

AMENDMENTS TO LB120

Introduced by Transportation and Telecommunications.

1 1. Strike the original sections and insert the following new
2 sections:

3 **Section 1.** Section 60-484.02, Revised Statutes Cumulative
4 Supplement, 2024, is amended to read:

5 60-484.02 (1) Each applicant for an operator's license or state
6 identification card shall have his or her digital image captured. Digital
7 images shall be preserved for use as prescribed in sections 60-4,119,
8 60-4,151, and 60-4,180. The images shall be used for issuing operators'
9 licenses and state identification cards. The images may be retrieved only
10 by the Department of Motor Vehicles for issuing renewal and replacement
11 operators' licenses and state identification cards and may not be
12 otherwise released except in accordance with subsection (3) of this
13 section.

14 (2) Upon application for an operator's license or state
15 identification card, each applicant shall provide his or her signature in
16 a form prescribed by the department. Digital signatures shall be
17 preserved for use on original, renewal, and replacement operators'
18 licenses and state identification cards and may not be otherwise released
19 except in accordance with subsection (4) of this section.

20 (3)(a) ~~(3)~~ No officer, employee, agent, or contractor of the
21 department or law enforcement officer shall release a digital image
22 except:

23 (i) ~~To (a)~~ to a federal, state, or local law enforcement agency, a
24 certified law enforcement officer employed in an investigative position
25 by a federal, state, or local agency, or a driver licensing agency of
26 another state for the purpose of carrying out the functions of the agency
27 or assisting another agency in carrying out its functions upon the

1 verification of the identity of the person requesting the release of the
2 information and the verification of the purpose of the requester in
3 requesting the release;

4 (ii) To ~~or (b) to~~ the office of the Secretary of State for the
5 purpose of voter registration and voter identification as prescribed in
6 the Election Act upon the verification of the identity of the person
7 requesting the release of the information and the verification of the
8 purpose of the requester in requesting the release; or -

9 (iii) To the Nebraska State Patrol in order to be posted on the
10 Nebraska State Patrol Missing Persons Clearinghouse website if the
11 portrayed individual has been deemed missing and cannot be located. The
12 Nebraska State Patrol and the Department of Motor Vehicles may enter into
13 an agreement for the release, use, protection, storage, and retention of
14 such digital images in accordance with this section and the Uniform Motor
15 Vehicle Records Disclosure Act. The Nebraska State Patrol shall do the
16 following relating to digital images that are released to the Nebraska
17 State Patrol:

18 (A) Carry out protection protocols to prevent the fraudulent use of
19 such digital images;

20 (B) Create, and update as necessary, security measures for the
21 access, storage, and retention of such digital images; and

22 (C) Remove any such digital image from the Nebraska State Patrol
23 Missing Persons Clearinghouse website within three business days after
24 the Nebraska State Patrol is notified that the individual portrayed in
25 such digital image has been located.

26 (b) No employee or official in the office of the Secretary of State
27 shall release a digital image except to a federal, state, or local law
28 enforcement agency, a certified law enforcement officer employed in an
29 investigative position by a federal, state, or local agency, or a driver
30 licensing agency of another state for the purpose of carrying out the
31 functions of the agency or assisting another agency in carrying out its

1 functions upon the verification of the identity of the person requesting
2 the release of the information and the verification of the purpose of the
3 requester in requesting the release.

4 (c) Any officer, employee, agent, or contractor of the department,
5 law enforcement officer, or employee or official in the office of the
6 Secretary of State that knowingly discloses or knowingly permits
7 disclosure of a digital image in violation of this section shall be
8 guilty of a Class I misdemeanor.

9 (4)(a) ~~(4)~~ No officer, employee, agent, or contractor of the
10 department or law enforcement officer shall release a digital signature
11 except:

12 (i) ~~To (a) to~~ a federal, state, or local law enforcement agency, a
13 certified law enforcement officer employed in an investigative position
14 by a federal, state, or local agency, or a driver licensing agency of
15 another state for the purpose of carrying out the functions of the agency
16 or assisting another agency in carrying out its functions upon the
17 verification of the identity of the person requesting the release of the
18 information and the verification of the purpose of the requester in
19 requesting the release; or

20 (ii) ~~To (b) to~~ the office of the Secretary of State for the purpose
21 of voter registration and voter identification as prescribed in the
22 Election Act upon the verification of the identity of the person
23 requesting the release of the information and the verification of the
24 purpose of the requester in requesting the release.

25 (b) No employee or official in the office of the Secretary of State
26 shall release a digital signature except to a federal, state, or local
27 law enforcement agency, a certified law enforcement officer employed in
28 an investigative position by a federal, state, or local agency, or a
29 driver licensing agency of another state for the purpose of carrying out
30 the functions of the agency or assisting another agency in carrying out
31 its functions upon the verification of the identity of the person

1 requesting the release of the information and the verification of the
2 purpose of the requester in requesting the release.

3 (c) Any officer, employee, agent, or contractor of the department,
4 law enforcement officer, or employee or official in the office of the
5 Secretary of State that knowingly discloses or knowingly permits
6 disclosure of a digital signature in violation of this section shall be
7 guilty of a Class I misdemeanor.

8 (5) The department shall develop a process for the release of
9 digital images to the Secretary of State for the purpose of voter
10 identification as prescribed by the Election Act. The process shall
11 include proper measures for access, security, storage, and retention of
12 the digital image and verification of the release of the digital image to
13 any officer, agent, or contractor of the Secretary of State. The
14 Secretary of State and the department shall enter into an agreement for
15 the release, use, protection, storage, and retention of digital images as
16 prescribed under this section and the Uniform Motor Vehicle Records
17 Disclosure Act. The department may adopt and promulgate rules and
18 regulations to carry out this subsection.

19 **Sec. 2.** Original section 60-484.02, Revised Statutes Cumulative
20 Supplement, 2024, is repealed.