

LEGISLATURE OF NEBRASKA
ONE HUNDREDTH LEGISLATURE
FIRST SESSION
LEGISLATIVE BILL 279

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
2 60-4,173, 60-4,174, and 60-4,175, Reissue Revised Statutes
3 of Nebraska; to change provisions relating to driver
4 training schools; to harmonize provisions; and to repeal the
5 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 school
5 means a business enterprise conducted by an individual, association,
6 partnership, limited liability company, or corporation or a public or
7 private educational facility which educates or trains persons to
8 operate or drive motor vehicles or which furnishes educational
9 materials to prepare an applicant for an examination by the state for
10 an operator's license, provisional operator's permit, or LPD-learner's
11 or LPE-learner's permit and which charges consideration or tuition for
12 such service or materials; and

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

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

20 60-4,174. (1) The director shall adopt and promulgate such
21 rules and regulations for the administration and enforcement of
22 sections 60-4,173 to 60-4,179 as are necessary to protect the public.
23 The director or his or her authorized representative shall examine
24 applicants for ~~Commercial~~ Driver Training School and Instructor's
25 Licenses, license successful applicants, and inspect school facilities
26 and equipment. The director shall administer and enforce such sections
27 and may call upon the Commissioner of Education for assistance in

1 developing and formulating appropriate rules and regulations.

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

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

9 60-4,175. No ~~commercial~~ driver training school shall be
10 established nor any existing school be continued unless such school
11 applies for and obtains from the director a license in the manner and
12 form prescribed by the director. Rules and regulations adopted and
13 promulgated by the director shall state the requirements for a school
14 license, including requirements concerning location, equipment,
15 courses of instruction, instructors, financial statements, schedule of
16 fees and charges, character and reputation of the operators,
17 insurance, bond, or other security in such sum and with such
18 provisions as the director deems necessary to protect adequately the
19 interests of the public, and such other matters as the director may
20 prescribe.

21 Sec. 4. Original sections 60-4,173, 60-4,174, and 60-4,175,
22 Reissue Revised Statutes of Nebraska, are repealed.