

ONE HUNDRED EIGHTH LEGISLATURE - FIRST SESSION - 2023
COMMITTEE STATEMENT
LB199

Hearing Date: Tuesday February 14, 2023
Committee On: Transportation and Telecommunications
Introducer: Brewer
One Liner: Provide for a driving privilege card for federally authorized aliens

Roll Call Vote - Final Committee Action:
Advanced to General File

Vote Results:

Aye:	7	Senators Bosn, Bostelman, Brandt, DeBoer, DeKay, Fredrickson, Moser
Nay:		
Absent:	1	Senator Cavanaugh, M.
Present Not Voting:		

Testimony:

Proponents:

Tom Brewer
Bryan Slone

Tim Hardy
Adam Feser
Nick Grandgenett
Kent Rogert
Jodi Garrelts
Chris Tonniges
Susan Martin
Oleg Stepanyuk
Christine Kouma
Liubov Onishchuk
Maksym Byesyedin
Katie Patrick
Oksana Iziumova
Noah Philson
Oleksii Barkalov
Spike Eikholt

Representing:

Introducer
Nebraska Chamber of Commerce, Greater Omaha Chamber of Commerce, Lincoln Chamber of Commerce
Self
Nebraska Cooperative Council
Nebraska Appleseed
Associated Builders and Contractors
On behalf of Anna Deal; Immigrant Legal Center
Lutheran Family Services
Nebraska State AFL-CIO
House of Prayer, Advantage Trucking
Self
Refugee Empowerment Center
Self
Nebraska Catholic Conference
Self
Self
Self
ACLU of Nebraska

Opponents:

Representing:

Neutral:

Rhonda Lahm

Representing:

Department of Motor Vehicles

Summary of purpose and/or changes:

The bill proposes to amend the provisions of the Nebraska Operator's License Act to provide for the issuance of a driving privilege card.

Section 4 defines "driving privilege card" as a license to operate a motor vehicle pursuant to section 202(d)(11) of the federal Real ID Act of 2005 issued to a federally authorized alien whose presence in the United States is not specified in section 202(c)(2)(B)(i) through (x) of the Real ID Act.

A driving privilege card may be designated as a Class O, M, Provisional Operator's License, Learner's Permit, or other class of license authorized by the director of DMV.

Section 5- Enacts a new provision of law defining a federally authorized alien as an alien present in the United States with the approval of the federal government. Approval includes aliens currently classified in categories of parole, including parole granted pursuant to 8 USC 1182(d)(5), aliens with a valid employment authorization, and any other similarly situated aliens.

Section 6- The driving privilege card shall be similar in design to the standard operator's license, but shall have a unique design and color. The license shall state;

- 1) Not valid for official federal purposes; and
- 2) Not valid photographic identification for voting.

Section 7- The license shall authorize the holder to operate a motor vehicle and shall be valid identification except for official federal purposes and for voting.

An individual cannot be discriminated against because they hold a driving privilege card and the card cannot be held concurrently with any other Nebraska operator's license. A driving privilege card shall be treated the same as any other operator's license in terms of period of validity.

Section 8- Enacts a new provision of law that provides a federally authorized alien is eligible for a driving privilege card upon proof of:

- 1) Status as a federally authorized alien;
- 2) Proof of identity;
- 3) Is a Nebraska resident; and
- 4) Otherwise qualified for an operator's permit.

A federally authorized alien shall not be ineligible for a driving privilege card solely because they cannot meet require the requirements of section 60-484.04 (evidence of lawful status to obtain an operator's privilege) or do not possess a social security number. A federally authorized alien shall establish authorization by providing documentation that such person is present in the United States with the permission of the federal government.

The section provides a number of ways that such individual may prove their identity and proof of Nebraska residence.

Mike Moser, Chairperson