

LEGISLATURE OF NEBRASKA
ONE HUNDRED EIGHTH LEGISLATURE
FIRST SESSION

LEGISLATIVE BILL 140

Introduced by Brandt, 32.

Read first time January 06, 2023

Committee: Transportation and Telecommunications

1 A BILL FOR AN ACT relating to motor vehicle registration; to amend
2 sections 60-301, 60-393, 60-395, 60-396, 60-3,104, and 60-3,130.04,
3 Reissue Revised Statutes of Nebraska; to provide for Czech Heritage
4 Plates; to provide powers and duties; to harmonize provisions; to
5 provide operative dates; and to repeal the original sections.
6 Be it enacted by the people of the State of Nebraska,

1 Section 1. Section 60-301, Reissue Revised Statutes of Nebraska, is
2 amended to read:

3 60-301 Sections 60-301 to 60-3,258 and sections 7 and 8 of this act
4 shall be known and may be cited as the Motor Vehicle Registration Act.

5 Sec. 2. Section 60-393, Reissue Revised Statutes of Nebraska, is
6 amended to read:

7 60-393 Any owner who has two or more motor vehicles or trailers
8 required to be registered under the Motor Vehicle Registration Act may
9 register all such motor vehicles or trailers on a calendar-year basis or
10 on an annual basis for the same registration period beginning in a month
11 chosen by the owner. When electing to establish the same registration
12 period for all such motor vehicles or trailers, the owner shall pay the
13 registration fee, the motor vehicle tax imposed in section 60-3,185, the
14 motor vehicle fee imposed in section 60-3,190, and the alternative fuel
15 fee imposed in section 60-3,191 on each motor vehicle for the number of
16 months necessary to extend its current registration period to the
17 registration period under which all such motor vehicles or trailers will
18 be registered. Credit shall be given for registration paid on each motor
19 vehicle or trailer when the motor vehicle or trailer has a later
20 expiration date than that chosen by the owner except as otherwise
21 provided in sections 60-3,121, 60-3,122.02, 60-3,122.04, 60-3,128,
22 60-3,224, 60-3,227, 60-3,233, 60-3,235, 60-3,238, 60-3,240, 60-3,242,
23 60-3,244, 60-3,246, 60-3,248, 60-3,250, 60-3,252, 60-3,254, 60-3,256, and
24 60-3,258 and section 8 of this act. Thereafter all such motor vehicles or
25 trailers shall be registered on an annual basis starting in the month
26 chosen by the owner.

27 Sec. 3. Section 60-395, Reissue Revised Statutes of Nebraska, is
28 amended to read:

29 60-395 (1) Except as otherwise provided in subsection (2) of this
30 section and sections 60-3,121, 60-3,122.02, 60-3,122.04, 60-3,128,
31 60-3,224, 60-3,227, 60-3,231, 60-3,233, 60-3,235, 60-3,238, 60-3,240,

1 60-3,242, 60-3,244, 60-3,246, 60-3,248, 60-3,250, 60-3,252, 60-3,254,
2 60-3,256, and 60-3,258 and section 8 of this act, the registration shall
3 expire and the registered owner or lessee may, by returning the
4 registration certificate, the license plates, and, when appropriate, the
5 validation decals and by either making application on a form prescribed
6 by the department to the county treasurer of the occurrence of an event
7 described in subdivisions (a) through (e) of this subsection or, in the
8 case of a change in situs, displaying to the county treasurer the
9 registration certificate of such other state as evidence of a change in
10 situs, receive a refund of that part of the unused fees and taxes on
11 motor vehicles or trailers based on the number of unexpired months
12 remaining in the registration period from the date of any of the
13 following events:

14 (a) Upon transfer of ownership of any motor vehicle or trailer;

15 (b) In case of loss of possession because of fire, natural disaster,
16 theft, dismantlement, or junking;

17 (c) When a salvage branded certificate of title is issued;

18 (d) Whenever a type or class of motor vehicle or trailer previously
19 registered is subsequently declared by legislative act or court decision
20 to be illegal or ineligible to be operated or towed on the public roads
21 and no longer subject to registration fees, the motor vehicle tax imposed
22 in section 60-3,185, the motor vehicle fee imposed in section 60-3,190,
23 and the alternative fuel fee imposed in section 60-3,191;

24 (e) Upon a trade-in or surrender of a motor vehicle under a lease;
25 or

26 (f) In case of a change in the situs of a motor vehicle or trailer
27 to a location outside of this state.

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

31 (3) If the transferor or lessee acquires another motor vehicle at

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

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

10 (5) For purposes of this section, the date of the event shall be:

11 (a) In the case of a transfer or loss, the date of the transfer or loss;

12 (b) in the case of a change in the situs, the date of registration in
13 another state; (c) in the case of a trade-in or surrender under a lease,
14 the date of trade-in or surrender; (d) in the case of a legislative act,
15 the effective date of the act; and (e) in the case of a court decision,
16 the date the decision is rendered.

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

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

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

31 Sec. 4. Section 60-396, Reissue Revised Statutes of Nebraska, is

1 amended to read:

2 60-396 Whenever the registered owner files an application with the
3 county treasurer showing that a motor vehicle, trailer, or semitrailer is
4 disabled and has been removed from service, the registered owner may, by
5 returning the registration certificate, the license plates, and, when
6 appropriate, the validation decals or, in the case of the unavailability
7 of such registration certificate or certificates, license plates, or
8 validation decals, then by making an affidavit to the county treasurer of
9 such disablement and removal from service, receive a credit for a portion
10 of the registration fee from the fee deposited with the State Treasurer
11 at the time of registration based upon the number of unexpired months
12 remaining in the registration year except as otherwise provided in
13 sections 60-3,121, 60-3,122.02, 60-3,122.04, 60-3,128, 60-3,224,
14 60-3,227, 60-3,233, 60-3,235, 60-3,238, 60-3,240, 60-3,242, 60-3,244,
15 60-3,246, 60-3,248, 60-3,250, 60-3,252, 60-3,254, 60-3,256, and 60-3,258
16 and section 8 of this act. The owner shall also receive a credit for the
17 unused portion of the motor vehicle tax and fee based upon the number of
18 unexpired months remaining in the registration year. When the owner
19 registers a replacement motor vehicle, trailer, or semitrailer at the
20 time of filing such affidavit, the credit may be immediately applied
21 against the registration fee and the motor vehicle tax and fee for the
22 replacement motor vehicle, trailer, or semitrailer. When no such
23 replacement motor vehicle, trailer, or semitrailer is so registered, the
24 county treasurer shall determine the amount, if any, of the allowable
25 credit for the registration fee and the motor vehicle tax and fee and
26 issue a credit certificate to the owner. When such motor vehicle,
27 trailer, or semitrailer is removed from service within the same month in
28 which it was registered, no credits shall be allowed for such month. The
29 credits may be applied against taxes and fees for new or replacement
30 motor vehicles, trailers, or semitrailers incurred within one year after
31 cancellation of registration of the motor vehicle, trailer, or

1 semitrailer for which the credits were allowed. When any such motor
2 vehicle, trailer, or semitrailer is reregistered within the same
3 registration year in which its registration has been canceled, the taxes
4 and fees shall be that portion of the registration fee and the motor
5 vehicle tax and fee for the remainder of the registration year.

6 Sec. 5. Section 60-3,104, Reissue Revised Statutes of Nebraska, is
7 amended to read:

8 60-3,104 The department shall issue the following types of license
9 plates:

10 (1) Amateur radio station license plates issued pursuant to section
11 60-3,126;

12 (2) Apportionable vehicle license plates issued pursuant to section
13 60-3,203;

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

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

16 (5) Breast Cancer Awareness Plates issued pursuant to sections
17 60-3,230 and 60-3,231;

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

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

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

23 (9) Czech Heritage Plates issued pursuant to sections 7 and 8 of
24 this act;

25 (10) (9) Dealer or manufacturer license plates issued pursuant to
26 sections 60-3,114 and 60-3,115;

27 (11) (10) Disabled veteran license plates issued pursuant to section
28 60-3,124;

29 (12) (11) Donate Life Plates issued pursuant to sections 60-3,245
30 and 60-3,246;

31 (13) (12) Down Syndrome Awareness Plates issued pursuant to sections

- 1 60-3,247 and 60-3,248;
- 2 ~~(14)~~ (13) Farm trailer license plates issued pursuant to section
- 3 60-3,151;
- 4 ~~(15)~~ (14) Farm truck license plates issued pursuant to section
- 5 60-3,146;
- 6 ~~(16)~~ (15) Farm trucks with a gross weight of over sixteen tons
- 7 license plates issued pursuant to section 60-3,146;
- 8 ~~(17)~~ (16) Fertilizer trailer license plates issued pursuant to
- 9 section 60-3,151;
- 10 ~~(18)~~ (17) Former military vehicle license plates issued pursuant to
- 11 section 60-3,236;
- 12 ~~(19)~~ (18) Gold Star Family license plates issued pursuant to
- 13 sections 60-3,122.01 and 60-3,122.02;
- 14 ~~(20)~~ (19) Handicapped or disabled person license plates issued
- 15 pursuant to section 60-3,113;
- 16 ~~(21)~~ (20) Historical vehicle license plates issued pursuant to
- 17 sections 60-3,130 to 60-3,134;
- 18 ~~(22)~~ (21) Josh the Otter-Be Safe Around Water Plates issued pursuant
- 19 to section 60-3,258;
- 20 ~~(23)~~ (22) Local truck license plates issued pursuant to section
- 21 60-3,145;
- 22 ~~(24)~~ (23) Metropolitan utilities district license plates issued
- 23 pursuant to section 60-3,228;
- 24 ~~(25)~~ (24) Military Honor Plates issued pursuant to sections
- 25 60-3,122.03 and 60-3,122.04;
- 26 ~~(26)~~ (25) Minitruck license plates issued pursuant to section
- 27 60-3,100;
- 28 ~~(27)~~ (26) Motor vehicle license plates for motor vehicles owned or
- 29 operated by the state, counties, municipalities, or school districts
- 30 issued pursuant to section 60-3,105;
- 31 ~~(28)~~ (27) Motor vehicles exempt pursuant to section 60-3,107;

1 (29) ~~(28)~~ Motorcycle license plates issued pursuant to section
2 60-3,100;

3 (30) ~~(29)~~ Mountain Lion Conservation Plates issued pursuant to
4 sections 60-3,226 and 60-3,227;

5 (31) ~~(30)~~ Native American Cultural Awareness and History Plates
6 issued pursuant to sections 60-3,234 and 60-3,235;

7 (32) ~~(31)~~ Nebraska Cornhusker Spirit Plates issued pursuant to
8 sections 60-3,127 to 60-3,129;

9 (33) ~~(32)~~ Nebraska History Plates issued pursuant to sections
10 60-3,255 and 60-3,256;

11 (34) ~~(33)~~ Nebraska 150 Sesquicentennial Plates issued pursuant to
12 sections 60-3,223 to 60-3,225;

13 (35) ~~(34)~~ Nonresident owner thirty-day license plates issued
14 pursuant to section 60-382;

15 (36) ~~(35)~~ Passenger car having a seating capacity of ten persons or
16 less and not used for hire issued pursuant to section 60-3,143 other than
17 autocycles;

18 (37) ~~(36)~~ Passenger car having a seating capacity of ten persons or
19 less and used for hire issued pursuant to section 60-3,143 other than
20 autocycles;

21 (38) ~~(37)~~ Pearl Harbor license plates issued pursuant to section
22 60-3,122;

23 (39) ~~(38)~~ Personal-use dealer license plates issued pursuant to
24 section 60-3,116;

25 (40) ~~(39)~~ Personalized message license plates for motor vehicles,
26 trailers, and semitrailers, except motor vehicles, trailers, and
27 semitrailers registered under section 60-3,198, issued pursuant to
28 sections 60-3,118 to 60-3,121;

29 (41) ~~(40)~~ Pets for Vets Plates issued pursuant to sections 60-3,249
30 and 60-3,250;

31 (42) ~~(41)~~ Prisoner-of-war license plates issued pursuant to section

1 60-3,123;
2 ~~(43)~~ ~~(42)~~ Prostate Cancer Awareness Plates issued pursuant to
3 section 60-3,240;
4 ~~(44)~~ ~~(43)~~ Public power district license plates issued pursuant to
5 section 60-3,228;
6 ~~(45)~~ ~~(44)~~ Purple Heart license plates issued pursuant to section
7 60-3,125;
8 ~~(46)~~ ~~(45)~~ Recreational vehicle license plates issued pursuant to
9 section 60-3,151;
10 ~~(47)~~ ~~(46)~~ Repossession license plates issued pursuant to section
11 60-375;
12 ~~(48)~~ ~~(47)~~ Sammy's Superheroes license plates for childhood cancer
13 awareness issued pursuant to section 60-3,242;
14 ~~(49)~~ ~~(48)~~ Special interest motor vehicle license plates issued
15 pursuant to section 60-3,135.01;
16 ~~(50)~~ ~~(49)~~ Specialty license plates issued pursuant to sections
17 60-3,104.01 and 60-3,104.02;
18 ~~(51)~~ ~~(50)~~ Support the Arts Plates issued pursuant to sections
19 60-3,251 and 60-3,252;
20 ~~(52)~~ ~~(51)~~ Support Our Troops Plates issued pursuant to sections
21 60-3,243 and 60-3,244;
22 ~~(53)~~ ~~(52)~~ The Good Life Is Outside Plates issued pursuant to
23 sections 60-3,253 and 60-3,254;
24 ~~(54)~~ ~~(53)~~ Trailer license plates issued for trailers owned or
25 operated by the state, counties, municipalities, or school districts
26 issued pursuant to section 60-3,106;
27 ~~(55)~~ ~~(54)~~ Trailer license plates issued for trailers owned or
28 operated by a metropolitan utilities district or public power district
29 pursuant to section 60-3,228;
30 ~~(56)~~ ~~(55)~~ Trailer license plates issued pursuant to section
31 60-3,100;

1 ~~(57)~~ ~~(56)~~ Trailers exempt pursuant to section 60-3,108;

2 ~~(58)~~ ~~(57)~~ Transporter license plates issued pursuant to section
3 60-378;

4 ~~(59)~~ ~~(58)~~ 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 ~~(60)~~ ~~(59)~~ Utility trailer license plates issued pursuant to section
11 60-3,151;

12 ~~(61)~~ ~~(60)~~ Well-boring apparatus and well-servicing equipment license
13 plates issued pursuant to section 60-3,109; and

14 ~~(62)~~ ~~(61)~~ Wildlife Conservation Plates issued pursuant to section
15 60-3,238.

16 Sec. 6. Section 60-3,130.04, Reissue Revised Statutes of Nebraska,
17 is amended to read:

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

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

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

5 (4) License plates used pursuant to this section corresponding to
6 the year of manufacture of the vehicle shall not be personalized message
7 license plates, Pearl Harbor license plates, prisoner-of-war license
8 plates, disabled veteran license plates, Purple Heart license plates,
9 amateur radio station license plates, Nebraska Cornhusker Spirit Plates,
10 Nebraska History Plates, handicapped or disabled person license plates,
11 specialty license plates, special interest motor vehicle license plates,
12 Military Honor Plates, Nebraska 150 Sesquicentennial Plates, Breast
13 Cancer Awareness Plates, Prostate Cancer Awareness Plates, Mountain Lion
14 Conservation Plates, Choose Life License Plates, Czech Heritage Plates,
15 Donate Life Plates, Down Syndrome Awareness Plates, Native American
16 Cultural Awareness and History Plates, Sammy's Superheroes license plates
17 for childhood cancer awareness, Wildlife Conservation Plates, Pets for
18 Vets Plates, Support the Arts Plates, Support Our Troops Plates, The Good
19 Life Is Outside Plates, or Josh the Otter-Be Safe Around Water Plates.

20 Sec. 7. (1) The department shall design license plates to be known
21 as Czech Heritage Plates. The design shall be selected in consultation
22 with the Czech Honorary Consul of Nebraska and shall reflect Czech
23 heritage in Nebraska. The design shall be selected on the basis of
24 limiting the manufacturing cost of each plate to an amount less than or
25 equal to the amount charged for license plates pursuant to section
26 60-3,102.

27 (2) One type of Czech Heritage Plates shall be alphanumeric plates.
28 The department shall: (a) Assign a designation up to five characters; and
29 (b) not use a county designation.

30 (3) One type of Czech Heritage Plates shall be personalized message
31 plates. Such plates shall be issued subject to the same conditions

1 specified for personalized message license plates in section 60-3,118,
2 except that a maximum of five characters may be used.

3 (4) The department shall make applications available for Czech
4 Heritage Plates once such plates are designed.

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

10 (6) The department may adopt and promulgate rules and regulations to
11 carry out this section and section 8 of this act.

12 Sec. 8. (1) A person may apply to the department for Czech Heritage
13 Plates in lieu of regular license plates on an application prescribed and
14 provided by the department for any motor vehicle, trailer, or
15 semitrailer, except for a motor vehicle, trailer, or semitrailer
16 registered under section 60-3,198. An applicant receiving Czech Heritage
17 Plates for a farm truck with a gross weight of over sixteen tons or a
18 commercial truck or truck-tractor with a gross weight of five tons or
19 over shall affix the appropriate tonnage decal to the plate. The
20 department shall make forms available for such applications through the
21 county treasurers.

22 (2)(a) In addition to all other fees required for registration under
23 the Motor Vehicle Registration Act, each application for initial issuance
24 or renewal of alphanumeric Czech Heritage Plates shall be accompanied by
25 a fee of five dollars. County treasurers collecting fees pursuant to this
26 subdivision shall remit such fees to the State Treasurer. The State
27 Treasurer shall credit five dollars of the fee to the Department of Motor
28 Vehicles Cash Fund.

29 (b) In addition to all other fees required for registration under
30 the Motor Vehicle Registration Act, each application for initial issuance
31 or renewal of personalized message Czech Heritage Plates shall be

1 accompanied by a fee of forty dollars. County treasurers collecting fees
2 pursuant to this subdivision shall remit such fees to the State
3 Treasurer. The State Treasurer shall credit forty dollars of the fee for
4 initial issuance and renewal of such plates to the Department of Motor
5 Vehicles Cash Fund.

6 (3)(a) When the department receives an application for Czech
7 Heritage Plates, the department may deliver the plates and registration
8 certificate to the applicant by United States mail or to the county
9 treasurer of the county in which the motor vehicle, trailer, or
10 semitrailer is registered. Delivery of the plates and registration
11 certificate shall be made through a secure process and system. If
12 delivery of the plates and registration certificate is made by the
13 department to the applicant, the department may charge a postage and
14 handling fee in an amount not more than necessary to recover the cost of
15 postage and handling for the specific items mailed to the registrant. The
16 department shall remit the fee to the State Treasurer for credit to the
17 Department of Motor Vehicles Cash Fund. The county treasurer or the
18 department shall issue Czech Heritage Plates in lieu of regular license
19 plates when the applicant complies with the other provisions of the Motor
20 Vehicle Registration Act for registration of the motor vehicle, trailer,
21 or semitrailer. If Czech Heritage Plates are lost, stolen, or mutilated,
22 the licensee shall be issued replacement license plates upon request
23 pursuant to section 60-3,157.

24 (b) The county treasurer or the department may issue temporary
25 license stickers to the applicant under this section for the applicant to
26 lawfully operate the vehicle pending receipt of the license plates. No
27 charge in addition to the registration fee shall be made for the issuance
28 of a temporary license sticker under this subdivision. The department
29 shall furnish temporary license stickers for issuance by the county
30 treasurer at no cost to the counties. The department may adopt and
31 promulgate rules and regulations regarding the design and issuance of

1 temporary license stickers.

2 (4) The owner of a motor vehicle, trailer, or semitrailer bearing
3 Czech Heritage Plates may apply to the county treasurer to have such
4 plates transferred to a motor vehicle or trailer other than the motor
5 vehicle or trailer for which such plates were originally purchased if
6 such motor vehicle or trailer is owned by the owner of the plates. The
7 owner may have the unused portion of the fee for the plates credited to
8 the other motor vehicle or trailer which will bear the plates at the rate
9 of eight and one-third percent per month for each full month left in the
10 registration period. Application for such transfer shall be accompanied
11 by a fee of three dollars. Fees collected pursuant to this subsection
12 shall be remitted to the State Treasurer for credit to the Department of
13 Motor Vehicles Cash Fund.

14 (5) If the cost of manufacturing Czech Heritage Plates at any time
15 exceeds the amount charged for license plates pursuant to section
16 60-3,102, any money to be credited to the Department of Motor Vehicles
17 Cash Fund shall instead be credited first to the Highway Trust Fund in an
18 amount equal to the difference between the manufacturing costs of Czech
19 Heritage Plates and the amount charged pursuant to section 60-3,102 with
20 respect to such plates and the remainder shall be credited to the
21 Department of Motor Vehicles Cash Fund.

22 Sec. 9. Section 8 of this act becomes operative on January 1, 2024.
23 The other sections of this act become operative on their effective date.

24 Sec. 10. Original sections 60-301, 60-393, 60-395, 60-396,
25 60-3,104, and 60-3,130.04, Reissue Revised Statutes of Nebraska, are
26 repealed.