

AMENDMENTS TO LB355

Introduced by Transportation and Telecommunications.

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

3 Section 1. Section 60-301, Revised Statutes Cumulative Supplement,
4 2016, is amended to read:

5 60-301 Sections 60-301 to 60-3,231 and sections 7 and 8 of this act
6 shall be known and may be cited as the Motor Vehicle Registration Act.

7 Sec. 2. Section 60-393, Revised Statutes Cumulative Supplement,
8 2016, is amended to read:

9 60-393 Any owner who has two or more motor vehicles or trailers
10 required to be registered under the Motor Vehicle Registration Act may
11 register all such motor vehicles or trailers on a calendar-year basis or
12 on an annual basis for the same registration period beginning in a month
13 chosen by the owner. When electing to establish the same registration
14 period for all such motor vehicles or trailers, the owner shall pay the
15 registration fee, the motor vehicle tax imposed in section 60-3,185, the
16 motor vehicle fee imposed in section 60-3,190, and the alternative fuel
17 fee imposed in section 60-3,191 on each motor vehicle for the number of
18 months necessary to extend its current registration period to the
19 registration period under which all such motor vehicles or trailers will
20 be registered. Credit shall be given for registration paid on each motor
21 vehicle or trailer when the motor vehicle or trailer has a later
22 expiration date than that chosen by the owner except as otherwise
23 provided in sections 60-3,121, 60-3,122.02, 60-3,122.04, 60-3,128,
24 60-3,224, and 60-3,227 and section 8 of this act. Thereafter all such
25 motor vehicles or trailers shall be registered on an annual basis
26 starting in the month chosen by the owner.

27 Sec. 3. Section 60-395, Revised Statutes Cumulative Supplement,

1 2016, is 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, and 60-3,227 and section 8 of this act, the registration shall
5 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. 4. Section 60-396, Revised Statutes Cumulative Supplement,
3 2016, is amended to read:

4 60-396 Whenever the registered owner files an application with the
5 county treasurer showing that a motor vehicle or trailer is disabled and
6 has been removed from service, the registered owner may, by returning the
7 registration certificate, the license plates, and, when appropriate, the
8 validation decals or, in the case of the unavailability of such
9 registration certificate or certificates, license plates, or validation
10 decals, then by making an affidavit to the county treasurer of such
11 disablement and removal from service, receive a credit for a portion of
12 the registration fee from the fee deposited with the State Treasurer at
13 the time of registration based upon the number of unexpired months
14 remaining in the registration year except as otherwise provided in
15 sections 60-3,121, 60-3,122.02, 60-3,122.04, 60-3,128, 60-3,224, and
16 60-3,227 and section 8 of this act. The owner shall also receive a credit
17 for the unused portion of the motor vehicle tax and fee based upon the
18 number of unexpired months remaining in the registration year. When the
19 owner registers a replacement motor vehicle or trailer at the time of
20 filing such affidavit, the credit may be immediately applied against the
21 registration fee and the motor vehicle tax and fee for the replacement
22 motor vehicle or trailer. When no such replacement motor vehicle or
23 trailer is so registered, the county treasurer shall forward the
24 application and affidavit, if any, to the State Treasurer who shall
25 determine the amount, if any, of the allowable credit for the
26 registration fee and issue a credit certificate to the owner. For the
27 motor vehicle tax and fee, the county treasurer shall determine the
28 amount, if any, of the allowable credit and issue a credit certificate to
29 the owner. When such motor vehicle or trailer is removed from service
30 within the same month in which it was registered, no credits shall be
31 allowed for such month. The credits may be applied against taxes and fees

1 for new or replacement motor vehicles or trailers incurred within one
2 year after cancellation of registration of the motor vehicle or trailer
3 for which the credits were allowed. When any such motor vehicle or
4 trailer is reregistered within the same registration year in which its
5 registration has been canceled, the taxes and fees shall be that portion
6 of the registration fee and the motor vehicle tax and fee for the
7 remainder of the registration year.

8 Sec. 5. Section 60-3,104, Revised Statutes Cumulative Supplement,
9 2016, is amended to read:

10 60-3,104 The department shall issue the following types of license
11 plates:

12 (1) Amateur radio station license plates issued pursuant to section
13 60-3,126;

14 (2) Apportionable vehicle license plates issued pursuant to section
15 60-3,203;

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

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

18 (5) Breast Cancer Awareness Plates issued pursuant to sections
19 60-3,230 and 60-3,231;

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

21 (7) Commercial motor vehicle license plates issued pursuant to
22 section 60-3,147;

23 (8) Dealer or manufacturer license plates issued pursuant to
24 sections 60-3,114 and 60-3,115;

25 (9) Disabled veteran license plates issued pursuant to section
26 60-3,124;

27 (10) Farm trailer license plates issued pursuant to section
28 60-3,151;

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

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

1 (13) Fertilizer trailer license plates issued pursuant to section
2 60-3,151;

3 (14) Gold Star Family license plates issued pursuant to sections
4 60-3,122.01 and 60-3,122.02;

5 (15) Handicapped or disabled person license plates issued pursuant
6 to section 60-3,113;

7 (16) Historical vehicle license plates issued pursuant to sections
8 60-3,130 to 60-3,134;

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

10 (18) Military Honor Plates issued pursuant to sections 60-3,122.03
11 and 60-3,122.04;

12 (19) Minitruck license plates issued pursuant to section 60-3,100;

13 (20) Motor vehicle license plates for motor vehicles owned or
14 operated by the state, counties, municipalities, or school districts
15 issued pursuant to section 60-3,105;

16 (21) Motor vehicles exempt pursuant to section 60-3,107;

17 (22) Motorcycle license plates issued pursuant to section 60-3,100;

18 (23) Mountain Lion Conservation Plates issued pursuant to sections
19 60-3,226 and 60-3,227;

20 (24) Native American Cultural Awareness and History Plates issued
21 pursuant to sections 7 and 8 of this act;

22 (25) ~~(24)~~ Nebraska Cornhusker Spirit Plates issued pursuant to
23 sections 60-3,127 to 60-3,129;

24 (26) ~~(25)~~ Nebraska 150 Sesquicentennial Plates issued pursuant to
25 sections 60-3,223 to 60-3,225;

26 (27) ~~(26)~~ Nonresident owner thirty-day license plates issued
27 pursuant to section 60-382;

28 (28) ~~(27)~~ Passenger car having a seating capacity of ten persons or
29 less and not used for hire issued pursuant to section 60-3,143 other than
30 autocycles;

31 (29) ~~(28)~~ Passenger car having a seating capacity of ten persons or

1 less and used for hire issued pursuant to section 60-3,143 other than
2 autocycles;

3 ~~(30)~~ ~~(29)~~ Pearl Harbor license plates issued pursuant to section
4 60-3,122;

5 ~~(31)~~ ~~(30)~~ Personal-use dealer license plates issued pursuant to
6 section 60-3,116;

7 ~~(32)~~ ~~(31)~~ Personalized message license plates for motor vehicles and
8 cabin trailers, except commercial motor vehicles registered for over ten
9 tons gross weight, issued pursuant to sections 60-3,118 to 60-3,121;

10 ~~(33)~~ ~~(32)~~ Prisoner-of-war license plates issued pursuant to section
11 60-3,123;

12 ~~(34)~~ ~~(33)~~ Public power district license plates issued pursuant to
13 section 60-3,228;

14 ~~(35)~~ ~~(34)~~ Purple Heart license plates issued pursuant to section
15 60-3,125;

16 ~~(36)~~ ~~(35)~~ Recreational vehicle license plates issued pursuant to
17 section 60-3,151;

18 ~~(37)~~ ~~(36)~~ Repossession license plates issued pursuant to section
19 60-375;

20 ~~(38)~~ ~~(37)~~ Special interest motor vehicle license plates issued
21 pursuant to section 60-3,135.01;

22 ~~(39)~~ ~~(38)~~ Specialty license plates issued pursuant to sections
23 60-3,104.01 and 60-3,104.02;

24 ~~(40)~~ ~~(39)~~ Trailer license plates issued for trailers owned or
25 operated by the state, counties, municipalities, or school districts
26 issued pursuant to section 60-3,106;

27 ~~(41)~~ ~~(40)~~ Trailer license plates issued pursuant to section
28 60-3,100;

29 ~~(42)~~ ~~(41)~~ Trailer license plates issued for trailers owned or
30 operated by a public power district pursuant to section 60-3,228;

31 ~~(43)~~ ~~(42)~~ Trailers exempt pursuant to section 60-3,108;

1 ~~(44)~~ ~~(43)~~ Transporter license plates issued pursuant to section
2 60-378;

3 ~~(45)~~ ~~(44)~~ Trucks or combinations of trucks, truck-tractors, or
4 trailers which are not for hire and engaged in soil and water
5 conservation work and used for the purpose of transporting pipe and
6 equipment exclusively used by such contractors for soil and water
7 conservation construction license plates issued pursuant to section
8 60-3,149;

9 ~~(46)~~ ~~(45)~~ Utility trailer license plates issued pursuant to section
10 60-3,151; and

11 ~~(47)~~ ~~(46)~~ Well-boring apparatus and well-servicing equipment license
12 plates issued pursuant to section 60-3,109.

13 Sec. 6. Section 60-3,130.04, Revised Statutes Cumulative Supplement,
14 2016, is amended to read:

15 60-3,130.04 (1) An owner of a historical vehicle eligible for
16 registration under section 60-3,130 may use a license plate or plates
17 designed by this state in the year corresponding to the model year when
18 the vehicle was manufactured in lieu of the plates designed pursuant to
19 section 60-3,130.03 subject to the approval of the department. The
20 department shall inspect the plate or plates and may approve the plate or
21 plates if it is determined that the model-year license plate or plates
22 are legible and serviceable and that the license plate numbers do not
23 conflict with or duplicate other numbers assigned and in use. An
24 original-issued license plate or plates that have been restored to
25 original condition may be used when approved by the department.

26 (2) The department may consult with a recognized car club in
27 determining whether the year of the license plate or plates to be used
28 corresponds to the model year when the vehicle was manufactured.

29 (3) If only one license plate is used on the vehicle, the license
30 plate shall be placed on the rear of the vehicle. The owner of a
31 historical vehicle may use only one plate on the vehicle even for years

1 in which two license plates were issued for vehicles in general.

2 (4) License plates used pursuant to this section corresponding to
3 the year of manufacture of the vehicle shall not be personalized message
4 license plates, Pearl Harbor license plates, prisoner-of-war license
5 plates, disabled veteran license plates, Purple Heart license plates,
6 amateur radio station license plates, Nebraska Cornhusker Spirit Plates,
7 handicapped or disabled person license plates, specialty license plates,
8 special interest motor vehicle license plates, Military Honor Plates,
9 Nebraska 150 Sesquicentennial Plates, Breast Cancer Awareness Plates, ~~or~~
10 Mountain Lion Conservation Plates, or Native American Cultural Awareness
11 and History Plates.

12 Sec. 7. (1) The department, in consultation with the Commission on
13 Indian Affairs, shall design license plates to be known as Native
14 American Cultural Awareness and History Plates. The design shall reflect
15 the unique culture and history of Native American tribes historically and
16 currently located in Nebraska. The design shall be selected on the basis
17 of limiting the manufacturing cost of each plate to an amount less than
18 or equal to the amount charged for license plates pursuant to section
19 60-3,102. The department shall make applications available for this type
20 of plate by January 1, 2018. The department may adopt and promulgate
21 rules and regulations to carry out this section and section 8 of this
22 act.

23 (2) One type of Native American Cultural Awareness and History
24 Plates shall be alphanumeric plates.

25 The department shall:

26 (a) Assign a designation up to five characters; and

27 (b) Not use a county designation.

28 (3) One type of Native American Cultural Awareness and History
29 Plates shall be personalized message plates. Such plates shall be issued
30 subject to the same conditions specified for personalized message license
31 plates in section 60-3,118, except that a maximum of five characters may

1 be used.

2 Sec. 8. (1) Beginning January 1, 2018, a person may apply to the
3 department for Native American Cultural Awareness and History Plates in
4 lieu of regular license plates on an application prescribed and provided
5 by the department for any motor vehicle or trailer, except for a motor
6 vehicle or trailer registered under section 60-3,198. An applicant
7 receiving a Native American Cultural Awareness and History Plate for a
8 farm truck with a gross weight of over sixteen tons shall affix the
9 appropriate tonnage decal to the plate. The department shall make forms
10 available for such applications through the county treasurers. The
11 license plates shall be issued upon payment of the license fee described
12 in subsection (2) of this section.

13 (2)(a) In addition to all other fees required for registration under
14 the Motor Vehicle Registration Act, each application for initial issuance
15 or renewal of alphanumeric Native American Cultural Awareness and History
16 Plates shall be accompanied by a fee of five dollars. County treasurers
17 collecting fees pursuant to this subdivision shall remit them to the
18 State Treasurer. The State Treasurer shall credit five dollars of the fee
19 to the Native American Scholarship and Leadership Fund.

20 (b) In addition to all other fees required for registration under
21 the Motor Vehicle Registration Act, each application for initial issuance
22 or renewal of personalized message Native American Cultural Awareness and
23 History Plates shall be accompanied by a fee of forty dollars. County
24 treasurers collecting fees pursuant to this subdivision shall remit them
25 to the State Treasurer. The State Treasurer shall credit twenty-five
26 percent of the fee for initial issuance and renewal of such plates to the
27 Department of Motor Vehicles Cash Fund and seventy-five percent of the
28 fee to the Native American Scholarship and Leadership Fund.

29 (3) When the department receives an application for Native American
30 Cultural Awareness and History Plates, the department may deliver the
31 plates and registration certificate by United States mail to the

1 applicant or to the county treasurer of the county in which the motor
2 vehicle or trailer is registered. The delivery of the plates and
3 registration certificate shall be made through a secure process and
4 system. The county treasurer or the department shall issue Native
5 American Cultural Awareness and History Plates in lieu of regular license
6 plates when the applicant complies with the other provisions of the Motor
7 Vehicle Registration Act for registration of the motor vehicle or
8 trailer. If Native American Cultural Awareness and History Plates are
9 lost, stolen, or mutilated, the licensee shall be issued replacement
10 license plates upon request pursuant to section 60-3,157.

11 (4) The owner of a motor vehicle or trailer bearing Native American
12 Cultural Awareness and History Plates may apply to the county treasurer
13 to have such plates transferred to a motor vehicle or trailer other than
14 the motor vehicle or trailer for which such plates were originally
15 purchased if such motor vehicle or trailer is owned by the owner of the
16 plates. The owner may have the unused portion of the fee for the plates
17 credited to the other motor vehicle or trailer which will bear the plates
18 at the rate of eight and one-third percent per month for each full month
19 left in the registration period. Application for such transfer shall be
20 accompanied by a fee of three dollars. Fees collected pursuant to this
21 subsection shall be remitted to the State Treasurer for credit to the
22 Department of Motor Vehicles Cash Fund.

23 (5) If the cost of manufacturing Native American Cultural Awareness
24 and History Plates at any time exceeds the amount charged for license
25 plates pursuant to section 60-3,102, any money to be credited to the
26 Native American Scholarship and Leadership Fund shall instead be credited
27 first to the Highway Trust Fund in an amount equal to the difference
28 between the manufacturing costs of Native American Cultural Awareness and
29 History Plates and the amount charged pursuant to section 60-3,102 with
30 respect to such plates and the remainder shall be credited to the Native
31 American Scholarship and Leadership Fund.

1 Sec. 9. The Native American Scholarship and Leadership Fund is
2 created. The fund shall be administered by the Commission on Indian
3 Affairs and shall consist of money credited to the fund pursuant to
4 section 8 of this act. The commission shall use the fund to provide
5 scholarships to Native Americans to attend a postsecondary educational
6 institution in this state and to provide other leadership opportunities
7 to Native Americans as determined by the commission. Any money in the
8 fund available for investment shall be invested by the state investment
9 officer pursuant to the Nebraska Capital Expansion Act and the Nebraska
10 State Funds Investment Act.

11 Sec. 10. Original sections 60-301, 60-393, 60-395, 60-396,
12 60-3,104, and 60-3,130.04, Revised Statutes Cumulative Supplement, 2016,
13 are repealed.