

LEGISLATURE OF NEBRASKA

ONE HUNDRED FIRST LEGISLATURE

FIRST SESSION

LEGISLATIVE BILL 261

Introduced by Rogert, 16.

Read first time January 14, 2009

Committee: Transportation and Telecommunications

A BILL

1 FOR AN ACT relating to the Motor Vehicle Operator's License Act;
2 to amend section 60-4,111.01, Reissue Revised Statutes
3 of Nebraska; to provide for use of machine-readable
4 information encoded on an operator's license or a state
5 identification card; to provide penalties; and to repeal
6 the original section.
7 Be it enacted by the people of the State of Nebraska,

1 Section 1. Section 60-4,111.01, Reissue Revised Statutes
2 of Nebraska, is amended to read:

3 60-4,111.01 (1) The Department of Motor Vehicles,
4 the courts, or law enforcement agencies may store or compile
5 information acquired from an operator's license or state
6 identification card for their statutorily authorized purposes.

7 (2) ~~No~~ Except as otherwise provided in subsection
8 (3) of this section, no person having use of or access to
9 machine-readable information encoded on an operator's license or a
10 state identification card shall compile, store, preserve, trade,
11 or sell such information. Violation of this subsection shall be a
12 Class IV felony.

13 (3) For purposes of compliance with and enforcement of
14 restrictions on the purchase of alcohol, lottery tickets, and
15 tobacco products, a retailer who sells any of such items pursuant
16 to a license issued under the applicable statutory provision may
17 scan machine-readable information encoded on an operator's license
18 or a state identification card presented for the purpose of such
19 a sale. The retailer may store the following information obtained
20 from the license or card: Age and license or card identification
21 number. The retailer shall post a sign at the point of sale
22 of any of such items stating that the license or card will be
23 scanned and that the age and identification number will be stored.
24 The stored information may be used by a law enforcement agency
25 for purposes of enforcement of the restrictions on the purchase

1 of alcohol, lottery tickets, and tobacco products. The programmer
2 for computer software designed to store such information shall
3 certify to the retailer that the software is capable of storing
4 only the information allowed by this subsection. Intentional or
5 grossly negligent programming by the programmer which allows for
6 the storage of more than the age and identification number shall be
7 a Class IV felony.

8 (4) With the written or electronic permission of the
9 holder of the license or card, any retailer may store the following
10 information obtained from the scan of the license or card: Name,
11 address, age, and license or card identification number. The
12 retailer shall not sell any information collected or stored under
13 this subsection. A retailer who sells such information shall be
14 guilty of a Class IV felony.

15 Sec. 2. Original section 60-4,111.01, Reissue Revised
16 Statutes of Nebraska, is repealed.