

LEGISLATURE OF NEBRASKA
ONE HUNDRED SIXTH LEGISLATURE
SECOND SESSION

LEGISLATIVE BILL 944

FINAL READING

Introduced by Geist, 25; Friesen, 34.

Read first time January 13, 2020

Committee: Transportation and Telecommunications

1 A BILL FOR AN ACT relating to transportation; to amend sections 18-1214,
2 37-327.03, 38-129, 60-142.01, 60-3,137, 60-3,203, 60-3,212,
3 66-1406.02, 66-1424, 75-362, 75-369.03, 75-386, 75-398, and 75-399,
4 Reissue Revised Statutes of Nebraska, sections 4-111, 60-192,
5 60-331.02, 60-3,104.02, 60-3,205, 60-484.04, 60-484.05, 60-4,113,
6 60-4,114, 60-4,138, 60-4,141, 60-4,168, 60-6,294, 60-6,297, and
7 60-6,356, Revised Statutes Cumulative Supplement, 2018, and sections
8 60-107, 60-119.01, 60-144, 60-301, 60-302.01, 60-336.01, 60-386,
9 60-393, 60-395, 60-396, 60-3,104, 60-3,113.04, 60-3,122.03,
10 60-3,127, 60-3,130.04, 60-3,193.01, 60-3,198, 60-3,226, 60-3,230,
11 60-3,232, 60-3,234, 60-3,237, 60-3,238, 60-3,239, 60-3,240,
12 60-3,241, 60-3,242, 60-3,243, 60-462.01, 60-479.01, 60-495,
13 60-4,111.01, 60-4,132, 60-4,134, 60-4,147.02, 60-4,182, 60-501,
14 60-628.01, 60-6,265, 60-6,290, 60-2705, 60-2909.01, 75-363, 75-364,
15 75-366, 75-392, and 75-393, Revised Statutes Supplement, 2019; to
16 change provisions relating to the federal REAL ID Act of 2005 and
17 certain motor vehicle fees imposed by cities and villages; to update
18 certain federal references; to redefine handicapped or disabled
19 person for purposes of motor vehicle registration; to change
20 provisions relating to a certificate of title for a junked vehicle
21 and odometer statements; to provide for a refund or credit of fees
22 for a loss of possession due to natural disaster; to update a

1 reference to the International Registration Plan; to eliminate
2 provisions relating to certain replacement permanent plates; to
3 authorize temporary license stickers as prescribed; to change and
4 provide provisions relating to license plates, fees, and
5 distribution of the fees; to provide for electronic delivery of an
6 operator's license or state identification card and for a remote
7 knowledge inquiry; to change provisions relating to restrictions to
8 a commercial driver's license and a commercial learner's permit,
9 lifetime disqualifications from operating a commercial motor
10 vehicle, the point system for traffic violations, and vehicle length
11 and weight limits; to provide for the crossing of a controlled-
12 access highway by an all-terrain vehicle or utility-type vehicle as
13 prescribed; to change provisions relating to the International Fuel
14 Tax Agreement Act; to define and redefine terms; to change certain
15 civil penalties; to change provisions relating to the unified
16 carrier registration plan and agreement; to create funds; to
17 harmonize provisions; to provide operative dates; to repeal the
18 original sections; and to declare an emergency.

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

1 Section 1. Section 4-111, Revised Statutes Cumulative Supplement,
2 2018, is amended to read:

3 4-111 (1) Verification of lawful presence in the United States
4 pursuant to section 4-108 requires that the applicant for public benefits
5 attest in a format prescribed by the Department of Administrative
6 Services that:

7 (a) He or she is a United States citizen; or

8 (b) He or she is a qualified alien under the federal Immigration and
9 Nationality Act, 8 U.S.C. 1101 et seq., as such act existed on January 1,
10 2009, and is lawfully present in the United States.

11 (2) A state agency or political subdivision of the State of Nebraska
12 may adopt and promulgate rules and regulations or procedures for the
13 electronic filing of the attestation required under subsection (1) of
14 this section if such attestation is substantially similar to the format
15 prescribed by the Department of Administrative Services.

16 (3)(a) The Legislature finds that it is in the best interest of the
17 State of Nebraska to make full use of the skills and talents in the state
18 by ensuring that a person who is work-authorized is able to obtain a
19 professional or commercial license and practice his or her profession.

20 (b) For purposes of a professional or commercial license, the
21 Legislature finds that a person not described in subdivision (1)(a) or
22 (1)(b) of this section who submits (i) an unexpired employment
23 authorization document issued by the United States Department of Homeland
24 Security, Form I-766, and (ii) documentation issued by the United States
25 Department of Homeland Security, the United States Citizenship and
26 Immigration Services, or any other federal agency, such as one of the
27 types of Form I-797 used by the United States Citizenship and Immigration
28 Services, demonstrating that such person is described in section 202(c)
29 (2)(B)(i) through (x) ~~(ix)~~ of the federal REAL ID Act of 2005, Public Law
30 109-13, has demonstrated lawful presence pursuant to section 4-108 and is
31 eligible to obtain such license. Such license shall be valid only for the

1 period of time during which such person's employment authorization
2 document is valid. Nothing in this subsection shall affect the
3 requirements to obtain a professional or commercial license that are
4 unrelated to the lawful presence requirements demonstrated pursuant to
5 this subsection.

6 (c) Nothing in this subsection shall be construed to grant
7 eligibility for any public benefits other than obtaining a professional
8 or commercial license.

9 (d) Any person who has complied with the requirements of this
10 subsection shall have his or her employment authorization document
11 verified through the Systematic Alien Verification for Entitlements
12 Program operated by the United States Department of Homeland Security or
13 an equivalent program designated by the United States Department of
14 Homeland Security.

15 (e) The Legislature enacts this subsection pursuant to the authority
16 provided in 8 U.S.C. 1621(d), as such section existed on January 1, 2016.

17 Sec. 2. Section 18-1214, Reissue Revised Statutes of Nebraska, is
18 amended to read:

19 18-1214 (1)(a) ~~(1)~~ Except as otherwise provided in subsection (3)
20 of this section, the governing body of any city or village shall have
21 power to require any individual whose primary residence or person who
22 owns a place of business which is within the limits of the city or
23 village and that owns and operates a motor vehicle within such limits to
24 pay an annual motor vehicle fee and to require the payment of such fee
25 upon the change of ownership of such vehicle. All such fees which may be
26 provided for under this subsection shall be used exclusively for
27 constructing, repairing, maintaining, or improving streets, roads,
28 alleys, public ways, or parts thereof or for the amortization of bonded
29 indebtedness when created for such purposes.

30 (b) To ensure compatibility with the Vehicle Title and Registration
31 System maintained by the Department of Motor Vehicles:

1 (i) Any city or village that collects the annual motor vehicle fee
2 authorized under this section shall use the plate types listed under
3 section 60-3,104 and, as applicable, weight categories listed under the
4 Motor Vehicle Registration Act when reporting information to the Vehicle
5 Title and Registration System; and

6 (ii) Any city or village that adopts an annual motor vehicle fee
7 under this section or that modifies an existing motor vehicle fee shall
8 notify the Department of Motor Vehicles of such new or modified fee
9 within ten business days after the passage of the ordinance authorizing
10 such new or modified fee and at least sixty days prior to the
11 implementation of such new or modified fee.

12 (2) No motor vehicle fee shall be required under this section if (a)
13 a vehicle is used or stored but temporarily in such city or village for a
14 period of six months or less in a twelve-month period, (b) an individual
15 does not have a primary residence or a person does not own a place of
16 business within the limits of the city or village and does not own and
17 operate a motor vehicle within the limits of the city or village, or (c)
18 an individual is a full-time student attending a postsecondary
19 institution within the limits of the city or village and the motor
20 vehicle's situs under the Motor Vehicle Certificate of Title Act is
21 different from the place at which he or she is attending such
22 institution.

23 (3) After December 31, 2012, no motor vehicle fee shall be required
24 of any individual whose primary residence is or person who owns a place
25 of business within the extraterritorial zoning jurisdiction of such city
26 or village.

27 (4) The fee shall be paid to the county treasurer of the county in
28 which such city or village is located when the registration fees as
29 provided in the Motor Vehicle Registration Act are paid. Such fees shall
30 be credited by the county treasurer to the road fund of such city or
31 village.

1 (5) For purposes of this section:

2 (a) Limits of the city or village includes the extraterritorial
3 zoning jurisdiction of such city or village; and

4 (b) Person includes bodies corporate, societies, communities, the
5 public generally, individuals, partnerships, limited liability companies,
6 joint-stock companies, cooperatives, and associations. Person does not
7 include any federal, state, or local government or any political
8 subdivision thereof.

9 Sec. 3. Section 37-327.03, Reissue Revised Statutes of Nebraska, is
10 amended to read:

11 37-327.03 The Game and Parks State Park Improvement and Maintenance
12 Fund is created. The fund shall consist of transfers made by the
13 Legislature, money credited to the fund pursuant to section 50 of this
14 act, and any gifts, grants, bequests, or donations to the fund. The money
15 credited to the fund pursuant to section 50 of this act shall be used
16 only for the improvement and maintenance of state recreational trails as
17 defined in section 37-338. Any other money Money in the fund shall be
18 used to build, repair, renovate, rehabilitate, restore, modify, or
19 improve any infrastructure in the state park system. Any money in the
20 fund available for investment shall be invested by the state investment
21 officer pursuant to the Nebraska Capital Expansion Act and the Nebraska
22 State Funds Investment Act.

23 Sec. 4. Section 38-129, Reissue Revised Statutes of Nebraska, is
24 amended to read:

25 38-129 (1) No individual shall be issued a credential under the
26 Uniform Credentialing Act until he or she has furnished satisfactory
27 evidence to the department that he or she is of good character and has
28 attained the age of nineteen years except as otherwise specifically
29 provided by statute, rule, or regulation.

30 (2) A credential may only be issued to (a) a citizen of the United
31 States, (b) an alien lawfully admitted into the United States who is

1 eligible for a credential under the Uniform Credentialing Act, (c) a
2 nonimmigrant lawfully present in the United States who is eligible for a
3 credential under the Uniform Credentialing Act, or (d) a person who
4 submits (i) an unexpired employment authorization document issued by the
5 United States Department of Homeland Security, Form I-766, and (ii)
6 documentation issued by the United States Department of Homeland
7 Security, the United States Citizenship and Immigration Services, or any
8 other federal agency, such as one of the types of Form I-797 used by the
9 United States Citizenship and Immigration Services, demonstrating that
10 such person is described in section 202(c)(2)(B)(i) through (x) ~~(ix)~~ of
11 the federal REAL ID Act of 2005, Public Law 109-13. Such credential shall
12 be valid only for the period of time during which such person's
13 employment authorization document is valid.

14 Sec. 5. Section 60-107, Revised Statutes Supplement, 2019, is
15 amended to read:

16 60-107 Cabin trailer means a trailer or a semitrailer, which is
17 designed, constructed, and equipped as a dwelling place, living abode, or
18 sleeping place, whether used for such purposes or instead permanently or
19 temporarily for the advertising, sale, display, or promotion of
20 merchandise or services or for any other commercial purpose except
21 transportation of property for hire or transportation of property for
22 distribution by a private carrier. Cabin trailer does not mean a trailer
23 or semitrailer which is permanently attached to real estate. There are
24 four classes of cabin trailers:

25 (1) Camping trailer which includes cabin trailers one hundred two
26 inches or less in width and forty feet or less in length and adjusted
27 mechanically smaller for towing;

28 (2) Mobile home which includes cabin trailers more than one hundred
29 two inches in width or more than forty feet in length;

30 (3) Travel trailer which includes cabin trailers not more than one
31 hundred two inches in width nor more than forty feet in length from front

1 hitch to rear bumper, except as provided in subdivision (2)(k) of section
2 60-6,288; and

3 (4) Manufactured home means a structure, transportable in one or
4 more sections, which in the traveling mode is eight body feet or more in
5 width or forty body feet or more in length or when erected on site is
6 three hundred twenty or more square feet and which is built on a
7 permanent frame and designed to be used as a dwelling with or without a
8 permanent foundation when connected to the required utilities and
9 includes the plumbing, heating, air conditioning, and electrical systems
10 contained in the structure, except that manufactured home includes any
11 structure that meets all of the requirements of this subdivision other
12 than the size requirements and with respect to which the manufacturer
13 voluntarily files a certification required by the United States Secretary
14 of Housing and Urban Development and complies with the standards
15 established under the National Manufactured Housing Construction and
16 Safety Standards Act of 1974, as such act existed on January 1, 2020
17 ~~2019~~, 42 U.S.C. 5401 et seq.

18 Sec. 6. Section 60-119.01, Revised Statutes Supplement, 2019, is
19 amended to read:

20 60-119.01 Low-speed vehicle means a (1) four-wheeled motor vehicle
21 (a) whose speed attainable in one mile is more than twenty miles per hour
22 and not more than twenty-five miles per hour on a paved, level surface,
23 (b) whose gross vehicle weight rating is less than three thousand pounds,
24 and (c) that complies with 49 C.F.R. part 571, as such part existed on
25 January 1, 2020 ~~2019~~, or (2) three-wheeled motor vehicle (a) whose
26 maximum speed attainable is not more than twenty-five miles per hour on a
27 paved, level surface, (b) whose gross vehicle weight rating is less than
28 three thousand pounds, and (c) which is equipped with a windshield and an
29 occupant protection system. A motorcycle with a sidecar attached is not a
30 low-speed vehicle.

31 Sec. 7. Section 60-142.01, Reissue Revised Statutes of Nebraska, is

1 amended to read:

2 60-142.01 (1) If the owner does not have a certificate of title for
3 a vehicle which was manufactured prior to 1940 and which has not had any
4 major component part replaced, the department shall search its records
5 for evidence of issuance of a Nebraska certificate of title for such
6 vehicle at the request of the owner. If no certificate of title has been
7 issued for such vehicle in the thirty-year period prior to application,
8 the owner may transfer title to the vehicle by giving the transferee a
9 notarized bill of sale, an affidavit in support of the application for
10 title, a statement that an inspection has been conducted on the vehicle,
11 and a statement from the department that no certificate of title has been
12 issued for such vehicle in the thirty-year period prior to application.
13 The transferee may apply for a certificate of title pursuant to section
14 60-149 by presenting the documentation described in this section in lieu
15 of a certificate of title.

16 (2) If the owner has a certificate of title for a vehicle which was
17 previously classified as junked, which was manufactured prior to 1940,
18 and which has not had any major component part replaced, the director, in
19 his or her discretion, may issue a salvage title if it is shown to his or
20 her satisfaction that the vehicle has been inspected and the vehicle has
21 been restored to its original specifications.

22 Sec. 8. Section 60-144, Revised Statutes Supplement, 2019, is
23 amended to read:

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

1 (ii) This subdivision applies beginning on an implementation date
2 designated by the director. The director shall designate an
3 implementation date which is on or before January 1, 2021. In addition to
4 the information required under subdivision (1)(a)(i) of this section, the
5 application for a certificate of title shall contain (A)(I) the full
6 legal name as defined in section 60-468.01 of each owner or (II) the name
7 of each owner as such name appears on the owner's motor vehicle
8 operator's license or state identification card and (B)(I) the motor
9 vehicle operator's license number or state identification card number of
10 each owner, if applicable, and one or more of the identification elements
11 as listed in section 60-484 of each owner, if applicable, and (II) if any
12 owner is a business entity, a nonprofit organization, an estate, a trust,
13 or a church-controlled organization, its tax identification number.

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

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

22 (d) The department shall issue certificates of title pursuant to
23 subsection (2) of section 60-142.01 and section 60-142.06. Application
24 for a certificate of title shall be made upon a form prescribed by the
25 department. All applications shall be accompanied by the appropriate fee
26 or fees.

27 (e) The department shall issue certificates of title pursuant to
28 section 60-142.09. Application for a certificate of title shall be made
29 upon a form prescribed by the department. All applications shall be
30 accompanied by the appropriate fee or fees.

31 (2) If the owner of an all-terrain vehicle, a utility-type vehicle,

1 or a minibike resides in Nebraska, the application shall be filed with
2 the county treasurer of the county in which the owner resides.

3 (3)(a) If a vehicle has situs in Nebraska, the application for a
4 certificate of title may be filed with the county treasurer of any
5 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 60-1507 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. 9. Section 60-192, Revised Statutes Cumulative Supplement,
27 2018, is amended to read:

28 60-192 (1) The transferor of any motor vehicle described in
29 subsection (2) of this section ~~of an age of less than ten years~~, which
30 was equipped with an odometer by the manufacturer, shall provide to the
31 transferee a statement, signed by the transferor, setting forth:

1 ~~(a) (1)~~ The mileage on the odometer at the time of transfer; and
2 ~~(b)(i) A (2)(a)~~ a statement that, to the transferor's best
3 knowledge, such mileage is that actually driven by the motor vehicle; ~~τ~~
4 ~~(ii) A (b)~~ a statement that the transferor has knowledge that the
5 mileage shown on the odometer is in excess of the designated mechanical
6 odometer limit; ~~τ~~ or
7 ~~(iii) A (c)~~ a statement that the odometer reading does not reflect
8 the actual mileage and should not be relied upon because the transferor
9 has knowledge that the odometer reading differs from the actual mileage
10 and that the difference is greater than that caused by odometer
11 calibration error.

12 (2) Prior to January 1, 2021, this section applies to the transfer
13 of any motor vehicle of an age of less than ten years. Beginning January
14 1, 2021, this section applies to the transfer of any motor vehicle with a
15 manufacturer's model year designation of 2011 or newer and an age of less
16 than twenty years.

17 ~~(3)~~ If a discrepancy exists between the odometer reading and the
18 actual mileage, a warning notice to alert the transferee shall be
19 included with the statement. The transferor shall retain a true copy of
20 such statement for a period of five years from the date of the
21 transaction.

22 ~~(4)~~ Beginning on the implementation date designated by the director
23 pursuant to subsection (2) of section 60-1508, if motor vehicle ownership
24 has been transferred by operation of law pursuant to repossession under
25 subdivision (2)(b)(iv) of section 60-166, the mileage shall be listed as
26 the odometer reading at the time of the most recent transfer of ownership
27 prior to the repossession of the motor vehicle. The adjustment shall not
28 be deemed a violation of section 60-190.

29 Sec. 10. Section 60-301, Revised Statutes Supplement, 2019, is
30 amended to read:

31 60-301 Sections 60-301 to 60-3,244 and sections 41 to 50 of this act

1 shall be known and may be cited as the Motor Vehicle Registration Act.

2 Sec. 11. Section 60-302.01, Revised Statutes Supplement, 2019, is
3 amended to read:

4 60-302.01 Access aisle means a space adjacent to a handicapped
5 parking space or passenger loading zone which is constructed and designed
6 in compliance with the federal Americans with Disabilities Act of 1990
7 and the federal regulations adopted in response to the act, as the act
8 and the regulations existed on January 1, 2020 ~~2019~~.

9 Sec. 12. Section 60-331.02, Revised Statutes Cumulative Supplement,
10 2018, is amended to read:

11 60-331.02 Handicapped or disabled person means any individual with a
12 severe visual, neurological, or physical impairment which limits personal
13 mobility and results in an inability to travel more than two hundred feet
14 without stopping or without the use of a wheelchair, crutch, walker, or
15 prosthetic, orthotic, or other assistant device, any individual whose
16 personal mobility is limited as a result of respiratory problems, any
17 individual who has a cardiac condition to the extent that his or her
18 functional limitations are classified in severity as being Class III or
19 Class IV, according to standards set by the American Heart Association,
20 and any individual who has permanently lost all or substantially all the
21 use of one or more limbs.

22 Sec. 13. Section 60-336.01, Revised Statutes Supplement, 2019, is
23 amended to read:

24 60-336.01 Low-speed vehicle means a (1) four-wheeled motor vehicle
25 (a) whose speed attainable in one mile is more than twenty miles per hour
26 and not more than twenty-five miles per hour on a paved, level surface,
27 (b) whose gross vehicle weight rating is less than three thousand pounds,
28 and (c) that complies with 49 C.F.R. part 571, as such part existed on
29 January 1, 2020 ~~2019~~, or (2) three-wheeled motor vehicle (a) whose
30 maximum speed attainable is not more than twenty-five miles per hour on a
31 paved, level surface, (b) whose gross vehicle weight rating is less than

1 three thousand pounds, and (c) which is equipped with a windshield and an
2 occupant protection system. A motorcycle with a sidecar attached is not a
3 low-speed vehicle.

4 Sec. 14. Section 60-386, Revised Statutes Supplement, 2019, is
5 amended to read:

6 60-386 (1) Each new application shall contain, in addition to other
7 information as may be required by the department, the name and
8 residential and mailing address of the applicant and a description of the
9 motor vehicle or trailer, including the color, the manufacturer, the
10 identification number, the United States Department of Transportation
11 number if required by 49 C.F.R. 390.5 to 390.21, as such regulations
12 existed on January 1, 2020 ~~2019~~, and the weight of the motor vehicle or
13 trailer required by the Motor Vehicle Registration Act. Beginning on the
14 implementation date designated by the director pursuant to subsection (4)
15 of section 60-1508, for trailers which are not required to have a
16 certificate of title under section 60-137 and which have no
17 identification number, the assignment of an identification number shall
18 be required and the identification number shall be issued by the county
19 treasurer or department. With the application the applicant shall pay the
20 proper registration fee and shall state whether the motor vehicle is
21 propelled by alternative fuel and, if alternative fuel, the type of fuel.
22 The application shall also contain a notification that bulk fuel
23 purchasers may be subject to federal excise tax liability. The department
24 shall include such notification in the notices required by section
25 60-3,186.

26 (2) This subsection applies beginning on an implementation date
27 designated by the director. The director shall designate an
28 implementation date which is on or before January 1, 2021. In addition to
29 the information required under subsection (1) of this section, the
30 application for registration shall contain (a)(i) the full legal name as
31 defined in section 60-468.01 of each owner or (ii) the name of each owner

1 as such name appears on the owner's motor vehicle operator's license or
2 state identification card and (b)(i) the motor vehicle operator's license
3 number or state identification card number of each owner, if applicable,
4 and one or more of the identification elements as listed in section
5 60-484 of each owner, if applicable, and (ii) if any owner is a business
6 entity, a nonprofit organization, an estate, a trust, or a church-
7 controlled organization, its tax identification number.

8 Sec. 15. Section 60-393, Revised Statutes Supplement, 2019, is
9 amended to read:

10 60-393 Any owner who has two or more motor vehicles or trailers
11 required to be registered under the Motor Vehicle Registration Act may
12 register all such motor vehicles or trailers on a calendar-year basis or
13 on an annual basis for the same registration period beginning in a month
14 chosen by the owner. When electing to establish the same registration
15 period for all such motor vehicles or trailers, the owner shall pay the
16 registration fee, the motor vehicle tax imposed in section 60-3,185, the
17 motor vehicle fee imposed in section 60-3,190, and the alternative fuel
18 fee imposed in section 60-3,191 on each motor vehicle for the number of
19 months necessary to extend its current registration period to the
20 registration period under which all such motor vehicles or trailers will
21 be registered. Credit shall be given for registration paid on each motor
22 vehicle or trailer when the motor vehicle or trailer has a later
23 expiration date than that chosen by the owner except as otherwise
24 provided in sections 60-3,121, 60-3,122.02, 60-3,122.04, 60-3,128,
25 60-3,224, 60-3,227, 60-3,233, 60-3,235, 60-3,238, 60-3,240, 60-3,242, and
26 60-3,244 and sections 42, 44, 46, 48, and 50 of this act. Thereafter all
27 such motor vehicles or trailers shall be registered on an annual basis
28 starting in the month chosen by the owner.

29 Sec. 16. Section 60-395, Revised Statutes Supplement, 2019, is
30 amended to read:

31 60-395 (1) Except as otherwise provided in subsection (2) of this

1 section and sections 60-3,121, 60-3,122.02, 60-3,122.04, 60-3,128,
2 60-3,224, 60-3,227, 60-3,231, 60-3,233, 60-3,235, 60-3,238, 60-3,240,
3 60-3,242, and 60-3,244 and sections 42, 44, 46, 48, and 50 of this act,
4 the registration shall expire and the registered owner or lessee may, by
5 returning the registration certificate, the license plates, and, when
6 appropriate, the validation decals and by either making application on a
7 form prescribed by the department to the county treasurer of the
8 occurrence of an event described in subdivisions (a) through (e) of this
9 subsection or, in the case of a change in situs, displaying to the county
10 treasurer the registration certificate of such other state as evidence of
11 a change in situs, receive a refund of that part of the unused fees and
12 taxes on motor vehicles or trailers based on the number of unexpired
13 months remaining in the registration period from the date of any of the
14 following events:

- 15 (a) Upon transfer of ownership of any motor vehicle or trailer;
- 16 (b) In case of loss of possession because of fire, natural disaster,
17 theft, dismantlement, or junking;
- 18 (c) When a salvage branded certificate of title is issued;
- 19 (d) Whenever a type or class of motor vehicle or trailer previously
20 registered is subsequently declared by legislative act or court decision
21 to be illegal or ineligible to be operated or towed on the public roads
22 and no longer subject to registration fees, the motor vehicle tax imposed
23 in section 60-3,185, the motor vehicle fee imposed in section 60-3,190,
24 and the alternative fuel fee imposed in section 60-3,191;
- 25 (e) Upon a trade-in or surrender of a motor vehicle under a lease;
26 or
- 27 (f) In case of a change in the situs of a motor vehicle or trailer
28 to a location outside of this state.

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

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

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

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

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

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

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

1 Sec. 17. Section 60-396, Revised Statutes Supplement, 2019, is
2 amended to read:

3 60-396 Whenever the registered owner files an application with the
4 county treasurer showing that a motor vehicle, trailer, or semitrailer is
5 disabled and has been removed from service, the registered owner may, by
6 returning the registration certificate, the license plates, and, when
7 appropriate, the validation decals or, in the case of the unavailability
8 of such registration certificate or certificates, license plates, or
9 validation decals, then by making an affidavit to the county treasurer of
10 such disablement and removal from service, receive a credit for a portion
11 of the registration fee from the fee deposited with the State Treasurer
12 at the time of registration based upon the number of unexpired months
13 remaining in the registration year except as otherwise provided in
14 sections 60-3,121, 60-3,122.02, 60-3,122.04, 60-3,128, 60-3,224,
15 60-3,227, 60-3,233, 60-3,235, 60-3,238, 60-3,240, 60-3,242, and 60-3,244
16 and sections 42, 44, 46, 48, and 50 of this act. The owner shall also
17 receive a credit for the unused portion of the motor vehicle tax and fee
18 based upon the number of unexpired months remaining in the registration
19 year. When the owner registers a replacement motor vehicle, trailer, or
20 semitrailer at the time of filing such affidavit, the credit may be
21 immediately applied against the registration fee and the motor vehicle
22 tax and fee for the replacement motor vehicle, trailer, or semitrailer.
23 When no such replacement motor vehicle, trailer, or semitrailer is so
24 registered, the county treasurer shall forward the application and
25 affidavit, if any, to the State Treasurer who shall determine the amount,
26 if any, of the allowable credit for the registration fee and issue a
27 credit certificate to the owner. For the motor vehicle tax and fee, the
28 county treasurer shall determine the amount, if any, of the allowable
29 credit and issue a credit certificate to the owner. When such motor
30 vehicle, trailer, or semitrailer is removed from service within the same
31 month in which it was registered, no credits shall be allowed for such

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

9 Sec. 18. Section 60-3,104, Revised Statutes Supplement, 2019, is
10 amended to read:

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

13 (1) Amateur radio station license plates issued pursuant to section
14 60-3,126;

15 (2) Apportionable vehicle license plates issued pursuant to section
16 60-3,203;

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

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

19 (5) Breast Cancer Awareness Plates issued pursuant to sections
20 60-3,230 and 60-3,231;

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

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

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

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

28 (10) Disabled veteran license plates issued pursuant to section
29 60-3,124;

30 (11) Donate Life Plates issued pursuant to sections 41 and 42 of
31 this act;

1 (12) ~~(11)~~ Down Syndrome Awareness Plates issued pursuant to sections 43
2 and 44 of this act;

3 (13) ~~(11)~~ Farm trailer license plates issued pursuant to section
4 60-3,151;

5 (14) ~~(12)~~ Farm truck license plates issued pursuant to section
6 60-3,146;

7 (15) ~~(13)~~ Farm trucks with a gross weight of over sixteen tons
8 license plates issued pursuant to section 60-3,146;

9 (16) ~~(14)~~ Fertilizer trailer license plates issued pursuant to
10 section 60-3,151;

11 (17) ~~(15)~~ Former military vehicle license plates issued pursuant to
12 section 60-3,236;

13 (18) ~~(16)~~ Gold Star Family license plates issued pursuant to
14 sections 60-3,122.01 and 60-3,122.02;

15 (19) ~~(17)~~ Handicapped or disabled person license plates issued
16 pursuant to section 60-3,113;

17 (20) ~~(18)~~ Historical vehicle license plates issued pursuant to
18 sections 60-3,130 to 60-3,134;

19 (21) ~~(19)~~ Local truck license plates issued pursuant to section
20 60-3,145;

21 (22) ~~(20)~~ Metropolitan utilities district license plates issued
22 pursuant to section 60-3,228;

23 (23) ~~(21)~~ Military Honor Plates issued pursuant to sections
24 60-3,122.03 and 60-3,122.04;

25 (24) ~~(22)~~ Minitruck license plates issued pursuant to section
26 60-3,100;

27 (25) ~~(23)~~ Motor vehicle license plates for motor vehicles owned or
28 operated by the state, counties, municipalities, or school districts
29 issued pursuant to section 60-3,105;

30 (26) ~~(24)~~ Motor vehicles exempt pursuant to section 60-3,107;

31 (27) ~~(25)~~ Motorcycle license plates issued pursuant to section

- 1 60-3,100;
- 2 (28) ~~(26)~~ Mountain Lion Conservation Plates issued pursuant to
3 sections 60-3,226 and 60-3,227;
- 4 (29) ~~(27)~~ Native American Cultural Awareness and History Plates
5 issued pursuant to sections 60-3,234 and 60-3,235;
- 6 (30) ~~(28)~~ Nebraska Cornhusker Spirit Plates issued pursuant to
7 sections 60-3,127 to 60-3,129;
- 8 (31) ~~(29)~~ Nebraska 150 Sesquicentennial Plates issued pursuant to
9 sections 60-3,223 to 60-3,225;
- 10 (32) ~~(30)~~ Nonresident owner thirty-day license plates issued
11 pursuant to section 60-382;
- 12 (33) ~~(31)~~ Passenger car having a seating capacity of ten persons or
13 less and not used for hire issued pursuant to section 60-3,143 other than
14 autocycles;
- 15 (34) ~~(32)~~ Passenger car having a seating capacity of ten persons or
16 less and used for hire issued pursuant to section 60-3,143 other than
17 autocycles;
- 18 (35) ~~(33)~~ Pearl Harbor license plates issued pursuant to section
19 60-3,122;
- 20 (36) ~~(34)~~ Personal-use dealer license plates issued pursuant to
21 section 60-3,116;
- 22 (37) ~~(35)~~ Personalized message license plates for motor vehicles,
23 trailers, and semitrailers, except motor vehicles, trailers, and
24 semitrailers registered under section 60-3,198, issued pursuant to
25 sections 60-3,118 to 60-3,121;
- 26 (38) Pets for Vets Plates issued pursuant to sections 45 and 46 of
27 this act;
- 28 (39) ~~(36)~~ Prisoner-of-war license plates issued pursuant to section
29 60-3,123;
- 30 (40) ~~(37)~~ Prostate Cancer Awareness Plates issued pursuant to
31 section 60-3,240;

1 ~~(41) (38)~~ Public power district license plates issued pursuant to
2 section 60-3,228;

3 ~~(42) (39)~~ Purple Heart license plates issued pursuant to section
4 60-3,125;

5 ~~(43) (40)~~ Recreational vehicle license plates issued pursuant to
6 section 60-3,151;

7 ~~(44) (41)~~ Repossession license plates issued pursuant to section
8 60-375;

9 ~~(45) (42)~~ Sammy's Superheroes license plates for childhood cancer
10 awareness issued pursuant to section 60-3,242;

11 ~~(46) (43)~~ Special interest motor vehicle license plates issued
12 pursuant to section 60-3,135.01;

13 ~~(47) (44)~~ Specialty license plates issued pursuant to sections
14 60-3,104.01 and 60-3,104.02;

15 ~~(48) Support the Arts Plates issued pursuant to sections 47 and 48~~
16 ~~of this act;~~

17 ~~(45) Trailer license plates issued for trailers owned or operated by~~
18 ~~the state, counties, municipalities, or school districts issued pursuant~~
19 ~~to section 60-3,106;~~

20 ~~(49) (46)~~ Support Our Troops Plates issued pursuant to sections
21 60-3,243 and 60-3,244;

22 ~~(50) The Good Life Is Outside Plates issued pursuant to sections 49~~
23 ~~and 50 of this act;~~

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

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

28 ~~(52) (48)~~ Trailer license plates issued for trailers owned or
29 operated by a metropolitan utilities district or public power district
30 pursuant to section 60-3,228;

31 ~~(53) Trailer license plates issued pursuant to section 60-3,100;~~

1 ~~(54)~~ ~~(49)~~ Trailers exempt pursuant to section 60-3,108;

2 ~~(55)~~ ~~(50)~~ Transporter license plates issued pursuant to section
3 60-378;

4 ~~(56)~~ ~~(51)~~ Trucks or combinations of trucks, truck-tractors, or
5 trailers which are not for hire and engaged in soil and water
6 conservation work and used for the purpose of transporting pipe and
7 equipment exclusively used by such contractors for soil and water
8 conservation construction license plates issued pursuant to section
9 60-3,149;

10 ~~(57)~~ ~~(52)~~ Utility trailer license plates issued pursuant to section
11 60-3,151;

12 ~~(58)~~ ~~(53)~~ Well-boring apparatus and well-servicing equipment license
13 plates issued pursuant to section 60-3,109; and

14 ~~(59)~~ ~~(54)~~ Wildlife Conservation Plates issued pursuant to section
15 60-3,238.

16 Sec. 19. Section 60-3,104.02, Revised Statutes Cumulative
17 Supplement, 2018, is amended to read:

18 60-3,104.02 (1) The department shall issue specialty license plates
19 for any organization which certifies that it meets the requirements of
20 this section. The department shall work with the organization to design
21 the plates.

22 (2) The department shall make applications available pursuant to
23 section 60-3,104.01 for each type of specialty license plate when it is
24 designed. The department shall not manufacture specialty license plates
25 for an organization until the department has received two hundred fifty
26 prepaid applications for specialty license plates designed for that
27 organization. The department may revoke the approval for an
28 organization's specialty license plate if the total number of registered
29 vehicles that obtained such plate is less than two hundred fifty within
30 three years after receiving approval.

31 (3) In order to have specialty license plates designed and

1 manufactured, an organization shall furnish the department with the
2 following:

3 (a) A copy of its articles of incorporation and, if the organization
4 consists of a group of nonprofit corporations, a copy for each
5 organization;

6 (b) A copy of its charter or bylaws and, if the organization
7 consists of a group of nonprofit corporations, a copy for each
8 organization;

9 (c) Any Internal Revenue Service rulings of the organization's
10 nonprofit tax-exempt status and, if the organization consists of a group
11 of nonprofit corporations, a copy for each organization;

12 (d) A copy of a certificate of existence on file with the Secretary
13 of State under the Nebraska Nonprofit Corporation Act;

14 (e) Two hundred fifty prepaid applications for the alphanumeric
15 specialty license plates; and

16 (f) A completed application for the issuance of the plates on a form
17 provided by the department certifying that the organization meets the
18 following requirements:

19 (i) The organization is a nonprofit corporation or a group of
20 nonprofit corporations with a common purpose;

21 (ii) The primary activity or purpose of the organization serves the
22 community, contributes to the welfare of others, and is not offensive or
23 discriminatory in its purpose, nature, activity, or name;

24 (iii) The name and purpose of the organization does not promote any
25 specific product or brand name that is on a product provided for sale;

26 (iv) The organization is authorized to use any name, logo, or
27 graphic design suggested for the design of the plates;

28 (v) No infringement or violation of any property right will result
29 from such use of such name, logo, or graphic design; and

30 (vi) The organization will hold harmless the State of Nebraska and
31 its employees and agents for any liability which may result from any

1 infringement or violation of a property right based on the use of such
2 name, logo, or graphic design.

3 (4)(a) One type of plate under this section shall be alphanumeric
4 plates. The department shall assign a designation up to five characters
5 and not use a county designation.

6 (b) One type of plate under this section shall be personalized
7 message plates. Such plates shall be issued subject to the same
8 conditions specified for personalized message license plates in section
9 60-3,118, except that a maximum of five characters may be used.
10 Personalized message specialty license plates under this section shall
11 only be issued after the requirements of subsection (3) of this section
12 have been met.

13 (5) {4} The department may adopt and promulgate rules and
14 regulations to carry out this section.

15 Sec. 20. Section 60-3,113.04, Revised Statutes Supplement, 2019, is
16 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, 2020 ~~2019~~.

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. 21. Section 60-3,122.03, Revised Statutes Supplement, 2019, is
10 amended to read:

11 60-3,122.03 (1) The department shall design license plates to be
12 known as Military Honor Plates.

13 (2)(a) Until January 1, 2021, the department shall create designs
14 honoring persons who have served or are serving in the United States
15 Army, United States Army Reserve, United States Navy, United States Navy
16 Reserve, United States Marine Corps, United States Marine Corps Reserve,
17 United States Coast Guard, United States Coast Guard Reserve, United
18 States Air Force, United States Air Force Reserve, or National Guard; and

19 (b) Beginning January 1, 2021, the department shall create designs
20 honoring persons who have served or are serving in the United States
21 Army, United States Army Reserve, United States Navy, United States Navy
22 Reserve, United States Marine Corps, United States Marine Corps Reserve,
23 United States Coast Guard, United States Coast Guard Reserve, United
24 States Air Force, United States Air Force Reserve, Air National Guard, or
25 Army National Guard.

26 (3) There shall be eleven such designs until January 1, 2021, and
27 twelve such designs beginning January 1, 2021, one for each of such armed
28 forces reflecting its official emblem, official seal, or other official
29 image. The issuance of plates for each of such armed forces shall be
30 conditioned on the approval of the armed forces owning the copyright to
31 the official emblem, official seal, or other official image.

1 (4) By January 1, 2021, the department shall create five additional
2 designs honoring persons who are serving or have served in the armed
3 forces of the United States and who have been awarded the Afghanistan
4 Campaign Medal, Iraq Campaign Medal, Global War on Terrorism
5 Expeditionary Medal, Southwest Asia Service Medal, or Vietnam Service
6 Medal.

7 (5) A person may qualify for a Military Honor Plate by registering
8 with the Department of Veterans' Affairs pursuant to section 80-414. The
9 Department of Motor Vehicles shall verify the applicant's eligibility for
10 a plate created pursuant to this section by consulting the registry
11 established by the Department of Veterans' Affairs.

12 (6) The design shall be selected on the basis of limiting the
13 manufacturing cost of each plate to an amount less than or equal to the
14 amount charged for license plates pursuant to section 60-3,102. The
15 Department of Motor Vehicles shall make applications available for each
16 type of plate when it is designed. The department may adopt and
17 promulgate rules and regulations to carry out this section and section
18 60-3,122.04.

19 (7) One type of Military Honor Plates shall be alphanumeric plates.
20 The department shall:

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

22 (b) Not use a county designation.

23 (8) One type of Military Honor Plates shall be personalized message
24 plates. Such plates shall be issued subject to the same conditions
25 specified for personalized message license plates in section 60-3,118,
26 except that a maximum of five characters may be used.

27 (9) The department shall cease to issue Military Honor Plates
28 beginning with the next license plate issuance cycle after the license
29 plate issuance cycle that begins in 2023 pursuant to section 60-3,101 if
30 the total number of registered vehicles that obtained such plates is less
31 than five ~~two~~ hundred ~~fifty~~ per year within any prior consecutive two-

1 year period.

2 Sec. 22. Section 60-3,127, Revised Statutes Supplement, 2019, is
3 amended to read:

4 60-3,127 (1) The department, in designing Nebraska Cornhusker Spirit
5 Plates, shall:

6 (a) Include the word Cornhuskers or Huskers prominently in the
7 design;

8 (b) Use scarlet and cream colors in the design or such other similar
9 colors as the department determines to best represent the official team
10 colors of the University of Nebraska Cornhuskers athletic programs and to
11 provide suitable reflection and contrast;

12 (c) Use cream or a similar color for the background of the design
13 and scarlet or a similar color for the printing; and

14 (d) Create a design reflecting support for the University of
15 Nebraska Cornhuskers athletic programs in consultation with the
16 University of Nebraska-Lincoln Athletic Department. The design shall be
17 selected on the basis of (i) enhancing the marketability of spirit plates
18 to supporters of University of Nebraska Cornhuskers athletic programs and
19 (ii) limiting the manufacturing cost of each spirit plate to an amount
20 less than or equal to the amount charged for license plates pursuant to
21 section 60-3,102.

22 (2) One type of Nebraska Cornhusker Spirit Plates shall be
23 consecutively numbered spirit plates. The department shall:

24 (a) Number the spirit plates consecutively beginning with the number
25 one, using numerals the size of which maximizes legibility; and

26 (b) Not use a county designation or any characters other than
27 numbers on the spirit plates.

28 (3) One type of Nebraska Cornhusker Spirit Plates shall be
29 personalized message spirit plates. Such plates shall be issued subject
30 to the same conditions specified for message plates in subsection (2) of
31 section 60-3,118. The characters used shall consist only of letters and

1 numerals of the same size and design and shall comply with the
2 requirements of subdivision (1)(a) of section 60-3,100. A maximum of
3 seven characters may be used.

4 (4) The department shall cease to issue Nebraska Cornhusker Spirit
5 Plates beginning with the next license plate issuance cycle after the
6 license plate issuance cycle that begins in 2023 pursuant to section
7 60-3,101 if the total number of registered vehicles that obtained such
8 plates is less than five ~~two~~ hundred ~~fifty~~ per year within any prior
9 consecutive two-year period.

10 Sec. 23. Section 60-3,130.04, Revised Statutes Supplement, 2019, is
11 amended to read:

12 60-3,130.04 (1) An owner of a historical vehicle eligible for
13 registration under section 60-3,130 may use a license plate or plates
14 designed by this state in the year corresponding to the model year when
15 the vehicle was manufactured in lieu of the plates designed pursuant to
16 section 60-3,130.03 subject to the approval of the department. The
17 department shall inspect the plate or plates and may approve the plate or
18 plates if it is determined that the model-year license plate or plates
19 are legible and serviceable and that the license plate numbers do not
20 conflict with or duplicate other numbers assigned and in use. An
21 original-issued license plate or plates that have been restored to
22 original condition may be used when approved by the department.

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

26 (3) If only one license plate is used on the vehicle, the license
27 plate shall be placed on the rear of the vehicle. The owner of a
28 historical vehicle may use only one plate on the vehicle even for years
29 in which two license plates were issued for vehicles in general.

30 (4) License plates used pursuant to this section corresponding to
31 the year of manufacture of the vehicle shall not be personalized message

1 license plates, Pearl Harbor license plates, prisoner-of-war license
2 plates, disabled veteran license plates, Purple Heart license plates,
3 amateur radio station license plates, Nebraska Cornhusker Spirit Plates,
4 handicapped or disabled person license plates, specialty license plates,
5 special interest motor vehicle license plates, Military Honor Plates,
6 Nebraska 150 Sesquicentennial Plates, Breast Cancer Awareness Plates,
7 Prostate Cancer Awareness Plates, Mountain Lion Conservation Plates,
8 Choose Life License Plates, Donate Life Plates, Down Syndrome Awareness
9 Plates, Native American Cultural Awareness and History Plates, Sammy's
10 Superheroes license plates for childhood cancer awareness, Wildlife
11 Conservation Plates, Pets for Vets Plates, Support the Arts Plates, or
12 Support Our Troops Plates, or The Good Life Is Outside Plates.

13 Sec. 24. Section 60-3,137, Reissue Revised Statutes of Nebraska, is
14 amended to read:

15 60-3,137 Each insurance company doing business in this state shall
16 provide information shown on each automobile liability policy issued in
17 this state as required by the department pursuant to sections 60-3,136 to
18 60-3,139 for inclusion in the motor vehicle insurance data base in a form
19 and manner acceptable to the department. Any person who qualifies as a
20 self-insurer under sections 60-562 to 60-564 or any person who provides
21 financial responsibility under sections 75-392 to 75-399 and section 87
22 of this act shall not be required to provide information to the
23 department for inclusion in the motor vehicle insurance data base.

24 Sec. 25. Section 60-3,193.01, Revised Statutes Supplement, 2019, is
25 amended to read:

26 60-3,193.01 For purposes of the Motor Vehicle Registration Act, the
27 International Registration Plan is adopted and incorporated by reference
28 as the plan existed on January 1, 2020 ~~2019~~.

29 Sec. 26. Section 60-3,198, Revised Statutes Supplement, 2019, is
30 amended to read:

31 60-3,198 (1) Any owner engaged in operating a fleet of apportionable

1 vehicles in this state in interjurisdiction commerce may, in lieu of
2 registration of such apportionable vehicles under the general provisions
3 of the Motor Vehicle Registration Act, register and license such fleet
4 for operation in this state by filing a statement and the application
5 required by section 60-3,203 with the Division of Motor Carrier Services
6 of the department. The statement shall be in such form and contain such
7 information as the division requires, declaring the total mileage
8 operated by such vehicles in all jurisdictions and in this state during
9 the preceding year and describing and identifying each such apportionable
10 vehicle to be operated in this state during the ensuing license year.
11 Upon receipt of such statement and application, the division shall
12 determine the total fee payment, which shall be equal to the amount of
13 fees due pursuant to section 60-3,203 and the amount obtained by applying
14 the formula provided in section 60-3,204 to a fee of thirty-two dollars
15 per ton based upon gross vehicle weight of the empty weights of a truck
16 or truck-tractor and the empty weights of any trailer or combination
17 thereof with which it is to be operated in combination at any one time
18 plus the weight of the maximum load to be carried thereon at any one
19 time, and shall notify the applicant of the amount of payment required to
20 be made. Mileage operated in noncontracting reciprocity jurisdictions by
21 apportionable vehicles based in Nebraska shall be applied to the portion
22 of the formula for determining the Nebraska jurisdiction fleet
23 distance.

24 Temporary authority which permits the operation of a fleet or an
25 addition to a fleet in this state while the application is being
26 processed may be issued upon application to the division if necessary to
27 complete processing of the application.

28 Upon completion of such processing and receipt of the appropriate
29 fees, the division shall issue to the applicant a sufficient number of
30 distinctive registration certificates which provide a list of the
31 jurisdictions in which the apportionable vehicle has been apportioned,

1 the weight for which registered, and such other evidence of registration
2 for display on the apportionable vehicle as the division determines
3 appropriate for each of the apportionable vehicles of his or her fleet,
4 identifying it as a part of an interjurisdiction fleet proportionately
5 registered. Such registration certificates may be displayed as a legible
6 paper copy or electronically as authorized by the department. All fees
7 received as provided in this section shall be remitted to the State
8 Treasurer for credit to the Motor Carrier Services Division Distributive
9 Fund.

10 The apportionable vehicles so registered shall be exempt from all
11 further registration and license fees under the Motor Vehicle
12 Registration Act for movement or operation in the State of Nebraska
13 except as provided in section 60-3,203. The proportional registration and
14 licensing provision of this section shall apply to apportionable vehicles
15 added to such fleets and operated in this state during the license year
16 except with regard to permanent license plates issued under section
17 60-3,203.

18 The right of applicants to proportional registration under this
19 section shall be subject to the terms and conditions of any reciprocity
20 agreement, contract, or consent made by the division.

21 When a nonresident fleet owner has registered his or her
22 apportionable vehicles, his or her apportionable vehicles shall be
23 considered as fully registered for both interjurisdiction and
24 intrajurisdiction commerce when the jurisdiction of base registration for
25 such fleet accords the same consideration for fleets with a base
26 registration in Nebraska. Each apportionable vehicle of a fleet
27 registered by a resident of Nebraska shall be considered as fully
28 registered for both interjurisdiction and intrajurisdiction commerce.

29 (2) Mileage proportions for interjurisdiction fleets not operated in
30 this state during the preceding year shall be determined by the division
31 upon the application of the applicant on forms to be supplied by the

1 division which shall show the operations of the preceding year in other
2 jurisdictions and estimated operations in Nebraska or, if no operations
3 were conducted the previous year, a full statement of the proposed method
4 of operation.

5 (3) Any owner complying with and being granted proportional
6 registration shall preserve the records on which the application is made
7 for a period of three years following the current registration year. Upon
8 request of the division, the owner shall make such records available to
9 the division at its office for audit as to accuracy of computation and
10 payments or pay the costs of an audit at the home office of the owner by
11 a duly appointed representative of the division if the office where the
12 records are maintained is not within the State of Nebraska. The division
13 may enter into agreements with agencies of other jurisdictions
14 administering motor vehicle registration laws for joint audits of any
15 such owner. All payments received to cover the costs of an audit shall be
16 remitted by the division to the State Treasurer for credit to the Motor
17 Carrier Division Cash Fund. No deficiency shall be assessed and no claim
18 for credit shall be allowed for any license registration year for which
19 records on which the application was made are no longer required to be
20 maintained.

21 (4) If the division claims that a greater amount of fee is due under
22 this section than was paid, the division shall notify the owner of the
23 additional amount claimed to be due. The owner may accept such claim and
24 pay the amount due, or he or she may dispute the claim and submit to the
25 division any information which he or she may have in support of his or
26 her position. If the dispute cannot otherwise be resolved within the
27 division, the owner may petition for an appeal of the matter. The
28 director shall appoint a hearing officer who shall hear the dispute and
29 issue a written decision. Any appeal shall be in accordance with the
30 Administrative Procedure Act. Upon expiration of the time for perfecting
31 an appeal if no appeal is taken or upon final judicial determination if

1 an appeal is taken, the division shall deny the owner the right to
2 further registration for a fleet license until the amount finally
3 determined to be due, together with any costs assessed against the owner,
4 has been paid.

5 (5) Every applicant who licenses any apportionable vehicles under
6 this section and section 60-3,203 shall have his or her registration
7 certificates issued only after all fees under such sections are paid and,
8 if applicable, proof has been furnished of payment, in the form
9 prescribed by the director as directed by the United States Secretary of
10 the Treasury, of the federal heavy vehicle use tax imposed by 26 U.S.C.
11 4481 of the Internal Revenue Code as defined in section 49-801.01.

12 (6)(a) In the event of the transfer of ownership of any registered
13 apportionable vehicle, (b) in the case of loss of possession because of
14 fire, natural disaster, theft, or wrecking, junking, or dismantling of
15 any registered apportionable vehicle, (c) when a salvage branded
16 certificate of title is issued for any registered apportionable vehicle,
17 (d) whenever a type or class of registered apportioned vehicle is
18 subsequently declared by legislative act or court decision to be illegal
19 or ineligible to be operated or towed on the public roads and no longer
20 subject to registration fees and taxes, (e) upon trade-in or surrender of
21 a registered apportionable vehicle under a lease, or (f) in case of a
22 change in the situs of a registered apportionable vehicle to a location
23 outside of this state, its registration shall expire, except that if the
24 registered owner or lessee applies to the division after such transfer or
25 loss of possession and accompanies the application with a fee of one
26 dollar and fifty cents, he or she may have any remaining credit of
27 vehicle fees and taxes from the previously registered apportionable
28 vehicle applied toward payment of any vehicle fees and taxes due and
29 owing on another registered apportionable vehicle. If such registered
30 apportionable vehicle has a greater gross vehicle weight than that of the
31 previously registered apportionable vehicle, the registered owner or

1 lessee of the registered apportionable vehicle shall additionally pay
2 only the registration fee for the increased gross vehicle weight for the
3 remaining months of the registration year based on the factors determined
4 by the division in the original fleet application.

5 (7) Whenever a Nebraska-based fleet owner files an application with
6 the division to delete a registered apportionable vehicle from a fleet of
7 registered apportionable vehicles (a) because of a transfer of ownership
8 of the registered apportionable vehicle, (b) because of loss of
9 possession due to fire, natural disaster, theft, or wrecking, junking, or
10 dismantling of the registered apportionable vehicle, (c) because a
11 salvage branded certificate of title is issued for the registered
12 apportionable vehicle, (d) because a type or class of registered
13 apportioned vehicle is subsequently declared by legislative act or court
14 decision to be illegal or ineligible to be operated or towed on the
15 public roads and no longer subject to registration fees and taxes, (e)
16 because of a trade-in or surrender of the registered apportionable
17 vehicle under a lease, or (f) because of a change in the situs of the
18 registered apportionable vehicle to a location outside of this state, the
19 registered owner may, by returning the registration certificate or
20 certificates and such other evidence of registration used by the division
21 or, if such certificate or certificates or such other evidence of
22 registration is unavailable, then by making an affidavit to the division
23 of such transfer or loss, receive a refund of that portion of the unused
24 registration fee based upon the number of unexpired months remaining in
25 the registration year from the date of transfer or loss. No refund shall
26 be allowed for any fees paid under section 60-3,203. When such
27 apportionable vehicle is transferred or lost within the same month as
28 acquired, no refund shall be allowed for such month. Such refund may be
29 in the form of a credit against any registration fees that have been
30 incurred or are, at the time of the refund, being incurred by the
31 registered apportionable vehicle owner. The Nebraska-based fleet owner

1 shall make a claim for a refund under this subsection within the
2 registration period or shall be deemed to have forfeited his or her right
3 to the refund.

4 (8) In case of addition to the registered fleet during the
5 registration year, the owner engaged in operating the fleet shall pay the
6 proportionate registration fee from the date the vehicle was placed into
7 service or, if the vehicle was previously registered, the date the prior
8 registration expired or the date Nebraska became the base jurisdiction
9 for the fleet, whichever is first, for the remaining balance of the
10 registration year. The fee for any permanent license plate issued for
11 such addition pursuant to section 60-3,203 shall be the full fee required
12 by such section, regardless of the number of months remaining in the
13 license year.

14 (9) In lieu of registration under subsections (1) through (8) of
15 this section, the title holder of record may apply to the division for
16 special registration, to be known as an unladen-weight registration, for
17 any commercial motor vehicle or combination of vehicles which have been
18 registered to a Nebraska-based fleet owner within the current or previous
19 registration year. Such registration shall be valid only for a period of
20 thirty days and shall give no authority to operate the vehicle except
21 when empty. The fee for such registration shall be twenty dollars for
22 each vehicle, which fee shall be remitted to the State Treasurer for
23 credit to the Highway Trust Fund. The issuance of such permits shall be
24 governed by section 60-3,179.

25 (10) Any person may, in lieu of registration under subsections (1)
26 through (8) of this section or for other jurisdictions as approved by the
27 director, purchase a trip permit for any nonresident truck, truck-
28 tractor, bus, or truck or truck-tractor combination. A trip permit shall
29 be issued before any person required to obtain a trip permit enters this
30 state with such vehicle. The trip permit shall be issued by the director
31 through Internet sales from the department's web site. The trip permit

1 shall be valid for a period of seventy-two hours. The fee for the trip
2 permit shall be twenty-five dollars for each truck, truck-tractor, bus,
3 or truck or truck-tractor combination. The fee collected by the director
4 shall be remitted to the State Treasurer for credit to the Highway Cash
5 Fund.

6 Sec. 27. Section 60-3,203, Reissue Revised Statutes of Nebraska, is
7 amended to read:

8 60-3,203 (1) Upon application and payment of the fees required
9 pursuant to this section and section 60-3,198, the Division of Motor
10 Carrier Services of the department shall issue to the owner of any fleet
11 of apportionable commercial vehicles with a base registration in Nebraska
12 a permanent license plate for each truck, truck-tractor, and trailer in
13 the fleet. The application shall be accompanied by a fee of three dollars
14 for each truck or truck-tractor and six dollars per trailer. The
15 application shall be on a form developed by the division.

16 (2) Fleets of apportionable vehicles license plates shall display a
17 distinctive license plate provided by the department pursuant to this
18 section.

19 (3) Any license plate issued pursuant to this section shall remain
20 affixed to the front of the truck or truck-tractor or to the rear of the
21 trailer or semitrailer as long as the apportionable vehicle is registered
22 pursuant to section 60-3,198 by the owner making the original application
23 pursuant to subsection (1) of this section. Upon transfer of ownership of
24 the truck, truck-tractor, or trailer or transfer of ownership of the
25 fleet or at any time the truck, truck-tractor, or trailer is no longer
26 registered pursuant to section 60-3,198, the license plate shall cease to
27 be active and shall be processed according to the rules and regulations
28 of the department.

29 (4) The renewal fee for each permanent plate shall be two dollars
30 and shall be assessed and collected in each license year after the year
31 in which the permanent license plates are initially issued at the time

1 all other renewal fees are collected pursuant to section 60-3,198 unless
2 a truck, truck-tractor, or trailer has been deleted from the fleet
3 registration.

4 (5)(a) If a permanent license plate is lost or destroyed, the owner
5 shall submit an affidavit to that effect to the division prior to any
6 deletion of the truck, truck-tractor, or trailer from the fleet
7 registration. If the truck, truck-tractor, or trailer is not deleted from
8 the fleet registration, a replacement permanent license plate may be
9 issued upon ~~application and~~ payment of a fee of three dollars for each
10 truck or truck-tractor and six dollars per trailer. ~~The application for a~~
11 ~~replacement permanent plate shall be on a form developed by the division.~~

12 (b) If the registration certificate for any fleet vehicle is lost or
13 stolen, the division shall collect a fee of one dollar for replacement of
14 such certificate.

15 (6) If a truck, truck-tractor, or trailer for which a permanent
16 license plate has been issued pursuant to this section is deleted from
17 the fleet registration due to loss of possession by the registrant, the
18 plate shall be returned to the division.

19 (7) The registrant shall be liable for the full amount of the
20 registration fee due for any truck, truck-tractor, or trailer not deleted
21 from the fleet registration renewal.

22 (8) All fees collected pursuant to this section shall be remitted to
23 the State Treasurer for credit to the Highway Cash Fund.

24 Sec. 28. Section 60-3,205, Revised Statutes Cumulative Supplement,
25 2018, is amended to read:

26 60-3,205 (1)(a) The director may suspend, revoke, cancel, or refuse
27 to issue or renew a registration certificate under the International
28 Registration Plan Act:

29 (i) If the applicant or certificate holder has had his or her
30 license issued under the International Fuel Tax Agreement Act revoked or
31 the director refused to issue or refused to renew such license; or

1 (ii) If the applicant or certificate holder is in violation of
2 sections 75-392 to 75-399 and section 87 of this act.

3 (b) Prior to taking action under this section, the director shall
4 notify and advise the applicant or certificate holder of the proposed
5 action and the reasons for such action in writing, by regular United
6 States mail, to his or her last-known business address as shown on the
7 application for the certificate or renewal. The notice shall also include
8 an advisement of the procedures in subdivision (c) of this subsection.

9 (c) The applicant or certificate holder may, within thirty days
10 after the date of the mailing of the notice, petition the director for a
11 hearing to contest the proposed action. The hearing shall be commenced in
12 accordance with the rules and regulations adopted and promulgated by the
13 department. If a petition is filed, the director shall, within twenty
14 days after receipt of the petition, set a hearing date at which the
15 applicant or certificate holder may show cause why the proposed action
16 should not be taken. The director shall give the applicant or certificate
17 holder reasonable notice of the time and place of the hearing. If the
18 director's decision is adverse to the applicant or certificate holder,
19 the applicant or certificate holder may appeal the decision in accordance
20 with the Administrative Procedure Act.

21 (d) Except as provided in subsections (2) and (3) of this section,
22 the filing of the petition shall stay any action by the director until a
23 hearing is held and a final decision and order is issued.

24 (e) Except as provided in subsections (2) and (3) of this section,
25 if no petition is filed at the expiration of thirty days after the date
26 on which the notification was mailed, the director may take the proposed
27 action described in the notice.

28 (f) If, in the judgment of the director, the applicant or
29 certificate holder has complied with or is no longer in violation of the
30 provisions for which the director took action under this subsection, the
31 director may reinstate the registration certificate without delay.

1 (2)(a) The director may suspend, revoke, cancel, or refuse to issue
2 or renew a registration certificate under the International Registration
3 Plan Act or a license under the International Fuel Tax Agreement Act if
4 the applicant, licensee, or certificate holder has issued to the
5 department a check or draft which has been returned because of
6 insufficient funds, no funds, or a stop-payment order. The director may
7 take such action no sooner than seven days after the written notice
8 required in subdivision (1)(b) of this section has been provided. Any
9 petition to contest such action filed pursuant to subdivision (1)(c) of
10 this section shall not stay such action of the director.

11 (b) If the director takes an action pursuant to this subsection, the
12 director shall reinstate the registration certificate or license without
13 delay upon the payment of certified funds by the applicant, licensee, or
14 certificate holder for any fees due and reasonable administrative costs,
15 not to exceed twenty-five dollars, incurred in taking such action.

16 (c) The rules, regulations, and orders of the director and the
17 department that pertain to hearings commenced in accordance with this
18 section and that are in effect prior to March 17, 2006, shall remain in
19 effect, unless changed or eliminated by the director or the department,
20 except for those portions involving a stay upon the filing of a petition
21 to contest any action taken pursuant to this subsection, in which case
22 this subsection shall supersede those provisions.

23 (3) Any person who receives notice from the director of action taken
24 pursuant to subsection (1) or (2) of this section shall, within three
25 business days, return such registration certificate and license plates to
26 the department as provided in this section. If any person fails to return
27 the registration certificate and license plates to the department, the
28 department shall notify the Nebraska State Patrol that any such person is
29 in violation of this section.

30 Sec. 29. Section 60-3,212, Reissue Revised Statutes of Nebraska, is
31 amended to read:

1 60-3,212 Upon transfer of ownership of any snowmobile or in case of
2 loss of possession because of fire, natural disaster, theft,
3 dismantlement, or junking, its registration shall expire, and the
4 registered owner may, by returning the registration certificate and after
5 making affidavit of such transfer or loss to the county official who
6 issued the certificate, receive a refund of that part of the unused fees
7 based on the number of unexpired months remaining in the registration
8 period, except that when such snowmobile is transferred within the same
9 calendar month in which acquired, no refund shall be allowed for such
10 month.

11 Sec. 30. Section 60-3,226, Revised Statutes Supplement, 2019, is
12 amended to read:

13 60-3,226 (1) The department shall design license plates to be known
14 as Mountain Lion Conservation Plates. The department shall create designs
15 reflecting support for the conservation of the mountain lion population.
16 The design shall be selected on the basis of limiting the manufacturing
17 cost of each plate to an amount less than or equal to the amount charged
18 for license plates pursuant to section 60-3,102. The department shall
19 make applications available for this type of plate by October 1, 2016.
20 The department may adopt and promulgate rules and regulations to carry
21 out this section and section 60-3,227.

22 (2) One type of Mountain Lion Conservation Plates shall be
23 alphanumeric plates. The department shall:

- 24 (a) Assign a designation up to five characters; and
- 25 (b) Not use a county designation.

26 (3) One type of Mountain Lion Conservation Plates shall be
27 personalized message plates. Such plates shall be issued subject to the
28 same conditions specified for personalized message license plates in
29 section 60-3,118, except that a maximum of five characters may be used.

30 (4) The department shall cease to issue Mountain Lion Conservation
31 Plates beginning with the next license plate issuance cycle after the

1 license plate issuance cycle that begins in 2023 pursuant to section
2 60-3,101 if the total number of registered vehicles that obtained such
3 plates is less than five ~~two~~ hundred ~~fifty~~ per year within any prior
4 consecutive two-year period.

5 Sec. 31. Section 60-3,230, Revised Statutes Supplement, 2019, is
6 amended to read:

7 60-3,230 (1) The department shall design license plates to be known
8 as Breast Cancer Awareness Plates. The design shall include a pink ribbon
9 and the words "early detection saves lives" along the bottom of the
10 plate.

11 (2) The design shall be selected on the basis of limiting the
12 manufacturing cost of each plate to an amount less than or equal to the
13 amount charged for license plates pursuant to section 60-3,102. The
14 department shall make applications available for this type of plate when
15 it is designed.

16 (3) One type of plate under this section shall be alphanumeric
17 plates. The department shall:

- 18 (a) Assign a designation up to five characters; and
- 19 (b) Not use a county designation.

20 (4) One type of plate under this section shall be personalized
21 message plates. Such plates shall be issued subject to the same
22 conditions specified for personalized message license plates in section
23 60-3,118, except that a maximum of five characters may be used.

24 (5) The department shall cease to issue Breast Cancer Awareness
25 Plates beginning with the next license plate issuance cycle after the
26 license plate issuance cycle that begins in 2023 pursuant to section
27 60-3,101 if the total number of registered vehicles that obtained such
28 plates is less than five ~~two~~ hundred ~~fifty~~ per year within any prior
29 consecutive two-year period.

30 Sec. 32. Section 60-3,232, Revised Statutes Supplement, 2019, is
31 amended to read:

1 60-3,232 (1) The department shall design license plates to be known
2 as Choose Life License Plates. The department shall create designs
3 reflecting support for the protection of Nebraska's children. The design
4 shall be selected on the basis of limiting the manufacturing cost of each
5 plate to an amount less than or equal to the amount charged for license
6 plates pursuant to section 60-3,102. The department shall make
7 applications available for this type of plate beginning January 1, 2018.
8 The department may adopt and promulgate rules and regulations to carry
9 out this section and section 60-3,233.

10 (2) One type of Choose Life License Plates shall be alphanumeric
11 plates. The department shall:

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

13 (b) Not use a county designation.

14 (3) One type of Choose Life License Plates shall be personalized
15 message plates. Such plates shall be issued subject to the same
16 conditions specified for personalized message license plates in section
17 60-3,118, except that a maximum of five characters may be used.

18 (4) The department shall cease to issue Choose Life License Plates
19 beginning with the next license plate issuance cycle after the license
20 plate issuance cycle that begins in 2023 pursuant to section 60-3,101 if
21 the total number of registered vehicles that obtained such plates is less
22 than five ~~two~~ hundred ~~fifty~~ per year within any prior consecutive two-
23 year period.

24 Sec. 33. Section 60-3,234, Revised Statutes Supplement, 2019, is
25 amended to read:

26 60-3,234 (1) The department, in consultation with the Commission on
27 Indian Affairs, shall design license plates to be known as Native
28 American Cultural Awareness and History Plates. The design shall reflect
29 the unique culture and history of Native American tribes historically and
30 currently located in Nebraska. The design shall be selected on the basis
31 of limiting the manufacturing cost of each plate to an amount less than

1 or equal to the amount charged for license plates pursuant to section
2 60-3,102. The department may adopt and promulgate rules and regulations
3 to carry out this section and section 60-3,235.

4 (2) One type of Native American Cultural Awareness and History
5 Plates shall be alphanumeric plates. The department shall:

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

7 (b) Not use a county designation.

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

13 (4) The department shall cease to issue Native American Cultural
14 Awareness and History Plates beginning with the next license plate
15 issuance cycle after the license plate issuance cycle that begins in 2023
16 pursuant to section 60-3,101 if the total number of registered vehicles
17 that obtained such plates is less than five ~~two~~ hundred ~~fifty~~ per year
18 within any prior consecutive two-year period.

19 Sec. 34. Section 60-3,237, Revised Statutes Supplement, 2019, is
20 amended to read:

21 60-3,237 (1) The department shall design license plates to be known
22 as Wildlife Conservation Plates. The department shall create no more than
23 three designs reflecting support for the conservation of Nebraska
24 wildlife, including sandhill cranes, bighorn sheep, and ornate box
25 turtles. Each design shall be selected on the basis of limiting the
26 manufacturing cost of each plate to an amount less than or equal to the
27 amount charged for license plates pursuant to section 60-3,102. The
28 department shall make applications available for this type of plate by
29 January 1, 2021. The department may adopt and promulgate rules and
30 regulations to carry out this section and section 60-3,238.

31 (2) One type of Wildlife Conservation Plates shall be alphanumeric

1 plates. The department shall:

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

3 (b) Not use a county designation.

4 (3) One type of Wildlife Conservation Plates shall be personalized
5 message plates. Such plates shall be issued subject to the same
6 conditions specified for personalized message license plates in section
7 60-3,118, except that a maximum of five characters may be used.

8 (4) The department shall cease to issue Wildlife Conservation Plates
9 beginning with the next license plate issuance cycle after the license
10 plate issuance cycle that begins in 2023 pursuant to section 60-3,101 if
11 the total number of registered vehicles that obtained such plates is less
12 than five ~~two~~ hundred ~~fifty~~ per year within any prior consecutive two-
13 year period.

14 Sec. 35. Section 60-3,238, Revised Statutes Supplement, 2019, is
15 amended to read:

16 60-3,238 (1) Beginning January 1, 2021, a person may apply to the
17 department for Wildlife Conservation Plates in lieu of regular license
18 plates on an application prescribed and provided by the department for
19 any motor vehicle, trailer, or semitrailer, except for a motor vehicle,
20 trailer, or semitrailer registered under section 60-3,198. An applicant
21 receiving a Wildlife Conservation Plate for a farm truck with a gross
22 weight of over sixteen tons or a commercial truck or truck-tractor with a
23 gross weight of five tons or over shall affix the appropriate tonnage
24 decal to the plate. The department shall make forms available for such
25 applications through the county treasurers. The license plates shall be
26 issued upon payment of the license fee described in subsection (2) of
27 this section.

28 (2)(a) In addition to all other fees required for registration under
29 the Motor Vehicle Registration Act, each application for initial issuance
30 of alphanumeric Wildlife Conservation Plates shall be accompanied by a
31 fee of five dollars. An application for renewal of such plates shall be

1 accompanied by a fee of five dollars. County treasurers collecting fees
2 pursuant to this subdivision shall remit such fees to the State
3 Treasurer. The State Treasurer shall credit five dollars of the fee to
4 the Wildlife Conservation Fund.

5 (b) In addition to all other fees required for registration under
6 the Motor Vehicle Registration Act, each application for initial issuance
7 or renewal of personalized message Wildlife Conservation Plates shall be
8 accompanied by a fee of forty dollars. County treasurers collecting fees
9 pursuant to this subdivision shall remit such fees to the State
10 Treasurer. The State Treasurer shall credit twenty-five percent of the
11 fee for initial issuance and renewal of such plates to the Department of
12 Motor Vehicles Cash Fund and seventy-five percent of the fee to the
13 Wildlife Conservation Fund.

14 ~~(3)(a) (3)~~ When the department receives an application for Wildlife
15 Conservation Plates, the department may deliver the plates and
16 registration certificate to the applicant by United States mail or to the
17 county treasurer of the county in which the motor vehicle, trailer, or
18 semitrailer is registered and the delivery of the plates and registration
19 certificate shall be made through a secure process and system. The county
20 treasurer or the department shall issue Wildlife Conservation Plates in
21 lieu of regular license plates when the applicant complies with the other
22 provisions of the Motor Vehicle Registration Act for registration of the
23 motor vehicle, trailer, or semitrailer. If Wildlife Conservation Plates
24 are lost, stolen, or mutilated, the licensee shall be issued replacement
25 license plates upon request pursuant to section 60-3,157.

26 (b) This subdivision applies beginning on an implementation date
27 designated by the director. The director shall designate an
28 implementation date which is on or before January 1, 2021. The county
29 treasurer or the department may issue temporary license stickers to the
30 applicant under this section for the applicant to lawfully operate the
31 vehicle pending receipt of the license plates. No charge in addition to

1 the registration fee shall be made for the issuance of a temporary
2 license sticker under this subdivision. The department shall furnish
3 temporary license stickers for issuance by the county treasurer at no
4 cost to the counties. The department may adopt and promulgate rules and
5 regulations regarding the design and issuance of temporary license
6 stickers.

7 (4) The owner of a motor vehicle, trailer, or semitrailer bearing
8 Wildlife Conservation Plates may apply to the county treasurer to have
9 such plates transferred to a motor vehicle or trailer other than the
10 motor vehicle or trailer for which such plates were originally purchased
11 if such motor vehicle or trailer is owned by the owner of the plates. The
12 owner may have the unused portion of the fee for the plates credited to
13 the other motor vehicle or trailer which will bear the plates at the rate
14 of eight 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 (5) If the cost of manufacturing Wildlife Conservation Plates at any
20 time exceeds the amount charged for license plates pursuant to section
21 60-3,102, any money to be credited to the Wildlife Conservation Fund
22 shall instead be credited first to the Highway Trust Fund in an amount
23 equal to the difference between the manufacturing costs of Wildlife
24 Conservation Plates and the amount charged pursuant to section 60-3,102
25 with respect to such plates and the remainder shall be credited to the
26 Wildlife Conservation Fund.

27 Sec. 36. Section 60-3,239, Revised Statutes Supplement, 2019, is
28 amended to read:

29 60-3,239 (1) The department shall design license plates to be known
30 as Prostate Cancer Awareness Plates. The design shall include a light
31 blue ribbon and the words "early detection saves lives" along the bottom

1 of the plate.

2 (2) The design shall be selected on the basis of limiting the
3 manufacturing cost of each plate to an amount less than or equal to the
4 amount charged for license plates pursuant to section 60-3,102. The
5 department shall make applications available for this type of plate when
6 it is designed.

7 (3) One type of plate under this section shall be alphanumeric
8 plates. The department shall:

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

10 (b) Not use a county designation.

11 (4) One type of plate under this section shall be personalized
12 message plates. Such plates shall be issued subject to the same
13 conditions specified for personalized message license plates in section
14 60-3,118, except that a maximum of five characters may be used.

15 (5) The department shall cease to issue Prostate Cancer Awareness
16 Plates beginning with the next license plate issuance cycle after the
17 license plate issuance cycle that begins in 2023 pursuant to section
18 60-3,101 if the total number of registered vehicles that obtained such
19 plates is less than five ~~two~~ hundred ~~fifty~~ per year within any prior
20 consecutive two-year period.

21 Sec. 37. Section 60-3,240, Revised Statutes Supplement, 2019, is
22 amended to read:

23 60-3,240 (1) Beginning January 1, 2021, a person may apply to the
24 department for Prostate Cancer Awareness Plates in lieu of regular
25 license plates on an application prescribed and provided by the
26 department for any motor vehicle, trailer, or semitrailer, except for a
27 motor vehicle or trailer registered under section 60-3,198. An applicant
28 receiving a plate under this section for a farm truck with a gross weight
29 of over sixteen tons or a commercial truck or truck-tractor with a gross
30 weight of five tons or over shall affix the appropriate tonnage decal to
31 the plate. The department shall make forms available for such

1 applications through the county treasurers. The license plates shall be
2 issued upon payment of the license fee described in subsection (2) of
3 this section.

4 (2)(a) In addition to all other fees required for registration under
5 the Motor Vehicle Registration Act, each application for initial issuance
6 of alphanumeric Prostate Cancer Awareness Plates shall be accompanied by
7 a fee of five dollars. An application for renewal of such plates shall be
8 accompanied by a fee of five dollars. County treasurers collecting fees
9 pursuant to this subdivision shall remit such fees to the State
10 Treasurer. The State Treasurer shall credit five dollars of the fee to
11 the University of Nebraska Medical Center for the Nebraska Prostate
12 Cancer Research Program.

13 (b) In addition to all other fees required for registration under
14 the Motor Vehicle Registration Act, each application for initial issuance
15 or renewal of personalized message Prostate Cancer Awareness Plates shall
16 be accompanied by a fee of forty dollars. County treasurers collecting
17 fees pursuant to this subdivision shall remit such fees to the State
18 Treasurer. The State Treasurer shall credit seventy-five percent of the
19 fee to the University of Nebraska Medical Center for the Nebraska
20 Prostate Cancer Research Program and twenty-five percent of the fee to
21 the Department of Motor Vehicles Cash Fund.

22 (3)(a) ~~(3)~~ When the department receives an application for Prostate
23 Cancer Awareness Plates, the department may deliver the plates and
24 registration certificate to the applicant by United States mail or to the
25 county treasurer of the county in which the motor vehicle, trailer, or
26 semitrailer is registered and the delivery of the plates and registration
27 certificate shall be made through a secure process and system. The county
28 treasurer or the department shall issue plates under this section in lieu
29 of regular license plates when the applicant complies with the other
30 provisions of the Motor Vehicle Registration Act for registration of the
31 motor vehicle, trailer, or semitrailer. If Prostate Cancer Awareness

1 Plates are lost, stolen, or mutilated, the licensee shall be issued
2 replacement license plates upon request pursuant to section 60-3,157.

3 (b) This subdivision applies beginning on an implementation date
4 designated by the director. The director shall designate an
5 implementation date which is on or before January 1, 2021. The county
6 treasurer or the department may issue temporary license stickers to the
7 applicant under this section for the applicant to lawfully operate the
8 vehicle pending receipt of the license plates. No charge in addition to
9 the registration fee shall be made for the issuance of a temporary
10 license sticker under this subdivision. The department shall furnish
11 temporary license stickers for issuance by the county treasurer at no
12 cost to the counties. The department may adopt and promulgate rules and
13 regulations regarding the design and issuance of temporary license
14 stickers.

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

27 (5) If the cost of manufacturing Prostate Cancer Awareness Plates at
28 any time exceeds the amount charged for license plates pursuant to
29 section 60-3,102, any money to be credited to the University of Nebraska
30 Medical Center for the Nebraska Prostate Cancer Research Program shall
31 instead be credited first to the Highway Trust Fund in an amount equal to

1 the difference between the manufacturing costs of Prostate Cancer
2 Awareness Plates and the amount charged pursuant to section 60-3,102 with
3 respect to such plates and the remainder shall be credited to the
4 University of Nebraska Medical Center for the Nebraska Prostate Cancer
5 Research Program.

6 Sec. 38. Section 60-3,241, Revised Statutes Supplement, 2019, is
7 amended to read:

8 60-3,241 (1) The department shall design license plates to be known
9 as Sammy's Superheroes license plates for childhood cancer awareness. The
10 design shall include a blue handprint over a yellow ribbon and the words
11 "childhood cancer awareness". The design shall be selected on the basis
12 of limiting the manufacturing cost of each plate to an amount less than
13 or equal to the amount charged for license plates pursuant to section
14 60-3,102. The department shall make applications available for this type
15 of plate beginning January 1, 2021. The department may adopt and
16 promulgate rules and regulations to carry out this section and section
17 60-3,242.

18 (2) One type of Sammy's Superheroes license plates for childhood
19 cancer awareness shall be alphanumeric plates. The department shall:

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

21 (b) Not use a county designation.

22 (3) One type of Sammy's Superheroes license plates for childhood
23 cancer awareness shall be personalized message plates. Such plates shall
24 be issued subject to the same conditions specified for personalized
25 message license plates in section 60-3,118, except that a maximum of five
26 characters may be used.

27 (4) The department shall cease to issue Sammy's Superheroes license
28 plates for childhood cancer awareness beginning with the next license
29 plate issuance cycle after the license plate issuance cycle that begins
30 in 2023 pursuant to section 60-3,101 if the total number of registered
31 vehicles that obtained such plates is less than five ~~two~~ hundred ~~fifty~~

1 per year within any prior consecutive two-year period.

2 Sec. 39. Section 60-3,242, Revised Statutes Supplement, 2019, is
3 amended to read:

4 60-3,242 (1) Beginning January 1, 2021, a person may apply to the
5 department for Sammy's Superheroes license plates for childhood cancer
6 awareness in lieu of regular license plates on an application prescribed
7 and provided by the department for any motor vehicle, trailer, or
8 semitrailer, except for a motor vehicle, trailer, or semitrailer
9 registered under section 60-3,198. An applicant receiving a Sammy's
10 Superheroes license plate for childhood cancer awareness for a farm truck
11 with a gross weight of over sixteen tons or a commercial truck or truck-
12 tractor with a gross weight of five tons or over shall affix the
13 appropriate tonnage decal to the plate. The department shall make forms
14 available for such applications through the county treasurers. The
15 license plates shall be issued upon payment of the license fee described
16 in subsection (2) of this section.

17 (2)(a) In addition to all other fees required for registration under
18 the Motor Vehicle Registration Act, each application for initial issuance
19 of alphanumeric Sammy's Superheroes license plates for childhood cancer
20 awareness shall be accompanied by a fee of five dollars. An application
21 for renewal of such plates shall be accompanied by a fee of five dollars.
22 County treasurers collecting fees pursuant to this subdivision shall
23 remit such fees to the State Treasurer. The State Treasurer shall credit
24 five dollars of the fee to the University of Nebraska Medical Center for
25 pediatric cancer research.

26 (b) In addition to all other fees required for registration under
27 the Motor Vehicle Registration Act, each application for initial issuance
28 or renewal of personalized message Sammy's Superheroes license plates for
29 childhood cancer awareness shall be accompanied by a fee of forty
30 dollars. County treasurers collecting fees pursuant to this subdivision
31 shall remit such fees to the State Treasurer. The State Treasurer shall

1 credit twenty-five percent of the fee for initial issuance and renewal of
2 such plates to the Department of Motor Vehicles Cash Fund and seventy-
3 five percent of the fee to the University of Nebraska Medical Center for
4 pediatric cancer research.

5 (3)(a) ~~(3)~~ When the department receives an application for Sammy's
6 Superheroes license plates for childhood cancer awareness, the department
7 may deliver the plates and registration certificate to the applicant by
8 United States mail or to the county treasurer of the county in which the
9 motor vehicle, trailer, or semitrailer is registered, and the delivery of
10 the plates and registration certificate shall be made through a secure
11 process and system. The county treasurer or the department shall issue
12 Sammy's Superheroes license plates for childhood cancer awareness in lieu
13 of regular license plates when the applicant complies with the other
14 provisions of the Motor Vehicle Registration Act for registration of the
15 motor vehicle, trailer, or semitrailer. If Sammy's Superheroes license
16 plates for childhood cancer awareness are lost, stolen, or mutilated, the
17 licensee shall be issued replacement license plates upon request pursuant
18 to section 60-3,157.

19 (b) This subdivision applies beginning on an implementation date
20 designated by the director. The director shall designate an
21 implementation date which is on or before January 1, 2021. The county
22 treasurer or the department may issue temporary license stickers to the
23 applicant under this section for the applicant to lawfully operate the
24 vehicle pending receipt of the license plates. No charge in addition to
25 the registration fee shall be made for the issuance of a temporary
26 license sticker under this subdivision. The department shall furnish
27 temporary license stickers for issuance by the county treasurer at no
28 cost to the counties. The department may adopt and promulgate rules and
29 regulations regarding the design and issuance of temporary license
30 stickers.

31 (4) The owner of a motor vehicle, trailer, or semitrailer bearing

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

12 (5) If the cost of manufacturing Sammy's Superheroes license plates
13 for childhood cancer awareness at any time exceeds the amount charged for
14 license plates pursuant to section 60-3,102, any money to be credited to
15 the University of Nebraska Medical Center for pediatric cancer research
16 shall instead be credited first to the Highway Trust Fund in an amount
17 equal to the difference between the manufacturing costs of Sammy's
18 Superheroes license plates for childhood cancer awareness and the amount
19 charged pursuant to section 60-3,102 with respect to such plates and the
20 remainder shall be credited to the University of Nebraska Medical Center
21 for pediatric cancer research.

22 Sec. 40. Section 60-3,243, Revised Statutes Supplement, 2019, is
23 amended to read:

24 60-3,243 (1) The department shall design license plates to be known
25 as Support Our Troops Plates. The department shall create a design
26 reflecting support for troops from all branches of the armed forces. The
27 design shall be selected on the basis of limiting the manufacturing cost
28 of each plate to an amount less than or equal to the amount charged for
29 license plates pursuant to section 60-3,102. The department shall make
30 applications available for this type of plate by January 1, 2021. The
31 department may adopt and promulgate rules and regulations to carry out

1 this section and section 60-3,244.

2 (2) One type of Support Our Troops Plates shall be alphanumeric
3 plates. The department shall:

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

5 (b) Not use a county designation.

6 (3) One type of Support Our Troops Plates shall be personalized
7 message plates. Such plates shall be issued subject to the same
8 conditions specified for personalized message license plates in section
9 60-3,118, except that a maximum of five characters may be used.

10 (4) The department shall cease to issue Support Our Troops Plates
11 beginning with the next license plate issuance cycle after the license
12 plate issuance cycle that begins in 2023 pursuant to section 60-3,101 if
13 the total number of registered vehicles that obtained such plates is less
14 than five hundred per year within any prior consecutive two-year period.

15 Sec. 41. (1) The department shall design license plates to be known
16 as Donate Life Plates. The design shall support organ and tissue
17 donation, registration as a donor on the Donor Registry of Nebraska, and
18 the federally designated organ procurement organization for Nebraska. The
19 design shall be selected on the basis of limiting the manufacturing cost
20 of each plate to an amount less than or equal to the amount charged for
21 license plates pursuant to section 60-3,102. The department shall make
22 applications available for this type of plate beginning January 1, 2021.
23 The department may adopt and promulgate rules and regulations to carry
24 out this section and section 42 of this act.

25 (2) One type of Donate Life Plates shall be alphanumeric plates. The
26 department shall:

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

28 (b) Not use a county designation.

29 (3) One type of Donate Life Plates shall be personalized message
30 plates. Such plates shall be issued subject to the same conditions
31 specified for personalized message license plates in section 60-3,118,

1 except that a maximum of five characters may be used.

2 (4) The department shall cease to issue Donate Life Plates beginning
3 with the next license plate issuance cycle after the license plate
4 issuance cycle that begins in 2023 pursuant to section 60-3,101 if the
5 total number of registered vehicles that obtained such plates is less
6 than five hundred per year within any prior consecutive two-year period.

7 Sec. 42. (1) Beginning January 1, 2021, a person may apply to the
8 department for Donate Life Plates in lieu of regular license plates on an
9 application prescribed and provided by the department for any motor
10 vehicle, trailer, or semitrailer, except for a motor vehicle, trailer, or
11 semitrailer registered under section 60-3,198. An applicant receiving a
12 Donate Life Plate for a farm truck with a gross weight of over sixteen
13 tons or for a commercial motor vehicle registered for a gross weight of
14 five tons or over shall affix the appropriate tonnage decal to the plate.
15 The department shall make forms available for such applications through
16 the county treasurers. The license plates shall be issued upon payment of
17 the license fee described in subsection (2) of this section.

18 (2)(a) In addition to all other fees required for registration under
19 the Motor Vehicle Registration Act, each application for initial issuance
20 or renewal of alphanumeric Donate Life Plates shall be accompanied by a
21 fee of five dollars. County treasurers collecting fees pursuant to this
22 subdivision shall remit such fees to the State Treasurer. The State
23 Treasurer shall credit five dollars of the fee to the Organ and Tissue
24 Donor Awareness and Education Fund.

25 (b) In addition to all other fees required for registration under
26 the Motor Vehicle Registration Act, each application for initial issuance
27 or renewal of personalized message Donate Life Plates shall be
28 accompanied by a fee of forty dollars. County treasurers collecting fees
29 pursuant to this subdivision shall remit such fees to the State
30 Treasurer. The State Treasurer shall credit twenty-five percent of the
31 fee for initial issuance and renewal of such plates to the Department of

1 Motor Vehicles Cash Fund and seventy-five percent of the fee to the Organ
2 and Tissue Donor Awareness and Education Fund.

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

15 (4) The county treasurer or the department may issue temporary
16 license stickers to the applicant under this section for the applicant to
17 lawfully operate the vehicle pending receipt of the license plates. No
18 charge in addition to the registration fee shall be made for the issuance
19 of a temporary license sticker under this subsection. The department
20 shall furnish temporary license stickers for issuance by the county
21 treasurer at no cost to the counties. The department may adopt and
22 promulgate rules and regulations regarding the design and issuance of
23 temporary license stickers.

24 (5) The owner of a motor vehicle, trailer, or semitrailer bearing
25 Donate Life Plates may apply to the county treasurer to have such plates
26 transferred to a motor vehicle, trailer, or semitrailer other than the
27 motor vehicle, trailer, or semitrailer for which such plates were
28 originally purchased if such motor vehicle, trailer, or semitrailer is
29 owned by the owner of the plates. The owner may have the unused portion
30 of the fee for the plates credited to the other motor vehicle, trailer,
31 or semitrailer which will bear the plates at the rate of eight and one-

1 third percent per month for each full month left in the registration
2 period. Application for such transfer shall be accompanied by a fee of
3 three dollars. Fees collected pursuant to this subsection shall be
4 remitted to the State Treasurer for credit to the Department of Motor
5 Vehicles Cash Fund.

6 (6) If the cost of manufacturing Donate Life Plates at any time
7 exceeds the amount charged for license plates pursuant to section
8 60-3,102, any money to be credited to the Organ and Tissue Donor
9 Awareness and Education Fund shall instead be credited first to the
10 Highway Trust Fund in an amount equal to the difference between the
11 manufacturing costs of Donate Life Plates and the amount charged pursuant
12 to section 60-3,102 with respect to such plates and the remainder shall
13 be credited to the Organ and Tissue Donor Awareness and Education Fund.

14 Sec. 43. (1) The department shall design license plates to be known
15 as Down Syndrome Awareness Plates. The design shall include the words
16 "Down syndrome awareness" inside a heart-shaped yellow and blue ribbon.
17 The design shall be selected on the basis of limiting the manufacturing
18 cost of each plate to an amount less than or equal to the amount charged
19 for license plates pursuant to section 60-3,102. The department shall
20 make applications available for this type of plate beginning January 1,
21 2021. The department may adopt and promulgate rules and regulations to
22 carry out this section and section 44 of this act.

23 (2) One type of Down Syndrome Awareness Plates shall be alphanumeric
24 plates. The department shall:

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

26 (b) Not use a county designation.

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

31 (4) The department shall cease to issue Down Syndrome Awareness

1 Plates beginning with the next license plate issuance cycle after the
2 license plate issuance cycle that begins in 2023 pursuant to section
3 60-3,101 if the total number of registered vehicles that obtained such
4 plates is less than five hundred per year within any prior consecutive
5 two-year period.

6 Sec. 44. (1) Beginning January 1, 2021, a person may apply to the
7 department for Down Syndrome Awareness Plates in lieu of regular license
8 plates on an application prescribed and provided by the department for
9 any motor vehicle, trailer, or semitrailer, except for a motor vehicle,
10 trailer, or semitrailer registered under section 60-3,198. An applicant
11 receiving a license plate under this section for a farm truck with a
12 gross weight of over sixteen tons or a commercial motor vehicle
13 registered for a gross weight of five tons or over shall affix the
14 appropriate tonnage decal to the license plate. The department shall make
15 forms available for such applications through the county treasurers. The
16 license plates shall be issued upon payment of the license fee described
17 in subsection (2) of this section.

18 (2)(a) In addition to all other fees required for registration under
19 the Motor Vehicle Registration Act, each application for initial issuance
20 or renewal of alphanumeric Down Syndrome Awareness Plates shall be
21 accompanied by a fee of five dollars. County treasurers collecting fees
22 pursuant to this subdivision shall remit such fees to the State
23 Treasurer. The State Treasurer shall credit five dollars of the fee to
24 the University of Nebraska Medical Center for the Down Syndrome Clinic.

25 (b) In addition to all other fees required for registration under
26 the Motor Vehicle Registration Act, each application for initial issuance
27 or renewal of personalized message Down Syndrome Awareness Plates shall
28 be accompanied by a fee of forty dollars. County treasurers collecting
29 fees pursuant to this subdivision shall remit such fees to the State
30 Treasurer. The State Treasurer shall credit twenty-five percent of the
31 fee for initial issuance and renewal of such plates to the Department of

1 Motor Vehicles Cash Fund and seventy-five percent of the fee to the
2 University of Nebraska Medical Center for the Down Syndrome Clinic.

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

15 (4) The county treasurer or the department may issue temporary
16 license stickers to the applicant under this section for the applicant to
17 lawfully operate the vehicle pending receipt of the license plates. No
18 charge in addition to the registration fee shall be made for the issuance
19 of a temporary license sticker under this subsection. The department
20 shall furnish temporary license stickers for issuance by the county
21 treasurer at no cost to the counties. The department may adopt and
22 promulgate rules and regulations regarding the design and issuance of
23 temporary license stickers.

24 (5) The owner of a motor vehicle, trailer, or semitrailer bearing
25 Down Syndrome Awareness Plates may apply to the county treasurer to have
26 such plates transferred to a motor vehicle, trailer, or semitrailer other
27 than the motor vehicle, trailer, or semitrailer for which such plates
28 were originally purchased if such motor vehicle, trailer, or semitrailer
29 is owned by the owner of the plates. The owner may have the unused
30 portion of the fee for the plates credited to the other motor vehicle,
31 trailer, or semitrailer that will bear the plates at the rate of eight

1 and one-third percent per month for each full month left in the
2 registration period. Application for such transfer shall be accompanied
3 by a fee of three dollars. Fees collected pursuant to this subsection
4 shall be remitted to the State Treasurer for credit to the Department of
5 Motor Vehicles Cash Fund.

6 (6) If the cost of manufacturing Down Syndrome Awareness Plates at
7 any time exceeds the amount charged for license plates pursuant to
8 section 60-3,102, any money to be credited to the University of Nebraska
9 Medical Center for the Down Syndrome Clinic shall instead be credited
10 first to the Highway Trust Fund in an amount equal to the difference
11 between the manufacturing costs of Down Syndrome Awareness Plates and the
12 amount charged pursuant to section 60-3,102 with respect to such plates
13 and the remainder shall be credited to the University of Nebraska Medical
14 Center for the Down Syndrome Clinic.

15 Sec. 45. (1) The department shall design license plates to be known
16 as Pets for Vets Plates. The design shall support veterans and companion
17 or therapy pet animals. The design shall be selected on the basis of
18 limiting the manufacturing cost of each plate to an amount less than or
19 equal to the amount charged for license plates pursuant to section
20 60-3,102. The department shall make applications available for this type
21 of plate beginning January 1, 2021. The department may adopt and
22 promulgate rules and regulations to carry out this section and section 46
23 of this act.

24 (2) One type of Pets for Vets Plates shall be alphanumeric plates.
25 The department shall:

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

27 (b) Not use a county designation.

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

1 (4) The department shall cease to issue Pets for Vets Plates
2 beginning with the next license plate issuance cycle after the license
3 plate issuance cycle that begins in 2023 pursuant to section 60-3,101 if
4 the total number of registered vehicles that obtained such plates is less
5 than five hundred per year within any prior consecutive two-year period.

6 Sec. 46. (1) Beginning January 1, 2021, a person may apply to the
7 department for Pets for Vets Plates in lieu of regular license plates on
8 an application prescribed and provided by the department for any motor
9 vehicle, trailer, or semitrailer, except for a motor vehicle, trailer, or
10 semitrailer registered under section 60-3,198. An applicant receiving a
11 Pets for Vets Plate for a farm truck with a gross weight of over sixteen
12 tons or for a commercial motor vehicle registered for a gross weight of
13 five tons or over shall affix the appropriate tonnage decal to the plate.
14 The department shall make forms available for such applications through
15 the county treasurers. The license plates shall be issued upon payment of
16 the license fee described in subsection (2) of this section.

17 (2)(a) In addition to all other fees required for registration under
18 the Motor Vehicle Registration Act, each application for initial issuance
19 or renewal of alphanumeric Pets for Vets Plates shall be accompanied by a
20 fee of five dollars. County treasurers collecting fees pursuant to this
21 subdivision shall remit such fees to the State Treasurer. The State
22 Treasurer shall credit five dollars of the fee to the Pets for Vets Cash
23 Fund.

24 (b) In addition to all other fees required for registration under
25 the Motor Vehicle Registration Act, each application for initial issuance
26 or renewal of personalized message Pets for Vets Plates shall be
27 accompanied by a fee of forty dollars. County treasurers collecting fees
28 pursuant to this subdivision shall remit such fees to the State
29 Treasurer. The State Treasurer shall credit twenty-five percent of the
30 fee for initial issuance and renewal of such plates to the Department of
31 Motor Vehicles Cash Fund and seventy-five percent of the fee to the Pets

1 for Vets Cash Fund.

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

14 (4) The county treasurer or the department may issue temporary
15 license stickers to the applicant under this section for the applicant to
16 lawfully operate the vehicle pending receipt of the license plates. No
17 charge in addition to the registration fee shall be made for the issuance
18 of a temporary license sticker under this subsection. The department
19 shall furnish temporary license stickers for issuance by the county
20 treasurer at no cost to the counties. The department may adopt and
21 promulgate rules and regulations regarding the design and issuance of
22 temporary license stickers.

23 (5) The owner of a motor vehicle, trailer, or semitrailer bearing
24 Pets for Vets Plates may apply to the county treasurer to have such
25 plates transferred to a motor vehicle, trailer, or semitrailer other than
26 the motor vehicle, trailer, or semitrailer for which such plates were
27 originally purchased if such motor vehicle, trailer, or semitrailer is
28 owned by the owner of the plates. The owner may have the unused portion
29 of the fee for the plates credited to the other motor vehicle, trailer,
30 or semitrailer that will bear the plates at the rate of eight and one-
31 third percent per month for each full month left in the registration

1 period. Application for such transfer shall be accompanied by a fee of
2 three dollars. Fees collected pursuant to this subsection shall be
3 remitted to the State Treasurer for credit to the Department of Motor
4 Vehicles Cash Fund.

5 (6) If the cost of manufacturing Pets for Vets Plates at any time
6 exceeds the amount charged for license plates pursuant to section
7 60-3,102, any money to be credited to the Pets for Vets Cash Fund shall
8 instead be credited first to the Highway Trust Fund in an amount equal to
9 the difference between the manufacturing costs of Pets for Vets Plates
10 and the amount charged pursuant to section 60-3,102 with respect to such
11 plates and the remainder shall be credited to the Pets for Vets Cash
12 Fund.

13 Sec. 47. (1) The department shall design license plates to be known
14 as Support the Arts Plates. The design shall be selected in consultation
15 with the Nebraska Arts Council and shall support the arts in Nebraska.
16 The design shall be selected on the basis of limiting the manufacturing
17 cost of each plate to an amount less than or equal to the amount charged
18 for license plates pursuant to section 60-3,102. The department shall
19 make applications available for this type of plate beginning January 1,
20 2021. The department may adopt and promulgate rules and regulations to
21 carry out this section and section 48 of this act.

22 (2) One type of Support the Arts Plates shall be alphanumeric
23 plates. The department shall:

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

25 (b) Not use a county designation.

26 (3) One type of Support the Arts Plates shall be personalized
27 message plates. Such plates shall be issued subject to the same
28 conditions specified for personalized message license plates in section
29 60-3,118, except that a maximum of five characters may be used.

30 (4) The department shall cease to issue Support the Arts Plates
31 beginning with the next license plate issuance cycle after the license

1 plate issuance cycle that begins in 2023 pursuant to section 60-3,101 if
2 the total number of registered vehicles that obtained such plates is less
3 than five hundred per year within any prior consecutive two-year period.

4 Sec. 48. (1) Beginning January 1, 2021, a person may apply to the
5 department for Support the Arts Plates in lieu of regular license plates
6 on an application prescribed and provided by the department for any motor
7 vehicle, trailer, or semitrailer, except for a motor vehicle, trailer, or
8 semitrailer registered under section 60-3,198. An applicant receiving a
9 Support the Arts Plate for a farm truck with a gross weight of over
10 sixteen tons or for a commercial motor vehicle registered for a gross
11 weight of five tons or over shall affix the appropriate tonnage decal to
12 the plate. The department shall make forms available for such
13 applications through the county treasurers. The license plates shall be
14 issued upon payment of the license fee described in subsection (2) of
15 this section.

16 (2)(a) In addition to all other fees required for registration under
17 the Motor Vehicle Registration Act, each application for initial issuance
18 or renewal of alphanumeric Support the Arts Plates shall be accompanied
19 by a fee of five dollars. County treasurers collecting fees pursuant to
20 this subdivision shall remit such fees to the State Treasurer. The State
21 Treasurer shall credit five dollars of the fee to the Support the Arts
22 Cash Fund.

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

1 (3) When the department receives an application for Support the Arts
2 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, trailer, or
5 semitrailer is registered and the delivery of the plates and registration
6 certificate shall be made through a secure process and system. The county
7 treasurer or the department shall issue Support the Arts Plates in lieu
8 of regular license plates when the applicant complies with the other
9 provisions of the Motor Vehicle Registration Act for registration of the
10 motor vehicle, trailer, or semitrailer. If Support the Arts Plates are
11 lost, stolen, or mutilated, the licensee shall be issued replacement
12 license plates upon request pursuant to section 60-3,157.

13 (4) The county treasurer or the department may issue temporary
14 license stickers to the applicant under this section for the applicant to
15 lawfully operate the vehicle pending receipt of the license plates. No
16 charge in addition to the registration fee shall be made for the issuance
17 of a temporary license sticker under this subsection. The department
18 shall furnish temporary license stickers for issuance by the county
19 treasurer at no cost to the counties. The department may adopt and
20 promulgate rules and regulations regarding the design and issuance of
21 temporary license stickers.

22 (5) The owner of a motor vehicle, trailer, or semitrailer bearing
23 Support the Arts Plates may apply to the county treasurer to have such
24 plates transferred to a motor vehicle, trailer, or semitrailer other than
25 the motor vehicle, trailer, or semitrailer for which such plates were
26 originally purchased if such motor vehicle, trailer, or semitrailer is
27 owned by the owner of the plates. The owner may have the unused portion
28 of the fee for the plates credited to the other motor vehicle, trailer,
29 or semitrailer which will bear the plates at the rate of eight and one-
30 third percent per month for each full month left in the registration
31 period. Application for such transfer shall be accompanied by a fee of

1 three dollars. Fees collected pursuant to this subsection shall be
2 remitted to the State Treasurer for credit to the Department of Motor
3 Vehicles Cash Fund.

4 (6) If the cost of manufacturing Support the Arts Plates at any time
5 exceeds the amount charged for license plates pursuant to section
6 60-3,102, any money to be credited to the Support the Arts Cash Fund
7 shall instead be credited first to the Highway Trust Fund in an amount
8 equal to the difference between the manufacturing costs of Support the
9 Arts Plates and the amount charged pursuant to section 60-3,102 with
10 respect to such plates and the remainder shall be credited to the Support
11 the Arts Cash Fund.

12 Sec. 49. (1) The department shall design license plates to be known
13 as The Good Life Is Outside Plates. The design shall reflect the
14 importance of safe walking and biking in Nebraska and the value of our
15 recreational trails. The design shall be selected on the basis of
16 limiting the manufacturing cost of each plate to an amount less than or
17 equal to the amount charged for license plates pursuant to section
18 60-3,102. The department shall make applications available for this type
19 of plate beginning January 1, 2021. The department may adopt and
20 promulgate rules and regulations to carry out this section and section 50
21 of this act.

22 (2) One type of The Good Life Is Outside Plates shall be
23 alphanumeric plates. The department shall:

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

25 (b) Not use a county designation.

26 (3) One type of The Good Life Is Outside Plates shall be
27 personalized message plates. Such plates shall be issued subject to the
28 same conditions specified for personalized message license plates in
29 section 60-3,118, except that a maximum of five characters may be used.

30 (4) The department shall cease to issue The Good Life Is Outside
31 Plates beginning with the next license plate issuance cycle after the

1 license plate issuance cycle that begins in 2023 pursuant to section
2 60-3,101 if the total number of registered vehicles that obtained such
3 plates is less than five hundred per year within any prior consecutive
4 two-year period.

5 Sec. 50. (1) Beginning January 1, 2021, a person may apply to the
6 department for The Good Life Is Outside Plates in lieu of regular license
7 plates on an application prescribed and provided by the department for
8 any motor vehicle, trailer, or semitrailer, except for a motor vehicle,
9 trailer, or semitrailer registered under section 60-3,198. An applicant
10 receiving a The Good Life Is Outside Plate for a farm truck with a gross
11 weight of over sixteen tons or for a commercial motor vehicle registered
12 for a gross weight of five tons or over shall affix the appropriate
13 tonnage decal to the plate. The department shall make forms available for
14 such applications through the county treasurers. The license plates shall
15 be issued upon payment of the license fee described in subsection (2) of
16 this section.

17 (2)(a) In addition to all other fees required for registration under
18 the Motor Vehicle Registration Act, each application for initial issuance
19 or renewal of alphanumeric The Good Life Is Outside Plates shall be
20 accompanied by a fee of five dollars. County treasurers collecting fees
21 pursuant to this subdivision shall remit such fees to the State
22 Treasurer. The State Treasurer shall credit five dollars of the fee to
23 the Game and Parks State Park Improvement and Maintenance Fund for the
24 purpose of trail improvement and maintenance.

25 (b) In addition to all other fees required for registration under
26 the Motor Vehicle Registration Act, each application for initial issuance
27 or renewal of personalized message The Good Life Is Outside Plates shall
28 be accompanied by a fee of forty dollars. County treasurers collecting
29 fees pursuant to this subdivision shall remit such fees to the State
30 Treasurer. The State Treasurer shall credit twenty-five percent of the
31 fee for initial issuance and renewal of such plates to the Department of

1 Motor Vehicles Cash Fund and seventy-five percent of the fee to the Game
2 and Parks State Park Improvement and Maintenance Fund for the purpose of
3 trail improvement and maintenance.

4 (3) When the department receives an application for The Good Life Is
5 Outside Plates, the department may deliver the plates and registration
6 certificate to the applicant by United States mail or to the county
7 treasurer of the county in which the motor vehicle, trailer, or
8 semitrailer is registered and the delivery of the plates and registration
9 certificate shall be made through a secure process and system. The county
10 treasurer or the department shall issue The Good Life Is Outside Plates
11 in lieu of regular license plates when the applicant complies with the
12 other provisions of the Motor Vehicle Registration Act for registration
13 of the motor vehicle, trailer, or semitrailer. If The Good Life Is
14 Outside Plates are lost, stolen, or mutilated, the licensee shall be
15 issued replacement license plates upon request pursuant to section
16 60-3,157.

17 (4) The county treasurer or the department may issue temporary
18 license stickers to the applicant under this section for the applicant to
19 lawfully operate the vehicle pending receipt of the license plates. No
20 charge in addition to the registration fee shall be made for the issuance
21 of a temporary license sticker under this subsection. The department
22 shall furnish temporary license stickers for issuance by the county
23 treasurer at no cost to the counties. The department may adopt and
24 promulgate rules and regulations regarding the design and issuance of
25 temporary license stickers.

26 (5) The owner of a motor vehicle, trailer, or semitrailer bearing
27 The Good Life Is Outside Plates may apply to the county treasurer to have
28 such plates transferred to a motor vehicle, trailer, or semitrailer other
29 than the motor vehicle, trailer, or semitrailer for which such plates
30 were originally purchased if such motor vehicle, trailer, or semitrailer
31 is owned by the owner of the plates. The owner may have the unused

1 portion of the fee for the plates credited to the other motor vehicle,
2 trailer, or semitrailer which will bear the plates at the rate of eight
3 and one-third percent per month for each full month left in the
4 registration period. Application for such transfer shall be accompanied
5 by a fee of three dollars. Fees collected pursuant to this subsection
6 shall be remitted to the State Treasurer for credit to the Department of
7 Motor Vehicles Cash Fund.

8 (6) If the cost of manufacturing The Good Life Is Outside Plates at
9 any time exceeds the amount charged for license plates pursuant to
10 section 60-3,102, any money to be credited to the Game and Parks State
11 Park Improvement and Maintenance Fund shall instead be credited first to
12 the Highway Trust Fund in an amount equal to the difference between the
13 manufacturing costs of The Good Life Is Outside Plates and the amount
14 charged pursuant to section 60-3,102 with respect to such plates and the
15 remainder shall be credited to the Game and Parks State Park Improvement
16 and Maintenance Fund for the purpose of trail improvement and
17 maintenance.

18 Sec. 51. Section 60-462.01, Revised Statutes Supplement, 2019, is
19 amended to read:

20 60-462.01 For purposes of the Motor Vehicle Operator's License Act,
21 the following federal regulations are adopted as Nebraska law as they
22 existed on January 1, ~~2020~~ 2019:

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

25 Sec. 52. Section 60-479.01, Revised Statutes Supplement, 2019, is
26 amended to read:

27 60-479.01 (1) All persons handling source documents or engaged in
28 the issuance of new, renewed, or reissued operators' licenses or state
29 identification cards shall have periodic fraudulent document recognition
30 training.

31 (2) All persons and agents of the department involved in the

1 recording of verified application information or verified operator's
2 license and state identification card information, involved in the
3 manufacture or production of licenses or cards, or who have the ability
4 to affect information on such licenses or cards shall be subject to a
5 criminal history record information check, including a check of prior
6 employment references, and a lawful status check as required by 6 C.F.R.
7 part 37, as such part existed on January 1, 2020 ~~2019~~. Such persons and
8 agents shall provide fingerprints which shall be submitted to the Federal
9 Bureau of Investigation. The bureau shall use its records for the
10 criminal history record information check.

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

23 (4) Any person convicted of any disqualifying offense as provided in
24 6 C.F.R. part 37, as such part existed on January 1, 2020 ~~2019~~, shall not
25 be involved in the recording of verified application information or
26 verified operator's license and state identification card information,
27 involved in the manufacture or production of licenses or cards, or
28 involved in any capacity in which such person would have the ability to
29 affect information on such licenses or cards. Any employee or prospective
30 employee of the department shall be provided notice that he or she will
31 undergo such criminal history record information check prior to

1 employment or prior to any involvement with the issuance of operators'
2 licenses or state identification cards.

3 Sec. 53. Section 60-484.04, Revised Statutes Cumulative Supplement,
4 2018, is amended to read:

5 60-484.04 (1) The Legislature finds and declares that section 202(c)
6 (2)(B)(i) through (x) ~~(ix)~~ of the federal REAL ID Act of 2005, Public Law
7 109-13, enumerated categories of individuals who may demonstrate lawful
8 status for the purpose of eligibility for a federally secure motor
9 vehicle operator's license or state identification card. The Legislature
10 further finds and declares that it was the intent of the Legislature in
11 2011 to adopt the enumerated categories by the passage of Laws 2011,
12 LB215. The Legislature declares that the passage of Laws 2015, LB623, is
13 for the limited purpose of reaffirming the original legislative intent of
14 Laws 2011, LB215. Except as provided in section 60-4,144 with respect to
15 operators of commercial motor vehicles, before being issued any other
16 type of operator's license or a state identification card under the Motor
17 Vehicle Operator's License Act, the department shall require an applicant
18 to present valid documentary evidence that he or she has lawful status in
19 the United States as enumerated in section 202(c)(2)(B)(i) through (x)
20 ~~(ix)~~ of the federal REAL ID Act of 2005, Public Law 109-13. Lawful status
21 may be shown by:

22 (a) A valid, unexpired United States passport;

23 (b) A certified copy of a birth certificate filed with a state
24 office of vital statistics or equivalent agency in the individual's state
25 of birth;

26 (c) A Consular Report of Birth Abroad (CRBA) issued by the United
27 States Department of State, Form FS-240, DS-1350, or FS-545;

28 (d) A valid, unexpired Permanent Resident Card (Form I-551) issued
29 by the United States Department of Homeland Security or United States
30 Citizenship and Immigration Services;

31 (e) An unexpired employment authorization document (EAD) issued by

1 the United States Department of Homeland Security, Form I-766 or Form
2 I-688B;

3 (f) An unexpired foreign passport with a valid, unexpired United
4 States visa affixed accompanied by the approved I-94 form documenting the
5 applicant's most recent admittance into the United States;

6 (g) A Certificate of Naturalization issued by the United States
7 Department of Homeland Security, Form N-550 or Form N-570;

8 (h) A Certificate of Citizenship, Form N-560 or Form N-561, issued
9 by the United States Department of Homeland Security;

10 (i) A driver's license or identification card issued in compliance
11 with the standards established by the REAL ID Act of 2005, Public Law
12 109-13, division B, section 1, 119 Stat. 302; or

13 (j) Such other documents as the director may approve.

14 (2)(a) If an applicant presents one of the documents listed under
15 subdivision (1)(a), (b), (c), (d), (g), or (h) of this section, the
16 verification of the applicant's identity in the manner prescribed in
17 section 60-484 will also provide satisfactory evidence of lawful status.

18 (b) If the applicant presents one of the identity documents listed
19 under subdivision (1)(e), (f), or (i) of this section, the verification
20 of the identity documents does not provide satisfactory evidence of
21 lawful status. The applicant must also present a second document from
22 subsection (1) of this section or documentation issued by the United
23 States Department of Homeland Security, the United States Citizenship and
24 Immigration Services, or other federal agencies, such as one of the types
25 of Form I-797 used by the United States Citizenship and Immigration
26 Services, demonstrating that the applicant has lawful status as
27 enumerated in section 202(c)(2)(B)(i) through (x) ~~(ix)~~ of the federal
28 REAL ID Act of 2005, Public Law 109-13.

29 (3) An applicant may present other documents as designated by the
30 director as proof of lawful status as enumerated in section 202(c)(2)(B)
31 (i) through (x) ~~(ix)~~ of the federal REAL ID Act of 2005, Public Law

1 109-13. Any documents accepted shall be recorded according to a written
2 exceptions process established by the director.

3 Sec. 54. Section 60-484.05, Revised Statutes Cumulative Supplement,
4 2018, is amended to read:

5 60-484.05 (1) The department shall only issue an operator's license
6 or a state identification card that is temporary to any applicant who
7 presents documentation under sections 60-484 and 60-484.04 that shows his
8 or her authorized stay in the United States is temporary. An operator's
9 license or a state identification card that is temporary shall be valid
10 only during the period of time of the applicant's authorized stay in the
11 United States or, if there is no definite end to the period of authorized
12 stay, a period of one year.

13 (2) An operator's license or state identification card that is
14 temporary shall clearly indicate that it is temporary with a special
15 notation on the front of the license or card and shall state the date on
16 which it expires.

17 (3) An operator's license or state identification card that is
18 temporary may be renewed only upon presentation of valid documentary
19 evidence that the status by which the applicant qualified for the
20 operator's license or state identification card that is temporary has
21 been extended by the United States Department of Homeland Security.

22 (4) If an individual has an operator's license or a state
23 identification card issued based on approved lawful status granted under
24 section 202(c)(2)(B)(i) through (x) ~~(ix)~~ of the federal REAL ID Act of
25 2005, Public Law 109-13, and the basis for the approved lawful status is
26 terminated, the individual shall return the operator's license or state
27 identification card to the Department of Motor Vehicles.

28 Sec. 55. Section 60-495, Revised Statutes Supplement, 2019, is
29 amended to read:

30 60-495 (1) The director may adopt and promulgate such rules and
31 regulations necessary to carry out sections 60-493 to 60-495 and the

1 duties of the department under the Revised Uniform Anatomical Gift Act.
2 The director shall prepare and furnish all forms and information
3 necessary under the act.

4 (2) The Organ and Tissue Donor Awareness and Education Fund is
5 created. Department personnel and the county treasurer shall remit all
6 funds contributed under sections 60-484, 60-4,144, and 60-4,181 to the
7 State Treasurer for credit to the fund. The fund shall also include any
8 money credited to the fund pursuant to section 42 of this act. The
9 Department of Health and Human Services shall administer the Organ and
10 Tissue Donor Awareness and Education Fund for the promotion of organ and
11 tissue donation. The department shall use the fund to assist
12 organizations such as the federally designated organ procurement
13 organization for Nebraska and the State Anatomical Board in carrying out
14 activities which promote organ and tissue donation through the creation
15 and dissemination of educational information. Any money in the fund
16 available for investment shall be invested by the state investment
17 officer pursuant to the Nebraska Capital Expansion Act and the Nebraska
18 State Funds Investment Act.

19 Sec. 56. Section 60-4,111.01, Revised Statutes Supplement, 2019, is
20 amended to read:

21 60-4,111.01 (1) The Department of Motor Vehicles, the courts, or law
22 enforcement agencies may store or compile information acquired from an
23 operator's license or a state identification card for their statutorily
24 authorized purposes.

25 (2) Except as otherwise provided in subsection (3) or (4) of this
26 section, no person having use of or access to machine-readable
27 information encoded on an operator's license or a state identification
28 card shall compile, store, preserve, trade, sell, or share such
29 information. Any person who trades, sells, or shares such information
30 shall be guilty of a Class IV felony. Any person who compiles, stores, or
31 preserves such information except as authorized in subsection (3) or (4)

1 of this section shall be guilty of a Class IV felony.

2 (3)(a) For purposes of compliance with and enforcement of
3 restrictions on the purchase of alcohol, lottery tickets, and tobacco
4 products, a retailer who sells any of such items pursuant to a license
5 issued or a contract under the applicable statutory provision may scan
6 machine-readable information encoded on an operator's license or a state
7 identification card presented for the purpose of such a sale. The
8 retailer may store only the following information obtained from the
9 license or card: Age and license or card identification number. The
10 retailer shall post a sign at the point of sale of any of such items
11 stating that the license or card will be scanned and that the age and
12 identification number will be stored. The stored information may only be
13 used by a law enforcement agency for purposes of enforcement of the
14 restrictions on the purchase of alcohol, lottery tickets, and tobacco
15 products and may not be shared with any other person or entity.

16 (b) For purposes of compliance with the provisions of sections
17 28-458 to 28-462, a seller who sells methamphetamine precursors pursuant
18 to such sections may scan machine-readable information encoded on an
19 operator's license or a state identification card presented for the
20 purpose of such a sale. The seller may store only the following
21 information obtained from the license or card: Name, age, address, type
22 of identification presented by the customer, the governmental entity that
23 issued the identification, and the number on the identification. The
24 seller shall post a sign at the point of sale stating that the license or
25 card will be scanned and stating what information will be stored. The
26 stored information may only be used by law enforcement agencies,
27 regulatory agencies, and the exchange for purposes of enforcement of the
28 restrictions on the sale or purchase of methamphetamine precursors
29 pursuant to sections 28-458 to 28-462 and may not be shared with any
30 other person or entity. For purposes of this subsection, the terms
31 exchange, methamphetamine precursor, and seller have the same meanings as

1 in section 28-458.

2 (c) The retailer or seller shall utilize software that stores only
3 the information allowed by this subsection. A programmer for computer
4 software designed to store such information shall certify to the retailer
5 that the software stores only the information allowed by this subsection.
6 Intentional or grossly negligent programming by the programmer which
7 allows for the storage of more than the age and identification number or
8 wrongfully certifying the software shall be a Class IV felony.

9 (d) A retailer or seller who knowingly stores more information than
10 authorized under this subsection from the operator's license or state
11 identification card shall be guilty of a Class IV felony.

12 (e) Information scanned, compiled, stored, or preserved pursuant to
13 subdivision (a) of this subsection may not be retained longer than
14 eighteen months unless required by state or federal law.

15 (4) In order to approve a negotiable instrument, an electronic funds
16 transfer, or a similar method of payment, a person having use of or
17 access to machine-readable information encoded on an operator's license
18 or a state identification card may:

19 (a) Scan, compile, store, or preserve such information in order to
20 provide the information to a check services company subject to and in
21 compliance with the federal Fair Credit Reporting Act, 15 U.S.C. 1681 et
22 seq., as such act existed on January 1, 2020 ~~2019~~, for the purpose of
23 effecting, administering, or enforcing a transaction requested by the
24 holder of the license or card or preventing fraud or other criminal
25 activity; or

26 (b) Scan and store such information only as necessary to protect
27 against or prevent actual or potential fraud, unauthorized transactions,
28 claims, or other liability or to resolve a dispute or inquiry by the
29 holder of the license or card.

30 (5) Except as provided in subdivision (4)(a) of this section,
31 information scanned, compiled, stored, or preserved pursuant to this

1 section may not be traded or sold to or shared with a third party; used
2 for any marketing or sales purpose by any person, including the retailer
3 who obtained the information; or, unless pursuant to a court order,
4 reported to or shared with any third party. A person who violates this
5 subsection shall be guilty of a Class IV felony.

6 Sec. 57. Section 60-4,113, Revised Statutes Cumulative Supplement,
7 2018, is amended to read:

8 60-4,113 (1) The director shall appoint as his or her agents one or
9 more department personnel who shall examine all applicants for a state
10 identification card or an operator's license as provided in section
11 60-4,114, except as otherwise provided in subsection (8) of section
12 60-4,122. The same department personnel may be assigned to one or more
13 counties by the director. In counties in which the county treasurer
14 collects the fees and issues receipts, the county shall furnish office
15 space for the administration of the operator's license examination.
16 Department personnel shall conduct the examination of applicants and
17 deliver to each successful applicant an issuance certificate or receipt.
18 The certificate may be presented to the county treasurer within ninety
19 days after issuance, and the county treasurer shall collect the fee and
20 surcharge as provided in section 60-4,115 and issue a receipt which is
21 valid for up to thirty days. If an operator's license is being issued,
22 the receipt shall also authorize driving privileges for such thirty-day
23 period. If department personnel refuse to issue an issuance certificate
24 or receipt, the department personnel shall state such cause in writing
25 and deliver such written cause to the applicant.

26 (2) The department may provide for the central production and
27 issuance of operators' licenses and state identification cards.
28 Production shall take place at a secure production facility designated by
29 the director. The licenses and cards shall be of such a design and
30 produced in such a way as to discourage, to the maximum extent possible,
31 fraud in applicant enrollment, identity theft, and the forgery and

1 counterfeiting of such licenses and cards. Delivery of an operator's
2 license or state identification card shall be to the mailing address
3 provided by the applicant at the time of application and may be provided
4 by secure electronic delivery to specified contact information at the
5 request of the applicant.

6 Sec. 58. Section 60-4,114, Revised Statutes Cumulative Supplement,
7 2018, is amended to read:

8 60-4,114 (1) The county treasurer may employ such additional
9 clerical help as may be necessary to assist him or her in the performance
10 of the ministerial duties required of him or her under the Motor Vehicle
11 Operator's License Act and, for such additional expense, shall be
12 reimbursed as set out in section 60-4,115.

13 (2) The director may, in his or her discretion, appoint department
14 personnel to examine all applicants who apply for an initial license or
15 whose licenses have been revoked or canceled to ascertain such person's
16 ability to operate a motor vehicle properly and safely.

17 (3) Except as otherwise provided in section 60-4,122, the
18 application process, in addition to the other requisites of the act,
19 shall include the following:

20 (a) An inquiry into the medical condition and visual ability of the
21 applicant to operate a motor vehicle;

22 (b) An inquiry into the applicant's ability to drive and maneuver a
23 motor vehicle, except that no driving skills test shall be conducted
24 using an autocycle; and

25 (c) An inquiry touching upon the applicant's knowledge of the motor
26 vehicle laws of this state, which shall include sufficient questions to
27 indicate familiarity with the provisions thereof. Such knowledge inquiry
28 may be performed remotely if proctored by an agent approved by the
29 director.

30 (4) If an applicant is denied or refused a certificate for license
31 or a license is canceled, such applicant or licensee shall have the right

1 to an immediate appeal to the director from the decision. It shall be the
2 duty of the director to review the appeal and issue a final order, to be
3 made not later than ten days after the receipt of the appeal by the
4 director. The director shall issue a final order not later than ten days
5 following receipt of the medical opinion if the applicant or licensee
6 submits reports from a physician of his or her choice for the director's
7 consideration as provided in section 60-4,118.03. The applicant or
8 licensee who files an appeal pursuant to this section shall notify the
9 director in writing if he or she intends to submit records or reports for
10 consideration. Such notice must be received by the director not later
11 than ten days after an appeal is filed pursuant to this section to stay
12 the director's decision until after the consideration of such records or
13 reports as provided in section 60-4,118.03. After consideration of
14 evidence in the records of the applicant or licensee, including any
15 records submitted by the applicant or licensee, the director shall make a
16 determination of the physical or mental ability of the applicant or
17 licensee to operate a motor vehicle and shall issue a final order. The
18 order shall be in writing, shall be accompanied by findings of fact and
19 conclusions of law, and shall be sent by regular United States mail to
20 the last-known address of the applicant or licensee. The order may be
21 appealed as provided in section 60-4,105.

22 Sec. 59. Section 60-4,132, Revised Statutes Supplement, 2019, is
23 amended to read:

24 60-4,132 The purposes of sections 60-462.01, 60-4,133, and 60-4,137
25 to 60-4,172 are to implement the requirements mandated by the federal
26 Commercial Motor Vehicle Safety Act of 1986, 49 U.S.C. 31100 et seq., the
27 federal Motor Carrier Safety Improvement Act of 1999, Public Law 106-159,
28 section 1012 of the federal Uniting and Strengthening America by
29 Providing Appropriate Tools Required to Intercept and Obstruct Terrorism
30 Act of 2001, USA PATRIOT Act, 49 U.S.C. 5103a, and federal regulations as
31 such acts and regulations existed on January 1, 2020 ~~2019~~, and to reduce

1 or prevent commercial motor vehicle accidents, fatalities, and injuries
2 by: (1) Permitting drivers to hold only one operator's license; (2)
3 disqualifying drivers for specified offenses and serious traffic
4 violations; and (3) strengthening licensing and testing standards.

5 Sec. 60. Section 60-4,134, Revised Statutes Supplement, 2019, is
6 amended to read:

7 60-4,134 In conformance with section 7208 of the federal Fixing
8 America's Surface Transportation Act and 49 C.F.R. 383.3(i), as such
9 section and regulation existed on January 1, 2020 ~~2019~~, no hazardous
10 materials endorsement authorizing the holder of a Class A commercial
11 driver's license to operate a commercial motor vehicle transporting
12 diesel fuel shall be required if such driver is (1) operating within the
13 state and acting within the scope of his or her employment as an employee
14 of a custom harvester operation, an agrichemical business, a farm retail
15 outlet and supplier, or a livestock feeder and (2) operating a service
16 vehicle that is (a) transporting diesel in a quantity of one thousand
17 gallons or less and (b) clearly marked with a flammable or combustible
18 placard, as appropriate.

19 Sec. 61. Section 60-4,138, Revised Statutes Cumulative Supplement,
20 2018, is amended to read:

21 60-4,138 (1) Commercial drivers' licenses and restricted commercial
22 drivers' licenses shall be issued by the department in compliance with 49
23 C.F.R. parts 383 and 391, shall be classified as provided in subsection
24 (2) of this section, and shall bear such endorsements and restrictions as
25 are provided in subsections (3) and (4) of this section.

26 (2) Commercial motor vehicle classifications for purposes of
27 commercial drivers' licenses shall be as follows:

28 (a) Class A Combination Vehicle – Any combination of motor vehicles
29 and towed vehicles with a gross vehicle weight rating of more than
30 twenty-six thousand pounds if the gross vehicle weight rating of the
31 vehicles being towed are in excess of ten thousand pounds;

1 (b) Class B Heavy Straight Vehicle – Any single commercial motor
2 vehicle with a gross vehicle weight rating of twenty-six thousand one
3 pounds or more or any such commercial motor vehicle towing a vehicle with
4 a gross vehicle weight rating not exceeding ten thousand pounds; and

5 (c) Class C Small Vehicle – Any single commercial motor vehicle with
6 a gross vehicle weight rating of less than twenty-six thousand one pounds
7 or any such commercial motor vehicle towing a vehicle with a gross
8 vehicle weight rating not exceeding ten thousand pounds comprising:

9 (i) Motor vehicles designed to transport sixteen or more passengers,
10 including the driver; and

11 (ii) Motor vehicles used in the transportation of hazardous
12 materials and required to be placarded pursuant to section 75-364.

13 (3) The endorsements to a commercial driver's license shall be as
14 follows:

15 (a) T – Double/triple trailers;

16 (b) P – Passenger;

17 (c) N – Tank vehicle;

18 (d) H – Hazardous materials;

19 (e) X – Combination tank vehicle and hazardous materials; and

20 (f) S – School bus.

21 (4) The restrictions to a commercial driver's license shall be as
22 follows:

23 (a) E – No manual transmission equipped commercial motor vehicle;

24 (b) K – Operation of a commercial motor vehicle only in intrastate
25 commerce;

26 (c) L – Operation of only a commercial motor vehicle which is not
27 equipped with air brakes;

28 (d) M – Operation of a commercial motor vehicle which is not a Class
29 A passenger vehicle bus;

30 (e) N – Operation of a commercial motor vehicle which is not a Class
31 A or Class B passenger vehicle bus;

1 (f) O – No tractor-trailer commercial motor vehicle;

2 (g) V – Operation of a commercial motor vehicle for drivers with
3 medical variance documentation. The documentation shall be required to be
4 carried on the driver's person while operating a commercial motor
5 vehicle; and

6 (h) Z – No full air brake equipped commercial motor vehicle.

7 Sec. 62. Section 60-4,141, Revised Statutes Cumulative Supplement,
8 2018, is amended to read:

9 60-4,141 (1) Except as provided in subsections (2), (3), and (4) of
10 this section, no person shall operate any class of commercial motor
11 vehicle upon the highways of this state unless such person possesses a
12 valid commercial driver's license authorizing the operation of the class
13 of commercial motor vehicle being operated, except that (a) any person
14 possessing a valid commercial driver's license authorizing the operation
15 of a Class A commercial motor vehicle may lawfully operate any Class B or
16 C commercial motor vehicle and (b) any person possessing a valid
17 commercial driver's license authorizing the operation of a Class B
18 commercial motor vehicle may lawfully operate a Class C commercial motor
19 vehicle. No person shall operate upon the highways of this state any
20 commercial motor vehicle which requires a specific endorsement unless
21 such person possesses a valid commercial driver's license with such
22 endorsement. No person possessing a restricted commercial driver's
23 license shall operate upon the highways of this state any commercial
24 motor vehicle to which such restriction is applicable.

25 (2)(a) Any person holding a CLP-commercial learner's permit may
26 operate a commercial motor vehicle for learning purposes upon the
27 highways of this state if accompanied by a person who is twenty-one years
28 of age or older, who holds a commercial driver's license valid for the
29 class of commercial motor vehicle being operated, and who occupies the
30 seat beside the person for the purpose of giving instruction in the
31 operation of the commercial motor vehicle. Any person holding a CLP-

1 commercial learner's permit may operate a commercial motor vehicle upon
2 the highways of this state for purposes of taking a driving skills
3 examination if accompanied by licensing staff who is designated by the
4 director under section 60-4,149 or an examiner employed by a third-party
5 tester certified pursuant to section 60-4,158 and who occupies the seat
6 beside the person for the purpose of giving the examination. A person
7 holding a CLP-commercial learner's permit shall not operate a commercial
8 motor vehicle transporting hazardous materials. A holder of a commercial
9 learner's permit may operate a Class A combination vehicle, Class B heavy
10 straight vehicle, or Class C small vehicle, as appropriate.

11 (b) A CLP-commercial learner's permit shall only be allowed to bear
12 any of the following endorsements: (i) P – Passenger; (ii) S – School
13 bus; and (iii) N – Tank vehicle.

14 (c) A CLP-commercial learner's permit shall only be allowed to bear
15 any of the following restrictions: (i) K – Operation of a commercial
16 motor vehicle only in intrastate commerce; (ii) L – Operation of only a
17 commercial motor vehicle which is not equipped with air brakes; (iii) V –
18 Operation of a commercial motor vehicle for drivers with medical variance
19 documentation; (iv) P – No passengers in commercial motor vehicle bus;
20 ~~and~~ (v) X – No cargo in commercial motor vehicle tank vehicle; (vi) M –
21 Operation of a commercial motor vehicle that is not a Class A passenger
22 vehicle; and (vii) N – Operation of a commercial motor vehicle that is
23 not a Class A or Class B passenger vehicle.

24 (3) Except for nonresident individuals who are enrolled and taking
25 training in a driver training school in this state, any holder of a
26 nonresident commercial learner's permit or nonresident commercial
27 driver's license who is in this state for a period of thirty consecutive
28 days or more shall apply for a Nebraska-issued CLP-commercial learner's
29 permit or commercial driver's license and shall surrender to the
30 department any operator's license issued to such nonresident by any other
31 state.

1 (4) Except for individuals who are enrolled and taking training in a
2 driver training school in this state, any holder of a nondomiciled
3 commercial learner's permit or nondomiciled commercial driver's license
4 issued by another state who is in this state for a period of thirty
5 consecutive days or more shall apply for a Nebraska-issued CLP-commercial
6 learner's permit or commercial driver's license and shall surrender to
7 the department any operator's license issued to such individual by any
8 other state.

9 (5) An operator's license surrendered pursuant to this section may
10 be returned to the driver after the license has been perforated with the
11 word "VOID".

12 (6) Any person who operates a commercial motor vehicle upon the
13 highways of this state in violation of this section shall, upon
14 conviction, be guilty of a Class III misdemeanor.

15 Sec. 63. Section 60-4,147.02, Revised Statutes Supplement, 2019, is
16 amended to read:

17 60-4,147.02 No endorsement authorizing the driver to operate a
18 commercial motor vehicle transporting hazardous materials shall be
19 issued, renewed, or transferred by the Department of Motor Vehicles
20 unless the endorsement is issued, renewed, or transferred in conformance
21 with the requirements of section 1012 of the federal Uniting and
22 Strengthening America by Providing Appropriate Tools Required to
23 Intercept and Obstruct Terrorism Act of 2001, USA PATRIOT Act, 49 U.S.C.
24 5103a, including all amendments and federal regulations adopted pursuant
25 thereto as of January 1, ~~2020~~ 2019, for the issuance of licenses to
26 operate commercial motor vehicles transporting hazardous materials.

27 Sec. 64. Section 60-4,168, Revised Statutes Cumulative Supplement,
28 2018, is amended to read:

29 60-4,168 (1) Except as provided in subsections (2) and (3) of this
30 section, a person shall be disqualified from operating a commercial motor
31 vehicle for one year upon his or her first conviction, after April 1,

1 1992, in this or any other state for:

2 (a) Operating a commercial motor vehicle in violation of section
3 60-6,196 or 60-6,197 or under the influence of a controlled substance or,
4 beginning September 30, 2005, operating any motor vehicle in violation of
5 section 60-6,196 or 60-6,197 or under the influence of a controlled
6 substance;

7 (b) Operating a commercial motor vehicle in violation of section
8 60-4,163 or 60-4,164;

9 (c) Leaving the scene of an accident involving a commercial motor
10 vehicle operated by the person or, beginning September 30, 2005, leaving
11 the scene of an accident involving any motor vehicle operated by the
12 person;

13 (d) Using a commercial motor vehicle in the commission of a felony
14 other than a felony described in subdivision (3)(b) of this section or,
15 beginning September 30, 2005, using any motor vehicle in the commission
16 of a felony other than a felony described in subdivision (3)(b) of this
17 section;

18 (e) Beginning September 30, 2005, operating a commercial motor
19 vehicle after his or her commercial driver's license has been suspended,
20 revoked, or canceled or the driver is disqualified from operating a
21 commercial motor vehicle; or

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

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

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

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

5 (b) Beginning September 30, 2005, used a commercial motor vehicle in
6 the commission of a felony involving the manufacturing, distributing, or
7 dispensing of a controlled substance; or -

8 (c) Used a commercial motor vehicle in the commission of a felony
9 involving an act or practice of severe forms of trafficking in persons,
10 as defined and described in 22 U.S.C. 7102(11), as such section existed
11 on January 1, 2020.

12 (4)(a) A person is disqualified from operating a commercial motor
13 vehicle for a period of not less than sixty days if he or she is
14 convicted in this or any other state of two serious traffic violations,
15 or not less than one hundred twenty days if he or she is convicted in
16 this or any other state of three serious traffic violations, arising from
17 separate incidents occurring within a three-year period while operating a
18 commercial motor vehicle.

19 (b) A person is disqualified from operating a commercial motor
20 vehicle for a period of not less than sixty days if he or she is
21 convicted in this or any other state of two serious traffic violations,
22 or not less than one hundred twenty days if he or she is convicted in
23 this or any other state of three serious traffic violations, arising from
24 separate incidents occurring within a three-year period while operating a
25 motor vehicle other than a commercial motor vehicle if the convictions
26 have resulted in the revocation, cancellation, or suspension of the
27 person's operator's license or driving privileges.

28 (5)(a) A person who is convicted of operating a commercial motor
29 vehicle in violation of a federal, state, or local law or regulation
30 pertaining to one of the following six offenses at a highway-rail grade
31 crossing shall be disqualified for the period of time specified in

1 subdivision (5)(b) of this section:

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

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

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

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

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

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

14 (b)(i) A person shall be disqualified for not less than sixty days
15 if the person is convicted of a first violation described in this
16 subsection.

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

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

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

27 (7) If the department receives credible information that a CLP-
28 commercial learner's permit holder or a commercial driver's license
29 holder is suspected, but has not been convicted, on or after July 8,
30 2015, of fraud related to the issuance of his or her CLP-commercial
31 learner's permit or commercial driver's license, the department must

1 require the driver to retake the skills and knowledge tests. Within
2 thirty days after receiving notification from the department that
3 retesting is necessary, the affected CLP-commercial learner's permit
4 holder or commercial driver's license holder must make an appointment or
5 otherwise schedule to take the next available test. If the CLP-commercial
6 learner's permit holder or commercial driver's license holder fails to
7 make an appointment within thirty days, the department must disqualify
8 his or her CLP-commercial learner's permit or commercial driver's
9 license. If the driver fails either the knowledge or skills test or does
10 not take the test, the department must disqualify his or her CLP-
11 commercial learner's permit or commercial driver's license. If the holder
12 of a CLP-commercial learner's permit or commercial driver's license has
13 had his or her CLP-commercial learner's permit or commercial driver's
14 license disqualified, he or she must reapply for a CLP-commercial
15 learner's permit or commercial driver's license under department
16 procedures applicable to all applicants for a CLP-commercial learner's
17 permit or commercial driver's license.

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

20 (9) For purposes of this section, conviction means an unvacated
21 adjudication of guilt, or a determination that a person has violated or
22 failed to comply with the law, in a court of original jurisdiction or by
23 an authorized administrative tribunal, an unvacated forfeiture of bail or
24 collateral deposited to secure the person's appearance in court, a plea
25 of guilty or nolo contendere accepted by the court, the payment of a fine
26 or court costs, or a violation of a condition of release without bail,
27 regardless of whether or not the penalty is rebated, suspended, or
28 probated.

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

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

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

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

4 (d) Following the vehicle ahead too closely as described in section
5 60-6,140;

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

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

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

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

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

21 (j) Using a handheld mobile telephone as described in section
22 60-6,179.02.

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

25 Sec. 65. Section 60-4,182, Revised Statutes Supplement, 2019, is
26 amended to read:

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

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

1 (2) Third offense drunken driving in violation of any city or
2 village ordinance or of section 60-6,196, as disclosed by the conviction
3 record of the court's order - 12 points;

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

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

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

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

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

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

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

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

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

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

30 (b) ~~(c)~~ More than ten miles per hour but not more than thirty-five
31 miles per hour over the speed limit - 3 points, except that one point

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

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

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

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

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

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

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

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

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

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

1 violations; or overloading of trucks.

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

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

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

12 Sec. 66. Section 60-501, Revised Statutes Supplement, 2019, is
13 amended to read:

14 60-501 For purposes of the Motor Vehicle Safety Responsibility Act,
15 unless the context otherwise requires:

16 (1) Department means Department of Motor Vehicles;

17 (2) Former military vehicle means a motor vehicle that was
18 manufactured for use in any country's military forces and is maintained
19 to accurately represent its military design and markings, regardless of
20 the vehicle's size or weight, but is no longer used, or never was used,
21 by a military force;

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

29 (4) Judgment means any judgment which shall have become final by the
30 expiration of the time within which an appeal might have been perfected
31 without being appealed, or by final affirmation on appeal, rendered by a

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

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

10 (6) Low-speed vehicle means a (a) four-wheeled motor vehicle (i)
11 whose speed attainable in one mile is more than twenty miles per hour and
12 not more than twenty-five miles per hour on a paved, level surface, (ii)
13 whose gross vehicle weight rating is less than three thousand pounds, and
14 (iii) that complies with 49 C.F.R. part 571, as such part existed on
15 January 1, 2020 ~~2019~~, or (b) three-wheeled motor vehicle (i) whose
16 maximum speed attainable is not more than twenty-five miles per hour on a
17 paved, level surface, (ii) whose gross vehicle weight rating is less than
18 three thousand pounds, and (iii) which is equipped with a windshield and
19 an occupant protection system. A motorcycle with a sidecar attached is
20 not a low-speed vehicle;

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

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

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

17 (10) Nonresident's operating privilege means the privilege conferred
18 upon a nonresident by the laws of this state pertaining to the operation
19 by him or her of a motor vehicle or the use of a motor vehicle owned by
20 him or her in this state;

21 (11) Operator means every person who is in actual physical control
22 of a motor vehicle;

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

31 (13) Person means every natural person, firm, partnership, limited

1 liability company, association, or corporation;

2 (14) Proof of financial responsibility means evidence of ability to
3 respond in damages for liability, on account of accidents occurring
4 subsequent to the effective date of such proof, arising out of the
5 ownership, maintenance, or use of a motor vehicle, (a) in the amount of
6 twenty-five thousand dollars because of bodily injury to or death of one
7 person in any one accident, (b) subject to such limit for one person, in
8 the amount of fifty thousand dollars because of bodily injury to or death
9 of two or more persons in any one accident, and (c) in the amount of
10 twenty-five thousand dollars because of injury to or destruction of
11 property of others in any one accident;

12 (15) Registration means registration certificate or certificates and
13 registration plates issued under the laws of this state pertaining to the
14 registration of motor vehicles;

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

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

21 Sec. 67. Section 60-628.01, Revised Statutes Supplement, 2019, is
22 amended to read:

23 60-628.01 Low-speed vehicle means a (1) four-wheeled motor vehicle
24 (a) whose speed attainable in one mile is more than twenty miles per hour
25 and not more than twenty-five miles per hour on a paved, level surface,
26 (b) whose gross vehicle weight rating is less than three thousand pounds,
27 and (c) that complies with 49 C.F.R. part 571, as such part existed on
28 January 1, 2020 ~~2019~~, or (2) three-wheeled motor vehicle (a) whose
29 maximum speed attainable is not more than twenty-five miles per hour on a
30 paved, level surface, (b) whose gross vehicle weight rating is less than
31 three thousand pounds, and (c) which is equipped with a windshield and an

1 occupant protection system. A motorcycle with a sidecar attached is not a
2 low-speed vehicle.

3 Sec. 68. Section 60-6,265, Revised Statutes Supplement, 2019, is
4 amended to read:

5 60-6,265 For purposes of sections 60-6,266 to 60-6,273:

6 (1) Occupant protection system means a system utilizing a lap belt,
7 a shoulder belt, or any combination of belts installed in a motor vehicle
8 which (a) restrains drivers and passengers and (b) conforms to Federal
9 Motor Vehicle Safety Standards, 49 C.F.R. 571.207, 571.208, 571.209, and
10 571.210, as such standards existed on January 1, 2020 ~~2019~~, or, as a
11 minimum standard, to the federal motor vehicle safety standards for
12 passenger restraint systems applicable for the motor vehicle's model
13 year; and

14 (2) Three-point safety belt system means a system utilizing a
15 combination of a lap belt and a shoulder belt installed in a motor
16 vehicle which restrains drivers and passengers.

17 Sec. 69. Section 60-6,290, Revised Statutes Supplement, 2019, is
18 amended to read:

19 60-6,290 (1)(a) No vehicle shall exceed a length of forty feet,
20 extreme overall dimensions, inclusive of front and rear bumpers including
21 load, except that:

22 (i) A bus or a motor home, as defined in section 71-4603, may exceed
23 the forty-foot limitation but shall not exceed a length of forty-five
24 feet;

25 (ii) A truck-tractor may exceed the forty-foot limitation;

26 (iii) A semitrailer operating in a truck-tractor single semitrailer
27 combination, which semitrailer was actually and lawfully operating in the
28 State of Nebraska on December 1, 1982, may exceed the forty-foot
29 limitation;

30 (iv) A semitrailer operating in a truck-tractor single semitrailer
31 combination, which semitrailer was not actually and lawfully operating in

1 the State of Nebraska on December 1, 1982, may exceed the forty-foot
2 limitation but shall not exceed a length of fifty-three feet including
3 load;

4 (v) A semitrailer operating in a truck-tractor single semitrailer
5 combination, while transporting baled livestock forage, may exceed the
6 forty-foot limitation but shall not exceed a length of fifty-nine feet
7 six inches including load; and

8 (vi) An articulated bus vehicle operated by a transit authority
9 established under the Transit Authority Law or regional metropolitan
10 transit authority established pursuant to section 18-804 may exceed the
11 forty-foot limitation. For purposes of this subdivision (vi), an
12 articulated bus vehicle shall not exceed sixty-five feet in length.

13 (b) No combination of vehicles shall exceed a length of sixty-five
14 feet, extreme overall dimensions, inclusive of front and rear bumpers and
15 including load, except:

16 (i) One truck and one trailer, loaded or unloaded, used in
17 transporting implements of husbandry to be engaged in harvesting, while
18 being transported into or through the state during daylight hours if the
19 total length does not exceed seventy-five feet including load;

20 (ii) A truck-tractor single semitrailer combination;

21 (iii) A truck-tractor semitrailer trailer combination, but the
22 semitrailer trailer portion of such combination shall not exceed sixty-
23 five feet inclusive of connective devices; ~~and~~

24 (iv) A driveaway saddlemount vehicle transporter combination and
25 driveaway saddlemount with fullmount vehicle transporter combination, but
26 the total overall length shall not exceed ninety-seven feet; ~~-~~

27 (v) A stinger-steered automobile transporter, but the total overall
28 length shall not exceed eighty feet, inclusive of a front overhang of
29 less than four feet and a rear overhang of less than six feet. For
30 purposes of this subdivision, automobile transporter means any vehicle
31 combination designed and used for the transport of assembled highway

1 vehicles, including truck camper units. An automobile transporter shall
2 not be prohibited from the transport of cargo or general freight on a
3 backhaul, so long as it is in compliance with weight limitations for a
4 truck-tractor and semitrailer combination; and

5 (vi) A towaway trailer transporter combination, but the total
6 overall length shall not exceed eighty-two feet. For purposes of this
7 subdivision, towaway trailer transporter combination means a combination
8 of vehicles consisting of a trailer transporter towing unit and two
9 trailers or semitrailers with a total weight that does not exceed twenty-
10 six thousand pounds, and in which the trailers or semitrailers carry no
11 property and constitute inventory property of a manufacturer,
12 distributor, or dealer of such trailers or semitrailers.

13 (c) A truck shall be construed to be one vehicle for the purpose of
14 determining length.

15 (d) A trailer shall be construed to be one vehicle for the purpose
16 of determining length.

17 (2) Subsection (1) of this section shall not apply to:

18 (a) Extra-long vehicles which have been issued a permit pursuant to
19 section 60-6,292;

20 (b) Vehicles which have been issued a permit pursuant to section
21 60-6,299;

22 (c) The temporary moving of farm machinery during daylight hours in
23 the normal course of farm operations;

24 (d) The movement of unbaled livestock forage vehicles, loaded or
25 unloaded;

26 (e) The movement of public utility or other construction and
27 maintenance material and equipment at any time;

28 (f) Farm equipment dealers or their representatives as authorized
29 under section 60-6,382 driving, delivering, or picking up farm equipment
30 or implements of husbandry within the county in which the dealer
31 maintains his or her place of business, or in any adjoining county or

1 counties, and return;

2 (g) The overhang of any motor vehicle being hauled upon any lawful
3 combination of vehicles, but such overhang shall not exceed the distance
4 from the rear axle of the hauled motor vehicle to the closest bumper
5 thereof;

6 (h) The overhang of a combine to be engaged in harvesting, while
7 being transported into or through the state driven during daylight hours
8 by a truck-tractor semitrailer combination, but the length of the
9 semitrailer, including overhang, shall not exceed sixty-three feet and
10 the maximum semitrailer length shall not exceed fifty-three feet;

11 (i) Any self-propelled specialized mobile equipment with a fixed
12 load when the requirements of subdivision (2)(i) of section 60-6,288 are
13 met; or

14 (j) One truck-tractor two trailer combination or one truck-tractor
15 semitrailer trailer combination used in transporting equipment utilized
16 by custom harvesters under contract to agricultural producers to harvest
17 wheat, soybeans, or milo during the months of April through November but
18 the length of the property-carrying units, excluding load, shall not
19 exceed eighty-one feet six inches.

20 (3) The length limitations of this section shall be exclusive of
21 safety and energy conservation devices such as rearview mirrors,
22 turnsignal lights, marker lights, steps and handholds for entry and
23 egress, flexible fender extensions, mudflaps and splash and spray
24 suppressant devices, load-induced tire bulge, refrigeration units or air
25 compressors, and other devices necessary for safe and efficient operation
26 of commercial motor vehicles, except that no device excluded from the
27 limitations of this section shall have by its design or use the
28 capability to carry cargo.

29 Sec. 70. Section 60-6,294, Revised Statutes Cumulative Supplement,
30 2018, is amended to read:

31 60-6,294 (1) Every vehicle, whether operated singly or in a

1 combination of vehicles, and every combination of vehicles shall comply
2 with subsections (2) and (3) of this section except as provided in
3 sections 60-6,294.01, 60-6,297, and 60-6,383. The limitations imposed by
4 this section shall be supplemental to all other provisions imposing
5 limitations upon the size and weight of vehicles.

6 (2) No wheel of a vehicle or trailer equipped with pneumatic or
7 solid rubber tires shall carry a gross load in excess of ten thousand
8 pounds on any highway nor shall any axle carry a gross load in excess of
9 twenty thousand pounds on any highway. An axle load shall be defined as
10 the total load transmitted to the highway by all wheels the centers of
11 which may be included between two parallel transverse vertical planes
12 forty inches apart extending across the full width of the vehicle.

13 (3) No group of two or more consecutive axles shall carry a load in
14 pounds in excess of the value given in the following table corresponding
15 to the distance in feet between the extreme axles of the group, measured
16 longitudinally to the nearest foot, except that the maximum load carried
17 on any group of two or more axles shall not exceed eighty thousand pounds
18 on the National System of Interstate and Defense Highways unless the
19 Director-State Engineer pursuant to section 60-6,295 authorizes a greater
20 weight.

21	Distance in feet	Maximum load in pounds carried					
22	between the	on any group of two or more					
23	extremes of	consecutive axles					
24	any group of						
25	two or more						
26	consecutive	Two	Three	Four	Five	Six	Seven
27	axles	Axles	Axles	Axles	Axles	Axles	Axles
28	4	34,000					
29	5	34,000					
30	6	34,000					
31	7	34,000					

1	8	34,000	42,000				
2	9	39,000	42,500				
3	10	40,000	43,500				
4	11		44,000				
5	12		45,000	50,000			
6	13		45,500	50,500			
7	14		46,500	51,500			
8	15		47,000	52,000			
9	16		48,000	52,500	58,000		
10	17		48,500	53,500	58,500		
11	18		49,500	54,000	59,000		
12	19		50,000	54,500	60,000		
13	20		51,000	55,500	60,500		
14	21		51,500	56,000	61,000		
15	22		52,500	56,500	61,500		
16	23		53,000	57,500	62,500		
17	24		54,000	58,000	63,000		
18	25		54,500	58,500	63,500	69,000	
19	26		55,500	59,500	64,000	69,500	
20	27		56,000	60,000	65,000	70,000	
21	28		57,000	60,500	65,500	71,000	
22	29		57,500	61,500	66,000	71,500	
23	30		58,500	62,000	66,500	72,000	
24	31		59,000	62,500	67,500	72,500	
25	32		60,000	63,500	68,000	73,000	
26	33			64,000	68,500	74,000	
27	34			64,500	69,000	74,500	
28	35			65,500	70,000	75,000	
29	36			66,000	70,500	75,500	
30	37			66,500	71,000	76,000	81,500

1	38	67,500	72,000	77,000	82,000
2	39	68,000	72,500	77,500	82,500
3	40	68,500	73,000	78,000	83,500
4	41	69,500	73,500	78,500	84,000
5	42	70,000	74,000	79,000	84,500
6	43	70,500	75,000	80,000	85,000
7	44	71,500	75,500	80,500	85,500
8	45	72,000	76,000	81,000	86,000
9	46	72,500	76,500	81,500	87,000
10	47	73,500	77,500	82,000	87,500
11	48	74,000	78,000	83,000	88,000
12	49	74,500	78,500	83,500	88,500
13	50	75,500	79,000	84,000	89,000
14	51	76,000	80,000	84,500	89,500
15	52	76,500	80,500	85,000	90,500
16	53	77,500	81,000	86,000	91,000
17	54	78,000	81,500	86,500	91,500
18	55	78,500	82,500	87,000	92,000
19	56	79,500	83,000	87,500	92,500
20	57	80,000	83,500	88,000	93,000
21	58		84,000	89,000	94,000
22	59		85,000	89,500	94,500
23	60		85,500	90,000	95,000

24 (4) The distance between axles shall be measured to the nearest
25 foot. When a fraction is exactly one-half foot, the next larger whole
26 number shall be used, except that:

27 (a) Any group of three axles shall be restricted to a maximum load
28 of thirty-four thousand pounds unless the distance between the extremes
29 of the first and third axles is at least ninety-six inches in fact; and

30 (b) The maximum gross load on any group of two axles, the distance

1 between the extremes of which is more than eight feet but less than eight
2 feet six inches, shall be thirty-eight thousand pounds.

3 (5) The limitations of subsections (2) through (4) of this section
4 shall apply as stated to all main, rural, and intercity highways but
5 shall not be construed as inhibiting heavier axle loads in metropolitan
6 areas, except on the National System of Interstate and Defense Highways,
7 if such loads are not prohibited by city ordinance.

8 (6) The weight limitations of wheel and axle loads as defined in
9 subsections (2) through (4) of this section shall be restricted to the
10 extent deemed necessary by the Department of Transportation for a
11 reasonable period when road subgrades or pavements are weak or are
12 materially weakened by climatic conditions.

13 (7) Two consecutive sets of tandem axles may carry a gross load of
14 thirty-four thousand pounds each when the overall distance between the
15 first and last axles of such consecutive sets of tandem axles is thirty-
16 six, thirty-seven, or thirty-eight feet except as provided in section
17 60-6,297. Such vehicles shall be subject to section 60-6,301.

18 (8) If any vehicle crosses a bridge with a total gross load in
19 excess of the posted capacity of such bridge and as a result of such
20 crossing any damage results to the bridge, the owner of such vehicle
21 shall be responsible for all of such damage.

22 (9) Vehicles equipped with a greater number of axles than provided
23 in the table in subsection (3) of this section shall be legal if they do
24 not exceed the maximum load upon any wheel or axle, the maximum load upon
25 any group of two or more consecutive axles, and the total gross weight,
26 or any of such weights as provided in subsections (2) and (3) of this
27 section.

28 (10) Subsections (1) through (9) of this section shall not apply to
29 a vehicle which has been issued a permit pursuant to section 60-6,299,
30 self-propelled specialized mobile equipment with a fixed load when the
31 requirements of subdivision (2)(i) of section 60-6,288 are met, or an

1 emergency vehicle when the requirements of subdivision (1)(a)(v) of
2 section 60-6,298 are met.

3 (11) Any two consecutive axles the centers of which are more than
4 forty inches and not more than ninety-six inches apart, measured to the
5 nearest inch between any two adjacent axles in the series, shall be
6 defined as tandem axles, and the gross weight transmitted to the road
7 surface through such series shall not exceed thirty-four thousand pounds.
8 No axle of the series shall exceed the maximum weight permitted under
9 this section for a single axle.

10 (12) Dummy axles shall be disregarded in determining the lawful
11 weight of a vehicle or vehicle combination for operation on the highway.
12 Dummy axle shall mean an axle attached to a vehicle or vehicle
13 combination in a manner so that it does not articulate or substantially
14 equalize the load and does not carry at least the lesser of eight
15 thousand pounds or eight percent of the gross weight of the vehicle or
16 vehicle combination.

17 (13) The maximum gross weight limit and the axle weight limit for
18 any vehicle or combination of vehicles equipped with idle reduction
19 technology may be increased by an amount necessary to compensate for the
20 additional weight of the idle reduction technology as provided in 23
21 U.S.C. 127(a)(12), as such section existed on October 1, 2012. The
22 additional amount of weight allowed by this subsection shall not exceed
23 five hundred fifty pounds and shall not be construed to be in addition to
24 the five-percent-in-excess-of-maximum-load provision of subdivision (1)
25 of section 60-6,301.

26 ~~(14)(a) (14)~~ The maximum gross weight for any vehicle or combination
27 of vehicles (i) operated on the National System of Interstate and Defense
28 Highways, including adjoining portions of the state highway system for
29 reasonable access to terminals and facilities for food, fuel, repairs,
30 and rest, as designated by the Department of Transportation, and (ii)
31 powered (A) by an engine fueled primarily by natural gas or (B) primarily

1 ~~by means of electric battery power,~~ may exceed the gross weight
2 limitations provided in ~~subsections (2), subsection (3), (4), (7), (9),~~
3 ~~and (11) of this section,~~ and as provided in 23 U.S.C. 127(s), as such
4 section existed on January 1, 2018, in an amount that:

5 ~~(b)(i) (a) Is equal to the difference,~~ up to a maximum of two
6 thousand pounds, ~~between the weight of the natural gas tank and fueling~~
7 ~~system carried by such vehicle, and the weight of a comparable diesel~~
8 ~~tank and fueling system; and~~

9 ~~(ii) (b) Does not exceed eighty-two thousand pounds on the National~~
10 ~~System of Interstate and Defense Highways.~~

11 (15) For purposes of this subsection, emergency vehicle means a
12 vehicle designed to be used under emergency conditions to transport
13 personnel and equipment and to support the suppression of fires and
14 mitigation of other hazardous situations. An emergency vehicle may exceed
15 the gross load limitations provided in subsections (2), (3), (4), (7),
16 (9), and (11) of this section on the National System of Interstate and
17 Defense Highways, including adjoining portions of the state highway
18 system for reasonable access to terminals and facilities for food, fuel,
19 repairs, and rest, as designated by the Department of Transportation, up
20 to a gross vehicle weight of eighty-six thousand pounds, and that does
21 not exceed:

22 (a) Twenty-four thousand pounds on a single steering axle;

23 (b) Thirty-three thousand five hundred pounds on a single drive
24 axle;

25 (c) Sixty-two thousand pounds on a tandem axle; or

26 (d) Fifty-two thousand pounds on a tandem rear drive steer axle.

27 Sec. 71. Section 60-6,297, Revised Statutes Cumulative Supplement,
28 2018, is amended to read:

29 60-6,297 (1) Subdivision (1)(b) of section 60-6,290 and subsections
30 (2) and (3) of section 60-6,294 shall not apply to a vehicle or
31 combination of vehicles disabled or wrecked on a highway or right-of-way

1 when the vehicle or combination of vehicles is towed to a place of secure
2 safekeeping by any wrecker or tow truck performing a wrecker or towing
3 service.

4 (2) Subdivision (1)(b) of section 60-6,290 and subsections (2) and
5 (3) of section 60-6,294 shall not apply to a single vehicle that is
6 disabled or wrecked when the single vehicle is towed by any wrecker or
7 tow truck to a place for repair or to a point of storage or is being
8 transported by a covered heavy-duty tow and recovery vehicle.

9 (3)(a) Section 60-6,288, subsection (1) of section 60-6,289,
10 subdivision (1)(b) of section 60-6,290, and subsections (2) and (3) of
11 section 60-6,294 shall not apply to a vehicle or combination of vehicles
12 permitted by the Department of Transportation for overwidth, overheight,
13 overlength, or overweight operation that is disabled or wrecked on a
14 highway or right-of-way when the vehicle or combination of vehicles is
15 towed if the vehicle or combination of vehicles is towed by any wrecker
16 or tow truck performing a wrecker or towing service to the first or
17 nearest place of secure safekeeping off the traveled portion of the
18 highway that can accommodate the parking of such disabled vehicle or
19 combination of vehicles.

20 (b) After the vehicle or combination of vehicles has been towed to a
21 place of secure safekeeping, such vehicle or combination of vehicles
22 shall then be operated in compliance with section 60-6,288, subsection
23 (1) of section 60-6,289, subdivision (1)(b) of section 60-6,290, and
24 subsections (2) and (3) of section 60-6,294, or the vehicle or
25 combination of vehicles shall acquire a special single trip permit from
26 the department for the movement of the overwidth, overheight, overlength,
27 or overweight vehicle or combination of vehicles beyond the first or
28 nearest place of secure safekeeping to its intended destination.

29 (4) The owners, lessees, and operators of any wrecker or tow truck
30 exceeding the width, height, length, or weight restrictions while towing
31 a disabled or wrecked vehicle or combination of vehicles shall be jointly

1 and severally liable for any injury or damages that result from the
2 operation of the wrecker or tow truck while exceeding such restrictions.

3 (5) If a disabled or wrecked vehicle or combination of vehicles is
4 towed, the wrecker or tow truck shall be connected with the air brakes
5 and brake lights of the towed vehicle or combination of vehicles.

6 (6) For purposes of this section:

7 (a) Covered heavy-duty tow and recovery vehicle means a vehicle that
8 (i) is transporting a disabled vehicle on the National System of
9 Interstate and Defense Highways from the place where the vehicle became
10 disabled to the nearest appropriate repair facility, including such
11 segments of highways off the National System of Interstate and Defense
12 Highways that connect the nearest appropriate repair facility to the
13 National System of Interstate and Defense Highways and adjoining portions
14 of the state highway system for reasonable access to terminals and
15 facilities for food, fuel, repairs, and rest, as designated by the
16 Department of Transportation, and (ii) has a gross vehicle weight that is
17 equal to or exceeds the gross vehicle weight of the disabled vehicle
18 being transported;

19 (b) (a) Place of secure safekeeping means a location off the
20 traveled portion of the highway that can accommodate the parking of the
21 disabled or wrecked vehicle or combination of vehicles in order for the
22 vehicle or combination of vehicles to be repaired or moved to a point of
23 storage; and

24 (c) (b) Wrecker or tow truck means an emergency commercial vehicle
25 equipped, designed, and used to assist or render aid and transport or tow
26 a disabled vehicle or combination of vehicles from a highway or right-of-
27 way to a place of secure safekeeping.

28 Sec. 72. Section 60-6,356, Revised Statutes Cumulative Supplement,
29 2018, is amended to read:

30 60-6,356 (1) An all-terrain vehicle or a utility-type vehicle shall
31 not be operated on any controlled-access highway with more than two

1 marked traffic lanes. The crossing of any controlled-access highway with
2 more than two marked traffic lanes shall not be permitted except as
3 provided in subsections ~~subsection~~ (9) and (10) of this section.
4 Subsections (2), (3), and (5) through (8) of this section authorize and
5 apply to operation of an all-terrain vehicle or a utility-type vehicle
6 only on a highway other than a controlled-access highway with more than
7 two marked traffic lanes.

8 (2) An all-terrain vehicle or a utility-type vehicle may be operated
9 in accordance with the operating requirements of subsection (3) of this
10 section:

11 (a) Outside the corporate limits of a city, village, or
12 unincorporated village if incidental to the vehicle's use for
13 agricultural purposes;

14 (b) Within the corporate limits of a city or village if authorized
15 by the city or village by ordinance adopted in accordance with this
16 section; or

17 (c) Within an unincorporated village if authorized by the county
18 board of the county in which the unincorporated village is located by
19 resolution in accordance with this section.

20 (3) An all-terrain vehicle or a utility-type vehicle may be operated
21 as authorized in subsection (2) of this section when such operation
22 occurs only between the hours of sunrise and sunset. Any person operating
23 an all-terrain vehicle or a utility-type vehicle as authorized in
24 subsection (2) of this section shall have a valid Class 0 operator's
25 license or a farm permit as provided in section 60-4,126, shall have
26 liability insurance coverage for the all-terrain vehicle or a utility-
27 type vehicle while operating the all-terrain vehicle or a utility-type
28 vehicle on a highway, and shall not operate such vehicle at a speed in
29 excess of thirty miles per hour. The person operating the all-terrain
30 vehicle or a utility-type vehicle shall provide proof of such insurance
31 coverage to any peace officer requesting such proof within five days of

1 such a request. When operating an all-terrain vehicle or a utility-type
2 vehicle as authorized in subsection (2) of this section, the headlight
3 and taillight of the vehicle shall be on and the vehicle shall be
4 equipped with a bicycle safety flag which extends not less than five feet
5 above ground attached to the rear of such vehicle. The bicycle safety
6 flag shall be triangular in shape with an area of not less than thirty
7 square inches and shall be day-glow in color.

8 (4) All-terrain vehicles and utility-type vehicles may be operated
9 without complying with subsection (3) of this section on highways in
10 parades which have been authorized by the State of Nebraska or any
11 department, board, commission, or political subdivision of the state.

12 (5) The crossing of a highway other than a controlled-access highway
13 with more than two marked traffic lanes shall be permitted by an all-
14 terrain vehicle or a utility-type vehicle without complying with
15 subsection (3) of this section only if:

16 (a) The crossing is made at an angle of approximately ninety degrees
17 to the direction of the highway and at a place where no obstruction
18 prevents a quick and safe crossing;

19 (b) The vehicle is brought to a complete stop before crossing the
20 shoulder or roadway of the highway;

21 (c) The operator yields the right-of-way to all oncoming traffic
22 that constitutes an immediate potential hazard;

23 (d) In crossing a divided highway, the crossing is made only at an
24 intersection of such highway with another highway; and

25 (e) Both the headlight and taillight of the vehicle are on when the
26 crossing is made.

27 (6) All-terrain vehicles and utility-type vehicles may be operated
28 outside the corporate limits of any municipality by electric utility
29 personnel within the course of their employment in accordance with the
30 operation requirements of subsection (3) of this section, except that the
31 operation of the vehicle pursuant to this subsection need not be limited

1 to the hours between sunrise and sunset.

2 (7) A city or village may adopt an ordinance authorizing the
3 operation of all-terrain vehicles and utility-type vehicles within the
4 corporate limits of the city or village if the operation is in accordance
5 with subsection (3) of this section. The city or village may place other
6 restrictions on the operation of all-terrain vehicles and utility-type
7 vehicles within its corporate limits.

8 (8) A county board may adopt a resolution authorizing the operation
9 of all-terrain vehicles and utility-type vehicles within any
10 unincorporated village within the county if the operation is in
11 accordance with subsection (3) of this section. The county may place
12 other restrictions on the operation of all-terrain vehicles and utility-
13 type vehicles within the unincorporated village.

14 (9) Except as provided in subsection (10) of this section, the The
15 crossing of a controlled-access highway with more than two marked traffic
16 lanes shall be permitted by a utility-type vehicle if the operation is in
17 accordance with the operation requirements of subsection (3) of this
18 section and if the following requirements are met:

19 (a) The crossing is made at an intersection that:

20 (i) Is controlled by a traffic control signal; or

21 (ii) For any intersection located outside the corporate limits of a
22 city or village, is controlled by stop signs;

23 (b) The crossing at such intersection is made in compliance with the
24 traffic control signal or stop signs; and

25 (c) The crossing at such intersection is specifically authorized as
26 follows:

27 (i) If such intersection is located within the corporate limits of a
28 city or village, by ordinance of such city or village;

29 (ii) If such intersection is located within an unincorporated
30 village, by resolution of the county board of the county in which such
31 unincorporated village is located; or

1 (iii) If such intersection is located outside the corporate limits
2 of a city or village and outside any unincorporated village, by
3 resolution of the county board of the county in which such intersection
4 is located.

5 (10) When the use of the all-terrain vehicle or utility-type vehicle
6 is for an agricultural purpose, the crossing of a controlled-access
7 highway with more than two marked traffic lanes shall be permitted if
8 such vehicle is operated in accordance with subsection (3) of this
9 section.

10 Sec. 73. Section 60-2705, Revised Statutes Supplement, 2019, is
11 amended to read:

12 60-2705 The Director of Motor Vehicles shall adopt standards for an
13 informal dispute settlement procedure which substantially comply with the
14 provisions of 16 C.F.R. part 703, as such part existed on January 1, 2020
15 ~~2019~~.

16 If a manufacturer has established or participates in a dispute
17 settlement procedure certified by the Director of Motor Vehicles within
18 the guidelines of such standards, the provisions of section 60-2703
19 concerning refunds or replacement shall not apply to any consumer who has
20 not first resorted to such a procedure.

21 Sec. 74. Section 60-2909.01, Revised Statutes Supplement, 2019, is
22 amended to read:

23 60-2909.01 The department and any officer, employee, agent, or
24 contractor of the department having custody of a motor vehicle record
25 shall, upon the verification of identity and purpose of a requester,
26 disclose and make available the requested motor vehicle record, including
27 the sensitive personal information in the record, other than the social
28 security number, for the following purposes:

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

1 governmental agency in carrying out the agency's functions;

2 (2) For use in connection with any civil, criminal, administrative,
3 or arbitral proceeding in any federal, state, or local court or
4 governmental agency or before any self-regulatory body, including service
5 of process, investigation in anticipation of litigation, and execution or
6 enforcement of judgments and orders, or pursuant to an order of a
7 federal, state, or local court, an administrative agency, or a self-
8 regulatory body;

9 (3) For use by any insurer or insurance support organization, or by
10 a self-insured entity, or its agents, employees, or contractors, in
11 connection with claims investigation activities, anti-fraud activities,
12 rating, or underwriting;

13 (4) For use by an employer or the employer's agent or insurer to
14 obtain or verify information relating to a holder of a commercial
15 driver's license or CLP-commercial learner's permit that is required
16 under the Commercial Motor Vehicle Safety Act of 1986, 49 U.S.C. 31301 et
17 seq., as such act existed on January 1, 2020 ~~2019~~, or pursuant to
18 sections 60-4,132 and 60-4,141; and

19 (5) For use by employers of a holder of a commercial driver's
20 license or CLP-commercial learner's permit and by the Commercial Driver
21 License Information System as provided in section 60-4,144.02 and 49
22 C.F.R. 383.73, as such regulation existed on January 1, 2020 ~~2019~~.

23 Sec. 75. Section 66-1406.02, Reissue Revised Statutes of Nebraska,
24 is amended to read:

25 66-1406.02 (1) The director may suspend, revoke, cancel, or refuse
26 to issue or renew a license under the International Fuel Tax Agreement
27 Act:

28 (a) If the applicant's or licensee's registration certificate issued
29 pursuant to the International Registration Plan Act has been suspended,
30 revoked, or canceled or the director refused to issue or renew such
31 certificate;

1 (b) If the applicant or licensee is in violation of sections 75-392
2 to 75-399 and section 87 of this act;

3 (c) If the applicant's or licensee's security has been canceled;

4 (d) If the applicant or licensee failed to provide additional
5 security as required;

6 (e) If the applicant or licensee failed to file any report or return
7 required by the motor fuel laws, filed an incomplete report or return
8 required by the motor fuel laws, did not file any report or return
9 required by the motor fuel laws electronically, or did not file a report
10 or return required by the motor fuel laws on time;

11 (f) If the applicant or licensee failed to pay taxes required by the
12 motor fuel laws due within the time provided;

13 (g) If the applicant or licensee filed any false report, return,
14 statement, or affidavit, required by the motor fuel laws, knowing it to
15 be false;

16 (h) If the applicant or licensee would no longer be eligible to
17 obtain a license; or

18 (i) If the applicant or licensee committed any other violation of
19 the International Fuel Tax Agreement Act or the rules and regulations
20 adopted and promulgated under the act.

21 (2) Prior to taking any action pursuant to subsection (1) of this
22 section, the director shall notify and advise the applicant or licensee
23 of the proposed action and the reasons for such action in writing, by
24 regular United States mail, to his or her last-known business address as
25 shown on the application or license. The notice shall also include an
26 advisement of the procedures in subsection (3) of this section.

27 (3) The applicant or licensee may, within thirty days after the
28 mailing of the notice, petition the director in writing for a hearing to
29 contest the proposed action. The hearing shall be commenced in accordance
30 with the rules and regulations adopted and promulgated by the Department
31 of Motor Vehicles. If a petition is filed, the director shall, within

1 twenty days after receipt of the petition, set a hearing date at which
2 the applicant or licensee may show cause why the proposed action should
3 not be taken. The director shall give the applicant or licensee
4 reasonable notice of the time and place of the hearing. If the director's
5 decision is adverse to the applicant or licensee, the applicant or
6 licensee may appeal the decision in accordance with the Administrative
7 Procedure Act.

8 (4) Except as provided in subsection (2) of section 60-3,205 and
9 subsection (8) of this section, the filing of the petition shall stay any
10 action by the director until a hearing is held and a final decision and
11 order is issued.

12 (5) Except as provided in subsection (2) of section 60-3,205 and
13 subsection (8) of this section, if no petition is filed at the expiration
14 of thirty days after the date on which the notification was mailed, the
15 director may take the proposed action described in the notice.

16 (6) Except as provided in subsection (2) of section 60-3,205 and
17 subsection (8) of this section, if, in the judgment of the director, the
18 applicant or licensee has complied with or is no longer in violation of
19 the provisions for which the director took action under this section, the
20 director may reinstate the license without delay. An applicant for
21 reinstatement, issuance, or renewal of a license within three years after
22 the date of suspension, revocation, cancellation, or refusal to issue or
23 renew shall submit a fee of one hundred dollars to the director. The
24 director shall remit the fee to the State Treasurer for credit to the
25 Highway Cash Fund.

26 (7) Suspension of, revocation of, cancellation of, or refusal to
27 issue or renew a license by the director shall not relieve any person
28 from making or filing the reports or returns required by the motor fuel
29 laws in the manner or within the time required.

30 (8) Any person who receives notice from the director of action taken
31 pursuant to subsection (1) of this section shall, within three business

1 days, return such registration certificate and license plates issued
2 pursuant to section 60-3,198 to the department. If any person fails to
3 return the registration certificate and license plates to the department,
4 the department shall notify the Nebraska State Patrol that any such
5 person is in violation of this section.

6 Sec. 76. Section 66-1424, Reissue Revised Statutes of Nebraska, is
7 amended to read:

8 66-1424 (1) As soon as practical after a return is filed, the
9 department shall examine it to determine the correct amount of tax. If
10 the department finds that the amount of tax shown on the return is less
11 than the correct amount, it shall notify the taxpayer of the amount of
12 the deficiency determined.

13 (2) If any person fails to file a return or has improperly purchased
14 motor fuel without the payment of tax, the department ~~may shall~~ estimate
15 the person's liability from any available information and notify the
16 person of the amount of the deficiency determined.

17 (3) The amount of the deficiency determined shall constitute a final
18 assessment together with interest and penalties thirty days after the
19 date on which notice was mailed to the taxpayer at his or her last-known
20 address unless a written protest is filed with the department within such
21 thirty-day period.

22 (4) The final assessment provisions of this section shall constitute
23 a final decision of the agency for purposes of the Administrative
24 Procedure Act.

25 (5) An assessment made by the department shall be presumed to be
26 correct. In any case when the validity of the assessment is questioned,
27 the burden shall be on the person who challenges the assessment to
28 establish by a preponderance of the evidence that the assessment is
29 erroneous or excessive.

30 (6)(a) Except in the case of a fraudulent return or of neglect or
31 refusal to make a return, the notice of a proposed deficiency

1 determination shall be mailed within three years after the last day of
2 the month following the end of the period for which the amount proposed
3 is to be determined or within three years after the return is filed,
4 whichever period expires later.

5 (b) The taxpayer and the department may agree, prior to the
6 expiration of the period in subdivision (a) of this subsection, to extend
7 the period during which the notice of a deficiency determination can be
8 mailed. The extension of the period for the mailing of a deficiency
9 determination shall also extend the period during which a refund can be
10 claimed.

11 Sec. 77. Section 75-362, Reissue Revised Statutes of Nebraska, is
12 amended to read:

13 75-362 For purposes of sections 75-362 to 75-369.07, unless the
14 context otherwise requires:

15 (1) Accident means:

16 (a) Except as provided in subdivision (b) of this subdivision, an
17 occurrence involving a commercial motor vehicle operating on a highway in
18 interstate or intrastate commerce which results in:

19 (i) A fatality;

20 (ii) Bodily injury to a person who, as a result of the injury,
21 immediately receives medical treatment away from the scene of the
22 accident; or

23 (iii) One or more motor vehicles incurring disabling damage as a
24 result of the accident, requiring the motor vehicles to be transported
25 away from the scene by a tow truck or other motor vehicle.

26 (b) The term accident does not include:

27 (i) An occurrence involving only boarding and alighting from a
28 stationary motor vehicle; or

29 (ii) An occurrence involving only the loading or unloading of cargo;

30 (2) Bulk packaging means a packaging, other than a vessel or a
31 barge, including a transport vehicle or freight container, in which

1 hazardous materials are loaded with no intermediate form of containment.
2 A large packaging in which hazardous materials are loaded with an
3 intermediate form of containment, such as one or more articles or inner
4 packagings, is also a bulk packaging. Additionally, a bulk packaging and
5 ~~which~~ has:

6 (a) A maximum capacity greater than one hundred nineteen gallons as
7 a receptacle for a liquid;

8 (b) A maximum net mass greater than eight hundred eighty-two pounds
9 and a maximum capacity greater than one hundred nineteen gallons as a
10 receptacle for a solid; or

11 (c) A water capacity greater than one thousand pounds as a
12 receptacle for a gas as defined in 49 C.F.R. 173.115;

13 (3) Cargo tank means a bulk packaging that:

14 (a) Is a tank intended primarily for the carriage of liquids or
15 gases and includes appurtenances, reinforcements, fittings, and closures;

16 (b) Is permanently attached to or forms a part of a motor vehicle or
17 is not permanently attached to a motor vehicle but which, by reason of
18 its size, construction, or attachment to a motor vehicle, is loaded or
19 unloaded without being removed from the motor vehicle; and

20 (c) Is not fabricated under a specification for cylinders,
21 intermediate bulk containers, multi-unit tank-car tanks, portable tanks,
22 or tank cars;

23 (4) Cargo tank motor vehicle means a motor vehicle with one or more
24 cargo tanks permanently attached to or forming an integral part of the
25 motor vehicle;

26 (5) Commercial enterprise means any business activity relating to or
27 based upon the production, distribution, or consumption of goods or
28 services;

29 (6) Commercial motor vehicle means any self-propelled or towed motor
30 vehicle used on a highway in interstate commerce or intrastate commerce
31 to transport passengers or property when the vehicle:

1 (a) Has a gross vehicle weight rating or gross combination weight
2 rating or gross vehicle weight or gross combination weight of ten
3 thousand one pounds or more, whichever is greater;

4 (b) Is designed or used to transport more than eight passengers,
5 including the driver, for compensation;

6 (c) Is designed or used to transport more than fifteen passengers,
7 including the driver, and is not used to transport passengers for
8 compensation; or

9 (d) Is used in transporting material found to be hazardous and such
10 material is transported in a quantity requiring placarding pursuant to
11 section 75-364;

12 (7) Compliance review means an onsite examination of motor carrier
13 operations, such as drivers' hours of service, maintenance and
14 inspection, driver qualification, commercial driver's license
15 requirements, financial responsibility, accidents, hazardous materials,
16 and other safety and transportation records to determine whether a motor
17 carrier meets the safety fitness standard. A compliance review may be
18 conducted in response to a request to change a safety rating, to
19 investigate potential violations of safety regulations by motor carriers,
20 or to investigate complaints or other evidence of safety violations. The
21 compliance review may result in the initiation of an enforcement action
22 with penalties;

23 (8)(a) Covered farm vehicle means a motor vehicle, including an
24 articulated motor vehicle:

25 (i) That:

26 (A) Is traveling in the state in which the vehicle is registered or
27 another state;

28 (B) Is operated by:

29 (I) A farm owner or operator;

30 (II) A ranch owner or operator; or

31 (III) An employee or family member of an individual specified in

1 subdivision (8)(a)(i)(B)(I) or (8)(a)(i)(B)(II) of this section;

2 (C) Is transporting to or from a farm or ranch:

3 (I) Agricultural commodities;

4 (II) Livestock; or

5 (III) Machinery or supplies;

6 (D) Except as provided in subdivision (8)(b) of this section, is not
7 used in the operations of a for-hire motor carrier; and

8 (E) Is equipped with a special license plate or other designation by
9 the state in which the vehicle is registered to allow for identification
10 of the vehicle as a farm vehicle by law enforcement personnel; and

11 (ii) That has a gross vehicle weight rating or gross vehicle weight,
12 whichever is greater, that is:

13 (A) Less than twenty-six thousand one pounds; or

14 (B) Twenty-six thousand one pounds or more and is traveling within
15 the state or within one hundred fifty air miles of the farm or ranch with
16 respect to which the vehicle is being operated.

17 (b) Covered farm vehicle includes a motor vehicle that meets the
18 requirements of subdivision (8)(a) of this section, except for
19 subdivision (8)(a)(i)(D) of this section, and:

20 (i) Is operated pursuant to a crop share farm lease agreement;

21 (ii) Is owned by a tenant with respect to that agreement; and

22 (iii) Is transporting the landlord's portion of the crops under that
23 agreement.

24 (c) Covered farm vehicle does not include:

25 (i) A combination of truck-tractor and semitrailer which is operated
26 by a person under eighteen years of age; or

27 (ii) A combination of truck-tractor and semitrailer which is used in
28 the transportation of materials found to be hazardous for the purposes of
29 the federal Hazardous Materials Transportation Act and which require the
30 combination to be placarded under 49 C.F.R. part 172, subpart F;

31 (9) Disabling damage means damage which precludes departure of a

1 motor vehicle from the scene of the accident in its usual manner in
2 daylight after simple repairs.

3 (a) Inclusions: Damage to motor vehicles that could have been driven
4 but would have been further damaged if so driven.

5 (b) Exclusions:

6 (i) Damage which can be remedied temporarily at the scene of the
7 accident without special tools or parts;

8 (ii) Tire disablement without other damage even if no spare tire is
9 available;

10 (iii) Headlight or taillight damage; and

11 (iv) Damage to turnsignals, horn, or windshield wipers which makes
12 them inoperative;

13 (10) Driver means any person who operates any commercial motor
14 vehicle;

15 (11) Elevated temperature material means a material which, when
16 offered for transportation or transported in a bulk packaging:

17 (a) Is in a liquid phase and at a temperature at or above two
18 hundred twelve degrees Fahrenheit;

19 (b) Is in a liquid phase with a flash point at or above one hundred
20 degrees Fahrenheit that is intentionally heated and offered for
21 transportation or transported at or above its flash point; or

22 (c) Is in a solid phase and at a temperature at or above four
23 hundred sixty-four degrees Fahrenheit;

24 (12) Employee means any individual, other than an employer, who is
25 employed by an employer and who in the course of his or her employment
26 directly affects commercial motor vehicle safety. Such term includes a
27 driver of a commercial motor vehicle, including an independent contractor
28 while in the course of operating a commercial motor vehicle, a mechanic,
29 and a freight handler. Such term does not include an employee of the
30 United States, any state, any political subdivision of a state, or any
31 agency established under a compact between states and approved by the

1 Congress of the United States who is acting within the course of such
2 employment;

3 (13) Employer means any person engaged in a business affecting
4 commerce who owns or leases a commercial motor vehicle in connection with
5 that business or assigns employees to operate it. Such term does not
6 include the United States, any state, any political subdivision of a
7 state, or an agency established under a compact between states approved
8 by the Congress of the United States;

9 (14) Exempt motor carrier means a person engaged in transportation
10 exempt from economic regulation under 49 U.S.C. 13506. An exempt motor
11 carrier is subject to the safety regulations adopted in sections 75-362
12 to 75-369.07;

13 (15) Farm vehicle driver means a person who drives only a commercial
14 motor vehicle that is controlled and operated by a farmer as a private
15 motor carrier of property;

16 (16) Farmer means any person who operates a farm or is directly
17 involved in the cultivation of land, crops, or livestock which:

18 (a) Are owned by that person; or

19 (b) Are under the direct control of that person;

20 (17) Fatality means any injury which results in the death of a
21 person at the time of the motor vehicle accident or within thirty days
22 after the accident;

23 (18) Fertilizer and agricultural chemical application and
24 distribution equipment means:

25 (a) Self-propelled or towed equipment, designed and used exclusively
26 to apply commercial fertilizer, as that term is defined in section
27 81-2,162.02, chemicals, or related products to agricultural soil and
28 crops; or

29 (b) Towed equipment designed and used exclusively to carry
30 commercial fertilizer, as that term is defined in section 81-2,162.02,
31 chemicals, or related products for use on agricultural soil and crops,

1 which are equipped with implement or floatation tires;

2 (19) For-hire motor carrier means a person engaged in the
3 transportation of goods or passengers for compensation;

4 (20) Gross combination weight means the sum of the empty weight of a
5 motor vehicle plus the total weight of any load carried thereon and the
6 empty weight of the towed unit or units plus the total weight of any load
7 carried on such towed unit or units;

8 (21) Gross combination weight rating means the greater of (a) a
9 value specified by the manufacturer of the power unit, if such value is
10 displayed on the Federal Motor Vehicle Safety Standard certification
11 label required by the National Highway Traffic Safety Administration, or
12 (b) the sum of the gross vehicle weight ratings or the gross vehicle
13 weights of the power unit and the towed unit or units, or any combination
14 thereof, that produces the highest value. Gross combination weight rating
15 does not apply to a commercial motor vehicle if the power unit is not
16 towing another vehicle;

17 (22) Gross vehicle weight means the sum of the empty weight of a
18 motor vehicle plus the total weight of any load carried thereon;

19 (23) Gross vehicle weight rating means the value specified by the
20 manufacturer as the loaded weight of a single motor vehicle. In the
21 absence of such value specified by the manufacturer or the absence of any
22 marking of such value on the vehicle, the gross vehicle weight rating
23 shall be determined from the sum of the axle weight ratings of the
24 vehicle or the sum of the tire weight ratings as marked on the sidewall
25 of the tires, whichever is greater. In the absence of any tire sidewall
26 marking, the tire weight ratings shall be determined for the specified
27 tires from any of the publications of any of the organizations listed in
28 49 C.F.R. 571.119;

29 (24) Hazardous material means a substance or material that the
30 Secretary of the United States Department of Transportation has
31 determined is capable of posing an unreasonable risk to health, safety,

1 and property when transported in commerce and has designated as hazardous
2 under 49 U.S.C. 5103. The term includes hazardous substances, hazardous
3 wastes, marine pollutants, elevated temperature materials, materials
4 designated as hazardous in the Hazardous Materials Table, 49 C.F.R.
5 172.101, and materials that meet the defining criteria for hazard classes
6 and divisions in 49 C.F.R. part 173;

7 (25) Hazardous substance means a material, including its mixtures
8 and solutions, that is listed in 49 C.F.R. 172.101, Appendix A, List Of
9 Hazardous Substances and Reportable Quantities, and is in a quantity, in
10 one package, which equals or exceeds the reportable quantity listed in 49
11 C.F.R. 172.101, Appendix A. This definition does not apply to petroleum
12 products that are lubricants or fuels or to mixtures or solutions of
13 hazardous substances if in a concentration less than that shown in the
14 table in 49 C.F.R. 171.8 under the definition of hazardous substance
15 based on the reportable quantity specified for the materials listed in 49
16 C.F.R. 172.101, Appendix A;

17 (26) Hazardous waste means any material that is subject to the
18 hazardous waste manifest requirements of the United States Environmental
19 Protection Agency specified in 40 C.F.R. 262;

20 (27) Highway means the entire width between the boundary limits of
21 any street, road, avenue, boulevard, or way which is publicly maintained
22 when any part thereof is open to the use of the public for purposes of
23 vehicular travel;

24 (28) Interstate commerce means trade, traffic, or transportation
25 provided in the furtherance of a commercial enterprise in the United
26 States:

27 (a) Between a place in a state and a place outside of such state,
28 including a place outside of the United States;

29 (b) Between two places in a state through another state or a place
30 outside of the United States; or

31 (c) Between two places in a state as part of trade, traffic, or

1 transportation originating or terminating outside the state or the United
2 States;

3 (29) Intrastate commerce means any trade, traffic, or transportation
4 provided in the furtherance of a commercial enterprise between any place
5 in the State of Nebraska and any other place in Nebraska and not through
6 any other state;

7 (30) Large packaging means a packaging that:

8 (a) Consists of an outer packaging that contains articles or inner
9 packagings;

10 (b) Is designated for mechanical handling;

11 (c) Exceeds a net mass of four hundred kilograms or four hundred
12 fifty liters (one hundred nineteen gallons) capacity;

13 (d) Has a volume of not more than three cubic meters; and

14 (e) Conforms to the requirements for the construction, testing, and
15 marking of large packagings as specified in subparts P and Q of 49 C.F.R.
16 part 178.

17 (31) ~~(30)~~ Marine pollutant means a material which is listed in the
18 Hazardous Materials Table, 49 C.F.R. 172.101, Appendix B, as a marine
19 pollutant (see 49 C.F.R. 171.4 for applicability to marine pollutants)
20 and, when in a solution or mixture of one or more marine pollutants, is
21 packaged in a concentration which equals or exceeds:

22 (a) Ten percent by weight of the solution or mixture for materials
23 listed in 49 C.F.R. 172.101, Appendix B; or

24 (b) One percent by weight of the solution or mixture for materials
25 that are identified as severe marine pollutants in the Hazardous
26 Materials Table, 49 C.F.R. 172.101, Appendix B;

27 (32) ~~(31)~~ Motor carrier means a for-hire motor carrier or a private
28 motor carrier. The term includes a motor carrier's agents, officers, and
29 representatives as well as employees responsible for hiring, supervising,
30 training, assigning, or dispatching of drivers and employees concerned
31 with the installation, inspection, and maintenance of motor vehicle

1 equipment or accessories. This definition includes the terms employer and
2 exempt motor carrier;

3 (33) ~~(32)~~ Motor vehicle means any vehicle, truck, truck-tractor,
4 trailer, or semitrailer propelled or drawn by mechanical power except (a)
5 farm tractors, (b) vehicles which run only on rails or tracks, and (c)
6 road and general-purpose construction and maintenance machinery which by
7 design and function is obviously not intended for use on a public
8 highway, including, but not limited to, motor scrapers, earthmoving
9 equipment, backhoes, trenchers, motor graders, compactors, tractors,
10 bulldozers, bucket loaders, ditchdigging apparatus, asphalt spreaders,
11 leveling graders, power shovels, and crawler tractors;

12 (34) ~~(33)~~ Nonbulk packaging means a packaging which has:

13 (a) A maximum capacity of four hundred fifty liters (one hundred
14 nineteen gallons) ~~one hundred nineteen gallons~~ or less as a receptacle
15 for a liquid;

16 (b) A maximum net mass of four hundred kilograms (eight hundred
17 eighty-two pounds) ~~eight hundred eighty-two pounds~~ or less and a maximum
18 capacity of four hundred fifty liters (one hundred nineteen gallons) ~~one~~
19 ~~hundred nineteen gallons~~ or less as a receptacle for a solid; ~~or~~

20 (c) A water capacity of four hundred fifty-four kilograms (one
21 thousand pounds) ~~one thousand pounds~~ or less as a receptacle for a gas as
22 defined in 49 C.F.R. 173.115; or

23 (d) Regardless of the definition of bulk packaging, a maximum net
24 mass of four hundred kilograms (eight hundred eighty-two pounds) or less
25 for a bag or box conforming to the applicable requirements for
26 specification packagings, including the maximum net mass limitations
27 provided in subpart L of 49 C.F.R. 178;

28 (35) ~~(34)~~ Out-of-service order means a declaration by an authorized
29 enforcement officer of a federal, state, Canadian, Mexican, or local
30 jurisdiction that a driver, a commercial motor vehicle, or a motor
31 carrier operation is out of service pursuant to 49 C.F.R. 386.72, 392.5,

1 392.9a, 395.13, or 396.9, or compatible laws or the North American
2 Uniform Out-of-Service Criteria;

3 (36) ~~(35)~~ Packaging means a receptacle and any other components or
4 materials necessary for the receptacle to perform its containment
5 function in conformance with the minimum packing requirements of Title 49
6 of the Code of Federal Regulations. For radioactive materials packaging,
7 see 49 C.F.R. 173.403;

8 (37) ~~(36)~~ Person means any individual, partnership, association,
9 corporation, business trust, or any other organized group of individuals;

10 (38) ~~(37)~~ Planting and harvesting season means the period beginning
11 on January 1 up to and including December 31 of each calendar year;

12 (39) ~~(38)~~ Principal place of business means the single location
13 designated by the motor carrier, normally its headquarters, for purposes
14 of identification. The motor carrier must make records required by the
15 regulations referred to in sections 75-362 to 75-369.07 available for
16 inspection at this location within forty-eight hours, Saturdays, Sundays,
17 and state or federal holidays excluded, after a request has been made by
18 an officer of the Nebraska State Patrol;

19 (40) ~~(39)~~ Private motor carrier means a person who provides
20 transportation of property or passengers by commercial motor vehicle and
21 is not a for-hire motor carrier;

22 (41) ~~(40)~~ Safety audit means an examination of a motor carrier's
23 operations to provide educational and technical assistance on drivers'
24 hours of service, maintenance and inspection, driver qualification,
25 commercial driver's license requirements, financial responsibility,
26 accidents, hazardous materials, and other safety and transportation
27 records to determine whether a motor carrier meets the safety fitness
28 standard. The purpose of a safety audit is to gather critical safety data
29 needed to make an assessment of the carrier's safety performance and
30 basic safety management controls. Safety audits do not result in safety
31 ratings; and

1 (42) ~~(41)~~ Tank means a container, consisting of a shell and heads,
2 that forms a pressure-tight vessel having openings designed to accept
3 pressure-tight fittings or closures, but excludes any appurtenances,
4 reinforcements, fittings, or closures.

5 Sec. 78. Section 75-363, Revised Statutes Supplement, 2019, is
6 amended to read:

7 75-363 (1) The parts, subparts, and sections of Title 49 of the Code
8 of Federal Regulations listed below, as modified in this section, or any
9 other parts, subparts, and sections referred to by such parts, subparts,
10 and sections, in existence and effective as of January 1, 2020 ~~2019~~, are
11 adopted as Nebraska law.

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

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

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

18 (i) All vehicles of such motor carriers with a gross vehicle weight
19 rating, gross combination weight rating, gross vehicle weight, or gross
20 combination weight over ten thousand pounds;

21 (ii) All vehicles of such motor carriers designed or used to
22 transport more than eight passengers, including the driver, for
23 compensation, or designed or used to transport more than fifteen
24 passengers, including the driver, and not used to transport passengers
25 for compensation;

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

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

31 (3) The Legislature hereby adopts, as modified in this section, the

1 following parts of Title 49 of the Code of Federal Regulations:

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

3 (b) Part 385 - SAFETY FITNESS PROCEDURES;

4 (c) Part 386 - RULES OF PRACTICE FOR FMCSA PROCEEDINGS;

5 (d) Part 387 - MINIMUM LEVELS OF FINANCIAL RESPONSIBILITY FOR MOTOR
6 CARRIERS;

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

8 (f) Part 391 - QUALIFICATIONS OF DRIVERS AND LONGER COMBINATION
9 VEHICLE (LCV) DRIVER INSTRUCTORS;

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

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

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

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

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

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

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

23 (5) The regulations adopted in subsection (3) of this section shall
24 not apply to farm trucks registered pursuant to section 60-3,146 with a
25 gross weight of sixteen tons or less. The following parts and sections of
26 49 C.F.R. chapter III shall not apply to drivers of farm trucks
27 registered pursuant to section 60-3,146 and operated solely in intrastate
28 commerce:

29 (a) All of part 391;

30 (b) Section 395.8 of part 395; and

31 (c) Section 396.11 of part 396.

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

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

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

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

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

7 (7) Part 393 - PARTS AND ACCESSORIES NECESSARY FOR SAFE OPERATION
8 and Part 396 - INSPECTION, REPAIR, AND MAINTENANCE shall not apply to
9 fertilizer and agricultural chemical application and distribution
10 equipment transported in units with a capacity of three thousand five
11 hundred gallons or less.

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

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

20 (i) More than twelve hours following ten consecutive hours off duty;
21 or

22 (ii) For any period after having been on duty sixteen hours
23 following ten consecutive hours off duty.

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

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

30 (ii) Having been on duty eighty hours in any period of eight
31 consecutive days if the employing motor carrier operates motor vehicles

1 every day of the week.

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

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

9 (b) The transportation of such farm supplies is from a wholesale or
10 retail distribution point of the farm supplies to a farm or other
11 location where the farm supplies are intended to be used which is within
12 a one-hundred-fifty-air-mile radius of the wholesale or retail
13 distribution point; or

14 (c) The transportation of such farm supplies is from a wholesale
15 distribution point of the farm supplies to a retail distribution point of
16 the farm supplies which is within a one-hundred-fifty-air-mile radius of
17 the wholesale distribution point.

18 (11) 49 C.F.R. 390.21 - Marking of self-propelled CMVs and
19 intermodal equipment shall not apply to farm trucks and farm truck-
20 tractors registered pursuant to section 60-3,146 and operated solely in
21 intrastate commerce.

22 (12) 49 C.F.R. 392.9a - Operating authority shall not apply to
23 Nebraska motor carriers operating commercial motor vehicles solely in
24 intrastate commerce.

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

28 Sec. 79. Section 75-364, Revised Statutes Supplement, 2019, is
29 amended to read:

30 75-364 The parts, subparts, and sections of Title 49 of the Code of
31 Federal Regulations listed below, or any other parts, subparts, and

1 sections referred to by such parts, subparts, and sections, in existence
2 and effective as of January 1, 2020 ~~2019~~, are adopted as part of Nebraska
3 law and shall be applicable to all motor carriers whether engaged in
4 interstate or intrastate commerce, drivers of such motor carriers, and
5 vehicles of such motor carriers:

6 (1) Part 107 - HAZARDOUS MATERIALS PROGRAM PROCEDURES, subpart F -
7 Registration of Cargo Tank and Cargo Tank Motor Vehicle Manufacturers,
8 Assemblers, Repairers, Inspectors, Testers, and Design Certifying
9 Engineers;

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

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

13 (4) Part 172 - HAZARDOUS MATERIALS TABLE, SPECIAL PROVISIONS,
14 HAZARDOUS MATERIALS COMMUNICATIONS, EMERGENCY RESPONSE INFORMATION,
15 TRAINING REQUIREMENTS, AND SECURITY PLANS;

16 (5) Part 173 - SHIPPERS - GENERAL REQUIREMENTS FOR SHIPMENTS AND
17 PACKAGINGS;

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

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

20 (8) Part 180 - CONTINUING QUALIFICATION AND MAINTENANCE OF
21 PACKAGINGS.

22 Sec. 80. Section 75-366, Revised Statutes Supplement, 2019, is
23 amended to read:

24 75-366 For the purpose of enforcing Chapter 75, article 3, any
25 officer of the Nebraska State Patrol may, upon demand, inspect the
26 accounts, records, and equipment of any motor carrier or shipper. Any
27 officer of the Nebraska State Patrol shall have the authority to enforce
28 the federal motor carrier safety regulations, as such regulations existed
29 on January 1, 2020 ~~2019~~, and federal hazardous materials regulations, as
30 such regulations existed on January 1, 2020 ~~2019~~, and is authorized to
31 enter upon, inspect, and examine any and all lands, buildings, and

1 equipment of any motor carrier, any shipper, and any other person subject
2 to the federal Interstate Commerce Act, the federal Department of
3 Transportation Act, and other related federal laws and to inspect and
4 copy any and all accounts, books, records, memoranda, correspondence, and
5 other documents of a motor carrier, a shipper, and any other person
6 subject to Chapter 75, article 3, for the purposes of enforcing Chapter
7 75, article 3. To promote uniformity of enforcement, the carrier
8 enforcement division of the Nebraska State Patrol shall cooperate and
9 consult with the Public Service Commission and the Division of Motor
10 Carrier Services.

11 Sec. 81. Section 75-369.03, Reissue Revised Statutes of Nebraska, is
12 amended to read:

13 75-369.03 (1) The Superintendent of Law Enforcement and Public
14 Safety may issue an order imposing a civil penalty against a motor
15 carrier transporting persons or property in interstate commerce for a
16 violation of sections 75-392 to 75-399 and section 87 of this act or
17 against a motor carrier transporting persons or property in intrastate
18 commerce for a violation or violations of section 75-363 or 75-364 based
19 upon an inspection conducted pursuant to section 75-366 in an amount
20 which shall not exceed eight hundred dollars for any single violation in
21 any proceeding or series of related proceedings against any person or
22 motor carrier as defined in 49 C.F.R. 390.5 as adopted in section 75-363.

23 (2) The superintendent shall issue an order imposing a civil penalty
24 in an amount not to exceed sixteen thousand four hundred fifty-three
25 ~~fifteen thousand seven hundred twenty-seven~~ dollars against a motor
26 carrier transporting persons or property in interstate commerce for a
27 violation of subdivision (2)(e) of section 60-4,162 based upon a
28 conviction of such a violation.

29 (3) The superintendent shall issue an order imposing a civil penalty
30 against a driver operating a commercial motor vehicle, as defined in
31 section 60-465, that requires a commercial driver's license or CLP-

1 commercial learner's permit, in violation of an out-of-service order. The
2 civil penalty shall be in an amount not less than three thousand one
3 hundred seventy-four ~~thirty-four~~ dollars for a first violation and not
4 less than six thousand three hundred forty-eight ~~sixty-eight~~ dollars for
5 a second or subsequent violation.

6 (4) The superintendent shall issue an order imposing a civil penalty
7 against a motor carrier who knowingly allows, requires, permits, or
8 authorizes the operation of a commercial motor vehicle, as defined in
9 section 60-465, that requires a commercial driver's license or CLP-
10 commercial learner's permit, in violation of an out-of-service order. The
11 civil penalty shall be not less than five thousand seven hundred thirty-
12 two ~~four hundred seventy-nine~~ dollars but not more than thirty-one
13 thousand seven ~~thirty thousand three~~ hundred thirty-seven dollars per
14 violation.

15 (5) Upon the discovery of any violation by a motor carrier
16 transporting persons or property in interstate commerce of section
17 75-307, 75-363, or 75-364 or sections 75-392 to 75-399 and section 87 of
18 this act based upon an inspection conducted pursuant to section 75-366,
19 the superintendent shall immediately refer such violation to the
20 appropriate federal agency for disposition, and upon the discovery of any
21 violation by a motor carrier transporting persons or property in
22 intrastate commerce of section 75-307 based upon such inspection, the
23 superintendent shall refer such violation to the Public Service
24 Commission for disposition.

25 Sec. 82. Section 75-386, Reissue Revised Statutes of Nebraska, is
26 amended to read:

27 75-386 The Division of Motor Carrier Services shall:

28 (1) Foster, promote, and preserve the motor carrier industry of the
29 State of Nebraska;

30 (2) Protect and promote the public health and welfare of the
31 citizens of the state by ensuring that the motor carrier industry is

1 operated in an efficient and safe manner;

2 (3) Promote and provide for efficient and uniform governmental
3 oversight of the motor carrier industry;

4 (4) Promote financial responsibility on the part of motor carriers
5 operating in and through the State of Nebraska;

6 (5) Administer all provisions of the International Fuel Tax
7 Agreement Act, the International Registration Plan Act, and the unified
8 carrier registration plan and agreement pursuant to sections 75-392 to
9 75-399 and section 87 of this act;

10 (6) Provide for the issuance of certificates of title to apportioned
11 registered motor vehicles as provided for by subsection (6) of section
12 60-144; and

13 (7) Carry out such other duties and responsibilities as directed by
14 the Legislature.

15 Sec. 83. Section 75-392, Revised Statutes Supplement, 2019, is
16 amended to read:

17 75-392 For purposes of sections 75-392 to 75-399 and section 87 of
18 this act:

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

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

22 (3) Unified carrier registration plan and agreement means the plan
23 and agreement established and authorized pursuant to 49 U.S.C. 14504a, as
24 such section existed on January 1, 2020 ~~2019~~.

25 Sec. 84. Section 75-393, Revised Statutes Supplement, 2019, is
26 amended to read:

27 75-393 The director may participate in the unified carrier
28 registration plan and agreement pursuant to the Unified Carrier
29 Registration Act of 2005, 49 U.S.C. 13908, as the act existed on January
30 1, 2020 ~~2019~~, and may file on behalf of this state the plan required by
31 such plan and agreement for enforcement of the act in this state.

1 Sec. 85. Section 75-398, Reissue Revised Statutes of Nebraska, is
2 amended to read:

3 75-398 Any foreign or domestic motor carrier, private carrier,
4 leasing company, broker, or freight forwarder operating any motor vehicle
5 in violation of sections 75-392 to 75-399 and section 87 of this act, any
6 rule or regulation adopted and promulgated pursuant to such sections, or
7 any order of the division issued pursuant to such sections is guilty of a
8 Class IV misdemeanor and shall also be subject to section 75-369.03. Each
9 day of the violation constitutes a separate offense.

10 Sec. 86. Section 75-399, Reissue Revised Statutes of Nebraska, is
11 amended to read:

12 75-399 Sections 75-392 to 75-399 and section 87 of this act do not
13 apply to a foreign or domestic motor carrier, private carrier, leasing
14 company, broker, or freight forwarder, including a transporter of waste
15 or recyclable materials, engaged exclusively in intrastate commerce.

16 Sec. 87. (1) The director may suspend, revoke, cancel, or refuse to
17 issue or renew a registration pursuant to the unified carrier
18 registration plan and agreement:

19 (a) If the applicant or registrant has had his or her license issued
20 under the International Fuel Tax Agreement Act revoked or the director
21 refused to issue or refused to renew such license;

22 (b) If the applicant's or registrant's registration certificate
23 issued pursuant to the International Registration Plan Act has been
24 suspended, revoked, or canceled or the director refused to issue or renew
25 such certificate; or

26 (c) If the applicant or registrant is in violation of sections
27 75-392 to 75-399 and section 87 of this act.

28 (2) Prior to taking any action pursuant to subsection (1) of this
29 section, the director shall notify and advise the applicant or registrant
30 of the proposed action and the reasons for such action in writing, by
31 regular United States mail, to the last-known business address as shown

1 on the application for the registration or renewal. The notice shall also
2 include an advisement of the procedures in subsection (3) of this
3 section.

4 (3) The applicant or registrant may, within thirty days after the
5 mailing of the notice, petition the director in writing for a hearing to
6 contest the proposed action. The hearing shall be commenced in accordance
7 with the Administrative Procedure Act. If a petition is filed, the
8 director shall, within twenty days after receipt of the petition, set a
9 hearing date at which the applicant or registrant may show cause why the
10 proposed action should not be taken. The director shall give the
11 applicant or registrant reasonable notice of the time and place of the
12 hearing. If the director's decision is adverse to the applicant or
13 registrant, such person may appeal the decision in accordance with the
14 Administrative Procedure Act.

15 (4) The filing of the petition shall stay any action by the director
16 until a hearing is held and a final decision and order is issued.

17 (5) If no petition is filed at the expiration of thirty days after
18 the date on which the notification was mailed, the director may take the
19 proposed action described in the notice.

20 (6) If, in the judgment of the director, the applicant or registrant
21 has complied with or is no longer in violation of the provisions for
22 which the director took action under this section, the director may
23 reinstate the registration without delay. An applicant for reinstatement,
24 issuance, or renewal of a registration within three years after the date
25 of suspension, revocation, cancellation, or refusal to issue or renew
26 shall submit a fee of one hundred dollars to the director. The director
27 shall remit the fee to the State Treasurer for credit to the Highway Cash
28 Fund.

29 Sec. 88. The Department of Veterans' Affairs shall create a program
30 for the purpose of providing financial support to veterans for the costs
31 associated with adopting a pet animal. The department shall use the money

1 credited to the Pets for Vets Cash Fund under section 46 of this act to
2 award grants to carry out the purposes of such program. The department
3 may administer the program or contract with an organization dedicated to
4 the care of dogs and cats to administer the program.

5 Sec. 89. The Pets for Vets Cash Fund is created for the purpose of
6 administering the veteran grant program created under section 88 of this
7 act. The fund shall consist of money credited to the fund pursuant to
8 section 46 of this act. Any money in the fund available for investment
9 shall be invested by the state investment officer pursuant to the
10 Nebraska Capital Expansion Act and the Nebraska State Funds Investment
11 Act.

12 Sec. 90. (1) The Support the Arts Cash Fund is created. The fund
13 shall consist of all money credited to the fund pursuant to section 48 of
14 this act. The Nebraska Arts Council shall administer and distribute the
15 Support the Arts Cash Fund. The fund shall be expended by the Nebraska
16 Arts Council to provide aid to communities that designate a focus area of
17 the city for arts and cultural development, to provide money for a
18 competitive grant program that awards a grant to any creative district
19 that meets the criteria for the competitive grant, if such program
20 exists, and to defray costs directly related to the administration of the
21 fund.

22 (2) Any money in the fund available for investment shall be invested
23 by the state investment officer pursuant to the Nebraska Capital
24 Expansion Act and the Nebraska State Funds Investment Act.

25 Sec. 91. Sections 3, 10, 15, 17, 18, 19, 21, 22, 23, 30, 31, 32,
26 33, 34, 36, 38, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 55, 88, 89,
27 90, and 92 of this act become operative on January 1, 2021. Sections 1,
28 2, 4, 5, 6, 9, 11, 12, 13, 14, 16, 20, 24, 25, 26, 27, 28, 29, 35, 37,
29 39, 51, 52, 53, 54, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68,
30 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86,
31 87, and 93 of this act become operative three calendar months after

1 adjournment of this legislative session. The other sections of this act
2 become operative on their effective date.

3 Sec. 92. Original section 37-327.03, Reissue Revised Statutes of
4 Nebraska, section 60-3,104.02, Revised Statutes Cumulative Supplement,
5 2018, and sections 60-301, 60-393, 60-396, 60-3,104, 60-3,122.03,
6 60-3,127, 60-3,130.04, 60-3,226, 60-3,230, 60-3,232, 60-3,234, 60-3,237,
7 60-3,239, 60-3,241, 60-3,243, and 60-495, Revised Statutes Supplement,
8 2019, are repealed.

9 Sec. 93. Original sections 18-1214, 38-129, 60-3,137, 60-3,203,
10 60-3,212, 66-1406.02, 66-1424, 75-362, 75-369.03, 75-386, 75-398, and
11 75-399, Reissue Revised Statutes of Nebraska, sections 4-111, 60-192,
12 60-331.02, 60-3,205, 60-484.04, 60-484.05, 60-4,113, 60-4,114, 60-4,138,
13 60-4,141, 60-4,168, 60-6,294, 60-6,297, and 60-6,356, Revised Statutes
14 Cumulative Supplement, 2018, and sections 60-107, 60-119.01, 60-302.01,
15 60-336.01, 60-386, 60-395, 60-3,113.04, 60-3,193.01, 60-3,198, 60-3,238,
16 60-3,240, 60-3,242, 60-462.01, 60-479.01, 60-4,111.01, 60-4,132,
17 60-4,134, 60-4,147.02, 60-4,182, 60-501, 60-628.01, 60-6,265, 60-6,290,
18 60-2705, 60-2909.01, 75-363, 75-364, 75-366, 75-392, and 75-393, Revised
19 Statutes Supplement, 2019, are repealed.

20 Sec. 94. Original section 60-142.01, Reissue Revised Statutes of
21 Nebraska, and section 60-144, Revised Statutes Supplement, 2019, are
22 repealed.

23 Sec. 95. Since an emergency exists, this act takes effect when
24 passed and approved according to law.