

LEGISLATURE OF NEBRASKA
ONE HUNDRED NINTH LEGISLATURE
FIRST SESSION

LEGISLATIVE BILL 120

Introduced by Hardin, 48; Lippincott, 34.

Read first time January 10, 2025

Committee:

- 1 A BILL FOR AN ACT relating to the Motor Vehicle Operator's License Act;
- 2 to amend section 60-484.02, Revised Statutes Cumulative Supplement,
- 3 2024; to provide an exception for when a digital image may be
- 4 released; to harmonize provisions; and to repeal the original
- 5 section.
- 6 Be it enacted by the people of the State of Nebraska,

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

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

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

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

21 (i) ~~(a)~~ to a federal, state, or local law enforcement agency, a
22 certified law enforcement officer employed in an investigative position
23 by a federal, state, or local agency, or a driver licensing agency of
24 another state for the purpose of carrying out the functions of the agency
25 or assisting another agency in carrying out its functions upon the
26 verification of the identity of the person requesting the release of the
27 information and the verification of the purpose of the requester in
28 requesting the release;

29 (ii) ~~(b)~~ to the office of the Secretary of State for the
30 purpose of voter registration and voter identification as prescribed in
31 the Election Act 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; or -

3 (iii) To the Nebraska State Patrol in order to be posted on the
4 Nebraska State Patrol Missing Persons Clearinghouse website if the
5 portrayed individual has been deemed missing and cannot be located.

6 (b) No employee or official in the office of the Secretary of State
7 shall release a digital image except to a federal, state, or local law
8 enforcement agency, a certified law enforcement officer employed in an
9 investigative position by a federal, state, or local agency, or a driver
10 licensing agency of another state for the purpose of carrying out the
11 functions of the agency or assisting another agency in carrying out its
12 functions upon the verification of the identity of the person requesting
13 the release of the information and the verification of the purpose of the
14 requester in requesting the release.

15 (c) Any officer, employee, agent, or contractor of the department,
16 law enforcement officer, or employee or official in the office of the
17 Secretary of State that knowingly discloses or knowingly permits
18 disclosure of a digital image in violation of this section shall be
19 guilty of a Class I misdemeanor.

20 (4)(a) ~~(4)~~ No officer, employee, agent, or contractor of the
21 department or law enforcement officer shall release a digital signature
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
28 verification of the identity of the person requesting the release of the
29 information and the verification of the purpose of the requester in
30 requesting the release; or

31 (ii) ~~To (b) to~~ the office of the Secretary of State for the purpose

1 of voter registration and voter identification as prescribed in the
2 Election Act upon the verification of the identity of the person
3 requesting the release of the information and the verification of the
4 purpose of the requester in requesting the release.

5 (b) No employee or official in the office of the Secretary of State
6 shall release a digital signature except to a federal, state, or local
7 law enforcement agency, a certified law enforcement officer employed in
8 an investigative position by a federal, state, or local agency, or a
9 driver licensing agency of another state for the purpose of carrying out
10 the functions of the agency or assisting another agency in carrying out
11 its functions upon the verification of the identity of the person
12 requesting the release of the information and the verification of the
13 purpose of the requester in requesting the release.

14 (c) Any officer, employee, agent, or contractor of the department,
15 law enforcement officer, or employee or official in the office of the
16 Secretary of State that knowingly discloses or knowingly permits
17 disclosure of a digital signature in violation of this section shall be
18 guilty of a Class I misdemeanor.

19 (5) The department shall develop a process for the release of
20 digital images to the Secretary of State for the purpose of voter
21 identification as prescribed by the Election Act. The process shall
22 include proper measures for access, security, storage, and retention of
23 the digital image and verification of the release of the digital image to
24 any officer, agent, or contractor of the Secretary of State. The
25 Secretary of State and the department shall enter into an agreement for
26 the release, use, protection, storage, and retention of digital images as
27 prescribed under this section and the Uniform Motor Vehicle Records
28 Disclosure Act. The department may adopt and promulgate rules and
29 regulations to carry out this subsection.

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