

AMENDMENTS TO LB504

Introduced by Cavanaugh, J., 9.

1 1. Strike original section 1 and insert the following new section:

2 Section 1. Section 60-4,108, Revised Statutes Cumulative Supplement,
3 2020, is amended to read:

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7 his or her operator's license has been revoked or impounded pursuant to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

1 period. Such orders of the court shall be administered upon sentencing,
2 upon final judgment of any appeal or review, or upon the date that any
3 probation is revoked.

4 (2) It shall be unlawful for any person to operate a motor vehicle
5 (a) during any period that his or her operator's license has been
6 suspended, (b) after a period of revocation but before issuance of a new
7 license, or (c) after a period of impoundment but before the return of
8 the license. Except as provided in subsection (3) of this section, any
9 person so offending shall (i) for a first offense, be guilty of a Class V
10 III misdemeanor, (ii) for a second or third such offense, be guilty of a
11 Class IV misdemeanor, and the court may, as a part of the judgment of
12 conviction, order such person not to operate any motor vehicle for any
13 purpose for a period of six months from the date ordered by the court and
14 also order the operator's license of such person to be revoked for a like
15 period, except that if the person at the time of sentencing shows proof
16 of reinstatement of his or her suspended operator's license, proof of
17 issuance of a new license, or proof of return of the impounded license,
18 the person shall only be fined in an amount not to exceed one hundred
19 dollars, and (iii) for a fourth or subsequent such offense, be guilty of
20 a Class III misdemeanor, and the court may, as a part of the judgment of
21 conviction, order such person not to operate any motor vehicle for any
22 purpose for a period of one year from the date ordered by the court and
23 also order the operator's license of such person to be revoked for a like
24 period, except that if the person at the time of sentencing shows proof
25 of reinstatement of his or her suspended operator's license, proof of
26 issuance of a new license, or proof of return of the impounded license,
27 the person shall only be fined in an amount not to exceed one hundred
28 dollars. Such orders of the court shall be administered upon sentencing,
29 upon final judgment of any appeal or review, or upon the date that any
30 probation is revoked and the court may, as a part of the judgment of
31 conviction, order such person not to operate any motor vehicle for any

1 ~~purpose for a period of one year from the date ordered by the court,~~
2 ~~except that if the person at the time of sentencing shows proof of~~
3 ~~reinstatement of his or her suspended operator's license, proof of~~
4 ~~issuance of a new license, or proof of return of the impounded license,~~
5 ~~the person shall only be fined in an amount not to exceed one hundred~~
6 ~~dollars.~~ If the court orders the person not to operate a motor vehicle
7 for a period of six months ~~one year~~ from the date ordered by the court,
8 the court shall also order the operator's license of such person to be
9 revoked for a like period. Such orders of the court shall be administered
10 upon sentencing, upon final judgment of any appeal or review, or upon the
11 date that any probation is revoked.

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