Nebraska, is
30 amended to read:

31 60-6,279 (1) A person shall not operate or be a passenger in ~~on~~ an

1 autocycle described in subsection (2) of this section, on a motorcycle
2 other than an autocycle, or on a moped on any highway in this state
3 unless such person is wearing a protective helmet of the type and design
4 manufactured for use by operators of such vehicles and unless such helmet
5 is secured properly on his or her head with a chin strap while the
6 vehicle is in motion. All such protective helmets shall be designed to
7 reduce injuries to the user resulting from head impacts and shall be
8 designed to protect the user by remaining on the user's head, deflecting
9 blows, resisting penetration, and spreading the force of impact. Each
10 such helmet shall consist of lining, padding, and chin strap and shall
11 meet or exceed the standards established in the United States Department
12 of Transportation's Federal Motor Vehicle Safety Standard No. 218, 49
13 C.F.R. 571.218, for motorcycle helmets.

14 (2) This section applies to an autocycle that has a seating area
15 that is not completely enclosed.

16 Sec. 94. Section 60-6,306, Reissue Revised Statutes of Nebraska, is
17 amended to read:

18 60-6,306 (1) Any person who operates a motorcycle shall have all of
19 the rights and shall be subject to all of the duties applicable to the
20 driver of any other vehicle under the Nebraska Rules of the Road except
21 for special motorcycle regulations in the rules and except for those
22 provisions of the rules which by their nature can have no application.

23 (2) For purposes of this section, motorcycle does not include an
24 autocycle.

25 Sec. 95. Section 60-6,307, Reissue Revised Statutes of Nebraska, is
26 amended to read:

27 60-6,307 (1) Any person who operates a motorcycle shall ride only
28 upon a permanent and regular seat attached to the motorcycle. A person
29 operating a motorcycle shall not carry any other person nor shall any
30 other person ride on a motorcycle unless such motorcycle is designed to
31 carry more than one person, in which event a passenger may ride upon the

1 permanent and regular seat, if designed for two persons, or upon another
2 seat firmly attached to the motorcycle to the rear or side of the
3 operator.

4 (2) A person shall ride upon a motorcycle only while sitting astride
5 the seat, facing forward.

6 (3) No person shall operate a motorcycle while carrying any package,
7 bundle, or other article which prevents him or her from keeping both
8 hands on the handlebars.

9 (4) No operator shall carry any person, nor shall any person ride,
10 in a position that interferes with the operation or control of the
11 motorcycle or the view of the operator.

12 (5) Any motorcycle which carries a passenger, other than in a
13 sidecar or enclosed cab, shall be equipped with footrests for such
14 passenger.

15 (6) No person shall operate any motorcycle with handlebars more than
16 fifteen inches above the mounting point of the handlebars.

17 (7) For purposes of this section, motorcycle does not include an
18 autocycle.

19 Sec. 96. Section 60-6,308, Reissue Revised Statutes of Nebraska, is
20 amended to read:

21 60-6,308 (1) A motorcycle shall be entitled to full use of a traffic
22 lane of any highway, and no vehicle shall be driven in such a manner as
23 to deprive any motorcycle of the full use of such lane, except that
24 motorcycles may be operated two abreast in a single lane.

25 (2) The operator of a motorcycle shall not overtake and pass in the
26 same lane occupied by a vehicle being overtaken.

27 (3) No person shall operate a motorcycle between lanes of traffic or
28 between adjacent lines or rows of vehicles.

29 (4) Motorcycles shall not be operated more than two abreast in a
30 single lane.

31 (5) Subsections (2) and (3) of this section shall not apply to peace

1 officers in the performance of their official duties.

2 (6) No person who rides upon a motorcycle shall attach himself,
3 herself, or the motorcycle to any other vehicle on a roadway.

4 (7) For purposes of this section, motorcycle does not include an
5 autocycle.

6 Sec. 97. Section 60-6,313, Reissue Revised Statutes of Nebraska, is
7 amended to read:

8 60-6,313 (1) A moped shall be entitled to full use of a traffic lane
9 of any highway with an authorized speed limit of forty-five miles per
10 hour or less, and no vehicle shall be operated in such a manner as to
11 deprive any moped of the full use of such lane, except that mopeds and
12 motorcycles may be operated two abreast in a single lane.

13 (2) No person shall operate a moped between lanes of traffic or
14 between adjacent lines or rows of vehicles.

15 (3) Mopeds shall not be operated more than two abreast in a single
16 lane.

17 (4) Any person who operates a moped on a roadway with an authorized
18 speed limit of more than forty-five miles per hour shall ride as near to
19 the right side of the roadway as practicable and shall not ride more than
20 single file.

21 (5) No person who rides upon a moped shall attach himself, herself,
22 or the moped to any other vehicle on a roadway.

23 (6) Mopeds shall not be operated on the National System of
24 Interstate and Defense Highways or on sidewalks.

25 (7) Notwithstanding the maximum speed limits in excess of twenty-
26 five miles per hour established in section 60-6,186, no person shall
27 operate any moped at a speed in excess of thirty miles per hour.

28 (8) For purposes of this section, motorcycle does not include an
29 autocycle.

30 Sec. 98. Section 60-1401.28, Revised Statutes Cumulative Supplement,
31 2016, is amended to read:

1 60-1401.28 Motorcycle means every motor vehicle, except a tractor,
2 having a seat or saddle for use of the rider and designed to travel on
3 not more than three wheels in contact with the ground and for which
4 evidence of title is required as a condition precedent to registration
5 under the laws of this state. Motorcycle includes ~~does not include~~ an
6 autocycle.

7 Sec. 99. Section 60-1401.42, Revised Statutes Cumulative Supplement,
8 2016, is amended to read:

9 60-1401.42 Autocycle means any motor vehicle (1) having a seat that
10 does not require the operator to straddle or sit astride it, (2) designed
11 to travel on three wheels in contact with the ground, (3) ~~in which the~~
12 ~~operator and passenger ride either side by side or in tandem in a seating~~
13 ~~area that is completely enclosed with a removable or fixed top and is~~
14 ~~equipped with manufacturer-installed air bags, a manufacturer-installed~~
15 ~~roll cage, and for each occupant a manufacturer-installed three-point~~
16 ~~safety belt system, (4) having antilock brakes, (4) and (5) designed to~~
17 ~~be controlled with a steering wheel and pedals, and (5) in which the~~
18 operator and passenger ride either side by side or in tandem in a seating
19 area that is equipped with a manufacturer-installed three-point safety
20 belt system for each occupant and that has a seating area that either (a)
21 is completely enclosed and is equipped with manufacturer-installed
22 airbags and a manufacturer-installed roll cage or (b) is not completely
23 enclosed and is equipped with a manufacturer-installed rollover
24 protection system.

25 Sec. 100. (1) It is the intent of the Legislature that the
26 Department of Motor Vehicles maintain and further improve the Vehicle
27 Title and Registration System which is the statewide system for the
28 collection, storage, and transfer of data on vehicle titles and
29 registrations as described in section 60-1505.

30 (2) The department shall provide for technological updates to
31 electronic certificates of title. The Director of Motor Vehicles shall

1 designate an implementation date for the updates which date is on or
2 before January 1, 2021.

3 (3) The department shall provide for an electronic reporting system
4 for salvage and junked motorboats and vehicles. The director shall
5 designate an implementation date for the system which date is on or
6 before January 1, 2021.

7 (4) The department shall provide for the use of identification
8 numbers for trailers which do not have a certificate of title. The
9 director shall designate an implementation date for such use which date
10 is on or before January 1, 2021.

11 Sec. 101. Section 60-1507, Revised Statutes Supplement, 2017, is
12 amended to read:

13 60-1507 (1) ~~The Beginning January 1, 2019,~~ the Department of Motor
14 Vehicles shall develop an electronic dealer services system for
15 implementation as provided in subsection (7) of this section. The
16 Director of Motor Vehicles shall approve a licensed dealer as defined in
17 sections 60-119.02 and 60-335.01 for participation in the system. A
18 licensed dealer may voluntarily participate in the system and provide
19 titling and registration services. A licensed dealer who chooses to
20 participate may collect from a purchaser of a vehicle as defined in
21 section 60-136, who also chooses to participate, all appropriate
22 certificate of title fees, notation of lien fees, registration fees,
23 motor vehicle taxes and fees, and sales taxes. All such fees and taxes
24 collected shall be remitted to the appropriate county treasurer or the
25 department as provided in the Motor Vehicle Certificate of Title Act, the
26 Motor Vehicle Registration Act, and the Nebraska Revenue Act of 1967.

27 (2) In addition to the fees and taxes described in subsection (1) of
28 this section, a participating licensed dealer may charge and collect a
29 service fee not to exceed fifty dollars from a purchaser electing to use
30 the electronic dealer services system.

31 (3) The department shall provide an approved participating licensed

1 dealer with access to the electronic dealer services system by a method
2 determined by the director. An approved licensed dealer who chooses to
3 participate shall use the system to electronically submit title,
4 registration, and lien information to the Vehicle Title and Registration
5 System maintained by the department. License plates, registration
6 certificates, and certificates of title shall be delivered as provided
7 under the Motor Vehicle Certificate of Title Act and the Motor Vehicle
8 Registration Act.

9 (4) The director may remove a licensed dealer's authority to
10 participate in the electronic dealer services system for any violation of
11 the Motor Vehicle Certificate of Title Act, the Motor Vehicle Industry
12 Regulation Act, the Motor Vehicle Registration Act, or the Nebraska
13 Revenue Act of 1967, for failure to timely remit fees and taxes collected
14 under this section, or for any other conduct the director deems to have
15 or will have an adverse effect on the public or any governmental entity.

16 (5) An approved licensed dealer participating in the electronic
17 dealer services system shall not release, disclose, use, or share
18 personal or sensitive information contained in the records accessible
19 through the electronic dealer services system as prohibited under the
20 Uniform Motor Vehicle Records Disclosure Act, except that a licensed
21 dealer may release, disclose, use, or share such personal or sensitive
22 information when necessary to fulfill the requirements of the electronic
23 dealer services system as approved by the department. An approved
24 licensed dealer participating in the electronic dealer services system
25 shall be responsible for ensuring that such licensed dealer's employees
26 and agents comply with the Uniform Motor Vehicle Records Disclosure Act.

27 (6) The department may adopt and promulgate rules and regulations
28 governing the eligibility for approval and removal of licensed dealers to
29 participate in the electronic dealer services system, the procedures and
30 requirements necessary to implement and maintain such system, and the
31 procedures and requirements for approved licensed dealers participating

1 in such system.

2 (7) The department shall implement the electronic dealer services
3 system on a date to be determined by the director but not later than
4 January 1, 2021.

5 Sec. 102. Section 69-2441, Reissue Revised Statutes of Nebraska, is
6 amended to read:

7 69-2441 (1)(a) A permitholder may carry a concealed handgun anywhere
8 in Nebraska, except any: Police, sheriff, or Nebraska State Patrol
9 station or office; detention facility, prison, or jail; courtroom or
10 building which contains a courtroom; polling place during a bona fide
11 election; meeting of the governing body of a county, public school
12 district, municipality, or other political subdivision; meeting of the
13 Legislature or a committee of the Legislature; financial institution;
14 professional or semiprofessional athletic event; building, grounds,
15 vehicle, or sponsored activity or athletic event of any public, private,
16 denominational, or parochial elementary, vocational, or secondary school,
17 a private postsecondary career school as defined in section 85-1603, a
18 community college, or a public or private college, junior college, or
19 university; place of worship; hospital, emergency room, or trauma center;
20 political rally or fundraiser; establishment having a license issued
21 under the Nebraska Liquor Control Act that derives over one-half of its
22 total income from the sale of alcoholic liquor; place where the
23 possession or carrying of a firearm is prohibited by state or federal
24 law; a place or premises where the person, persons, entity, or entities
25 in control of the property or employer in control of the property has
26 prohibited permitholders from carrying concealed handguns into or onto
27 the place or premises; or into or onto any other place or premises where
28 handguns are prohibited by state law.

29 (b) A financial institution may authorize its security personnel to
30 carry concealed handguns in the financial institution while on duty so
31 long as each member of the security personnel, as authorized, is in

1 compliance with the Concealed Handgun Permit Act and possesses a permit
2 to carry a concealed handgun issued pursuant to the act.

3 (c) A place of worship may authorize its security personnel to carry
4 concealed handguns on its property so long as each member of the security
5 personnel, as authorized, is in compliance with the Concealed Handgun
6 Permit Act and possesses a permit to carry a concealed handgun issued
7 pursuant to the act and written notice is given to the congregation and,
8 if the property is leased, the carrying of concealed handguns on the
9 property does not violate the terms of any real property lease agreement
10 between the place of worship and the lessor.

11 (2) If a person, persons, entity, or entities in control of the
12 property or an employer in control of the property prohibits a
13 permitholder from carrying a concealed handgun into or onto the place or
14 premises and such place or premises are open to the public, a
15 permitholder does not violate this section unless the person, persons,
16 entity, or entities in control of the property or employer in control of
17 the property has posted conspicuous notice that carrying a concealed
18 handgun is prohibited in or on the place or premises or has made a
19 request, directly or through an authorized representative or management
20 personnel, that the permitholder remove the concealed handgun from the
21 place or premises.

22 (3) A permitholder carrying a concealed handgun in a vehicle or on
23 his or her person while riding in or on a vehicle into or onto any
24 parking area, which is open to the public, used by any location listed in
25 subdivision (1)(a) of this section, does not violate this section if,
26 prior to exiting the vehicle, the handgun is locked inside the glove box,
27 trunk, or other compartment of the vehicle, a storage box securely
28 attached to the vehicle, or, if the vehicle is a motorcycle, other than
29 an autocycle, a hardened compartment securely attached to the motorcycle.
30 This subsection does not apply to any parking area used by such location
31 when the carrying of a concealed handgun into or onto such parking area

1 is prohibited by federal law.

2 (4) An employer may prohibit employees or other persons who are
3 permitholders from carrying concealed handguns in vehicles owned by the
4 employer.

5 (5) A permitholder shall not carry a concealed handgun while he or
6 she is consuming alcohol or while the permitholder has remaining in his
7 or her blood, urine, or breath any previously consumed alcohol or any
8 controlled substance as defined in section 28-401. A permitholder does
9 not violate this subsection if the controlled substance in his or her
10 blood, urine, or breath was lawfully obtained and was taken in
11 therapeutically prescribed amounts.

12 Sec. 103. The Revisor of Statutes shall assign section 100 of this
13 act to Chapter 60, article 15.

14 Sec. 104. Sections 44, 47, 59, 63, 64, 68, 69, 70, and 106 of this
15 act become operative on January 1, 2023. The other sections of this act
16 become operative on their effective date.

17 Sec. 105. Original sections 28-1204.04, 37-1280, 37-1285, 37-1293,
18 60-104, 60-119, 60-129, 60-133, 60-142.04, 60-142.05, 60-142.06, 60-174,
19 60-191, 60-309, 60-335, 60-348, 60-354, 60-378, 60-389, 60-3,185,
20 60-4,128, 60-4,130.04, 60-6,244, 60-6,254, 60-6,255, 60-6,263, 60-6,279,
21 60-6,306, 60-6,307, 60-6,308, 60-6,313, and 69-2441, Reissue Revised
22 Statutes of Nebraska, sections 60-104.01, 60-124, 60-146, 60-148,
23 60-168.01, 60-169, 60-171, 60-173, 60-175, 60-309.01, 60-340, 60-3,100,
24 60-3,113.02, 60-3,113.03, 60-3,143, 60-3,187, 60-3,190, 60-463.02,
25 60-480, 60-484, 60-4,122, 60-4,123, 60-4,123.01, 60-4,124, 60-4,127,
26 60-4,182, 60-610.01, 60-639, 60-640, 60-6,226, 60-1401.28, and
27 60-1401.42, Revised Statutes Cumulative Supplement, 2016, sections
28 37-1285.01, 60-101, 60-102, 60-119.01, 60-149, 60-164, 60-164.01, 60-192,
29 60-301, 60-302, 60-336.01, 60-363, 60-386, 60-395, 60-501, 60-628.01,
30 60-6,267, and 60-1507, Revised Statutes Supplement, 2017, section
31 37-1283, Revised Statutes Supplement, 2017, as amended by section 75,

1 Legislative Bill 193, One Hundred Fifth Legislature, Second Session,
2 2018, and section 60-166, Revised Statutes Supplement, 2017, as amended
3 by section 87, Legislative Bill 193, One Hundred Fifth Legislature,
4 Second Session, 2018, and section 2, Legislative Bill 275, One Hundred
5 Fifth Legislature, Second Session, 2018, are repealed.

6 Sec. 106. Original sections 60-316, 60-3,147, 60-3,148, 60-3,221,
7 and 60-3,228, Revised Statutes Cumulative Supplement, 2016, and sections
8 60-3,104 and 60-3,229, Revised Statutes Supplement, 2017, are repealed.