

LEGISLATURE OF NEBRASKA
ONE HUNDRED SIXTH LEGISLATURE
FIRST SESSION

LEGISLATIVE BILL 579

Introduced by Quick, 35.

Read first time January 22, 2019

Committee: Judiciary

1 A BILL FOR AN ACT relating to the Motor Vehicle Operator's License Act;
2 to amend section 60-4,118.06, Revised Statutes Cumulative
3 Supplement, 2018; to authorize the issuance of ignition interlock
4 permits to persons who proximately caused serious bodily injury
5 while driving under the influence of alcoholic liquor or drugs; and
6 to repeal the original section.

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

1 Section 1. Section 60-4,118.06, Revised Statutes Cumulative
2 Supplement, 2018, is amended to read:

3 60-4,118.06 (1) Upon receipt by the director of (a) a certified copy
4 of a court order issued pursuant to section 60-6,211.05, a certified copy
5 of an order for installation of an ignition interlock device and issuance
6 of an ignition interlock permit pursuant to section 60-6,197.03, or a
7 copy of an order from the Board of Pardons pursuant to section
8 83-1,127.02, (b) sufficient evidence that the person has surrendered his
9 or her operator's license to the department and installed an approved
10 ignition interlock device in accordance with such order, and (c) payment
11 of the fee provided in section 60-4,115, such person may apply for an
12 ignition interlock permit. A person subject to administrative license
13 revocation under sections 60-498.01 to 60-498.04 shall be eligible for an
14 ignition interlock permit as provided in such sections. The director
15 shall issue an ignition interlock permit only for the operation of a
16 motor vehicle equipped with an ignition interlock device. All permits
17 issued pursuant to this subsection shall indicate that the permit is not
18 valid for the operation of any commercial motor vehicle.

19 (2) Upon expiration of the revocation period or upon expiration of
20 an order issued by the Board of Pardons pursuant to section 83-1,127.02,
21 a person may apply to the department in writing for issuance of an
22 operator's license. Regardless of whether the license surrendered by such
23 person under subsection (1) of this section has expired, the person shall
24 apply for a new operator's license pursuant to the Motor Vehicle
25 Operator's License Act.

26 (3)(a) An ignition interlock permit shall not be issued under this
27 section or sections 60-498.01 to 60-498.04 to any person except in cases
28 of a violation of subdivision (3)(b) or (c) of section 28-306,
29 subdivision (3)(b) or (c) of section 28-394, or section 28-1254,
30 60-6,196, 60-6,197, ~~or 60-6,197.06, or 60-6,198.~~

31 (b) An ignition interlock permit shall only be available to a holder

1 of a Class M or O operator's license.

2 (4) The director shall revoke a person's ignition interlock permit
3 issued under this section or sections 60-498.01 to 60-498.04 upon receipt
4 of an (a) abstract of conviction indicating that the person had his or
5 her operating privileges revoked or canceled or (b) administrative order
6 revoking or canceling the person's operating privileges, if such
7 conviction or order resulted from an incident other than the incident
8 which resulted in the application for the ignition interlock permit.

9 Sec. 2. Original section 60-4,118.06, Revised Statutes Cumulative
10 Supplement, 2018, is repealed.