

LEGISLATURE OF NEBRASKA
ONE HUNDRED FIFTH LEGISLATURE
SECOND SESSION

LEGISLATIVE BILL 740

Introduced by Lindstrom, 18.

Read first time January 03, 2018

Committee: Transportation and Telecommunications

1 A BILL FOR AN ACT relating to the Motor Vehicle Registration Act; to
2 amend sections 60-316, 60-3,147, 60-3,148, 60-3,221, and 60-3,228,
3 Revised Statutes Cumulative Supplement, 2016, and sections 60-301,
4 60-302, 60-363, 60-3,104, and 60-3,229, Revised Statutes Supplement,
5 2017; to define and redefine terms; to provide for registration of
6 metropolitan utilities district vehicles as prescribed; to change
7 provisions relating to types and issuance of license plates,
8 registration fees and certificates, gross vehicle weight, and towing
9 of trailers; to harmonize provisions; to provide an operative date;
10 and to repeal the original sections.

11 Be it enacted by the people of the State of Nebraska,

1 Section 1. Section 60-301, Revised Statutes Supplement, 2017, is
2 amended to read:

3 60-301 Sections 60-301 to 60-3,235 and section 4 of this act shall
4 be known and may be cited as the Motor Vehicle Registration Act.

5 Sec. 2. Section 60-302, Revised Statutes Supplement, 2017, is
6 amended to read:

7 60-302 For purposes of the Motor Vehicle Registration Act, unless
8 the context otherwise requires, the definitions found in sections
9 60-302.01 to 60-360 and section 4 of this act shall be used.

10 Sec. 3. Section 60-316, Revised Statutes Cumulative Supplement,
11 2016, is amended to read:

12 60-316 Commercial motor vehicle means any motor vehicle used or
13 maintained for the transportation of persons or property for hire,
14 compensation, or profit or designed, used, or maintained primarily for
15 the transportation of property and does not include farm trucks,
16 metropolitan utilities district motor vehicles, or public power district
17 motor vehicles.

18 Sec. 4. Metropolitan utilities district means a district created
19 pursuant to section 14-2101.

20 Sec. 5. Section 60-363, Revised Statutes Supplement, 2017, is
21 amended to read:

22 60-363 (1) No person shall operate or park a motor vehicle on the
23 highways unless such motor vehicle at all times carries in or upon it,
24 subject to inspection by any peace officer, the registration certificate
25 issued for it.

26 (2) No person shall tow or park a trailer on the highways unless the
27 registration certificate issued for the trailer or a copy thereof is
28 carried in or upon the trailer or in or upon the motor vehicle that is
29 towing or parking the trailer, subject to inspection by any peace
30 officer, except as provided in subsection (4) of this section and except
31 fertilizer trailers as defined in section 60-326. The registration

1 certificate for a fertilizer trailer shall be kept at the principal place
2 of business of the owner of the fertilizer trailer.

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

6 (4) In the case of a motor vehicle or trailer operated by a
7 metropolitan utilities district or public power district registered
8 pursuant to section 60-3,228, the registration certificate shall be kept
9 at the principal place of business of the metropolitan utilities district
10 or public power district.

11 Sec. 6. Section 60-3,104, Revised Statutes Supplement, 2017, is
12 amended to read:

13 60-3,104 The department shall issue the following types of license
14 plates:

15 (1) Amateur radio station license plates issued pursuant to section
16 60-3,126;

17 (2) Apportionable vehicle license plates issued pursuant to section
18 60-3,203;

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

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

21 (5) Breast Cancer Awareness Plates issued pursuant to sections
22 60-3,230 and 60-3,231;

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

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

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

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

30 (10) Disabled veteran license plates issued pursuant to section
31 60-3,124;

- 1 (11) Farm trailer license plates issued pursuant to section
2 60-3,151;
- 3 (12) Farm truck license plates issued pursuant to section 60-3,146;
- 4 (13) Farm trucks with a gross weight of over sixteen tons license
5 plates issued pursuant to section 60-3,146;
- 6 (14) Fertilizer trailer license plates issued pursuant to section
7 60-3,151;
- 8 (15) Gold Star Family license plates issued pursuant to sections
9 60-3,122.01 and 60-3,122.02;
- 10 (16) Handicapped or disabled person license plates issued pursuant
11 to section 60-3,113;
- 12 (17) Historical vehicle license plates issued pursuant to sections
13 60-3,130 to 60-3,134;
- 14 (18) Local truck license plates issued pursuant to section 60-3,145;
- 15 (19) Metropolitan utilities district license plates issued pursuant
16 to section 60-3,228;
- 17 (20) ~~(19)~~ Military Honor Plates issued pursuant to sections
18 60-3,122.03 and 60-3,122.04;
- 19 (21) ~~(20)~~ Minitruck license plates issued pursuant to section
20 60-3,100;
- 21 (22) ~~(21)~~ Motor vehicle license plates for motor vehicles owned or
22 operated by the state, counties, municipalities, or school districts
23 issued pursuant to section 60-3,105;
- 24 (23) ~~(22)~~ Motor vehicles exempt pursuant to section 60-3,107;
- 25 (24) ~~(23)~~ Motorcycle license plates issued pursuant to section
26 60-3,100;
- 27 (25) ~~(24)~~ Mountain Lion Conservation Plates issued pursuant to
28 sections 60-3,226 and 60-3,227;
- 29 (26) ~~(25)~~ Native American Cultural Awareness and History Plates
30 issued pursuant to sections 60-3,234 and 60-3,235;
- 31 (27) ~~(26)~~ Nebraska Cornhusker Spirit Plates issued pursuant to

1 sections 60-3,127 to 60-3,129;

2 (28) ~~(27)~~ Nebraska 150 Sesquicentennial Plates issued pursuant to
3 sections 60-3,223 to 60-3,225;

4 (29) ~~(28)~~ Nonresident owner thirty-day license plates issued
5 pursuant to section 60-382;

6 (30) ~~(29)~~ Passenger car having a seating capacity of ten persons or
7 less and not used for hire issued pursuant to section 60-3,143 other than
8 autocycles;

9 (31) ~~(30)~~ Passenger car having a seating capacity of ten persons or
10 less and used for hire issued pursuant to section 60-3,143 other than
11 autocycles;

12 (32) ~~(31)~~ Pearl Harbor license plates issued pursuant to section
13 60-3,122;

14 (33) ~~(32)~~ Personal-use dealer license plates issued pursuant to
15 section 60-3,116;

16 (34) ~~(33)~~ Personalized message license plates for motor vehicles,
17 trailers, and semitrailers, except motor vehicles, trailers, and
18 semitrailers registered under section 60-3,198, issued pursuant to
19 sections 60-3,118 to 60-3,121;

20 (35) ~~(34)~~ Prisoner-of-war license plates issued pursuant to section
21 60-3,123;

22 (36) ~~(35)~~ Public power district license plates issued pursuant to
23 section 60-3,228;

24 (37) ~~(36)~~ Purple Heart license plates issued pursuant to section
25 60-3,125;

26 (38) ~~(37)~~ Recreational vehicle license plates issued pursuant to
27 section 60-3,151;

28 (39) ~~(38)~~ Repossession license plates issued pursuant to section
29 60-375;

30 (40) ~~(39)~~ Special interest motor vehicle license plates issued
31 pursuant to section 60-3,135.01;

1 ~~(41)~~ ~~(40)~~ Specialty license plates issued pursuant to sections
2 60-3,104.01 and 60-3,104.02;

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

6 ~~(43)~~ ~~(42)~~ Trailer license plates issued pursuant to section
7 60-3,100;

8 ~~(44)~~ ~~(43)~~ Trailer license plates issued for trailers owned or
9 operated by a metropolitan utilities district or public power district
10 pursuant to section 60-3,228;

11 ~~(45)~~ ~~(44)~~ Trailers exempt pursuant to section 60-3,108;

12 ~~(46)~~ ~~(45)~~ Transporter license plates issued pursuant to section
13 60-378;

14 ~~(47)~~ ~~(46)~~ Trucks or combinations of trucks, truck-tractors, or
15 trailers which are not for hire and engaged in soil and water
16 conservation work and used for the purpose of transporting pipe and
17 equipment exclusively used by such contractors for soil and water
18 conservation construction license plates issued pursuant to section
19 60-3,149;

20 ~~(48)~~ ~~(47)~~ Utility trailer license plates issued pursuant to section
21 60-3,151; and

22 ~~(49)~~ ~~(48)~~ Well-boring apparatus and well-servicing equipment license
23 plates issued pursuant to section 60-3,109.

24 Sec. 7. Section 60-3,147, Revised Statutes Cumulative Supplement,
25 2016, is amended to read:

26 60-3,147 (1) The registration fee on commercial motor vehicles,
27 metropolitan utilities district motor vehicles, and public power district
28 motor vehicles, except those motor vehicles registered under section
29 60-3,198, shall be based upon the gross vehicle weight, not to exceed the
30 maximum authorized by section 60-6,294.

31 (2) The registration fee on commercial motor vehicles, metropolitan

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

7 Sec. 8. Section 60-3,148, Revised Statutes Cumulative Supplement,
8 2016, is amended to read:

9 60-3,148 No owner of a commercial motor vehicle, metropolitan
10 utilities district motor vehicle, or public power district motor vehicle
11 shall be permitted to increase the gross vehicle weight for which such
12 commercial motor vehicle, metropolitan utilities district motor vehicle,
13 or public power district motor vehicle is registered except at the office
14 of the county treasurer in the county where such commercial motor
15 vehicle, metropolitan utilities district motor vehicle, or public power
16 district motor vehicle is currently registered unless the need for such
17 increase occurs when such commercial motor vehicle is more than one
18 hundred miles from the county seat of such county or the metropolitan
19 utilities district motor vehicle or public power district motor vehicle
20 is more than one hundred miles from its base location, unless authorized
21 to do so by the Nebraska State Patrol or authorized state scale examiner
22 as an emergency.

23 Sec. 9. Section 60-3,221, Revised Statutes Cumulative Supplement,
24 2016, is amended to read:

25 60-3,221 (1) Except as otherwise provided in the Motor Vehicle
26 Registration Act:

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

28 (i) Passenger car;

29 (ii) Commercial motor vehicle or apportionable vehicle;

30 (iii) Farm truck;

31 (iv) Local truck;

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

- 1 (v) A dealer-plated vehicle;
- 2 (vi) A personal-use dealer-plated vehicle;
- 3 (vii) A properly registered bus;
- 4 (viii) A properly registered farm truck; or
- 5 (ix) A properly registered metropolitan utilities district motor
- 6 vehicle or public power district motor vehicle;
- 7 (e) A fertilizer trailer shall only be towed by a properly
- 8 registered:
- 9 (i) Passenger car;
- 10 (ii) Commercial motor vehicle or apportionable vehicle;
- 11 (iii) Farm truck; or
- 12 (iv) Local truck;
- 13 (f) A pole and cable reel trailer shall only be towed by a properly
- 14 registered:
- 15 (i) Commercial motor vehicle or apportionable vehicle;
- 16 (ii) Local truck; or
- 17 (iii) Metropolitan utilities district motor vehicle or public ~~Public~~
- 18 power district motor vehicle;
- 19 (g) A dealer-plated trailer shall only be towed by:
- 20 (i) A dealer-plated vehicle;
- 21 (ii) A properly registered passenger car;
- 22 (iii) A properly registered commercial motor vehicle or
- 23 apportionable vehicle;
- 24 (iv) A properly registered farm truck;
- 25 (v) A properly registered minitruck; or
- 26 (vi) A personal-use dealer-plated vehicle; and
- 27 (h) Trailers registered pursuant to section 60-3,198 as part of an
- 28 apportioned fleet shall only be towed by:
- 29 (i) A properly registered motor vehicle which is engaged in soil and
- 30 water conservation pursuant to section 60-3,149;
- 31 (ii) A properly registered local truck;

- 1 (iii) A properly registered well-boring apparatus;
- 2 (iv) A properly registered commercial motor vehicle or apportionable
- 3 vehicle;
- 4 (v) A dealer-plated vehicle;
- 5 (vi) A personal-use dealer-plated vehicle;
- 6 (vii) A properly registered bus; or
- 7 (viii) A properly registered farm truck.

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

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

13 Sec. 10. Section 60-3,228, Revised Statutes Cumulative Supplement,
14 2016, is amended to read:

15 60-3,228 (1) Upon application and payment of the fees required
16 pursuant to this section and section 60-3,229, each motor vehicle and
17 trailer operated by a metropolitan utilities district or a public power
18 district shall be issued permanent metropolitan utilities district or
19 public power district license plates. The metropolitan utilities district
20 or public power district license plates shall be issued by the county in
21 which the metropolitan utilities district or public power district is
22 headquartered.

23 (2) Metropolitan utilities district vehicles or public ~~Public~~ power
24 district vehicles shall display a distinctive license plate provided by
25 the department pursuant to this section.

26 (3) Any license plate issued pursuant to this section shall remain
27 affixed to the front and rear of the motor vehicle and to the rear of the
28 trailer as long as the metropolitan utilities district vehicle or public
29 power district vehicle is registered pursuant to this section by the
30 owner or lessor making the original application pursuant to subsection
31 (1) of this section.

1 Sec. 11. Section 60-3,229, Revised Statutes Supplement, 2017, is
2 amended to read:

3 60-3,229 The registration fee for a metropolitan utilities district
4 motor vehicle or public power district motor vehicle shall be the fee
5 provided for commercial motor vehicles in section 60-3,147. The
6 registration fee for a metropolitan utilities district trailer or public
7 power district trailer shall be the fee provided for a trailer in section
8 60-3,151.

9 Sec. 12. This act becomes operative on January 1, 2019.

10 Sec. 13. Original sections 60-316, 60-3,147, 60-3,148, 60-3,221,
11 and 60-3,228, Revised Statutes Cumulative Supplement, 2016, and sections
12 60-301, 60-302, 60-363, 60-3,104, and 60-3,229, Revised Statutes
13 Supplement, 2017, are repealed.