

LEGISLATURE OF NEBRASKA
ONE HUNDRED EIGHTH LEGISLATURE
FIRST SESSION

LEGISLATIVE BILL 70

Introduced by Cavanaugh, M., 6; Conrad, 46.

Read first time January 05, 2023

Committee: Government, Military and Veterans Affairs

1 A BILL FOR AN ACT relating to government; to amend section 71-612,
2 Reissue Revised Statutes of Nebraska, and section 60-4,115, Revised
3 Statutes Cumulative Supplement, 2022; to eliminate the fee for
4 certain state identification cards and certified copies of birth
5 certificates; to harmonize provisions; to repeal the original
6 sections; and to declare an emergency.
7 Be it enacted by the people of the State of Nebraska,

1 Section 1. Section 60-4,115, Revised Statutes Cumulative Supplement,
2 2022, is amended to read:

3 60-4,115 (1) Fees for operators' licenses and state identification
4 cards shall be collected by department personnel or the county treasurer
5 and distributed according to the table in subsection (2) of this section,
6 except for the ignition interlock permit and associated fees as outlined
7 in subsection (4) of this section and the 24/7 sobriety program permit
8 and associated fees as outlined in subsection (5) of this section. County
9 officials shall remit the county portion of the fees collected to the
10 county treasurer for placement in the county general fund. All other fees
11 collected shall be remitted to the State Treasurer for credit to the
12 appropriate fund.

13 (2) Except as otherwise provided in subsection (7) of this section,
14 the ~~The~~ fees provided in this subsection in the following dollar amounts
15 apply for operators' licenses and state identification cards.

			Department		
			County	of Motor	State
	Document	Total	General	Vehicles	General
		Fee	Fund	Cash Fund	Fund
20	State identification card:				
21	Valid for 1 year or less	5.00	2.75	1.25	1.00
22	Valid for more than 1 year				
23	but not more than 2 years	10.00	2.75	4.00	3.25
24	Valid for more than 2 years				
25	but not more than 3 years	14.00	2.75	5.25	6.00
26	Valid for more than 3 years				
27	but not more than 4 years	19.00	2.75	8.00	8.25
28	Valid for more than 4 years				
29	for person under 21	24.00	2.75	10.25	11.00
30	Valid for 5 years	24.00	3.50	13.25	7.25

1	Replacement	11.00	2.75	6.00	2.25
2	Class 0 or M operator's				
3	license:				
4	Valid for 1 year or less	5.00	2.75	1.25	1.00
5	Valid for more than 1 year				
6	but not more than 2 years	10.00	2.75	4.00	3.25
7	Valid for more than 2 years				
8	but not more than 3 years	14.00	2.75	5.25	6.00
9	Valid for more than 3 years				
10	but not more than 4 years	19.00	2.75	8.00	8.25
11	Valid for 5 years	24.00	3.50	13.25	7.25
12	Bioptic or telescopic lens				
13	restriction:				
14	Valid for 1 year or less	5.00	0	5.00	0
15	Valid for more than 1 year				
16	but not more than 2 years	10.00	2.75	4.00	3.25
17	Replacement	11.00	2.75	6.00	2.25
18	Add, change, or remove class,				
19	endorsement, or restriction	5.00	0	5.00	0
20	Provisional operator's permit:				
21	Original	15.00	2.75	12.25	0
22	Bioptic or telescopic lens				
23	restriction:				
24	Valid for 1 year or less	5.00	0	5.00	0
25	Valid for more than 1 year				
26	but not more than 2 years	15.00	2.75	12.25	0
27	Replacement	11.00	2.75	6.00	2.25
28	Add, change, or remove class,				
29	endorsement, or restriction	5.00	0	5.00	0
30	LPD-learner's permit:				

1	Original	8.00	.25	5.00	2.75
2	Replacement	11.00	2.75	6.00	2.25
3	Add, change, or remove class,				
4	endorsement, or restriction	5.00	0	5.00	0
5	LPE-learner's permit:				
6	Original	8.00	.25	5.00	2.75
7	Replacement	11.00	2.75	6.00	2.25
8	Add, change, or remove class,				
9	endorsement, or restriction	5.00	0	5.00	0
10	School permit:				
11	Original	8.00	.25	5.00	2.75
12	Replacement	11.00	2.75	6.00	2.25
13	Add, change, or remove class,				
14	endorsement, or restriction	5.00	0	5.00	0
15	Farm permit:				
16	Original or renewal	5.00	.25	0	4.75
17	Replacement	5.00	.25	0	4.75
18	Add, change, or remove class,				
19	endorsement, or restriction	5.00	0	5.00	0
20	Driving permits:				
21	Employment	45.00	0	5.00	40.00
22	Medical hardship	45.00	0	5.00	40.00
23	Replacement	10.00	.25	5.00	4.75
24	Add, change, or remove class,				
25	endorsement, or restriction	5.00	0	5.00	0
26	Commercial driver's license:				
27	Valid for 1 year or less	11.00	1.75	5.00	4.25
28	Valid for more than 1 year				
29	but not more than 2 years	22.00	1.75	5.00	15.25
30	Valid for more than 2 years				

1	but not more than 3 years	33.00	1.75	5.00	26.25
2	Valid for more than 3 years				
3	but not more than 4 years	44.00	1.75	5.00	37.25
4	Valid for 5 years	55.00	1.75	5.00	48.25
5	Bioptic or telescopic lens				
6	restriction:				
7	Valid for one year or less	11.00	1.75	5.00	4.25
8	Valid for more than 1 year				
9	but not more than 2 years	22.00	1.75	5.00	15.25
10	Replacement	11.00	2.75	6.00	2.25
11	Add, change, or remove class,				
12	endorsement, or restriction	10.00	1.75	5.00	3.25
13	CLP-commercial learner's				
14	permit:				
15	Original or renewal	10.00	.25	5.00	4.75
16	Replacement	10.00	.25	5.00	4.75
17	Add, change, or remove class,				
18	endorsement, or restriction	10.00	.25	5.00	4.75
19	Seasonal permit:				
20	Original or renewal	10.00	.25	5.00	4.75
21	Replacement	10.00	.25	5.00	4.75
22	Add, change, or remove class,				
23	endorsement, or restriction	10.00	.25	5.00	4.75

24 (3) If the department issues an operator's license or a state
 25 identification card and collects the fees, the department shall remit the
 26 county portion of the fees to the State Treasurer for credit to the
 27 Department of Motor Vehicles Cash Fund.

28 (4)(a) The fee for an ignition interlock permit shall be forty-five
 29 dollars. Five dollars of the fee shall be remitted to the State Treasurer
 30 for credit to the Department of Motor Vehicles Cash Fund. Forty dollars

1 of the fee shall be remitted to the State Treasurer for credit to the
2 Department of Motor Vehicles Ignition Interlock Fund.

3 (b) The fee for a replacement ignition interlock permit shall be
4 eleven dollars. Two dollars and seventy-five cents of the fee shall be
5 remitted to the county treasurer for credit to the county general fund.
6 Six dollars of the fee shall be remitted to the State Treasurer for
7 credit to the Department of Motor Vehicles Cash Fund. Two dollars and
8 twenty-five cents of the fee shall be remitted to the State Treasurer for
9 credit to the General Fund.

10 (c) The fee for adding, changing, or removing a class, endorsement,
11 or restriction on an ignition interlock permit shall be five dollars. The
12 fee shall be remitted to the State Treasurer for credit to the Department
13 of Motor Vehicles Cash Fund.

14 (5)(a) The fee for a 24/7 sobriety program permit shall be forty-
15 five dollars. Twenty-five dollars of the fee shall be remitted to the
16 State Treasurer for credit to the Department of Motor Vehicles Cash Fund.
17 Fifteen dollars of the fee shall be remitted to the State Treasurer for
18 credit to the General Fund. Five dollars of the fee shall be remitted to
19 the county treasurer for credit to the county general fund.

20 (b) The fee for a replacement 24/7 sobriety program permit shall be
21 eleven dollars. Two dollars and seventy-five cents of the fee shall be
22 remitted to the county treasurer for credit to the county general fund.
23 Six dollars of the fee shall be remitted to the State Treasurer for
24 credit to the Department of Motor Vehicles Cash Fund. Two dollars and
25 twenty-five cents of the fee shall be remitted to the State Treasurer for
26 credit to the General Fund.

27 (c) The fee for adding, changing, or removing a class, endorsement,
28 or restriction on a 24/7 sobriety program permit shall be five dollars.
29 The fee shall be remitted to the State Treasurer for credit to the
30 Department of Motor Vehicles Cash Fund.

31 (6) The department and its agents may collect an identity security

1 surcharge to cover the cost of security and technology practices used to
2 protect the identity of applicants for and holders of operators' licenses
3 and state identification cards and to reduce identity theft, fraud, and
4 forgery and counterfeiting of such licenses and cards to the maximum
5 extent possible. The surcharge shall be in addition to all other required
6 fees for operators' licenses and state identification cards. The amount
7 of the surcharge shall be determined by the department. The surcharge
8 shall not exceed eight dollars. The surcharge shall be remitted to the
9 State Treasurer for credit to the Department of Motor Vehicles Cash Fund.

10 (7) No fee shall be charged for issuance of an original, renewal,
11 duplicate, or replacement state identification card to a resident of
12 Nebraska who does not have a valid Nebraska driver's license and who (a)
13 will be at least eighteen years of age on or before the next election
14 conducted under the Election Act or (b) during the calendar year of the
15 statewide general election, will be at least eighteen years of age on or
16 before such election.

17 Sec. 2. Section 71-612, Reissue Revised Statutes of Nebraska, is
18 amended to read:

19 71-612 (1) The department, as the State Registrar, shall preserve
20 permanently and index all certificates received. The department shall
21 supply to any applicant for any proper purpose, as defined by rules and
22 regulations of the department, a certified copy of the record of any
23 birth, death, marriage, annulment, or dissolution of marriage or an
24 abstract of marriage. The department shall supply a copy of a public
25 vital record for viewing purposes at its office upon an application
26 signed by the applicant and upon proof of the identity of the applicant.
27 The application may include the name, address, and telephone number of
28 the applicant, purpose for viewing each record, and other information as
29 may be prescribed by the department by rules and regulations to protect
30 the integrity of vital records and prevent their fraudulent use. Except
31 as provided in subsections (2), (3), (5), (6), ~~and (7)~~, and (9) of this

1 section, the department shall be entitled to charge and collect in
2 advance a fee of sixteen dollars to be paid by the applicant for each
3 certified copy or abstract of marriage supplied to the applicant or for
4 any search made at the applicant's request for access to or a certified
5 copy of any record or abstract of marriage, whether or not the record or
6 abstract is found on file with the department.

7 (2) The department shall, free of charge, search for and furnish a
8 certified copy of any record or abstract of marriage on file with the
9 department upon the request of (a) the United States Department of
10 Veterans Affairs or any lawful service organization empowered to
11 represent veterans if the copy of the record or abstract of marriage is
12 to be issued, for the welfare of any member or veteran of the armed
13 forces of the United States or in the interests of any member of his or
14 her family, in connection with a claim growing out of service in the
15 armed forces of the nation or (b) the Military Department.

16 (3) The department may, free of charge, search for and furnish a
17 certified copy of any record or abstract of marriage on file with the
18 department when in the opinion of the department it would be a hardship
19 for the claimant of old age, survivors, or disability benefits under the
20 federal Social Security Act to pay the fee provided in this section.

21 (4) A strict account shall be kept of all funds received by the
22 department. Funds received pursuant to subsections (1), (5), (6), and (8)
23 of this section shall be remitted to the State Treasurer for credit to
24 the Health and Human Services Cash Fund. Money credited to the fund
25 pursuant to this section shall be used for the purpose of administering
26 the laws relating to vital statistics and may be used to create a petty
27 cash fund administered by the department to facilitate the payment of
28 refunds to individuals who apply for copies or abstracts of records. The
29 petty cash fund shall be subject to section 81-104.01, except that the
30 amount in the petty cash fund shall not be less than twenty-five dollars
31 nor more than one thousand dollars.

1 (5) The department shall, upon request, conduct a search of death
2 certificates for stated individuals for the Nebraska Medical Association
3 or any of its allied medical societies or any inhospital staff committee
4 pursuant to sections 71-3401 to 71-3403. If such death certificate is
5 found, the department shall provide a noncertified copy. The department
6 shall charge a fee for each search or copy sufficient to cover its actual
7 direct costs, except that the fee shall not exceed three dollars per
8 individual search or copy requested.

9 (6) The department may permit use of data from vital records for
10 statistical or research purposes under section 71-602 or disclose data
11 from certificates or records to federal, state, county, or municipal
12 agencies of government for use in administration of their official duties
13 and charge and collect a fee that will recover the department's cost of
14 production of the data. The department may provide access to public vital
15 records for viewing purposes by electronic means, if available, under
16 security provisions which shall assure the integrity and security of the
17 records and database and shall charge and collect a fee that shall
18 recover the department's costs.

19 (7) In addition to the fees charged under subsection (1) of this
20 section, the department shall charge and collect an additional fee of one
21 dollar for any certified copy of the record of any birth or for any
22 search made at the applicant's request for access to or a certified copy
23 of any such record, whether or not the record is found on file with the
24 department. Any county containing a city of the metropolitan class which
25 has an established city-county or county health department pursuant to
26 sections 71-1626 to 71-1636 which has an established system of
27 registering births and deaths shall charge and collect in advance a fee
28 of one dollar for any certified copy of the record of any birth or for
29 any search made at the applicant's request for such record, whether or
30 not the record is found on file with the county. All fees collected under
31 this subsection shall be remitted to the State Treasurer for credit to

1 the Nebraska Child Abuse Prevention Fund.

2 (8) The department shall not charge other state agencies the fees
3 authorized under subsections (1) and (7) of this section for automated
4 review of any certificates or abstracts of marriage. The department shall
5 charge and collect a fee from other state agencies for such automated
6 review that will recover the department's cost.

7 (9) The department shall not charge any fee for a certified copy of
8 a birth record if the applicant does not have a current Nebraska driver's
9 license or state identification card and the applicant indicates that the
10 applicant needs a state identification card for voting purposes.

11 Sec. 3. Original section 71-612, Reissue Revised Statutes of
12 Nebraska, and section 60-4,115, Revised Statutes Cumulative Supplement,
13 2022, are repealed.

14 Sec. 4. Since an emergency exists, this act takes effect when
15 passed and approved according to law.