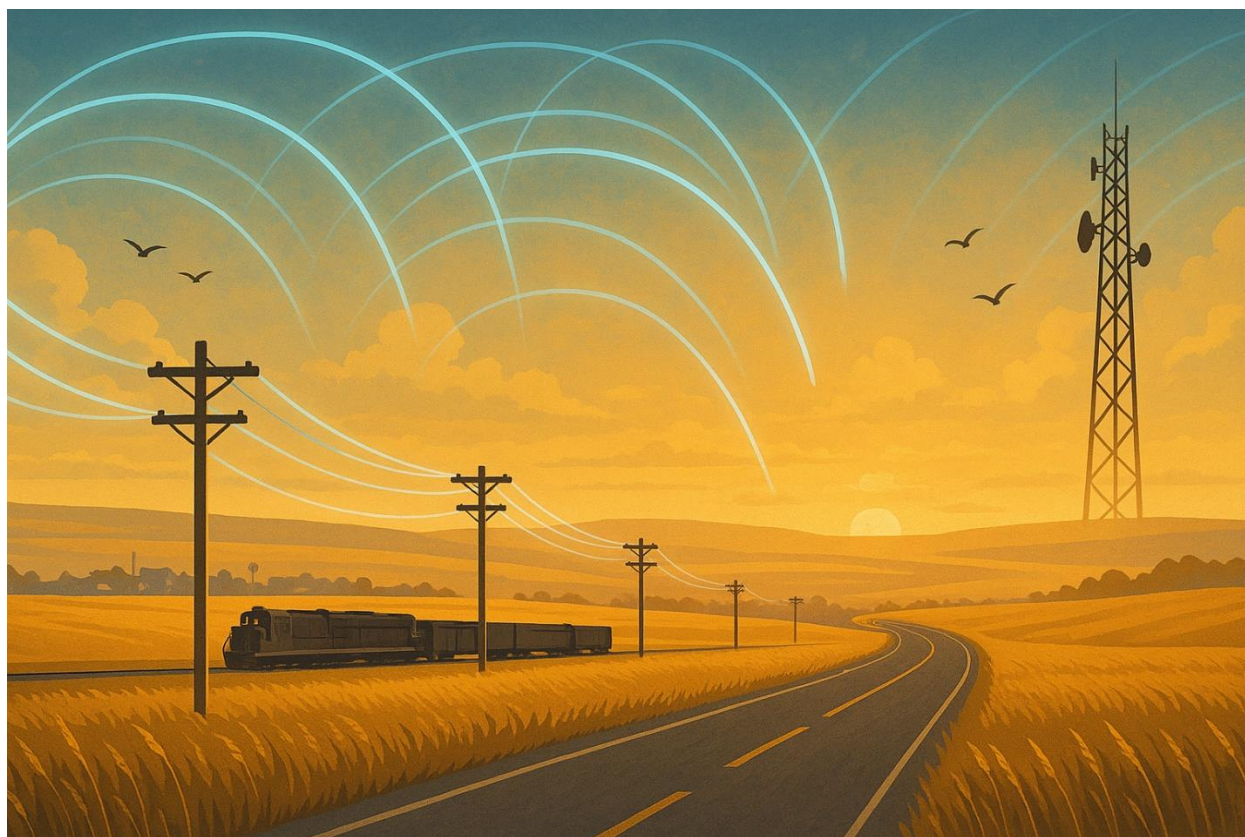


Committee on Transportation & Telecommunications

**One Hundred Ninth Legislature
First Session
2025**

SUMMARY OF LEGISLATION REFERRED TO THE COMMITTEE



TRANSPORTATION AND TELECOMMUNICATIONS COMMITTEE

Senator Mike Moser, Chairperson.....Columbus – District 22
Senator Beau Ballard, Vice Chairperson.....Lincoln – District 21
Senator Wendy DeBoer.....Omaha – District 10
Senator Carolyn Bosn.....Lincoln – District 25
Senator Tom Brandt.....Plymouth – District 32
Senator John Fredrickson.....Omaha – District 20
Senator Tanya Storer.....Whitman – District – 43
Senator Dunixi Guereca.....Omaha – District 7

Committee Staff

Committee Counsel.....Gus Sheomaker
Committee Clerk.....Connie Thomas

TABLE OF CONTENTS

BILLS REFERRED TO THE TRANSPORTATION AND TELECOMMUNICATIONS COMMITTEE

2025 BILLS.....	5
-----------------	---

SUMMARY OF 2025 LEGISLATION APPROVED BY THE GOVERNOR

LB 97.....	11
LB 98.....	13
LB 120.....	14
LB 196.....	14
LB 311.....	15
LB 323.....	16
LB 362.....	17
LB 398.....	18
LB 490.....	20
LB 561.....	20
LB 667.....	21

GENERAL FILE

LB 207.....	22
-------------	----

HELD IN COMMITTEE 2025/2026

LB 18.....	23
LB 23.....	23
LB 37.....	24
LB 106.....	24
LB 112.....	25
LB 128.....	25
LB 176.....	26
LB 256.....	26
LB 337.....	27
LB 444.....	28

LB	449.....	28
LB	465.....	29
LB	485.....	29
LB	496.....	30
LB	542.....	30
LB	576.....	31
LB	594.....	32
LB	619.....	32
LB	690.....	33
LB	714.....	33

REPORT ON THE PRIORITIZATION OF INTERIM STUDY RESOLUTIONS

INTERIM STUDY RESOLUTIONS

LR	157.....	35
LR	167.....	35
LR	203.....	36
LR	251.....	37
LR	254.....	37

ONE HUNDRED NINTH LEGISLATURE FIRST SESSION

BILLS REFERRED TO THE TRANSPORTATION AND TELECOMMUNICATIONS COMMITTEE

Bills marked with an asterisk () were amended into other package bills.*

LB #	INTRODUCER	ONELINER	STATUS
*LB4	Bosn	Adopt the Telecommunications Exchange Deregulation Act	Enacted (LB 311)
LB18	Cavanaugh, J.	Require certain determinations prior to utility pole installations under the Small Wireless Facilities Deployment Act	In Committee
LB23	Cavanaugh, J.	Provide for grants for bike-sharing programs	In Committee
LB37	Jacobson	Adopt the Railroad Safety Act	In Committee
LB97	Fredrickson	Change provisions relating to deferred judgments, the State Boat Act, the Motor Vehicle Certificate of Title Act, the Motor Vehicle Registration Act, The Motor Vehicle Operator's License Act, The Nebraska Rules of the Road, the Department of Motor Vehicles Cash Fund, the Uniform Motor Vehicle Records Disclosure Act, the Motor Carrier Services Division Distriubtive Fund, and the State Treasurer	Enacted

LB98	Moser	Redefine all-terrain vehicle and utility-type vehicle in the Motor Vehicle Certificate of Title Act, the Motor Vehicle Registration Act, and the Nebraska Rules of the Road	Enacted
LB106	Hughes	Change requirements for motor vehicle windows	In Committee
LB112	Quick	Change provisions relating to salvage branded certificates of title	In Committee
*LB114	Moser	Change provisions relating to Department of Motor Vehicles fees	Enacted (LB398)
LB120	Hardin	Provide an exceptioin regarding release of a digital image under the Motor Vehicle Operator's Act	Enacted
LB128	McKeon	Change provisions relating to the investigation of railroad accidents	In Committee
*LB134	Holdcroft	Change provisions relating to certain license plates issued to persons with military affiliation	Enacted (LB398)
*LB175	Hallstrom	Provide duties for the successor in interest of a railroad	Enacted (LB398)
LB176	Hughes	Require resolutions of project support from political subdivisions under the Nebraska Broadband Bridge Act	In Committee
*LB191	Bosn	Change provisions relating to unlawful interference with telecommunications under the One-Call Notification System Act	Enacted (LB311)
LB196	Storm	Authorize the operationi of all-terrain vehicles and utility-type vehicles between the hours of sunset and sunrise if used for snow removal	Enacted

LB207	von Gillern	Provide a registration fee under the Motor Vehicle Registration Act for certain commercially registered alternative fuel vehicles	General File
*LB225	Guereca	Change application requirements for duplicate certificates of title under the Motor Vehicle Certificate of Title Act	Enacted (LB97)
*LB227	DeBoer	Change provisions relating to authorization to operate for certain motor carriers	Enacted (LB311)
LB256	Quick	Adopt the Midwest Interstate Passenger Rail Compact	In Committee
*LB279	von Gillern	Allow operation of registered motor vehicles with either one or two license plates	Enacted (LB97)
LB311	DeBoer (TNT Committee Priority)	Adopt the Telecommunications Exchange Deregulation Act, restrict actions of governmental acotrs relating to telecommunications, and change provisions relating to regulations of telecommunications	Enacted
LB323	Moser (Moser Priority)	Change requirements for certain road and building construction projects for the Department of Transportation	Enacted
LKB337	Wordekemper	Change provisions relating to the regulation and operation of all-terrain and utility-type vehicles	In Committee
*LB343	Brandt	Change the fee for specialty license plates	Enacted (LB398)
*LB347	Prokop	Eliminate conditions on the issuance of securities by common carriers	Enacted (LB311)

LB362	DeBoer	Transfer and eliminate provisions of the Emergency Telephone Communications Systems Act and the Wireless 911 Services Act and change provisions of the 911 Service System Act	Enacted
LB398	Moser (TNT Committee Priority)	Adopt updates to federal law relating to motor vehicles and motor carriers, provide for Arbor Day license plates and certain trailer license plates, change fees and fee distribution provisions for license plates and record requests relating to motor vehicles and motor vehicle operators, change provisions relating to commercial driver's licenses and CLP-commercial learner's permits, and provide duties for successors in interest of certain railroad property	Enacted
LB444	Dungan	Require certain minimum uninsured and underinsured insurance coverage for certain motor carriers	In Committee
LB449	Fredrickson	Change provisions relating to the priority of projects and requirements of the state highway system plan	In Committee
LB465	Bosn	Change provisions relating to annual fees and eliminate requirements for the use of a person vehicle for transportation network companies	In Committee

LB485	Quick	Provide for confidentiality for train crew members involved with railroad fatalities and access to confidential information of train crew members and exempt train crew members from being required to display operator's licenses to law enforcement	In Committee
LB490	McKeon	Change provisions of the Motor Vehicle Certificate of Title Act	Enacted
LB496	Murman	Provide requirements under the Nebraska Rules of the Road relating to motorists encountering certain animals being led or driven on highways	In Committee
LB542	Dover	Change and eliminate payment provisions for road construction costs relating to utility facilities	In Committee
*LB543	Dover	Provide for the delivery of license plates and change provisions relating to the Department of Motor Vehicles' fees	Enacted (LB97)
LB561	Brandt (Speaker Priority)	Provide restrictions and change provisions related to operation of vehicles carrying raw milk	Enacted
*LB563	Brandt	Provide for permanent trailer license plates for commercial fertilizer trailers	Enacted (LB398)
*LB568	Fredrickson	Provide for Arbor Day Plates and the Home of Arbor Day Plate Cash Fund and change provisions relating to license plates	Enacted (LB398)
LB576	Dorn	Change provisions of the Enhanced Wireless 911 Services Act relating to surcharges and public hearings	In Committee

LB594	Prokop	Change and eliminate provisions relating to the use of handheld wireless communication devices while operating a motor vehicle	In Committee
LB619	Ballard	Provide for cities of the primary class and certain counties to receive grants relating to certain highways	In Committee
*LB666	Storer	Change provisions relating to duties of the Public Service Commission under the Rural Communicationis Sustainability Act	Enacted (LB311)
LB667	Storer (Speaker Priority)	Change provisions of the Motor Vehicle Industry Regulation Act	Enacted
LB690	Lonowski	Change provisions relating to the regulation and operatioin of all-terrain vehicles and utility-type vehicles	In Committee
LB714	Clements	Change provisions relating to motor vehicle taxes and fees	In Committee

SUMMARY OF LEGISLATION APPROVED BY THE GOVERNOR

LB97

Change provisions relating to deferred judgements, the State Boat Act, the Motor Vehicle Certificate of Title Act, the Motor Vehicle Registration Act, the Motor Vehicle Operator's License Act, the Nebraska Rules of the Road, the Department of Motor Vehicles Cash Fund, the Uniform Motor Vehicle Records Disclosure Act, the Motor Carrier Services Division Distributive Fund, and the State Treasurer.

Introduced by: Senator Fredrickson

LB97 is designed to cleanup legislation related to the functions of the Department of Motor Vehicles (DMV). The bill defines amphibious vehicles and junk vehicles and expands the definition of minibikes. It exempts fertilizer trailers from the Motor Vehicle Certificate of Title Act. LB97 moves telephone numbers from the definition of personal information to the definition of sensitive personal information. Finally, it removes language relating to DMV surcharges from the statutes.

LB97 also modifies the effect of a United States Government Certificate to Obtain Title on identification identifications when applying for a certificate of title. Instead of waiving the requirement for an identification inspection, it waives the fee for such an inspection if one is presented. Before receiving a bonded certificate of title from the DMV, applicants must now inform any holders of secured interest in the vehicle and must present such notice and any responses to the DMV. Applications for duplicate certificates of title for motor vehicles and motorboats no longer require notarization and duplicate weight or validation decals are now be available if they are lost or mutilated.

The bill allows the DMV to send license plates through the US Postal Service or alternative shipping services and the department may charge a postage and handling fee. All fees associated with license plates would be credited to the License Plate Cash Fund instead of the Highway Trust Fund. It also allows the department to issue registrations for periods of up to three years instead of only annually.

The bill also allows court orders and administrative license revocations from other jurisdictions to be used in applications for interlock devices. Finally, before it issues such a device, the DMV must conduct a background check and ensure that applicants are not subject to any no-drive orders.

LB97 was amended in committee by AM292 to incorporate the provisions of LB225 and LB543. It was amended on General File by FA33 and AM507.

LB225 – Section 15 of LB97 as amended

LB225 was introduced by Senator Guereca and removes language obligating applicants for duplicate motor vehicle certificates to notarize their application when the original was lost or mutilated. They must still sign the application.

LB543 – Sections 18, 20, and 23

LB543, introduced by Senator Dover allows for multiyear registration periods for license plates. It also allows for mail delivery of license plates and credits fees for such delivery to the Department of Motor Vehicles (DMV) Cash Fund. Finally, it allows for weight or validation decal replacement if such decal is lost or mutilated.

FA33 – Section 22

FA336 was introduced by Senator Dover and changed the fee when license plates are issued, including duplicate or replacement plates, from four dollars and twenty-five cents to eight dollars.

AM507 – Section 20

AM507 was introduced by Senator von Gillern and provides that, beginning on or before January 1, 2029, one license plate shall be issued for every motor vehicle or trailer, instead of two, and that it should be prominently displayed on the rear of the motor vehicle or trailer. It also contained language regarding delivery of such plates.

LB98

Redefine all-terrain vehicle and utility-type vehicle in the Motor Vehicle Certificate of Title Act, the Motor Vehicle Registration Act, and the Nebraska Rules of the Road

Introduced by: Senator Moser

LB 98 alters the definitions of all-terrain vehicles (ATV) and utility-type vehicles (UTV) to remove weight limits from their descriptions. Currently, ATVs and UTVs that weigh above the limits are unable to be titled under the Motor Vehicle Certificate of Title Act, the Motor Vehicle Registration, and the Nebraska Rules of the Road as they do not fit the current descriptions.

Section 1 - Amends Neb. Rev. Stat. § 60-103 – ATV definition Changes the definition for “all-terrain vehicle.” The definition no longer limits an all-terrain vehicle to having a dry-weight of 1,200 pounds or less.

Section 2 - Amends Neb. Rev. Stat. § 60-135.01 – UTV definition Changes the definition for “utility-type vehicle.” The definition no longer limits utility-type vehicle to having a dry-weight of 2,000 pounds or less.

Section 3 - Amends Neb. Rev. Stat. § 60-305 – ATV definition Changes the definition for “all-terrain vehicle.” The definition no longer limits an all-terrain vehicle to having a dry-weight of 1,200 pounds or less.

Section 4 -Amends Neb. Rev. Stat. § 60-358.01 – UTV definition Changes the definition for “utility-type vehicle.” The definition no longer limits utility-type vehicle to having a dry-weight of 2,000 pounds or less.

Section 5 – Amends section 60-6,355 – ATV and UTV definitions Changes the definitions for “all-terrain vehicle” and “utility-type vehicle.” The utility-type vehicle definition no longer limits an all-terrain vehicle to having a dry-weight of 1,200 pounds or less. The all-terrain vehicle definition no longer limits utility-type vehicle to having a dry-weight of 2,000 pounds or less.

Section 6 repeals existing provisions.

Section 7 is an emergency clause.

LB120

Provide an exception regarding release of a digital image under the Motor Vehicle Operator's License Act

Introduced by: Senator Hardin

As Introduced:

LB120 allows the Department of Motor Vehicles (DMV) to share digital images from motor vehicle operators' licenses for use in the Nebraska State Patrol Missing Persons Clearinghouse website.

Explanation of Committee Amendment:

Section 1 – Amends section 60-484.02 – Digital images The DMV may release the digital images from operator's licenses to the Nebraska State Patrol for use on the Nebraska State Patrol Missing Persons Clearinghouse website if that individual has been deemed missing and cannot be located. Directs the Nebraska State Patrol to take steps to prevent fraudulent use of or improper access to such images.

Section 2 - Original section 60-484.02 is repealed.

LB196

Authorize the operation of all-terrain vehicles and utility-type vehicles between the hours of sunset and sunrise if used for snow removal purposes

Introduced by: Senator Moser

LB196 amends section 60-6,356 to remove the restriction which states that all-terrain and utility-type vehicles can only be operated between the hours of sunrise and sunset. Instead, it creates an exception that allows those vehicles to be used between the hours of sunset and sunrise if they are used for the purpose of snow removal within a city, village, or unincorporated village. It also cleans up language regarding liability insurance and language mandating that those vehicles be operated only under thirty miles per hour.

LB311

Adopt the Telecommunications Exchange Deregulation Act, restrict actions of governmental actors relating to telecommunications, and change provisions relating to regulations of telecommunications.

Introduced by: Senator DeBoer

LB311 clarifies that federal law preempts local government regulations in managing broadband Internet access services including rates, contract terms, and conditions. This does not affect authority delegated to the Public Service Commission or to any other state agency, like the Nebraska Broadband Office, to administer federal or state broadband grants.

Committee amendment AM1111 amended LB311 to include the provisions of LB4 as amended, LB191 as amended, LB227, LB347, and LB 666.

LB 4 allows electing local exchange carriers to petition the PSC to deregulate some or all of their exchanges. Deregulation removes certain obligations in those exchanges including reporting requirements, rate restrictions, and carrier of last resort duties. It provides the PSC with criteria to consider when considering such deregulation. LB 4 was amended by AM1094, which clarified PSC duties, the information it could consider, and fees associated with such petitions.

LB 191 adds broadband and communications infrastructure to the list of infrastructure projects protected under the One-Call Notification System Act. It was amended by AM394, which added wireless infrastructure to that list.

LB 227 shifts the burden of proof for common carriers seeking to provide transportation services in Nebraska. Under the bill, the burden of proof shifts from the transportation applicant to the contesting incumbent carrier to prove that the applicant is not fit, willing or is unable to perform the services proposed. Incumbents must show that an area's needs are currently or will be met without the applicant and that the operations of existing carriers would be impaired contrary to the public interest.

LB 347 outright repeals section 75-148, which requires a common carrier to secure an affirmative order from the PSC before issuing stocks, bond, notes, or other evidence of indebtedness payable at periods of twelve months. Common carriers would not have to seek such PSC approval under LB347.

LB 666 alters the Rural Communications Sustainability Act. It allows competitive broadband providers to petition the Public Service Commission (PSC) to transition Nebraska Universal Service Fund support from a former incumbent local exchange carrier (ILEC) serving a designated area to the competitive provider now serving that area, as long as it accepts responsibilities similar to carrier of last resort (COLR) duties. Previously, only ILECs were able to petition the PSC.

LB323

Change requirements for certain road and building construction projects for the Department of Transportation.

Introduced by: Senator Moser

LB323 allows the Nebraska Department of Transportation (NDOT) to advertise for sealed bids on their website or in county the official newspaper where the work is to be done. It also removes the requirement that NDOT get the consent of the Legislature when initiating building projects over one hundred thousand dollars, instead raising the threshold to that described in 81-1114.01, which speaks to capital projects initiated by executive departments and agencies. That section currently provides a limit of around nine hundred thousand dollars.

The Committee considered and adopted AM554. That amendment mandated that NDOT provide notice regarding solicited bids on both their designated website and in county newspapers. The inclusion of online notice will allow NDOT to complete bidding evaluations more quickly, thus reducing project completion times.

LB362

Transfer and eliminate provisions of the Emergency Telephone Communications Systems Act and the Enhanced Wireless 911 Services Act and change provisions of the 911 Service System Act

Introduced by: Senator DeBoer

LB 362 is a 911 cleanup bill which eliminates redundant provisions in the statutes and clarifies and harmonizes other provisions. It combines three acts into the 911 Service System Act; the Enhanced Wireless 911 Services Act, the Emergency Telephone Communications Act, and the 911 Services Act. It removes language related to E-911 service throughout relevant law. It also further defines next-generation 911 services under section 26. The bill further adjusts the 911 Service System Advisory Committee under section 43. It staggers the terms of members to three-year terms, with no more than a third of the membership expiring at any one time. It also reduces the number of members required from each congressional district from four to two.

Section 45 removes language relating to the transfer of interest from the 911 Service System Fund to the General Fund from July 1, 2017 to June 30, 2019.

Section 52 exempts wireless carriers from collecting wireless surcharges for any customers receiving services under the Nebraska Telephone Assistance Program if the customer does not receive a monthly charge for service through a billing statement.

Section 56 removes eligibility for wireless carriers to receive cost compensation from the Public Service Commission (PSC) for 911 services and restricts it to public safety answering points.

Section 66 mandates that every county implement next-generation 911 by July 1, 2026.

LB398

Adopt updates to federal law relating to motor vehicle and motor carriers and change provisions relating to commercial driver's licenses and CLP-commercial learner's permits

Introduced by: Senator Moser

LB398 updates Nebraska law to reference federal laws and regulations related to commercial driver's licenses and CLP-commercial learner's permits to state as they existed on January 1, 2025. It updates requirements for commercial driver's license medical certification, allowing operators to self-certify that they have passed the required medical examinations and mandating that the Department of Motor Vehicles (DMV) post relevant information to the Commercial Driver's License Information System. (Sections 18 and 19). Finally, it increases civil penalties for violations of laws relevant to commercial driver's licenses and CLP-learner's permits. (Section 30).

LB398 was amended by AM842, which incorporated the provisions of LB114 as amended, LB134, LB175, LB343, LB563, and LB568. It was also amended by AM1464, which altered some provisions of LB114.

LB 114 addresses Department of Motor Vehicles (DMV) fee increases for both operator license searches and registration and titling searches, differentiating between individual record searches and bulk searches. It also clarifies to which funds the proceeds of such fees should be directed. Finally, it modifies the definition of vehicle, distinguishing it from motor vehicle. Total driver fees would be twenty-four dollars per record, up from seven dollars and fifty cents. The majority of the fee increase would be credited to the General Fund. Fees for bulk searches are also increased, with different fees for searches under two thousand records and searches over two thousand records. Reduces the proposed fee increases by around half. The new total driver fees total fifteen dollars, up from seven dollars and fifty cents. Bulk search fees were also lowered, with searches over two thousand records costing twenty-five dollars before July 1, 20226 and thirty-five dollars after July 1, 2026.

Committee amendment AM607 altered the bill to remove any fees being credited to the General Fund. It also reduced the fees to a staggered schedule, with bulk search fees being twenty-five dollars per search over 2000 records prior to July 1, 2026, and thirty-five dollars after July 1, 2026.

LB 114 was also altered by AM1464, which altered the fee structure of certificate abstract of operating records and introduced a new timing schedule. Requests made pursuant to that provision will be four dollars and fifty cents prior to July 1, 2025, twelve dollars after July 1, 2025, then reduced again to four dollars and fifty cents beginning July 1, 2029.

LB 134 provides that the fees for "Disabled Veterans", "Prisoner of War", and "Purple Heart" license plates are waived. A trust whose beneficiary is a veteran will be authorized to apply for the relevant veteran's plate. The Department of Veterans Affairs disability rating threshold to receive a "Disabled Veteran" plate is lowered from one hundred percent to ten percent. The "United States Space Force" is added to the listing of eligible organizations for purposes of the Military Honor License Plate. The Committee Amendment allows the option of a vanity license plate for Military Honor Plates.

LB175 obligates successors in interest of railroad property to provide safe and adequate access to persons owning property on both sides of a railroad right-of-way.

LB 343 changes the fee for the entire field of specialty license plates fees from seventy dollars to forty dollars effective October 1, 2025.

LB 563 creates a new permanent license plate for commercial fertilizer trailers and creates an issuance and renewal fee of one dollar. The Committee Amendment removes the option of the Department of Motor Vehicles to deliver permanent license plates for fertilizer trailers by mail.

LB 568 creates the Arbor Day license plate. The plate is to be designed in consultation with the Nebraska Statewide Arboretum and a nonprofit organization with a mission to inspire people to plant and nurture trees. In addition to all other registration fees, an applicant shall pay a fee of forty dollars. Twenty-five percent of the fee is deposited to the Department of Motor Vehicles CASH Fund and seventy-five percent of the fee will be deposited to the Arbor Day Plate Cash Fund, which is to be used to promote tree planting, garden making, and related activities. Additionally, LB568 reorganizes "specialty plates", incorporating them into the category of "organizational plates" and creates a new category of "alternate plates".

LB490

Change provisions of the Motor Vehicle Certificate of Title Act

Introduced by: Senator McKeon

LB490 clarifies that owners of self-propelled equipment designed and used exclusively to carry and apply fertilizer, chemicals or related products to agricultural soil and crops, agricultural floater-spreader implements and other implements of husbandry designed for and used primarily for tilling the soil and harvesting crops or feeding livestock, or power unit hay grinders or a combination that includes a hay power unit and a hay grinder when operated without cargo are not required to comply with the Certificate of Title Act but, at the option of the vehicle owner, may apply for a certificate of title. LB490 was amended by AM213, which added definitions of relevance and ensured that any security interest or lien already vested in the vehicle continue. It also allows for the holder of a perfected security interest to obtain a certificate of title if, after January, 2020, the owner of a device subject to a security interest does not obtain a certificate of title.

LB561

Provide restrictions and change provisions related to operation of vehicles carrying raw milk

Introduced by: Senator Brandt

LB561 allows the Nebraska Department of Transportation (the department) to issue continuous permits for the operation of overweight raw-milk vehicles that are hauling raw milk to processing facilities. Previously, the department could issue these types of permits but only on a temporary basis. Overweight vehicles with permits could load up to fifteen percent greater than the maximum weight specified by law, not to exceed twenty thousand pounds on any single axle.

The Committee considered and adopted an amendment, AM316, which accomplishes the following:

Alters the weight limit on overweight raw-milk vehicles, allows the Nebraska Department of Transportation (the department) to issue exceptions to vehicle length limits, directs the department to create a map of bridges that can support overweight vehicles, allows the department to revoke permits if federal funding is at risk, and assigns liability if an overweight vehicle damages a bridge that cannot support it.

LB561 was also amended by AM758, which required that any funds recovered in an action based on bridge damage by such vehicle must be remitted to the State Treasurer for credit to the Roads Operation Cash Fund instead of the General Fund. AM1209 to the bill corrected an incorrect citation to the United States Federal Code.

LB667

Change provisions of the Motor Vehicle Industry Regulation Act

Introduced by: Senator Storer

LB667 addresses the warranty obligations of motor vehicle manufacturers and dealers. It removes references relating to 'reasonableness' in relation to parts and labor, as that term had become contentious between the parties. It allows dealers to request modification of a manufacturer's uniform time allowance for a specific warranty repair and can request time extensions for repair work on a specific vehicle. Oil, filters, fluids, brake pads, brake discs, brake drums, spark plugs, wiper blades, and tire repair or replacement work cannot be used when determining compensation for parts and wage rates on warranty work. The dealer may establish an average percentage markup by submitting one hundred sequential customer-paid service repair orders. Within thirty days after receipt of the orders, the manufacturer may audit the orders and approve or deny the average percentage markup. If the manufacturer denies the markup, the dealer can file an appeal with the Nebraska Motor Vehicle Industry Licensing Board. The manufacturer shall have the burden to prove that the denial was made pursuant to the Motor Vehicle Industry Regulation Act.

If a manufacturer provides a part at a reduced cost or no cost for warranty work, it must compensate the dealer for the dealer's cost of the part plus an amount equal to the markup on the dealer's part. That compensation shall then be multiplied by the fair wholesale value of the part.

The Committee considered and adopted AM395 which accomplishes the following: Clarified the compensation dispute resolution process between manufacturers and dealers. Manufacturers can request up to one hundred additional repair orders, selected by the dealer, to determine if the dealer's average percentage markup rate is different than that they charged for warranty work. If the manufacturer determines that dealer's rates charged for nonwarranty work are less than that charged for warranty work, they have thirty days from receipt the repair orders to rebut the dealer's labor rate, average percentage markup rate, or both. Requests for additional repair orders can only occur if a request has not been made within the previous twelve months. Nothing in the bill prohibits a dealer and manufacturer from reaching an agreement on a mutually acceptable retail labor rate or average percentage markup.

GENERAL FILE

LB207

Provide a registration fee under the Motor Vehicle Registration Act for certain commercially registered alternative fuel vehicles

Introduced by: Senator von Gillern

LB207 obligates operators of alternative fuel motor vehicles weighing more than seven thousand five hundred pounds to pay a higher fee to the Department of Motor Vehicles, which varies depending on weight. Section 60-306 defines alternative fuel as electricity, solar power, or any other source of energy not otherwise taxed under the motor fuel laws in the state.

The Committee considered and adopted AM73 which accomplishes the following:

Excludes vehicles registered under section 60-3,198 from the new, higher fees. Section 60-3,198 addresses fleets of apportionable vehicles registered with the Division of Motor Carrier Services of the Department of Motor Vehicles.

HELD IN COMMITTEE

LB18

Require Certain determinations prior to utility pole installations under the Small Wireless Facilities Deployment Act

Introduced by: Senator Cavanaugh, J.

LB18 addressed activities of wireless providers within rights-of-way. It mandates that, Prior to installation of any new or modified utility pole in a right-of-way, authorities must determine whether such action complies with the federal Americans with Disabilities Act of 1990, does not obstruct or hinder usual travel or public safety, and whether it would obstruct or impede the legal use of the right-of-way by any utility. If it determines that installation or modification does not comply with the stated criteria, the authority must not permit the installation. Authority is defined as the State of Nebraska or any agency, county, city, village, or other political subdivision thereof. Neb. Rev. Stat §86-1208. It does not include public power suppliers, state courts having jurisdiction over authorities or entities that do not have zoning or permit-granting authority.

LB23

Provide for grants for bike-sharing programs

Introduced by: Senator Cavanaugh, J.

LB23 aims to create a grant program which would promote the use of bike-sharing initiatives across the state. It directs the Department of Economic Development to partner with nonprofit organizations, who would be required to report that the grant was used for the stated purpose and to return any unused funds. It intends to use \$250,000 for the program.

LB37

Adopt the Railroad Safety Act

Introduced by: Senator Jacobson

LB37, the Railroad Safety Act, adopts certain standards to increase railroad safety in Nebraska. It harmonizes certain Nebraska law with the federal code. Trains over eight thousand five hundred feet in length and that are carrying hazardous substances are prohibited from operating on the main lines of the state. Railroads must have wayside detector systems and must make an annual report to the Public Service Commission (PSC) on their status and locations, which the PSC then transmits to the Legislature.

The bill directs how detect messages from wayside detector systems are to be handled. It guarantees the right of workers to contact their union representative to conduct an investigation of any safety violation or incident, and mandates that a representative be allowed access to the place of operation. It gives the PSC authority to impose fines for safety violations. It prohibits comparative fault in cases where a train operating over seven thousand feet in length and carrying hazardous materials is found by a jury to have cause property damage, personal injury, or death.

LB37 also prohibits trains from blocking public crossings for more than 10 minutes.

Finally, the bill mandates that, at least every three years, railroads conduct training sessions for fire departments having jurisdiction over tracks that they use.

LB106

Change requirements for motor vehicle windows

Introduced by: Senator Hughes

LB106 would change the limit on luminous reflectance of motor vehicle windows, both front and rear, from thirty-five percent to twenty percent.

LB112

Change provisions relating to salvage branded certificates of title

Introduced by: Senator Quick

Section 1 - Amends section 60-171 – Salvage branded certificate of title

Expands the definition of salvage to include those vehicles deemed structurally totaled vehicles by a facility that performs consumer care and by an insurance company that insured the vehicle. Structurally totaled means a vehicle totaled due to a kink or crease in a frame rail, unibody, or structural component. It does not include those vehicles that would cost less than 75 percent of their value to repair.

Consumer care has the same meaning as in section 60-1401.10, which is the performance of necessary maintenance and repairs to motor vehicles for the public.

Section 2 – Amends section 60-173 – Salvage branded certificate of tile; insurance company

Allows an insurance company to acquire a salvage vehicle through a determination that the vehicle is a structurally totaled vehicle, in addition to the existing method of payment of a total loss settlement.

LB128

Change provisions relating to the investigation of railroad accidents

Introduced by: Senator McKeon

Section 1 – Amends section 75-426 – PSC and railroad accidents

Allows the PSC to investigate any railroad accident within the state that results loss of life or injury to any person or property. Railroads must report any such accident to the PSC within twenty-four hours of its occurrence.

Sections 2 – Original section 75-426 is repealed.

LB176

Require resolutions of project support from political subdivisions under the Nebraska Broadband Bridge Act

Introduced by: Senator Hughes

LB176 would require entities applying for grants under the Nebraska Broadband Bridge Act to submit resolutions of project support from each county, city, and village where the proposed project will be located. Applications must also contain a map of the proposed project area, acknowledgement that appropriate permits will be obtained, and a proposed timeline for the project.

AM716 was filed which alters the language require a resolution of project acknowledgement, instead of support, under the Rural Communications Sustainability Act. It also exempts programs funded by the Infrastructure Investment and Jobs Act.

LB256

Adopt the Midwest Interstate Passenger Rail Compact

Introduced by: Senator Quick

LB256 allows Nebraska to join the Midwest Interstate Passenger Rail Compact, a multistate organization dedicated to improving passenger rail services in the Midwest. It allows the state to work with other key entities to further promote and fund rail projects. The Articles of the Compact are as follows:

Article I lays out the Compact's purpose, to promote the development of improvements to intercity passenger rail service in the Midwest.

Articles II and III establish a commission and its membership, requiring that commissioners reside in the state they represent. Four commissioners from each state are placed on the commission: the Governor or their designee, a member from the private sector appointed by the Governor, and two legislators.

Article IV lays out the powers and Duties of the commission. Among its duties are to advocate for the funding and authorization needed to make passenger railroad improvements, identify ways that states and agencies can form partnerships in the area, and report its activities to Governor and Legislature on an annual basis. Among the commission's powers are to provide multistate advocacy, work with local elected official and educate state officials, work with federal agency officials and conduct research.

Article V lays out the officers of the commission. A chairperson and vice-chair person are elected by the commission, but they must be from different states.

Article VI mandates that the commission meet at least annually.

Article VII states that finances will be through appropriations from member states. The commission may also accept donations, gifts, equipment, and services from any entity. It shall not issue any debt instrument.

Article VIII states that the states of Illinois, Indiana, Iowa, Kansas, Michigan, Minnesota, Missouri, Nebraska, North Dakota, Ohio, South Dakota, and Wisconsin are currently eligible to join the Compact.

Article IX details how a state can withdraw from the Compact and its liabilities should it do so.

Article X states the provisions of Compact are severable.

LB337

Change provisions relating to the regulation and operation of all-terrain and utility-type vehicles

Introduced by: Senator Wordekemper

LB 337 amends Nebraska laws regarding all-terrain vehicles (ATV) and utility-type vehicles (UTV). It redefines those vehicles in various sections by removing the current weight limit from their description and ensuring that they fit within the definition of a motor vehicle, bypassing certain current titling problems. It addresses other titling issues by mandating language to be used in the title (Section 5) and clarifies that ATVs and UTVs which have been modified or retrofitted with after-market parts are eligible for registration (Sections 6 and 8).

Under section 9, It allows the Department of Motor Vehicles (DMV) to issue license plates for such vehicles and clarifies the design of such plates. Under sections 12 and 13, It sets out a registration fee of three dollars for the vehicles and a base tax rate of twenty-five dollars. Section 14 sets the motor vehicle fee at five dollars.

Section 15 allows ATVs and UTVs to tow various types of trailers. Various sections address operation of those vehicles by minors and those without valid permits.

The bill exempts operators and passengers of ATVs and UTVs from occupant protection system and three-point safety belt system requirements if the operator and passenger are wearing protective helmets and eye protection under sections 30 through 33.

If the vehicle is registered under the Motor Vehicle Registration Act, Section 34 allows ATVs and UTVs to be operated on various highways and roads with certain exceptions. Vehicles not registered do not receive the same protections unless authorized by a county, city, or village ordinance.

LB 337 directs that the proceeds from sales and use taxes on such vehicles be credited to the Game and Parks Commission Capital Maintenance Fund under section 35 and becomes operative on January 1, 2026 under section 36.

LB444

Require certain minimum uninsured and underinsured insurance coverage for certain motor carriers

Introduced by: Senator Dungan

Under LB337, the Public Service Commission must require a minimum of one million dollars in uninsured and underinsured insurance coverage per occupant for certified intrastate motor carriers, including common and contract carriers. This does not apply to transportation network companies.

LB449

Change provisions relating to the priority of projects and requirements of the state highway system plan

Introduced by: Senator Fredrickson

LB449 removes language designating preservation of the existing state highway system as the Nebraska Department of Transportation's (NDOT) primary priority. It also removes language directing the department to use current and projected traffic volume, safety requirements, economic development needs, current and projected demographic trends, and Nebraskans' quality of life as factors to weigh in developing secondary priorities. Finally, it mandates that at least seventy percent of revenue raised in each district be used for projects in that district.

LB465

Change provisions relating to annual fees and eliminate requirements for the use of a personal vehicle for transportation network companies

Introduced by: Senator Bosn

Under LB465, transportation network companies (TNC) can opt to pay an annual flat fee not exceeding twenty-five thousand dollars or an annual per-vehicle fee not exceeding eighty dollars for each personal vehicle operated by its drivers. The Public Service Commission must determine the amount of such fees so that they minimized to the amount needed to regulate TNCs. The bill would also remove inspection requirements for personal vehicles by operated by TNC drivers.

LB485

Provide for confidentiality for train crew members involved with railroad fatalities and access to confidential information of train crew members and exempt train crew members from being required to display operator's licenses to law enforcement

Introduced by: Senator Quick

The personal identifying information of train crew members contained in reports involving railroad fatalities and in communications between law enforcement and crew members involved in such fatalities must be redacted from any public reports and be maintained by law enforcement in a way that ensures the confidentiality of such information. Unredacted copies of the reports must be accessible at all reasonable times to the employing railroad, to any person authorized to access such copies by court order, and to any law enforcement officer, prosecutor or Public Service Commission staff if access is necessary of the performance of such person's duties.

Train crew members are not required to display an operator's license to a law enforcement officer in connection with rail operation in Nebraska.

Train crew member means an engineer, conductor, brakeman, or any other member of the train crew.

LB496

Provide requirements under the Nebraska Rules of the Road relating to motorists encountering certain animals being led or driven on highways

Introduced by: Senator Murman

LB496 would define livestock as horses, mules, donkeys, cattle, swine, sheep, and goats. It would impose an obligation on motor vehicle operators to use caution when approaching a person leading or herding livestock on a highway, promptly stop the vehicle if the person driving the livestock gives a distress signal, and shut the engine of the vehicle off if requested by that person.

LB542

Change and eliminate payment provisions for road construction costs relating to utility facilities

Introduced by: Senator Dover

LB542 requires the state to pay the cost of altering or moving a utility facility located near any highway, not just those near the National System of Interstate and Defense Highways. It also expands the definition of utility facility to include commercial broadband suppliers and community antenna television services.

Section 1 – Amends section 14-2113 – Permits, contracts

Removes language exempting NDOT permits referred to in 39-1304.002, relating to the Interstate system and utility facilities, from being considered contracts.

Section 2 – Amends section 39-1304.02 – Relocation of utility facility, costs

Expands the definition of qualifying utility facility to include commercial broadband suppliers and community antenna television services. The state shall pay the cost of altering or moving a qualifying utility facility located near any highway, not just those near the National System of Interstate and Defense Highways. It shall also pay the costs of altering or moving a qualifying utility facility located near any road, street, or right-of-way under the primary authority of a county, city, or village.

LB576

Change provisions of the Enhanced Wireless 911 Services Act relating to surcharges and public hearings

Introduced by: Senator Dorn

LB576 increases the surcharge cap that wireless carriers must collect for remittance to the Public Service Commission (PSC) for 911 services, from seventy cents to one dollar. When meeting to determine the surcharge amount, the PSC must decide what amount maximizes operational support for all public safety answering points in the state.

Section 1 – Amends section 86-457 – Wireless carrier surcharges.

Increases the surcharge cap collected by wireless carriers from up to seventy cents to up to one dollar. Removes language reducing that limit to fifty cents in counties containing a city of the metropolitan class. Wireless carriers must remit surcharges to the PSC monthly for credit to the 911 Services System Fund.

Section 2- Amends section 86-458 – PSC public hearings.

When meeting annually to determine the surcharge amount for the following year, the PSC must now determine the amount that maximizes operational support for all public safety answering points in the state.

Section 3 – Amends section 86-903 – Prepaid wireless surcharges.

Adjusts statutory references to harmonize with the changes made in section 1 of the present act.

LB594

Change and eliminate provisions relating to the use of handheld wireless communications devices while operating a motor vehicle

Introduced by: Senator Prokop

LB594 prohibits persons from holding or supporting wireless communication devices while operating a motor vehicle in motion. It creates exceptions for certain public services and emergencies.

Section 1 – Amends section 60-6,179.01 – Overloading front seat or obstructing driver

Persons operating motor vehicles are prohibited from holding or supporting a handheld wireless communication device while operating a motor vehicle in motion. This prohibition does not apply to 1) law enforcement officers, firefighters, ambulance drivers, or emergency medical technicians, 2) employees or contractors of utility services providers who are responding to utility emergencies and 3) a person operating a motor vehicle in an emergency situation if they are communicating with emergency services. It also does not apply when a person is not touching the device or if they use a single touch to initiate such a situation.

LB619

Provide for cities of the primary class and certain counties to receive grants relating to certain highways

Introduced by: Senator Ballard

Section 1 – Highway construction grants

It is the intent of the Legislature to appropriate fifteen million dollars from the General Fund to aid in projects that connect highways to the Interstate system in cities of the primary class and counties in which they are located. The grant program will be administered by the Department of Transportation and those receiving the grants must submit an annual report until all grant money is spent. Any funds not used must be repaid by the city or county.

LB690

Change provisions relating to the regulation and operation of all-terrain vehicles and utility-type vehicles

Introduced by: Senator Lonowski

LB690 allows for the use of all-terrain vehicles (ATVs) and utility-type vehicles (UTVs) on certain state highways if permitted by an ordinance from a county, city, or village. It includes ATVs and UTVs in the definition of motor vehicles and exempts them from the requirements of an occupant protection system or a three-point safety belt system if they wear protective eye wear, a helmet, or have a windshield. Registered ATVs and UTVs must have a license plate. ATVs and UTVs are exempted from standard tire requirements. Finally, it sets out base taxes and fees for each vehicle type.

LB714

Change provisions relating to motor vehicle taxes and fees

Introduced by: Senator Clements

LB714 alters the motor vehicle tax and fee structure. It changes allocations of the taxes and fees and alters base rates and multipliers.

Section 1 – Amends section 60-3,186 – Motor Vehicle Tax.

Increases the motor vehicle tax retained for costs incurred by the county treasurer from one to two percent. Increases the amount of the motor vehicle tax credited to the Vehicle Title and Registration System Replacement and Maintenance Cash FUND from one percent to one and three-tenths of one percent. Forty percent of the remaining motor vehicle tax proceeds will go to the county instead of twenty-two percent and thirty-seven percent to the local school system instead of sixty percent. Twenty-three percent will go to the city or village except if there is no city or village, sixty-three percent will go to the county. In counties with a city of the metropolitan class, thirty-eight percent will be allocated to the county and twenty-five percent to the city or village.

Section 2- Amends section 60-3,187 – Motor vehicle tax schedule.

Alters the base motor vehicle tax schedule, creating new categories for vehicles initially valued over one hundred thousand dollars. Alters the amount that base tax is multiplied by given the vehicle's age.

Section 3 – Amends section 60-3,190 – Motor vehicle fees

Generally, increases motor vehicle fees for all types of vehicles, which are credited into the Motor Vehicle Fee Fund. The State Treasurer will distribute seventy percent of the funds to the country treasurer of each county, in amounts of the same proportion as the most recent allocation from the Highway Allocation Fund. Thirty percent will go to each municipality, in amounts of the same proportion as the most recent allocation from the Highway Allocation Fund.

Section 4 – The act becomes operative on January 1, 2026.

2025 Interim Study Resolutions

LR157 (DeBoer) – Interim study to examine and monitor issues relating to broadband and broadband deployment in Nebraska

Purpose: The purpose of this resolution is to propose an interim study to examine and monitor issues relating to broadband and broadband deployment in Nebraska. This study shall include, but need not be limited to, an examination of the following:

(1) Projects being undertaken as a part of any state or federal effort for the expansion of broadband availability in Nebraska, including, but not limited to, an examination of changing federal requirements for various programs and any delays such changes may cause;

(2) Cooperation across jurisdictions on the shared goal of ensuring broadband is available for all Nebraskans;

(3) Resiliency and redundancy in the broadband networks being built to ensure Nebraskans have consistent access to broadband services;

(4) The changing regulatory landscape with regard to broadband services, the necessity of the state to provide oversight to protect the interests of Nebraska consumers, the necessity of related regulations in Nebraska, and where efficiencies can be found to speed up the deployment of broadband services; and

(5) Other issues relating to broadband expansion in Nebraska.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE ONE HUNDRED NINTH LEGISLATURE OF NEBRASKA, FIRST SESSION:

1. That the Transportation and Telecommunications Committee of the Legislature shall be designated to conduct an interim study to carry out the purposes of this resolution.

2. That the committee shall upon the conclusion of its study make a report of its findings, together with its recommendations, to the Legislative Council or Legislature.

LR167 (Moser) – Interim study to examine issues within the jurisdiction of the Transportation and Telecommunications Committee

PURPOSE: The purpose of this resolution is to propose an interim study to examine any issues within the jurisdiction of the Transportation and Telecommunications Committee of the Legislature that may arise during the interim.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE ONE HUNDRED NINTH LEGISLATURE OF NEBRASKA, FIRST SESSION:

1. That the Transportation and Telecommunications Committee of the Legislature shall be designated to conduct an interim study to carry out the purposes of this resolution.

2. That the committee shall upon the conclusion of its study make a report of its findings, together with its recommendations, to the Legislative Council or Legislature.

LR203 (Juarez) – Interim study to evaluate the existing passenger rail infrastructure in Nebraska

PURPOSE: The purpose of this resolution is to propose an interim study to evaluate the existing passenger rail infrastructure in Nebraska and gather feedback from the public to inform future legislation. In recent years, interest in rail transit and public transportation has grown in Nebraska, especially among young professionals. In addition to retaining Nebraska's homegrown talent and meeting the needs of a growing workforce, passenger rail projects are major development opportunities that drive large public and private investment.

This study shall include, but not be limited to, the following:

- (1) Examining existing and historic passenger rail infrastructure in Nebraska;
- (2) Examining plans by Amtrak for services relevant to Nebraska in the future and steps Nebraska has taken to participate in those plans;
- (3) Examining public opinion on rail transit in Nebraska, which includes comments from public meetings hosted across the state. Public meetings may be held in Omaha, Lincoln, Grand Island, North Platte, and Columbus, in addition to other locations; and
- (4) Considering actions needed by the Legislature to advance passenger rail planning in Nebraska, including directing the Department of Transportation.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE ONE HUNDRED NINTH LEGISLATURE OF NEBRASKA, FIRST SESSION:

1. That the Transportation and Telecommunications Committee of the Legislature shall be designated to conduct an interim study to carry out the purposes of this resolution.

2. That the committee shall upon the conclusion of its study make a report of its findings, together with its recommendations, to the Legislative Council or Legislature.

LR251 (Guereca) – Interim study to examine the adequacy of accessibility of transportation options for people with disabilities in Nebraska

PURPOSE: The purpose of this resolution is to propose an interim study to examine the adequacy and accessibility of transportation options for people with disabilities in Nebraska and to improve transportation options and address systemic barriers that exist for people with disabilities.

The study shall focus on, but need not be limited to, an examination of the following:

- (1) Federal or state legislation, regulations, or policies that address the accessibility and operation of public and private transportation systems for people with disabilities;
- (2) The adequacy, consistency, and reliability of public and private transportation systems that serve people with disabilities;
- (3) The design and availability of routes and service hours, including time spent in transit;
- (4) Funding and finance options that could be used to improve transportation for people with disabilities; and
- (5) Laws, regulations, policies, and programs in other states that have improved public and private transportation for people with disabilities.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE ONE HUNDRED NINTH LEGISLATURE OF NEBRASKA, FIRST SESSION:

1. That the Transportation and Telecommunications Committee of the Legislature shall be designated to conduct an interim study to carry out the purposes of this resolution.
2. That the committee shall upon the conclusion of its study make a report of its findings, together with its recommendations, to the Legislative Council or Legislature.

LR254 (Clements) – Interim study to examine potential adjustments to the collection of motor vehicle tax, motor vehicle tax distribution schemes, motor vehicle fees, and other revenue sources due to the potential elimination of the Nebraska inheritance tax

PURPOSE: The purpose of this resolution is to propose an interim study to examine potential adjustments to the collection of motor vehicle tax, motor vehicle tax distribution schemes, motor vehicle fees, and other revenue sources due to the potential elimination of the Nebraska inheritance tax.

The study shall include, but need not be limited to, an examination of the following:

- (1) The current motor vehicle tax distribution, motor vehicle fees and distribution, civil fees and other revenue sources;
- (2) The potential adjustment to such current revenue sources to provide adequate funds for necessary county government duties and services; and

(3) The potential elimination of unnecessary costly statutory requirements for counties related to motor vehicles. In conducting this interim study, the Transportation and Telecommunications Committee of the Legislature may confer with other standing committees of the Legislature, state agencies, county officials and employees, and other stakeholders.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE ONE HUNDRED NINTH LEGISLATURE OF NEBRASKA, FIRST SESSION:

1. That the Transportation and Telecommunications Committee of the Legislature shall be designated to conduct an interim study to carry out the purposes of this resolution.
2. That the committee shall upon the conclusion of its study make a report of its findings, together with its recommendations, to the Legislative Council or Legislature.