

LEGISLATURE OF NEBRASKA
ONE HUNDREDTH LEGISLATURE
SECOND SESSION
LEGISLATIVE BILL 279

FINAL READING

Introduced by Stuthman, 22.

Read first time January 10, 2007

Committee: Transportation and Telecommunications

A BILL

1 FOR AN ACT relating to motor vehicles; to amend sections 60-4,173,
2 60-4,174, and 60-4,175, Reissue Revised Statutes of
3 Nebraska; to change provisions relating to driver
4 training schools; to harmonize provisions; and to repeal
5 the original sections.

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

1 Section 1. Section 60-4,173, Reissue Revised Statutes of
2 Nebraska, is amended to read:

3 60-4,173 For purposes of sections 60-4,173 to 60-4,179:

4 (1) ~~Commercial driver~~ Driver training school or
5 school means a business enterprise conducted by an individual,
6 association, partnership, limited liability company, or corporation
7 or a public or private educational facility which educates or
8 trains persons to operate or drive motor vehicles or which
9 furnishes educational materials to prepare an applicant for an
10 examination by the state for an operator's license, provisional
11 operator's permit, or LPD-learner's or LPE-learner's permit and
12 which charges consideration or tuition for such service or
13 materials; and

14 (2) Instructor means any person who operates a ~~commercial~~
15 driver training school or who teaches, conducts classes, gives
16 demonstrations, or supervises practical training of persons
17 learning to operate or drive motor vehicles in connection with
18 operation of a ~~commercial~~ driver training school.

19 Sec. 2. Section 60-4,174, Reissue Revised Statutes of
20 Nebraska, is amended to read:

21 60-4,174 (1) The director shall adopt and promulgate
22 such rules and regulations for the administration and enforcement
23 of sections 60-4,173 to 60-4,179 as are necessary to protect
24 the public. The director or his or her authorized representative
25 shall examine applicants for ~~Commercial~~ Driver Training School and

1 Instructor's Licenses, license successful applicants, and inspect
2 school facilities and equipment. The director shall administer
3 and enforce such sections and may call upon the Commissioner of
4 Education for assistance in developing and formulating appropriate
5 rules and regulations.

6 (2) Rules and regulations which have been adopted and
7 promulgated pursuant to this section prior to the effective date
8 of this act shall remain in effect and be applicable to all driver
9 training schools and instructors until such time as new rules and
10 regulations are adopted and promulgated.

11 Sec. 3. Section 60-4,175, Reissue Revised Statutes of
12 Nebraska, is amended to read:

13 60-4,175 No ~~commercial~~ driver training school shall be
14 established nor any existing school be continued unless such school
15 applies for and obtains from the director a license in the manner
16 and form prescribed by the director. Rules and regulations adopted
17 and promulgated by the director shall state the requirements
18 for a school license, including requirements concerning location,
19 equipment, courses of instruction, instructors, financial
20 statements, schedule of fees and charges, character and reputation
21 of the operators, insurance, bond, or other security in such sum
22 and with such provisions as the director deems necessary to protect
23 adequately the interests of the public, and such other matters as
24 the director may prescribe.

25 Sec. 4. Original sections 60-4,173, 60-4,174, and

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1 60-4,175, Reissue Revised Statutes of Nebraska, are repealed.