

AMENDMENTS TO LB263

Introduced by Transportation and Telecommunications.

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

3 Section 1. Section 13-910, Reissue Revised Statutes of Nebraska, is
4 amended to read:

5 13-910 The Political Subdivisions Tort Claims Act and sections
6 16-727, 16-728, 23-175, 39-809, and 79-610 shall not apply to:

7 (1) Any claim based upon an act or omission of an employee of a
8 political subdivision, exercising due care, in the execution of a
9 statute, ordinance, or officially adopted resolution, rule, or
10 regulation, whether or not such statute, ordinance, resolution, rule, or
11 regulation is valid;

12 (2) Any claim based upon the exercise or performance of or the
13 failure to exercise or perform a discretionary function or duty on the
14 part of the political subdivision or an employee of the political
15 subdivision, whether or not the discretion is abused;

16 (3) Any claim based upon the failure to make an inspection or making
17 an inadequate or negligent inspection of any property other than property
18 owned by or leased to such political subdivision to determine whether the
19 property complies with or violates any statute, ordinance, rule, or
20 regulation or contains a hazard to public health or safety unless the
21 political subdivision had reasonable notice of such hazard or the failure
22 to inspect or inadequate or negligent inspection constitutes a reckless
23 disregard for public health or safety;

24 (4) Any claim based upon the issuance, denial, suspension, or
25 revocation of or failure or refusal to issue, deny, suspend, or revoke
26 any permit, license, certificate, or order. Nothing in this subdivision
27 shall be construed to limit a political subdivision's liability for any

1 claim based upon the negligent execution by an employee of the political
2 subdivision in the issuance of a certificate of title under the Motor
3 Vehicle Certificate of Title Act and the State Boat Act except when such
4 title is issued upon an application filed electronically by an approved
5 licensed dealer participating in the electronic dealer services system
6 pursuant to section 69 of this act;

7 (5) Any claim arising with respect to the assessment or collection
8 of any tax or fee or the detention of any goods or merchandise by any law
9 enforcement officer;

10 (6) Any claim caused by the imposition or establishment of a
11 quarantine by the state or a political subdivision, whether such
12 quarantine relates to persons or property;

13 (7) Any claim arising out of assault, battery, false arrest, false
14 imprisonment, malicious prosecution, abuse of process, libel, slander,
15 misrepresentation, deceit, or interference with contract rights;

16 (8) Any claim by an employee of the political subdivision which is
17 covered by the Nebraska Workers' Compensation Act;

18 (9) Any claim arising out of the malfunction, destruction, or
19 unauthorized removal of any traffic or road sign, signal, or warning
20 device unless it is not corrected by the political subdivision
21 responsible within a reasonable time after actual or constructive notice
22 of such malfunction, destruction, or removal. Nothing in this subdivision
23 shall give rise to liability arising from an act or omission of any
24 political subdivision in placing or removing any traffic or road signs,
25 signals, or warning devices when such placement or removal is the result
26 of a discretionary act of the political subdivision;

27 (10) Any claim arising out of snow or ice conditions or other
28 temporary conditions caused by nature on any highway as defined in
29 section 60-624, bridge, public thoroughfare, or other public place due to
30 weather conditions. Nothing in this subdivision shall be construed to
31 limit a political subdivision's liability for any claim arising out of

1 the operation of a motor vehicle by an employee of the political
2 subdivision while acting within the course and scope of his or her
3 employment by the political subdivision;

4 (11) Any claim arising out of the plan or design for the
5 construction of or an improvement to any highway as defined in such
6 section or bridge, either in original construction or any improvement
7 thereto, if the plan or design is approved in advance of the construction
8 or improvement by the governing body of the political subdivision or some
9 other body or employee exercising discretionary authority to give such
10 approval;

11 (12) Any claim arising out of the alleged insufficiency or want of
12 repair of any highway as defined in such section, bridge, or other public
13 thoroughfare. Insufficiency or want of repair shall be construed to refer
14 to the general or overall condition and shall not refer to a spot or
15 localized defect. A political subdivision shall be deemed to waive its
16 immunity for a claim due to a spot or localized defect only if (a) the
17 political subdivision has had actual or constructive notice of the defect
18 within a reasonable time to allow repair prior to the incident giving
19 rise to the claim or (b) the claim arose during the time specified in a
20 notice provided by the political subdivision pursuant to subsection (3)
21 of section 39-1359 and the state or political subdivision had actual or
22 constructive notice; or

23 (13)(a) Any claim relating to recreational activities for which no
24 fee is charged (i) resulting from the inherent risk of the recreational
25 activity, (ii) arising out of a spot or localized defect of the premises
26 unless the spot or localized defect is not corrected by the political
27 subdivision leasing, owning, or in control of the premises within a
28 reasonable time after actual or constructive notice of the spot or
29 localized defect, or (iii) arising out of the design of a skatepark or
30 bicycle motocross park constructed for purposes of skateboarding, inline
31 skating, bicycling, or scootering that was constructed or reconstructed,

1 reasonably and in good faith, in accordance with generally recognized
2 engineering or safety standards or design theories in existence at the
3 time of the construction or reconstruction. For purposes of this
4 subdivision, a political subdivision shall be charged with constructive
5 notice only when the failure to discover the spot or localized defect of
6 the premises is the result of gross negligence.

7 (b) For purposes of this subdivision:

8 (i) Recreational activities include, but are not limited to, whether
9 as a participant or spectator: Hunting, fishing, swimming, boating,
10 camping, picnicking, hiking, walking, running, horseback riding, use of
11 trails, nature study, waterskiing, winter sports, use of playground
12 equipment, biking, roller blading, skateboarding, golfing, athletic
13 contests; visiting, viewing, or enjoying entertainment events, festivals,
14 or historical, archaeological, scenic, or scientific sites; and similar
15 leisure activities;

16 (ii) Inherent risk of recreational activities means those risks that
17 are characteristic of, intrinsic to, or an integral part of the activity;

18 (iii) Gross negligence means the absence of even slight care in the
19 performance of a duty involving an unreasonable risk of harm; and

20 (iv) Fee means a fee to participate in or be a spectator at a
21 recreational activity. A fee shall include payment by the claimant to any
22 person or organization other than the political subdivision only to the
23 extent the political subdivision retains control over the premises or the
24 activity. A fee shall not include payment of a fee or charge for parking
25 or vehicle entry.

26 (c) This subdivision, and not subdivision (3) of this section, shall
27 apply to any claim arising from the inspection or failure to make an
28 inspection or negligent inspection of premises owned or leased by the
29 political subdivision and used for recreational activities.

30 Sec. 2. Section 37-1201, Reissue Revised Statutes of Nebraska, is
31 amended to read:

1 37-1201 Sections 37-1201 to 37-12,110 and section 3 of this act
2 shall be known and may be cited as the State Boat Act. It is the policy
3 of this state to promote safety for persons and property in and connected
4 with the use, operation, and equipment of vessels and to promote
5 uniformity of laws relating thereto.

6 Sec. 3. Beginning January 1, 2019, if a motorboat certificate of
7 title is an electronic certificate of title record, upon application by
8 an owner or a lienholder and payment of the fee prescribed in section
9 37-1287, the following changes may be made to a certificate of title
10 electronically and without printing a certificate of title:

11 (1) Changing the name of an owner to reflect a legal change of name;

12 (2) Removing the name of an owner with the consent of all owners and
13 lienholders; or

14 (3) Adding an additional owner with the consent of all owners and
15 lienholders.

16 Sec. 4. Section 37-1279, Reissue Revised Statutes of Nebraska, is
17 amended to read:

18 37-1279 (1) The county treasurer shall issue the certificate of
19 title. The county treasurer shall sign and affix his or her seal to the
20 original certificate of title and deliver the certificate to the
21 applicant if there are no liens on the motorboat. If there are one or
22 more liens on the motorboat, the certificate of title shall be handled as
23 provided in section 37-1282. The county treasurer shall keep on hand a
24 sufficient supply of blank forms which shall be furnished and distributed
25 without charge to manufacturers, dealers, or other persons residing
26 within the county, except that certificates of title shall only be issued
27 by the county treasurer or the Department of Motor Vehicles. Each county
28 shall issue and file certificates of title using the Vehicle Title and
29 Registration System which shall be provided and maintained by the
30 department vehicle titling and registration computer system.

31 (2) Each county treasurer of the various counties shall provide his

1 or her seal without charge to the applicant on any certificate of title,
2 application for certificate of title, duplicate copy, assignment or
3 reassignment, power of attorney, statement, or affidavit pertaining to
4 the issuance of a certificate of title. The department shall prescribe a
5 uniform method of numbering certificates of title.

6 (3) The county treasurer shall (a) file all certificates of title
7 according to rules and regulations of the department, (b) maintain in the
8 office indices for such certificates of title, (c) be authorized to
9 destroy all previous records five years after a subsequent transfer has
10 been made on a motorboat, and (d) be authorized to destroy all
11 certificates of title and all supporting records and documents which have
12 been on file for a period of five years or more from the date of filing
13 the certificate or a notation of lien, whichever occurs later.

14 Sec. 5. Section 37-1283, Reissue Revised Statutes of Nebraska, is
15 amended to read:

16 37-1283 (1) In the event of the transfer of ownership of a motorboat
17 by operation of law as upon inheritance, devise, or bequest, order in
18 bankruptcy, insolvency, replevin, or execution sale, (2) whenever a
19 motorboat is sold to satisfy storage or repair charges, or (3) whenever
20 repossession is had upon default in performance of the terms of a chattel
21 mortgage, trust receipt, conditional sales contract, or other like
22 agreement, and upon acceptance of an electronic certificate of title
23 record after repossession, in addition to the title requirements in this
24 section, the county treasurer of any county or the Department of Motor
25 Vehicles, upon the surrender of the prior certificate of title or the
26 manufacturer's or importer's certificate, or when that is not possible,
27 upon presentation of satisfactory proof of ownership and right of
28 possession to the motorboat, and upon payment of the fee prescribed in
29 section 37-1287 and the presentation of an application for certificate of
30 title, may issue to the applicant a certificate of title thereto. If the
31 prior certificate of title issued for the motorboat provided for joint

1 ownership with right of survivorship, a new certificate of title shall be
2 issued to a subsequent purchaser upon the assignment of the prior
3 certificate of title by the surviving owner and presentation of
4 satisfactory proof of death of the deceased owner. Only an affidavit by
5 the person or agent of the person to whom possession of the motorboat has
6 so passed, setting forth facts entitling him or her to such possession
7 and ownership, together with a copy of the journal entry, court order, or
8 instrument upon which such claim of possession and ownership is founded
9 shall be considered satisfactory proof of ownership and right of
10 possession, except that if the applicant cannot produce such proof of
11 ownership, he or she may submit to the department such evidence as he or
12 she may have and the department may thereupon, if it finds the evidence
13 sufficient, issue the certificate of title or authorize any county
14 treasurer to issue a certificate of title, as the case may be. If from
15 the records of the county treasurer or the department there appear to be
16 any liens on the motorboat, the certificate of title shall comply with
17 section 37-1282 regarding the liens unless the application is accompanied
18 by proper evidence of their satisfaction or extinction.

19 Sec. 6. Section 37-1287, Reissue Revised Statutes of Nebraska, is
20 amended to read:

21 37-1287 (1) The county treasurers or the Department of Motor
22 Vehicles shall charge a fee of six dollars for each certificate of title
23 and a fee of three dollars for each notation of any lien on a certificate
24 of title. The county treasurers shall retain for the county four dollars
25 of the six dollars charged for each certificate of title and two dollars
26 for each notation of lien. The remaining amount of the fee charged for
27 the certificate of title and notation of lien under this subsection shall
28 be remitted to the State Treasurer for credit to the General Fund.

29 (2) The county treasurers or the department shall charge a fee of
30 ten dollars for each replacement or duplicate copy of a certificate of
31 title, and the duplicate copy issued shall show only those unreleased

1 liens of record. Such fees shall be remitted by the county or the
2 department to the State Treasurer for credit to the General Fund.

3 (3) In addition to the fees prescribed in subsections (1) and (2) of
4 this section, the county treasurers or the department shall charge a fee
5 of four dollars for each certificate of title, each replacement or
6 duplicate copy of a certificate of title, and each notation of lien on a
7 certificate of title. The county treasurers or the department shall remit
8 the fee charged under this subsection to the State Treasurer for credit
9 to the Department of Motor Vehicles Cash Fund.

10 (4) The county treasurers shall remit fees due the State Treasurer
11 under this section monthly and not later than the twentieth ~~fifteenth~~ day
12 of the month following collection. The county treasurers shall credit
13 fees not due to the State Treasurer to their respective county general
14 fund.

15 Sec. 7. Section 60-101, Revised Statutes Cumulative Supplement,
16 2016, is amended to read:

17 60-101 Sections 60-101 to 60-197 and sections 9, 10, 11, and 19 of
18 this act shall be known and may be cited as the Motor Vehicle Certificate
19 of Title Act.

20 Sec. 8. Section 60-102, Revised Statutes Cumulative Supplement,
21 2016, is amended to read:

22 60-102 For purposes of the Motor Vehicle Certificate of Title Act,
23 unless the context otherwise requires, the definitions found in sections
24 60-103 to 60-136.01 and section 9 of this act shall be used.

25 Sec. 9. Licensed dealer means a motor vehicle dealer, motorcycle
26 dealer, or trailer dealer licensed under the Motor Vehicle Industry
27 Regulation Act.

28 Sec. 10. If the owner does not have a certificate of title for a
29 vehicle manufactured more than thirty years prior to application for a
30 certificate of title which has not had any major component part replaced,
31 the department shall search its records and any records readily

1 accessible to the department for evidence of issuance of a certificate of
2 title for such vehicle at the request of the owner. If no certificate of
3 title has been issued, the owner may apply for a certificate of title
4 indicating that the year, make, and model of the vehicle is that
5 originally designated by the manufacturer by presenting a notarized bill
6 of sale, an affidavit in support of the application for title, and a
7 statement that an inspection has been conducted on the vehicle.

8 Sec. 11. For each certificate of title issued by the department
9 under section 10 of this act, the fee shall be twenty-five dollars, which
10 shall be remitted to the State Treasurer for credit to the Department of
11 Motor Vehicles Cash Fund.

12 Sec. 12. Section 60-119.01, Revised Statutes Cumulative Supplement,
13 2016, is amended to read:

14 60-119.01 Low-speed vehicle means a four-wheeled motor vehicle (1)
15 whose speed attainable in one mile is more than twenty miles per hour and
16 not more than twenty-five miles per hour on a paved, level surface, (2)
17 whose gross vehicle weight rating is less than three thousand pounds, and
18 (3) that complies with 49 C.F.R. part 571, as such part existed on
19 January 1, 2017 ~~2016~~.

20 Sec. 13. Section 60-144, Revised Statutes Cumulative Supplement,
21 2016, is amended to read:

22 60-144 (1)(a)(i) Except as provided in subdivisions (b), (c), and
23 (d) of this subsection, the county treasurer shall be responsible for
24 issuing and filing certificates of title for vehicles, and each county
25 shall issue and file such certificates of title using the Vehicle Title
26 and Registration System which shall be provided and maintained ~~vehicle~~
27 ~~titling and registration computer system prescribed~~ by the department.
28 Application for a certificate of title shall be made upon a form
29 prescribed by the department. All applications shall be accompanied by
30 the appropriate fee or fees.

31 (ii) This subdivision applies beginning on an implementation date

1 designated by the director. The director shall designate an
2 implementation date which is on or before January 1, 2020. In addition to
3 the information required under subdivision (1)(a)(i) of this section, the
4 application for a certificate of title shall contain (A) the full legal
5 name as defined in section 60-468.01 of each owner and (B)(I) the motor
6 vehicle operator's license number or state identification card number of
7 each owner, if applicable, and one or more of the identification elements
8 as listed in section 60-484 of each owner, if applicable, and (II) if any
9 owner is a business entity, a nonprofit organization, an estate, a trust,
10 or a church-controlled organization, its tax identification number.

11 (b) The department shall issue and file certificates of title for
12 Nebraska-based fleet vehicles. Application for a certificate of title
13 shall be made upon a form prescribed by the department. All applications
14 shall be accompanied by the appropriate fee or fees.

15 (c) The department shall issue and file certificates of title for
16 state-owned vehicles. Application for a certificate of title shall be
17 made upon a form prescribed by the department. All applications shall be
18 accompanied by the appropriate fee or fees.

19 (d) The department shall issue certificates of title pursuant to
20 section 60-142.06. Application for a certificate of title shall be made
21 upon a form prescribed by the department. All applications shall be
22 accompanied by the appropriate fee or fees.

23 (e) The department shall issue certificates of title pursuant to
24 section 10 of this act. Application for a certificate of title shall be
25 made upon a form prescribed by the department. All applications shall be
26 accompanied by the appropriate fee or fees.

27 (2) If the owner of an all-terrain vehicle, a utility-type vehicle,
28 or a minibike resides in Nebraska, the application shall be filed with
29 the county treasurer of the county in which the owner resides.

30 (3)(a) Except as otherwise provided in subdivision (b) of this
31 subsection until January 1, 2019, if a vehicle, other than an all-terrain

1 vehicle, a utility-type vehicle, or a minibike, has situs in Nebraska,
2 the application shall be filed with the county treasurer of the county in
3 which the vehicle has situs. Beginning January 1, 2019, if a vehicle has
4 situs in Nebraska, the application for a certificate of title may be
5 filed with the county treasurer of any county.

6 (b) If a motor vehicle dealer licensed under the Motor Vehicle
7 Industry Regulation Act applies for a certificate of title for a vehicle,
8 the application may be filed with the county treasurer of any county.

9 (c) An approved licensed dealer participating in the electronic
10 dealer services system pursuant to section 69 of this act may apply for a
11 certificate of title for a vehicle to the county treasurer of any county
12 or the department in a manner provided by the electronic dealer services
13 system.

14 (4) If the owner of a vehicle is a nonresident, the application
15 shall be filed in the county in which the transaction is consummated.

16 (5) The application shall be filed within thirty days after the
17 delivery of the vehicle.

18 (6) All applicants registering a vehicle pursuant to section
19 60-3,198 shall file the application for a certificate of title with the
20 Division of Motor Carrier Services of the department. The division shall
21 deliver the certificate to the applicant if there are no liens on the
22 vehicle. If there are one or more liens on the vehicle, the certificate
23 of title shall be handled as provided in section 60-164. All certificates
24 of title issued by the division shall be issued in the manner prescribed
25 for the county treasurer in section 60-152.

26 Sec. 14. Section 60-149, Revised Statutes Cumulative Supplement,
27 2016, is amended to read:

28 60-149 (1)(a) If a certificate of title has previously been issued
29 for a vehicle in this state, the application for a new certificate of
30 title shall be accompanied by the certificate of title duly assigned
31 except as otherwise provided in the Motor Vehicle Certificate of Title

1 Act.

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

7 (i) A manufacturer's or importer's certificate except as otherwise
8 provided in subdivision (vii) of this subdivision;

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

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

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

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

18 (vi) Documentation prescribed in section 60-142.01, 60-142.02,
19 60-142.04, or 60-142.05 or section 10 of this act; or

20 (vii) A manufacturer's or importer's certificate and an affidavit by
21 the owner affirming ownership in the case of a minitruck.

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 (v) Assessment records for the manufactured home or mobile home from
11 the county assessor and an affidavit by the owner affirming ownership.

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

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

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

28 Sec. 15. Section 60-154, Revised Statutes Cumulative Supplement,
29 2016, is amended to read:

30 60-154 (1)(a) For each original certificate of title issued by a
31 county for a motor vehicle or trailer, the fee shall be ten dollars.

1 Three dollars and twenty-five cents shall be retained by the county. Four
2 dollars shall be remitted to the State Treasurer for credit to the
3 Department of Motor Vehicles Cash Fund. Two dollars shall be remitted to
4 the State Treasurer for credit to the General Fund. Seventy-five cents
5 shall be remitted to the State Treasurer for credit as follows: Twenty
6 cents to the Motor Vehicle Fraud Cash Fund; forty-five cents to the
7 Nebraska State Patrol Cash Fund; and ten cents to the Nebraska Motor
8 Vehicle Industry Licensing Fund.

9 (b) For each original certificate of title issued by a county for an
10 all-terrain vehicle, a utility-type vehicle, or a minibike, the fee shall
11 be ten dollars. Three dollars and twenty-five cents shall be retained by
12 the county. Four dollars shall be remitted to the State Treasurer for
13 credit to the Department of Motor Vehicles Cash Fund. Two dollars shall
14 be remitted to the State Treasurer for credit to the General Fund.
15 Seventy-five cents shall be remitted to the State Treasurer for credit as
16 follows: Twenty cents to the Motor Vehicle Fraud Cash Fund; and fifty-
17 five cents to the Nebraska State Patrol Cash Fund.

18 (2) For each original certificate of title issued by the department
19 for a vehicle except as provided in section 60-159.01, the fee shall be
20 ten dollars. Four dollars shall be remitted to the State Treasurer for
21 credit to the Department of Motor Vehicles Cash Fund. Six dollars shall
22 be remitted to the State Treasurer for credit to the Motor Carrier
23 Division Cash Fund.

24 (3) An approved licensed dealer participating in the electronic
25 dealer services system pursuant to section 69 of this act may collect the
26 fees prescribed by this section and shall remit any such fees to the
27 appropriate county treasurer or the department.

28 Sec. 16. Section 60-155, Revised Statutes Cumulative Supplement,
29 2016, is amended to read:

30 60-155 (1) For each notation of a lien by a county, the fee shall be
31 seven dollars. Two dollars shall be retained by the county. Four dollars

1 shall be remitted to the State Treasurer for credit to the Department of
2 Motor Vehicles Cash Fund. One dollar shall be remitted to the State
3 Treasurer for credit to the General Fund.

4 (2) For each notation of a lien by the department, the fee shall be
5 seven dollars. Four dollars shall be remitted to the State Treasurer for
6 credit to the Department of Motor Vehicles Cash Fund. Three dollars shall
7 be remitted to the State Treasurer for credit to the Motor Carrier
8 Division Cash Fund.

9 (3) An approved licensed dealer participating in the electronic
10 dealer services system pursuant to section 69 of this act may collect the
11 fees prescribed by this section and shall remit any such fees to the
12 appropriate county treasurer or the department.

13 Sec. 17. Section 60-161, Revised Statutes Cumulative Supplement,
14 2016, is amended to read:

15 60-161 The county treasurer shall remit all funds due the State
16 Treasurer under sections 60-154 to 60-160 monthly and not later than the
17 ~~twentieth~~ fifteenth day of the month following collection. The county
18 treasurer shall credit the fees not due the State Treasurer to the county
19 general fund.

20 Sec. 18. Section 60-164, Revised Statutes Cumulative Supplement,
21 2016, is amended to read:

22 60-164 (1) The department shall implement an electronic title and
23 lien system for vehicles. ~~The no later than January 1, 2011. The director~~
24 ~~shall designate the date for the implementation of the system. Beginning~~
25 ~~on the implementation date,~~ the holder of a security interest, trust
26 receipt, conditional sales contract, or similar instrument regarding a
27 vehicle, or beginning January 1, 2019, a licensed dealer, may file a lien
28 electronically as prescribed by the department. Upon Beginning ~~on the~~
29 ~~implementation date,~~ upon receipt of an application for a certificate of
30 title for a vehicle, any lien filed electronically shall become part of
31 the electronic certificate of title record created by the county

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

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

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

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

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

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

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

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

30 (7) ~~Upon Beginning on the implementation date of the electronic~~
31 ~~title and lien system,~~ upon receipt of a subsequent lien instrument duly

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

23 (8) When a lien is discharged, the holder shall, within fifteen days
24 after payment is received, note a cancellation of the lien on the
25 certificate of title over his, her, or its signature and deliver the
26 certificate of title to the county treasurer or the department, which
27 shall note the cancellation of the lien on the face of the certificate of
28 title and on the records of such office. If delivered to a county
29 treasurer, he or she shall on that day notify the department which shall
30 note the cancellation on its records. The county treasurer or the
31 department shall then return the certificate of title to the owner or as

1 otherwise directed by the owner. The cancellation of lien shall be noted
2 on the certificate of title without charge. For an electronic certificate
3 of title record, the lienholder shall, within fifteen days after payment
4 is received when such lien is discharged, notify the department
5 electronically or provide written notice of such lien release, in a
6 manner prescribed by the department, to the county treasurer or
7 department. The department shall note the cancellation of lien and, if no
8 other liens exist, issue the certificate of title to the owner or as
9 otherwise directed by the owner or lienholder. If the holder of the title
10 cannot locate a lienholder, a lien may be discharged ten years after the
11 date of filing by presenting proof that thirty days have passed since the
12 mailing of a written notice by certified mail, return receipt requested,
13 to the last-known address of the lienholder.

14 Sec. 19. Beginning January 1, 2019, if a certificate of title is an
15 electronic certificate of title record, upon application by an owner or a
16 lienholder and payment of the fee prescribed in section 60-154, the
17 following changes may be made to a certificate of title electronically
18 and without printing a certificate of title:

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

24 Sec. 20. Section 60-166, Revised Statutes Cumulative Supplement,
25 2016, is amended to read:

26 60-166 (1) In the event of (a) the transfer of ownership of a
27 vehicle by operation of law as upon inheritance, devise, or bequest,
28 order in bankruptcy, insolvency, replevin, or execution sale or as
29 provided in sections 30-24,125, 52-601.01 to 52-605, 60-1901 to 60-1911,
30 and 60-2401 to 60-2411, (b) the engine of a vehicle being replaced by
31 another engine, (c) a vehicle being sold to satisfy storage or repair

1 charges, or (d) repossession being had upon default in performance of the
2 terms of a chattel mortgage, trust receipt, conditional sales contract,
3 or other like agreement, and upon acceptance of an electronic certificate
4 of title record after repossession, in addition to the title requirements
5 in this section, the county treasurer of any county or the department,
6 upon the surrender of the prior certificate of title or the
7 manufacturer's or importer's certificate, or when that is not possible,
8 upon presentation of satisfactory proof of ownership and right of
9 possession to such vehicle, and upon payment of the appropriate fee and
10 the presentation of an application for certificate of title, may issue to
11 the applicant a certificate of title thereto. If the prior certificate of
12 title issued for such vehicle provided for joint ownership with right of
13 survivorship, a new certificate of title shall be issued to a subsequent
14 purchaser upon the assignment of the prior certificate of title by the
15 surviving owner and presentation of satisfactory proof of death of the
16 deceased owner. Only an affidavit by the person or agent of the person to
17 whom possession of such vehicle has so passed, setting forth facts
18 entitling him or her to such possession and ownership, together with a
19 copy of the journal entry, court order, or instrument upon which such
20 claim of possession and ownership is founded, shall be considered
21 satisfactory proof of ownership and right of possession, except that if
22 the applicant cannot produce such proof of ownership, he or she may
23 submit to the department such evidence as he or she may have, and the
24 department may thereupon, if it finds the evidence sufficient, issue the
25 certificate of title or authorize any county treasurer to issue a
26 certificate of title, as the case may be.

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

1 Sec. 21. Section 60-168.02, Reissue Revised Statutes of Nebraska, is
2 amended to read:

3 60-168.02 (1) When a motor vehicle, ~~commercial~~ trailer, or
4 ~~semitrailer, or cabin trailer~~ is purchased by a motor vehicle dealer or
5 trailer dealer and the original assigned certificate of title has been
6 lost or mutilated, the dealer selling such motor vehicle or trailer may
7 apply for an original certificate of title in the dealer's name. The
8 following documentation and fees shall be submitted by the dealer:

9 (a) An application for a certificate of title in the name of such
10 dealer;

11 (b) A photocopy from the dealer's records of the front and back of
12 the lost or mutilated original certificate of title assigned to a dealer;

13 (c) A notarized affidavit from the purchaser of such motor vehicle
14 or trailer for which the original assigned certificate of title was lost
15 or mutilated stating that the original assigned certificate of title was
16 lost or mutilated; and

17 (d) The appropriate certificate of title fee.

18 (2) The application and affidavit shall be on forms prescribed by
19 the department. When the motor vehicle dealer or trailer dealer receives
20 the new certificate of title in such dealer's name and assigns it to the
21 purchaser, the dealer shall record the original sale date and provide the
22 purchaser with a copy of the front and back of the original lost or
23 mutilated certificate of title as evidence as to why the purchase date of
24 the motor vehicle or trailer is prior to the issue date of the new
25 certificate of title.

26 Sec. 22. Section 60-192, Reissue Revised Statutes of Nebraska, is
27 amended to read:

28 60-192 The transferor of any motor vehicle of an age of less than
29 ten years, which was equipped with an odometer by the manufacturer, shall
30 provide to the transferee a statement, signed by the transferor, setting
31 forth: (1) The mileage on the odometer at the time of transfer; and (2)

1 (a) a statement that, to the transferor's best knowledge, such mileage is
2 that actually driven by the motor vehicle, (b) a statement that the
3 transferor has knowledge that the mileage shown on the odometer is in
4 excess of the designated mechanical odometer limit, or (c) a statement
5 that the odometer reading does not reflect the actual mileage and should
6 not be relied upon because the transferor has knowledge that the odometer
7 reading differs from the actual mileage and that the difference is
8 greater than that caused by odometer calibration error. If a discrepancy
9 exists between the odometer reading and the actual mileage, a warning
10 notice to alert the transferee shall be included with the statement. The
11 transferor shall retain a true copy of such statement for a period of
12 five years from the date of the transaction. If motor vehicle ownership
13 has been transferred by operation of law pursuant to repossession under
14 subdivision (1)(d) of section 60-166, the mileage shall be listed as the
15 odometer reading at the time of the most recent transfer of ownership
16 prior to the repossession of the motor vehicle. The adjustment shall not
17 be deemed a violation of section 60-190.

18 Sec. 23. Section 60-301, Revised Statutes Cumulative Supplement,
19 2016, is amended to read:

20 60-301 Sections 60-301 to 60-3,231 and section 25 of this act shall
21 be known and may be cited as the Motor Vehicle Registration Act.

22 Sec. 24. Section 60-302, Revised Statutes Cumulative Supplement,
23 2016, is amended to read:

24 60-302 For purposes of the Motor Vehicle Registration Act, unless
25 the context otherwise requires, the definitions found in sections
26 60-302.01 to 60-360 and section 25 of this act shall be used.

27 Sec. 25. Licensed dealer means a motor vehicle dealer, motorcycle
28 dealer, or trailer dealer licensed under the Motor Vehicle Industry
29 Regulation Act.

30 Sec. 26. Section 60-336.01, Revised Statutes Cumulative Supplement,
31 2016, is amended to read:

1 60-336.01 Low-speed vehicle means a four-wheeled motor vehicle (1)
2 whose speed attainable in one mile is more than twenty miles per hour and
3 not more than twenty-five miles per hour on a paved, level surface, (2)
4 whose gross vehicle weight rating is less than three thousand pounds, and
5 (3) that complies with 49 C.F.R. part 571, as such part existed on
6 January 1, 2017 ~~2016~~.

7 Sec. 27. Section 60-363, Revised Statutes Cumulative Supplement,
8 2016, is amended to read:

9 60-363 (1) No person shall operate or park a motor vehicle on the
10 highways unless such motor vehicle at all times carries in or upon it,
11 subject to inspection by any peace officer, the registration certificate
12 issued for it.

13 (2) No person shall tow or park a trailer on the highways unless the
14 registration certificate issued for the trailer or a copy thereof is
15 carried in or upon the trailer or in or upon the motor vehicle that is
16 towing or parking the trailer, subject to inspection by any peace
17 officer, except as provided in subsection (4) of this section and except
18 fertilizer trailers as defined in section 60-326. The registration
19 certificate for a fertilizer trailer shall be kept at the principal place
20 of business of the owner of the fertilizer trailer.

21 (3) In the case of a motorcycle, the registration certificate shall
22 be carried either in plain sight, affixed to the motorcycle, or in the
23 tool bag or some convenient receptacle attached to the motorcycle.

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

28 Sec. 28. Section 60-372, Revised Statutes Cumulative Supplement,
29 2016, is amended to read:

30 60-372 (1) Each county shall issue and file registration
31 certificates using the Vehicle Title and Registration System which shall

1 ~~be provided and maintained vehicle titling and registration computer~~
2 ~~system prescribed~~ by the department.

3 (2) The county treasurer may appoint an agent to issue registration
4 certificates and to accept the payment of taxes and fees as provided in
5 the Motor Vehicle Registration Act, upon approval of the county board.
6 The agent shall furnish a bond in such amount and upon such conditions as
7 determined by the county board.

8 Sec. 29. Section 60-385, Revised Statutes Cumulative Supplement,
9 2016, is amended to read:

10 60-385 Every owner of a motor vehicle or trailer required to be
11 registered shall make application for registration to the county
12 treasurer of the county in which the motor vehicle or trailer has situs.
13 The application shall be by any means designated by the department. An
14 approved licensed dealer participating in the electronic dealer services
15 system pursuant to section 69 of this act may submit such application
16 electronically to the appropriate county treasurer or the department. A
17 salvage branded certificate of title and a nontransferable certificate of
18 title provided for in section 60-170 shall not be valid for registration
19 purposes.

20 Sec. 30. Section 60-386, Revised Statutes Cumulative Supplement,
21 2016, is amended to read:

22 60-386 (1) Each new application shall contain, in addition to other
23 information as may be required by the department, the name and
24 residential and mailing address of the applicant and a description of the
25 motor vehicle or trailer, including the color, the manufacturer, the
26 identification number, the United States Department of Transportation
27 number if required by 49 C.F.R. 390.5 and 390.19, as such regulations
28 existed on January 1, 2017 ~~2016~~, and the weight of the motor vehicle or
29 trailer required by the Motor Vehicle Registration Act. With the
30 application the applicant shall pay the proper registration fee and shall
31 state whether the motor vehicle is propelled by alternative fuel and, if

1 alternative fuel, the type of fuel. The application shall also contain a
2 notification that bulk fuel purchasers may be subject to federal excise
3 tax liability. The department shall include such notification in the
4 notices required by section 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. 31. Section 60-394, Reissue Revised Statutes of Nebraska, is
17 amended to read:

18 60-394 (1) Registration which is in the name of one spouse may be
19 transferred to the other spouse for a fee of one dollar and fifty cents.

20 (2) So long as one registered name on a registration of a
21 noncommercial motor vehicle or trailer remains the same, other names may
22 be deleted therefrom or new names added thereto for a fee of one dollar
23 and fifty cents.

24 (3) At any time prior to annual renewal beginning January 1, 2019,
25 an owner may voluntarily update his or her address on the registration
26 certificate upon payment of a fee of one dollar and fifty cents.

27 Sec. 32. Section 60-3,104, Revised Statutes Cumulative Supplement,
28 2016, is amended to read:

29 60-3,104 The department shall issue the following types of license
30 plates:

31 (1) Amateur radio station license plates issued pursuant to section

- 1 60-3,126;
- 2 (2) Apportionable vehicle license plates issued pursuant to section
- 3 60-3,203;
- 4 (3) Autocycle license plates issued pursuant to section 60-3,100;
- 5 (4) Boat dealer license plates issued pursuant to section 60-379;
- 6 (5) Breast Cancer Awareness Plates issued pursuant to sections
- 7 60-3,230 and 60-3,231;
- 8 (6) Bus license plates issued pursuant to section 60-3,144;
- 9 (7) Commercial motor vehicle license plates issued pursuant to
- 10 section 60-3,147;
- 11 (8) Dealer or manufacturer license plates issued pursuant to
- 12 sections 60-3,114 and 60-3,115;
- 13 (9) Disabled veteran license plates issued pursuant to section
- 14 60-3,124;
- 15 (10) Farm trailer license plates issued pursuant to section
- 16 60-3,151;
- 17 (11) Farm truck license plates issued pursuant to section 60-3,146;
- 18 (12) Farm trucks with a gross weight of over sixteen tons license
- 19 plates issued pursuant to section 60-3,146;
- 20 (13) Fertilizer trailer license plates issued pursuant to section
- 21 60-3,151;
- 22 (14) Gold Star Family license plates issued pursuant to sections
- 23 60-3,122.01 and 60-3,122.02;
- 24 (15) Handicapped or disabled person license plates issued pursuant
- 25 to section 60-3,113;
- 26 (16) Historical vehicle license plates issued pursuant to sections
- 27 60-3,130 to 60-3,134;
- 28 (17) Local truck license plates issued pursuant to section 60-3,145;
- 29 (18) Military Honor Plates issued pursuant to sections 60-3,122.03
- 30 and 60-3,122.04;
- 31 (19) Minitruck license plates issued pursuant to section 60-3,100;

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

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

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

6 (23) Mountain Lion Conservation Plates issued pursuant to sections
7 60-3,226 and 60-3,227;

8 (24) Nebraska Cornhusker Spirit Plates issued pursuant to sections
9 60-3,127 to 60-3,129;

10 (25) Nebraska 150 Sesquicentennial Plates issued pursuant to
11 sections 60-3,223 to 60-3,225;

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

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

17 (28) Passenger car having a seating capacity of ten persons or less
18 and used for hire issued pursuant to section 60-3,143 other than
19 autocycles;

20 (29) Pearl Harbor license plates issued pursuant to section
21 60-3,122;

22 (30) Personal-use dealer license plates issued pursuant to section
23 60-3,116;

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

27 (32) Prisoner-of-war license plates issued pursuant to section
28 60-3,123;

29 (33) Public power district license plates issued pursuant to section
30 60-3,228;

31 (34) Purple Heart license plates issued pursuant to section

1 60-3,125;

2 (35) Recreational vehicle license plates issued pursuant to section
3 60-3,151;

4 (36) Repossession license plates issued pursuant to section 60-375;

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

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

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

12 (40) Trailer license plates issued pursuant to section 60-3,100;

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

15 (42) Trailers exempt pursuant to section 60-3,108;

16 (43) Transporter license plates issued pursuant to section 60-378;

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

22 (45) Utility trailer license plates issued pursuant to section
23 60-3,151; and

24 (46) Well-boring apparatus and well-servicing equipment license
25 plates issued pursuant to section 60-3,109.

26 Sec. 33. Section 60-3,104.01, Revised Statutes Cumulative
27 Supplement, 2016, is amended to read:

28 60-3,104.01 (1) A person may apply for specialty license plates in
29 lieu of regular license plates on an application prescribed and provided
30 by the department pursuant to section 60-3,104.02 for any motor vehicle,
31 trailer, or semitrailer, ~~or cabin trailer,~~ except for motor vehicles or

1 trailers registered under section 60-3,198. An applicant receiving a
2 specialty license plate for a farm truck with a gross weight of over
3 sixteen tons or for a commercial motor vehicle registered for a gross
4 weight of five tons or over shall affix the appropriate tonnage decal to
5 the plate. The department shall make forms available for such
6 applications. Each application for initial issuance or renewal of
7 specialty license plates shall be accompanied by a fee of seventy
8 dollars. Fees collected pursuant to this subsection shall be remitted to
9 the State Treasurer. The State Treasurer shall credit fifteen percent of
10 the fee for initial issuance and renewal of specialty license plates to
11 the Department of Motor Vehicles Cash Fund and eighty-five percent of the
12 fee to the Highway Trust Fund.

13 (2) Until January 1, 2019, when ~~when~~ the department receives an
14 application for specialty license plates, it shall deliver the plates to
15 the county treasurer of the county in which the motor vehicle, trailer,
16 ~~or semitrailer, or cabin trailer~~ is registered. Beginning January 1,
17 2019, when the department receives an application for specialty license
18 plates, the department may deliver the plates and registration
19 certificate to the applicant by United States mail or to the county
20 treasurer of the county in which the motor vehicle, trailer, or
21 semitrailer is registered and the delivery of the plates and registration
22 certificate shall be made through a secure process and system. The county
23 treasurer or the department shall issue specialty license plates in lieu
24 of regular license plates when the applicant complies with the other
25 provisions of law for registration of the motor vehicle, trailer, or
26 ~~semitrailer, or cabin trailer~~. If specialty license plates are lost,
27 stolen, or mutilated, the licensee shall be issued replacement license
28 plates pursuant to section 60-3,157.

29 (3)(a) The owner of a motor vehicle, trailer, or semitrailer, ~~or~~
30 ~~cabin trailer~~ bearing specialty license plates may make application to
31 the county treasurer to have such specialty license plates transferred to

1 a motor vehicle, trailer, or semitrailer, ~~or cabin trailer~~ other than the
2 motor vehicle, trailer, or semitrailer, ~~or cabin trailer~~ for which such
3 plates were originally purchased if such motor vehicle, trailer, or
4 semitrailer, ~~or cabin trailer~~ is owned by the owner of the specialty
5 license plates.

6 (b) The owner may have the unused portion of the specialty license
7 plate fee credited to the other motor vehicle, trailer, or semitrailer,
8 ~~or cabin trailer~~ which will bear the specialty license plates at the rate
9 of eight and one-third percent per month for each full month left in the
10 registration period.

11 (c) Application for such transfer shall be accompanied by a fee of
12 three dollars. Fees collected pursuant to this subsection shall be
13 remitted to the State Treasurer for credit to the Department of Motor
14 Vehicles Cash Fund.

15 Sec. 34. Section 60-3,113.04, Revised Statutes Cumulative
16 Supplement, 2016, is amended to read:

17 60-3,113.04 (1) A handicapped or disabled parking permit shall be of
18 a design, size, configuration, color, and construction and contain such
19 information as specified in the regulations adopted by the United States
20 Department of Transportation in 23 C.F.R. part 1235, UNIFORM SYSTEM FOR
21 PARKING FOR PERSONS WITH DISABILITIES, as such regulations existed on
22 January 1, 2017 ~~2016~~.

23 (2) No handicapped or disabled parking permit shall be issued to any
24 person or for any motor vehicle if any permit has been issued to such
25 person or for such motor vehicle and such permit has been suspended
26 pursuant to section 18-1741.02. At the expiration of such suspension, a
27 permit may be renewed in the manner provided for renewal in sections
28 60-3,113.02, 60-3,113.03, and 60-3,113.05.

29 (3) A duplicate handicapped or disabled parking permit may be
30 provided up to two times during any single permit period if a permit is
31 destroyed, lost, or stolen. Such duplicate permit shall be issued as

1 provided in section 60-3,113.02 or 60-3,113.03, whichever is applicable,
2 except that a new certification by a physician, a physician assistant, or
3 an advanced practice registered nurse need not be provided. A duplicate
4 permit shall be valid for the remainder of the period for which the
5 original permit was issued. If a person has been issued two duplicate
6 permits under this subsection and needs another permit, such person shall
7 reapply for a new permit under section 60-3,113.02 or 60-3,113.03,
8 whichever is applicable.

9 Sec. 35. Section 60-3,118, Revised Statutes Cumulative Supplement,
10 2016, is amended to read:

11 60-3,118 (1) In lieu of the license plates provided for by section
12 60-3,100, the department shall issue personalized message license plates
13 for motor vehicles, trailers, or semitrailers, ~~or cabin trailers,~~ except
14 for motor vehicles and trailers registered under section 60-3,198, to all
15 applicants who meet the requirements of sections 60-3,119 to 60-3,121.
16 Personalized message license plates shall be the same size and of the
17 same basic design as regular license plates issued pursuant to section
18 60-3,100. The characters used shall consist only of letters and numerals
19 of the same size and design and shall comply with the requirements of
20 subdivision (1)(a) of section 60-3,100. A maximum of seven characters may
21 be used, except that for an autocycle or a motorcycle, a maximum of six
22 characters may be used.

23 (2) The following conditions apply to all personalized message
24 license plates:

25 (a) County prefixes shall not be allowed except in counties using
26 the alphanumeric system for motor vehicle registration. The numerals in
27 the county prefix shall be the numerals assigned to the county, pursuant
28 to subsection (2) of section 60-370, in which the motor vehicle or ~~cabin~~
29 trailer is registered. Renewal of a personalized message license plate
30 containing a county prefix shall be conditioned upon the motor vehicle or
31 ~~cabin~~ trailer being registered in such county. The numerals in the county

1 prefix, including the hyphen or any other unique design for an existing
2 license plate style, count against the maximum number of characters
3 allowed under this section;

4 (b) The characters in the order used shall not conflict with or
5 duplicate any number used or to be used on the regular license plates or
6 any number or license plate already approved pursuant to sections
7 60-3,118 to 60-3,121;

8 (c) The characters in the order used shall not express, connote, or
9 imply any obscene or objectionable words or abbreviations; and

10 (d) An applicant receiving a personalized message license plate for
11 a farm truck with a gross weight of over sixteen tons or a commercial
12 truck or truck-tractor with a gross weight of five tons or over shall
13 affix the appropriate tonnage decal to such license plate.

14 (3) The department shall have sole authority to determine if the
15 conditions prescribed in subsection (2) of this section have been met.

16 Sec. 36. Section 60-3,120, Revised Statutes Cumulative Supplement,
17 2016, is amended to read:

18 60-3,120 Until January 1, 2019, when ~~when~~ the department approves
19 an application for personalized message license plates, it shall notify
20 the applicant and deliver the license plates to the county treasurer of
21 the county in which the motor vehicle or ~~cabin~~ trailer is to be
22 registered. Beginning January 1, 2019, when the department approves an
23 application for personalized message license plates, the department shall
24 notify the applicant and deliver the license plates and registration
25 certificate to the applicant by United States mail or to the county
26 treasurer of the county in which the motor vehicle or trailer is to be
27 registered and the delivery of the plates and registration certificate
28 shall be made through a secure process and system. The county treasurer
29 or the department shall deliver such plates to the applicant, in lieu of
30 regular license plates, when the applicant complies with the other
31 provisions of law for registration of the motor vehicle or ~~cabin~~ trailer.

1 Sec. 37. Section 60-3,121, Revised Statutes Cumulative Supplement,
2 2016, is amended to read:

3 60-3,121 (1) The owner of a motor vehicle or ~~cabin~~ trailer bearing
4 personalized message license plates may make application to the county
5 treasurer to have such license plates transferred to a motor vehicle or
6 ~~cabin~~ trailer other than the motor vehicle or ~~cabin~~ trailer for which
7 such license plates were originally purchased if such motor vehicle or
8 ~~cabin~~ trailer is owned by the owner of the license plates.

9 (2) The owner may have the unused portion of the message plate fee
10 credited to the other motor vehicle or ~~cabin~~ trailer which will bear the
11 license plate at the rate of eight and one-third percent per month for
12 each full month left in the registration period.

13 (3) Application for such transfer shall be accompanied by a fee of
14 three dollars. The fees shall be remitted to the State Treasurer for
15 credit to the Department of Motor Vehicles Cash Fund.

16 Sec. 38. Section 60-3,122, Revised Statutes Cumulative Supplement,
17 2016, is amended to read:

18 60-3,122 (1) Any person may, in addition to the application required
19 by section 60-385, apply to the department for license plates designed by
20 the department to indicate that he or she is a survivor of the Japanese
21 attack on Pearl Harbor if he or she:

22 (a) Was a member of the United States Armed Forces on December 7,
23 1941;

24 (b) Was on station on December 7, 1941, during the hours of 7:55
25 a.m. to 9:45 a.m. Hawaii time at Pearl Harbor, the island of Oahu, or
26 offshore at a distance not to exceed three miles;

27 (c) Was discharged or otherwise separated with a characterization of
28 honorable from the United States Armed Forces; and

29 (d) Holds a current membership in a Nebraska Chapter of the Pearl
30 Harbor Survivors Association.

31 (2) The license plates shall be issued upon the applicant paying the

1 regular license fee and furnishing proof satisfactory to the department
2 that the applicant fulfills the requirements provided by subsection (1)
3 of this section. Any number of motor vehicles, trailers, or semitrailers,
4 ~~or cabin trailers~~ owned by the applicant may be so licensed at any one
5 time. Motor vehicles and trailers registered under section 60-3,198 shall
6 not be so licensed.

7 (3) If the license plates issued pursuant to this section are lost,
8 stolen, or mutilated, the recipient of the plates shall be issued
9 replacement license plates upon request and without charge.

10 Sec. 39. Section 60-3,122.02, Revised Statutes Cumulative
11 Supplement, 2016, is amended to read:

12 60-3,122.02 (1) A person may apply to the department for Gold Star
13 Family plates in lieu of regular license plates on an application
14 prescribed and provided by the department for any motor vehicle, trailer,
15 or semitrailer, ~~or cabin trailer~~, except for a motor vehicle or trailer
16 registered under section 60-3,198. An applicant receiving a Gold Star
17 Family plate for a farm truck with a gross weight of over sixteen tons
18 shall affix the appropriate tonnage decal to the plate. The department
19 shall make forms available for such applications through the county
20 treasurers. The license plates shall be issued upon payment of the
21 license fee described in subsection (2) of this section and furnishing
22 proof satisfactory to the department that the applicant is a surviving
23 spouse, whether remarried or not, or an ancestor, including a stepparent,
24 a descendant, including a stepchild, a foster parent or a person in loco
25 parentis, or a sibling of a person who died while in good standing on
26 active duty in the military service of the United States.

27 (2)(a) Each application for initial issuance of consecutively
28 numbered Gold Star Family plates shall be accompanied by a fee of five
29 dollars. An application for renewal of such plates shall be accompanied
30 by a fee of five dollars. County treasurers collecting fees for renewals
31 pursuant to this subdivision shall remit them to the State Treasurer. The

1 State Treasurer shall credit five dollars of the fee for initial issuance
2 and renewal of such plates to the Nebraska Veteran Cemetery System
3 Operation Fund.

4 (b) Each application for initial issuance of personalized message
5 Gold Star Family plates shall be accompanied by a fee of forty dollars.
6 An application for renewal of such plates shall be accompanied by a fee
7 of forty dollars. County treasurers collecting fees for renewals pursuant
8 to this subdivision shall remit them to the State Treasurer. The State
9 Treasurer shall credit twenty-five percent of the fee for initial
10 issuance and renewal of such plates to the Department of Motor Vehicles
11 Cash Fund and seventy-five percent of the fee to the Nebraska Veteran
12 Cemetery System Operation Fund.

13 (3) Until January 1, 2019, when ~~when~~ the department receives an
14 application for Gold Star Family plates, the department shall deliver the
15 plates to the county treasurer of the county in which the motor vehicle
16 or ~~cabin~~ trailer is registered. Beginning January 1, 2019, when the
17 department receives an application for Gold Star Family plates, the
18 department may deliver the plates and registration certificate to the
19 applicant by United States mail or to the county treasurer of the county
20 in which the motor vehicle or trailer is registered and the delivery of
21 the plates and registration certificate shall be made through a secure
22 process and system. The county treasurer or the department shall issue
23 Gold Star Family plates in lieu of regular license plates when the
24 applicant complies with the other provisions of the Motor Vehicle
25 Registration Act for registration of the motor vehicle or ~~cabin~~ trailer.
26 If Gold Star Family plates are lost, stolen, or mutilated, the licensee
27 shall be issued replacement license plates upon request and without
28 charge.

29 (4) The owner of a motor vehicle or ~~cabin~~ trailer bearing Gold Star
30 Family plates may apply to the county treasurer to have such plates
31 transferred to a motor vehicle other than the vehicle for which such

1 plates were originally purchased if such vehicle is owned by the owner of
2 the plates. The owner may have the unused portion of the fee for the
3 plates credited to the other vehicle which will bear the plates at the
4 rate of eight and one-third percent per month for each full month left in
5 the registration period. Application for such transfer shall be
6 accompanied by a fee of three dollars. Fees collected pursuant to this
7 subsection shall be remitted to the State Treasurer for credit to the
8 Department of Motor Vehicles Cash Fund.

9 (5) If the cost of manufacturing Gold Star Family plates at any time
10 exceeds the amount charged for license plates pursuant to section
11 60-3,102, any money to be credited to the Nebraska Veteran Cemetery
12 System Operation Fund shall instead be credited first to the Highway
13 Trust Fund in an amount equal to the difference between the manufacturing
14 costs of Gold Star Family plates and the amount charged pursuant to
15 section 60-3,102 with respect to such plates and the remainder shall be
16 credited to the Nebraska Veteran Cemetery System Operation Fund.

17 Sec. 40. Section 60-3,122.04, Revised Statutes Cumulative
18 Supplement, 2016, is amended to read:

19 60-3,122.04 (1) ~~An~~ Beginning January 2, 2016, an eligible person may
20 apply to the department for Military Honor Plates in lieu of regular
21 license plates on an application prescribed and provided by the
22 department for any motor vehicle, trailer, or semitrailer, ~~or~~ cabin
23 trailer, except for a motor vehicle or trailer registered under section
24 60-3,198. An applicant receiving a Military Honor Plate for a farm truck
25 with a gross weight of over sixteen tons shall affix the appropriate
26 tonnage decal to the plate. The department shall make forms available for
27 such applications through the county treasurers. The license plates shall
28 be issued upon payment of the license fee described in subsection (2) of
29 this section and verification by the department of an applicant's
30 eligibility using the registry established by the Department of Veterans'
31 Affairs pursuant to section 80-414. To be eligible an applicant shall be

1 (a) active duty armed forces personnel serving in any of the armed forces
2 listed in subsection (1) of section 60-3,122.03 or (b) a veteran of any
3 of such armed forces who was discharged or otherwise separated with a
4 characterization of honorable or general (under honorable conditions).
5 Any person using Military Honor Plates shall surrender the plates to the
6 county treasurer if such person is no longer eligible for the plates.
7 Regular plates shall be issued to any such person upon surrender of the
8 Military Honor Plates for a three-dollar transfer fee and forfeiture of
9 any of the remaining annual fee. The three-dollar transfer fee shall be
10 remitted to the State Treasurer for credit to the Department of Motor
11 Vehicles Cash Fund.

12 (2)(a) In addition to all other fees required for registration under
13 the Motor Vehicle Registration Act, each application for initial issuance
14 or renewal of alphanumeric Military Honor Plates shall be accompanied by
15 a fee of five dollars. County treasurers collecting fees pursuant to this
16 subdivision shall remit them to the State Treasurer. The State Treasurer
17 shall credit five dollars of the fee to the Nebraska Veteran Cemetery
18 System Operation Fund.

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

28 (3) Until January 1, 2019, when ~~when~~ the Department of Motor
29 Vehicles receives an application for Military Honor Plates, the
30 department shall deliver the plates to the county treasurer of the county
31 in which the motor vehicle or ~~cab~~ trailer is registered. Beginning

1 January 1, 2019, when the department receives an application for Military
2 Honor Plates, the department may deliver the plates and registration
3 certificate to the applicant by United States mail or to the county
4 treasurer of the county in which the motor vehicle or trailer is
5 registered and the delivery of the plates and registration certificate
6 shall be made through a secure process and system. The county treasurer
7 or the department shall issue Military Honor Plates in lieu of regular
8 license plates when the applicant complies with the other provisions of
9 the Motor Vehicle Registration Act for registration of the motor vehicle
10 or ~~cabin~~ trailer. If Military Honor Plates are lost, stolen, or
11 mutilated, the licensee shall be issued replacement license plates upon
12 request pursuant to section 60-3,157.

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

25 (5) If the cost of manufacturing Military Honor Plates at any time
26 exceeds the amount charged for license plates pursuant to section
27 60-3,102, any money to be credited to the Nebraska Veteran Cemetery
28 System Operation Fund shall instead be credited first to the Highway
29 Trust Fund in an amount equal to the difference between the manufacturing
30 costs of Military Honor Plates and the amount charged pursuant to section
31 60-3,102 with respect to such plates and the remainder shall be credited

1 to the Nebraska Veteran Cemetery System Operation Fund.

2 (6) If the director discovers evidence of fraud in an application
3 for Military Honor Plates or that the holder is no longer eligible to
4 have Military Honor Plates, the director may summarily cancel the plates
5 and registration and send notice of the cancellation to the holder of the
6 license plates.

7 Sec. 41. Section 60-3,123, Revised Statutes Cumulative Supplement,
8 2016, is amended to read:

9 60-3,123 (1) Any person who was captured and incarcerated by an
10 enemy of the United States during a period of conflict with such enemy
11 and who was discharged or otherwise separated with a characterization of
12 honorable from or is currently serving in the United States Armed Forces
13 may, in addition to the application required in section 60-385, apply to
14 the department for license plates designed to indicate that he or she is
15 a former prisoner of war.

16 (2) The license plates shall be issued upon the applicant paying the
17 regular license fee and furnishing proof satisfactory to the department
18 that the applicant was formerly a prisoner of war. Any number of motor
19 vehicles, trailers, or semitrailers, ~~or cabin trailers~~ owned by the
20 applicant may be so licensed at any one time. Motor vehicles and trailers
21 registered under section 60-3,198 shall not be so licensed.

22 (3) If the license plates issued under this section are lost,
23 stolen, or mutilated, the recipient of the license plates shall be issued
24 replacement license plates upon request and without charge.

25 Sec. 42. Section 60-3,124, Revised Statutes Cumulative Supplement,
26 2016, is amended to read:

27 60-3,124 (1) Any person who is a veteran of the United States Armed
28 Forces, who was discharged or otherwise separated with a characterization
29 of honorable or general (under honorable conditions), and who is
30 classified by the United States Department of Veterans Affairs as one
31 hundred percent service-connected disabled may, in addition to the

1 application required in section 60-385, apply to the Department of Motor
2 Vehicles for license plates designed by the department to indicate that
3 the applicant is a disabled veteran. The inscription on the license
4 plates shall be D.A.V. immediately below the license plate number to
5 indicate that the holder of the license plates is a disabled veteran.

6 (2) The plates shall be issued upon the applicant paying the regular
7 license fee and furnishing proof satisfactory to the department that the
8 applicant is a disabled veteran. Any number of motor vehicles, trailers,
9 ~~or semitrailers, or cabin trailers~~ owned by the applicant may be so
10 licensed at any one time. Motor vehicles and trailers registered under
11 section 60-3,198 shall not be so licensed.

12 (3) If the license plates issued under this section are lost,
13 stolen, or mutilated, the recipient of the plates shall be issued
14 replacement license plates as provided in section 60-3,157.

15 Sec. 43. Section 60-3,125, Revised Statutes Cumulative Supplement,
16 2016, is amended to read:

17 60-3,125 (1) Any person may, in addition to the application required
18 by section 60-385, apply to the department for license plates designed by
19 the department to indicate that the applicant has received from the
20 federal government an award of a Purple Heart. The inscription of the
21 plates shall be designed so as to include a facsimile of the award and
22 beneath any numerical designation upon the plates pursuant to section
23 60-370 the words Purple Heart separately on one line and the words Combat
24 Wounded on the line below.

25 (2) The license plates shall be issued upon payment of the regular
26 license fee and furnishing proof satisfactory to the department that the
27 applicant was awarded the Purple Heart. Any number of motor vehicles,
28 trailers, ~~or semitrailers, or cabin trailers~~ owned by the applicant may
29 be so licensed at any one time. Motor vehicles and trailers registered
30 under section 60-3,198 shall not be so licensed.

31 (3) If license plates issued pursuant to this section are lost,

1 stolen, or mutilated, the recipient of the plates shall be issued
2 replacement license plates upon request and without charge.

3 Sec. 44. Section 60-3,126, Reissue Revised Statutes of Nebraska, is
4 amended to read:

5 60-3,126 (1) Any person who holds an unrevoked and unexpired amateur
6 radio station license issued by the Federal Communications Commission and
7 is the owner of a motor vehicle, trailer, or semitrailer, ~~or~~ cabin
8 trailer, except for motor vehicles and trailers registered under section
9 60-3,198, may, in addition to the application required by section 60-385,
10 apply to the department for license plates upon which shall be inscribed
11 the official amateur radio call letters of such applicant.

12 (2) Such license plates shall be issued, in lieu of the usual
13 numbers and letters, to such an applicant upon payment of the regular
14 license fee and the payment of an additional fee of five dollars and
15 furnishing proof that the applicant holds such an unrevoked and unexpired
16 amateur radio station license. The additional fee shall be remitted to
17 the State Treasurer for credit to the Highway Trust Fund. Only one such
18 motor vehicle or trailer owned by an applicant shall be so registered at
19 any one time.

20 (3) An applicant applying for renewal of amateur radio station
21 license plates shall again furnish proof that he or she holds an
22 unrevoked and unexpired amateur radio station license issued by the
23 Federal Communications Commission.

24 (4) The department shall prescribe the size and design of the
25 license plates and furnish such plates to the persons applying for and
26 entitled to the same upon the payment of the required fee.

27 Sec. 45. Section 60-3,128, Revised Statutes Cumulative Supplement,
28 2016, is amended to read:

29 60-3,128 (1) A person may apply to the department for Nebraska
30 Cornhusker Spirit Plates in lieu of regular license plates on an
31 application prescribed and provided by the department for any motor

1 vehicle, trailer, or semitrailer, ~~or cabin trailer~~, except for motor
2 vehicles or trailers registered under section 60-3,198. An applicant
3 receiving a spirit plate for a farm truck with a gross weight of over
4 sixteen tons or for a commercial motor vehicle registered for a gross
5 weight of five tons or over shall affix the appropriate tonnage decal to
6 the spirit plate. The department shall make forms available for such
7 applications through the county treasurers. Each application for initial
8 issuance or renewal of spirit plates shall be accompanied by a fee of
9 seventy dollars. Fees collected pursuant to this subsection shall be
10 remitted to the State Treasurer. The State Treasurer shall credit forty-
11 three percent of the fees for initial issuance and renewal of spirit
12 plates to the Department of Motor Vehicles Cash Fund. The State Treasurer
13 shall credit fifty-seven percent of the fees to the Spirit Plate Proceeds
14 Fund until the fund has been credited five million dollars from such fees
15 and thereafter to the Highway Trust Fund.

16 (2) Until January 1, 2019, when ~~when~~ the department receives an
17 application for spirit plates, it shall deliver the plates to the county
18 treasurer of the county in which the motor vehicle or ~~cabin~~ trailer is
19 registered. Beginning January 1, 2019, when the department receives an
20 application for spirit plates, the department may deliver the plates and
21 registration certificate to the applicant by United States mail or to the
22 county treasurer of the county in which the motor vehicle or trailer is
23 registered and the delivery of the plates and registration certificate
24 shall be made through a secure process and system. The county treasurer
25 or the department shall issue spirit plates in lieu of regular license
26 plates when the applicant complies with the other provisions of law for
27 registration of the motor vehicle or ~~cabin~~ trailer. If spirit plates are
28 lost, stolen, or mutilated, the licensee shall be issued replacement
29 license plates pursuant to section 60-3,157.

30 (3)(a) The owner of a motor vehicle or ~~cabin~~ trailer bearing spirit
31 plates may make application to the county treasurer to have such spirit

1 plates transferred to a motor vehicle or ~~cabin~~ trailer other than the
2 motor vehicle or ~~cabin~~ trailer for which such plates were originally
3 purchased if such motor vehicle or ~~cabin~~ trailer is owned by the owner of
4 the spirit plates.

5 (b) The owner may have the unused portion of the spirit plate fee
6 credited to the other motor vehicle or ~~cabin~~ trailer which will bear the
7 spirit plate at the rate of eight and one-third percent per month for
8 each full month left in the registration period.

9 (c) Application for such transfer shall be accompanied by a fee of
10 three dollars. Fees collected pursuant to this subsection shall be
11 remitted to the State Treasurer for credit to the Department of Motor
12 Vehicles Cash Fund.

13 Sec. 46. Section 60-3,135.01, Revised Statutes Cumulative
14 Supplement, 2016, is amended to read:

15 60-3,135.01 (1) The department shall either modify an existing plate
16 design or design license plates to identify special interest motor
17 vehicles, to be known as special interest motor vehicle license plates.
18 The department, in designing such special interest motor vehicle license
19 plates, shall include the words special interest and limit the
20 manufacturing cost of each plate to an amount less than or equal to the
21 amount charged for license plates pursuant to section 60-3,102. The
22 department shall choose the design of the plate. The department shall
23 make applications available for this type of plate when it is designed.

24 (2) One type of special interest motor vehicle license plate shall
25 be alphanumeric plates. The department shall:

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

27 (b) Not use a county designation.

28 (3) One type of special interest motor vehicle license plate shall
29 be personalized message plates. Such plates shall be issued subject to
30 the same conditions specified for personalized message license plates in
31 section 60-3,118.

1 (4) A person may apply to the department for a special interest
2 motor vehicle license plate in lieu of regular license plates on an
3 application prescribed and provided by the department for any special
4 interest motor vehicle, except that no motor vehicle registered under
5 section 60-3,198, autocycle, motorcycle, or trailer shall be eligible for
6 special interest motor vehicle license plates. The department shall make
7 forms available for such applications through the county treasurers.

8 (5) The form shall contain a description of the special interest
9 motor vehicle owned and sought to be registered, including the make, body
10 type, model, serial number, and year of manufacture.

11 (6)(a) In addition to all other fees required to register a motor
12 vehicle, each application for initial issuance or renewal of a special
13 interest motor vehicle license plate shall be accompanied by a special
14 interest motor vehicle license plate fee of fifty dollars. Twenty-five
15 dollars of the special interest motor vehicle license plate fee shall be
16 remitted to the State Treasurer for credit to the Department of Motor
17 Vehicles Cash Fund, and twenty-five dollars of the special interest motor
18 vehicle license plate fee shall be remitted to the State Treasurer for
19 credit to the Highway Trust Fund.

20 (b) If a special interest motor vehicle license plate is lost,
21 stolen, or mutilated, the owner shall be issued a replacement license
22 plate pursuant to section 60-3,157.

23 (7) Until January 1, 2019, when ~~When~~ the department receives an
24 application for a special interest motor vehicle license plate, the
25 department shall deliver the plate to the county treasurer of the county
26 in which the special interest motor vehicle is registered. Beginning
27 January 1, 2019, when the department receives an application for a
28 special interest motor vehicle license plate, the department may deliver
29 the plate and registration certificate to the applicant by United States
30 mail or to the county treasurer of the county in which the special
31 interest motor vehicle is registered and the delivery of the plate and

1 registration certificate shall be made through a secure process and
2 system. The county treasurer or the department shall issue the special
3 interest motor vehicle license plate in lieu of regular license plates
4 when the applicant complies with the other provisions of the Motor
5 Vehicle Registration Act for registration of the special interest motor
6 vehicle.

7 (8) If the cost of manufacturing special interest motor vehicle
8 license plates at any time exceeds the amount charged for license plates
9 pursuant to section 60-3,102, any money to be credited to the Department
10 of Motor Vehicles Cash Fund under this section shall instead be credited
11 first to the Highway Trust Fund in an amount equal to the difference
12 between the manufacturing costs of special interest motor vehicle license
13 plates and the amount charged pursuant to section 60-3,102 with respect
14 to such license plates and the remainder shall be credited to the
15 Department of Motor Vehicles Cash Fund.

16 (9) The special interest motor vehicle license plate shall be
17 affixed to the rear of the special interest motor vehicle.

18 (10) A special interest motor vehicle shall not be used for the same
19 purposes and under the same conditions as other motor vehicles of the
20 same type and shall not be used for business or occupation or regularly
21 for transportation to and from work. A special interest motor vehicle may
22 be driven on the public streets and roads only for occasional
23 transportation, public displays, parades, and related pleasure or hobby
24 activities.

25 (11) It shall be unlawful to own or operate a motor vehicle with
26 special interest motor vehicle license plates in violation of this
27 section. Upon conviction of a violation of any provision of this section,
28 a person shall be guilty of a Class V misdemeanor.

29 (12) For purposes of this section, special interest motor vehicle
30 means a motor vehicle of any age which is being collected, preserved,
31 restored, or maintained by the owner as a leisure pursuit and not used

1 for general transportation of persons or cargo.

2 Sec. 47. Section 60-3,141, Revised Statutes Cumulative Supplement,
3 2016, is amended to read:

4 60-3,141 (1) The various county treasurers shall act as agents for
5 the department in the collection of all motor vehicle taxes, motor
6 vehicle fees, and registration fees. An approved licensed dealer
7 participating in the electronic dealer services system pursuant to
8 section 69 of this act may collect all such taxes and fees as agent for
9 the appropriate county treasurer and the department in a manner provided
10 by such system.

11 (2) While acting as agents pursuant to subsection (1) of this
12 section, the county treasurers or any approved licensed dealers
13 participating in the electronic dealer services system shall in addition
14 to the taxes and registration fees collect one dollar and fifty cents for
15 each registration of a motor vehicle or trailer of a resident of the
16 State of Nebraska and four dollars and fifty cents for each registration
17 of a motor vehicle or trailer of a nonresident. The county treasurer
18 shall credit such additional fees collected by the county treasurer or
19 any approved licensed dealer participating in the electronic dealer
20 services system ~~for the county~~ to the county general fund in a manner
21 provided by such system.

22 (3) The county treasurers shall transmit all motor vehicle fees and
23 registration fees collected pursuant to this section to the State
24 Treasurer on or before the twentieth ~~twenty-fifth~~ day of each month and
25 at such other times as the State Treasurer requires for credit to the
26 Motor Vehicle Fee Fund and the Highway Trust Fund, respectively, except
27 as provided in section 60-3,156. Any county treasurer who fails to
28 transfer to the State Treasurer the amount due the state at the times
29 required in this section shall pay interest at the rate specified in
30 section 45-104.02, as such rate may be adjusted from time to time, from
31 the time the motor vehicle fees and registration fees become due until

1 paid.

2 (4) If a registrant requests delivery of license plates,
3 registration certificates, or validation decals by mail, the county
4 treasurer may charge a postage and handling fee in an amount not more
5 than necessary to recover the cost of postage and handling for the
6 specific items mailed to the registrant.

7 Sec. 48. Section 60-3,184, Reissue Revised Statutes of Nebraska, is
8 amended to read:

9 60-3,184 For purposes of sections 60-3,184 to 60-3,190:

10 (1) Automobile means passenger cars, trucks, utility vehicles, and
11 vans up to and including seven tons;

12 (2) Motor vehicle means every motor vehicle, ~~and trailer, and~~
13 semitrailer subject to the payment of registration fees or permit fees
14 under the laws of this state ~~and every cabin trailer registered for~~
15 ~~operation upon the highways of this state;~~

16 (3) Motor vehicle fee means the fee imposed upon motor vehicles
17 under section 60-3,190;

18 (4) Motor vehicle tax means the tax imposed upon motor vehicles
19 under section 60-3,185; and

20 (5) Registration period means the period from the date of
21 registration pursuant to section 60-392 to the first day of the month
22 following one year after such date.

23 Sec. 49. Section 60-3,193.01, Revised Statutes Cumulative
24 Supplement, 2016, is amended to read:

25 60-3,193.01 For purposes of the Motor Vehicle Registration Act, the
26 International Registration Plan is adopted and incorporated by reference
27 as the plan existed on January 1, 2017 ~~2016~~.

28 Sec. 50. Section 60-3,224, Revised Statutes Cumulative Supplement,
29 2016, is amended to read:

30 60-3,224 (1) Beginning October 1, 2015, and ending December 31,
31 2022, a person may apply to the department for Nebraska 150

1 Sesquicentennial Plates in lieu of regular license plates on an
2 application prescribed and provided by the department for any motor
3 vehicle, trailer, or semitrailer, or cabin trailer, except for a motor
4 vehicle or trailer registered under section 60-3,198. An applicant
5 receiving a plate under this section for a farm truck with a gross weight
6 of over sixteen tons shall affix the appropriate tonnage decal to the
7 plate. The department shall make forms available for such applications
8 through the county treasurers.

9 (2) Each application for initial issuance or renewal of Nebraska 150
10 Sesquicentennial Plates shall be accompanied by a fee of seventy dollars.
11 Fees collected pursuant to this section shall be remitted to the State
12 Treasurer. The State Treasurer shall credit fifteen percent of the fee
13 for initial issuance and renewal of plates under subsection (3) of
14 section 60-3,223 to the Department of Motor Vehicles Cash Fund and
15 eighty-five percent of such fee to the Nebraska 150 Sesquicentennial
16 Plate Proceeds Fund. The State Treasurer shall credit forty-three percent
17 of the fee for initial issuance and renewal of plates under subsection
18 (4) of section 60-3,223 to the Department of Motor Vehicles Cash Fund and
19 fifty-seven percent of such fee to the Nebraska 150 Sesquicentennial
20 Plate Proceeds Fund.

21 (3) Until January 1, 2019, when ~~when~~ the department receives an
22 application for Nebraska 150 Sesquicentennial Plates, the department
23 shall deliver the plates to the county treasurer of the county in which
24 the motor vehicle or ~~cabin~~ trailer is registered. Beginning January 1,
25 2019, when the department receives an application for Nebraska 150
26 Sesquicentennial Plates, the department may deliver the plates and
27 registration certificate to the applicant by United States mail or to the
28 county treasurer of the county in which the motor vehicle or trailer is
29 registered and the delivery of the plates and registration certificate
30 shall be made through a secure process and system. The county treasurer
31 or the department shall issue plates under this section in lieu of

1 regular license plates when the applicant complies with the other
2 provisions of the Motor Vehicle Registration Act for registration of the
3 motor vehicle or ~~cabin~~ trailer. If plates are lost, stolen, or mutilated,
4 the licensee shall be issued replacement license plates pursuant to
5 section 60-3,157.

6 (4) The owner of a motor vehicle or ~~cabin~~ trailer bearing Nebraska
7 150 Sesquicentennial Plates may apply to the county treasurer to have
8 such plates transferred to a motor vehicle or ~~cabin~~ trailer other than
9 the motor vehicle or trailer for which such plates were originally
10 purchased if such motor vehicle or trailer is owned by the owner of the
11 plates. The owner may have the unused portion of the fee for the plates
12 credited to the other motor vehicle or trailer which will bear the plates
13 at the rate of eight and one-third percent per month for each full month
14 left in the registration period. Application for such transfer shall be
15 accompanied by a fee of three dollars. The State Treasurer shall credit
16 fees collected pursuant to this subsection to the Department of Motor
17 Vehicles Cash Fund.

18 (5) Nebraska 150 Sesquicentennial Plates shall not be issued or
19 renewed beginning on January 1, 2023.

20 Sec. 51. Section 60-3,227, Revised Statutes Cumulative Supplement,
21 2016, is amended to read:

22 60-3,227 (1) Beginning October 1, 2016, a person may apply to the
23 department for Mountain Lion Conservation Plates in lieu of regular
24 license plates on an application prescribed and provided by the
25 department for any motor vehicle, ~~or cabin~~ trailer, or semitrailer,
26 except for a motor vehicle, ~~or cabin~~ trailer, or semitrailer registered
27 under section 60-3,198. An applicant receiving a Mountain Lion
28 Conservation Plate for a farm truck with a gross weight of over sixteen
29 tons shall affix the appropriate tonnage decal to the plate. The
30 department shall make forms available for such applications through the
31 county treasurers. The license plates shall be issued upon payment of the

1 license fee described in subsection (2) of this section.

2 (2)(a) In addition to all other fees required for registration under
3 the Motor Vehicle Registration Act, each application for initial issuance
4 of alphanumeric Mountain Lion Conservation Plates shall be accompanied by
5 a fee of five dollars. An application for renewal of such plates shall be
6 accompanied by a fee of five dollars. County treasurers collecting fees
7 pursuant to this subdivision shall remit them to the State Treasurer. The
8 State Treasurer shall credit five dollars of the fee to the Game and
9 Parks Commission Educational Fund.

10 (b) In addition to all other fees required for registration under
11 the Motor Vehicle Registration Act, each application for initial issuance
12 or renewal of personalized message Mountain Lion Conservation Plates
13 shall be accompanied by a fee of forty dollars. County treasurers
14 collecting fees pursuant to this subdivision shall remit them to the
15 State Treasurer. The State Treasurer shall credit twenty-five percent of
16 the fee for initial issuance and renewal of such plates to the Department
17 of Motor Vehicles Cash Fund and seventy-five percent of the fee to the
18 Game and Parks Commission Educational Fund.

19 (3) Until January 1, 2019, when ~~when~~ the department receives an
20 application for Mountain Lion Conservation Plates, the department shall
21 deliver the plates to the county treasurer of the county in which the
22 motor vehicle, ~~or cabin trailer, or semitrailer~~ is registered. Beginning
23 January 1, 2019, when the department receives an application for Mountain
24 Lion Conservation Plates, the department may deliver the plates and
25 registration certificate to the applicant by United States mail or to the
26 county treasurer of the county in which the motor vehicle, trailer, or
27 semitrailer is registered and the delivery of the plates and registration
28 certificate shall be made through a secure process and system. The county
29 treasurer or the department shall issue Mountain Lion Conservation Plates
30 in lieu of regular license plates when the applicant complies with the
31 other provisions of the Motor Vehicle Registration Act for registration

1 of the motor vehicle, ~~or cabin trailer, or semitrailer~~. If Mountain Lion
2 Conservation Plates are lost, stolen, or mutilated, the licensee shall be
3 issued replacement license plates upon request pursuant to section
4 60-3,157.

5 (4) The owner of a motor vehicle, ~~or cabin trailer, or semitrailer~~
6 bearing Mountain Lion Conservation Plates may apply to the county
7 treasurer to have such plates transferred to a motor vehicle other than
8 the vehicle for which such plates were originally purchased if such
9 vehicle is owned by the owner of the plates. The owner may have the
10 unused portion of the fee for the plates credited to the other vehicle
11 which will bear the plates at the rate of eight and one-third percent per
12 month for each full month left in the registration period. Application
13 for such transfer shall be accompanied by a fee of three dollars. Fees
14 collected pursuant to this subsection shall be remitted to the State
15 Treasurer for credit to the Department of Motor Vehicles Cash Fund.

16 (5) If the cost of manufacturing Mountain Lion Conservation Plates
17 at any time exceeds the amount charged for license plates pursuant to
18 section 60-3,102, any money to be credited to the Game and Parks
19 Commission Educational Fund shall instead be credited first to the
20 Highway Trust Fund in an amount equal to the difference between the
21 manufacturing costs of Mountain Lion Conservation Plates and the amount
22 charged pursuant to section 60-3,102 with respect to such plates and the
23 remainder shall be credited to the Game and Parks Commission Educational
24 Fund.

25 Sec. 52. Section 60-3,229, Revised Statutes Cumulative Supplement,
26 2016, is amended to read:

27 60-3,229 The registration fee for a public power district motor
28 vehicle shall be the fee provided for commercial motor vehicles in
29 section 60-3,147. The registration fee for a public power district
30 trailer shall be the fee provided for a trailer in ~~subsection (2) or (7),~~
31 ~~as applicable,~~ of section 60-3,151.

1 Sec. 53. Section 60-3,231, Revised Statutes Cumulative Supplement,
2 2016, is amended to read:

3 60-3,231 (1) Beginning January 1, 2017, a person may apply to the
4 department for Breast Cancer Awareness Plates in lieu of regular license
5 plates on an application prescribed and provided by the department for
6 any motor vehicle, trailer, or semitrailer, except for a motor vehicle or
7 trailer registered under section 60-3,198. An applicant receiving a plate
8 under this section for a farm truck with a gross weight of over sixteen
9 tons shall affix the appropriate tonnage decal to the plate. The
10 department shall make forms available for such applications through the
11 county treasurers.

12 (2) In addition to all other fees required for registration under
13 the Motor Vehicle Registration Act, each application for initial issuance
14 or renewal of personalized message Breast Cancer Awareness Plates shall
15 be accompanied by a fee of forty dollars. No such additional fee shall be
16 due for the initial issuance or renewal of alphanumeric Breast Cancer
17 Awareness Plates. County treasurers collecting fees pursuant to this
18 subsection shall remit them to the State Treasurer. The State Treasurer
19 shall credit twenty-five percent of the fee to the Highway Trust Fund and
20 seventy-five percent of the fee to the Department of Motor Vehicles Cash
21 Fund.

22 (3) Until January 1, 2019, when ~~when~~ the department receives an
23 application for Breast Cancer Awareness Plates, the department shall
24 deliver the plates to the county treasurer of the county in which the
25 motor vehicle or trailer is registered. Beginning January 1, 2019, when
26 the department receives an application for Breast Cancer Awareness
27 Plates, the department may deliver the plates and registration
28 certificate to the applicant by United States mail or to the county
29 treasurer of the county in which the motor vehicle or trailer is
30 registered and the delivery of the plates and registration certificate
31 shall be made through a secure process and system. The county treasurer

1 or the department shall issue plates under this section in lieu of
2 regular license plates when the applicant complies with the other
3 provisions of the Motor Vehicle Registration Act for registration of the
4 motor vehicle or trailer. If Breast Cancer Awareness Plates are lost,
5 stolen, or mutilated, the licensee shall be issued replacement license
6 plates upon request pursuant to section 60-3,157.

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

19 Sec. 54. Section 60-462.01, Revised Statutes Cumulative Supplement,
20 2016, is amended to read:

21 60-462.01 For purposes of the Motor Vehicle Operator's License Act,
22 the following federal regulations are adopted as Nebraska law as they
23 existed on January 1, 2017 ~~2016~~:

24 The parts, subparts, and sections of Title 49 of the Code of Federal
25 Regulations, as referenced in the Motor Vehicle Operator's License Act.

26 Sec. 55. Section 60-479.01, Revised Statutes Cumulative Supplement,
27 2016, is amended to read:

28 60-479.01 (1) All persons handling source documents or engaged in
29 the issuance of new, renewed, or reissued operators' licenses or state
30 identification cards shall have periodic fraudulent document recognition
31 training.

1 (2) All persons and agents of the department involved in the
2 recording of verified application information or verified operator's
3 license and state identification card information, involved in the
4 manufacture or production of licenses or cards, or who have the ability
5 to affect information on such licenses or cards shall be subject to a
6 criminal history record information check, including a check of prior
7 employment references, and a lawful status check as required by 6 C.F.R.
8 part 37, as such part existed on January 1, 2017 ~~2016~~. Such persons and
9 agents shall provide fingerprints which shall be submitted to the Federal
10 Bureau of Investigation. The bureau shall use its records for the
11 criminal history record information check.

12 (3) Upon receipt of a request pursuant to subsection (2) of this
13 section, the Nebraska State Patrol shall undertake a search for criminal
14 history record information relating to such applicant, including
15 transmittal of the applicant's fingerprints to the Federal Bureau of
16 Investigation for a national criminal history record information check.
17 The criminal history record information check shall include information
18 concerning the applicant from federal repositories of such information
19 and repositories of such information in other states, if authorized by
20 federal law. The Nebraska State Patrol shall issue a report to the
21 employing public agency that shall include the criminal history record
22 information concerning the applicant. The cost of any background check
23 shall be borne by the employer of the person or agent.

24 (4) Any person convicted of any disqualifying offense as provided in
25 6 C.F.R. part 37, as such part existed on January 1, 2017 ~~2016~~, shall not
26 be involved in the recording of verified application information or
27 verified operator's license and state identification card information,
28 involved in the manufacture or production of licenses or cards, or
29 involved in any capacity in which such person would have the ability to
30 affect information on such licenses or cards. Any employee or prospective
31 employee of the department shall be provided notice that he or she will

1 undergo such criminal history record information check prior to
2 employment or prior to any involvement with the issuance of operators'
3 licenses or state identification cards.

4 Sec. 56. Section 60-483, Reissue Revised Statutes of Nebraska, is
5 amended to read:

6 60-483 (1) The director shall assign a distinguishing number to each
7 operator's license issued and shall keep a record of the same which shall
8 be open to public inspection by any person requesting inspection of such
9 record who qualifies under section 60-2906 or 60-2907. Any person
10 requesting such driver record information shall furnish to the Department
11 of Motor Vehicles (a) verification of identity and purpose that the
12 requester is entitled under section 60-2906 or 60-2907 to disclosure of
13 the personal information in the record, (b) the name of the person whose
14 record is being requested, and (c) when the name alone is insufficient to
15 identify the correct record, the department may request additional
16 identifying information. The department shall, upon request of any
17 requester, furnish a certified abstract of the operating record of any
18 person, in either hard copy or electronically, and shall charge the
19 requester a fee of three dollars per abstract.

20 (2) The department shall remit any revenue generated under
21 subsections (1) through (5) of this section to the State Treasurer, and
22 the State Treasurer shall credit eight and one-third percent to the
23 Department of Motor Vehicles Cash Fund, fifty-eight and one-third percent
24 to the General Fund, and thirty-three and one-third percent to the
25 Records Management Cash Fund.

26 (3) The director shall, upon receiving a request and an agreement
27 from the United States Selective Service System to comply with
28 requirements of this section, furnish driver record information to the
29 United States Selective Service System to include the name, post office
30 address, date of birth, sex, and social security number of licensees. The
31 United States Selective Service System shall pay all costs incurred by

1 the department in providing the information but shall not be required to
2 pay any other fee required by law for information. No driver record
3 information shall be furnished to the United States Selective Service
4 System regarding any female, nor regarding any male other than those
5 between the ages of seventeen years and twenty-six years. The information
6 shall only be used in the fulfillment of the required duties of the
7 United States Selective Service System and shall not be furnished to any
8 other person.

9 (4) The director shall keep a record of all applications for
10 operators' licenses that are disapproved with a brief statement of the
11 reason for disapproval of the application.

12 (5) The director may establish a monitoring service which provides
13 information on operating records that have changed due to any adjudicated
14 traffic citation or administrative action. The director shall charge a
15 fee of six cents per operating record searched pursuant to this section
16 and the fee provided in subsection (1) of this section for each abstract
17 returned as a result of the search.

18 (6) Driver record header information, including name, license
19 number, date of birth, address, and physical description, from every
20 driver record maintained by the department may be made available so long
21 as the Uniform Motor Vehicle Records Disclosure Act is not violated.
22 Monthly updates, including all new records, may also be made available.
23 There shall be a fee of eighteen dollars per thousand records. All fees
24 collected pursuant to this subsection shall be remitted to the State
25 Treasurer for credit to the Department of Motor Vehicles Cash Fund.

26 (7) The department may enter into a reciprocity agreement with a
27 foreign country to provide for the mutual recognition and reciprocal
28 exchange of a valid operator's license issued by this state or the
29 foreign country if the department determines that the licensing standards
30 of the foreign country are comparable to those of this state. Any such
31 agreement entered into by the department shall not include the mutual

1 recognition and reciprocal exchange of a commercial driver's license.

2 Sec. 57. Section 60-4,108, Revised Statutes Cumulative Supplement,
3 2016, is amended to read:

4 60-4,108 (1) It shall be unlawful for any person to operate a motor
5 vehicle during any period that he or she is subject to a court order not
6 to operate any motor vehicle for any purpose or during any period that
7 his or her operator's license has been revoked or impounded pursuant to
8 conviction or convictions for violation of any law or laws of this state,
9 by an order of any court, or by an administrative order of the director.
10 Except as otherwise provided by subsection (3) of this section or by
11 other law, any person so offending shall (a) for a first such offense, be
12 guilty of a Class II misdemeanor, and the court shall, as a part of the
13 judgment of conviction, order such person not to operate any motor
14 vehicle for any purpose for a period of one year from the date ordered by
15 the court and also order the operator's license of such person to be
16 revoked for a like period, unless the person was placed on probation,
17 then revocation may be ordered at the court's discretion, (b) for a
18 second or third such offense, be guilty of a Class II misdemeanor, and
19 the court shall, as a part of the judgment of conviction, order such
20 person not to operate any motor vehicle for any purpose for a period of
21 two years from the date ordered by the court and also order the
22 operator's license of such person to be revoked for a like period, and
23 (c) for a fourth or subsequent such offense, be guilty of a Class I
24 misdemeanor, and the court shall, as a part of the judgment of
25 conviction, order such person not to operate any motor vehicle for any
26 purpose for a period of two years from the date ordered by the court and
27 also order the operator's license of such person to be revoked for a like
28 period. Such orders of the court shall be administered upon sentencing,
29 upon final judgment of any appeal or review, or upon the date that any
30 probation is revoked, ~~whichever is later.~~

31 (2) It shall be unlawful for any person to operate a motor vehicle

1 (a) during any period that his or her operator's license has been
2 suspended, (b) after a period of revocation but before issuance of a new
3 license, or (c) after a period of impoundment but before the return of
4 the license. Except as provided in subsection (3) of this section, any
5 person so offending shall be guilty of a Class III misdemeanor, and the
6 court may, as a part of the judgment of conviction, order such person not
7 to operate any motor vehicle for any purpose for a period of one year
8 from the date ordered by the court, except that if the person at the time
9 of sentencing shows proof of reinstatement of his or her suspended
10 operator's license, proof of issuance of a new license, or proof of
11 return of the impounded license, the person shall only be fined in an
12 amount not to exceed one hundred dollars. If the court orders the person
13 not to operate a motor vehicle for a period of one year from the date
14 ordered by the court, the court shall also order the operator's license
15 of such person to be revoked for a like period. Such orders of the court
16 shall be administered upon sentencing, upon final judgment of any appeal
17 or review, or upon the date that any probation is revoked, ~~whichever is~~
18 ~~later.~~

19 (3) If a juvenile whose operator's license or permit has been
20 impounded by a juvenile court operates a motor vehicle during any period
21 that he or she is subject to the court order not to operate any motor
22 vehicle or after a period of impoundment but before return of the license
23 or permit, such violation shall be handled in the juvenile court and not
24 as a violation of this section.

25 Sec. 58. Section 60-4,109, Reissue Revised Statutes of Nebraska, is
26 amended to read:

27 60-4,109 (1) Upon conviction of any person in any court within this
28 state of a violation of any city or village ordinance pertaining to the
29 operation of a motor vehicle by such person during any period that he or
30 she is subject to a court order not to operate any motor vehicle for any
31 purpose or during any period that his or her operator's license has been

1 revoked or impounded pursuant to any law of this state, such person shall
2 (a) for a first such offense, be guilty of a Class II misdemeanor, and
3 the court shall, as a part of the judgment of conviction, order such
4 person not to operate any motor vehicle for any purpose for a period of
5 one year from the date ordered by the court and also order the operator's
6 license of such person to be revoked for a like period, unless the person
7 was placed on probation, then revocation may be ordered at the court's
8 discretion, and (b) for each subsequent such offense, be guilty of a
9 Class II misdemeanor, and the court shall, as a part of the judgment of
10 conviction, order such person not to operate any motor vehicle for any
11 purpose for a period of two years from the date ordered by the court and
12 also order the operator's license of such person to be revoked for a like
13 period. Such orders of the court shall be administered upon sentencing,
14 upon final judgment of any appeal or review, or upon the date that any
15 probation is revoked, ~~whichever is later.~~

16 (2) Upon conviction of any person in any court within this state of
17 a violation of any city or village ordinance pertaining to the operation
18 of a motor vehicle by such person (a) during any period that his or her
19 operator's license has been suspended pursuant to any law of this state,
20 (b) after a period of revocation but before issuance of a new license, or
21 (c) after a period of impoundment but before the return of the license,
22 such person shall be guilty of a Class III misdemeanor, and the court
23 may, as a part of the judgment of conviction, order such person not to
24 operate any motor vehicle for any purpose for a period of one year from
25 the date ordered by the court, except that if the person at the time of
26 sentencing shows proof of reinstatement of his or her suspended
27 operator's license, proof of issuance of a new license, or proof of
28 return of the impounded license, the person shall only be fined in an
29 amount not to exceed one hundred dollars. If the court orders the person
30 not to operate a motor vehicle for a period of one year after the date
31 ordered by the court, the court shall also order the operator's license

1 of such person to be revoked for a like period. Such orders of the court
2 shall be administered upon sentencing, upon final judgment of any appeal
3 or review, or upon the date that any probation is revoked, ~~whichever is~~
4 later.

5 Sec. 59. Section 60-4,147.02, Revised Statutes Cumulative
6 Supplement, 2016, is amended to read:

7 60-4,147.02 No endorsement authorizing the driver to operate a
8 commercial motor vehicle transporting hazardous materials shall be
9 issued, renewed, or transferred by the Department of Motor Vehicles
10 unless the endorsement is issued, renewed, or transferred in conformance
11 with the requirements of section 1012 of the federal Uniting and
12 Strengthening America by Providing Appropriate Tools Required to
13 Intercept and Obstruct Terrorism Act of 2001, USA PATRIOT Act, 49 U.S.C.
14 5103a, including all amendments and federal regulations adopted pursuant
15 thereto as of January 1, 2017 ~~2016~~, for the issuance of licenses to
16 operate commercial motor vehicles transporting hazardous materials.

17 Sec. 60. Section 60-4,168, Revised Statutes Cumulative Supplement,
18 2016, is amended to read:

19 60-4,168 (1) Except as provided in subsections (2) and (3) of this
20 section, a person shall be disqualified from operating a commercial motor
21 vehicle for one year upon his or her first conviction, after April 1,
22 1992, in this or any other state for:

23 (a) Operating a commercial motor vehicle in violation of section
24 60-6,196 or 60-6,197 or under the influence of a controlled substance or,
25 beginning September 30, 2005, operating any motor vehicle in violation of
26 section 60-6,196 or 60-6,197 or under the influence of a controlled
27 substance;

28 (b) Operating a commercial motor vehicle in violation of section
29 60-4,163 or 60-4,164;

30 (c) Leaving the scene of an accident involving a commercial motor
31 vehicle operated by the person or, beginning September 30, 2005, leaving

1 the scene of an accident involving any motor vehicle operated by the
2 person;

3 (d) Using a commercial motor vehicle in the commission of a felony
4 other than a felony described in subdivision (3)(b) of this section or,
5 beginning September 30, 2005, using any motor vehicle in the commission
6 of a felony other than a felony described in subdivision (3)(b) of this
7 section;

8 (e) Beginning September 30, 2005, operating a commercial motor
9 vehicle after his or her commercial driver's license has been suspended,
10 revoked, or canceled or the driver is disqualified from operating a
11 commercial motor vehicle; or

12 (f) Beginning September 30, 2005, causing a fatality through the
13 negligent or criminal operation of a commercial motor vehicle.

14 (2) Except as provided in subsection (3) of this section, if any of
15 the offenses described in subsection (1) of this section occurred while a
16 person was transporting hazardous material in a commercial motor vehicle
17 which required placarding pursuant to section 75-364, the person shall,
18 upon conviction or administrative determination, be disqualified from
19 operating a commercial motor vehicle for three years.

20 (3) A person shall be disqualified from operating a commercial motor
21 vehicle for life if, after April 1, 1992, he or she:

22 (a) Is convicted of or administratively determined to have committed
23 a second or subsequent violation of any of the offenses described in
24 subsection (1) of this section or any combination of those offenses
25 arising from two or more separate incidents; or

26 (b) Beginning September 30, 2005, used a commercial motor vehicle in
27 the commission of a felony involving the manufacturing, distributing, or
28 dispensing of a controlled substance.

29 (4)(a) A person is disqualified from operating a commercial motor
30 vehicle for a period of not less than sixty days if he or she is
31 convicted in this or any other state of two serious traffic violations,

1 or not less than one hundred twenty days if he or she is convicted in
2 this or any other state of three serious traffic violations, arising from
3 separate incidents occurring within a three-year period while operating a
4 commercial motor vehicle.

5 (b) A person is disqualified from operating a commercial motor
6 vehicle for a period of not less than sixty days if he or she is
7 convicted in this or any other state of two serious traffic violations,
8 or not less than one hundred twenty days if he or she is convicted in
9 this or any other state of three serious traffic violations, arising from
10 separate incidents occurring within a three-year period while operating a
11 motor vehicle other than a commercial motor vehicle if the convictions
12 have resulted in the revocation, cancellation, or suspension of the
13 person's operator's license or driving privileges.

14 (5)(a) A person who is convicted of operating a commercial motor
15 vehicle in violation of a federal, state, or local law or regulation
16 pertaining to one of the following six offenses at a highway-rail grade
17 crossing shall be disqualified for the period of time specified in
18 subdivision (5)(b) of this section:

19 (i) For drivers who are not required to always stop, failing to slow
20 down and check that the tracks are clear of an approaching train;

21 (ii) For drivers who are not required to always stop, failing to
22 stop before reaching the crossing, if the tracks are not clear;

23 (iii) For drivers who are always required to stop, failing to stop
24 before driving onto the crossing;

25 (iv) For all drivers, failing to have sufficient space to drive
26 completely through the crossing without stopping;

27 (v) For all drivers, failing to obey a traffic control device or the
28 directions of an enforcement official at the crossing; or

29 (vi) For all drivers, failing to negotiate a crossing because of
30 insufficient undercarriage clearance.

31 (b)(i) A person shall be disqualified for not less than sixty days

1 if the person is convicted of a first violation described in this
2 subsection.

3 (ii) A person shall be disqualified for not less than one hundred
4 twenty days if, during any three-year period, the person is convicted of
5 a second violation described in this subsection in separate incidents.

6 (iii) A person shall be disqualified for not less than one year if,
7 during any three-year period, the person is convicted of a third or
8 subsequent violation described in this subsection in separate incidents.

9 (6) A person shall be disqualified from operating a commercial motor
10 vehicle for at least one year if, on or after July 8, 2015, the person
11 has been convicted of fraud related to the issuance of his or her CLP-
12 commercial learner's permit or commercial driver's license.

13 (7) If the department receives credible information that a CLP-
14 commercial learner's permit holder or a commercial driver's license
15 holder is suspected, but has not been convicted, on or after July 8,
16 2015, of fraud related to the issuance of his or her CLP-commercial
17 learner's permit or commercial driver's license, the department must
18 require the driver to retake the skills and knowledge tests. Within
19 thirty days after receiving notification from the department that
20 retesting is necessary, the affected CLP-commercial learner's permit
21 holder or commercial driver's license holder must make an appointment or
22 otherwise schedule to take the next available test. If the CLP-commercial
23 learner's permit holder or commercial driver's license holder fails to
24 make an appointment within thirty days, the department must disqualify
25 his or her CLP-commercial learner's permit or commercial driver's
26 license. If the driver fails either the knowledge or skills test or does
27 not take the test, the department must disqualify his or her CLP-
28 commercial learner's permit or commercial driver's license. If the holder
29 of a CLP-commercial learner's permit or commercial driver's license has
30 had his or her CLP-commercial learner's permit or commercial driver's
31 license disqualified, he or she must reapply for a CLP-commercial

1 learner's permit or commercial driver's license under department
2 procedures applicable to all applicants for a CLP-commercial learner's
3 permit or commercial driver's license.

4 (8) For purposes of this section, controlled substance has the same
5 meaning as in section 28-401.

6 (9) For purposes of this section, conviction means an unvacated
7 adjudication of guilt, or a determination that a person has violated or
8 failed to comply with the law, in a court of original jurisdiction or by
9 an authorized administrative tribunal, an unvacated forfeiture of bail or
10 collateral deposited to secure the person's appearance in court, a plea
11 of guilty or nolo contendere accepted by the court, the payment of a fine
12 or court costs, or a violation of a condition of release without bail,
13 regardless of whether or not the penalty is rebated, suspended, or
14 probated.

15 (10) For purposes of this section, serious traffic violation means:

16 (a) Speeding at or in excess of fifteen miles per hour over the
17 legally posted speed limit;

18 (b) Willful reckless driving as described in section 60-6,214 or
19 reckless driving as described in section 60-6,213;

20 (c) Improper lane change as described in section 60-6,139;

21 (d) Following the vehicle ahead too closely as described in section
22 60-6,140;

23 (e) A violation of any law or ordinance related to motor vehicle
24 traffic control, other than parking violations or overweight or vehicle
25 defect violations, arising in connection with an accident or collision
26 resulting in death to any person;

27 (f) Beginning September 30, 2005, operating a commercial motor
28 vehicle without a commercial driver's license;

29 (g) Beginning September 30, 2005, operating a commercial motor
30 vehicle without a commercial driver's license in the operator's
31 possession;

1 (h) Beginning September 30, 2005, operating a commercial motor
2 vehicle without the proper class of commercial driver's license and any
3 endorsements, if required, for the specific vehicle group being operated
4 or for the passengers or type of cargo being transported on the vehicle;

5 (i) Beginning October 27, 2013, texting while driving as described
6 in section 60-6,179.02; and

7 (j) Using a handheld mobile telephone as described in section
8 60-6,179.02.

9 (11) Each period of disqualification imposed under this section
10 shall be served consecutively and separately.

11 Sec. 61. Section 60-4,168.01, Reissue Revised Statutes of Nebraska,
12 is amended to read:

13 60-4,168.01 (1) Except as provided in subsection (2) of this
14 section, a person who is convicted of violating an out-of-service order
15 while operating a commercial motor vehicle which is transporting
16 nonhazardous materials shall be subject to disqualification as follows:

17 (a) A person shall be disqualified from operating a commercial motor
18 vehicle for a period of at least one hundred eighty days but no more than
19 one year upon a court conviction for violating an out-of-service order;

20 (b) A person shall be disqualified from operating a commercial motor
21 vehicle for a period of at least two years but no more than five years
22 upon a second court conviction for violating an out-of-service order,
23 which arises out of a separate incident, during any ten-year period; and

24 (c) A person shall be disqualified from operating a commercial motor
25 vehicle for a period of at least three years but no more than five years
26 upon a third or subsequent court conviction for violating an out-of-
27 service order, which arises out of a separate incident, during any ten-
28 year period.

29 (2) A person who is convicted of violating an out-of-service order
30 while operating a commercial motor vehicle which is transporting
31 hazardous materials required to be placarded pursuant to section 75-364

1 or while operating a commercial motor vehicle designed or used to
2 transport sixteen or more passengers, including the driver, shall be
3 subject to disqualification as follows:

4 (a) A person shall be disqualified from operating a commercial motor
5 vehicle for a period of at least one hundred eighty days but no more than
6 two years upon conviction for violating an out-of-service order; and

7 (b) A person shall be disqualified from operating a commercial motor
8 vehicle for a period of at least three years but no more than five years
9 upon a second or subsequent conviction for violating an out-of-service
10 order, which arises out of a separate incident, during any ten-year
11 period.

12 (3) For purposes of this section, out-of-service order has the same
13 meaning as in section 75-362.

14 (4) Each period of disqualification imposed under this section shall
15 be served consecutively and separately.

16 Sec. 62. Section 60-501, Revised Statutes Cumulative Supplement,
17 2016, is amended to read:

18 60-501 For purposes of the Motor Vehicle Safety Responsibility Act,
19 unless the context otherwise requires:

20 (1) Department means Department of Motor Vehicles;

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

28 (3) Judgment means any judgment which shall have become final by the
29 expiration of the time within which an appeal might have been perfected
30 without being appealed, or by final affirmation on appeal, rendered by a
31 court of competent jurisdiction of any state or of the United States, (a)

1 upon a cause of action arising out of the ownership, maintenance, or use
2 of any motor vehicle for damages, including damages for care and loss of
3 services, because of bodily injury to or death of any person or for
4 damages because of injury to or destruction of property, including the
5 loss of use thereof, or (b) upon a cause of action on an agreement of
6 settlement for such damages;

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

9 (5) Low-speed vehicle means a four-wheeled motor vehicle (a) whose
10 speed attainable in one mile is more than twenty miles per hour and not
11 more than twenty-five miles per hour on a paved, level surface, (b) whose
12 gross vehicle weight rating is less than three thousand pounds, and (c)
13 that complies with 49 C.F.R. part 571, as such part existed on January 1,
14 2017 ~~2016~~;

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

26 (7) Motor vehicle means any self-propelled vehicle which is designed
27 for use upon a highway, including trailers designed for use with such
28 vehicles, minitrucks, and low-speed vehicles. Motor vehicle does not
29 include (a) mopeds as defined in section 60-637, (b) traction engines,
30 (c) road rollers, (d) farm tractors, (e) tractor cranes, (f) power
31 shovels, (g) well drillers, (h) every vehicle which is propelled by

1 electric power obtained from overhead wires but not operated upon rails,
2 (i) electric personal assistive mobility devices as defined in section
3 60-618.02, (j) off-road designed vehicles, including, but not limited to,
4 golf car vehicles, go-carts, riding lawnmowers, garden tractors, all-
5 terrain vehicles and utility-type vehicles as defined in section
6 60-6,355, minibikes as defined in section 60-636, and snowmobiles as
7 defined in section 60-663, and (k) bicycles as defined in section 60-611;

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

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

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

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

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

26 (13) Proof of financial responsibility means evidence of ability to
27 respond in damages for liability, on account of accidents occurring
28 subsequent to the effective date of such proof, arising out of the
29 ownership, maintenance, or use of a motor vehicle, (a) in the amount of
30 twenty-five thousand dollars because of bodily injury to or death of one
31 person in any one accident, (b) subject to such limit for one person, in

1 the amount of fifty thousand dollars because of bodily injury to or death
2 of two or more persons in any one accident, and (c) in the amount of
3 twenty-five thousand dollars because of injury to or destruction of
4 property of others in any one accident;

5 (14) Registration means registration certificate or certificates and
6 registration plates issued under the laws of this state pertaining to the
7 registration of motor vehicles;

8 (15) State means any state, territory, or possession of the United
9 States, the District of Columbia, or any province of the Dominion of
10 Canada; and

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

14 Sec. 63. Section 60-506.01, Reissue Revised Statutes of Nebraska, is
15 amended to read:

16 60-506.01 ~~If the The Department of Motor Vehicles receives shall,~~
17 ~~within ten days after receipt of Part II of a report of an accident from~~
18 ~~the Department of Roads pursuant to section 60-699, forward such part by~~
19 ~~United States mail to the insurance company, if any, named in such report~~
20 ~~as furnishing liability insurance. Unless express denial of the truth of~~
21 ~~the statements shown on such Part II is received from the named insurance~~
22 ~~company by the department within the time limited by section 60-507, it~~
23 shall be presumed for purposes of the Motor Vehicle Safety Responsibility
24 Act that the Part II information is such statements are true, and such
25 presumption shall be accepted, when applicable, as satisfying the
26 requirements of sections 60-507, 60-508, and 60-509.

27 Sec. 64. Section 60-628.01, Revised Statutes Cumulative Supplement,
28 2016, is amended to read:

29 60-628.01 Low-speed vehicle means a four-wheeled motor vehicle (1)
30 whose speed attainable in one mile is more than twenty miles per hour and
31 not more than twenty-five miles per hour on a paved, level surface, (2)

1 whose gross vehicle weight rating is less than three thousand pounds, and
2 (3) that complies with 49 C.F.R. part 571, as such part existed on
3 January 1, 2017 ~~2016~~.

4 Sec. 65. Section 60-699, Reissue Revised Statutes of Nebraska, is
5 amended to read:

6 60-699 (1) The operator of any vehicle involved in an accident
7 resulting in injuries or death to any person or damage to the property of
8 any one person, including such operator, to an apparent extent of more
9 than one thousand dollars shall within ten days forward a report of such
10 accident to the Department of Roads. If the operator is physically
11 incapable of making the report, the owner of the motor vehicle involved
12 in the accident shall, within ten days from the time he or she learns of
13 the accident, report the matter in writing to the Department of Roads.
14 The Department of Roads or Department of Motor Vehicles may require
15 operators involved in accidents to file supplemental reports of accidents
16 upon forms furnished by it whenever the original report is insufficient
17 in the opinion of either department. The operator or the owner of the
18 motor vehicle shall make such other and additional reports relating to
19 the accident as either department requires. Such records shall be
20 retained for the period of time specified by the State Records
21 Administrator pursuant to the Records Management Act.

22 (2) The report of accident required by this section shall be in two
23 parts. Part I shall be in such form as the Department of Roads may
24 prescribe and shall disclose full information concerning the accident.
25 Part II shall be in such form as the Department of Motor Vehicles may
26 prescribe and shall disclose sufficient information to disclose whether
27 or not the financial responsibility requirements of the Motor Vehicle
28 Safety Responsibility Act are met through the carrying of liability
29 insurance. ~~The form used for the report shall be so perforated that the~~
30 ~~parts may be readily separated.~~

31 (3) Upon receipt of a report of accident, the Department of Roads

1 shall determine the reportability and classification of the accident and
2 enter all information into a computerized data base. Upon completion, the
3 Department of Roads shall electronically send ~~department shall separate~~
4 ~~the parts of the accident report and shall forward~~ Part II of the report
5 to the Department of Motor Vehicles for purposes of processing ~~as~~
6 ~~provided in~~ section 60-506.01.

7 (4) Such reports shall be without prejudice. All reports made by
8 peace officers, made to or filed with peace officers in their respective
9 offices or departments, or filed with or made by or to any other law
10 enforcement agency of the state shall be open to public inspection, but
11 accident reports filed by the operator or owner of a motor vehicle
12 pursuant to this section shall not be open to public inspection. The fact
13 that a report by an operator or owner has been so made shall be
14 admissible in evidence solely to prove compliance with this section, but
15 no such report or any part of or statement contained in the report shall
16 be admissible in evidence for any other purpose in any trial, civil or
17 criminal, arising out of such accidents nor shall the report be referred
18 to in any way or be any evidence of the negligence or due care of either
19 party at the trial of any action at law to recover damages.

20 (5) The failure by any person to report an accident as provided in
21 this section or to correctly give the information required in connection
22 with the report shall be a Class V misdemeanor.

23 Sec. 66. Section 60-6,168, Reissue Revised Statutes of Nebraska, is
24 amended to read:

25 60-6,168 No person having control or charge of a motor vehicle shall
26 allow such vehicle to stand unattended on a highway without first: (1)
27 Stopping ~~stopping~~ the motor of such vehicle; (2) except for vehicles
28 equipped with motor starters that may be actuated without a key, locking
29 the ignition, ~~and~~ removing the key from the ignition; (3) , ~~and~~
30 effectively setting the brakes thereon; ~~and,~~ (4) when standing upon any
31 roadway, turning the front wheels of such vehicle to the curb or side of

1 such roadway.

2 Sec. 67. Section 60-1505, Revised Statutes Cumulative Supplement,
3 2016, is amended to read:

4 60-1505 The Vehicle Title and Registration System Replacement and
5 Maintenance Cash Fund is hereby created. The fund shall be administered
6 by the Department of Motor Vehicles. Revenue credited to the fund shall
7 include fees collected by the department from participation in any
8 multistate electronic data security program, except as otherwise
9 specifically provided by law, and funds transferred as provided in
10 section 60-3,186. The fund shall be used by the department to pay for
11 costs associated with the acquisition, implementation, maintenance,
12 support, upgrades, and replacement of the Vehicle Title and Registration
13 System ~~vehicle titling and registration computer system~~. Any money in the
14 fund available for investment shall be invested by the state investment
15 officer pursuant to the Nebraska Capital Expansion Act and the Nebraska
16 State Funds Investment Act.

17 Sec. 68. Section 60-3,161, Revised Statutes Cumulative Supplement,
18 2016, is amended to read:

19 ~~60-3,161~~ (1) The Department of Motor Vehicles ~~department~~ shall keep
20 a record of each motor vehicle, ~~and trailer, motorboat, all-terrain~~
21 vehicle, utility-type vehicle, snowmobile, and minibike registered or
22 titled in this state, alphabetically by name of the owner, with cross
23 reference in each instance to the registration number assigned to such
24 motor vehicle, ~~and trailer, motorboat, all-terrain vehicle, utility-type~~
25 vehicle, snowmobile, and minibike. The record may be destroyed by any
26 public officer having custody of it after three years from the date of
27 its issuance.

28 (2) The department shall issue a copy of the record of a registered
29 or titled motor vehicle, ~~or trailer, motorboat, all-terrain vehicle,~~
30 utility-type vehicle, snowmobile, or minibike to any person after
31 receiving from the person the name on the registration or certificate of

1 title, the license plate number, the vehicle identification or other type
2 of identification number, or the title number of a motor vehicle, or
3 trailer, motorboat, all-terrain vehicle, utility-type vehicle,
4 snowmobile, or minibike, if the person provides to the department
5 verification of identity and purpose pursuant to section 60-2906 or
6 60-2907. A fee of one dollar shall be charged for the copy. An extract of
7 the entire file of motor vehicles, and trailers, motorboats, all-terrain
8 vehicles, utility-type vehicles, snowmobiles, and minibikes registered or
9 titled in the state or updates to the entire file may be provided to a
10 person upon payment of a fee of eighteen dollars per thousand records.
11 Any fee received by the department pursuant to this subsection shall be
12 deposited into the Department of Motor Vehicles Cash Fund.

13 (3) The record of each motor vehicle, ~~or trailer, motorboat, all-~~
14 ~~terrain vehicle, utility-type vehicle, snowmobile, or minibike~~
15 registration or title maintained by the department pursuant to this
16 section may be made available electronically through the portal
17 established under section 84-1204 so long as the Uniform Motor Vehicle
18 Records Disclosure Act is not violated. There shall be a fee of one
19 dollar per record for individual records and for data-to-data ~~For batch~~
20 requests for multiple motor vehicle, ~~or trailer, motorboat, all-terrain~~
21 ~~vehicle, utility-type vehicle, snowmobile, or minibike~~ title and
22 registration records. For bulk record requests of multiple motor vehicle,
23 ~~trailer, motorboat, all-terrain vehicle, utility-type vehicle,~~
24 ~~snowmobile, or minibike titles and registrations~~ selected on the basis of
25 criteria of the individual making the request, there shall be a fee of
26 fifty dollars for every request under two thousand records, and a fee of
27 eighteen dollars per one thousand records for any number of records over
28 two thousand, plus a reasonable programming fee not to exceed five
29 hundred twenty dollars. All fees collected pursuant to this subsection
30 for electronic access to records through the portal shall be deposited in
31 the Records Management Cash Fund and shall be distributed as provided in

1 any agreements between the State Records Board and the department.

2 Sec. 69. (1) Beginning January 1, 2019, the Department of Motor
3 Vehicles shall develop an electronic dealer services system for
4 implementation as provided in subsection (7) of this section. The
5 Director of Motor Vehicles shall approve a licensed dealer as defined in
6 sections 9 and 25 of this act for participation in the system. A licensed
7 dealer may voluntarily participate in the system and provide titling and
8 registration services. A licensed dealer who chooses to participate may
9 collect from a purchaser of a vehicle as defined in section 60-136, who
10 also chooses to participate, all appropriate certificate of title fees,
11 notation of lien fees, registration fees, motor vehicle taxes and fees,
12 and sales taxes. All such fees and taxes collected shall be remitted to
13 the appropriate county treasurer or the department as provided in the
14 Motor Vehicle Certificate of Title Act, the Motor Vehicle Registration
15 Act, and the Nebraska Revenue Act of 1967.

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

20 (3) The department shall provide an approved participating licensed
21 dealer with access to the electronic dealer services system by a method
22 determined by the director. An approved licensed dealer who chooses to
23 participate shall use the system to electronically submit title,
24 registration, and lien information to the Vehicle Title and Registration
25 System maintained by the department. License plates, registration
26 certificates, and certificates of title shall be delivered as provided
27 under the Motor Vehicle Certificate of Title Act and the Motor Vehicle
28 Registration Act.

29 (4) The director may remove a licensed dealer's authority to
30 participate in the electronic dealer services system for any violation of
31 the Motor Vehicle Certificate of Title Act, the Motor Vehicle Industry

1 Regulation Act, the Motor Vehicle Registration Act, or the Nebraska
2 Revenue Act of 1967, for failure to timely remit fees and taxes collected
3 under this section, or for any other conduct the director deems to have
4 or will have an adverse effect on the public or any governmental entity.

5 (5) An approved licensed dealer participating in the electronic
6 dealer services system shall not release, disclose, use, or share
7 personal or sensitive information contained in the records accessible
8 through the electronic dealer services system as prohibited under the
9 Uniform Motor Vehicle Records Disclosure Act, except that a licensed
10 dealer may release, disclose, use, or share such personal or sensitive
11 information when necessary to fulfill the requirements of the electronic
12 dealer services system as approved by the department. An approved
13 licensed dealer participating in the electronic dealer services system
14 shall be responsible for ensuring that such licensed dealer's employees
15 and agents comply with the Uniform Motor Vehicle Records Disclosure Act.

16 (6) The department may adopt and promulgate rules and regulations
17 governing the eligibility for approval and removal of licensed dealers to
18 participate in the electronic dealer services system, the procedures and
19 requirements necessary to implement and maintain such system, and the
20 procedures and requirements for approved licensed dealers participating
21 in such system.

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

25 Sec. 70. Section 60-2904, Revised Statutes Cumulative Supplement,
26 2016, is amended to read:

27 60-2904 For purposes of the Uniform Motor Vehicle Records Disclosure
28 Act:

29 (1) Department means the Department of Motor Vehicles or the duly
30 authorized agents or contractors of the department responsible to compile
31 and maintain motor vehicle records;

1 (2) Disclose means to engage in any practice or conduct to make
2 available and make known personal information contained in a motor
3 vehicle record about a person to any other person, organization, or
4 entity by any means of communication;

5 (3) Individual record means a motor vehicle record containing
6 personal information about a designated person who is the subject of the
7 record as identified in a request;

8 (4) Motor vehicle record means any record that pertains to a motor
9 vehicle operator's or driver's license or permit, motor vehicle, trailer,
10 motorboat, all-terrain vehicle, utility-type vehicle, snowmobile, or
11 minibike registration or , ~~motor vehicle certificate of title, motorboat~~
12 certificate of title, or state identification card issued by the
13 department or any other state or local agency authorized to issue any of
14 such forms of credentials;

15 (5) Person means an individual, organization, or entity;

16 (6) Personal information means information that identifies a person,
17 including an individual's driver identification number, name, address
18 excluding zip code, and telephone number, but does not include
19 information on collisions ~~vehicular accidents, driving, operating,~~ or
20 equipment-related violations, or operator's and driver's license or
21 registration status; and

22 (7) Sensitive personal information means an individual's operator's
23 license digital image, social security number, and medical or disability
24 information.

25 Sec. 71. Section 60-2907, Revised Statutes Cumulative Supplement,
26 2016, is amended to read:

27 60-2907 The department and any officer, employee, agent, or
28 contractor of the department having custody of a motor vehicle record
29 shall, upon the verification of identity and purpose of a requester,
30 disclose and make available the requested motor vehicle record, including
31 the personal information in the record, for the following purposes:

1 (1) For use by any federal, state, or local governmental agency,
2 including any court or law enforcement agency, in carrying out the
3 agency's functions or by a private person or entity acting on behalf of a
4 governmental agency in carrying out the agency's functions;

5 (2) For use in connection with matters of motor vehicle or driver
6 safety and theft; motor vehicle emissions; motor vehicle product
7 alterations, recalls, or advisories; performance monitoring of motor
8 vehicles, motor vehicle parts, and dealers; motor vehicle market research
9 activities, including survey research; and removal of nonowner records
10 from the original owner records of motor vehicle manufacturers;

11 (3) For use in the normal course of business by a legitimate
12 business or its agents, employees, or contractors but only:

13 (a) To verify the accuracy of personal information submitted by the
14 individual to the business or its agents, employees, or contractors; and

15 (b) If such information as so submitted is not correct or is no
16 longer correct, to obtain the correct information, but only for the
17 purposes of preventing fraud by, pursuing legal remedies against, or
18 recovering on a debt or security interest against, the individual;

19 (4) For use in connection with any civil, criminal, administrative,
20 or arbitral proceeding in any federal, state, or local court or
21 governmental agency or before any self-regulatory body, including service
22 of process, investigation in anticipation of litigation, and execution or
23 enforcement of judgments and orders, or pursuant to an order of a
24 federal, state, or local court, an administrative agency, or a self-
25 regulatory body;

26 (5) For use in research activities, and for use in producing
27 statistical reports, so long as the personal information is not
28 published, redisclosed, or used to contact individuals;

29 (6) For use by any insurer or insurance support organization, or by
30 a self-insured entity, or its agents, employees, or contractors, in
31 connection with claims investigation activities, anti-fraud activities,

1 rating, or underwriting;

2 (7) For use in providing notice to the owners of abandoned, towed,
3 or impounded vehicles;

4 (8) For use only for a purpose permitted under this section either
5 by a private detective, plain clothes investigator, or private
6 investigative agency licensed under sections 71-3201 to 71-3213;

7 (9) For use by an employer or the employer's agent or insurer to
8 obtain or verify information relating to a holder of a commercial
9 driver's license or CLP-commercial learner's permit that is required
10 under the Commercial Motor Vehicle Safety Act of 1986, 49 U.S.C. 31301 et
11 seq., or pursuant to sections 60-4,132 and 60-4,141;

12 (10) For use in connection with the operation of private toll
13 transportation facilities;

14 (11) For bulk distribution for surveys of, marketing to, or
15 solicitations of persons who have expressly consented to such disclosure
16 if the requester has obtained the notarized written consent of the
17 individual who is the subject of the personal information being requested
18 and has provided proof of receipt of such written consent to the
19 department or an officer, employee, agent, or contractor of the
20 department on a form prescribed by the department;

21 (12) For any use if the requester has obtained the notarized written
22 consent of the individual who is the subject of the personal information
23 being requested and has provided proof of receipt of such written consent
24 to the department or an officer, employee, agent, or contractor of the
25 department;

26 (13) For use, including redisclosure through news publication, of a
27 member of a medium of communication as defined in section 20-145 who
28 requests such information in connection with preparing, researching,
29 gathering, or confirming news information involving motor vehicle or
30 driver safety or motor vehicle theft;

31 (14) For use by the federally designated organ procurement

1 organization for Nebraska to establish and maintain the Donor Registry of
2 Nebraska as provided in section 71-4822; ~~and~~

3 (15) For use to fulfill the requirements of the electronic dealer
4 services system pursuant to section 69 of this act; and

5 (16) ~~(15)~~ For any other use specifically authorized by law that is
6 related to the operation of a motor vehicle or public safety.

7 Sec. 72. Section 75-110, Reissue Revised Statutes of Nebraska, is
8 amended to read:

9 75-110 (1) The Public Service Commission shall adopt and promulgate
10 rules and regulations for the government of its proceedings, including
11 rules of procedure for notice and hearing. The commission shall adopt and
12 promulgate rules and regulations which the commission deems necessary to
13 regulate persons within the commission's jurisdiction. The commission
14 shall not take any action affecting persons subject to the commission's
15 jurisdiction unless such action is taken pursuant to a rule, regulation,
16 or statute.

17 (2) For purposes of granting or denying a petition for intervention,
18 the commission shall be exempt from section 84-912.02.

19 Sec. 73. Section 75-128, Revised Statutes Cumulative Supplement,
20 2016, is amended to read:

21 75-128 (1) It is hereby declared to be the policy of the Legislature
22 that all matters presented to the commission be heard and determined
23 without delay. All matters requiring a hearing shall be set for hearing
24 at the earliest practicable date and in no event, except for good cause
25 shown, which showing shall be recited in the order, shall the time fixed
26 for hearing be more than six months after the date of filing of the
27 application, complaint, or petition on which such hearing is to be had.
28 Except in case of an emergency and upon a motion to proceed with less
29 than a quorum made by all parties and supported by a showing of clear and
30 convincing evidence of such emergency and benefit to all parties, a
31 quorum of the commission shall hear all matters set for hearing. Except

1 as otherwise provided in the Major Oil Pipeline Siting Act or section
2 75-121 and except for good cause shown, a decision of the commission
3 shall be made and filed within thirty days after completion of the
4 hearing or after submission of affidavits in nonhearing proceedings.

5 (2) In the case of any proceeding upon which a hearing is held, the
6 transcript of testimony shall be prepared and submitted to the commission
7 prior to entry of an order, except that it shall not be necessary to have
8 prepared prior to a commission decision the transcripts of testimony on
9 hearings involving noncontested proceedings and hearings involving
10 emergency rate applications under section 75-121.

11 (3) For each application, complaint, or petition filed with the
12 commission, except those filed under sections 75-303.01 to 75-303.03 and
13 ~~75-303.02~~, the Major Oil Pipeline Siting Act, or the State Natural Gas
14 Regulation Act, the commission shall charge a filing fee to be determined
15 by the commission, but in an amount not to exceed the sum of five hundred
16 dollars, payable at the time of such filing. The commission shall also
17 charge to persons regulated by the commission, except persons regulated
18 under the Major Oil Pipeline Siting Act or the State Natural Gas
19 Regulation Act, a hearing fee to be determined by the commission, but in
20 an amount not to exceed the sum of two hundred fifty dollars, for each
21 half day of hearings if the person regulated by the commission files an
22 application, complaint, or petition which necessitates a hearing.

23 (4) For each new tariff filed with the commission, except those
24 filed under sections 75-301 to 75-322, the commission shall charge a fee
25 not to exceed fifty dollars. This subsection does not apply to amendments
26 to existing tariffs.

27 (5) The commission shall remit the fees received to the State
28 Treasurer for credit to the General Fund.

29 Sec. 74. Section 75-303.01, Reissue Revised Statutes of Nebraska, is
30 amended to read:

31 75-303.01 (1) The Department of Health and Human Services, a

1 ~~medicaid-managed care organization under contract with the department, or~~
2 ~~another agent working on the department's behalf or any agency organized~~
3 ~~under the Nebraska Community Aging Services Act may contract for~~
4 ~~nonemergency medical transportation for medicaid its clients with a~~
5 ~~contract carrier holding a permit that has been authorized pursuant to~~
6 ~~subsection (3) of section 75-311 to provide medicaid nonemergency medical~~
7 ~~transportation services or that has been authorized to provide such~~
8 ~~services by the commission prior to the operative date of this section.~~
9 ~~contractor which does not hold a certificate or which is not otherwise~~
10 ~~exempt under section 75-303 only if:~~

11 ~~(2) While operating under the authority of a permit issued pursuant~~
12 ~~to subsection (3) of section 75-311, a contract carrier shall comply with~~
13 ~~(a) the requirements of the Department of Health and Human Services to~~
14 ~~protect the safety and well-being of department clients, including~~
15 ~~training, driver standards, background checks, and the provision and~~
16 ~~quality of service and (b) the rules and regulations adopted,~~
17 ~~promulgated, and enforced by the commission governing insurance~~
18 ~~requirements, equipment standards, and background checks.~~

19 ~~(1) The proposed contractor is the individual who will personally~~
20 ~~drive the vehicle in question;~~

21 ~~(2) The only compensation to the contractor for the transportation~~
22 ~~is paid by the department at a rate no greater than that provided for~~
23 ~~reimbursement of state employees pursuant to section 81-1176 for the~~
24 ~~costs incurred in the transportation; and~~

25 ~~(3)(a) There is no regulated motor carrier serving the area in which~~
26 ~~the client needs transportation, (b) the regulated motor carrier serving~~
27 ~~the area is incapable of providing the specific service in question by~~
28 ~~its own written statement or as determined by the commission upon~~
29 ~~application of the regulated motor carrier or the department, or (c) the~~
30 ~~regulated carrier cannot or will not provide such service at the rate~~
31 ~~specified in subsection (2) of section 75-303.02.~~

1 Sec. 75. Section 75-303.02, Reissue Revised Statutes of Nebraska, is
2 amended to read:

3 75-303.02 (1) The Department of Health and Human Services or any
4 agency organized under the Nebraska Community Aging Services Act may
5 contract for the transportation of clients with a contractor which does
6 not hold a certificate or which is not otherwise exempt under section
7 75-303 only if: The commission, in consultation with the Department of
8 Health and Human Services, shall adopt and promulgate rules and
9 regulations governing minimum liability insurance requirements, equipment
10 standards, driver qualification requirements, and the issuance and filing
11 of notice for any contractor utilized by the department or any agency
12 organized under the Nebraska Community Aging Services Act pursuant to
13 section 75-303.01.

14 (a) The proposed contractor is the individual who will personally
15 drive the vehicle in question;

16 (b) The only compensation to the contractor for the transportation
17 is paid by the department at a rate no greater than that provided for
18 reimbursement of state employees pursuant to section 81-1176 for the
19 costs incurred in the transportation; and

20 (c)(i) There is no regulated motor carrier serving the area in which
21 the client needs transportation, (ii) the regulated motor carrier serving
22 the area is incapable of providing the specific service in question by
23 its own written statement or as determined by the commission upon
24 application of the regulated motor carrier or the department, or (iii)
25 the regulated carrier cannot or will not provide such service at the rate
26 specified in subsection (2) of section 75-303.03.

27 (2) This section does not apply to a common carrier holding a
28 certificate of public convenience and necessity issued under subsection
29 (1) of section 75-311 or to a contract carrier holding a permit issued
30 under subsection (3) of section 75-311 authorized to provide medicaid
31 nonemergency medical transportation services under a permit as provided

1 in section 75-303.01.

2 ~~(2) The department or any agency organized under the Nebraska~~
3 ~~Community Aging Services Act shall reimburse common and contract carriers~~
4 ~~for transportation of passengers at a rate not to exceed the rate of~~
5 ~~reimbursement pursuant to section 81-1176 multiplied by three. The~~
6 ~~maximum reimbursement rate provided for in this subsection shall not~~
7 ~~apply when the carrier (a) transports such person wholly within the~~
8 ~~corporate limits of the city or village where the transportation of the~~
9 ~~person originated or (b) transports a disabled person as defined by the~~
10 ~~federal Americans with Disabilities Act of 1990 in a vehicle that is~~
11 ~~compliant with the regulations providing for the transportation of such~~
12 ~~disabled person.~~

13 Sec. 76. Section 75-303.03, Reissue Revised Statutes of Nebraska, is
14 amended to read:

15 75-303.03 (1) The commission, in consultation with the Department of
16 Health and Human Services, shall adopt and promulgate rules and
17 regulations governing minimum liability insurance requirements, equipment
18 standards, driver qualification requirements, and the issuance and filing
19 of notice for any contractor utilized by the department or any agency
20 organized under the Nebraska Community Aging Services Act pursuant to
21 section 75-303.02. The Department of Health and Human Services may
22 reimburse an individual for the costs incurred by such individual in the
23 transportation of a person eligible to receive transportation services
24 through the department if:

25 ~~(a) The individual is under contract with the department and~~
26 ~~provides transportation to the eligible person; and~~

27 ~~(b) The eligible person has chosen the individual to provide the~~
28 ~~transportation.~~

29 (2) The Department of Health and Human Services or any agency
30 organized under the Nebraska Community Aging Services Act shall reimburse
31 common and contract carriers for transportation of passengers at a rate

1 not to exceed the rate of reimbursement pursuant to section 81-1176
2 multiplied by three. The maximum reimbursement rate provided for in this
3 subsection shall not apply when the carrier (a) transports such person
4 wholly within the corporate limits of the city or village where the
5 transportation of the person originated, (b) transports a disabled person
6 as defined by the federal Americans with Disabilities Act of 1990 in a
7 vehicle that is compliant with the regulations providing for the
8 transportation of such disabled person, or (c) provides nonemergency
9 medical transportation of medicaid clients pursuant to section 75-303.01
10 ~~The department shall reimburse for the costs incurred in the~~
11 ~~transportation at a rate no greater than that provided for reimbursement~~
12 ~~of state employees pursuant to section 81-1176.~~

13 (3)(a) The Department of Health and Human Services may reimburse an
14 individual for the costs incurred by such individual in the
15 transportation of a person eligible to receive transportation services
16 through the department if:

17 (i) The individual is under contract with the department and
18 provides transportation to the eligible person; and

19 (ii) The eligible person has chosen the individual to provide the
20 transportation.

21 (b) The department shall reimburse for the costs incurred in the
22 transportation at a rate no greater than that provided for reimbursement
23 of state employees pursuant to section 81-1176.

24 (c) Transportation provided to an eligible person by an individual
25 pursuant to this section does not constitute transportation for hire.

26 (d) The department may adopt and promulgate rules and regulations to
27 implement this subsection.

28 ~~(3) Transportation provided to an eligible person by an individual~~
29 ~~pursuant to this section does not constitute transportation for hire.~~

30 ~~(4) The department may adopt and promulgate rules and regulations to~~
31 ~~implement this section.~~

1 Sec. 77. Section 75-306, Revised Statutes Cumulative Supplement,
2 2016, is amended to read:

3 75-306 Receipt for the payment of annual fees shall be issued by the
4 commission. The commission shall issue sufficient license plates and
5 renewal tabs to any regulated motor carrier who is in compliance with
6 sections 75-301 to 75-322 and the rules and regulations of the
7 commission, except contractors ~~contract carriers~~ operating pursuant to
8 section 75-303.02 ~~75-303.01~~ and transportation network companies, for the
9 purpose of identification of regulated motor carriers subject to sections
10 75-301 to 75-322 and to distinguish those regulated motor carriers from
11 other commercial motor carriers not subject to such sections. The
12 Director of Motor Vehicles shall prepare a form of license plate and
13 renewal tab for such regulated motor carriers and furnish a sufficient
14 supply of them to the commission.

15 Sec. 78. Section 75-309, Revised Statutes Cumulative Supplement,
16 2016, is amended to read:

17 75-309 Except for operations pursuant to a contract authorized by
18 sections ~~75-303.01~~ and 75-303.02 and 75-303.03, it shall be unlawful for
19 any common or contract carrier by motor vehicle subject to the provisions
20 of sections 75-101 to 75-155 and 75-301 to 75-322 to engage in any
21 intrastate operations on any public highway in Nebraska unless there is
22 in force with respect to such common carrier a certificate of public
23 convenience and necessity, a permit to such contract carrier, or a permit
24 to a transportation network company under section 75-324, issued by the
25 commission which authorizes such operations.

26 Sec. 79. Section 75-311, Revised Statutes Cumulative Supplement,
27 2016, is amended to read:

28 75-311 (1) A certificate shall be issued to any qualified applicant
29 authorizing the whole or any part of the operations covered by the
30 application if it is found after notice and hearing that (a) the
31 applicant is fit, willing, and able properly to perform the service

1 proposed and to conform to the provisions of sections 75-301 to 75-322
2 and the requirements, rules, and regulations of the commission under such
3 sections and (b) the proposed service, to the extent to be authorized by
4 the certificate, whether regular or irregular, passenger or household
5 goods, is or will be required by the present or future public convenience
6 and necessity. Otherwise the application shall be denied.

7 (2) A permit shall be issued to any qualified applicant therefor
8 authorizing in whole or in part the operations covered by the application
9 if it appears after notice and hearing from the application or from any
10 hearing held on the application that (a) the applicant is fit, willing,
11 and able properly to perform the service of a contract carrier by motor
12 vehicle and to conform to the provisions of such sections and the lawful
13 requirements, rules, and regulations of the commission under such
14 sections and (b) the proposed operation, to the extent authorized by the
15 permit, will be consistent with the public interest by providing services
16 designed to meet the distinct needs of each individual customer or a
17 specifically designated class of customers as defined in subdivision (7)
18 of section 75-302. Otherwise the application shall be denied.

19 (3) Authorizing authority shall be required for any contract carrier
20 holding a permit under subsection (2) of this section or for any
21 qualified applicant seeking a permit to provide medicaid nonemergency
22 medical transportation services pursuant to a contract with the
23 Department of Health and Human Services, a medicaid-managed care
24 organization under contract with the department, or another agent working
25 on the department's behalf as provided under section 75-303.01. Such
26 permit shall be issued to any qualified applicant authorizing such
27 operations if it is found after notice and hearing that (a) the applicant
28 is fit, willing, and able properly to perform the service proposed and to
29 conform to the provisions of section 75-303.01 and the other lawful
30 requirements, rules, and regulations of the commission and the Department
31 of Health and Human Services, and (b) the proposed operation, to the

1 extent authorized by the permit, will be consistent with the public
2 interest by providing services designed to meet the distinct needs of the
3 Department of Health and Human Services, a medicaid-managed care
4 organization under contract with the department, or another agent working
5 on the department's behalf, as attested to by the Director of Medicaid
6 and Long-Term Care or his or her designee. Otherwise the application
7 shall be denied.

8 (4) ~~(3)~~ No person shall at the same time hold a certificate as a
9 common carrier and a permit as a contract carrier for transportation of
10 household goods by motor vehicles over the same route or within the same
11 territory unless the commission finds that it is consistent with the
12 public interest and with the policy declared in section 75-301.

13 (5) ~~(4)~~ After the issuance of a certificate or permit, the
14 commission shall review the operations of all common or contract carriers
15 who hold authority from the commission to determine whether there are
16 insufficient operations in the transportation of household goods to
17 justify the commission's finding that such common or contract carrier has
18 willfully failed to perform transportation under sections 75-301 to
19 75-322 and rules and regulations promulgated under such sections. If the
20 commission determines that there are insufficient operations, then the
21 commission shall commence proceedings under section 75-315 to revoke the
22 certificate or permit involved.

23 (6) ~~(5)~~ This section shall not apply to transportation network
24 companies holding a permit under section 75-324 or operations pursuant to
25 a contract authorized by sections ~~75-303.01 and 75-303.02 and 75-303.03.~~

26 Sec. 80. Section 75-363, Revised Statutes Cumulative Supplement,
27 2016, is amended to read:

28 75-363 (1) The parts, subparts, and sections of Title 49 of the Code
29 of Federal Regulations listed below, as modified in this section, or any
30 other parts, subparts, and sections referred to by such parts, subparts,
31 and sections, in existence and effective as of January 1, 2017 ~~2016~~, are

1 adopted as Nebraska law.

2 (2) Except as otherwise provided in this section, the regulations
3 shall be applicable to:

4 (a) All motor carriers, drivers, and vehicles to which the federal
5 regulations apply; and

6 (b) All motor carriers transporting persons or property in
7 intrastate commerce to include:

8 (i) All vehicles of such motor carriers with a gross vehicle weight
9 rating, gross combination weight rating, gross vehicle weight, or gross
10 combination weight over ten thousand pounds;

11 (ii) All vehicles of such motor carriers designed or used to
12 transport more than eight passengers, including the driver, for
13 compensation, or designed or used to transport more than fifteen
14 passengers, including the driver, and not used to transport passengers
15 for compensation;

16 (iii) All vehicles of such motor carriers transporting hazardous
17 materials required to be placarded pursuant to section 75-364; and

18 (iv) All drivers of such motor carriers if the drivers are operating
19 a commercial motor vehicle as defined in section 60-465 which requires a
20 commercial driver's license.

21 (3) The Legislature hereby adopts, as modified in this section, the
22 following parts of Title 49 of the Code of Federal Regulations:

23 (a) Part 382 - CONTROLLED SUBSTANCES AND ALCOHOL USE AND TESTING;

24 (b) Part 385 - SAFETY FITNESS PROCEDURES;

25 (c) Part 386 - RULES OF PRACTICE FOR ~~FMCSA MOTOR CARRIER, INTERMODAL~~
26 ~~EQUIPMENT PROVIDER, BROKER, FREIGHT FORWARDER, AND HAZARDOUS MATERIALS~~
27 ~~PROCEEDINGS;~~

28 (d) Part 387 - MINIMUM LEVELS OF FINANCIAL RESPONSIBILITY FOR MOTOR
29 CARRIERS;

30 (e) Part 390 - FEDERAL MOTOR CARRIER SAFETY REGULATIONS; GENERAL;

31 (f) Part 391 - QUALIFICATIONS OF DRIVERS AND LONGER COMBINATION

1 VEHICLE (LCV) DRIVER INSTRUCTORS;

2 (g) Part 392 - DRIVING OF COMMERCIAL MOTOR VEHICLES;

3 (h) Part 393 - PARTS AND ACCESSORIES NECESSARY FOR SAFE OPERATION;

4 (i) Part 395 - HOURS OF SERVICE OF DRIVERS;

5 (j) Part 396 - INSPECTION, REPAIR, AND MAINTENANCE;

6 (k) Part 397 - TRANSPORTATION OF HAZARDOUS MATERIALS; DRIVING AND
7 PARKING RULES; and

8 (l) Part 398 - TRANSPORTATION OF MIGRANT WORKERS.

9 (4) The provisions of subpart E - Physical Qualifications And
10 Examinations of 49 C.F.R. part 391 - QUALIFICATIONS OF DRIVERS AND LONGER
11 COMBINATION VEHICLE (LCV) DRIVER INSTRUCTORS shall not apply to any
12 driver subject to this section who: (a) Operates a commercial motor
13 vehicle exclusively in intrastate commerce; and (b) holds, or has held, a
14 commercial driver's license issued by this state prior to July 30, 1996.

15 (5) The regulations adopted in subsection (3) of this section shall
16 not apply to farm trucks registered pursuant to section 60-3,146 with a
17 gross weight of sixteen tons or less. The following parts and sections of
18 49 C.F.R. chapter III shall not apply to drivers of farm trucks
19 registered pursuant to section 60-3,146 and operated solely in intrastate
20 commerce:

21 (a) All of part 391;

22 (b) Section 395.8 of part 395; and

23 (c) Section 396.11 of part 396.

24 (6) The following parts and subparts of 49 C.F.R. chapter III shall
25 not apply to the operation of covered farm vehicles:

26 (a) Part 382 - CONTROLLED SUBSTANCES AND ALCOHOL USE AND TESTING;

27 (b) Part 391, subpart E - Physical Qualifications and Examinations;

28 (c) Part 395 - HOURS OF SERVICE OF DRIVERS; and

29 (d) Part 396 - INSPECTION, REPAIR, AND MAINTENANCE.

30 (7) Part 393 - PARTS AND ACCESSORIES NECESSARY FOR SAFE OPERATION
31 and Part 396 - INSPECTION, REPAIR, AND MAINTENANCE shall not apply to

1 fertilizer and agricultural chemical application and distribution
2 equipment transported in units with a capacity of three thousand five
3 hundred gallons or less.

4 (8) For purposes of this section, intrastate motor carriers shall
5 not include any motor carrier or driver excepted from 49 C.F.R. chapter
6 III by section 390.3(f) of part 390.

7 (9)(a) Part 395 - HOURS OF SERVICE OF DRIVERS shall apply to motor
8 carriers and drivers who engage in intrastate commerce as defined in
9 section 75-362, except that no motor carrier who engages in intrastate
10 commerce shall permit or require any driver used by it to drive nor shall
11 any driver drive:

12 (i) More than twelve hours following ~~ten eight~~ consecutive hours off
13 duty; or

14 (ii) For any period after having been on duty sixteen hours
15 following ~~ten eight~~ consecutive hours off duty.

16 (b) No motor carrier who engages in intrastate commerce shall permit
17 or require a driver of a commercial motor vehicle, regardless of the
18 number of motor carriers using the driver's services, to drive, nor shall
19 any driver of a commercial motor vehicle drive, for any period after:

20 (i) Having been on duty seventy hours in any seven consecutive days
21 if the employing motor carrier does not operate every day of the week; or

22 (ii) Having been on duty eighty hours in any period of eight
23 consecutive days if the employing motor carrier operates motor vehicles
24 every day of the week.

25 (10) Part 395 - HOURS OF SERVICE OF DRIVERS, as adopted in
26 subsections (3) and (9) of this section, shall not apply to drivers
27 transporting agricultural commodities or farm supplies for agricultural
28 purposes during planting and harvesting season when:

29 (a) The transportation of such agricultural commodities is from the
30 source of the commodities to a location within a one-hundred-fifty-air-
31 mile radius of the source of the commodities;

1 (b) The transportation of such farm supplies is from a wholesale or
2 retail distribution point of the farm supplies to a farm or other
3 location where the farm supplies are intended to be used which is within
4 a one-hundred-fifty-air-mile radius of the wholesale or retail
5 distribution point; or

6 (c) The transportation of such farm supplies is from a wholesale
7 distribution point of the farm supplies to a retail distribution point of
8 the farm supplies which is within a one-hundred-fifty-air-mile radius of
9 the wholesale distribution point.

10 (11) 49 C.F.R. 390.21 - Marking of self-propelled CMVs and
11 intermodal equipment shall not apply to farm trucks and farm truck-
12 tractors registered pursuant to section 60-3,146 and operated solely in
13 intrastate commerce.

14 (12) 49 C.F.R. 392.9a - Operating authority shall not apply to
15 Nebraska motor carriers operating commercial motor vehicles solely in
16 intrastate commerce.

17 (13) No motor carrier shall permit or require a driver of a
18 commercial motor vehicle to violate, and no driver of a commercial motor
19 vehicle shall violate, any out-of-service order.

20 Sec. 81. Section 75-364, Revised Statutes Cumulative Supplement,
21 2016, is amended to read:

22 75-364 The parts, subparts, and sections of Title 49 of the Code of
23 Federal Regulations listed below, or any other parts, subparts, and
24 sections referred to by such parts, subparts, and sections, in existence
25 and effective as of January 1, 2017 ~~2016~~, are adopted as part of Nebraska
26 law and shall be applicable to all motor carriers whether engaged in
27 interstate or intrastate commerce, drivers of such motor carriers, and
28 vehicles of such motor carriers:

29 (1) Part 107 - HAZARDOUS MATERIALS PROGRAM PROCEDURES, subpart F_-
30 Registration of Cargo Tank and Cargo Tank Motor Vehicle Manufacturers,
31 Assemblers, Repairers, Inspectors, Testers, and Design Certifying

1 Engineers;

2 (2) Part 107 - HAZARDOUS MATERIALS PROGRAM PROCEDURES, subpart G_-
3 Registration of Persons Who Offer or Transport Hazardous Materials;

4 (3) Part 171 - GENERAL INFORMATION, REGULATIONS, AND DEFINITIONS;

5 (4) Part 172 - HAZARDOUS MATERIALS TABLE, SPECIAL PROVISIONS,
6 HAZARDOUS MATERIALS COMMUNICATIONS, EMERGENCY RESPONSE INFORMATION,
7 TRAINING REQUIREMENTS, AND SECURITY PLANS;

8 (5) Part 173 - SHIPPERS - GENERAL REQUIREMENTS FOR SHIPMENTS AND
9 PACKAGINGS;

10 (6) Part 177 - CARRIAGE BY PUBLIC HIGHWAY;

11 (7) Part 178 - SPECIFICATIONS FOR PACKAGINGS; and

12 (8) Part 180 - CONTINUING QUALIFICATION AND MAINTENANCE OF
13 PACKAGINGS.

14 Sec. 82. Section 75-366, Revised Statutes Cumulative Supplement,
15 2016, is amended to read:

16 75-366 For the purpose of enforcing Chapter 75, article 3, any
17 officer of the Nebraska State Patrol may, upon demand, inspect the
18 accounts, records, and equipment of any motor carrier or shipper. Any
19 officer of the Nebraska State Patrol shall have the authority to enforce
20 the federal motor carrier safety regulations, as such regulations existed
21 on January 1, 2017 ~~2016~~, and federal hazardous materials regulations, as
22 such regulations existed on January 1, 2017 ~~2016~~, and is authorized to
23 enter upon, inspect, and examine any and all lands, buildings, and
24 equipment of any motor carrier, any shipper, and any other person subject
25 to the federal Interstate Commerce Act, the federal Department of
26 Transportation Act, and other related federal laws and to inspect and
27 copy any and all accounts, books, records, memoranda, correspondence, and
28 other documents of a motor carrier, a shipper, and any other person
29 subject to Chapter 75, article 3, for the purposes of enforcing Chapter
30 75, article 3. To promote uniformity of enforcement, the carrier
31 enforcement division of the Nebraska State Patrol shall cooperate and

1 consult with the Public Service Commission and the Division of Motor
2 Carrier Services.

3 Sec. 83. Section 75-369.03, Revised Statutes Cumulative Supplement,
4 2016, is amended to read:

5 75-369.03 (1) The Superintendent of Law Enforcement and Public
6 Safety may issue an order imposing a civil penalty against a motor
7 carrier transporting persons or property in interstate commerce for a
8 violation of sections 75-392 to 75-399 or against a motor carrier
9 transporting persons or property in intrastate commerce for a violation
10 or violations of section 75-363 or 75-364 based upon an inspection
11 conducted pursuant to section 75-366 in an amount which shall not exceed
12 eight ~~five~~ hundred dollars for any single violation in any proceeding or
13 series of related proceedings against any person or motor carrier as
14 defined in 49 C.F.R. part 390.5 as adopted in section 75-363.

15 (2) The superintendent shall issue an order imposing a civil penalty
16 in an amount not to exceed fifteen ~~ten~~ thousand four hundred seventy-four
17 dollars against a motor carrier transporting persons or property in
18 interstate commerce for a violation of subdivision (2)(e) of section
19 60-4,162 based upon a conviction of such a violation.

20 (3) The superintendent shall issue an order imposing a civil penalty
21 against a driver operating a commercial motor vehicle, as defined in
22 section 60-465, that requires a commercial driver's license or CLP-
23 commercial learner's permit, in violation of an out-of-service order. The
24 civil penalty shall be in an amount not less than two thousand nine ~~five~~
25 hundred eighty-five ~~dollars but not more than five thousand~~ dollars for a
26 first violation and not less than five thousand nine hundred seventy ~~one~~
27 dollars ~~but not more than seven thousand five hundred~~ dollars for a
28 second or subsequent violation.

29 (4) The superintendent shall issue an order imposing a civil penalty
30 against a motor carrier who knowingly allows, requires, permits, or
31 authorizes the operation of a commercial motor vehicle, as defined in

1 section 60-465, that requires a commercial driver's license or CLP-
2 commercial learner's permit, in violation of an out-of-service order. The
3 civil penalty shall be not less than five ~~two~~ thousand three ~~seven~~
4 hundred ninety-one ~~fifty~~ dollars but not more than twenty-nine ~~twenty-~~
5 ~~five~~ thousand eight hundred forty-nine dollars per violation.

6 (5) Upon the discovery of any violation by a motor carrier
7 transporting persons or property in interstate commerce of section
8 75-307, 75-363, or 75-364 or sections 75-392 to 75-399 based upon an
9 inspection conducted pursuant to section 75-366, the superintendent shall
10 immediately refer such violation to the appropriate federal agency for
11 disposition, and upon the discovery of any violation by a motor carrier
12 transporting persons or property in intrastate commerce of section 75-307
13 based upon such inspection, the superintendent shall refer such violation
14 to the Public Service Commission for disposition.

15 Sec. 84. Section 75-392, Revised Statutes Cumulative Supplement,
16 2016, is amended to read:

17 75-392 For purposes of sections 75-392 to 75-399:

18 (1) Director means the Director of Motor Vehicles;

19 (2) Division means the Division of Motor Carrier Services of the
20 Department of Motor Vehicles; and

21 (3) Unified carrier registration plan and agreement means the plan
22 and agreement established and authorized pursuant to 49 U.S.C. 14504a, as
23 such section existed on January 1, 2017 ~~2016~~.

24 Sec. 85. Section 75-393, Revised Statutes Cumulative Supplement,
25 2016, is amended to read:

26 75-393 The director may participate in the unified carrier
27 registration plan and agreement pursuant to the Unified Carrier
28 Registration Act of 2005, 49 U.S.C. 13908, as the act existed on January
29 1, 2017 ~~2016~~, and may file on behalf of this state the plan required by
30 such plan and agreement for enforcement of the act in this state.

31 Sec. 86. Section 76-2316, Reissue Revised Statutes of Nebraska, is

1 amended to read:

2 76-2316 Statewide one-call notification center shall mean the
3 association ~~certified by the State Fire Marshal~~, operating on a nonprofit
4 basis, supported by its members, and having as its principal purpose the
5 statewide receipt and dissemination to participating operators of
6 information on a fair and uniform basis concerning intended excavation in
7 an area where the operators have underground facilities.

8 Sec. 87. Section 76-2319, Reissue Revised Statutes of Nebraska, is
9 amended to read:

10 76-2319 (1) The center shall be governed by a board of directors
11 who shall oversee operation of the center ~~establish the operating~~
12 ~~procedures and the technology needed for the center~~ pursuant to rules and
13 regulations adopted and promulgated by the State Fire Marshal. ~~The rules~~
14 ~~and regulations adopted and promulgated by the State Fire Marshal shall~~
15 ~~provide for the qualifications, appointment, retention, and composition~~
16 ~~of the board of directors.~~ The board of directors shall also establish a
17 competitive bidding procedure to select a vendor to provide the
18 notification service, establish a procedure by which members of the
19 center share the costs of the center on a fair, reasonable, and
20 nondiscriminatory basis, and do all other things necessary to implement
21 the purpose of the center. Any agreement between the center and a vendor
22 for the notification service may be modified from time to time by the
23 board of directors, and any agreement shall be reviewed by the board of
24 directors at least once every three years, with an opportunity to receive
25 new bids if desired by the board of directors.

26 (2) The rules and regulations adopted and promulgated by the State
27 Fire Marshal may provide for:

28 (a) Any requirements necessary to comply with United States
29 Department of Transportation programs;

30 (b) The qualifications, appointment, retention, and composition of
31 the board of directors; and

1 (c) Best practices for the marking, location, and notification of
2 proposed excavations which shall govern the center, excavators, and
3 operators of underground facilities.

4 (3) Any rule or regulation adopted and promulgated by the State Fire
5 Marshal pursuant to subdivision (2)(c) of this section shall originate
6 with the board of directors.

7 Sec. 88. Section 76-2320, Reissue Revised Statutes of Nebraska, is
8 amended to read:

9 76-2320 Every operator shall furnish the vendor selected by the
10 board of directors with information concerning the location of its
11 underground facilities. Every operator having underground facilities in
12 existence in this state on February 16, 1994, shall furnish such
13 information to the vendor by April 3, 1995. The vendor shall have the
14 center operational on October 2, 1995. ~~The center shall be certified by~~
15 ~~the State Fire Marshal, and the certification shall be reviewed every two~~
16 ~~years to ensure continued compliance with federal law.~~

17 Sec. 89. Section 76-2325, Revised Statutes Cumulative Supplement,
18 2016, is amended to read:

19 76-2325 Any person who violates the provisions of section 76-2320,
20 76-2321, 76-2322, 76-2323, 76-2326, 76-2330, or 76-2331 shall be subject
21 to a civil penalty as follows:

22 (1) For a violation related to a gas or hazardous liquid underground
23 pipeline facility or a fiber optic telecommunications facility, an amount
24 not to exceed ten thousand dollars for each violation for each day the
25 violation persists, up to a maximum of five hundred thousand dollars; and

26 (2) For a violation related to any other underground facility, an
27 amount not to exceed five thousand ~~hundred~~ dollars for each day the
28 violation persists, up to a maximum of fifty ~~five~~ thousand dollars.

29 An action to recover a civil penalty shall be brought by the
30 Attorney General or a prosecuting attorney on behalf of the State of
31 Nebraska in any court of competent jurisdiction of this state. The trial

1 shall be before the court, which shall consider the nature,
2 circumstances, and gravity of the violation and, with respect to the
3 person found to have committed the violation, the degree of culpability,
4 the absence or existence of prior violations, whether the violation was a
5 willful act, any good faith attempt to achieve compliance, and such other
6 matters as justice may require in determining the amount of penalty
7 imposed. All penalties shall be remitted to the State Treasurer for
8 distribution in accordance with Article VII, section 5, of the
9 Constitution of Nebraska.

10 Sec. 90. Section 77-2703, Revised Statutes Cumulative Supplement,
11 2016, is amended to read:

12 77-2703 (1) There is hereby imposed a tax at the rate provided in
13 section 77-2701.02 upon the gross receipts from all sales of tangible
14 personal property sold at retail in this state; the gross receipts of
15 every person engaged as a public utility, as a community antenna
16 television service operator, or as a satellite service operator, any
17 person involved in the connecting and installing of the services defined
18 in subdivision (2)(a), (b), (d), or (e) of section 77-2701.16, or every
19 person engaged as a retailer of intellectual or entertainment properties
20 referred to in subsection (3) of section 77-2701.16; the gross receipts
21 from the sale of admissions in this state; the gross receipts from the
22 sale of warranties, guarantees, service agreements, or maintenance
23 agreements when the items covered are subject to tax under this section;
24 beginning January 1, 2008, the gross receipts from the sale of bundled
25 transactions when one or more of the products included in the bundle are
26 taxable; the gross receipts from the provision of services defined in
27 subsection (4) of section 77-2701.16; and the gross receipts from the
28 sale of products delivered electronically as described in subsection (9)
29 of section 77-2701.16. Except as provided in section 77-2701.03, when
30 there is a sale, the tax shall be imposed at the rate in effect at the
31 time the gross receipts are realized under the accounting basis used by

1 the retailer to maintain his or her books and records.

2 (a) The tax imposed by this section shall be collected by the
3 retailer from the consumer. It shall constitute a part of the purchase
4 price and until collected shall be a debt from the consumer to the
5 retailer and shall be recoverable at law in the same manner as other
6 debts. The tax required to be collected by the retailer from the consumer
7 constitutes a debt owed by the retailer to this state.

8 (b) It is unlawful for any retailer to advertise, hold out, or state
9 to the public or to any customer, directly or indirectly, that the tax or
10 part thereof will be assumed or absorbed by the retailer, that it will
11 not be added to the selling, renting, or leasing price of the property
12 sold, rented, or leased, or that, if added, it or any part thereof will
13 be refunded. The provisions of this subdivision shall not apply to a
14 public utility.

15 (c) The tax required to be collected by the retailer from the
16 purchaser, unless otherwise provided by statute or by rule and regulation
17 of the Tax Commissioner, shall be displayed separately from the list
18 price, the price advertised in the premises, the marked price, or other
19 price on the sales check or other proof of sales, rentals, or leases.

20 (d) For the purpose of more efficiently securing the payment,
21 collection, and accounting for the sales tax and for the convenience of
22 the retailer in collecting the sales tax, it shall be the duty of the Tax
23 Commissioner to provide a schedule or schedules of the amounts to be
24 collected from the consumer or user to effectuate the computation and
25 collection of the tax imposed by the Nebraska Revenue Act of 1967. Such
26 schedule or schedules shall provide that the tax shall be collected from
27 the consumer or user uniformly on sales according to brackets based on
28 sales prices of the item or items. Retailers may compute the tax due on
29 any transaction on an item or an invoice basis. The rounding rule
30 provided in section 77-3,117 applies.

31 (e) The use of tokens or stamps for the purpose of collecting or

1 enforcing the collection of the taxes imposed in the Nebraska Revenue Act
2 of 1967 or for any other purpose in connection with such taxes is
3 prohibited.

4 (f) For the purpose of the proper administration of the provisions
5 of the Nebraska Revenue Act of 1967 and to prevent evasion of the retail
6 sales tax, it shall be presumed that all gross receipts are subject to
7 the tax until the contrary is established. The burden of proving that a
8 sale of property is not a sale at retail is upon the person who makes the
9 sale unless he or she takes from the purchaser (i) a resale certificate
10 to the effect that the property is purchased for the purpose of
11 reselling, leasing, or renting it, (ii) an exemption certificate pursuant
12 to subsection (7) of section 77-2705, or (iii) a direct payment permit
13 pursuant to sections 77-2705.01 to 77-2705.03. Receipt of a resale
14 certificate, exemption certificate, or direct payment permit shall be
15 conclusive proof for the seller that the sale was made for resale or was
16 exempt or that the tax will be paid directly to the state.

17 (g) In the rental or lease of automobiles, trucks, trailers,
18 semitrailers, and truck-tractors as defined in the Motor Vehicle
19 Registration Act, the tax shall be collected by the lessor on the rental
20 or lease price, except as otherwise provided within this section.

21 (h) In the rental or lease of automobiles, trucks, trailers,
22 semitrailers, and truck-tractors as defined in the act, for periods of
23 one year or more, the lessor may elect not to collect and remit the sales
24 tax on the gross receipts and instead pay a sales tax on the cost of such
25 vehicle. If such election is made, it shall be made pursuant to the
26 following conditions:

27 (i) Notice of the desire to make such election shall be filed with
28 the Tax Commissioner and shall not become effective until the Tax
29 Commissioner is satisfied that the taxpayer has complied with all
30 conditions of this subsection and all rules and regulations of the Tax
31 Commissioner;

1 (ii) Such election when made shall continue in force and effect for
2 a period of not less than two years and thereafter until such time as the
3 lessor elects to terminate the election;

4 (iii) When such election is made, it shall apply to all vehicles of
5 the lessor rented or leased for periods of one year or more except
6 vehicles to be leased to common or contract carriers who provide to the
7 lessor a valid common or contract carrier exemption certificate. If the
8 lessor rents or leases other vehicles for periods of less than one year,
9 such lessor shall maintain his or her books and records and his or her
10 accounting procedure as the Tax Commissioner prescribes; and

11 (iv) The Tax Commissioner by rule and regulation shall prescribe the
12 contents and form of the notice of election, a procedure for the
13 determination of the tax base of vehicles which are under an existing
14 lease at the time such election becomes effective, the method and manner
15 for terminating such election, and such other rules and regulations as
16 may be necessary for the proper administration of this subdivision.

17 (i) The tax imposed by this section on the sales of motor vehicles,
18 semitrailers, and trailers as defined in sections 60-339, 60-348, and
19 60-354 shall be the liability of the purchaser and, with the exception of
20 motor vehicles, semitrailers, and trailers registered pursuant to section
21 60-3,198, the tax shall be collected by the county treasurer as provided
22 in the Motor Vehicle Registration Act or by an approved licensed dealer
23 participating in the electronic dealer services system pursuant to
24 section 69 of this act at the time the purchaser makes application for
25 the registration of the motor vehicle, semitrailer, or trailer for
26 operation upon the highways of this state. The tax imposed by this
27 section on motor vehicles, semitrailers, and trailers registered pursuant
28 to section 60-3,198 shall be collected by the Department of Motor
29 Vehicles at the time the purchaser makes application for the registration
30 of the motor vehicle, semitrailer, or trailer for operation upon the
31 highways of this state. At the time of the sale of any motor vehicle,

1 semitrailer, or trailer, the seller shall (i) state on the sales invoice
2 the dollar amount of the tax imposed under this section and (ii) furnish
3 to the purchaser a certified statement of the transaction, in such form
4 as the Tax Commissioner prescribes, setting forth as a minimum the total
5 sales price, the allowance for any trade-in, and the difference between
6 the two. The sales tax due shall be computed on the difference between
7 the total sales price and the allowance for any trade-in as disclosed by
8 such certified statement. Any seller who willfully understates the amount
9 upon which the sales tax is due shall be subject to a penalty of one
10 thousand dollars. A copy of such certified statement shall also be
11 furnished to the Tax Commissioner. Any seller who fails or refuses to
12 furnish such certified statement shall be guilty of a misdemeanor and
13 shall, upon conviction thereof, be punished by a fine of not less than
14 twenty-five dollars nor more than one hundred dollars. If the purchaser
15 does not register such motor vehicle, semitrailer, or trailer for
16 operation on the highways of this state within thirty days of the
17 purchase thereof, the tax imposed by this section shall immediately
18 thereafter be paid by the purchaser to the county treasurer or the
19 Department of Motor Vehicles. If the tax is not paid on or before the
20 thirtieth day after its purchase, the county treasurer or Department of
21 Motor Vehicles shall also collect from the purchaser interest from the
22 thirtieth day through the date of payment and sales tax penalties as
23 provided in the Nebraska Revenue Act of 1967. The county treasurer or
24 Department of Motor Vehicles shall report and remit the tax so collected
25 to the Tax Commissioner by the fifteenth day of the following month. The
26 county treasurer shall deduct and withhold for the use of the county
27 general fund, from all amounts required to be collected under this
28 subsection, the collection fee permitted to be deducted by any retailer
29 collecting the sales tax. The Department of Motor Vehicles shall deduct,
30 withhold, and deposit in the Motor Carrier Division Cash Fund the
31 collection fee permitted to be deducted by any retailer collecting the

1 sales tax. The collection fee shall be forfeited if the county treasurer
2 or Department of Motor Vehicles violates any rule or regulation
3 pertaining to the collection of the use tax.

4 (j)(i) The tax imposed by this section on the sale of a motorboat as
5 defined in section 37-1204 shall be the liability of the purchaser. The
6 tax shall be collected by the county treasurer at the time the purchaser
7 makes application for the registration of the motorboat. At the time of
8 the sale of a motorboat, the seller shall (A) state on the sales invoice
9 the dollar amount of the tax imposed under this section and (B) furnish
10 to the purchaser a certified statement of the transaction, in such form
11 as the Tax Commissioner prescribes, setting forth as a minimum the total
12 sales price, the allowance for any trade-in, and the difference between
13 the two. The sales tax due shall be computed on the difference between
14 the total sales price and the allowance for any trade-in as disclosed by
15 such certified statement. Any seller who willfully understates the amount
16 upon which the sales tax is due shall be subject to a penalty of one
17 thousand dollars. A copy of such certified statement shall also be
18 furnished to the Tax Commissioner. Any seller who fails or refuses to
19 furnish such certified statement shall be guilty of a misdemeanor and
20 shall, upon conviction thereof, be punished by a fine of not less than
21 twenty-five dollars nor more than one hundred dollars. If the purchaser
22 does not register such motorboat within thirty days of the purchase
23 thereof, the tax imposed by this section shall immediately thereafter be
24 paid by the purchaser to the county treasurer. If the tax is not paid on
25 or before the thirtieth day after its purchase, the county treasurer
26 shall also collect from the purchaser interest from the thirtieth day
27 through the date of payment and sales tax penalties as provided in the
28 Nebraska Revenue Act of 1967. The county treasurer shall report and remit
29 the tax so collected to the Tax Commissioner by the fifteenth day of the
30 following month. The county treasurer shall deduct and withhold for the
31 use of the county general fund, from all amounts required to be collected

1 under this subsection, the collection fee permitted to be deducted by any
2 retailer collecting the sales tax. The collection fee shall be forfeited
3 if the county treasurer violates any rule or regulation pertaining to the
4 collection of the use tax.

5 (ii) In the rental or lease of motorboats, the tax shall be
6 collected by the lessor on the rental or lease price.

7 (k)(i) The tax imposed by this section on the sale of an all-terrain
8 vehicle as defined in section 60-103 or a utility-type vehicle as defined
9 in section 60-135.01 shall be the liability of the purchaser. The tax
10 shall be collected by the county treasurer or by an approved licensed
11 dealer participating in the electronic dealer services system pursuant to
12 section 69 of this act at the time the purchaser makes application for
13 the certificate of title for the all-terrain vehicle or utility-type
14 vehicle. At the time of the sale of an all-terrain vehicle or a utility-
15 type vehicle, the seller shall (A) state on the sales invoice the dollar
16 amount of the tax imposed under this section and (B) furnish to the
17 purchaser a certified statement of the transaction, in such form as the
18 Tax Commissioner prescribes, setting forth as a minimum the total sales
19 price, the allowance for any trade-in, and the difference between the
20 two. The sales tax due shall be computed on the difference between the
21 total sales price and the allowance for any trade-in as disclosed by such
22 certified statement. Any seller who willfully understates the amount upon
23 which the sales tax is due shall be subject to a penalty of one thousand
24 dollars. A copy of such certified statement shall also be furnished to
25 the Tax Commissioner. Any seller who fails or refuses to furnish such
26 certified statement shall be guilty of a misdemeanor and shall, upon
27 conviction thereof, be punished by a fine of not less than twenty-five
28 dollars nor more than one hundred dollars. If the purchaser does not
29 obtain a certificate of title for such all-terrain vehicle or utility-
30 type vehicle within thirty days of the purchase thereof, the tax imposed
31 by this section shall immediately thereafter be paid by the purchaser to

1 the county treasurer. If the tax is not paid on or before the thirtieth
2 day after its purchase, the county treasurer shall also collect from the
3 purchaser interest from the thirtieth day through the date of payment and
4 sales tax penalties as provided in the Nebraska Revenue Act of 1967. The
5 county treasurer shall report and remit the tax so collected to the Tax
6 Commissioner by the fifteenth day of the following month. The county
7 treasurer shall deduct and withhold for the use of the county general
8 fund, from all amounts required to be collected under this subsection,
9 the collection fee permitted to be deducted by any retailer collecting
10 the sales tax. The collection fee shall be forfeited if the county
11 treasurer violates any rule or regulation pertaining to the collection of
12 the use tax.

13 (ii) In the rental or lease of an all-terrain vehicle or a utility-
14 type vehicle, the tax shall be collected by the lessor on the rental or
15 lease price.

16 (iii) County treasurers are appointed as sales and use tax
17 collectors for all sales of all-terrain vehicles or utility-type vehicles
18 made outside of this state to purchasers or users of all-terrain vehicles
19 or utility-type vehicles which are required to have a certificate of
20 title in this state. The county treasurer shall collect the applicable
21 use tax from the purchaser of an all-terrain vehicle or a utility-type
22 vehicle purchased outside of this state at the time application for a
23 certificate of title is made. The full use tax on the purchase price
24 shall be collected by the county treasurer if a sales or occupation tax
25 was not paid by the purchaser in the state of purchase. If a sales or
26 occupation tax was lawfully paid in the state of purchase at a rate less
27 than the tax imposed in this state, use tax must be collected on the
28 difference as a condition for obtaining a certificate of title in this
29 state.

30 (1) The Tax Commissioner shall adopt and promulgate necessary rules
31 and regulations for determining the amount subject to the taxes imposed

1 by this section so as to insure that the full amount of any applicable
2 tax is paid in cases in which a sale is made of which a part is subject
3 to the taxes imposed by this section and a part of which is not so
4 subject and a separate accounting is not practical or economical.

5 (2) A use tax is hereby imposed on the storage, use, or other
6 consumption in this state of property purchased, leased, or rented from
7 any retailer and on any transaction the gross receipts of which are
8 subject to tax under subsection (1) of this section on or after June 1,
9 1967, for storage, use, or other consumption in this state at the rate
10 set as provided in subsection (1) of this section on the sales price of
11 the property or, in the case of leases or rentals, of the lease or rental
12 prices.

13 (a) Every person storing, using, or otherwise consuming in this
14 state property purchased from a retailer or leased or rented from another
15 person for such purpose shall be liable for the use tax at the rate in
16 effect when his or her liability for the use tax becomes certain under
17 the accounting basis used to maintain his or her books and records. His
18 or her liability shall not be extinguished until the use tax has been
19 paid to this state, except that a receipt from a retailer engaged in
20 business in this state or from a retailer who is authorized by the Tax
21 Commissioner, under such rules and regulations as he or she may
22 prescribe, to collect the sales tax and who is, for the purposes of the
23 Nebraska Revenue Act of 1967 relating to the sales tax, regarded as a
24 retailer engaged in business in this state, which receipt is given to the
25 purchaser pursuant to subdivision (b) of this subsection, shall be
26 sufficient to relieve the purchaser from further liability for the tax to
27 which the receipt refers.

28 (b) Every retailer engaged in business in this state and selling,
29 leasing, or renting property for storage, use, or other consumption in
30 this state shall, at the time of making any sale, collect any tax which
31 may be due from the purchaser and shall give to the purchaser, upon

1 request, a receipt therefor in the manner and form prescribed by the Tax
2 Commissioner.

3 (c) The Tax Commissioner, in order to facilitate the proper
4 administration of the use tax, may designate such person or persons as he
5 or she may deem necessary to be use tax collectors and delegate to such
6 persons such authority as is necessary to collect any use tax which is
7 due and payable to the State of Nebraska. The Tax Commissioner may
8 require of all persons so designated a surety bond in favor of the State
9 of Nebraska to insure against any misappropriation of state funds so
10 collected. The Tax Commissioner may require any tax official, city,
11 county, or state, to collect the use tax on behalf of the state. All
12 persons designated to or required to collect the use tax shall account
13 for such collections in the manner prescribed by the Tax Commissioner.
14 Nothing in this subdivision shall be so construed as to prevent the Tax
15 Commissioner or his or her employees from collecting any use taxes due
16 and payable to the State of Nebraska.

17 (d) All persons designated to collect the use tax and all persons
18 required to collect the use tax shall forward the total of such
19 collections to the Tax Commissioner at such time and in such manner as
20 the Tax Commissioner may prescribe. For all use taxes collected prior to
21 October 1, 2002, such collectors of the use tax shall deduct and withhold
22 from the amount of taxes collected two and one-half percent of the first
23 three thousand dollars remitted each month and one-half of one percent of
24 all amounts in excess of three thousand dollars remitted each month as
25 reimbursement for the cost of collecting the tax. For use taxes collected
26 on and after October 1, 2002, such collectors of the use tax shall deduct
27 and withhold from the amount of taxes collected two and one-half percent
28 of the first three thousand dollars remitted each month as reimbursement
29 for the cost of collecting the tax. Any such deduction shall be forfeited
30 to the State of Nebraska if such collector violates any rule, regulation,
31 or directive of the Tax Commissioner.

1 (e) For the purpose of the proper administration of the Nebraska
2 Revenue Act of 1967 and to prevent evasion of the use tax, it shall be
3 presumed that property sold, leased, or rented by any person for delivery
4 in this state is sold, leased, or rented for storage, use, or other
5 consumption in this state until the contrary is established. The burden
6 of proving the contrary is upon the person who purchases, leases, or
7 rents the property.

8 (f) For the purpose of the proper administration of the Nebraska
9 Revenue Act of 1967 and to prevent evasion of the use tax, for the sale
10 of property to an advertising agency which purchases the property as an
11 agent for a disclosed or undisclosed principal, the advertising agency is
12 and remains liable for the sales and use tax on the purchase the same as
13 if the principal had made the purchase directly.

14 Sec. 91. Section 81-8,219, Reissue Revised Statutes of Nebraska, is
15 amended to read:

16 81-8,219 The State Tort Claims Act shall not apply to:

17 (1) Any claim based upon an act or omission of an employee of the
18 state, exercising due care, in the execution of a statute, rule, or
19 regulation, whether or not such statute, rule, or regulation is valid, or
20 based upon the exercise or performance or the failure to exercise or
21 perform a discretionary function or duty on the part of a state agency or
22 an employee of the state, whether or not the discretion is abused;

23 (2) Any claim arising with respect to the assessment or collection
24 of any tax or fee, or the detention of any goods or merchandise by any
25 law enforcement officer;

26 (3) Any claim for damages caused by the imposition or establishment
27 of a quarantine by the state whether such quarantine relates to persons
28 or property;

29 (4) Any claim arising out of assault, battery, false imprisonment,
30 false arrest, malicious prosecution, abuse of process, libel, slander,
31 misrepresentation, deceit, or interference with contract rights;

1 (5) Any claim by an employee of the state which is covered by the
2 Nebraska Workers' Compensation Act;

3 (6) Any claim based on activities of the Nebraska National Guard
4 when such claim is cognizable under the Federal Tort Claims Act, 28
5 U.S.C. 2674, or the National Guard Tort Claims Act of the United States,
6 32 U.S.C. 715, or when such claim accrues as a result of active federal
7 service or state service at the call of the Governor for quelling riots
8 and civil disturbances;

9 (7) Any claim based upon the failure to make an inspection or making
10 an inadequate or negligent inspection of any property other than property
11 owned by or leased to the state to determine whether the property
12 complies with or violates any statute, ordinance, rule, or regulation or
13 contains a hazard to public health or safety unless the state had
14 reasonable notice of such hazard or the failure to inspect or inadequate
15 or negligent inspection constitutes a reckless disregard for public
16 health or safety;

17 (8) Any claim based upon the issuance, denial, suspension, or
18 revocation of or failure or refusal to issue, deny, suspend, or revoke
19 any permit, license, certificate, or order. Such claim shall also not be
20 filed against a state employee acting within the scope of his or her
21 office. Nothing in this subdivision shall be construed to limit the
22 state's liability for any claim based upon the negligent execution by a
23 state employee in the issuance of a certificate of title under the Motor
24 Vehicle Certificate of Title Act and the State Boat Act except when such
25 title is issued upon an application filed electronically by an approved
26 licensed dealer participating in the electronic dealer services system
27 pursuant to section 69 of this act;

28 (9) Any claim arising out of the malfunction, destruction, or
29 unauthorized removal of any traffic or road sign, signal, or warning
30 device unless it is not corrected by the governmental entity responsible
31 within a reasonable time after actual or constructive notice of such

1 malfunction, destruction, or removal. Nothing in this subdivision shall
2 give rise to liability arising from an act or omission of any
3 governmental entity in placing or removing any traffic or road signs,
4 signals, or warning devices when such placement or removal is the result
5 of a discretionary act of the governmental entity;

6 (10) Any claim arising out of snow or ice conditions or other
7 temporary conditions caused by nature on any highway as defined in
8 section 60-624, bridge, public thoroughfare, or other state-owned public
9 place due to weather conditions. Nothing in this subdivision shall be
10 construed to limit the state's liability for any claim arising out of the
11 operation of a motor vehicle by an employee of the state while acting
12 within the course and scope of his or her employment by the state;

13 (11) Any claim arising out of the plan or design for the
14 construction of or an improvement to any highway as defined in such
15 section or bridge, either in original construction or any improvement
16 thereto, if the plan or design is approved in advance of the construction
17 or improvement by the governing body of the governmental entity or some
18 other body or employee exercising discretionary authority to give such
19 approval;

20 (12) Any claim arising out of the alleged insufficiency or want of
21 repair of any highway as defined in such section, bridge, or other public
22 thoroughfare. Insufficiency or want of repair shall be construed to refer
23 to the general or overall condition and shall not refer to a spot or
24 localized defect. The state shall be deemed to waive its immunity for a
25 claim due to a spot or localized defect only if the state has had actual
26 or constructive notice of the defect within a reasonable time to allow
27 repair prior to the incident giving rise to the claim;

28 (13)(a) Any claim relating to recreational activities on property
29 leased, owned, or controlled by the state for which no fee is charged (i)
30 resulting from the inherent risk of the recreational activity, (ii)
31 arising out of a spot or localized defect of the premises unless the spot

1 or localized defect is not corrected within a reasonable time after
2 actual or constructive notice of the spot or localized defect, or (iii)
3 arising out of the design of a skatepark or bicycle motocross park
4 constructed for purposes of skateboarding, inline skating, bicycling, or
5 scootering that was constructed or reconstructed, reasonably and in good
6 faith, in accordance with generally recognized engineering or safety
7 standards or design theories in existence at the time of the construction
8 or reconstruction. For purposes of this subdivision, the state shall be
9 charged with constructive notice only when the failure to discover the
10 spot or localized defect of the premises is the result of gross
11 negligence.

12 (b) For purposes of this subdivision:

13 (i) Recreational activities include, but are not limited to, whether
14 as a participant or spectator: Hunting, fishing, swimming, boating,
15 camping, picnicking, hiking, walking, running, horseback riding, use of
16 trails, nature study, waterskiing, winter sports, use of playground
17 equipment, biking, roller blading, skateboarding, golfing, athletic
18 contests; visiting, viewing, or enjoying entertainment events, festivals,
19 or historical, archaeological, scenic, or scientific sites; and similar
20 leisure activities;

21 (ii) Inherent risk of recreational activities means those risks that
22 are characteristic of, intrinsic to, or an integral part of the activity;

23 (iii) Gross negligence means the absence of even slight care in the
24 performance of a duty involving an unreasonable risk of harm; and

25 (iv) Fee means a fee to participate in or be a spectator at a
26 recreational activity. A fee shall include payment by the claimant to any
27 person or organization other than the state only to the extent the state
28 retains control over the premises or the activity. A fee shall not
29 include payment of a fee or charge for parking or vehicle entry.

30 (c) This subdivision, and not subdivision (7) of this section, shall
31 apply to any claim arising from the inspection or failure to make an

1 inspection or negligent inspection of premises owned or leased by the
2 state and used for recreational activities; or

3 (14) Any claim arising as a result of a special event during a
4 period of time specified in a notice provided by a political subdivision
5 pursuant to subsection (3) of section 39-1359.

6 Sec. 92. Section 83-123, Reissue Revised Statutes of Nebraska, is
7 amended to read:

8 83-123 (1) Out of the fund appropriated by the Legislature, the
9 Department of Correctional Services shall purchase the materials for, and
10 ~~manufacture, and deliver~~ the license plates each year for ~~to~~ the various
11 counties and the Department of Motor Vehicles in the State of Nebraska.
12 The Department of Motor Vehicles shall furnish to the Department of
13 Correctional Services the information concerning license plates through a
14 secure process and system, together with the number of plates to be
15 manufactured for each county and the Department of Motor Vehicles in the
16 state for the current licensing year, ~~to the Department of Correctional~~
17 ~~Services.~~

18 (2) The Department of Correctional Services shall deliver the
19 license plates each year as directed by the Department of Motor Vehicles
20 through a secure process and system.

21 Sec. 93. The Revisor of Statutes shall assign sections 68 and 69 of
22 this act to Chapter 60, article 15.

23 Sec. 94. Sections 5, 6, 17, 20, 22, 47, 92, and 95 of this act
24 become operative on January 1, 2019. Sections 1, 2, 3, 4, 7, 8, 9, 10,
25 11, 13, 14, 15, 16, 18, 19, 21, 23, 24, 25, 28, 29, 31, 32, 33, 35, 36,
26 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 48, 50, 51, 53, 56, 57, 58, 60,
27 61, 63, 65, 66, 67, 68, 69, 70, 71, 86, 87, 88, 89, 90, 91, and 96 of
28 this act become operative three calendar months after the adjournment of
29 this legislative session. The other sections of this act become operative
30 on their effective date.

31 Sec. 95. Original sections 37-1283, 37-1287, 60-192, and 83-123,

1 Reissue Revised Statutes of Nebraska, and sections 60-161, 60-166, and
2 60-3,141, Revised Statutes Cumulative Supplement, 2016, are repealed.

3 Sec. 96. Original sections 13-910, 37-1201, 37-1279, 60-168.02,
4 60-394, 60-3,126, 60-3,184, 60-483, 60-4,109, 60-4,168.01, 60-506.01,
5 60-699, 60-6,168, 76-2316, 76-2319, 76-2320, and 81-8,219, Reissue
6 Revised Statutes of Nebraska, and sections 60-101, 60-102, 60-144,
7 60-149, 60-154, 60-155, 60-164, 60-301, 60-302, 60-372, 60-385, 60-3,104,
8 60-3,104.01, 60-3,118, 60-3,120, 60-3,121, 60-3,122, 60-3,122.02,
9 60-3,122.04, 60-3,123, 60-3,124, 60-3,125, 60-3,128, 60-3,135.01,
10 60-3,161, 60-3,224, 60-3,227, 60-3,231, 60-4,108, 60-4,168, 60-1505,
11 60-2904, 60-2907, 76-2325, and 77-2703, Revised Statutes Cumulative
12 Supplement, 2016, are repealed.

13 Sec. 97. Original sections 75-110, 75-303.01, 75-303.02, and
14 75-303.03, Reissue Revised Statutes of Nebraska, and sections 60-119.01,
15 60-336.01, 60-363, 60-386, 60-3,113.04, 60-3,193.01, 60-3,229, 60-462.01,
16 60-479.01, 60-4,147.02, 60-501, 60-628.01, 75-128, 75-306, 75-309,
17 75-311, 75-363, 75-364, 75-366, 75-369.03, 75-392, and 75-393, Revised
18 Statutes Cumulative Supplement, 2016, are repealed.

19 Sec. 98. Since an emergency exists, this act takes effect when
20 passed and approved according to law.