

LEGISLATURE OF NEBRASKA
ONE HUNDRED EIGHTH LEGISLATURE
SECOND SESSION

LEGISLATIVE BILL 1200

FINAL READING

Introduced by Moser, 22; Holdcroft, 36.

Read first time January 16, 2024

Committee: Transportation and Telecommunications

1 A BILL FOR AN ACT relating to law; to amend sections 18-1737, 43-3314,
2 43-3318, 60-164.01, 60-172, 60-3,162, 60-3,202, 60-3,205, 60-480,
3 60-497.01, 60-4,131, 60-4,131.01, 60-4,139, 60-4,143, 60-4,144.03,
4 60-4,146.01, 60-4,148, 60-4,148.01, 60-4,149, 60-4,150, 60-4,151,
5 60-6,123, 60-6,254, 60-6,290, 60-1401.24, 60-1438.01, and 66-4,144,
6 Reissue Revised Statutes of Nebraska, sections 39-2817, 60-144,
7 60-146, 60-149, 60-3,198, 60-490, 86-1025, and 86-1029.02, Revised
8 Statutes Cumulative Supplement, 2022, and sections 30-24,125,
9 60-107, 60-119.01, 60-169, 60-302.01, 60-336.01, 60-386,
10 60-3,113.04, 60-3,193.01, 60-462, 60-462.01, 60-479.01, 60-4,111.01,
11 60-4,115, 60-4,132, 60-4,134, 60-4,142, 60-4,144, 60-4,147.02,
12 60-4,168, 60-501, 60-628.01, 60-6,265, 60-2705, 60-2909.01, 75-363,
13 75-364, 75-366, 75-369.03, 75-392, and 75-393, Revised Statutes
14 Supplement, 2023; to adopt updates to federal law and update certain
15 federal references; to change provisions relating to certificates of
16 title under the Nebraska Probate Code, construction manager-general
17 contractor contracts and public-private partnerships under the
18 Transportation Innovation Act, delivery of certain notifications
19 relating to operator's licenses, the Motor Vehicle Certificate of
20 Title Act, the Motor Vehicle Registration Act, the Motor Vehicle
21 Operator's License Act, the Motor Vehicle Safety Responsibility Act,
22 the Nebraska Rules of the Road, the Motor Vehicle Industry

1 Regulation Act, excise tax rates on certain fuels, federal motor
2 carrier safety regulations, federal hazardous materials regulations,
3 and the unified carrier registration plan; to change certain civil
4 penalties; to provide for coordination of the 911 service system and
5 the 988 suicide and crisis lifeline; to eliminate obsolete
6 provisions; to harmonize provisions; to provide operative dates; to
7 repeal the original sections; and to declare an emergency.
8 Be it enacted by the people of the State of Nebraska,

1 Section 1. Section 18-1737, Reissue Revised Statutes of Nebraska, is
2 amended to read:

3 18-1737 (1) Any city or village, any state agency, and any person in
4 lawful possession of any offstreet parking facility may designate stalls
5 or spaces, including access aisles, in such facility owned or operated by
6 the city, village, state agency, or person for the exclusive use of
7 handicapped or disabled persons whose motor vehicles display the
8 distinguishing license plates issued to such individuals pursuant to
9 section 60-3,113, such other handicapped or disabled persons or
10 temporarily handicapped or disabled persons whose motor vehicles display
11 a handicapped or disabled parking permit, and such other motor vehicles
12 which display a handicapped or disabled parking permit. Such designation
13 shall be made by posting aboveground and immediately adjacent to and
14 visible from each stall or space, including access aisles, a sign which
15 is in conformance with the Manual on Uniform Traffic Control Devices
16 adopted pursuant to section 60-6,118 and the federal Americans with
17 Disabilities Act of 1990 and the federal regulations adopted in response
18 to the act, as the act and the regulations existed on January 1, 2024
19 ~~2011~~.

20 (2) The owner or person in lawful possession of an offstreet parking
21 facility, after notifying the police or sheriff's department, as the case
22 may be, and any city, village, or state agency providing onstreet parking
23 or owning, operating, or providing an offstreet parking facility may
24 cause the removal, from a stall or space, including access aisles,
25 designated exclusively for handicapped or disabled persons or temporarily
26 handicapped or disabled persons or motor vehicles for the transportation
27 of handicapped or disabled persons or temporarily handicapped or disabled
28 persons, of any vehicle not displaying the proper handicapped or disabled
29 parking permit or the distinguishing license plates specified in this
30 section if there is posted aboveground and immediately adjacent to and
31 visible from such stall or space, including access aisles, a sign which

1 clearly and conspicuously states the area so designated as a tow-in zone.

2 (3) A person who parks a vehicle in any onstreet parking space or
3 access aisle which has been designated exclusively for handicapped or
4 disabled persons or temporarily handicapped or disabled persons or motor
5 vehicles for the transportation of handicapped or disabled persons or
6 temporarily handicapped or disabled persons, or in any so exclusively
7 designated parking space or access aisle in any offstreet parking
8 facility, without properly displaying the proper license plates or
9 handicapped or disabled parking permit or when the handicapped or
10 disabled person to whom or for whom, as the case may be, the license
11 plate or permit is issued will not enter or exit the vehicle while it is
12 parked in the designated space or access aisle shall be guilty of a
13 handicapped parking infraction as defined in section 18-1741.01 and shall
14 be subject to the penalties and procedures set forth in sections
15 18-1741.01 to 18-1741.07. The display on a motor vehicle of a
16 distinguishing license plate or permit issued to a handicapped or
17 disabled person by and under the duly constituted authority of another
18 state shall constitute a full and complete defense in any action for a
19 handicapped parking infraction as defined in section 18-1741.01. If the
20 identity of the person who parked the vehicle in violation of this
21 section cannot be readily determined, the owner or person in whose name
22 the vehicle is registered shall be held prima facie responsible for such
23 violation and shall be guilty and subject to the penalties and procedures
24 described in this section. In the case of a privately owned offstreet
25 parking facility, a city or village shall not require the owner or person
26 in lawful possession of such facility to inform the city or village of a
27 violation of this section prior to the city or village issuing the
28 violator a handicapped parking infraction citation.

29 (4) For purposes of this section and section 18-1741.01, state
30 agency means any division, department, board, bureau, commission, or
31 agency of the State of Nebraska created by the Constitution of Nebraska

1 or established by act of the Legislature, including the University of
2 Nebraska and the Nebraska state colleges, when the entity owns, leases,
3 controls, or manages property which includes offstreet parking
4 facilities.

5 Sec. 2. Section 30-24,125, Revised Statutes Supplement, 2023, is
6 amended to read:

7 30-24,125 (a) Thirty days after the death of a decedent, any person
8 indebted to the decedent or having possession of tangible personal
9 property or an instrument evidencing a debt, obligation, stock, or chose
10 in action belonging to the decedent shall make payment of the
11 indebtedness or deliver the tangible personal property or an instrument
12 evidencing a debt, obligation, stock, or chose in action to a person
13 claiming to be the successor of the decedent upon being presented an
14 affidavit made by or on behalf of the successor stating:

15 (1) the value of all of the personal property in the decedent's
16 estate, wherever located, less liens and encumbrances, does not exceed
17 one hundred thousand dollars;

18 (2) thirty days have elapsed since the death of the decedent as
19 shown in a certified or authenticated copy of the decedent's death
20 certificate attached to the affidavit;

21 (3) the claiming successor's relationship to the decedent or, if
22 there is no relationship, the basis of the successor's claim to the
23 personal property;

24 (4) the person or persons claiming as successors under the affidavit
25 swear or affirm that all statements in the affidavit are true and
26 material and further acknowledge that any false statement may subject the
27 person or persons to penalties relating to perjury under section 28-915;

28 (5) no application or petition for the appointment of a personal
29 representative is pending or has been granted in any jurisdiction; and

30 (6) the claiming successor is entitled to payment or delivery of the
31 property.

1 (b) A transfer agent of any security shall change the registered
2 ownership on the books of a corporation from the decedent to the
3 successor or successors upon the presentation of an affidavit as provided
4 in subsection (a).

5 (c) Upon the presentation of an affidavit as provided in subsection
6 (a), the claiming successor may endorse or negotiate any instrument
7 evidencing a debt belonging to the decedent that is a check, draft, or
8 other negotiable instrument that is payable to the decedent or the
9 decedent's estate. Notwithstanding the provisions of section 3-403,
10 3-417, or 3-420, Uniform Commercial Code, a financial institution
11 accepting such a check, draft, or other negotiable instrument presented
12 for deposit in such manner is discharged from all claims for the amount
13 accepted.

14 (d)(1) Except as provided in subdivision (d)(2), in ~~(d)~~ In addition
15 to compliance with the requirements of subsection (a), a person seeking a
16 transfer of a certificate of title to a motor vehicle, motorboat, all-
17 terrain vehicle, utility-type vehicle, or minibike shall be required to
18 furnish to the Department of Motor Vehicles an affidavit showing
19 applicability of this section and compliance with the requirements of
20 this section to authorize the department to issue a new certificate of
21 title.

22 (2) After ten years have elapsed since the estate has closed, the
23 Department of Motor Vehicles shall waive the requirements of subdivision
24 (a)(5) if the person seeking a transfer of a certificate of title
25 provides evidence that the estate has closed and a certified
26 authenticated copy of the decedent's death certificate.

27 Sec. 3. Section 39-2817, Revised Statutes Cumulative Supplement,
28 2022, is amended to read:

29 39-2817 (1) The process for selecting a construction manager and
30 entering into a construction manager-general contractor contract shall be
31 in accordance with this section and sections 39-2818 to 39-2820.

1 (2) A contracting agency shall prepare a request for qualifications
2 for construction manager-general contractor contract proposals and shall
3 prequalify construction managers. The request for qualifications shall
4 describe the project in sufficient detail to permit a construction
5 manager to respond. The request for qualifications shall identify the
6 maximum number of eligible construction managers the contracting agency
7 will place on a short list as qualified and eligible to receive a request
8 for proposals.

9 (3) The request for qualifications shall be (a) published in a
10 newspaper of statewide circulation at least thirty days prior to the
11 deadline for receiving the request for qualifications and (b) sent by
12 first-class mail to any construction manager upon request.

13 (4) The contracting agency shall create a short list of qualified
14 and eligible construction managers in accordance with the guidelines
15 adopted pursuant to section 39-2811. The contracting agency shall select
16 at least two construction managers, except that if only one construction
17 manager has responded to the request for qualifications, the contracting
18 agency may, in its discretion, proceed or cancel the procurement. The
19 request for proposals shall be sent only to the construction managers
20 placed on the short list.

21 (5) A contracting agency may combine the separate qualification and
22 proposal steps of this section and section 39-2818 into a single-step
23 process if the contracting agency determines that a single-step process
24 is in the contracting agency's best interest. If a single-step process is
25 used, a contracting agency shall consider the qualifications of all
26 proposing construction managers as a part of the request for proposals.
27 Notice of the request for proposals shall be published as provided in
28 subsection (3) of this section. There is no requirement to short list
29 construction managers when using the single-step process. If only one
30 proposal is submitted, the contracting agency may, in its discretion,
31 proceed or cancel the procurement.

1 Sec. 4. Section 43-3314, Reissue Revised Statutes of Nebraska, is
2 amended to read:

3 43-3314 (1) When the department or a county attorney or authorized
4 attorney has made reasonable efforts to verify and has reason to believe
5 that a license holder in a case receiving services under Title IV-D of
6 the Social Security Act, as amended, (a) is delinquent on a support order
7 in an amount equal to the support due and payable for more than a three-
8 month period of time, (b) is not in compliance with a payment plan for
9 amounts due as determined by a county attorney, an authorized attorney,
10 or the department for such past-due support, or (c) is not in compliance
11 with a payment plan for amounts due under a support order pursuant to a
12 court order for such past-due support, and therefor determines to certify
13 the license holder to the appropriate licensing authority, the
14 department, county attorney, or authorized attorney shall send written
15 notice to the license holder by regular United States ~~certified~~ mail to
16 the last-known address of the license holder or to the last-known address
17 of the license holder available to the court pursuant to section
18 42-364.13. For purposes of this section, reasonable efforts to verify
19 means reviewing the case file and having written or oral communication
20 with the clerk of the court of competent jurisdiction and with the
21 license holder. Reasonable efforts to verify may also include written or
22 oral communication with custodial parents.

23 (2) The notice shall specify:

24 (a) That the Department of Health and Human Services, county
25 attorney, or authorized attorney intends to certify the license holder to
26 the Department of Motor Vehicles and to relevant licensing authorities
27 pursuant to subsection (3) of section 43-3318 as a license holder
28 described in subsection (1) of this section;

29 (b) The court or agency of competent jurisdiction which issued the
30 support order or in which the support order is registered;

31 (c) That an enforcement action for a support order will incorporate

1 any amount delinquent under the support order which may accrue in the
2 future;

3 (d) That a license holder who is in violation of a support order can
4 come into compliance by:

5 (i) Paying current support if a current support obligation exists;
6 and

7 (ii) Paying all past-due support or, if unable to pay all past-due
8 support and if a payment plan for such past-due support has not been
9 determined, by making payments in accordance with a payment plan
10 determined by the county attorney, the authorized attorney, or the
11 Department of Health and Human Services for such past-due support; and

12 (e) That within thirty days after issuance of the notice, the
13 license holder may either:

14 (i) Request administrative review in the manner specified in the
15 notice to contest a mistake of fact. Mistake of fact means an error in
16 the identity of the license holder or an error in the determination of
17 whether the license holder is a license holder described in subsection
18 (1) of this section; or

19 (ii) Seek judicial review by filing a petition in the court of
20 competent jurisdiction of the county where the support order was issued
21 or registered or, in the case of a foreign support order not registered
22 in Nebraska, the court of competent jurisdiction of the county where the
23 child resides if the child resides in Nebraska or the court of competent
24 jurisdiction of the county where the license holder resides if the child
25 does not reside in Nebraska.

26 Sec. 5. Section 43-3318, Reissue Revised Statutes of Nebraska, is
27 amended to read:

28 43-3318 (1) The Department of Health and Human Services, county
29 attorney, authorized attorney, or court of competent jurisdiction may
30 certify in writing to the Department of Motor Vehicles, relevant
31 licensing authorities, and, if the license holder is a member of the

1 Nebraska State Bar Association, the Counsel for Discipline of the
2 Nebraska Supreme Court, that a license holder is a license holder
3 described in subsection (1) of section 43-3314 if:

4 (a) The license holder does not timely request either administrative
5 review or judicial review upon issuance of a notice under subsection (2)
6 of section 43-3314, is still a license holder described in subsection (1)
7 of section 43-3314 thirty-one days after issuance of the notice, and does
8 not obtain a written confirmation of compliance from the Department of
9 Health and Human Services, county attorney, or authorized attorney
10 pursuant to section 43-3320 within thirty-one days after issuance of the
11 notice;

12 (b) The Department of Health and Human Services issues a decision
13 after a hearing that finds the license holder is a license holder
14 described in subsection (1) of section 43-3314, the license holder is
15 still a license holder described in such subsection thirty-one days after
16 issuance of that decision, and the license holder does not seek judicial
17 review of the decision within the ten-day appeal period provided in
18 section 43-3317; or

19 (c) The court of competent jurisdiction enters a judgment on a
20 petition for judicial review, initiated under either section 43-3315 or
21 43-3317, that finds the license holder is a license holder described in
22 subsection (1) of section 43-3314.

23 (2) The court of competent jurisdiction, after providing appropriate
24 notice, may certify a license holder to the Department of Motor Vehicles
25 and relevant licensing authorities if a license holder has failed to
26 comply with subpoenas or warrants relating to paternity or child support
27 proceedings.

28 (3) If the Department of Health and Human Services, county attorney,
29 authorized attorney, or court of competent jurisdiction determines to
30 certify a license holder to the appropriate licensing authority, then the
31 department, county attorney, authorized attorney, or court of competent

1 jurisdiction shall certify a license holder in the following order and in
2 compliance with the following restrictions:

3 (a) To the Department of Motor Vehicles to suspend the license
4 holder's operator's license, except the Department of Motor Vehicles
5 shall not suspend the license holder's commercial driver's license or
6 restricted commercial driver's license. If a license holder possesses a
7 commercial driver's license or restricted commercial driver's license,
8 the Department of Health and Human Services, county attorney, authorized
9 attorney, or court of competent jurisdiction shall certify such license
10 holder pursuant to subdivision (b) of this subsection. If the license
11 holder fails to come into compliance with the support order as provided
12 in section 43-3314 or with subpoenas and warrants relating to paternity
13 or child support proceedings within ten working days after the date on
14 which the license holder's operator's license suspension becomes
15 effective, then the department, county attorney, authorized attorney, or
16 court of competent jurisdiction may certify the license holder pursuant
17 to subdivision (b) of this subsection without further notice;

18 (b) To the relevant licensing authority to suspend the license
19 holder's recreational license once the Game and Parks Commission has
20 operative the electronic or other automated retrieval system necessary to
21 suspend recreational licenses. If the license holder does not have a
22 recreational license and until the Game and Parks Commission has
23 operative the electronic or other automated retrieval system necessary to
24 suspend recreational licenses, the department, county attorney,
25 authorized attorney, or court of competent jurisdiction may certify the
26 license holder pursuant to subdivision (c) of this subsection. If the
27 license holder fails to come into compliance with the support order as
28 provided in section 43-3314 or with subpoenas and warrants relating to
29 paternity or child support proceedings within ten working days after the
30 date on which the license holder's recreational license suspension
31 becomes effective, the department, county attorney, authorized attorney,

1 or court of competent jurisdiction may certify the license holder
2 pursuant to subdivision (c) of this subsection without further notice;
3 and

4 (c) To the relevant licensing authority to suspend the license
5 holder's professional license, occupational license, commercial driver's
6 license, or restricted commercial driver's license.

7 (4) If the Department of Health and Human Services, county attorney,
8 authorized attorney, or court of competent jurisdiction certifies the
9 license holder to the Department of Motor Vehicles, the Department of
10 Motor Vehicles shall suspend the operator's license of the license holder
11 ten working days after the date of certification. The Department of Motor
12 Vehicles shall without undue delay notify the license holder by regular
13 United States ~~certified~~ mail that the license holder's operator's license
14 will be suspended and the date the suspension becomes effective. No
15 person shall be issued an operator's license by the State of Nebraska if
16 at the time of application for a license the person's operator's license
17 is suspended under this section. Any person whose operator's license has
18 been suspended shall return his or her license to the Department of Motor
19 Vehicles within five working days after receiving the notice of the
20 suspension. If any person fails to return the license, the Department of
21 Motor Vehicles shall direct any peace officer to secure possession of the
22 operator's license and to return it to the Department of Motor Vehicles.
23 The peace officer who is directed to secure possession of the license
24 shall make every reasonable effort to secure the license and return it to
25 the Department of Motor Vehicles or shall show good cause why the license
26 cannot be returned. An appeal of the suspension of an operator's license
27 under this section shall be pursuant to section 60-4,105. A license
28 holder whose operator's license has been suspended under this section may
29 apply for an employment driving permit as provided by sections 60-4,129
30 and 60-4,130, except that the license holder is not required to fulfill
31 the driver improvement or driver education and training course

1 requirements of subsection (2) of section 60-4,130.

2 (5) Except as provided in subsection (6) of this section as it
3 pertains to a license holder who is a member of the Nebraska State Bar
4 Association, if the Department of Health and Human Services, county
5 attorney, authorized attorney, or court of competent jurisdiction
6 certifies the license holder to a relevant licensing authority, the
7 relevant licensing authority, notwithstanding any other provision of law,
8 shall suspend the license holder's professional, occupational, or
9 recreational license and the license holder's right to renew the
10 professional, occupational, or recreational license ten working days
11 after the date of certification. The relevant licensing authority shall
12 without undue delay notify the license holder by regular United States
13 ~~certified~~ mail that the license holder's professional, occupational, or
14 recreational license will be suspended and the date the suspension
15 becomes effective.

16 (6) If the department, county attorney, authorized attorney, or
17 court of competent jurisdiction certifies a license holder who is a
18 member of the Nebraska State Bar Association to the Counsel for
19 Discipline of the Nebraska Supreme Court, the Nebraska Supreme Court may
20 suspend the license holder's license to practice law. It is the intent of
21 the Legislature to encourage all license holders to comply with their
22 child support obligations. Therefor, the Legislature hereby requests that
23 the Nebraska Supreme Court adopt amendments to the rules regulating
24 attorneys, if necessary, which provide for the discipline of an attorney
25 who is delinquent in the payment of or fails to pay his or her child
26 support obligation.

27 (7) The Department of Health and Human Services, or court of
28 competent jurisdiction when appropriate, shall send by regular United
29 States ~~certified~~ mail to the license holder at the license holder's last-
30 known address a copy of any certification filed with the Department of
31 Motor Vehicles or a relevant licensing authority and a notice which

1 states that the license holder's operator's license will be suspended ten
2 working days after the date of certification and that the suspension of a
3 professional, occupational, or recreational license pursuant to
4 subsection (5) of this section becomes effective ten working days after
5 the date of certification.

6 Sec. 6. Section 60-107, Revised Statutes Supplement, 2023, is
7 amended to read:

8 60-107 Cabin trailer means a trailer or a semitrailer, which is
9 designed, constructed, and equipped as a dwelling place, living abode, or
10 sleeping place, whether used for such purposes or instead permanently or
11 temporarily for the advertising, sale, display, or promotion of
12 merchandise or services or for any other commercial purpose except
13 transportation of property for hire or transportation of property for
14 distribution by a private carrier. Cabin trailer does not mean a trailer
15 or semitrailer which is permanently attached to real estate. There are
16 four classes of cabin trailers:

17 (1) Camping trailer which includes cabin trailers one hundred two
18 inches or less in width and forty feet or less in length and adjusted
19 mechanically smaller for towing;

20 (2) Mobile home which includes cabin trailers more than one hundred
21 two inches in width or more than forty feet in length;

22 (3) Travel trailer which includes cabin trailers not more than one
23 hundred two inches in width nor more than forty feet in length from front
24 hitch to rear bumper, except as provided in subdivision (2)(k) of section
25 60-6,288; and

26 (4) Manufactured home means a structure, transportable in one or
27 more sections, which in the traveling mode is eight body feet or more in
28 width or forty body feet or more in length or when erected on site is
29 three hundred twenty or more square feet and which is built on a
30 permanent frame and designed to be used as a dwelling with or without a
31 permanent foundation when connected to the required utilities and

1 includes the plumbing, heating, air conditioning, and electrical systems
2 contained in the structure, except that manufactured home includes any
3 structure that meets all of the requirements of this subdivision other
4 than the size requirements and with respect to which the manufacturer
5 voluntarily files a certification required by the United States Secretary
6 of Housing and Urban Development and complies with the standards
7 established under the National Manufactured Housing Construction and
8 Safety Standards Act of 1974, as such act existed on January 1, 2024
9 ~~2023~~, 42 U.S.C. 5401 et seq.

10 Sec. 7. Section 60-119.01, Revised Statutes Supplement, 2023, is
11 amended to read:

12 60-119.01 Low-speed vehicle means a (1) four-wheeled motor vehicle
13 (a) whose speed attainable in one mile is more than twenty miles per hour
14 and not more than twenty-five miles per hour on a paved, level surface,
15 (b) whose gross vehicle weight rating is less than three thousand pounds,
16 and (c) that complies with 49 C.F.R. part 571, as such part existed on
17 January 1, 2024 ~~2023~~, or (2) three-wheeled motor vehicle (a) whose
18 maximum speed attainable is not more than twenty-five miles per hour on a
19 paved, level surface, (b) whose gross vehicle weight rating is less than
20 three thousand pounds, and (c) which is equipped with a windshield and an
21 occupant protection system. A motorcycle with a sidecar attached is not a
22 low-speed vehicle.

23 Sec. 8. Section 60-144, Revised Statutes Cumulative Supplement,
24 2022, is amended to read:

25 60-144 (1)(a)(i) Except as provided in subdivisions (b), (c), and
26 (d) of this subsection, the county treasurer shall be responsible for
27 issuing and filing certificates of title for vehicles, and each county
28 shall issue and file such certificates of title using the Vehicle Title
29 and Registration System which shall be provided and maintained by the
30 department. Application for a certificate of title shall be made upon a
31 form prescribed by the department. All applications shall be accompanied

1 by the appropriate fee or fees.

2 (ii) In addition to the information required under subdivision (1)
3 (a)(i) of this section, the application for a certificate of title shall
4 contain (A)(I) the full legal name as defined in section 60-468.01 of
5 each owner or (II) the name of each owner as such name appears on the
6 owner's motor vehicle operator's license or state identification card and
7 (B)(I) the motor vehicle operator's license number or state
8 identification card number of each owner, if applicable, and one or more
9 of the identification elements as listed in section 60-484 of each owner,
10 if applicable, and (II) if any owner is a business entity, a nonprofit
11 organization, an estate, a trust, or a church-controlled organization,
12 its tax identification number.

13 (b) The department shall issue and file certificates of title for
14 Nebraska-based fleet vehicles. Application for a certificate of title
15 shall be made upon a form prescribed by the department. All applications
16 shall be accompanied by the appropriate fee or fees.

17 (c) The department shall issue and file certificates of title for
18 state-owned vehicles. Application for a certificate of title shall be
19 made upon a form prescribed by the department. All applications shall be
20 accompanied by the appropriate fee or fees.

21 (d) The department shall issue certificates of title pursuant to
22 subsection (2) of section 60-142.01 and section 60-142.06. Application
23 for a certificate of title shall be made upon a form prescribed by the
24 department. All applications shall be accompanied by the appropriate fee
25 or fees.

26 (e) The department shall issue certificates of title pursuant to
27 section 60-142.09. Application for a certificate of title shall be made
28 upon a form prescribed by the department. All applications shall be
29 accompanied by the appropriate fee or fees.

30 (2) If the owner of an all-terrain vehicle, a utility-type vehicle,
31 or a minibike resides in Nebraska, the application may ~~shall~~ be filed

1 with the county treasurer of any the county ~~in which the owner resides~~.

2 (3)(a) If a vehicle has situs in Nebraska, the application for a
3 certificate of title may be filed with the county treasurer of any
4 county.

5 (b) If a motor vehicle dealer licensed under the Motor Vehicle
6 Industry Regulation Act applies for a certificate of title for a vehicle,
7 the application may be filed with the county treasurer of any county.

8 (c) An approved licensed dealer participating in the electronic
9 dealer services system pursuant to section 60-1507 may apply for a
10 certificate of title for a vehicle to the county treasurer of any county
11 or the department in a manner provided by the electronic dealer services
12 system.

13 (4) If the owner of a vehicle is a nonresident, the application
14 shall be filed in the county in which the transaction is consummated.

15 (5) The application shall be filed within thirty days after the
16 delivery of the vehicle.

17 (6) All applicants registering a vehicle pursuant to section
18 60-3,198 shall file the application for a certificate of title with the
19 Division of Motor Carrier Services of the department. The division shall
20 deliver the certificate to the applicant if there are no liens on the
21 vehicle. If there are one or more liens on the vehicle, the certificate
22 of title shall be handled as provided in section 60-164. All certificates
23 of title issued by the division shall be issued in the manner prescribed
24 for the county treasurer in section 60-152.

25 Sec. 9. Section 60-146, Revised Statutes Cumulative Supplement,
26 2022, is amended to read:

27 60-146 (1) An application for a certificate of title for a vehicle
28 shall include a statement that an identification inspection has been
29 conducted on the vehicle unless (a) the title sought is a salvage branded
30 certificate of title or a nontransferable certificate of title, (b) the
31 surrendered ownership document is a Nebraska certificate of title, a

1 manufacturer's statement of origin, an importer's statement of origin, a
2 United States Government Certificate to Obtain Title to a Vehicle of
3 ~~Release of a vehicle~~, or a nontransferable certificate of title, (c) the
4 application contains a statement that the vehicle is to be registered
5 under section 60-3,198, (d) the vehicle is a cabin trailer, (e) the title
6 sought is the first title for the vehicle sold directly by the
7 manufacturer of the vehicle to a dealer franchised by the manufacturer,
8 or (f) the vehicle was sold at an auction authorized by the manufacturer
9 and purchased by a dealer franchised by the manufacturer of the vehicle.

10 (2) The department shall prescribe a form to be executed by a dealer
11 and submitted with an application for a certificate of title for vehicles
12 exempt from inspection pursuant to subdivision (1)(e) or (f) of this
13 section. The form shall clearly identify the vehicle and state under
14 penalty of law that the vehicle is exempt from inspection.

15 (3) The statement that an identification inspection has been
16 conducted shall be furnished by the county sheriff of any county or by
17 any other holder of a certificate of training issued pursuant to section
18 60-183, shall be in a format as determined by the department, and shall
19 expire ninety days after the date of the inspection. The county treasurer
20 shall accept a certificate of inspection, approved by the superintendent,
21 from an officer of a state police agency of another state unless an
22 inspection is required under section 60-174.

23 (4)(a) Except as provided in subdivision (b) of this subsection, the
24 identification inspection shall include examination and notation of the
25 then current odometer reading, if any, and a comparison of the vehicle
26 identification number with the number listed on the ownership records,
27 except that if a lien is registered against a vehicle and recorded on the
28 vehicle's ownership records, the county treasurer shall provide a copy of
29 the ownership records for use in making such comparison. If such numbers
30 are not identical, if there is reason to believe further inspection is
31 necessary, or if the inspection is for a Nebraska assigned number, the

1 person performing the inspection shall make a further inspection of the
2 vehicle which may include, but shall not be limited to, examination of
3 other identifying numbers placed on the vehicle by the manufacturer and
4 an inquiry into the numbering system used by the state issuing such
5 ownership records to determine ownership of a vehicle. The identification
6 inspection shall also include a statement that the vehicle identification
7 number has been checked for entry in (i) the National Crime Information
8 Center and (ii) the Nebraska Crime Information Service or the National
9 Motor Vehicle Title Information System. In the case of an assembled
10 vehicle, a vehicle designated as reconstructed, or a vehicle designated
11 as replica, the identification inspection shall include, but not be
12 limited to, an examination of the records showing the date of receipt and
13 source of each major component part. No identification inspection shall
14 be conducted unless all major component parts are properly attached to
15 the vehicle in the correct location.

16 (b) Each county sheriff shall establish a process by which to enter
17 into an agreement with any motor vehicle dealer as defined in section
18 60-1401.26 with an established place of business as defined in section
19 60-1401.15 in the county in which the sheriff has jurisdiction in order
20 to collect information for the identification inspection on motor
21 vehicles which are in the inventory of the motor vehicle dealer at the
22 dealer's established place of business in such county. The agreement
23 entered into shall require that the motor vehicle dealer provide the
24 required fee, a copy of the documents evidencing transfer of ownership,
25 and the make, model, vehicle identification number, and odometer reading
26 in a form and manner prescribed by the county sheriff, which shall
27 include a requirement to provide one or more photographs or digital
28 images of the vehicle, the vehicle identification number, and the
29 odometer reading. The county sheriff shall complete the identification
30 inspection as required under subdivision (a) of this subsection using
31 such information and return to the motor vehicle dealer the statement

1 that an identification inspection has been conducted for each motor
2 vehicle as provided in subsection (3) of this section. If the information
3 is incomplete or if there is reason to believe that further inspection is
4 necessary, the county sheriff shall inform the motor vehicle dealer. If
5 the motor vehicle dealer knowingly provides inaccurate or false
6 information, the motor vehicle dealer shall be liable for any damages
7 that result from the provision of such information. The motor vehicle
8 dealer shall keep the records for five years after the date the
9 identification inspection is complete.

10 (5) If there is cause to believe that odometer fraud exists, written
11 notification shall be given to the office of the Attorney General. If
12 after such inspection the sheriff or his or her designee determines that
13 the vehicle is not the vehicle described by the ownership records, no
14 statement shall be issued.

15 (6) The county treasurer or the department may also request an
16 identification inspection of a vehicle to determine if it meets the
17 definition of motor vehicle as defined in section 60-123.

18 Sec. 10. Section 60-149, Revised Statutes Cumulative Supplement,
19 2022, is amended to read:

20 60-149 (1)(a) If a certificate of title has previously been issued
21 for a vehicle in this state, the application for a new certificate of
22 title shall be accompanied by the certificate of title duly assigned
23 except as otherwise provided in the Motor Vehicle Certificate of Title
24 Act.

25 (b) Except for manufactured homes or mobile homes as provided in
26 subsection (2) of this section, if a certificate of title has not
27 previously been issued for the vehicle in this state or if a certificate
28 of title is unavailable, the application shall be accompanied by:

29 (i) A manufacturer's or importer's certificate except as otherwise
30 provided in subdivision (viii) of this subdivision;

31 (ii) A duly certified copy of the manufacturer's or importer's

1 certificate;

2 (iii) An affidavit by the owner affirming ownership in the case of
3 an all-terrain vehicle, a utility-type vehicle, or a minibike;

4 (iv) A certificate of title from another state;

5 (v) A court order issued by a court of record, a manufacturer's
6 certificate of origin, or an assigned registration certificate, if the
7 law of the state from which the vehicle was brought into this state does
8 not have a certificate of title law;

9 (vi) Evidence of ownership as provided for in section 30-24,125,
10 sections 52-601.01 to 52-605, sections 60-1901 to 60-1911, or sections
11 60-2401 to 60-2411;

12 (vii) Documentation prescribed in section 60-142.01, 60-142.02,
13 60-142.04, 60-142.05, 60-142.09, or 60-142.11 or documentation of
14 compliance with section 76-1607;

15 (viii) A manufacturer's or importer's certificate and an affidavit
16 by the owner affirming ownership in the case of a minitruck;~~or~~

17 (ix) In the case of a motor vehicle, a trailer, an all-terrain
18 vehicle, a utility-type vehicle, or a minibike, an affidavit by the
19 holder of a motor vehicle auction dealer's license as described in
20 subdivision (11) of section 60-1406 affirming that the certificate of
21 title is unavailable and that the vehicle (A) is a salvage vehicle
22 through payment of a total loss settlement, (B) is a salvage vehicle
23 purchased by the auction dealer, or (C) has been donated to an
24 organization operating under section 501(c)(3) of the Internal Revenue
25 Code as defined in section 49-801.01; or -

26 (x) A United States Government Certificate to Obtain Title to a
27 Vehicle.

28 (c) If the application for a certificate of title in this state is
29 accompanied by a valid certificate of title issued by another state which
30 meets that state's requirements for transfer of ownership, then the
31 application may be accepted by this state.

1 (d) If a certificate of title has not previously been issued for the
2 vehicle in this state and the applicant is unable to provide such
3 documentation, the applicant may apply for a bonded certificate of title
4 as prescribed in section 60-167.

5 (2)(a) If the application for a certificate of title for a
6 manufactured home or a mobile home is being made in accordance with
7 subdivision (4)(b) of section 60-137 or if the certificate of title for a
8 manufactured home or a mobile home is unavailable, the application shall
9 be accompanied by proof of ownership in the form of:

10 (i) A duly assigned manufacturer's or importer's certificate;

11 (ii) A certificate of title from another state;

12 (iii) A court order issued by a court of record;

13 (iv) Evidence of ownership as provided for in section 30-24,125,
14 sections 52-601.01 to 52-605, sections 60-1901 to 60-1911, or sections
15 60-2401 to 60-2411, or documentation of compliance with section 76-1607;
16 or

17 (v) Assessment records for the manufactured home or mobile home from
18 the county assessor and an affidavit by the owner affirming ownership.

19 (b) If the applicant cannot produce proof of ownership described in
20 subdivision (a) of this subsection, he or she may submit to the
21 department such evidence as he or she may have, and the department may
22 thereupon, if it finds the evidence sufficient, issue the certificate of
23 title or authorize the county treasurer to issue a certificate of title,
24 as the case may be.

25 (3) For purposes of this section, certificate of title includes a
26 salvage certificate, a salvage branded certificate of title, or any other
27 document of ownership issued by another state or jurisdiction for a
28 salvage vehicle. Only a salvage branded certificate of title shall be
29 issued to any vehicle conveyed upon a salvage certificate, a salvage
30 branded certificate of title, or any other document of ownership issued
31 by another state or jurisdiction for a salvage vehicle. A previously

1 salvage branded certificate of title may be issued if, prior to
2 application, the applicant's vehicle has been repaired and inspected as
3 provided in section 60-146.

4 (4) The county treasurer shall retain the evidence of title
5 presented by the applicant and on which the certificate of title is
6 issued.

7 (5)(a) If an affidavit is submitted under subdivision (1)(b)(ix) of
8 this section, the holder of a motor vehicle auction dealer's license
9 shall certify that (i) it has made at least two written attempts and has
10 been unable to obtain the properly endorsed certificate of title to the
11 property noted in the affidavit from the owner and (ii) thirty days have
12 expired after the mailing of a written notice regarding the intended
13 disposition of the property noted in the affidavit by certified mail,
14 return receipt requested, to the last-known address of the owner and to
15 any lien or security interest holder of record of the property noted in
16 the affidavit.

17 (b) The notice under subdivision (5)(a)(ii) of this section shall
18 contain a description of the property noted in the affidavit and a
19 statement that title to the property noted in the affidavit shall vest in
20 the holder of the motor vehicle auction dealer's license thirty days
21 after the date such notice was mailed.

22 (c) The mailing of notice and the expiration of thirty days under
23 subdivision (5)(a)(ii) of this section shall extinguish any lien or
24 security interest of a lienholder or security interest holder in the
25 property noted in the affidavit, unless the lienholder or security
26 interest holder has claimed such property within such thirty-day period.
27 The holder of a motor vehicle auction dealer's license shall transfer
28 possession of the property noted in the affidavit to the lienholder or
29 security interest holder claiming such property.

30 Sec. 11. Section 60-164.01, Reissue Revised Statutes of Nebraska, is
31 amended to read:

1 60-164.01 If a certificate of title is an electronic certificate of
2 title record, upon application by an owner or a lienholder and payment of
3 the fee prescribed in section 60-154, the following changes may be made
4 to a certificate of title electronically and without printing a
5 certificate of title:

6 (1) Changing the name of an owner to reflect a legal change of name;

7 (2) Removing the name of an owner with the consent of all owners and
8 lienholders;

9 (3) Adding an additional owner with the consent of all owners and
10 lienholders; ~~or~~

11 (4) ~~Adding Beginning on an implementation date designated by the~~
12 ~~director on or before January 1, 2022, adding, changing, or removing a~~
13 ~~transfer-on-death beneficiary designation; or -~~

14 (5) Allowing an owner that has elected to retain a salvage vehicle
15 pursuant to subsection (2) of section 60-173 to obtain a salvage branded
16 certificate of title.

17 Sec. 12. Section 60-169, Revised Statutes Supplement, 2023, is
18 amended to read:

19 60-169 (1)(a) Except as otherwise provided in subdivision (c) of
20 this subsection, each owner of a vehicle and each person mentioned as
21 owner in the last certificate of title, when the vehicle is dismantled,
22 destroyed, or changed in such a manner that it loses its character as a
23 vehicle or changed in such a manner that it is not the vehicle described
24 in the certificate of title, shall surrender his or her certificate of
25 title to any county treasurer or to the department. If the certificate of
26 title is surrendered to a county treasurer, he or she shall, with the
27 consent of any holders of any liens noted thereon, enter a cancellation
28 upon the records and shall notify the department of such cancellation.
29 Beginning on the implementation date designated by the director pursuant
30 to subsection (3) of section 60-1508, a wrecker or salvage dealer shall
31 report electronically to the department using the electronic reporting

1 system. If the certificate is surrendered to the department, it shall,
2 with the consent of any holder of any lien noted thereon, enter a
3 cancellation upon its records.

4 (b) This subdivision applies to all licensed wrecker or salvage
5 dealers and, except as otherwise provided in this subdivision, to each
6 vehicle located on the premises of such dealer. For each vehicle required
7 to be reported under 28 C.F.R. 25.56, as such regulation existed on
8 January 1, 2024 ~~2023~~, the information obtained by the department under
9 this section may be reported to the National Motor Vehicle Title
10 Information System in a format that will satisfy the requirement for
11 reporting under 28 C.F.R. 25.56, as such regulation existed on January 1,
12 2024 ~~2023~~. Such report shall include:

13 (i) The name, address, and contact information for the reporting
14 entity;

15 (ii) The vehicle identification number;

16 (iii) The date the reporting entity obtained such motor vehicle;

17 (iv) The name of the person from whom such motor vehicle was
18 obtained, for use only by a law enforcement or other appropriate
19 government agency;

20 (v) A statement of whether the motor vehicle was or will be crushed,
21 disposed of, offered for sale, or used for another purpose; and

22 (vi) Whether the motor vehicle is intended for export outside of the
23 United States.

24 The department may set and collect a fee, not to exceed the cost of
25 reporting to the National Motor Vehicle Title Information System, from
26 wrecker or salvage dealers for electronic reporting to the National Motor
27 Vehicle Title Information System, which shall be remitted to the State
28 Treasurer for credit to the Department of Motor Vehicles Cash Fund. This
29 subdivision does not apply to any vehicle reported by a wrecker or
30 salvage dealer to the National Motor Vehicle Title Information System as
31 required under 28 C.F.R. 25.56, as such regulation existed on January 1,

1 ~~2024~~ 2023.

2 (c)(i) In the case of a mobile home or manufactured home for which a
3 certificate of title has been issued, if such mobile home or manufactured
4 home is affixed to real property in which each owner of the mobile home
5 or manufactured home has any ownership interest, the certificate of title
6 may be surrendered for cancellation to the county treasurer of the county
7 where such mobile home or manufactured home is affixed to real property
8 if at the time of surrender the owner submits to the county treasurer an
9 affidavit of affixture on a form provided by the department that contains
10 all of the following, as applicable:

11 (A) The names and addresses of all of the owners of record of the
12 mobile home or manufactured home;

13 (B) A description of the mobile home or manufactured home that
14 includes the name of the manufacturer, the year of manufacture, the
15 model, and the manufacturer's serial number;

16 (C) The legal description of the real property upon which the mobile
17 home or manufactured home is affixed and the names of all of the owners
18 of record of the real property;

19 (D) A statement that the mobile home or manufactured home is affixed
20 to the real property;

21 (E) The written consent of each holder of a lien duly noted on the
22 certificate of title to the release of such lien and the cancellation of
23 the certificate of title;

24 (F) A copy of the certificate of title surrendered for cancellation;
25 and

26 (G) The name and address of an owner, a financial institution, or
27 another entity to which notice of cancellation of the certificate of
28 title may be delivered.

29 (ii) The person submitting an affidavit of affixture pursuant to
30 subdivision (c)(i) of this subsection shall swear or affirm that all
31 statements in the affidavit are true and material and further acknowledge

1 that any false statement in the affidavit may subject the person to
2 penalties relating to perjury under section 28-915.

3 (2) If a certificate of title of a mobile home or manufactured home
4 is surrendered to the county treasurer, along with the affidavit required
5 by subdivision (1)(c) of this section, he or she shall enter a
6 cancellation upon his or her records, notify the department of such
7 cancellation, forward a duplicate original of the affidavit to the
8 department, and deliver a duplicate original of the executed affidavit
9 under subdivision (1)(c) of this section to the register of deeds for the
10 county in which the real property is located to be filed by the register
11 of deeds. The county treasurer shall be entitled to collect fees from the
12 person submitting the affidavit in accordance with section 33-109 to
13 cover the costs of filing such affidavit. Following the cancellation of a
14 certificate of title for a mobile home or manufactured home, the county
15 treasurer or designated county official shall not issue a certificate of
16 title for such mobile home or manufactured home, except as provided in
17 subsection (5) of this section.

18 (3) If a mobile home or manufactured home is affixed to real estate
19 before June 1, 2006, a person who is the holder of a lien or security
20 interest in both the mobile home or manufactured home and the real estate
21 to which it is affixed on such date may enforce its liens or security
22 interests by accepting a deed in lieu of foreclosure or in the manner
23 provided by law for enforcing liens on the real estate.

24 (4) A mobile home or manufactured home for which the certificate of
25 title has been canceled and for which an affidavit of affixture has been
26 duly recorded pursuant to subsection (2) of this section shall be treated
27 as part of the real estate upon which such mobile home or manufactured
28 home is located. Any lien thereon shall be perfected and enforced in the
29 same manner as a lien on real estate. The owner of such mobile home or
30 manufactured home may convey ownership of the mobile home or manufactured
31 home only as a part of the real estate to which it is affixed.

1 (5)(a) If each owner of both the mobile home or manufactured home
2 and the real estate described in subdivision (1)(c) of this section
3 intends to detach the mobile home or manufactured home from the real
4 estate, the owner shall do both of the following: (i) Before detaching
5 the mobile home or manufactured home, record an affidavit of detachment
6 in the office of the register of deeds in the county in which the
7 affidavit is recorded under subdivision (1)(c) of this section; and (ii)
8 apply for a certificate of title for the mobile home or manufactured home
9 pursuant to section 60-147.

10 (b) The affidavit of detachment shall contain all of the following:

11 (i) The names and addresses of all of the owners of record of the
12 mobile home or manufactured home;

13 (ii) A description of the mobile home or manufactured home that
14 includes the name of the manufacturer, the year of manufacture, the
15 model, and the manufacturer's serial number;

16 (iii) The legal description of the real estate from which the mobile
17 home or manufactured home is to be detached and the names of all of the
18 owners of record of the real estate;

19 (iv) A statement that the mobile home or manufactured home is to be
20 detached from the real property;

21 (v) A statement that the certificate of title of the mobile home or
22 manufactured home has previously been canceled;

23 (vi) The name of each holder of a lien of record against the real
24 estate from which the mobile home or manufactured home is to be detached,
25 with the written consent of each holder to the detachment; and

26 (vii) The name and address of an owner, a financial institution, or
27 another entity to which the certificate of title may be delivered.

28 (6) An owner of an affixed mobile home or manufactured home for
29 which the certificate of title has previously been canceled pursuant to
30 subsection (2) of this section shall not detach the mobile home or
31 manufactured home from the real estate before a certificate of title for

1 the mobile home or manufactured home is issued by the county treasurer or
2 department. If a certificate of title is issued by the county treasurer
3 or department, the mobile home or manufactured home is no longer
4 considered part of the real property. Any lien thereon shall be perfected
5 pursuant to section 60-164. The owner of such mobile home or manufactured
6 home may convey ownership of the mobile home or manufactured home only by
7 way of a certificate of title.

8 (7) For purposes of this section:

9 (a) A mobile home or manufactured home is affixed to real estate if
10 the wheels, towing hitches, and running gear are removed and it is
11 permanently attached to a foundation or other support system; and

12 (b) Ownership interest means the fee simple interest in real estate
13 or an interest as the lessee under a lease of the real property that has
14 a term that continues for at least twenty years after the recording of
15 the affidavit under subsection (2) of this section.

16 (8) Upon cancellation of a certificate of title in the manner
17 prescribed by this section, the county treasurer and the department may
18 cancel and destroy all certificates and all memorandum certificates in
19 that chain of title.

20 Sec. 13. Section 60-172, Reissue Revised Statutes of Nebraska, is
21 amended to read:

22 60-172 A certificate of title issued on or after January 1, 2003,
23 shall disclose in writing, from any records readily accessible to the
24 department or county officials or a law enforcement officer, anything
25 which indicates that the vehicle was previously issued a title in another
26 jurisdiction that bore any word or symbol signifying that the vehicle was
27 branded ~~damaged~~, including, but not limited to, older model salvage,
28 unbuildable, parts only, scrap, junk, nonrepairable, reconstructed,
29 rebuilt, flood damaged, damaged, buyback, or any other indication,
30 symbol, or word of like kind, and the name of the jurisdiction issuing
31 the previous title.

1 Sec. 14. Section 60-302.01, Revised Statutes Supplement, 2023, is
2 amended to read:

3 60-302.01 Access aisle means a space adjacent to a handicapped
4 parking space or passenger loading zone which is constructed and designed
5 in compliance with the federal Americans with Disabilities Act of 1990
6 and the federal regulations adopted in response to the act, as the act
7 and the regulations existed on January 1, 2024 ~~2023~~.

8 Sec. 15. Section 60-336.01, Revised Statutes Supplement, 2023, is
9 amended to read:

10 60-336.01 Low-speed vehicle means a (1) four-wheeled motor vehicle
11 (a) whose speed attainable in one mile is more than twenty miles per hour
12 and not more than twenty-five miles per hour on a paved, level surface,
13 (b) whose gross vehicle weight rating is less than three thousand pounds,
14 and (c) that complies with 49 C.F.R. part 571, as such part existed on
15 January 1, 2024 ~~2023~~, or (2) three-wheeled motor vehicle (a) whose
16 maximum speed attainable is not more than twenty-five miles per hour on a
17 paved, level surface, (b) whose gross vehicle weight rating is less than
18 three thousand pounds, and (c) which is equipped with a windshield and an
19 occupant protection system. A motorcycle with a sidecar attached is not a
20 low-speed vehicle.

21 Sec. 16. Section 60-386, Revised Statutes Supplement, 2023, is
22 amended to read:

23 60-386 (1) Each new application shall contain, in addition to other
24 information as may be required by the department, the name and
25 residential and mailing address of the applicant and a description of the
26 motor vehicle or trailer, including the color, the manufacturer, the
27 identification number, the United States Department of Transportation
28 number if required by 49 C.F.R. 390.5 through 390.21, as such regulations
29 existed on January 1, 2024 ~~2023~~, and the weight of the motor vehicle or
30 trailer required by the Motor Vehicle Registration Act. For trailers
31 which are not required to have a certificate of title under section

1 60-137 and which have no identification number, the assignment of an
2 identification number shall be required and the identification number
3 shall be issued by the county treasurer or department. With the
4 application the applicant shall pay the proper registration fee and shall
5 state whether the motor vehicle is propelled by alternative fuel and, if
6 alternative fuel, the type of fuel. The application shall also contain a
7 notification that bulk fuel purchasers may be subject to federal excise
8 tax liability. The department shall include such notification in the
9 notices required by section 60-3,186.

10 (2) In addition to the information required under subsection (1) of
11 this section, the application for registration shall contain (a)(i) the
12 full legal name as defined in section 60-468.01 of each owner or (ii) the
13 name of each owner as such name appears on the owner's motor vehicle
14 operator's license or state identification card and (b)(i) the motor
15 vehicle operator's license number or state identification card number of
16 each owner, if applicable, and one or more of the identification elements
17 as listed in section 60-484 of each owner, if applicable, and (ii) if any
18 owner is a business entity, a nonprofit organization, an estate, a trust,
19 or a church-controlled organization, its tax identification number.

20 Sec. 17. Section 60-3,113.04, Revised Statutes Supplement, 2023, is
21 amended to read:

22 60-3,113.04 (1) A handicapped or disabled parking permit shall be of
23 a design, size, configuration, color, and construction and contain such
24 information as specified in the regulations adopted by the United States
25 Department of Transportation in 23 C.F.R. part 1235, UNIFORM SYSTEM FOR
26 PARKING FOR PERSONS WITH DISABILITIES, as such regulations existed on
27 January 1, 2024 ~~2023~~.

28 (2) No handicapped or disabled parking permit shall be issued to any
29 person or for any motor vehicle if any permit has been issued to such
30 person or for such motor vehicle and such permit has been suspended
31 pursuant to section 18-1741.02. At the expiration of such suspension, a

1 permit may be renewed in the manner provided for renewal in sections
2 60-3,113.02, 60-3,113.03, and 60-3,113.05.

3 (3) A duplicate handicapped or disabled parking permit may be
4 provided up to two times during any single permit period if a permit is
5 destroyed, lost, or stolen. Such duplicate permit shall be issued as
6 provided in section 60-3,113.02 or 60-3,113.03, whichever is applicable,
7 except that a new certification by a physician, a physician assistant, or
8 an advanced practice registered nurse need not be provided. A duplicate
9 permit shall be valid for the remainder of the period for which the
10 original permit was issued. If a person has been issued two duplicate
11 permits under this subsection and needs another permit, such person shall
12 reapply for a new permit under section 60-3,113.02 or 60-3,113.03,
13 whichever is applicable.

14 Sec. 18. Section 60-3,162, Reissue Revised Statutes of Nebraska, is
15 amended to read:

16 60-3,162 (1) The department shall, upon a sworn complaint in
17 writing of any person, investigate whether a certificate of registration:

18 (a) Has ~~has~~ been issued on a motor vehicle or trailer that exceeds
19 ~~exceeding~~ the length, height, or width provided by law;

20 (b) Was ~~or~~ issued contrary to any law of this state; or

21 (c) Was issued to a person who has had a certificate of registration
22 revoked pursuant to subdivision (1)(c) of section 60-3,183 under the
23 International Registration Plan Act.

24 (2) If the department validates the information in the complaint
25 after conducting such ~~determines from the investigation that such~~
26 ~~certificate of registration has been improperly issued,~~ it shall have the
27 power to revoke such certificate of registration.

28 Sec. 19. Section 60-3,193.01, Revised Statutes Supplement, 2023, is
29 amended to read:

30 60-3,193.01 For purposes of the Motor Vehicle Registration Act, the
31 International Registration Plan is adopted and incorporated by reference

1 as the plan existed on January 1, ~~2024~~ 2023.

2 Sec. 20. Section 60-3,198, Revised Statutes Cumulative Supplement,
3 2022, is amended to read:

4 60-3,198 (1)(a) Any owner engaged in operating a fleet of
5 apportionable vehicles in this state in interjurisdiction commerce may,
6 in lieu of registration of such apportionable vehicles under the general
7 provisions of the Motor Vehicle Registration Act, register and license
8 such fleet for operation in this state by filing a statement and the
9 application required by section 60-3,203 with the Division of Motor
10 Carrier Services of the department. The statement shall be in such form
11 and contain such information as the division requires, declaring the
12 total mileage operated by such vehicles in all jurisdictions and in this
13 state during the preceding year and describing and identifying each such
14 apportionable vehicle to be operated in this state during the ensuing
15 license period.

16 ~~(b)(i) Until July 1, 2021, upon receipt of such statement and~~
17 ~~application, the division shall determine the total fee payment, which~~
18 ~~shall be equal to the amount of fees due pursuant to section 60-3,203 and~~
19 ~~the amount obtained by applying the formula provided in section 60-3,204~~
20 ~~to a fee of thirty two dollars per ton based upon gross vehicle weight of~~
21 ~~the empty weights of a truck or truck-tractor and the empty weights of~~
22 ~~any trailer or combination thereof with which it is to be operated in~~
23 ~~combination at any one time plus the weight of the maximum load to be~~
24 ~~carried thereon at any one time, and shall notify the applicant of the~~
25 ~~amount of payment required to be made. Mileage operated in noncontracting~~
26 ~~reciprocity jurisdictions by apportionable vehicles based in Nebraska~~
27 ~~shall be applied to the portion of the formula for determining the~~
28 ~~Nebraska injurisdiction fleet distance.~~

29 ~~(b)(i) Before~~ (ii) Beginning July 1, 2021, and until July 1, 2024
30 2025, upon receipt of such statement and application, the division shall
31 determine the total fee payment, which shall be equal to the amount of

1 fees due pursuant to section 60-3,203 and the amount obtained by applying
2 the formula provided in section 60-3,204 to a fee of thirty-five dollars
3 per ton based upon gross vehicle weight of the empty weights of a truck
4 or truck-tractor and the empty weights of any trailer or combination
5 thereof with which it is to be operated in combination at any one time
6 plus the weight of the maximum load to be carried thereon at any one
7 time, and shall notify the applicant of the amount of payment required to
8 be made. Mileage operated in noncontracting reciprocity jurisdictions by
9 apportionable vehicles based in Nebraska shall be applied to the portion
10 of the formula for determining the Nebraska injurisdiction fleet
11 distance.

12 (ii) (~~iii~~) Beginning July 1, 2024 ~~2025~~, upon receipt of such
13 statement and application, the division shall determine the total fee
14 payment, which shall be equal to the amount of fees due pursuant to
15 section 60-3,203 and the amount obtained by applying the formula provided
16 in section 60-3,204 to a fee of thirty-three dollars and fifty cents per
17 ton based upon gross vehicle weight of the empty weights of a truck or
18 truck-tractor and the empty weights of any trailer or combination thereof
19 with which it is to be operated in combination at any one time plus the
20 weight of the maximum load to be carried thereon at any one time, and
21 shall notify the applicant of the amount of payment required to be made.
22 Mileage operated in noncontracting reciprocity jurisdictions by
23 apportionable vehicles based in Nebraska shall be applied to the portion
24 of the formula for determining the Nebraska injurisdiction fleet
25 distance.

26 (c) Temporary authority which permits the operation of a fleet or an
27 addition to a fleet in this state while the application is being
28 processed may be issued upon application to the division if necessary to
29 complete processing of the application.

30 (d) Upon completion of such processing and receipt of the
31 appropriate fees, the division shall issue to the applicant a sufficient

1 number of distinctive registration certificates which provide a list of
2 the jurisdictions in which the apportionable vehicle has been
3 apportioned, the weight for which registered, and such other evidence of
4 registration for display on the apportionable vehicle as the division
5 determines appropriate for each of the apportionable vehicles of his or
6 her fleet, identifying it as a part of an interjurisdiction fleet
7 proportionately registered. Such registration certificates may be
8 displayed as a legible paper copy or electronically as authorized by the
9 department. All fees received as provided in this section shall be
10 remitted to the State Treasurer for credit to the Motor Carrier Services
11 Division Distributive Fund.

12 (e) The apportionable vehicles so registered shall be exempt from
13 all further registration and license fees under the Motor Vehicle
14 Registration Act for movement or operation in the State of Nebraska
15 except as provided in section 60-3,203. The proportional registration and
16 licensing provision of this section shall apply to apportionable vehicles
17 added to such fleets and operated in this state during the license period
18 except with regard to permanent license plates issued under section
19 60-3,203.

20 (f) The right of applicants to proportional registration under this
21 section shall be subject to the terms and conditions of any reciprocity
22 agreement, contract, or consent made by the division.

23 (g) When a nonresident fleet owner has registered his or her
24 apportionable vehicles, his or her apportionable vehicles shall be
25 considered as fully registered for both interjurisdiction and
26 intrajurisdiction commerce when the jurisdiction of base registration for
27 such fleet accords the same consideration for fleets with a base
28 registration in Nebraska. Each apportionable vehicle of a fleet
29 registered by a resident of Nebraska shall be considered as fully
30 registered for both interjurisdiction and intrajurisdiction commerce.

31 (2) Mileage proportions for interjurisdiction fleets not operated in

1 this state during the preceding year shall be determined by the division
2 upon the application of the applicant on forms to be supplied by the
3 division which shall show the operations of the preceding year in other
4 jurisdictions and estimated operations in Nebraska or, if no operations
5 were conducted the previous year, a full statement of the proposed method
6 of operation.

7 (3) Any owner complying with and being granted proportional
8 registration shall preserve the records on which the application is made
9 for a period of three years following the current registration period.
10 Upon request of the division, the owner shall make such records available
11 to the division at its office for audit as to accuracy of computation and
12 payments or pay the costs of an audit at the home office of the owner by
13 a duly appointed representative of the division if the office where the
14 records are maintained is not within the State of Nebraska. The division
15 may enter into agreements with agencies of other jurisdictions
16 administering motor vehicle registration laws for joint audits of any
17 such owner. All payments received to cover the costs of an audit shall be
18 remitted by the division to the State Treasurer for credit to the Motor
19 Carrier Division Cash Fund. No deficiency shall be assessed and no claim
20 for credit shall be allowed for any license registration period for which
21 records on which the application was made are no longer required to be
22 maintained.

23 (4) If the division claims that a greater amount of fee is due under
24 this section than was paid, the division shall notify the owner of the
25 additional amount claimed to be due. The owner may accept such claim and
26 pay the amount due, or he or she may dispute the claim and submit to the
27 division any information which he or she may have in support of his or
28 her position. If the dispute cannot otherwise be resolved within the
29 division, the owner may petition for an appeal of the matter. The
30 director shall appoint a hearing officer who shall hear the dispute and
31 issue a written decision. Any appeal shall be in accordance with the

1 Administrative Procedure Act. Upon expiration of the time for perfecting
2 an appeal if no appeal is taken or upon final judicial determination if
3 an appeal is taken, the division shall deny the owner the right to
4 further registration for a fleet license until the amount finally
5 determined to be due, together with any costs assessed against the owner,
6 has been paid.

7 (5) Every applicant who licenses any apportionable vehicles under
8 this section and section 60-3,203 shall have his or her registration
9 certificates issued only after all fees under such sections are paid and,
10 if applicable, proof has been furnished of payment, in the form
11 prescribed by the director as directed by the United States Secretary of
12 the Treasury, of the federal heavy vehicle use tax imposed by 26 U.S.C.
13 4481 of the Internal Revenue Code as defined in section 49-801.01.

14 (6)(a) In the event of the transfer of ownership of any registered
15 apportionable vehicle, (b) in the case of loss of possession because of
16 fire, natural disaster, theft, or wrecking, junking, or dismantling of
17 any registered apportionable vehicle, (c) when a salvage branded
18 certificate of title is issued for any registered apportionable vehicle,
19 (d) whenever a type or class of registered apportioned vehicle is
20 subsequently declared by legislative act or court decision to be illegal
21 or ineligible to be operated or towed on the public roads and no longer
22 subject to registration fees and taxes, (e) upon trade-in or surrender of
23 a registered apportionable vehicle under a lease, or (f) in case of a
24 change in the situs of a registered apportionable vehicle to a location
25 outside of this state, its registration shall expire, except that if the
26 registered owner or lessee applies to the division after such transfer or
27 loss of possession and accompanies the application with a fee of one
28 dollar and fifty cents, he or she may have any remaining credit of
29 vehicle fees and taxes from the previously registered apportionable
30 vehicle applied toward payment of any vehicle fees and taxes due and
31 owing on another registered apportionable vehicle. If such registered

1 apportionable vehicle has a greater gross vehicle weight than that of the
2 previously registered apportionable vehicle, the registered owner or
3 lessee of the registered apportionable vehicle shall additionally pay
4 only the registration fee for the increased gross vehicle weight for the
5 remaining months of the registration period based on the factors
6 determined by the division in the original fleet application.

7 (7) Whenever a Nebraska-based fleet owner files an application with
8 the division to delete a registered apportionable vehicle from a fleet of
9 registered apportionable vehicles (a) because of a transfer of ownership
10 of the registered apportionable vehicle, (b) because of loss of
11 possession due to fire, natural disaster, theft, or wrecking, junking, or
12 dismantling of the registered apportionable vehicle, (c) because a
13 salvage branded certificate of title is issued for the registered
14 apportionable vehicle, (d) because a type or class of registered
15 apportioned vehicle is subsequently declared by legislative act or court
16 decision to be illegal or ineligible to be operated or towed on the
17 public roads and no longer subject to registration fees and taxes, (e)
18 because of a trade-in or surrender of the registered apportionable
19 vehicle under a lease, or (f) because of a change in the situs of the
20 registered apportionable vehicle to a location outside of this state, the
21 registered owner may, by returning the registration certificate or
22 certificates and such other evidence of registration used by the division
23 or, if such certificate or certificates or such other evidence of
24 registration is unavailable, then by making an affidavit to the division
25 of such transfer or loss, receive a refund of that portion of the unused
26 registration fee based upon the number of unexpired months remaining in
27 the registration period from the date of transfer or loss. No refund
28 shall be allowed for any fees paid under section 60-3,203. When such
29 apportionable vehicle is transferred or lost within the same month as
30 acquired, no refund shall be allowed for such month. Such refund may be
31 in the form of a credit against any registration fees that have been

1 incurred or are, at the time of the refund, being incurred by the
2 registered apportionable vehicle owner. The Nebraska-based fleet owner
3 shall make a claim for a refund under this subsection within the
4 registration period or shall be deemed to have forfeited his or her right
5 to the refund.

6 (8) In case of addition to the registered fleet during the
7 registration period, the owner engaged in operating the fleet shall pay
8 the proportionate registration fee from the date the vehicle was placed
9 into service or, if the vehicle was previously registered, the date the
10 prior registration expired or the date Nebraska became the base
11 jurisdiction for the fleet, whichever is first, for the remaining balance
12 of the registration period. The fee for any permanent license plate
13 issued for such addition pursuant to section 60-3,203 shall be the full
14 fee required by such section, regardless of the number of months
15 remaining in the license period.

16 (9) In lieu of registration under subsections (1) through (8) of
17 this section, the title holder of record may apply to the division for
18 special registration, to be known as an unladen-weight registration, for
19 any commercial motor vehicle or combination of vehicles which have been
20 registered to a Nebraska-based fleet owner within the current or previous
21 registration period. Such registration shall be valid only for a period
22 of thirty days and shall give no authority to operate the vehicle except
23 when empty. The fee for such registration shall be twenty dollars for
24 each vehicle, which fee shall be remitted to the State Treasurer for
25 credit to the Highway Trust Fund. The issuance of such permits shall be
26 governed by section 60-3,179.

27 (10) Any person may, in lieu of registration under subsections (1)
28 through (8) of this section or for other jurisdictions as approved by the
29 director, purchase a trip permit for any nonresident truck, truck-
30 tractor, bus, or truck or truck-tractor combination. A trip permit shall
31 be issued before any person required to obtain a trip permit enters this

1 state with such vehicle. The trip permit shall be issued by the director
2 through Internet sales from the department's website. The trip permit
3 shall be valid for a period of seventy-two hours. The fee for the trip
4 permit shall be twenty-five dollars for each truck, truck-tractor, bus,
5 or truck or truck-tractor combination. The fee collected by the director
6 shall be remitted to the State Treasurer for credit to the Highway Cash
7 Fund.

8 Sec. 21. Section 60-3,202, Reissue Revised Statutes of Nebraska, is
9 amended to read:

10 60-3,202 ~~(1)(a) Until July 1, 2021, registration fees credited to~~
11 ~~the Motor Carrier Services Division Distributive Fund pursuant to section~~
12 ~~60-3,198 and remaining in such fund at the close of each calendar month~~
13 ~~shall be remitted to the State Treasurer for credit as follows: (a) Three~~
14 ~~percent of thirty percent of such amount shall be credited to the~~
15 ~~Department of Revenue Property Assessment Division Cash Fund; (b) the~~
16 ~~remainder of such thirty percent shall be credited to the Highway Tax~~
17 ~~Fund; and (c) seventy percent of such amount shall be credited to the~~
18 ~~Highway Trust Fund.~~

19 (1)(a) Before ~~(b) Beginning July 1, 2021, and until July 1, 2024~~
20 ~~2025, registration fees credited to the Motor Carrier Services Division~~
21 ~~Distributive Fund pursuant to section 60-3,198 and remaining in such fund~~
22 ~~at the close of each calendar month shall be remitted to the State~~
23 ~~Treasurer for credit as follows: (i) Twenty-seven percent of such amount~~
24 ~~shall be credited to the Highway Tax Fund; (ii) sixty-four percent of~~
25 ~~such amount shall be credited to the Highway Trust Fund; and (iii) nine~~
26 ~~percent of such amount shall be credited to the Motor Carrier Services~~
27 ~~System Replacement and Maintenance Fund.~~

28 (b) (e) Beginning July 1, 2024 ~~2025, registration fees credited to~~
29 ~~the Motor Carrier Services Division Distributive Fund pursuant to section~~
30 ~~60-3,198 and remaining in such fund at the close of each calendar month~~
31 ~~shall be remitted to the State Treasurer for credit as follows: (i)~~

1 Twenty-eight percent of such amount shall be credited to the Highway Tax
2 Fund; (ii) sixty-seven percent of such amount shall be credited to the
3 Highway Trust Fund; and (iii) five percent of such amount shall be
4 credited to the Motor Carrier Services System Replacement and Maintenance
5 Fund.

6 (2) On or before the last day of each quarter of the calendar year,
7 the State Treasurer shall distribute all funds in the Highway Tax Fund to
8 the county treasurer of each county in the same proportion as the number
9 of original motor vehicle registrations in each county bears to the total
10 of all original registrations within the state in the registration year
11 immediately preceding.

12 (3) Upon receipt of motor vehicle tax funds from the State Treasurer
13 pursuant to subsection (2) of this section, the county treasurer shall
14 distribute such funds to taxing agencies within the county in the same
15 proportion that the levy of each such taxing agency bears to the total of
16 such levies of all taxing agencies in the county.

17 (4) In the event any taxing district has been annexed, merged,
18 dissolved, or in any way absorbed into another taxing district, any
19 apportionment of motor vehicle tax funds under subsection (3) of this
20 section to which such taxing district would have been entitled shall be
21 apportioned to the successor taxing district which has assumed the
22 functions of the annexed, merged, dissolved, or absorbed taxing district.

23 (5) On or before March 1 of each year, the department shall furnish
24 to the State Treasurer a tabulation showing the total number of original
25 motor vehicle registrations in each county for the immediately preceding
26 calendar year, which shall be the basis for computing the distribution of
27 motor vehicle tax funds as provided in subsection (2) of this section.

28 (6) The Highway Tax Fund is created. Any money in the fund available
29 for investment shall be invested by the state investment officer pursuant
30 to the Nebraska Capital Expansion Act and the Nebraska State Funds
31 Investment Act.

1 Sec. 22. Section 60-3,205, Reissue Revised Statutes of Nebraska, is
2 amended to read:

3 60-3,205 (1)(a) The director may suspend, revoke, cancel, or refuse
4 to issue or renew a registration certificate under the International
5 Registration Plan Act:

6 (i) If the applicant or certificate holder has had his or her
7 license issued under the International Fuel Tax Agreement Act revoked or
8 the director refused to issue or refused to renew such license;~~or~~

9 (ii) If the applicant or certificate holder is in violation of
10 sections 75-392 to 75-3,100; or -

11 (iii) If the applicant or certificate holder committed any violation
12 of the International Registration Plan Act or any rule or regulation
13 adopted and promulgated under the act.

14 (b) Prior to taking action under this section, the director shall
15 notify and advise the applicant or certificate holder of the proposed
16 action and the reasons for such action in writing, by regular United
17 States mail, to his or her last-known business address as shown on the
18 application for the certificate or renewal. The notice shall also include
19 an advisement of the procedures in subdivision (c) of this subsection.

20 (c) The applicant or certificate holder may, within thirty days
21 after the date of the mailing of the notice, petition the director for a
22 hearing to contest the proposed action. The hearing shall be commenced in
23 accordance with the rules and regulations adopted and promulgated by the
24 department. If a petition is filed, the director shall, within twenty
25 days after receipt of the petition, set a hearing date at which the
26 applicant or certificate holder may show cause why the proposed action
27 should not be taken. The director shall give the applicant or certificate
28 holder reasonable notice of the time and place of the hearing. If the
29 director's decision is adverse to the applicant or certificate holder,
30 the applicant or certificate holder may appeal the decision in accordance
31 with the Administrative Procedure Act.

1 (d) Except as provided in subsections (2) and (3) of this section,
2 the filing of the petition shall stay any action by the director until a
3 hearing is held and a final decision and order is issued.

4 (e) Except as provided in subsections (2) and (3) of this section,
5 if no petition is filed at the expiration of thirty days after the date
6 on which the notification was mailed, the director may take the proposed
7 action described in the notice.

8 (f) If, in the judgment of the director, the applicant or
9 certificate holder has complied with or is no longer in violation of the
10 provisions for which the director took action under this subsection, the
11 director may reinstate the registration certificate without delay.

12 (2)(a) The director may suspend, revoke, cancel, or refuse to issue
13 or renew a registration certificate under the International Registration
14 Plan Act or a license under the International Fuel Tax Agreement Act if
15 the applicant, licensee, or certificate holder has issued to the
16 department a check or draft which has been returned because of
17 insufficient funds, no funds, or a stop-payment order. The director may
18 take such action no sooner than seven days after the written notice
19 required in subdivision (1)(b) of this section has been provided. Any
20 petition to contest such action filed pursuant to subdivision (1)(c) of
21 this section shall not stay such action of the director.

22 (b) If the director takes an action pursuant to this subsection, the
23 director shall reinstate the registration certificate or license without
24 delay upon the payment of certified funds by the applicant, licensee, or
25 certificate holder for any fees due and reasonable administrative costs,
26 not to exceed twenty-five dollars, incurred in taking such action.

27 (c) The rules, regulations, and orders of the director and the
28 department that pertain to hearings commenced in accordance with this
29 section and that are in effect prior to March 17, 2006, shall remain in
30 effect, unless changed or eliminated by the director or the department,
31 except for those portions involving a stay upon the filing of a petition

1 to contest any action taken pursuant to this subsection, in which case
2 this subsection shall supersede those provisions.

3 (3) Any person who receives notice from the director of action taken
4 pursuant to subsection (1) or (2) of this section shall, within three
5 business days, return such registration certificate and license plates to
6 the department as provided in this section. If any person fails to return
7 the registration certificate and license plates to the department, the
8 department shall notify the Nebraska State Patrol that any such person is
9 in violation of this section.

10 Sec. 23. Section 60-462, Revised Statutes Supplement, 2023, is
11 amended to read:

12 60-462 Sections 60-462 to 60-4,189 and section 40 of this act shall
13 be known and may be cited as the Motor Vehicle Operator's License Act.

14 Sec. 24. Section 60-462.01, Revised Statutes Supplement, 2023, is
15 amended to read:

16 60-462.01 For purposes of the Motor Vehicle Operator's License Act,
17 the following federal regulations are adopted as Nebraska law as they
18 existed on January 1, 2024 ~~2023~~:

19 The parts, subparts, and sections of Title 49 of the Code of Federal
20 Regulations, as referenced in the Motor Vehicle Operator's License Act.

21 Sec. 25. Section 60-479.01, Revised Statutes Supplement, 2023, is
22 amended to read:

23 60-479.01 (1) All persons handling source documents or engaged in
24 the issuance of new, renewed, or reissued operators' licenses or state
25 identification cards shall have periodic fraudulent document recognition
26 training.

27 (2) All persons and agents of the department involved in the
28 recording of verified application information or verified operator's
29 license and state identification card information, involved in the
30 manufacture or production of licenses or cards, or who have the ability
31 to affect information on such licenses or cards shall be subject to a

1 criminal history record information check, including a check of prior
2 employment references, and a lawful status check as required by 6 C.F.R.
3 part 37, as such part existed on January 1, ~~2024~~ 2023. Such persons and
4 agents shall provide fingerprints which shall be submitted to the Federal
5 Bureau of Investigation. The bureau shall use its records for the
6 criminal history record information check.

7 (3) Upon receipt of a request pursuant to subsection (2) of this
8 section, the Nebraska State Patrol shall undertake a search for criminal
9 history record information relating to such applicant, including
10 transmittal of the applicant's fingerprints to the Federal Bureau of
11 Investigation for a national criminal history record information check.
12 The criminal history record information check shall include information
13 concerning the applicant from federal repositories of such information
14 and repositories of such information in other states, if authorized by
15 federal law. The Nebraska State Patrol shall issue a report to the
16 employing public agency that shall include the criminal history record
17 information concerning the applicant. The cost of any background check
18 shall be borne by the employer of the person or agent.

19 (4) Any person convicted of any disqualifying offense as provided in
20 6 C.F.R. part 37, as such part existed on January 1, ~~2024~~ 2023, shall not
21 be involved in the recording of verified application information or
22 verified operator's license and state identification card information,
23 involved in the manufacture or production of licenses or cards, or
24 involved in any capacity in which such person would have the ability to
25 affect information on such licenses or cards. Any employee or prospective
26 employee of the department shall be provided notice that he or she will
27 undergo such criminal history record information check prior to
28 employment or prior to any involvement with the issuance of operators'
29 licenses or state identification cards.

30 Sec. 26. Section 60-480, Reissue Revised Statutes of Nebraska, is
31 amended to read:

1 60-480 (1) Operators' licenses issued by the department pursuant to
2 the Motor Vehicle Operator's License Act shall be classified as follows:

3 (a) Class O license. The operator's license which authorizes the
4 person to whom it is issued to operate on highways any motor vehicle
5 except a commercial motor vehicle or motorcycle;

6 (b) Class M license. The operator's license or endorsement on a
7 Class O license, provisional operator's permit, learner's permit, school
8 permit, or commercial driver's license which authorizes the person to
9 whom it is issued to operate a motorcycle on highways;

10 (c) CDL-commercial driver's license. The operator's license which
11 authorizes the person to whom it is issued to operate a class of
12 commercial motor vehicle or any motor vehicle, except a motorcycle, on
13 highways;

14 (d) CLP-commercial learner's permit. A permit which when carried
15 with a Class O license authorizes an individual to operate a class of
16 commercial motor vehicle when accompanied by a holder of a valid
17 commercial driver's license for purposes of behind-the-wheel training.
18 When issued to a commercial driver's license holder, a CLP-commercial
19 learner's permit serves as authorization for accompanied behind-the-wheel
20 training in a commercial motor vehicle for which the holder's current
21 commercial driver's license is not valid;

22 (e) RCDL-restricted commercial driver's license. The class of
23 commercial driver's license which, ~~when held with an annual seasonal~~
24 ~~permit,~~ authorizes a ~~seasonal~~ commercial motor vehicle operator described
25 ~~as defined~~ in section 60-4,146.01 to operate any Class B Heavy Straight
26 Vehicle or Class C Small Vehicle commercial motor vehicle for purposes of
27 a farm-related or ranch-related service industry as defined in such
28 section within one hundred fifty miles of the employer's place of
29 business or the farm or ranch currently being served as provided in such
30 section or any other motor vehicle, except a motorcycle, on highways;

31 (f) POP-provisional operator's permit. A motor vehicle operating

1 permit with restrictions issued pursuant to section 60-4,120.01 to a
2 person who is at least sixteen years of age but less than eighteen years
3 of age which authorizes the person to operate any motor vehicle except a
4 commercial motor vehicle or motorcycle;

5 (g) SCP-school permit. A permit issued to a student between fourteen
6 years and two months of age and sixteen years of age for the purpose of
7 driving in accordance with the requirements of section 60-4,124;

8 (h) FMP-farm permit. A permit issued to a person for purposes of
9 operating farm tractors and other motorized implements of farm husbandry
10 on highways in accordance with the requirements of section 60-4,126;

11 (i) LPD-learner's permit. A permit issued in accordance with the
12 requirements of section 60-4,123 to a person at least fifteen years of
13 age which authorizes the person to operate a motor vehicle, except a
14 commercial motor vehicle, for learning purposes when accompanied by a
15 licensed operator who is at least twenty-one years of age and who
16 possesses a valid operator's license issued by this state or another
17 state;

18 (j) LPE-learner's permit. A permit issued to a person at least
19 fourteen years of age which authorizes the person to operate a motor
20 vehicle, except a commercial motor vehicle, while learning to drive in
21 preparation for application for a school permit;

22 (k) EDP-employment driving permit. A permit issued to a person which
23 authorizes the person to operate a motor vehicle, except a commercial
24 motor vehicle, pursuant to the requirements of sections 60-4,129 and
25 60-4,130;

26 (l) IIP-ignition interlock permit. A permit issued to a person which
27 authorizes the person to operate a motor vehicle, except a commercial
28 motor vehicle, which is equipped with an ignition interlock device;

29 ~~(m) SEP-seasonal permit. A permit issued to a person who holds a~~
30 ~~restricted commercial driver's license authorizing the person to operate~~
31 ~~a commercial motor vehicle, as prescribed by section 60-4,146.01, for no~~

1 ~~more than one hundred eighty consecutive days in any twelve-month period.~~
2 ~~The seasonal permit shall be valid and run from the date of original~~
3 ~~issuance of the permit for one hundred eighty days and from the date of~~
4 ~~annual revalidation of the permit;~~

5 (m) ~~(n)~~ MHP-medical hardship driving permit. A permit issued to a
6 person which authorizes the person to operate a motor vehicle, except a
7 commercial motor vehicle, pursuant to the requirements of sections
8 60-4,130.01 and 60-4,130.02; and

9 (n) ~~(o)~~ SPP-24/7 sobriety program permit. A permit issued to a
10 person which authorizes the person to operate a motor vehicle, except a
11 commercial motor vehicle, pursuant to the 24/7 Sobriety Program Act.

12 (2) For purposes of this section, motorcycle does not include an
13 autocycle.

14 Sec. 27. Section 60-490, Revised Statutes Cumulative Supplement,
15 2022, is amended to read:

16 60-490 (1) Operators' licenses issued to persons required to use
17 bioptic or telescopic lenses as provided in section 60-4,118 shall expire
18 on the licensee's birthday in the second year after issuance unless
19 specifically restricted to a shorter renewal period as determined under
20 section 60-4,118.

21 (2) Except for state identification cards issued to persons less
22 than twenty-one years of age, all state identification cards expire on
23 the cardholder's birthday in the fifth year after issuance. A state
24 identification card issued to a person who is less than twenty-one years
25 of age expires on his or her twenty-first birthday or on his or her
26 birthday in the fifth year after issuance, whichever comes first.

27 (3) Except as otherwise provided in subsection (1) of this section
28 and section 60-4,147.05 and except for operators' licenses issued to
29 persons less than twenty-one years of age, operators' licenses issued
30 pursuant to the Motor Vehicle Operator's License Act expire on the
31 licensee's birthday in the fifth year after issuance. An operator's

1 license issued to a person less than twenty-one years of age expires on
2 his or her twenty-first birthday. Except as otherwise provided in section
3 60-4,147.05, the Department of Motor Vehicles shall mail out a renewal
4 notice for each operator's license at least thirty days before the
5 expiration of the operator's license.

6 (4)(a) The expiration date shall be stated on each operator's
7 license or state identification card.

8 (b) Except as otherwise provided in section 60-4,147.05, licenses
9 and state identification cards issued to persons who are twenty-one years
10 of age or older which expire under this section may be renewed within a
11 ninety-day period before the expiration date. Any person who is twenty-
12 one years of age or older and who is the holder of a valid operator's
13 license or state identification card may renew his or her license or card
14 prior to the ninety-day period before the expiration date on such license
15 or card if such applicant furnishes proof that he or she will be absent
16 from the state during the ninety-day period prior to such expiration
17 date.

18 (c) A person who is twenty years of age may apply for an operator's
19 license or a state identification card within sixty days prior to his or
20 her twenty-first birthday. The operator's license or state identification
21 card may be issued within thirty ~~ten~~ days prior to such birthday.

22 (d) A person who is under twenty years of age and who holds a state
23 identification card may apply for renewal within a ninety-day period
24 prior to the expiration date.

25 Sec. 28. Section 60-497.01, Reissue Revised Statutes of Nebraska, is
26 amended to read:

27 60-497.01 (1) An abstract of the court record of every case in which
28 a person is convicted of violating any provision of the Motor Vehicle
29 Operator's License Act, the Motor Vehicle Safety Responsibility Act, the
30 Nebraska Rules of the Road, or section 28-524, as from time to time
31 amended by the Legislature, or any traffic regulations in city or village

1 ordinances shall be transmitted within thirty days of sentencing or other
2 disposition by the court to the director. Any abstract received by the
3 director more than thirty days after the date of sentencing or other
4 disposition shall be reported by the director to the State Court
5 Administrator.

6 (2) Any person violating section 28-306, 28-394, 28-1254, 60-696,
7 60-697, 60-6,196, 60-6,197, 60-6,213, or 60-6,214 who is placed on
8 probation shall be assessed the same points under section 60-4,182 as if
9 such person were not placed on probation unless a court has ordered that
10 such person shall ~~must~~ obtain an ignition interlock permit in order to
11 operate a motor vehicle with an ignition interlock device pursuant to
12 section 60-6,211.05 and sufficient evidence is presented to the
13 department that such a device is installed. For any other violation, the
14 director shall not assess such person with any points under section
15 60-4,182 for such violation when the person is placed on probation until
16 the director is advised by the court that such person previously placed
17 on probation has violated the terms of his or her probation and such
18 probation has been revoked. Upon receiving notice of revocation of
19 probation, the director shall assess to such person the points which such
20 person would have been assessed had the person not been placed on
21 probation. All such points shall be assessed as of the date of the
22 violation. When a person fails to successfully complete probation, the
23 court shall notify the director immediately.

24 Sec. 29. Section 60-4,111.01, Revised Statutes Supplement, 2023, is
25 amended to read:

26 60-4,111.01 (1) The Department of Motor Vehicles, the courts, or law
27 enforcement agencies may store or compile information acquired from an
28 operator's license or a state identification card for their statutorily
29 authorized purposes.

30 (2) Except as otherwise provided in subsection (3) or (4) of this
31 section, no person having use of or access to machine-readable

1 information encoded on an operator's license or a state identification
2 card shall compile, store, preserve, trade, sell, or share such
3 information. Any person who trades, sells, or shares such information
4 shall be guilty of a Class IV felony. Any person who compiles, stores, or
5 preserves such information except as authorized in subsection (3) or (4)
6 of this section shall be guilty of a Class IV felony.

7 (3)(a) For purposes of compliance with and enforcement of
8 restrictions on the purchase of alcohol, lottery tickets, and tobacco
9 products, a retailer who sells any of such items pursuant to a license
10 issued or a contract under the applicable statutory provision may scan
11 machine-readable information encoded on an operator's license or a state
12 identification card presented for the purpose of such a sale. The
13 retailer may store only the following information obtained from the
14 license or card: Age and license or card identification number. The
15 retailer shall post a sign at the point of sale of any of such items
16 stating that the license or card will be scanned and that the age and
17 identification number will be stored. The stored information may only be
18 used by a law enforcement agency for purposes of enforcement of the
19 restrictions on the purchase of alcohol, lottery tickets, and tobacco
20 products and may not be shared with any other person or entity.

21 (b) For purposes of compliance with the provisions of sections
22 28-458 to 28-462, a seller who sells methamphetamine precursors pursuant
23 to such sections may scan machine-readable information encoded on an
24 operator's license or a state identification card presented for the
25 purpose of such a sale. The seller may store only the following
26 information obtained from the license or card: Name, age, address, type
27 of identification presented by the customer, the governmental entity that
28 issued the identification, and the number on the identification. The
29 seller shall post a sign at the point of sale stating that the license or
30 card will be scanned and stating what information will be stored. The
31 stored information may only be used by law enforcement agencies,

1 regulatory agencies, and the exchange for purposes of enforcement of the
2 restrictions on the sale or purchase of methamphetamine precursors
3 pursuant to sections 28-458 to 28-462 and may not be shared with any
4 other person or entity. For purposes of this subsection, the terms
5 exchange, methamphetamine precursor, and seller have the same meanings as
6 in section 28-458.

7 (c) The retailer or seller shall utilize software that stores only
8 the information allowed by this subsection. A programmer for computer
9 software designed to store such information shall certify to the retailer
10 that the software stores only the information allowed by this subsection.
11 Intentional or grossly negligent programming by the programmer which
12 allows for the storage of more than the age and identification number or
13 wrongfully certifying the software shall be a Class IV felony.

14 (d) A retailer or seller who knowingly stores more information than
15 authorized under this subsection from the operator's license or state
16 identification card shall be guilty of a Class IV felony.

17 (e) Information scanned, compiled, stored, or preserved pursuant to
18 subdivision (a) of this subsection may not be retained longer than
19 eighteen months unless required by state or federal law.

20 (4) In order to approve a negotiable instrument, an electronic funds
21 transfer, or a similar method of payment, a person having use of or
22 access to machine-readable information encoded on an operator's license
23 or a state identification card may:

24 (a) Scan, compile, store, or preserve such information in order to
25 provide the information to a check services company subject to and in
26 compliance with the federal Fair Credit Reporting Act, 15 U.S.C. 1681 et
27 seq., as such act existed on January 1, 2024 ~~2023~~, for the purpose of
28 effecting, administering, or enforcing a transaction requested by the
29 holder of the license or card or preventing fraud or other criminal
30 activity; or

31 (b) Scan and store such information only as necessary to protect

1 against or prevent actual or potential fraud, unauthorized transactions,
2 claims, or other liability or to resolve a dispute or inquiry by the
3 holder of the license or card.

4 (5) Except as provided in subdivision (4)(a) of this section,
5 information scanned, compiled, stored, or preserved pursuant to this
6 section may not be traded or sold to or shared with a third party; used
7 for any marketing or sales purpose by any person, including the retailer
8 who obtained the information; or, unless pursuant to a court order,
9 reported to or shared with any third party. A person who violates this
10 subsection shall be guilty of a Class IV felony.

11 Sec. 30. Section 60-4,115, Revised Statutes Supplement, 2023, is
12 amended to read:

13 60-4,115 (1) Fees for operators' licenses and state identification
14 cards shall be collected by department personnel or the county treasurer
15 and distributed according to the table in subsection (2) of this section,
16 except for the ignition interlock permit and associated fees as outlined
17 in subsection (4) of this section and the 24/7 sobriety program permit
18 and associated fees as outlined in subsection (5) of this section. County
19 officials shall remit the county portion of the fees collected to the
20 county treasurer for placement in the county general fund. All other fees
21 collected shall be remitted to the State Treasurer for credit to the
22 appropriate fund.

23 (2) Except as otherwise provided in subsection (7) of this section,
24 the fees provided in this subsection in the following dollar amounts
25 apply for operators' licenses and state identification cards.

			Department
		County	of Motor
	Document	General	Vehicles
		Fund	Cash Fund
30	State identification card:		
31	Valid for 1 year or less	5.00	2.75 2.25

1	Valid for more than 1 year			
2	but not more than 2 years	10.00	2.75	7.25
3	Valid for more than 2 years			
4	but not more than 3 years	14.00	2.75	11.25
5	Valid for more than 3 years			
6	but not more than 4 years	19.00	2.75	16.25
7	Valid for more than 4 years			
8	for a person under 21	24.00	2.75	21.25
9	Valid for 5 years	24.00	3.50	20.50
10	Replacement	11.00	2.75	8.25
11	Class 0 or M operator's license:			
12	Valid for 1 year or less	5.00	2.75	2.25
13	Valid for more than 1 year			
14	but not more than 2 years	10.00	2.75	7.25
15	Valid for more than 2 years			
16	but not more than 3 years	14.00	2.75	11.25
17	Valid for more than 3 years			
18	but not more than 4 years	19.00	2.75	16.25
19	Valid for 5 years	24.00	3.50	20.50
20	Bioptic or telescopic lens			
21	restriction:			
22	Valid for 1 year or less	5.00	0	5.00
23	Valid for more than 1 year			
24	but not more than 2 years	10.00	2.75	7.25
25	Replacement	11.00	2.75	8.25
26	Add, change, or remove class,			
27	endorsement, or restriction	5.00	0	5.00
28	Provisional operator's permit:			
29	Original	15.00	2.75	12.25
30	Bioptic or telescopic lens			

1	restriction:			
2	Valid for 1 year or less	5.00	0	5.00
3	Valid for more than 1 year			
4	but not more than 2 years	15.00	2.75	12.25
5	Replacement	11.00	2.75	8.25
6	Add, change, or remove class,			
7	endorsement, or restriction	5.00	0	5.00
8	LPD-learner's permit:			
9	Original	8.00	.25	7.75
10	Replacement	11.00	2.75	8.25
11	Add, change, or remove class,			
12	endorsement, or restriction	5.00	0	5.00
13	LPE-learner's permit:			
14	Original	8.00	.25	7.75
15	Replacement	11.00	2.75	8.25
16	Add, change, or remove class,			
17	endorsement, or restriction	5.00	0	5.00
18	School permit:			
19	Original	8.00	.25	7.75
20	Replacement	11.00	2.75	8.25
21	Add, change, or remove class,			
22	endorsement, or restriction	5.00	0	5.00
23	Farm permit:			
24	Original or renewal	5.00	.25	4.75
25	Replacement	5.00	.25	4.75
26	Add, change, or remove class,			
27	endorsement, or restriction	5.00	0	5.00
28	Driving permits:			
29	Employment	45.00	0	45.00
30	Medical hardship	45.00	0	45.00

1	Replacement	10.00	.25	9.75
2	Add, change, or remove class,			
3	endorsement, or restriction	5.00	0	5.00
4	Commercial driver's license:			
5	Valid for 1 year or less	11.00	1.75	9.25
6	Valid for more than 1 year			
7	but not more than 2 years	22.00	1.75	20.25
8	Valid for more than 2 years			
9	but not more than 3 years	33.00	1.75	31.25
10	Valid for more than 3 years			
11	but not more than 4 years	44.00	1.75	42.25
12	Valid for 5 years	55.00	1.75	53.25
13	Bioptic or telescopic lens			
14	restriction:			
15	Valid for one year or less	11.00	1.75	9.25
16	Valid for more than 1 year			
17	but not more than 2 years	22.00	1.75	20.25
18	Replacement	11.00	2.75	8.25
19	Add, change, or remove class,			
20	endorsement, or restriction	10.00	1.75	8.25
21	CLP-commercial learner's permit:			
22	<u>Original</u>	<u>10.00</u>	<u>.25</u>	<u>9.75</u>
23	Original or renewal	10.00	-.25	9.75
24	Replacement	10.00	.25	9.75
25	Add, change, or remove class,			
26	endorsement, or restriction	10.00	.25	9.75
27	Seasonal permit:			
28	Original or renewal	10.00	-.25	9.75
29	Replacement	10.00	-.25	9.75
30	Add, change, or remove class,			

1 ~~endorsement, or restriction~~ 10.00 .25 9.75

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

6 (4)(a) The fee for an ignition interlock permit shall be forty-five
7 dollars. Five dollars of the fee shall be remitted to the State Treasurer
8 for credit to the Department of Motor Vehicles Cash Fund. Forty dollars
9 of the fee shall be remitted to the State Treasurer for credit to the
10 Department of Motor Vehicles Ignition Interlock Fund.

11 (b) The fee for a replacement ignition interlock permit shall be
12 eleven dollars. Two dollars and seventy-five cents of the fee shall be
13 remitted to the county treasurer for credit to the county general fund.
14 Eight dollars and twenty-five cents of the fee shall be remitted to the
15 State Treasurer for credit to the Department of Motor Vehicles Cash Fund.

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

20 (5)(a) The fee for a 24/7 sobriety program permit shall be forty-
21 five dollars. Forty dollars of the fee shall be remitted to the State
22 Treasurer for credit to the Department of Motor Vehicles Cash Fund. Five
23 dollars of the fee shall be remitted to the county treasurer for credit
24 to the county general fund.

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

30 (c) The fee for adding, changing, or removing a class, endorsement,
31 or restriction on a 24/7 sobriety program permit shall be five dollars.

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

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

13 (7) No fee shall be charged for issuance of an original, renewal, or
14 duplicate state identification card to a resident of Nebraska who (a)
15 does not have a valid Nebraska driver's license, (b) is requesting
16 issuance of such card for voting purposes, and (c) is at least eighteen
17 years of age or is seventeen years of age and will attain the age of
18 eighteen years on or before the first Tuesday after the first Monday in
19 November of the then-current calendar year.

20 Sec. 31. Section 60-4,131, Reissue Revised Statutes of Nebraska, is
21 amended to read:

22 60-4,131 (1) Sections 60-462.01 and 60-4,132 to 60-4,172 and section
23 40 of this act shall apply to the operation of any commercial motor
24 vehicle.

25 (2) For purposes of such sections:

26 (a) Disqualification means:

27 (i) The suspension, revocation, cancellation, or any other
28 withdrawal by a state of a person's privilege to operate a commercial
29 motor vehicle;

30 (ii) A determination by the Federal Motor Carrier Safety
31 Administration, under the rules of practice for motor carrier safety

1 contained in 49 C.F.R. part 386, that a person is no longer qualified to
2 operate a commercial motor vehicle under 49 C.F.R. part 391; or

3 (iii) The loss of qualification which automatically follows
4 conviction of an offense listed in 49 C.F.R. 383.51;

5 (b) Downgrade means the state:

6 (i) Allows the driver of a commercial motor vehicle to change his or
7 her self-certification to interstate, but operating exclusively in
8 transportation or operation excepted from 49 C.F.R. part 391, as provided
9 in 49 C.F.R. 390.3(f), 391.2, 391.68, or 398.3;

10 (ii) Allows the driver of a commercial motor vehicle to change his
11 or her self-certification to intrastate only, if the driver qualifies
12 under a state's physical qualification requirements for intrastate only;

13 (iii) Allows the driver of a commercial motor vehicle to change his
14 or her certification to intrastate, but operating exclusively in
15 transportation or operations excepted from all or part of a state driver
16 qualification requirement; or

17 (iv) Removes the commercial driver's license privilege from the
18 operator's license;

19 (c) Employee means any operator of a commercial motor vehicle,
20 including full-time, regularly employed drivers; casual, intermittent, or
21 occasional drivers; and leased drivers and independent, owner-operator
22 contractors, while in the course of operating a commercial motor vehicle,
23 who are either directly employed by or under lease to an employer;

24 (d) Employer means any person, including the United States, a state,
25 the District of Columbia, or a political subdivision of a state, that
26 owns or leases a commercial motor vehicle or assigns employees to operate
27 a commercial motor vehicle;

28 (e) Endorsement means an authorization to an individual's CLP-
29 commercial learner's permit or commercial driver's license required to
30 permit the individual to operate certain types of commercial motor
31 vehicles;

1 (f) Foreign means outside the fifty United States and the District
2 of Columbia;

3 (g) Imminent hazard means the existence of a condition relating to
4 hazardous material that presents a substantial likelihood that death,
5 serious illness, severe personal injury, or a substantial endangerment to
6 health, property, or the environment may occur before the reasonably
7 foreseeable completion date of a formal proceeding begun to lessen the
8 risk of that death, illness, injury, or endangerment;

9 (h) Issue and issuance means initial issuance, transfer, renewal, or
10 upgrade of a ~~CLP-commercial learner's permit,~~ commercial driver's
11 license, ~~nondomiciled CLP-commercial learner's permit,~~ or nondomiciled
12 commercial driver's license, or issuance, transfer, or upgrade of a CLP-
13 commercial learner's permit or nondomiciled CLP-commercial learner's
14 permit, as described in 49 C.F.R. 383.73;

15 (i) Medical examiner means an individual certified by the Federal
16 Motor Carrier Safety Administration and listed on the National Registry
17 of Certified Medical Examiners in accordance with 49 C.F.R. part 390,
18 subpart D;

19 (j) Medical examiner's certificate means a form meeting the
20 requirements of 49 C.F.R. 391.43 issued by a medical examiner in
21 compliance with such regulation;

22 (k) Medical variance means the Federal Motor Carrier Safety
23 Administration has provided a driver with either an exemption letter
24 permitting operation of a commercial motor vehicle pursuant to 49 C.F.R.
25 381, subpart C, or 49 C.F.R. 391.64 or a Skill Performance Evaluation
26 Certificate permitting operation of a commercial motor vehicle pursuant
27 to 49 C.F.R. 391.49;

28 (l) Nondomiciled CLP-commercial learner's permit or nondomiciled
29 commercial driver's license means a CLP-commercial learner's permit or
30 commercial driver's license, respectively, issued by this state or other
31 jurisdiction under either of the following two conditions:

1 (i) To an individual domiciled in a foreign country meeting the
2 requirements of 49 C.F.R. 383.23(b)(1); or

3 (ii) To an individual domiciled in another state meeting the
4 requirements of 49 C.F.R. 383.23(b)(2);

5 (m) Representative vehicle means a motor vehicle which represents
6 the type of motor vehicle that a driver applicant operates or expects to
7 operate;

8 (n) State means a state of the United States and the District of
9 Columbia;

10 (o) State of domicile means that state where a person has his or her
11 true, fixed, and permanent home and principal residence and to which he
12 or she has the intention of returning whenever he or she is absent;

13 (p) Tank vehicle means any commercial motor vehicle that is designed
14 to transport any liquid or gaseous materials within a tank or tanks that
15 have an individual rated capacity of more than one hundred nineteen
16 gallons and an aggregate rated capacity of one thousand gallons or more
17 and that are either permanently or temporarily attached to the vehicle or
18 the chassis. A commercial motor vehicle transporting an empty storage
19 container tank, not designed for transportation, with a rated capacity of
20 one thousand gallons or more that is temporarily attached to a flatbed
21 trailer is not considered a tank vehicle;

22 (q) Third-party skills test examiner means a person employed by a
23 third-party tester who is authorized by this state to administer the
24 commercial driver's license skills tests specified in 49 C.F.R. part 383,
25 subparts G and H;

26 (r) Third-party tester means a person, including, but not limited
27 to, another state, a motor carrier, a private driver training facility or
28 other private institution, or a department, agency, or instrumentality of
29 a local government, authorized by this state to employ skills test
30 examiners to administer the commercial driver's license skills tests
31 specified in 49 C.F.R. part 383, subparts G and H;

1 (s) United States means the fifty states and the District of
2 Columbia; and

3 (t) Vehicle group means a class or type of vehicle with certain
4 operating characteristics.

5 Sec. 32. Section 60-4,131.01, Reissue Revised Statutes of Nebraska,
6 is amended to read:

7 60-4,131.01 Sections 60-462.01 and 60-4,132 to 60-4,172 and section
8 40 of this act shall not apply to individuals who operate commercial
9 motor vehicles for military purposes, including and limited to:

10 (1) Active duty military personnel;

11 (2) Members of the military reserves, other than military
12 technicians;

13 (3) Active duty United States Coast Guard personnel; and

14 (4) Members of the National Guard on active duty, including:

15 (a) Personnel on full-time National Guard duty;

16 (b) Personnel on part-time National Guard training; and

17 (c) National Guard military technicians required to wear military
18 uniforms.

19 Such individuals must have a valid military driver's license unless
20 such individual is operating the vehicle under written orders from a
21 commanding officer in an emergency declared by the federal government or
22 by the State of Nebraska.

23 Sec. 33. Section 60-4,132, Revised Statutes Supplement, 2023, is
24 amended to read:

25 60-4,132 The purposes of sections 60-462.01, 60-4,133, and 60-4,137
26 to 60-4,172 and section 40 of this act are to implement the requirements
27 mandated by the federal Commercial Motor Vehicle Safety Act of 1986, 49
28 U.S.C. 31100 et seq., the federal Motor Carrier Safety Improvement Act of
29 1999, Public Law 106-159, 49 U.S.C. 101 et seq., section 1012 of the
30 federal Uniting and Strengthening America by Providing Appropriate Tools
31 Required to Intercept and Obstruct Terrorism Act of 2001, USA PATRIOT

1 Act, 49 U.S.C. 5103a, and federal regulations as such acts and
2 regulations existed on January 1, ~~2024~~ 2023, and to reduce or prevent
3 commercial motor vehicle accidents, fatalities, and injuries by: (1)
4 Permitting drivers to hold only one operator's license; (2) disqualifying
5 drivers for specified offenses and serious traffic violations; and (3)
6 strengthening licensing and testing standards.

7 Sec. 34. Section 60-4,134, Revised Statutes Supplement, 2023, is
8 amended to read:

9 60-4,134 In conformance with section 7208 of the federal Fixing
10 America's Surface Transportation Act and 49 C.F.R. 383.3(i), as such
11 section and regulation existed on January 1, ~~2024~~ 2023, no hazardous
12 materials endorsement authorizing the holder of a Class A commercial
13 driver's license to operate a commercial motor vehicle transporting
14 diesel fuel shall be required if such driver is (1) operating within the
15 state and acting within the scope of his or her employment as an employee
16 of a custom harvester operation, an agrichemical business, a farm retail
17 outlet and supplier, or a livestock feeder and (2) operating a service
18 vehicle that is (a) transporting diesel in a quantity of one thousand
19 gallons or less and (b) clearly marked with a flammable or combustible
20 placard, as appropriate.

21 Sec. 35. Section 60-4,139, Reissue Revised Statutes of Nebraska, is
22 amended to read:

23 60-4,139 Any nonresident may operate a commercial motor vehicle upon
24 the highways of this state if:

25 (1) ~~Such~~ such nonresident has in his or her immediate possession a
26 valid commercial driver's license or a valid commercial learner's permit
27 issued by his or her state of residence or by a jurisdiction with
28 standards that are in accord with 49 C.F.R. parts 383 and 391; ~~τ~~

29 (2) ~~The~~ the license or permit is not suspended, revoked, or
30 canceled; ~~τ~~

31 (3) ~~Such~~ such nonresident is not disqualified from operating a

1 commercial motor vehicle; ~~and~~

2 (4) ~~The the~~ commercial motor vehicle is not operated in violation of
3 any downgrade; ~~and~~ -

4 (5) Such nonresident does not have a status of prohibited in the
5 federal Drug and Alcohol Clearinghouse.

6 Sec. 36. Section 60-4,142, Revised Statutes Supplement, 2023, is
7 amended to read:

8 60-4,142 Any resident or nondomiciled applicant may obtain a CLP-
9 commercial learner's permit from the department by making application to
10 licensing staff of the department. An applicant shall present proof to
11 licensing staff that he or she holds a valid Class 0 license or
12 commercial driver's license or a foreign nondomiciled applicant shall
13 successfully complete the requirements for the Class 0 license before a
14 CLP-commercial learner's permit is issued. An applicant shall also
15 successfully complete the commercial driver's license general knowledge
16 examination under section 60-4,155 and examinations for all previously
17 issued endorsements as provided in 49 C.F.R. 383.25(a)(3) and 49 C.F.R.
18 383.153(b)(2)(vii). Upon application, the examination may be waived if
19 the applicant presents (1) a Nebraska commercial driver's license which
20 is valid or has been expired for less than one year or (2) a valid
21 commercial driver's license from another state. The CLP-commercial
22 learner's permit shall be valid for one year from the date of issuance.
23 The successful applicant shall pay the fee prescribed in section 60-4,115
24 for the issuance ~~or renewal~~ of a CLP-commercial learner's permit.

25 Sec. 37. Section 60-4,143, Reissue Revised Statutes of Nebraska, is
26 amended to read:

27 60-4,143 (1) No commercial driver's license or CLP-commercial
28 learner's permit shall, under any circumstances, be issued to any person
29 who has not attained the age of eighteen years.

30 (2) A commercial driver's license or CLP-commercial learner's permit
31 shall not be issued to any person;

1 (a) During ~~during~~ the period the person is subject to a
2 disqualification in this or any other state; ~~or~~

3 (b) While ~~while~~ the person's operator's license is suspended,
4 revoked, or canceled in this or any other state; ~~or~~

5 (c) When ~~when~~ the Commercial Driver License Information System
6 indicates "not-certified"; ~~or~~

7 (d) When a federal Drug and Alcohol Clearinghouse query indicates
8 "prohibited".

9 (3) The department shall not issue any commercial driver's license
10 to any person unless the person applying for a commercial driver's
11 license first surrenders to the department all operators' licenses issued
12 to such person by this or any other state. Any operator's license issued
13 by another state which is surrendered to the department shall be
14 destroyed, and the director shall send notice to the other state that the
15 operator's license has been surrendered.

16 Sec. 38. Section 60-4,144, Revised Statutes Supplement, 2023, is
17 amended to read:

18 60-4,144 (1) An applicant for issuance of any original or renewal
19 commercial driver's license or an applicant for a change of class of
20 commercial motor vehicle, endorsement, or restriction shall demonstrate
21 his or her knowledge and skills for operating a commercial motor vehicle
22 as prescribed in the Motor Vehicle Operator's License Act. An applicant
23 for a commercial driver's license shall provide the information and
24 documentation required by this section and section 60-4,144.01. Such
25 information and documentation shall include any additional information
26 required by 49 C.F.R. parts 383 and 391 and also include:

27 (a) Certification that the commercial motor vehicle in which the
28 applicant takes any driving skills examination is representative of the
29 class of commercial motor vehicle that the applicant operates or expects
30 to operate; and

31 (b) The names of all states where the applicant has been licensed to

1 operate any type of motor vehicle in the ten years prior to the date of
2 application.

3 (2)(a) Before being issued a CLP-commercial learner's permit or
4 commercial driver's license, the applicant shall provide (i) his or her
5 full legal name, date of birth, mailing address, gender, race or
6 ethnicity, and social security number, (ii) two forms of proof of address
7 of his or her principal residence unless the applicant is a program
8 participant under the Address Confidentiality Act, except that a
9 nondomiciled applicant for a CLP-commercial learner's permit or
10 nondomiciled commercial driver's license holder does not have to provide
11 proof of residence in Nebraska, (iii) evidence of identity as required by
12 this section, and (iv) a brief physical description of himself or
13 herself.

14 (b) The applicant's social security number shall not be printed on
15 the CLP-commercial learner's permit or commercial driver's license and
16 shall be used only (i) to furnish information to the United States
17 Selective Service System under section 60-483, (ii) with the permission
18 of the director in connection with the certification of the status of an
19 individual's driving record in this state or any other state, (iii) for
20 purposes of child support enforcement pursuant to section 42-358.08 or
21 43-512.06, (iv) to furnish information regarding an applicant for or
22 holder of a commercial driver's license with a hazardous materials
23 endorsement to the Transportation Security Administration of the United
24 States Department of Homeland Security or its agent, (v) to furnish
25 information to the Department of Revenue under section 77-362.02, ~~or~~ (vi)
26 to furnish information to the Secretary of State for purposes of the
27 Election Act, or (vii) to query the federal Drug and Alcohol
28 Clearinghouse.

29 (c) No person shall be a holder of a CLP-commercial learner's permit
30 or commercial driver's license and a state identification card at the
31 same time.

1 (3) Before being issued a CLP-commercial learner's permit or
2 commercial driver's license, an applicant, except a nondomiciled
3 applicant, shall provide proof that this state is his or her state of
4 residence. Acceptable proof of residence is a document with the person's
5 name and residential address within this state.

6 (4)(a) Before being issued a CLP-commercial learner's permit or
7 commercial driver's license, an applicant shall provide proof of
8 identity.

9 (b) The following are acceptable as proof of identity:

10 (i) A valid, unexpired United States passport;

11 (ii) A certified copy of a birth certificate filed with a state
12 office of vital statistics or equivalent agency in the individual's state
13 of birth;

14 (iii) A Consular Report of Birth Abroad issued by the United States
15 Department of State;

16 (iv) A valid, unexpired permanent resident card issued by the United
17 States Department of Homeland Security or United States Citizenship and
18 Immigration Services;

19 (v) An unexpired employment authorization document issued by the
20 United States Department of Homeland Security;

21 (vi) An unexpired foreign passport with a valid, unexpired United
22 States visa affixed accompanied by the approved form documenting the
23 applicant's most recent admittance into the United States;

24 (vii) A Certificate of Naturalization issued by the United States
25 Department of Homeland Security;

26 (viii) A Certificate of Citizenship issued by the United States
27 Department of Homeland Security;

28 (ix) A driver's license or identification card issued in compliance
29 with the standards established by the federal REAL ID Act of 2005, Public
30 Law 109-13, division B, section 1, 119 Stat. 302; or

31 (x) Such other documents as the director may approve.

1 (c) If an applicant presents one of the documents listed under
2 subdivision (b)(i), (ii), (iii), (iv), (vii), or (viii) of this
3 subsection, the verification of the applicant's identity will also
4 provide satisfactory evidence of lawful status.

5 (d) If the applicant presents one of the identity documents listed
6 under subdivision (b)(v), (vi), or (ix) of this subsection, the
7 verification of the identity documents does not provide satisfactory
8 evidence of lawful status. The applicant shall ~~must~~ also present a second
9 document from subdivision (4)(b) of this section, a document from
10 subsection (5) of this section, or documentation issued by the United
11 States Department of Homeland Security or other federal agencies
12 demonstrating lawful status as determined by the United States
13 Citizenship and Immigration Services.

14 (e) An applicant may present other documents as designated by the
15 director as proof of identity. Any documents accepted shall be recorded
16 according to a written exceptions process established by the director.

17 (f)(i) ~~Any On a date determined by the director but not later than~~
18 ~~November 1, 2023, any~~ person assigned a parolee immigration status by the
19 United States Department of Homeland Security may apply for and be issued
20 a CLP-commercial learner's permit or commercial driver's license that is
21 not in compliance with the federal REAL ID Act of 2005, Public Law
22 109-13, if the person:

23 (A) Possessed an unexpired foreign passport issued to such person at
24 the time of such person's entry into the United States of America; and

25 (B) Fulfills the requirements of subdivision (2)(a) of this section
26 and such requirements are verified pursuant to section 60-484.06.

27 (ii) Any CLP-commercial learner's permit or commercial driver's
28 license issued under this subsection is otherwise subject to all laws
29 relating to CLP-commercial learner's permits or commercial driver's
30 licenses.

31 (5)(a) Whenever a person, as a nondomiciled individual to this

1 ~~state,~~ is renewing, replacing, upgrading, transferring, or applying as a
2 ~~nondomiciled individual to this state for a CLP-commercial learner's~~
3 ~~permit or commercial driver's license, or replacing, upgrading,~~
4 ~~transferring, or applying for a CLP-commercial learner's permit,~~ the
5 Department of Motor Vehicles shall verify the citizenship in the United
6 States of the person or the lawful status in the United States of the
7 person.

8 (b) The following are acceptable as proof of citizenship or lawful
9 status:

10 (i) A valid, unexpired United States passport;

11 (ii) A certified copy of a birth certificate filed with a state
12 office of vital statistics or equivalent agency in the individual's state
13 of birth, Puerto Rico, the Virgin Islands, Guam, American Samoa, or the
14 Commonwealth of the Northern Mariana Islands;

15 (iii) A Consular Report of Birth Abroad issued by the United States
16 Department of State;

17 (iv) A Certificate of Naturalization issued by the United States
18 Department of Homeland Security;

19 (v) A Certificate of Citizenship issued by the United States
20 Department of Homeland Security; or

21 (vi) A valid, unexpired Permanent Resident Card issued by the United
22 States Department of Homeland Security or United States Citizenship and
23 Immigration Services.

24 (6) An applicant may present other documents as designated by the
25 director as proof of lawful status. Any documents accepted shall be
26 recorded according to a written exceptions process established by the
27 director.

28 (7)(a) An applicant shall obtain a nondomiciled CLP-commercial
29 driver's license or nondomiciled CLP-commercial learner's permit:

30 (i) If the applicant is domiciled in a foreign jurisdiction and the
31 Federal Motor Carrier Safety Administrator has not determined that the

1 commercial motor vehicle operator testing and licensing standards of that
2 jurisdiction meet the standards contained in subparts G and H of 49
3 C.F.R. part 383; or

4 (ii) If the applicant is domiciled in a state that is prohibited
5 from issuing commercial learners' permits and commercial drivers'
6 licenses in accordance with 49 C.F.R. 384.405. Such person is eligible to
7 obtain a nondomiciled CLP-commercial learner's permit or nondomiciled
8 commercial driver's license from Nebraska that complies with the testing
9 and licensing standards contained in subparts F, G, and H of 49 C.F.R.
10 part 383.

11 (b) An applicant for a nondomiciled CLP-commercial learner's permit
12 and nondomiciled commercial driver's license shall ~~must~~ do the following:

13 (i) Complete the requirements to obtain a CLP-commercial learner's
14 permit or a commercial driver's license under the Motor Vehicle
15 Operator's License Act, except that an applicant domiciled in a foreign
16 jurisdiction shall ~~must~~ provide an unexpired employment authorization
17 document issued by the United States Citizenship and Immigration Services
18 or an unexpired foreign passport accompanied by an approved I-94 form
19 documenting the applicant's most recent admittance into the United
20 States. No proof of domicile is required;

21 (ii) After receipt of the nondomiciled CLP-commercial learner's
22 permit or nondomiciled commercial driver's license and, for as long as
23 the permit or license is valid, notify the Department of Motor Vehicles
24 of any adverse action taken by any jurisdiction or governmental agency,
25 foreign or domestic, against his or her driving privileges. Such adverse
26 actions include, but are not limited to, license disqualification or
27 disqualification from operating a commercial motor vehicle for the
28 convictions described in 49 C.F.R. 383.51. Notifications shall ~~must~~ be
29 made within the time periods specified in 49 C.F.R. 383.33; and

30 (iii) Provide a mailing address to the Department of Motor Vehicles.
31 If the applicant is applying for a foreign nondomiciled CLP-commercial

1 learner's permit or foreign nondomiciled commercial driver's license, he
2 or she shall ~~must~~ provide a Nebraska mailing address and his or her
3 employer's mailing address to the Department of Motor Vehicles.

4 (c) An applicant for a nondomiciled CLP-commercial learner's permit
5 or nondomiciled commercial driver's license who holds a foreign
6 operator's license is not required to surrender his or her foreign
7 operator's license.

8 (8) Any person applying for a CLP-commercial learner's permit or
9 commercial driver's license may answer the following:

10 (a) Do you wish to register to vote as part of this application
11 process?

12 (b) Do you wish to have a veteran designation displayed on the front
13 of your operator's license to show that you served in the armed forces of
14 the United States? (To be eligible you shall ~~must~~ register with the
15 Nebraska Department of Veterans' Affairs registry.)

16 (c) Do you wish to include your name in the Donor Registry of
17 Nebraska and donate your organs and tissues at the time of your death?

18 (d) Do you wish to receive any additional specific information
19 regarding organ and tissue donation and the Donor Registry of Nebraska?

20 (e) Do you wish to donate \$1 to promote the Organ and Tissue Donor
21 Awareness and Education Fund?

22 (9) Application for a CLP-commercial learner's permit or commercial
23 driver's license shall include a signed oath, affirmation, or declaration
24 of the applicant that the information provided on the application for the
25 permit or license is true and correct.

26 (10) Any person applying for a CLP-commercial learner's permit or
27 commercial driver's license shall ~~must~~ make one of the certifications in
28 section 60-4,144.01 and any certification required under section 60-4,146
29 and shall ~~must~~ provide such certifications to the Department of Motor
30 Vehicles in order to be issued a CLP-commercial learner's permit or a
31 commercial driver's license.

1 (11) Every person who holds any commercial driver's license shall
2 ~~must~~ provide to the department medical certification as required by
3 section 60-4,144.01. The department may provide notice and prescribe
4 medical certification compliance requirements for all holders of
5 commercial drivers' licenses. Holders of commercial drivers' licenses who
6 fail to meet the prescribed medical certification compliance requirements
7 may be subject to downgrade.

8 Sec. 39. Section 60-4,144.03, Reissue Revised Statutes of Nebraska,
9 is amended to read:

10 60-4,144.03 (1) The department shall issue a CLP-commercial
11 learner's permit or a commercial driver's license that is temporary only
12 to any applicant who presents documentation under section 60-4,144 that
13 shows his or her authorized stay in the United States is temporary. A
14 CLP-commercial learner's permit or a commercial driver's license that is
15 temporary shall be valid only during the period of time of the
16 applicant's authorized stay in the United States or, if there is no
17 definite end to the period of authorized stay, a period of one year.

18 (2) A CLP-commercial learner's permit or a commercial driver's
19 license that is temporary shall clearly indicate that it is temporary
20 with a special notation that states the date on which it expires.

21 (3) A ~~CLP-commercial learner's permit or a~~ commercial driver's
22 license that is temporary may be renewed only upon presentation of valid
23 documentary evidence that the status, by which the applicant qualified
24 for the ~~CLP-commercial learner's permit or~~ commercial driver's license
25 that is temporary, has been extended by the United States Department of
26 Homeland Security.

27 Sec. 40. (1) Beginning November 18, 2024, in compliance with 49
28 C.F.R. part 382, within sixty calendar days of receiving notification
29 from the Federal Motor Carrier Safety Administration that a driver is
30 prohibited from operating a commercial motor vehicle due to a drug or
31 alcohol violation, the department shall:

1 (a) Update the Commercial Driver License Information System driver
2 record to include the information provided in the notification;

3 (b) Notify the holder of the commercial driver's license or CLP-
4 commercial learner's permit of such holder's prohibited status and that
5 the commercial driver's license privilege or CLP-commercial learner's
6 permit privilege will be removed from such license or permit; and

7 (c) Downgrade such license and cancel the permit for holders of a
8 CLP-commercial learner's permit pursuant to established procedures of the
9 department and, if applicable, update the driver's record maintained by
10 the department.

11 (2) Beginning November 18, 2024, in compliance with 49 C.F.R. part
12 382, within ten calendar days of receiving notification from the Federal
13 Motor Carrier Safety Administration that a driver was erroneously
14 identified as prohibited on the federal Drug and Alcohol Clearinghouse,
15 the department shall:

16 (a) Restore the commercial driving privilege as it existed before
17 the erroneous notification;

18 (b) Notify the holder of the commercial driver's license or CLP-
19 commercial learner's permit of:

20 (i) Such holder's updated status; and

21 (ii) Procedures the driver shall follow to reinstate such driver's
22 license or permit; and

23 (c) Expunge the Commercial Driver License Information System driver
24 record or motor vehicle record of any reference to the erroneous
25 prohibited status.

26 Sec. 41. Section 60-4,146.01, Reissue Revised Statutes of Nebraska,
27 is amended to read:

28 60-4,146.01 (1) Any resident of this state who is a seasonal
29 commercial motor vehicle operator for a farm-related or ranch-related
30 service industry may apply for a restricted commercial driver's license.
31 If the applicant is an individual, the application or examiner's

1 certificate shall include the applicant's social security number. A
2 restricted commercial driver's license shall authorize the holder to
3 operate any Class B Heavy Straight Vehicle commercial motor vehicle or
4 any Class B Heavy Straight Vehicle or Class C Small Vehicle commercial
5 motor vehicle required to be placarded pursuant to section 75-364 when
6 the hazardous material being transported is (a) diesel fuel in quantities
7 of one thousand gallons or less, (b) liquid fertilizers in vehicles or
8 implements of husbandry with total capacities of three thousand gallons
9 or less, or (c) solid fertilizers that are not transported or mixed with
10 any organic substance within one hundred fifty miles of the employer's
11 place of business or the farm or ranch being served.

12 (2) Any applicant for a restricted commercial driver's license ~~or~~
13 ~~seasonal permit~~ shall be eighteen years of age or older, shall have
14 possessed a valid operator's license during the twelve-month period
15 immediately preceding application, and shall demonstrate, in a manner to
16 be prescribed by the director, that:

17 (a) If the applicant has possessed a valid operator's license for
18 two or more years, that in the two-year period immediately preceding
19 application the applicant:

20 (i) Has not possessed more than one operator's license at one time;

21 (ii) Has not been subject to any order of suspension, revocation, or
22 cancellation of any type;

23 (iii) Has no convictions involving any type or classification of
24 motor vehicle of the disqualification offenses enumerated in sections
25 60-4,168 and 60-4,168.01; and

26 (iv) Has no convictions for traffic law violations that are
27 accident-connected and no record of at-fault accidents; and

28 (b) If the applicant has possessed a valid operator's license for
29 more than one but less than two years, the applicant shall demonstrate
30 that he or she meets the requirements prescribed in subdivision (a) of
31 this subsection for the entire period of his or her driving record

1 history.

2 ~~(3)(a) Until January 1, 2022, the commercial motor vehicle operating~~
3 ~~privilege as conferred by the restricted commercial driver's license~~
4 ~~shall be valid for five years if annually revalidated by the seasonal~~
5 ~~permit which shall be valid for no more than one hundred eighty~~
6 ~~consecutive days in any twelve-month period. To revalidate the restricted~~
7 ~~commercial driver's license, the applicant shall meet the requirements of~~
8 ~~subsection (2) of this section and shall designate a time period he or~~
9 ~~she desires the commercial motor vehicle operating privilege to be valid.~~
10 ~~The time period designated by the applicant shall appear and be clearly~~
11 ~~indicated on the seasonal permit. A seasonal permit shall not be issued~~
12 ~~to any person more than once in any twelve-month period. The holder of a~~
13 ~~restricted commercial driver's license shall operate commercial motor~~
14 ~~vehicles in the course or scope of his or her employment within one~~
15 ~~hundred fifty miles of the employer's place of business or the farm or~~
16 ~~ranch currently being served.~~

17 ~~(3)(a) The (b) Beginning January 1, 2022, the restricted commercial~~
18 ~~driver's license shall be valid for five years and shall clearly indicate~~
19 ~~the commercial motor vehicle operating privilege for the seasonal period~~
20 ~~of validity on the back of the restricted commercial driver's license.~~
21 ~~The seasonal period of validity shall be valid for no more than one~~
22 ~~hundred eighty consecutive days in any twelve-month period. The applicant~~
23 ~~shall designate the seasonal period of validity when making application~~
24 ~~for the restricted commercial driver's license. The holder of the~~
25 ~~restricted commercial driver's license may change the seasonal period of~~
26 ~~validity by renewing or obtaining a replacement of the restricted~~
27 ~~commercial driver's license. The holder of a restricted commercial~~
28 ~~driver's license shall operate commercial motor vehicles in the course or~~
29 ~~scope of his or her employment within one hundred fifty miles of the~~
30 ~~employer's place of business or the farm or ranch currently being served.~~
31 ~~The department shall annually revalidate the restricted commercial~~

1 driver's license to confirm that the holder of the restricted commercial
2 driver's license meets the requirements of subsection (2) of this
3 section. If the holder of the restricted commercial driver's license does
4 not meet the requirements of subsection (2) of this section upon
5 revalidation, the department shall provide notice to the holder that the
6 restricted commercial driver's license is canceled and the holder shall
7 ~~must~~ apply for a Class 0 operator's license within thirty calendar days
8 after the date notice was sent.

9 (b) Beginning January 1, 2025, the restricted commercial driver's
10 license shall be valid for five years and shall clearly indicate the
11 commercial motor vehicle operating privilege for the seasonal period of
12 validity on the back of the restricted commercial driver's license. The
13 seasonal period of validity shall be valid for no more than two hundred
14 ten days in any calendar year. The applicant shall designate the seasonal
15 period of validity when making application for the restricted commercial
16 driver's license. The holder of the restricted commercial driver's
17 license may change the seasonal period of validity by renewing or
18 obtaining a replacement of the restricted commercial driver's license.
19 The holder of a restricted commercial driver's license shall operate
20 commercial motor vehicles in the course or scope of his or her employment
21 within one hundred fifty miles of the employer's place of business or the
22 farm or ranch currently being served. The department shall annually
23 revalidate the restricted commercial driver's license to confirm that the
24 holder of the restricted commercial driver's license meets the
25 requirements of subsection (2) of this section. If the holder of the
26 restricted commercial driver's license does not meet the requirements of
27 subsection (2) of this section upon revalidation, the department shall
28 provide notice to the holder that the restricted commercial driver's
29 license is canceled and the holder must apply for a Class 0 operator's
30 license within thirty calendar days after the date notice was sent.

31 (4) Any person who violates any provision of this section shall,

1 upon conviction, be guilty of a Class III misdemeanor. In addition to any
2 penalty imposed by the court, the director shall also revoke such
3 person's restricted commercial driver's license and shall disqualify such
4 person from operating any commercial motor vehicle in Nebraska for a
5 period of five years.

6 (5) The Department of Motor Vehicles may adopt and promulgate rules
7 and regulations to carry out the requirements of this section.

8 (6) For purposes of this section:

9 (a) Agricultural chemical business means any business that
10 transports agricultural chemicals predominately to or from a farm or
11 ranch;

12 (b) Farm-related or ranch-related service industry means any custom
13 harvester, retail agricultural outlet or supplier, agricultural chemical
14 business, or livestock feeder which operates commercial motor vehicles
15 for the purpose of transporting agricultural products, livestock, farm
16 machinery and equipment, or farm supplies to or from a farm or ranch; and

17 (c) Retail agricultural outlet or supplier means any retail outlet
18 or supplier that transports either agricultural products, farm machinery,
19 farm supplies, or both, predominately to or from a farm or ranch. ~~;~~ and

20 ~~(d) Seasonal commercial motor vehicle operator means any person who,~~
21 ~~exclusively on a seasonal basis, operates a commercial motor vehicle for~~
22 ~~a farm-related or ranch-related service industry.~~

23 Sec. 42. Section 60-4,147.02, Revised Statutes Supplement, 2023, is
24 amended to read:

25 60-4,147.02 No endorsement authorizing the driver to operate a
26 commercial motor vehicle transporting hazardous materials shall be
27 issued, renewed, or transferred by the Department of Motor Vehicles
28 unless the endorsement is issued, renewed, or transferred in conformance
29 with the requirements of section 1012 of the federal Uniting and
30 Strengthening America by Providing Appropriate Tools Required to
31 Intercept and Obstruct Terrorism Act of 2001, USA PATRIOT Act, 49 U.S.C.

1 5103a, including all amendments and federal regulations adopted pursuant
2 thereto as of January 1, 2024 ~~2023~~, for the issuance of licenses to
3 operate commercial motor vehicles transporting hazardous materials.

4 Sec. 43. Section 60-4,148, Reissue Revised Statutes of Nebraska, is
5 amended to read:

6 60-4,148 (1) All commercial drivers' licenses shall be issued by the
7 department as provided in sections 60-4,148.01 and 60-4,149. Successful
8 applicants shall pay the fee and surcharge prescribed in section
9 60-4,115.

10 (2) Any person making application to add or remove a class of
11 commercial motor vehicle, any endorsement, or any restriction to or from
12 a previously issued and outstanding commercial driver's license shall pay
13 the fee and surcharge prescribed in section 60-4,115. ~~The fee for an~~
14 ~~original or renewal seasonal permit to revalidate the restricted~~
15 ~~commercial motor vehicle operating privilege to a previously issued and~~
16 ~~outstanding restricted commercial driver's license shall be the fee and~~
17 ~~surcharge prescribed in section 60-4,115.~~

18 Sec. 44. Section 60-4,148.01, Reissue Revised Statutes of Nebraska,
19 is amended to read:

20 60-4,148.01 (1) The department may develop and offer methods for
21 successful applicants to obtain, renew, and replace commercial drivers'
22 licenses electronically and for the electronic ~~renewal and~~ replacement of
23 ~~commercial drivers' licenses and~~ CLP-commercial learners' permits.

24 (2)(a) An applicant who has successfully passed the knowledge and
25 skills tests for a commercial driver's license pursuant to section
26 60-4,149 and who has a digital image and digital signature preserved in
27 the digital system that is not more than ten years old may obtain a
28 commercial driver's license using the preserved digital image and digital
29 signature by electronic means in a manner prescribed by the department
30 pursuant to this subsection.

31 (b) To be eligible to obtain a license pursuant to this subsection:

1 (i) There shall ~~must~~ have been no changes to the applicant's name
2 since his or her most recent application for a CLP-commercial learner's
3 permit;

4 (ii) The new license shall ~~must~~ not contain a hazardous materials
5 endorsement;

6 (iii) The applicant shall ~~must~~ meet the requirements of section
7 60-4,144 and submit the information and documentation and make the
8 certifications required under section 60-4,144; and

9 (iv) The applicant shall ~~must~~ satisfy any other eligibility criteria
10 that the department may prescribe pursuant to subsection (6) of this
11 section.

12 (c) The successful applicant shall pay the fee and surcharge
13 prescribed in section 60-4,115. Upon receipt of such fee and surcharge
14 and an application it deems satisfactory, the department shall deliver
15 the license by mail.

16 (3)(a) An applicant whose commercial driver's license ~~or CLP-~~
17 ~~commercial learner's permit~~ expires prior to his or her seventy-second
18 birthday and who has a digital image and digital signature preserved in
19 the digital system may, once every ten years, renew such license ~~or~~
20 ~~permit~~ using the preserved digital image and digital signature by
21 electronic means in a manner prescribed by the department pursuant to
22 this subsection.

23 (b) To be eligible for renewal under this subsection:

24 (i) The renewal shall ~~must~~ be prior to or within one year after
25 expiration of such license ~~or permit~~;

26 (ii) The driving record abstract maintained in the department's
27 computerized records shall ~~must~~ show that such license ~~or permit~~ is not
28 suspended, revoked, canceled, or disqualified;

29 (iii) There shall ~~must~~ be no changes to the applicant's name or to
30 the class, endorsements, or restrictions on such license ~~or permit~~;

31 (iv) The applicant shall ~~must~~ not hold a hazardous materials

1 endorsement or shall ~~must~~ relinquish such endorsement;

2 (v) The applicant shall ~~must~~ meet the requirements of section
3 60-4,144 and submit the information and documentation and make the
4 certifications required under section 60-4,144; and

5 (vi) The applicant shall ~~must~~ satisfy any other eligibility criteria
6 that the department may prescribe pursuant to subsection (6) of this
7 section.

8 (c) Every applicant seeking renewal of his or her commercial
9 driver's license shall ~~or CLP-commercial learner's permit must~~ apply for
10 renewal in person at least once every ten years and have a new digital
11 image and digital signature captured.

12 (d) An applicant seeking renewal under this subsection (3) shall pay
13 the fee and surcharge prescribed in section 60-4,115. Upon receipt of
14 such fee and surcharge and an application it deems satisfactory, the
15 department shall deliver the renewal license or permit by mail.

16 (4)(a) Any person holding a commercial driver's license or CLP-
17 commercial learner's permit who has a digital image and digital signature
18 not more than ten years old preserved in the digital system and who loses
19 his or her license or permit, who requires issuance of a replacement
20 license or permit because of a change of address, or whose license or
21 permit is mutilated or unreadable may obtain a replacement commercial
22 driver's license or CLP-commercial learner's permit using the preserved
23 digital image and digital signature by electronic means in a manner
24 prescribed by the department pursuant to this subsection.

25 (b) To be eligible to obtain a replacement license or permit
26 pursuant to this subsection:

27 (i) There shall ~~must~~ be no changes to the applicant's name and no
28 changes to the class, endorsements, or restrictions on such license or
29 permit;

30 (ii) The applicant shall ~~must~~ meet the requirements of section
31 60-4,144 and submit the information and documentation and make the

1 certifications required under section 60-4,144; and

2 (iii) The applicant shall ~~must~~ satisfy any other eligibility
3 criteria that the department may prescribe pursuant to subsection (6) of
4 this section.

5 (c) An application for a replacement license or permit because of a
6 change of address shall be made within sixty days after the change of
7 address.

8 (d) An applicant seeking replacement under this subsection (4) of
9 this section shall pay the fee and surcharge prescribed in section
10 60-4,115. Upon receipt of such fee and surcharge and an application it
11 deems satisfactory, the department shall deliver the replacement license
12 or permit by mail. The replacement license or permit shall be subject to
13 the provisions of subsection (4) of section 60-4,150.

14 (5) An application to obtain, renew, or replace a commercial
15 driver's license or to ~~renew or replace a commercial driver's license or~~
16 CLP-commercial learner's permit because of a change of name may not be
17 made electronically pursuant to this section and shall be made in person
18 at a licensing station within sixty days after the change of name.

19 (6) The department may adopt and promulgate rules and regulations
20 governing eligibility for the use of electronic methods for successful
21 applicants to obtain, renew, or replace commercial drivers' licenses and
22 for the ~~renewal and replacement of commercial drivers' licenses and~~ CLP-
23 commercial learners' permits, taking into consideration medical and
24 vision requirements, safety concerns, and any other factors consistent
25 with the purposes of the Motor Vehicle Operator's License Act that the
26 director deems relevant.

27 Sec. 45. Section 60-4,149, Reissue Revised Statutes of Nebraska, is
28 amended to read:

29 60-4,149 (1) The director shall appoint as his or her agents one or
30 more department personnel who shall examine all applicants for a
31 commercial driver's license or a CLP-commercial learner's permit as

1 provided in section 60-4,144. The same department personnel may be
2 assigned to one or more counties by the director. In counties in which
3 the county treasurer collects the fees and issues receipts, the county
4 shall furnish office space for the administration of the license or
5 permit examination. Department personnel shall conduct the examination of
6 applicants and deliver to each successful applicant an issuance
7 certificate or receipt. The certificate may be presented to the county
8 treasurer within ninety days after issuance, and the county treasurer
9 shall collect the fee and surcharge as provided in section 60-4,115 and
10 issue a receipt which is valid for up to thirty days. If a commercial
11 driver's license or CLP-commercial learner's permit is being issued, the
12 receipt shall also authorize driving privileges for such thirty-day
13 period. If department personnel refuse to issue an issuance certificate
14 or receipt, the department personnel shall state such cause in writing
15 and deliver such written cause to the applicant.

16 (2)(a) The segments of the driving skills examination shall be
17 administered and successfully completed in the following order: Pre-trip
18 inspection, basic vehicle control skills, and on-road skills. If an
19 applicant fails one segment of the driving skills examination, ~~the~~ ~~÷(i)~~
20 ~~The applicant cannot continue to the next segment of the examination. ÷~~
21 ~~and~~

22 ~~(ii) Scores for the passed segments of the examination are only~~
23 ~~valid during initial issuance of a CLP-commercial learner's permit. If a~~
24 ~~CLP-commercial learner's permit is renewed, all three segments of the~~
25 ~~skills examination must be retaken.~~

26 (b) Passing scores for the knowledge and skills tests shall ~~must~~
27 meet the standards contained in 49 C.F.R. 383.135.

28 (3) Except as provided for in sections 60-4,157 and 60-4,158, all
29 commercial driver's license examinations shall be conducted by department
30 personnel designated by the director. Each successful applicant shall be
31 issued a certificate or receipt entitling the applicant to secure a

1 commercial driver's license. If department personnel refuse to issue such
2 certificate or receipt, he or she shall state such cause in writing and
3 deliver the same to the applicant. Department personnel shall not be
4 required to hold a commercial driver's license to administer a driving
5 skills examination and occupy the seat beside an applicant for a
6 commercial driver's license.

7 (4) The successful applicant shall, within ten days after renewal or
8 within twenty-four hours after initial issuance, pay the fee and
9 surcharge as provided in section 60-4,115. A receipt with driving
10 privileges which is valid for up to thirty days shall be issued. The
11 commercial driver's license shall be delivered to the applicant as
12 provided in section 60-4,113.

13 (5) In lieu of proceeding under subsection (4) of this section, the
14 successful applicant may pay the fee and surcharge as provided in section
15 60-4,115 and electronically submit an application prescribed by the
16 department in a manner prescribed by the department pursuant to section
17 60-4,148.01.

18 Sec. 46. Section 60-4,150, Reissue Revised Statutes of Nebraska, is
19 amended to read:

20 60-4,150 (1) Any person holding a commercial driver's license or
21 CLP-commercial learner's permit who loses his or her license or permit,
22 who requires issuance of a replacement license or permit because of a
23 change of name or address, or whose license or permit is mutilated or
24 unreadable may obtain a replacement commercial driver's license or CLP-
25 commercial learner's permit by filing an application pursuant to this
26 section and by furnishing proof of identification in accordance with
27 section 60-4,144. Any person seeking a replacement license or permit for
28 such reasons, except because of a change of name, may also obtain a
29 replacement license or permit by submitting an electronic application
30 pursuant to section 60-4,148.01.

31 (2) An application for a replacement license or permit because of a

1 change of name or address shall be made within sixty days after the
2 change of name or address.

3 (3) A replacement commercial driver's license or CLP-commercial
4 learner's permit issued pursuant to this section shall be delivered to
5 the applicant as provided in section 60-4,113 after department personnel
6 or the county treasurer collects the fee and surcharge prescribed in
7 section 60-4,115 and issues the applicant a receipt with driving
8 privileges which is valid for up to thirty days. Replacement commercial
9 drivers' licenses or CLP-commercial learners' permits issued pursuant to
10 this section shall be issued in the manner provided for the issuance of
11 original and renewal commercial drivers' licenses or the issuance of
12 permits as provided for by section 60-4,149.

13 (4) Upon issuance of any replacement commercial driver's license or
14 permit, the commercial driver's license or CLP-commercial learner's
15 permit for which the replacement license or permit is issued shall be
16 void. Each replacement commercial driver's license or CLP-commercial
17 learner's permit shall be issued with the same expiration date as the
18 license or permit for which the replacement is issued. The replacement
19 license or permit shall also state the new issuance date.

20 Sec. 47. Section 60-4,151, Reissue Revised Statutes of Nebraska, is
21 amended to read:

22 60-4,151 (1)(a) The commercial driver's license shall be
23 conspicuously marked Nebraska Commercial Driver's License and shall be,
24 to the maximum extent practicable, tamper and forgery proof. The
25 commercial driver's license shall be marked Nondomiciled if the license
26 is a nondomiciled commercial driver's license.

27 (b) The form of the commercial driver's license shall also comply
28 with section 60-4,117.

29 (2) The RCDL-restricted commercial driver's license shall be
30 conspicuously marked Nebraska Restricted Commercial Driver's License and
31 shall be, to the maximum extent practicable, tamper and forgery proof.

1 The RCDL-restricted commercial driver's license shall contain such
2 additional information as deemed necessary by the director.

3 ~~(3) The SEP-seasonal permit shall contain such information as deemed~~
4 ~~necessary by the director but shall include the time period during which~~
5 ~~the commercial motor vehicle operating privilege is effective. The SEP-~~
6 ~~seasonal permit shall be valid only when held in conjunction with an~~
7 ~~RCDL-restricted commercial driver's license.~~

8 (3) (4) The CLP-commercial learner's permit shall be conspicuously
9 marked Nebraska Commercial Learner's Permit and shall be, to the maximum
10 extent practicable, tamper and forgery proof. The permit shall also be
11 marked Nondomiciled if the permit is a nondomiciled CLP-commercial
12 learner's permit.

13 Sec. 48. Section 60-4,168, Revised Statutes Supplement, 2023, is
14 amended to read:

15 60-4,168 (1) Except as provided in subsections (2) and (3) of this
16 section, a person shall be disqualified from operating a commercial motor
17 vehicle for one year upon his or her first conviction, after April 1,
18 1992, in this or any other state for:

19 (a) Operating a commercial motor vehicle in violation of section
20 60-6,196 or 60-6,197 or under the influence of a controlled substance or,
21 beginning September 30, 2005, operating any motor vehicle in violation of
22 section 60-6,196 or 60-6,197 or under the influence of a controlled
23 substance;

24 (b) Operating a commercial motor vehicle in violation of section
25 60-4,163 or 60-4,164;

26 (c) Leaving the scene of an accident involving a commercial motor
27 vehicle operated by the person or, beginning September 30, 2005, leaving
28 the scene of an accident involving any motor vehicle operated by the
29 person;

30 (d) Using a commercial motor vehicle in the commission of a felony
31 other than a felony described in subdivision (3)(b) of this section or,

1 beginning September 30, 2005, using any motor vehicle in the commission
2 of a felony other than a felony described in subdivision (3)(b) of this
3 section;

4 (e) Beginning September 30, 2005, operating a commercial motor
5 vehicle after his or her commercial driver's license has been suspended,
6 revoked, or canceled or the driver is disqualified from operating a
7 commercial motor vehicle; or

8 (f) Beginning September 30, 2005, causing a fatality through the
9 negligent or criminal operation of a commercial motor vehicle.

10 (2) Except as provided in subsection (3) of this section, if any of
11 the offenses described in subsection (1) of this section occurred while a
12 person was transporting hazardous material in a commercial motor vehicle
13 which required placarding pursuant to section 75-364, the person shall,
14 upon conviction or administrative determination, be disqualified from
15 operating a commercial motor vehicle for three years.

16 (3) A person shall be disqualified from operating a commercial motor
17 vehicle for life if, after April 1, 1992, he or she:

18 (a) Is convicted of or administratively determined to have committed
19 a second or subsequent violation of any of the offenses described in
20 subsection (1) of this section or any combination of those offenses
21 arising from two or more separate incidents;

22 (b) Beginning September 30, 2005, used a motor vehicle in the
23 commission of a felony involving the manufacturing, distributing, or
24 dispensing of a controlled substance; or

25 (c) Used a commercial motor vehicle in the commission of a felony
26 involving an act or practice of severe forms of trafficking in persons,
27 as defined and described in 22 U.S.C. 7102(11), as such section existed
28 on January 1, 2024 ~~2023~~.

29 (4)(a) A person is disqualified from operating a commercial motor
30 vehicle for a period of not less than sixty days if he or she is
31 convicted in this or any other state of two serious traffic violations,

1 or not less than one hundred twenty days if he or she is convicted in
2 this or any other state of three serious traffic violations, arising from
3 separate incidents occurring within a three-year period while operating a
4 commercial motor vehicle.

5 (b) A person is disqualified from operating a commercial motor
6 vehicle for a period of not less than sixty days if he or she is
7 convicted in this or any other state of two serious traffic violations,
8 or not less than one hundred twenty days if he or she is convicted in
9 this or any other state of three serious traffic violations, arising from
10 separate incidents occurring within a three-year period while operating a
11 motor vehicle other than a commercial motor vehicle if the convictions
12 have resulted in the revocation, cancellation, or suspension of the
13 person's operator's license or driving privileges.

14 (5)(a) A person who is convicted of operating a commercial motor
15 vehicle in violation of a federal, state, or local law or regulation
16 pertaining to one of the following six offenses at a highway-rail grade
17 crossing shall be disqualified for the period of time specified in
18 subdivision (5)(b) of this section:

19 (i) For drivers who are not required to always stop, failing to slow
20 down and check that the tracks are clear of an approaching train;

21 (ii) For drivers who are not required to always stop, failing to
22 stop before reaching the crossing, if the tracks are not clear;

23 (iii) For drivers who are always required to stop, failing to stop
24 before driving onto the crossing;

25 (iv) For all drivers, failing to have sufficient space to drive
26 completely through the crossing without stopping;

27 (v) For all drivers, failing to obey a traffic control device or the
28 directions of an enforcement official at the crossing; or

29 (vi) For all drivers, failing to negotiate a crossing because of
30 insufficient undercarriage clearance.

31 (b)(i) A person shall be disqualified for not less than sixty days

1 if the person is convicted of a first violation described in this
2 subsection.

3 (ii) A person shall be disqualified for not less than one hundred
4 twenty days if, during any three-year period, the person is convicted of
5 a second violation described in this subsection in separate incidents.

6 (iii) A person shall be disqualified for not less than one year if,
7 during any three-year period, the person is convicted of a third or
8 subsequent violation described in this subsection in separate incidents.

9 (6) A person shall be disqualified from operating a commercial motor
10 vehicle for at least one year if, on or after July 8, 2015, the person
11 has been convicted of fraud related to the issuance of his or her CLP-
12 commercial learner's permit or commercial driver's license.

13 (7) If the department receives credible information that a CLP-
14 commercial learner's permit holder or a commercial driver's license
15 holder is suspected, but has not been convicted, on or after July 8,
16 2015, of fraud related to the issuance of his or her CLP-commercial
17 learner's permit or commercial driver's license, the department must
18 require the driver to retake the skills and knowledge tests. Within
19 thirty days after receiving notification from the department that
20 retesting is necessary, the affected CLP-commercial learner's permit
21 holder or commercial driver's license holder must make an appointment or
22 otherwise schedule to take the next available test. If the CLP-commercial
23 learner's permit holder or commercial driver's license holder fails to
24 make an appointment within thirty days, the department must disqualify
25 his or her CLP-commercial learner's permit or commercial driver's
26 license. If the driver fails either the knowledge or skills test or does
27 not take the test, the department must disqualify his or her CLP-
28 commercial learner's permit or commercial driver's license. If the holder
29 of a CLP-commercial learner's permit or commercial driver's license has
30 had his or her CLP-commercial learner's permit or commercial driver's
31 license disqualified, he or she must reapply for a CLP-commercial

1 learner's permit or commercial driver's license under department
2 procedures applicable to all applicants for a CLP-commercial learner's
3 permit or commercial driver's license.

4 (8) For purposes of this section, controlled substance has the same
5 meaning as in section 28-401.

6 (9) For purposes of this section, conviction means an unvacated
7 adjudication of guilt, or a determination that a person has violated or
8 failed to comply with the law, in a court of original jurisdiction or by
9 an authorized administrative tribunal, an unvacated forfeiture of bail or
10 collateral deposited to secure the person's appearance in court, a plea
11 of guilty or nolo contendere accepted by the court, the payment of a fine
12 or court costs, or a violation of a condition of release without bail,
13 regardless of whether or not the penalty is rebated, suspended, or
14 probated.

15 (10) For purposes of this section, serious traffic violation means:

16 (a) Speeding at or in excess of fifteen miles per hour over the
17 legally posted speed limit;

18 (b) Willful reckless driving as described in section 60-6,214 or
19 reckless driving as described in section 60-6,213;

20 (c) Improper lane change as described in section 60-6,139;

21 (d) Following the vehicle ahead too closely as described in section
22 60-6,140;

23 (e) A violation of any law or ordinance related to motor vehicle
24 traffic control, other than parking violations or overweight or vehicle
25 defect violations, arising in connection with an accident or collision
26 resulting in death to any person;

27 (f) Beginning September 30, 2005, operating a commercial motor
28 vehicle without a commercial driver's license;

29 (g) Beginning September 30, 2005, operating a commercial motor
30 vehicle without a commercial driver's license in the operator's
31 possession;

1 (h) Beginning September 30, 2005, operating a commercial motor
2 vehicle without the proper class of commercial driver's license and any
3 endorsements, if required, for the specific vehicle group being operated
4 or for the passengers or type of cargo being transported on the vehicle;

5 (i) Beginning October 27, 2013, texting while driving as described
6 in section 60-6,179.02; and

7 (j) Using a handheld mobile telephone as described in section
8 60-6,179.02.

9 (11) Each period of disqualification imposed under this section
10 shall be served consecutively and separately.

11 Sec. 49. Section 60-501, Revised Statutes Supplement, 2023, is
12 amended to read:

13 60-501 For purposes of the Motor Vehicle Safety Responsibility Act,
14 unless the context otherwise requires:

15 (1) Department means Department of Motor Vehicles;

16 (2) Former military vehicle means a motor vehicle that was
17 manufactured for use in any country's military forces and is maintained
18 to accurately represent its military design and markings, regardless of
19 the vehicle's size or weight, but is no longer used, or never was used,
20 by a military force;

21 (3) Golf car vehicle means a vehicle that has at least four wheels,
22 has a maximum level ground speed of less than twenty miles per hour, has
23 a maximum payload capacity of one thousand two hundred pounds, has a
24 maximum gross vehicle weight of two thousand five hundred pounds, has a
25 maximum passenger capacity of not more than four persons, and is designed
26 and manufactured for operation on a golf course for sporting and
27 recreational purposes;

28 (4) Judgment means any judgment which shall have become final by the
29 expiration of the time within which an appeal might have been perfected
30 without being appealed, or by final affirmation on appeal, rendered by a
31 court of competent jurisdiction of any state or of the United States, (a)

1 upon a cause of action arising out of the ownership, maintenance, or use
2 of any motor vehicle for damages, including damages for care and loss of
3 services, because of bodily injury to or death of any person or for
4 damages because of injury to or destruction of property, including the
5 loss of use thereof, or (b) upon a cause of action on an agreement of
6 settlement for such damages;

7 (5) License means any license issued to any person under the laws of
8 this state pertaining to operation of a motor vehicle within this state;

9 (6) Low-speed vehicle means a (a) four-wheeled motor vehicle (i)
10 whose speed attainable in one mile is more than twenty miles per hour and
11 not more than twenty-five miles per hour on a paved, level surface, (ii)
12 whose gross vehicle weight rating is less than three thousand pounds, and
13 (iii) that complies with 49 C.F.R. part 571, as such part existed on
14 January 1, 2024 ~~2023~~, or (b) three-wheeled motor vehicle (i) whose
15 maximum speed attainable is not more than twenty-five miles per hour on a
16 paved, level surface, (ii) whose gross vehicle weight rating is less than
17 three thousand pounds, and (iii) which is equipped with a windshield and
18 an occupant protection system. A motorcycle with a sidecar attached is
19 not a low-speed vehicle;

20 (7) Minitruck means a foreign-manufactured import vehicle or
21 domestic-manufactured vehicle which (a) is powered by an internal
22 combustion engine with a piston or rotor displacement of one thousand
23 five hundred cubic centimeters or less, (b) is sixty-seven inches or less
24 in width, (c) has a dry weight of four thousand two hundred pounds or
25 less, (d) travels on four or more tires, (e) has a top speed of
26 approximately fifty-five miles per hour, (f) is equipped with a bed or
27 compartment for hauling, (g) has an enclosed passenger cab, (h) is
28 equipped with headlights, taillights, turnsignals, windshield wipers, a
29 rearview mirror, and an occupant protection system, and (i) has a four-
30 speed, five-speed, or automatic transmission;

31 (8) Motor vehicle means any self-propelled vehicle which is designed

1 for use upon a highway, including trailers designed for use with such
2 vehicles, minitrucks, and low-speed vehicles. Motor vehicle includes a
3 former military vehicle. Motor vehicle does not include (a) mopeds as
4 defined in section 60-637, (b) traction engines, (c) road rollers, (d)
5 farm tractors, (e) tractor cranes, (f) power shovels, (g) well drillers,
6 (h) every vehicle which is propelled by electric power obtained from
7 overhead wires but not operated upon rails, (i) electric personal
8 assistive mobility devices as defined in section 60-618.02, (j) off-road
9 designed vehicles, including, but not limited to, golf car vehicles, go-
10 carts, riding lawnmowers, garden tractors, all-terrain vehicles and
11 utility-type vehicles as defined in section 60-6,355, minibikes as
12 defined in section 60-636, and snowmobiles as defined in section 60-663,
13 and (k) bicycles as defined in section 60-611;

14 (9) Nonresident means every person who is not a resident of this
15 state;

16 (10) Nonresident's operating privilege means the privilege conferred
17 upon a nonresident by the laws of this state pertaining to the operation
18 by him or her of a motor vehicle or the use of a motor vehicle owned by
19 him or her in this state;

20 (11) Operator means every person who is in actual physical control
21 of a motor vehicle;

22 (12) Owner means a person who holds the legal title of a motor
23 vehicle, or in the event (a) a motor vehicle is the subject of an
24 agreement for the conditional sale or lease thereof with the right of
25 purchase upon performance of the conditions stated in the agreement and
26 with an immediate right of possession vested in the conditional vendee or
27 lessee or (b) a mortgagor of a vehicle is entitled to possession, then
28 such conditional vendee or lessee or mortgagor shall be deemed the owner
29 for the purposes of the act;

30 (13) Person means every natural person, firm, partnership, limited
31 liability company, association, or corporation;

1 (14) Proof of financial responsibility means evidence of ability to
2 respond in damages for liability, on account of accidents occurring
3 subsequent to the effective date of such proof, arising out of the
4 ownership, maintenance, or use of a motor vehicle, (a) in the amount of
5 twenty-five thousand dollars because of bodily injury to or death of one
6 person in any one accident, (b) subject to such limit for one person, in
7 the amount of fifty thousand dollars because of bodily injury to or death
8 of two or more persons in any one accident, and (c) in the amount of
9 twenty-five thousand dollars because of injury to or destruction of
10 property of others in any one accident;

11 (15) Registration means registration certificate or certificates and
12 registration plates issued under the laws of this state pertaining to the
13 registration of motor vehicles;

14 (16) State means any state, territory, or possession of the United
15 States, the District of Columbia, or any province of the Dominion of
16 Canada; and

17 (17) The forfeiture of bail, not vacated, or of collateral deposited
18 to secure an appearance for trial shall be regarded as equivalent to
19 conviction of the offense charged.

20 Sec. 50. Section 60-628.01, Revised Statutes Supplement, 2023, is
21 amended to read:

22 60-628.01 Low-speed vehicle means a (1) four-wheeled motor vehicle
23 (a) whose speed attainable in one mile is more than twenty miles per hour
24 and not more than twenty-five miles per hour on a paved, level surface,
25 (b) whose gross vehicle weight rating is less than three thousand pounds,
26 and (c) that complies with 49 C.F.R. part 571, as such part existed on
27 January 1, 2024 ~~2023~~, or (2) three-wheeled motor vehicle (a) whose
28 maximum speed attainable is not more than twenty-five miles per hour on a
29 paved, level surface, (b) whose gross vehicle weight rating is less than
30 three thousand pounds, and (c) which is equipped with a windshield and an
31 occupant protection system. A motorcycle with a sidecar attached is not a

1 low-speed vehicle.

2 Sec. 51. Section 60-6,123, Reissue Revised Statutes of Nebraska, is
3 amended to read:

4 60-6,123 Whenever traffic is controlled by traffic control signals
5 exhibiting different colored lights or colored lighted arrows,
6 successively one at a time or in combination, only the colors green, red,
7 and yellow shall be used, except for special pedestrian signals carrying
8 a word legend, number, or symbol, and such lights shall indicate and
9 apply to drivers of vehicles and pedestrians as follows:

10 (1)(a) Vehicular traffic facing a circular green indication may
11 proceed straight through or turn right or left unless a sign at such
12 place prohibits either such turn, but vehicular traffic, including
13 vehicles turning right or left, shall yield the right-of-way to other
14 vehicles and to pedestrians lawfully within the intersection or an
15 adjacent crosswalk at the time such indication is exhibited;

16 (b) Vehicular traffic facing a green arrow indication, shown alone
17 or in combination with another indication, may cautiously enter the
18 intersection only to make the movement indicated by such arrow or such
19 other movement as is permitted by other indications shown at the same
20 time, and such vehicular traffic shall yield the right-of-way to
21 pedestrians lawfully within an adjacent crosswalk and to other traffic
22 lawfully using the intersection; and

23 (c) Unless otherwise directed by a pedestrian-control signal,
24 pedestrians facing any green indication, except when the sole green
25 indication is a turn arrow, may proceed across the roadway within any
26 marked or unmarked crosswalk;

27 (2)(a) Vehicular traffic facing a steady yellow indication is
28 thereby warned that the related green movement is being terminated or
29 that a red indication will be exhibited immediately thereafter when
30 vehicular traffic shall not enter the intersection, and upon display of a
31 steady yellow indication, vehicular traffic shall stop before entering

1 the nearest crosswalk at the intersection, but if such stop cannot be
2 made in safety, a vehicle may be driven cautiously through the
3 intersection;~~and~~

4 (b) Vehicular traffic facing a flashing yellow arrow indication may
5 cautiously enter the intersection only to make the movement indicated by
6 such arrow, and such vehicular traffic shall yield the right-of-way to
7 pedestrians lawfully within an adjacent crosswalk and to other traffic
8 lawfully using the intersection; and

9 (c) ~~(b)~~ Pedestrians facing a steady yellow indication, unless
10 otherwise directed by a pedestrian-control signal, are thereby advised
11 that there is insufficient time to cross the roadway before a red
12 indication is shown and no pedestrian shall then start to cross the
13 roadway;

14 (3)(a) Vehicular traffic facing a steady circular red indication
15 alone shall stop at a clearly marked stop line or shall stop, if there is
16 no such line, before entering the crosswalk on the near side of the
17 intersection or, if there is no crosswalk, before entering the
18 intersection. The traffic shall remain standing until an indication to
19 proceed is shown except as provided in subdivisions (3)(b) and (3)(c) of
20 this section;

21 (b) Except where a traffic control device is in place prohibiting a
22 turn, vehicular traffic facing a steady circular red indication may
23 cautiously enter the intersection to make a right turn after stopping as
24 required by subdivision (3)(a) of this section. Such vehicular traffic
25 shall yield the right-of-way to pedestrians lawfully within an adjacent
26 crosswalk and to other traffic lawfully using the intersection;

27 (c) Except where a traffic control device is in place prohibiting a
28 turn, vehicular traffic facing a steady circular red indication at the
29 intersection of two one-way streets may cautiously enter the intersection
30 to make a left turn after stopping as required by subdivision (3)(a) of
31 this section. Such vehicular traffic shall yield the right-of-way to

1 pedestrians lawfully within an adjacent crosswalk and to other traffic
2 lawfully using the intersection;~~and~~

3 (d) Vehicular traffic facing a steady red arrow indication alone
4 shall stop at a clearly marked stop line or shall stop, if there is no
5 such line, before entering the crosswalk on the near side of the
6 intersection or, if there is no crosswalk, before entering the
7 intersection. The traffic shall not enter the intersection to make the
8 movement indicated by the arrow and shall remain standing until an
9 indication to proceed is shown; and

10 (e) ~~(d)~~ Unless otherwise directed by a pedestrian-control signal,
11 pedestrians facing a steady red indication alone shall not enter the
12 roadway;

13 (4) If a traffic control signal is erected and maintained at a place
14 other than an intersection, the provisions of this section shall be
15 applicable except as to those provisions which by their nature can have
16 no application. Any stop required shall be made at a sign or marking on
17 the pavement indicating where the stop shall be made, but in the absence
18 of any such sign or marking, the stop shall be made at the signal; and

19 (5)(a) If a traffic control signal at an intersection is not
20 operating because of a power failure or other cause and no peace officer,
21 flagperson, or other traffic control device is providing direction for
22 traffic at the intersection, the intersection shall be treated as a
23 multi-way stop; and

24 (b) If a traffic control signal is not in service and the signal
25 heads are turned away from traffic or covered with opaque material,
26 subdivision (a) of this subdivision shall not apply.

27 Sec. 52. Section 60-6,254, Reissue Revised Statutes of Nebraska, is
28 amended to read:

29 60-6,254 (1)(a) ~~(1)~~ No person shall drive a motor vehicle, other
30 than a motorcycle, on a highway when the motor vehicle is so constructed
31 or loaded as to prevent the driver from obtaining a view of the highway

1 to the rear by looking backward from the driver's position unless such
2 vehicle is equipped with the following that are a right-side and a left-
3 side outside mirror so located as to reflect to the driver a view of the
4 highway for a distance of at least two hundred feet to the rear of such
5 vehicle; -

6 (i) A right-side and a left-side outside mirror; or

7 (ii) A camera monitor system that is compliant with the Federal
8 Motor Carrier Safety Administration.

9 (b) Temporary outside mirrors and attachments used when towing a
10 vehicle shall be removed from such motor vehicle or retracted within the
11 outside dimensions thereof when it is operated upon the highway without
12 such trailer.

13 (2) For purposes of this section, motorcycle does not include an
14 autocycle.

15 Sec. 53. Section 60-6,265, Revised Statutes Supplement, 2023, is
16 amended to read:

17 60-6,265 For purposes of sections 60-6,266 to 60-6,273:

18 (1) Occupant protection system means a system utilizing a lap belt,
19 a shoulder belt, or any combination of belts installed in a motor vehicle
20 which (a) restrains drivers and passengers and (b) conforms to Federal
21 Motor Vehicle Safety Standards, 49 C.F.R. 571.207, 571.208, 571.209, and
22 571.210, as such standards existed on January 1, 2024 ~~2023~~, or, as a
23 minimum standard, to the federal motor vehicle safety standards for
24 passenger restraint systems applicable for the motor vehicle's model
25 year; and

26 (2) Three-point safety belt system means a system utilizing a
27 combination of a lap belt and a shoulder belt installed in a motor
28 vehicle which restrains drivers and passengers.

29 Sec. 54. Section 60-6,290, Reissue Revised Statutes of Nebraska, is
30 amended to read:

31 60-6,290 (1)(a) No vehicle shall exceed a length of forty feet,

1 extreme overall dimensions, inclusive of front and rear bumpers including
2 load, except that:

3 (i) A bus or a motor home, as defined in section 71-4603, may exceed
4 the forty-foot limitation but shall not exceed a length of forty-five
5 feet;

6 (ii) A truck-tractor may exceed the forty-foot limitation;

7 (iii) A semitrailer operating in a truck-tractor single semitrailer
8 combination, which semitrailer was actually and lawfully operating in the
9 State of Nebraska on December 1, 1982, may exceed the forty-foot
10 limitation;

11 (iv) A semitrailer operating in a truck-tractor single semitrailer
12 combination, which semitrailer was not actually and lawfully operating in
13 the State of Nebraska on December 1, 1982, may exceed the forty-foot
14 limitation but shall not exceed a length of fifty-three feet including
15 load;

16 (v) A semitrailer operating in a truck-tractor single semitrailer
17 combination, while transporting baled livestock forage, may exceed the
18 forty-foot limitation but shall not exceed a length of fifty-nine feet
19 six inches including load;~~and~~

20 (vi) An articulated bus vehicle operated by a transit authority
21 established under the Transit Authority Law or regional metropolitan
22 transit authority established pursuant to section 18-804 may exceed the
23 forty-foot limitation. For purposes of this subdivision (vi), an
24 articulated bus vehicle shall not exceed sixty-five feet in length; and -

25 (vii) A truck may exceed the forty-foot limitation but shall not
26 exceed a length of forty-five feet.

27 (b) No combination of vehicles shall exceed a length of sixty-five
28 feet, extreme overall dimensions, inclusive of front and rear bumpers and
29 including load, except:

30 (i) One truck and one trailer, loaded or unloaded, used in
31 transporting implements of husbandry to be engaged in harvesting, while

1 being transported into or through the state during daylight hours if the
2 total length does not exceed seventy-five feet including load;

3 (ii) A truck-tractor single semitrailer combination;

4 (iii) A truck-tractor semitrailer trailer combination, but the
5 semitrailer trailer portion of such combination shall not exceed sixty-
6 five feet inclusive of connective devices;

7 (iv) A driveaway saddlemount vehicle transporter combination and
8 driveaway saddlemount with fullmount vehicle transporter combination, but
9 the total overall length shall not exceed ninety-seven feet;

10 (v) A stinger-steered automobile transporter, but the total overall
11 length shall not exceed eighty feet, inclusive of a front overhang of
12 less than four feet and a rear overhang of less than six feet. For
13 purposes of this subdivision, automobile transporter means any vehicle
14 combination designed and used for the transport of assembled highway
15 vehicles, including truck camper units. An automobile transporter shall
16 not be prohibited from the transport of cargo or general freight on a
17 backhaul, so long as it is in compliance with weight limitations for a
18 truck-tractor and semitrailer combination; and

19 (vi) A towaway trailer transporter combination, but the total
20 overall length shall not exceed eighty-two feet. For purposes of this
21 subdivision, towaway trailer transporter combination means a combination
22 of vehicles consisting of a trailer transporter towing unit and two
23 trailers or semitrailers with a total weight that does not exceed twenty-
24 six thousand pounds, and in which the trailers or semitrailers carry no
25 property and constitute inventory property of a manufacturer,
26 distributor, or dealer of such trailers or semitrailers.

27 (c) A truck shall be construed to be one vehicle for the purpose of
28 determining length.

29 (d) A trailer shall be construed to be one vehicle for the purpose
30 of determining length.

31 (2) Subsection (1) of this section shall not apply to:

1 (a) Extra-long vehicles which have been issued a permit pursuant to
2 section 60-6,292;

3 (b) Vehicles which have been issued a permit pursuant to section
4 60-6,299;

5 (c) The temporary moving of farm machinery during daylight hours in
6 the normal course of farm operations;

7 (d) The movement of unbaled livestock forage vehicles, loaded or
8 unloaded;

9 (e) The movement of public utility or other construction and
10 maintenance material and equipment at any time;

11 (f) Farm equipment dealers or their representatives as authorized
12 under section 60-6,382 driving, delivering, or picking up farm equipment
13 or implements of husbandry within the county in which the dealer
14 maintains his or her place of business, or in any adjoining county or
15 counties, and return;

16 (g) The overhang of any motor vehicle being hauled upon any lawful
17 combination of vehicles, but such overhang shall not exceed the distance
18 from the rear axle of the hauled motor vehicle to the closest bumper
19 thereof;

20 (h) The overhang of a combine to be engaged in harvesting, while
21 being transported into or through the state driven during daylight hours
22 by a truck-tractor semitrailer combination, but the length of the
23 semitrailer, including overhang, shall not exceed sixty-three feet and
24 the maximum semitrailer length shall not exceed fifty-three feet;

25 (i) Any self-propelled specialized mobile equipment with a fixed
26 load when the requirements of subdivision (2)(i) of section 60-6,288 are
27 met; or

28 (j) One truck-tractor two trailer combination or one truck-tractor
29 semitrailer trailer combination used in transporting equipment utilized
30 by custom harvesters under contract to agricultural producers to harvest
31 wheat, soybeans, or milo during the months of April through November but

1 the length of the property-carrying units, excluding load, shall not
2 exceed eighty-one feet six inches.

3 (3) The length limitations of this section shall be exclusive of
4 safety and energy conservation devices such as rearview mirrors,
5 turnsignal lights, marker lights, steps and handholds for entry and
6 egress, flexible fender extensions, mudflaps and splash and spray
7 suppressant devices, load-induced tire bulge, refrigeration units or air
8 compressors, and other devices necessary for safe and efficient operation
9 of commercial motor vehicles, except that no device excluded from the
10 limitations of this section shall have by its design or use the
11 capability to carry cargo.

12 Sec. 55. Section 60-1401.24, Reissue Revised Statutes of Nebraska,
13 is amended to read:

14 60-1401.24 (1) Manufacturer means any person, whether a resident or
15 nonresident of this state, who is engaged in the business of
16 distributing, manufacturing, or assembling a line-make of new motor
17 vehicles, trailers, or motorcycles, and includes any such person who
18 distributes such motor vehicles, trailers, or motorcycles ~~them~~ directly
19 or indirectly through one or more distributors to one or more new motor
20 vehicle, trailer, or motorcycle dealers in this state.

21 (2) Manufacturer ~~and also~~ has the same meaning as the term
22 franchisor.

23 (3) Manufacturer also includes a central or principal sales
24 corporation or other entity through which, by contractual agreement or
25 otherwise, a manufacturer distributes its products.

26 Sec. 56. Section 60-1438.01, Reissue Revised Statutes of Nebraska,
27 is amended to read:

28 60-1438.01 (1) For purposes of this section, manufacturer or
29 distributor includes (a) a factory representative or a distributor
30 representative or (b) a person who is affiliated with a manufacturer or
31 distributor or who, directly or indirectly through an intermediary, is

1 controlled by, or is under common control with, the manufacturer or
2 distributor. A person is controlled by a manufacturer or distributor if
3 the manufacturer or distributor has the authority directly or indirectly,
4 by law or by agreement of the parties, to direct or influence the
5 management and policies of the person. A franchise agreement with a
6 Nebraska-licensed dealer which conforms to and is subject to the Motor
7 Vehicle Industry Regulation Act is not control for purposes of this
8 section.

9 (2) Except as provided in this section, a manufacturer or
10 distributor shall not directly or indirectly:

11 (a) Own an interest in a franchise, franchisee, or consumer care or
12 service facility, except that a manufacturer or distributor may hold
13 stock in a publicly held franchise, franchisee, or consumer care or
14 service facility so long as the manufacturer or distributor does not by
15 virtue of holding such stock operate or control the franchise,
16 franchisee, or consumer care or service facility;

17 (b) Operate or control a franchise, franchisee, or consumer care or
18 service facility;~~or~~

19 (c) Act in the capacity of a franchisee or motor vehicle dealer;
20 or -

21 (d) Own, operate, or control any consumer care or service facility
22 or perform warranty or nonwarranty work on any vehicle manufactured by
23 such manufacturer or distributor, unless such manufacturer or
24 distributor:

25 (i) Manufactures and distributes electric vehicles; and

26 (ii) Is not nor has ever been a franchisor in this state.

27 (3) A manufacturer or distributor may own an interest in a
28 franchisee or otherwise control a franchise for a period not to exceed
29 twelve months after the date the manufacturer or distributor acquires the
30 franchise if:

31 (a) The person from whom the manufacturer or distributor acquired

1 the franchise was a franchisee; and

2 (b) The franchise is for sale by the manufacturer or distributor.

3 (4) For purposes of broadening the diversity of its franchisees and
4 enhancing opportunities for qualified persons who lack the resources to
5 purchase a franchise outright, but for no other purpose, a manufacturer
6 or distributor may temporarily own an interest in a franchise if the
7 manufacturer's or distributor's participation in the franchise is in a
8 bona fide relationship with a franchisee and the franchisee:

9 (a) Has made a significant investment in the franchise, which
10 investment is subject to loss;

11 (b) Has an ownership interest in the franchise; and

12 (c) Operates the franchise under a plan to acquire full ownership of
13 the franchise within a reasonable time and under reasonable terms and
14 conditions.

15 (5) On a showing of good cause by a manufacturer or distributor, the
16 board may extend the time limit set forth in subsection (3) of this
17 section. An extension may not exceed twelve months. An application for an
18 extension after the first extension is granted is subject to protest by a
19 franchisee of the same line-make whose franchise is located in the same
20 community as the franchise owned or controlled by the manufacturer or
21 distributor.

22 (6) The prohibition in subdivision (2)(b) of this section shall not
23 apply to any manufacturer of manufactured housing, recreational vehicles,
24 or trailers.

25 (7) The prohibitions set forth in subsection (2) of this section
26 shall not apply to a manufacturer that:

27 (a) Does not own or operate more than two such dealers or dealership
28 locations in this state;

29 (b) Owned, operated, or controlled a warranty repair or service
30 facility in this state as of January 1, 2016;

31 (c) Manufactures engines for installation in a motor-driven vehicle

1 with a gross vehicle weight rating of more than sixteen thousand pounds
2 for which motor-driven vehicle evidence of title is required as a
3 condition precedent to registration under the laws of this state, if the
4 manufacturer is not otherwise a manufacturer of motor vehicles; and

5 (d) Provides to dealers on substantially equal terms access to all
6 support for completing repairs, including, but not limited to, parts and
7 assemblies, training and technical service bulletins, and other
8 information concerning repairs that the manufacturer provides to
9 facilities owned, operated, or controlled by the manufacturer.

10 Sec. 57. Section 60-2705, Revised Statutes Supplement, 2023, is
11 amended to read:

12 60-2705 The Director of Motor Vehicles shall adopt standards for an
13 informal dispute settlement procedure which substantially comply with the
14 provisions of 16 C.F.R. part 703, as such part existed on January 1, 2024
15 ~~2023~~.

16 If a manufacturer has established or participates in a dispute
17 settlement procedure certified by the Director of Motor Vehicles within
18 the guidelines of such standards, the provisions of section 60-2703
19 concerning refunds or replacement shall not apply to any consumer who has
20 not first resorted to such a procedure.

21 Sec. 58. Section 60-2909.01, Revised Statutes Supplement, 2023, is
22 amended to read:

23 60-2909.01 The department and any officer, employee, agent, or
24 contractor of the department having custody of a motor vehicle record
25 shall, upon the verification of identity and purpose of a requester,
26 disclose and make available the requested motor vehicle record, including
27 the sensitive personal information in the record, other than the social
28 security number, for the following purposes:

29 (1) For use by any federal, state, or local governmental agency,
30 including any court or law enforcement agency, in carrying out the
31 agency's functions or by a private person or entity acting on behalf of a

1 governmental agency in carrying out the agency's functions;

2 (2) For use in connection with any civil, criminal, administrative,
3 or arbitral proceeding in any federal, state, or local court or
4 governmental agency or before any self-regulatory body, including service
5 of process, investigation in anticipation of litigation, and execution or
6 enforcement of judgments and orders, or pursuant to an order of a
7 federal, state, or local court, an administrative agency, or a self-
8 regulatory body;

9 (3) For use by any insurer or insurance support organization, or by
10 a self-insured entity, or its agents, employees, or contractors, in
11 connection with claims investigation activities, anti-fraud activities,
12 rating, or underwriting;

13 (4) For use by an employer or the employer's agent or insurer to
14 obtain or verify information relating to a holder of a commercial
15 driver's license or CLP-commercial learner's permit that is required
16 under the Commercial Motor Vehicle Safety Act of 1986, 49 U.S.C. 31301 et
17 seq., as such act existed on January 1, 2024 ~~2023~~, or pursuant to
18 sections 60-4,132 and 60-4,141; and

19 (5) For use by employers of a holder of a commercial driver's
20 license or CLP-commercial learner's permit and by the Commercial Driver
21 License Information System as provided in section 60-4,144.02 and 49
22 C.F.R. 383.73, as such regulation existed on January 1, 2024 ~~2023~~.

23 Sec. 59. Section 66-4,144, Reissue Revised Statutes of Nebraska, is
24 amended to read:

25 66-4,144 (1) In order to insure that an adequate balance in the
26 Highway Restoration and Improvement Bond Fund is maintained to meet the
27 debt service requirements of bonds to be issued by the commission under
28 subsection (2) of section 39-2223, the Director-State Engineer shall
29 certify to the department the excise tax rate to be imposed by sections
30 66-4,140 and 66-6,108 for each year during which such bonds are
31 outstanding necessary to provide in each such year money equal in amount

1 to not less than one hundred twenty-five percent of such year's bond
2 principal and interest payment requirements. The department shall adjust
3 the rate as certified by the Director-State Engineer. Such rate shall be
4 in addition to the rate of excise tax set pursuant to subsection (2) of
5 this section. Each such rate shall be effective from July 1 of a stated
6 year through June 30 of the succeeding year or during such other period
7 not longer than one year as the Director-State Engineer certifies to be
8 consistent with the principal and interest requirements of such bonds.
9 Such excise tax rates set pursuant to this subsection may be increased,
10 but such excise tax rates shall not be subject to reduction or
11 elimination unless the Director-State Engineer has received from the
12 State Highway Commission notice of reduced principal and interest
13 requirements for such bonds, in which event the Director-State Engineer
14 shall certify the new rate or rates to the department. The new rate or
15 rates, if any, shall become effective on the first day of the following
16 semiannual period.

17 (2) In order to insure that there is maintained an adequate Highway
18 Cash Fund balance to meet expenditures from such fund as appropriated by
19 the Legislature, by June 15 or five days after the adjournment of the
20 regular legislative session each year, whichever is later, the Director-
21 State Engineer shall certify to the department the excise tax rate to be
22 imposed by sections 66-4,140 and 66-6,108. The department shall adjust
23 the rate as certified by the Director-State Engineer to be effective from
24 July 1 through June 30 of the succeeding year. The rate of excise tax for
25 a given July 1 through June 30 period set pursuant to this subsection
26 shall be in addition to and independent of the rate or rates of excise
27 tax set pursuant to subsection (1) of this section for such period. The
28 Director-State Engineer shall determine the cash and investment balances
29 of the Highway Cash Fund at the beginning of each fiscal year under
30 consideration and the estimated receipts to the Highway Cash Fund from
31 each source which provides at least one million dollars annually to such

1 fund. The rate of excise tax shall be an amount sufficient to meet the
2 appropriations made from the Highway Cash Fund by the Legislature. Such
3 rate shall be set in increments of one-hundredth ~~one-tenth~~ of one
4 percent.

5 (3) The Department of Transportation shall provide to the
6 Legislative Fiscal Analyst an electronic copy of the information that is
7 submitted to the Department of Revenue and used to set or adjust the
8 excise tax rate.

9 (4) If the actual receipts received to date added to any projections
10 or modified projections of deposits to the Highway Cash Fund for the
11 current fiscal year are less than ninety-nine percent or greater than one
12 hundred two percent of the appropriation for the current fiscal year, the
13 Director-State Engineer shall certify to the department the adjustment in
14 rate necessary to meet the appropriations made from the Highway Cash Fund
15 by the Legislature. The department shall adjust the rate as certified by
16 the Director-State Engineer to be effective on the first day of the
17 following semiannual period.

18 (5) Nothing in this section shall be construed to abrogate the
19 duties of the Department of Transportation or attempt to change any
20 highway improvement program schedule.

21 Sec. 60. Section 75-363, Revised Statutes Supplement, 2023, is
22 amended to read:

23 75-363 (1) The parts, subparts, and sections of Title 49 of the Code
24 of Federal Regulations listed below, as modified in this section, or any
25 other parts, subparts, and sections referred to by such parts, subparts,
26 and sections, in existence and effective as of January 1, 2024 ~~2023~~, are
27 adopted as Nebraska law.

28 (2) Except as otherwise provided in this section, the regulations
29 shall be applicable to:

30 (a) All motor carriers, drivers, and vehicles to which the federal
31 regulations apply; and

1 (b) All motor carriers transporting persons or property in
2 intrastate commerce to include:

3 (i) All vehicles of such motor carriers with a gross vehicle weight
4 rating, gross combination weight rating, gross vehicle weight, or gross
5 combination weight over ten thousand pounds;

6 (ii) All vehicles of such motor carriers designed or used to
7 transport more than eight passengers, including the driver, for
8 compensation, or designed or used to transport more than fifteen
9 passengers, including the driver, and not used to transport passengers
10 for compensation;

11 (iii) All vehicles of such motor carriers transporting hazardous
12 materials required to be placarded pursuant to section 75-364; and

13 (iv) All drivers of such motor carriers if the drivers are operating
14 a commercial motor vehicle as defined in section 60-465 which requires a
15 commercial driver's license.

16 (3) The Legislature hereby adopts, as modified in this section, the
17 following parts of Title 49 of the Code of Federal Regulations:

18 (a) Part 382 - CONTROLLED SUBSTANCES AND ALCOHOL USE AND TESTING;

19 (b) Part 385 - SAFETY FITNESS PROCEDURES;

20 (c) Part 386 - RULES OF PRACTICE FOR FMCSA PROCEEDINGS;

21 (d) Part 387 - MINIMUM LEVELS OF FINANCIAL RESPONSIBILITY FOR MOTOR
22 CARRIERS;

23 (e) Part 390 - FEDERAL MOTOR CARRIER SAFETY REGULATIONS; GENERAL;

24 (f) Part 391 - QUALIFICATIONS OF DRIVERS AND LONGER COMBINATION
25 VEHICLE (LCV) DRIVER INSTRUCTORS;

26 (g) Part 392 - DRIVING OF COMMERCIAL MOTOR VEHICLES;

27 (h) Part 393 - PARTS AND ACCESSORIES NECESSARY FOR SAFE OPERATION;

28 (i) Part 395 - HOURS OF SERVICE OF DRIVERS;

29 (j) Part 396 - INSPECTION, REPAIR, AND MAINTENANCE;

30 (k) Part 397 - TRANSPORTATION OF HAZARDOUS MATERIALS; DRIVING AND
31 PARKING RULES; and

1 (1) Part 398 - TRANSPORTATION OF MIGRANT WORKERS.

2 (4) The provisions of subpart E - Physical Qualifications and
3 Examinations of 49 C.F.R. part 391 - QUALIFICATIONS OF DRIVERS AND LONGER
4 COMBINATION VEHICLE (LCV) DRIVER INSTRUCTORS shall not apply to any
5 driver subject to this section who: (a) Operates a commercial motor
6 vehicle exclusively in intrastate commerce; and (b) holds, or has held, a
7 commercial driver's license issued by this state prior to July 30, 1996.

8 (5) The regulations adopted in subsection (3) of this section shall
9 not apply to farm trucks registered pursuant to section 60-3,146 with a
10 gross weight of sixteen tons or less. The following parts and sections of
11 49 C.F.R. chapter III shall not apply to drivers of farm trucks
12 registered pursuant to section 60-3,146 and operated solely in intrastate
13 commerce:

- 14 (a) All of part 391;
- 15 (b) Section 395.8 of part 395; and
- 16 (c) Section 396.11 of part 396.

17 (6) The following parts and subparts of 49 C.F.R. chapter III shall
18 not apply to the operation of covered farm vehicles:

- 19 (a) Part 382 - CONTROLLED SUBSTANCES AND ALCOHOL USE AND TESTING;
- 20 (b) Part 391, subpart E - Physical Qualifications and Examinations;
- 21 (c) Part 395 - HOURS OF SERVICE OF DRIVERS; and
- 22 (d) Part 396 - INSPECTION, REPAIR, AND MAINTENANCE.

23 (7) Part 393 - PARTS AND ACCESSORIES NECESSARY FOR SAFE OPERATION
24 and Part 396 - INSPECTION, REPAIR, AND MAINTENANCE shall not apply to
25 fertilizer and agricultural chemical application and distribution
26 equipment transported in units with a capacity of three thousand five
27 hundred gallons or less.

28 (8) For purposes of this section, intrastate motor carriers shall
29 not include any motor carrier or driver excepted from 49 C.F.R. chapter
30 III by section 390.3(f) of part 390.

31 (9)(a) Part 395 - HOURS OF SERVICE OF DRIVERS shall apply to motor

1 carriers and drivers who engage in intrastate commerce as defined in
2 section 75-362, except that no motor carrier who engages in intrastate
3 commerce shall permit or require any driver used by it to drive nor shall
4 any driver drive:

5 (i) More than twelve hours following ten consecutive hours off duty;
6 or

7 (ii) For any period after having been on duty sixteen hours
8 following ten consecutive hours off duty.

9 (b) No motor carrier who engages in intrastate commerce shall permit
10 or require a driver of a commercial motor vehicle, regardless of the
11 number of motor carriers using the driver's services, to drive, nor shall
12 any driver of a commercial motor vehicle drive, for any period after:

13 (i) Having been on duty seventy hours in any seven consecutive days
14 if the employing motor carrier does not operate every day of the week; or

15 (ii) Having been on duty eighty hours in any period of eight
16 consecutive days if the employing motor carrier operates motor vehicles
17 every day of the week.

18 (10) Part 395 - HOURS OF SERVICE OF DRIVERS, as adopted in
19 subsections (3) and (9) of this section, shall not apply to drivers
20 transporting agricultural commodities or farm supplies for agricultural
21 purposes during planting and harvesting season when:

22 (a) The transportation of such agricultural commodities is from the
23 source of the commodities to a location within a one-hundred-fifty-air-
24 mile radius of the source of the commodities;

25 (b) The transportation of such farm supplies is from a wholesale or
26 retail distribution point of the farm supplies to a farm or other
27 location where the farm supplies are intended to be used which is within
28 a one-hundred-fifty-air-mile radius of the wholesale or retail
29 distribution point; or

30 (c) The transportation of such farm supplies is from a wholesale
31 distribution point of the farm supplies to a retail distribution point of

1 the farm supplies which is within a one-hundred-fifty-air-mile radius of
2 the wholesale distribution point.

3 (11) 49 C.F.R. 390.21 - Marking of self-propelled CMVs and
4 intermodal equipment shall not apply to farm trucks and farm truck-
5 tractors registered pursuant to section 60-3,146 and operated solely in
6 intrastate commerce.

7 (12) 49 C.F.R. 392.9a - Operating authority shall not apply to
8 Nebraska motor carriers operating commercial motor vehicles solely in
9 intrastate commerce.

10 (13) No motor carrier shall permit or require a driver of a
11 commercial motor vehicle to violate, and no driver of a commercial motor
12 vehicle shall violate, any out-of-service order.

13 Sec. 61. Section 75-364, Revised Statutes Supplement, 2023, is
14 amended to read:

15 75-364 The parts, subparts, and sections of Title 49 of the Code of
16 Federal Regulations listed below, or any other parts, subparts, and
17 sections referred to by such parts, subparts, and sections, in existence
18 and effective as of January 1, 2024 ~~2023~~, are adopted as part of Nebraska
19 law and shall be applicable to all motor carriers whether engaged in
20 interstate or intrastate commerce, drivers of such motor carriers, and
21 vehicles of such motor carriers:

22 (1) Part 107 - HAZARDOUS MATERIALS PROGRAM PROCEDURES, subpart F -
23 Registration of Cargo Tank and Cargo Tank Motor Vehicle Manufacturers,
24 Assemblers, Repairers, Inspectors, Testers, and Design Certifying
25 Engineers;

26 (2) Part 107 - HAZARDOUS MATERIALS PROGRAM PROCEDURES, subpart G -
27 Registration of Persons Who Offer or Transport Hazardous Materials;

28 (3) Part 171 - GENERAL INFORMATION, REGULATIONS, AND DEFINITIONS;

29 (4) Part 172 - HAZARDOUS MATERIALS TABLE, SPECIAL PROVISIONS,
30 HAZARDOUS MATERIALS COMMUNICATIONS, EMERGENCY RESPONSE INFORMATION,
31 TRAINING REQUIREMENTS, AND SECURITY PLANS;

1 (5) Part 173 - SHIPPERS - GENERAL REQUIREMENTS FOR SHIPMENTS AND
2 PACKAGINGS;

3 (6) Part 177 - CARRIAGE BY PUBLIC HIGHWAY;

4 (7) Part 178 - SPECIFICATIONS FOR PACKAGINGS; and

5 (8) Part 180 - CONTINUING QUALIFICATION AND MAINTENANCE OF
6 PACKAGINGS.

7 Sec. 62. Section 75-366, Revised Statutes Supplement, 2023, is
8 amended to read:

9 75-366 For the purpose of enforcing Chapter 75, article 3, any
10 officer of the Nebraska State Patrol may, upon demand, inspect the
11 accounts, records, and equipment of any motor carrier or shipper. Any
12 officer of the Nebraska State Patrol shall have the authority to enforce
13 the federal motor carrier safety regulations, as such regulations existed
14 on January 1, 2024 ~~2023~~, and federal hazardous materials regulations, as
15 such regulations existed on January 1, 2024 ~~2023~~, and is authorized to
16 enter upon, inspect, and examine any and all lands, buildings, and
17 equipment of any motor carrier, any shipper, and any other person subject
18 to the federal Interstate Commerce Act, the federal Department of
19 Transportation Act, and other related federal laws and to inspect and
20 copy any and all accounts, books, records, memoranda, correspondence, and
21 other documents of a motor carrier, a shipper, and any other person
22 subject to Chapter 75, article 3, for the purposes of enforcing Chapter
23 75, article 3. To promote uniformity of enforcement, the carrier
24 enforcement division of the Nebraska State Patrol shall cooperate and
25 consult with the Public Service Commission and the Division of Motor
26 Carrier Services.

27 Sec. 63. Section 75-369.03, Revised Statutes Supplement, 2023, is
28 amended to read:

29 75-369.03 (1) The Superintendent of Law Enforcement and Public
30 Safety may issue an order imposing a civil penalty against a motor
31 carrier transporting persons or property in interstate commerce for a

1 violation of sections 75-392 to 75-3,100 or against a motor carrier
2 transporting persons or property in intrastate commerce for a violation
3 or violations of section 75-363 or 75-364 based upon an inspection
4 conducted pursuant to section 75-366 in an amount which shall not exceed
5 nine hundred seventy-one ~~nine hundred one~~ dollars for any single
6 violation in any proceeding or series of related proceedings against any
7 person or motor carrier as defined in 49 C.F.R. 390.5 as adopted in
8 section 75-363.

9 (2) The superintendent shall issue an order imposing a civil penalty
10 in an amount not to exceed nineteen thousand three hundred eighty-nine
11 ~~seventeen thousand nine hundred ninety-five~~ dollars against a motor
12 carrier transporting persons or property in interstate commerce for a
13 violation of subdivision (2)(e) of section 60-4,162 based upon a
14 conviction of such a violation.

15 (3) The superintendent shall issue an order imposing a civil penalty
16 against a driver operating a commercial motor vehicle, as defined in
17 section 60-465, that requires a commercial driver's license or CLP-
18 commercial learner's permit, in violation of an out-of-service order. The
19 civil penalty shall be in an amount not less than three thousand seven
20 hundred forty ~~three thousand four hundred seventy-one~~ dollars for a first
21 violation and not less than seven thousand four hundred eighty-one ~~six~~
22 ~~thousand nine hundred forty-three~~ dollars for a second or subsequent
23 violation.

24 (4) The superintendent shall issue an order imposing a civil penalty
25 against a motor carrier who knowingly allows, requires, permits, or
26 authorizes the operation of a commercial motor vehicle, as defined in
27 section 60-465, that requires a commercial driver's license or CLP-
28 commercial learner's permit, in violation of an out-of-service order. The
29 civil penalty shall be not less than six thousand seven hundred fifty-
30 five ~~six thousand two hundred sixty-nine~~ dollars but not more than
31 thirty-seven thousand four hundred ~~thirty-four thousand seven hundred~~

1 ~~twelve~~ dollars per violation.

2 (5) Upon the discovery of any violation by a motor carrier
3 transporting persons or property in interstate commerce of section
4 75-307, 75-363, or 75-364 or sections 75-392 to 75-3,100 based upon an
5 inspection conducted pursuant to section 75-366, the superintendent shall
6 immediately refer such violation to the appropriate federal agency for
7 disposition, and upon the discovery of any violation by a motor carrier
8 transporting persons or property in intrastate commerce of section 75-307
9 based upon such inspection, the superintendent shall refer such violation
10 to the Public Service Commission for disposition.

11 Sec. 64. Section 75-392, Revised Statutes Supplement, 2023, is
12 amended to read:

13 75-392 For purposes of sections 75-392 to 75-3,100:

14 (1) Director means the Director of Motor Vehicles;

15 (2) Division means the Division of Motor Carrier Services of the
16 Department of Motor Vehicles; and

17 (3) Unified carrier registration plan and agreement means the plan
18 and agreement established and authorized pursuant to 49 U.S.C. 14504a, as
19 such section existed on January 1, 2024 ~~2023~~.

20 Sec. 65. Section 75-393, Revised Statutes Supplement, 2023, is
21 amended to read:

22 75-393 The director may participate in the unified carrier
23 registration plan and agreement pursuant to the Unified Carrier
24 Registration Act of 2005, 49 U.S.C. 13908, as the act existed on January
25 1, 2024 ~~2023~~, and may file on behalf of this state the plan required by
26 such plan and agreement for enforcement of the act in this state.

27 Sec. 66. (1) The Legislature finds that:

28 (a) In 2020, Congress enacted the federal National Suicide Hotline
29 Designation Act of 2020, Public Law 116-172. This federal act designated
30 988 as the universal three-digit telephone number within the United
31 States for the purpose of the national suicide prevention and mental

1 health crisis hotline system operating since 2005 through the National
2 Suicide Prevention Lifeline;

3 (b) The three-digit 988 code became operational nationally in 2022,
4 and is a more universal and easy-to-remember way to connect individuals
5 experiencing mental health-related distress with mental health care
6 professionals; and

7 (c) The 988 Suicide and Crisis Lifeline is a national effort,
8 organized at the state level, and serves as an alternative to 911 in
9 addressing the growing need for mental health-related crisis intervention
10 in order to save lives.

11 (2) The Department of Health and Human Services shall:

12 (a) Oversee administration of the 988 Suicide and Crisis Lifeline in
13 Nebraska, including contracting for services provided by trained
14 counselors, call-center operators, and other service providers helping
15 operate the 988 Suicide and Crisis Lifeline network in the state; and

16 (b) Coordinate and cooperate with the Public Service Commission to
17 ensure that the 988 Suicide and Crisis Lifeline has the capability to
18 connect individuals to the 911 service system and also receive
19 communications from the 911 service system as provided under subdivision
20 (6) of section 86-1025.

21 Sec. 67. Except for failure to use reasonable care or for
22 intentional acts, each person involved in the provision of 988 Suicide
23 and Crisis Lifeline service pursuant to section 66 of this act, including
24 988 service providers, call-center operators, and counselors, shall be
25 immune from liability or the payment of damages in the performance of
26 installing, maintaining, or providing such service, including providing
27 interoperable connections between the 988 Suicide and Crisis Lifeline and
28 the 911 service system.

29 Sec. 68. Section 86-1025, Revised Statutes Cumulative Supplement,
30 2022, is amended to read:

31 86-1025 The commission shall:

1 (1) Serve as the statewide coordinating authority for the
2 implementation of the 911 service system;

3 (2) Be responsible for statewide planning, implementation,
4 coordination, funding assistance, deployment, and management and
5 maintenance of the 911 service system to ensure that coordinated 911
6 service is provided to all residents of the state at a consistent level
7 of service in a cost-effective manner;

8 (3) Be responsible for establishing mandatory and uniform technical
9 and training standards applicable to public safety answering points and
10 adopting and promulgating rules and regulations applicable to public
11 safety answering points for quality assurance standards;

12 (4) Appoint the members of the committee and act on the committee's
13 recommendations as provided in section 86-1025.01; ~~and~~

14 (5)(a) Determine how to allocate the 911 Service System Fund in
15 order to facilitate the planning, implementation, coordination,
16 operation, management, and maintenance of the 911 service system;

17 (b) Create a mechanism for determining the level of funding
18 available to or for the benefit of local governing bodies, public safety
19 answering points, and third-party service or infrastructure providers for
20 costs determined to be eligible by the commission under subdivision (5)
21 (c) of this section; and

22 (c) Establish standards and criteria concerning disbursements from
23 the 911 Service System Fund for the planning, implementation,
24 coordination, operation, management, and maintenance of the 911 service
25 system. In establishing such standards and criteria, the following may be
26 eligible for funding:

27 (i) Costs incurred by or on behalf of governing bodies or public
28 safety answering points to provide 911 service, including, but not
29 limited to, (A) acquisition of new equipment and related maintenance
30 costs and license fees, (B) upgrades and modifications, (C) delivering
31 next-generation 911 core services, and (D) training personnel used to

1 provide 911 services; and

2 (ii) Costs incurred by or on behalf of governing bodies or public
3 safety answering points for the acquisition, installation, maintenance,
4 and operation of telecommunications equipment and telecommunications
5 service required for the provision of 911 service; and -

6 (6) Adopt statewide uniform standards for technical enhancement,
7 support, training, and quality assurance that will allow the 911 service
8 system to communicate, coordinate, and engage with the 988 Suicide and
9 Crisis Lifeline. Such standards shall provide that service users calling
10 the 911 service system can be connected to the 988 Suicide and Crisis
11 Lifeline, and individuals calling the 988 Suicide and Crisis Lifeline can
12 be connected to the 911 service system, when deemed appropriate by the
13 call-center operators. The purpose of such dual capability is to
14 facilitate the provision of appropriate emergency services, including
15 instances requiring counseling services for an individual in
16 psychological distress. The standards shall be completed so that the dual
17 capability to connect individuals between both the 988 Suicide and Crisis
18 Lifeline and the 911 service system is operational no later than January
19 1, 2025.

20 Sec. 69. Section 86-1029.02, Revised Statutes Cumulative Supplement,
21 2022, is amended to read:

22 86-1029.02 Any person involved in the provision of next-generation
23 911 service who: (1) Receives, develops, collects, or processes
24 information for any 911 database; (2) provides local exchange,
25 interexchange, or transport service in connection with any next-
26 generation 911 service; (3) relays, transfers, operates, maintains, or
27 provides next-generation 911 service or systems capabilities, including
28 interoperable connections between the 911 service system and the 988
29 Suicide and Crisis Lifeline; or (4) provides next-generation 911
30 communications service for emergency service providers shall, except for
31 failure to use reasonable care or for intentional acts, be immune from

1 liability or the payment of damages in the performance of installing,
2 maintaining, or providing next-generation 911 service.

3 Sec. 70. Sections 3, 51, 54, 55, 56, 59, 66, 67, 68, 69, and 72 of
4 this act become operative three calendar months after the adjournment of
5 this legislative session. The other sections of this act become operative
6 on their effective date.

7 Sec. 71. Original sections 18-1737, 43-3314, 43-3318, 60-164.01,
8 60-172, 60-3,162, 60-3,202, 60-3,205, 60-480, 60-497.01, 60-4,131,
9 60-4,131.01, 60-4,139, 60-4,143, 60-4,144.03, 60-4,146.01, 60-4,148,
10 60-4,148.01, 60-4,149, 60-4,150, 60-4,151, and 60-6,254, Reissue Revised
11 Statutes of Nebraska, sections 60-144, 60-146, 60-149, 60-3,198, and
12 60-490, Revised Statutes Cumulative Supplement, 2022, and sections
13 30-24,125, 60-107, 60-119.01, 60-169, 60-302.01, 60-336.01, 60-386,
14 60-3,113.04, 60-3,193.01, 60-462, 60-462.01, 60-479.01, 60-4,111.01,
15 60-4,115, 60-4,132, 60-4,134, 60-4,142, 60-4,144, 60-4,147.02, 60-4,168,
16 60-501, 60-628.01, 60-6,265, 60-2705, 60-2909.01, 75-363, 75-364, 75-366,
17 75-369.03, 75-392, and 75-393, Revised Statutes Supplement, 2023, are
18 repealed.

19 Sec. 72. Original sections 60-6,123, 60-6,290, 60-1401.24,
20 60-1438.01, and 66-4,144, Reissue Revised Statutes of Nebraska, and
21 sections 39-2817, 86-1025, and 86-1029.02, Revised Statutes Cumulative
22 Supplement, 2022, are repealed.

23 Sec. 73. Since an emergency exists, this act takes effect when
24 passed and approved according to law.