

## LEGISLATIVE BILL 574

Approved by the Governor March 23, 1978

Introduced by R. Maresh, 32; Simon, 31

AN ACT relating to identification; to provide for issuance of motor vehicle operators' licenses by other than the county of residence as prescribed; to provide for temporary permits as prescribed; to provide for replacement of certain nonphoto licenses; to provide for color-photograph identification cards as prescribed; to provide fees and duties; to amend sections 60-405, Reissue Revised Statutes of Nebraska, 1943, and section 60-406.04, Revised Statutes Supplement, 1976; to provide an operative date; to repeal the original sections; and to declare an emergency.

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

Section 1. That section 60-405, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

60-405. All applications for license to operate a motor vehicle, ~~made by persons resident in the county,~~ shall be presented to the examiner of the any county by the applicant in person. The examiner shall promptly transmit each and every application, where the applicant for license after September 1, 1945, is not successful in passing the examination and receiving a certificate, or where a successful applicant's certificate, for cause, has been refused to any person who shall have possessed a motor vehicle operator's license prior to said date, to the director with his recommendations; Provided, upon a review of the recommendations of the examiner, the director, in his discretion, may order the examiner to issue a certificate for a license if it appears that the recommendation of the examiner is clearly wrong.

Sec. 2. If a person applies for and receives a license to operate a motor vehicle in a county other than the person's county of residence, the county which issued such license shall transfer a record of such issuance to the person's county of residence.

Sec. 3. That section 60-406.04, Revised Statutes Supplement, 1977, be amended to read as follows:

60-406.04. (1) All motor vehicle operators' licenses except limited, special, learners', temporary as provided by subsection (2) of this section, or school permits issued in the state after January 1, 1978, shall have a color photograph of the licensee affixed thereto. Such license shall be issued by the county treasurer either in person or by mail. If the license is to be mailed to the licensee, the county treasurer shall, upon receipt of the examiner's certificate of approval and the necessary fees, issue to the applicant a temporary license without a color photograph which license shall be valid until the permanent license, with color photograph affixed, is issued but in no event shall such temporary license be valid for more than thirty days. The Director of Motor Vehicles shall negotiate and enter into a contract to provide the necessary equipment, supplies, and forms for the photographs. All costs incurred by the department under this section shall be paid by the state out of appropriations made to the Department of Motor Vehicles. All costs of taking and affixing the photographs shall be paid by the county from the fees provided pursuant to section 60-409.

(2) Any person who, at the time of renewal of his motor vehicle operator's license, is out of the state may apply for a temporary motor vehicle operator's permit. Such application shall be made to the county treasurer of the county in which the applicant resides. Upon being satisfied that such application is in proper form, the county treasurer shall issue, upon the payment of a fee of two dollars, a temporary motor vehicle operator's permit. The temporary permit shall be valid for no longer than three months from the date of expiration of the individual's motor vehicle operator's license, except that a person who is out of the state continually for more than three months may apply for an extension of the temporary permit for up to three additional three-month periods at no charge.

Sec. 4. Persons who obtained a driver's license between September 2, 1977, and January 3, 1978, shall receive at no charge a color photo driver's license upon presentation of the nonphoto driver's license to the county treasurer's office.

Sec. 5. Any person who is a resident of this state may obtain an identification card with a color photograph of the person affixed thereto.

Sec. 6. The identification card with color photograph affixed shall be issued by the county treasurer after the person requesting such card (1) files an application, (2) files a certified copy of such

person's birth certificate, and (3) pays a fee of three dollars and fifty cents to the county treasurer.

Sec. 7. (1) The county treasurer shall credit fifty per cent of the fees received from the issuance of identification cards to the general fund of the county.

(2) The treasurer shall remit the balance of the identification card fees to the State Treasurer who shall credit the remainder of the fees to the General Fund.

Sec. 8. The Director of Motor Vehicles shall negotiate and enter into a contract to provide the necessary equipment, supplies, and forms for the photographs. All costs incurred by the department under this section shall be paid by the state out of appropriations made to the Department of Motor Vehicles. All costs of taking and affixing the photographs shall be paid by the county.

Sec. 9. Sections 5 to 8 of this act shall become operative on January 1, 1979. The other sections of this act shall become operative on their effective date.

Sec. 10. That original section 60-405, Reissue Revised Statutes of Nebraska, 1943, and section 60-406.04, Revised Statutes Supplement, 1977, are repealed.

Sec. 11. Since an emergency exists, this act shall be in full force and take effect, from and after its passage and approval, according to law.