

## LEGISLATIVE BILL 974

Approved by the Governor March 13, 1996

Introduced by Schmitt, 41

AN ACT relating to motor vehicles; to amend sections 60-488 and 60-4,121, Reissue Revised Statutes of Nebraska; to change provisions relating to an exemption from motor vehicle operator's license requirements; to provide for the issuance of operator's licenses without examination as prescribed; and to repeal the original sections.

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

Section 1. Section 60-488, Reissue Revised Statutes of Nebraska, is amended to read:

60-488. (1) A nonresident shall not be prevented from operating a motor vehicle upon the highways of this state during the period within which he or she may lawfully operate such motor vehicle in the state under the general motor vehicle laws of this state, but in no event shall such immunity extend beyond a period of thirty days continuous residence in the State of Nebraska.

(2) Subsection (1) of this section shall be subject to the following limitations:

(a) Such nonresident shall be duly licensed under the motor vehicle laws of the state of his or her residence or have complied with the laws of the state of his or her residence relating to the registration or licensing of motor vehicles and conformed to the laws of such state of residence in relation to the operators of motor vehicles;

(b) A nonresident who is serving in this state on active duty as a member of the United States Armed Forces, or the spouse of any such person or a dependent of person who has been with such member of the armed forces, shall be exempt from the licensing requirements of this state if he or she is duly licensed under the laws of the state of his or her residence;

(c) A nonresident who is considered to be a full-time student in any institution of postsecondary education in this state shall be exempt from the licensing requirements of this state if such person is duly licensed under the laws of the state of his or her residence; and

(d) A nonresident certified by the Department of Labor, Division of Employment, as engaged in temporary agricultural employment in Nebraska for a period of not to exceed sixty days may be granted an additional thirty days' immunity if a similar immunity is granted by the state of his or her permanent residence to residents of Nebraska while temporarily employed in agricultural employment in such state.

Sec. 2. Section 60-4,121, Reissue Revised Statutes of Nebraska, is amended to read:

60-4,121. The operator's license of any person serving on active duty, other than for training purposes, outside the State of Nebraska as a member of the United States Armed Forces, or the spouse of any such person or a person who has been with dependent of such member of the armed forces, shall be valid during such person's period of active duty and for not more than sixty days immediately following such person's date of separation from service and shall be renewed after the expiration date without examination upon written application to the county treasurer who issued the license. No person shall be permitted to renew a license in such manner more than twice.

The county treasurer also shall issue a renewal license, without examination, to any person who is serving in the armed forces of the United States, or the spouse of any such person or a dependent of such member of the armed forces, and who makes application for renewal within ninety days prior to the expiration date of his or her license while the member is still on active duty upon proof that such member is still on active duty. The county treasurer also shall issue a renewal license, without examination, to any person whose license expired while serving in the armed forces of the United States, or the spouse of any such person or a person who has been with dependent of such member of the armed forces, and who makes application for renewal within sixty days after his or her (1) discharge or return to the State of Nebraska to reside, whichever is later, or (2) return to the State of Nebraska while the member is still on active duty upon proof that such member is still on active duty. Each individual who is applying for renewal of his or her operator's license shall submit his or her previous license to the examiner or, when the previous license is unavailable, furnish proof of identification in accordance with section 60-484.

Sec. 3. Original sections 60-488 and 60-4,121, Reissue Revised Statutes of Nebraska, are repealed.