

LEGISLATIVE BILL 126

Approved by the Governor May 6, 1993

Introduced by Robak, 22; Lindsay, 9; Moore, 24

AN ACT relating to the Motor Vehicle Operator's License Act; to amend sections 60-4,120 and 60-4,150, Revised Statutes Supplement, 1992; to change and specify time periods for applications for replacement licenses and identification cards; and to repeal the original sections.

Be it enacted by the people of the State of Nebraska,

Section 1. That section 60-4,120, Revised Statutes Supplement, 1992, be amended to read as follows:

60-4,120. (1) Except as provided in subsection (4) of this section for persons temporarily out of the state, any person duly licensed or holding a valid state identification card issued under the Motor Vehicle Operator's License Act who loses his or her operator's license or card may obtain a duplicate upon filing with the county treasurer an application and affidavit showing such loss and furnishing proof of identification in accordance with section 60-484. Upon the officer being satisfied that the loss is genuine, the officer shall cause to be issued, upon the payment of a fee of five dollars, a duplicate license or card. No more than two duplicates of a license or card may be issued in this manner. Upon the issuance of any duplicate or replacement license or card, the license or card from which the duplicate or replacement is issued shall be void. The five-dollar fee shall be handled by the treasurers in the same manner as original or renewal fees, except that such fee in each instance shall be credited, allocated, and accounted for by the county treasurer as in the cases of original and renewal operator's license fees as provided in section 60-4,115 or original or renewal state identification card fees as provided in section 60-4,181.

(2)(a) If any person changes his or her name because of marriage or divorce or by court order or a common-law name change, he or she shall apply to the county treasurer for a replacement operator's license or state identification card and furnish proof of identification in accordance with section 60-484. ~~Such license or card shall be issued upon payment of a fee of five dollars. Such application shall be made within thirty days after the change of name.~~ If any person changes his or her address, the person shall apply to the county treasurer for a replacement operator's license or state identification card and furnish satisfactory evidence of such change.

(b) Such license or card shall be issued upon payment of a fee of five dollars. The application shall be made within sixty days after the change of name or address.

(3) In the event a mutilated and unreadable operator's

license is held by any person duly licensed under the act or a mutilated and unreadable state identification card which was issued under the act is held by a person, such person may obtain a replacement license or card upon showing the original mutilated or unreadable license or card to the county treasurer. A replacement license or card may be issued, without an affixed photograph, to any person who is out of the state at the time of application for the replacement license or card. Such license or card shall state on its face that it shall become invalid thirty days after such person resumes residence in the state. If the county treasurer is satisfied that the license or card is mutilated or unreadable, the county treasurer shall cause to be issued, upon the payment of a fee of five dollars, a replacement license or card. The fee shall be handled by the treasurer in the same manner as the original or renewal fee, except that the fee in each instance shall be credited, allocated, and accounted for by the county treasurer as in the cases of original and renewal operator's license fees as provided in section 60-4,115 or original or renewal state identification card fees as provided in section 60-4,181.

(4) If any person duly licensed under the act loses his or her operator's license or if any holder of a state identification card loses his or her card while temporarily out of the state, he or she may apply for a duplicate operator's license or card without an affixed photograph by filing with the county treasurer an application and affidavit showing such loss. Upon the officer being satisfied that the loss is genuine, the officer shall cause to be issued, upon the payment of a fee of five dollars, a duplicate operator's license or card without an affixed photograph. Upon the issuance of the duplicate, the original license or card shall be void.

(5) Any person holding a valid operator's license or state identification card without an affixed photograph shall surrender such license or card to the treasurer of his or her county of residence within thirty days of resuming residency in this state. After the thirty-day period, such license or card shall be considered invalid. Upon the timely surrender of the license or card and payment of a fee of five dollars, such person shall be issued an operator's license or card with a color photograph of the licensee affixed to it.

Sec. 2. That section 60-4,150, Revised Statutes Supplement, 1992, be amended to read as follows:

60-4,150. Any person holding a commercial driver's license who loses his or her license, who requires issuance of a replacement license because of a change of name or address, or whose license is mutilated or unreadable may obtain a duplicate or replacement commercial driver's license by filing with an examiner of the Department of Motor Vehicles an application and affidavit and by furnishing proof of identification in accordance with section 60-484.

The application for a replacement license because of a change of name or address shall be made within sixty days after the change of name or address.

Upon the examiner being satisfied that a duplicate or replacement commercial driver's license should be issued, the applicant

shall receive such license upon payment of a fee of five dollars to the county treasurer. Duplicate and replacement commercial driver's licenses shall be issued in the manner provided for the issuance of original and renewal commercial driver's licenses as provided for by section 60-4,149. No more than two duplicate commercial driver's licenses shall be issued to any applicant in any four-year period. Upon issuance of any duplicate or replacement commercial driver's license, the commercial driver's license for which the duplicate or replacement license is issued shall be void.

Sec. 3. That original sections 60-4,120 and 60-4,150, Revised Statutes Supplement, 1992, are repealed.