

LEGISLATURE OF NEBRASKA
ONE HUNDRED FIRST LEGISLATURE
FIRST SESSION

LEGISLATIVE BILL 6

Introduced by Christensen, 44.

Read first time January 8, 2009

Committee: Transportation and Telecommunications

A BILL

1 FOR AN ACT relating to motor vehicles; to amend section
2 60-4,124, Revised Statutes Cumulative Supplement, 2008;
3 to authorize school permitholders to drive motor vehicles
4 to work; to provide an operative date; and to repeal the
5 original section.

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

1 Section 1. Section 60-4,124, Revised Statutes Cumulative
2 Supplement, 2008, is amended to read:

3 60-4,124 (1) A person who is younger than sixteen years
4 and three months of age but is older than fourteen years and two
5 months of age may be issued a school permit if such person lives a
6 distance of one and one-half miles or more from the school he or
7 she attends and either resides outside a city of the metropolitan,
8 primary, or first class or attends a school which is outside a city
9 of the metropolitan, primary, or first class and if such person
10 has held an LPE-learner's permit for two months. A school permit
11 shall not be issued until such person has demonstrated that he or
12 she is capable of successfully operating a motor vehicle, moped, or
13 motorcycle and has in his or her possession an issuance certificate
14 authorizing the county treasurer to issue a school permit. In order
15 to obtain an issuance certificate, the applicant shall present
16 (a) proof of successful completion of a department-approved driver
17 safety course which includes behind-the-wheel driving specifically
18 emphasizing (i) the effects of the consumption of alcohol on a
19 person operating a motor vehicle, (ii) occupant protection systems,
20 (iii) risk assessment, and (iv) railroad crossing safety and (b) (i)
21 proof of successful completion of a written examination and driving
22 test administered by a driver safety course instructor or (ii)
23 a certificate in a form prescribed by the department, signed by
24 a parent, guardian, or licensed driver at least twenty-one years
25 of age, verifying that the applicant has completed fifty hours

1 of lawful motor vehicle operation, under conditions that reflect
2 department-approved driver safety course curriculum, with a parent,
3 guardian, or adult at least twenty-one years of age, who has a
4 current Nebraska operator's license or who is licensed in another
5 state. The department may waive the written examination if the
6 applicant has been issued an LPE-learner's permit or LPD-learner's
7 permit and if such permit is valid or has expired no more than
8 one year prior to application. The written examination shall not
9 be waived if the permit being applied for contains a class or
10 endorsement which is different from the class or endorsement of the
11 LPE-learner's permit.

12 (2) A person holding a school permit may operate a motor
13 vehicle, moped, or motorcycle:

14 (a) To and from where he or she attends school and
15 between schools of enrollment over the most direct and accessible
16 route by the nearest highway from his or her place of residence
17 to transport such person or any family member who resides with
18 such person to attend duly scheduled courses of instruction and
19 extracurricular or school-related activities at the school he or
20 she attends; ~~or~~

21 (b) To and from where he or she works over the most
22 direct and accessible route by the nearest highway from his or her
23 place of residence or school of enrollment to transport such person
24 for employment at his or her place of work; or

25 ~~(b)~~ (c) Under the personal supervision of a licensed

1 operator. Such licensed operator shall be at least twenty-one years
2 of age and licensed by this state or another state and shall
3 actually occupy the seat beside the permitholder or, in the case of
4 a motorcycle or moped, if the permitholder is within visual contact
5 of and under the supervision of, in the case of a motorcycle, a
6 licensed motorcycle operator or, in the case of a moped, a licensed
7 motor vehicle operator.

8 (3) The holder of a school permit shall not use any
9 type of interactive wireless communication device while operating a
10 motor vehicle on the highways of this state. Enforcement of this
11 subsection shall be accomplished only as a secondary action when
12 the holder of the school permit has been cited or charged with a
13 violation of some other law.

14 (4) A person who is younger than sixteen years of age
15 but is over fourteen years of age may be issued an LPE-learner's
16 permit, which permit shall be valid for a period of three months.
17 An LPE-learner's permit shall not be issued until such person
18 successfully completes a written examination prescribed by the
19 department and demonstrates that he or she has sufficient powers of
20 eyesight to safely operate a motor vehicle, moped, or motorcycle.

21 (5) (a) While holding the LPE-learner's permit, the person
22 may operate a motor vehicle on the highways of this state if he
23 or she has seated next to him or her a person who is a licensed
24 operator or, in the case of a motorcycle or moped, if he or she is
25 within visual contact of and is under the supervision of a person

1 who, in the case of a motorcycle, is a licensed motorcycle operator
2 or, in the case of a moped, is a licensed motor vehicle operator.
3 Such licensed motor vehicle or motorcycle operator shall be at
4 least twenty-one years of age and licensed by this state or another
5 state.

6 (b) The holder of an LPE-learner's permit shall not
7 use any type of interactive wireless communication device while
8 operating a motor vehicle on the highways of this state.
9 Enforcement of this subdivision shall be accomplished only as a
10 secondary action when the holder of the LPE-learner's permit has
11 been cited or charged with a violation of some other law.

12 (6) The county treasurer shall collect the fee and
13 surcharge prescribed in section 60-4,115 from each successful
14 applicant for a school or LPE-learner's permit. All school permits
15 shall be subject to impoundment or revocation under the terms of
16 section 60-496. Any person who violates the terms of a school
17 permit shall be guilty of an infraction and shall not be eligible
18 for another school, farm, LPD-learner's, or LPE-learner's permit
19 until he or she has attained the age of sixteen years.

20 Sec. 2. This act becomes operative on January 1, 2010.

21 Sec. 3. Original section 60-4,124, Revised Statutes
22 Cumulative Supplement, 2008, is repealed.