

LEGISLATURE OF NEBRASKA

ONE HUNDRED FIRST LEGISLATURE

SECOND SESSION

LEGISLATIVE BILL 761

Introduced by Fischer, 43.

Read first time January 06, 2010

Committee: Transportation and Telecommunications

A BILL

1 FOR AN ACT relating to the Motor Vehicle Operator's License Act;
2 to amend section 60-4,129, Reissue Revised Statutes of
3 Nebraska; to change provisions relating to employment
4 driving permits; and to repeal the original section.
5 Be it enacted by the people of the State of Nebraska,

1 Section 1. Section 60-4,129, Reissue Revised Statutes of
2 Nebraska, is amended to read:

3 60-4,129 (1) Any individual whose operator's license
4 is revoked under section 60-498.02, 60-4,183, or 60-4,186 or
5 suspended under section 43-3318 shall be eligible to operate any
6 motor vehicle, except a commercial motor vehicle, in this state
7 under an employment driving permit. An employment driving permit
8 issued due to a revocation under section 60-498.02, 60-4,183, or
9 60-4,186 is valid for the period of revocation. An employment
10 driving permit issued due to a suspension of an operator's license
11 under section 43-3318 is valid for no more than three months
12 and cannot be renewed. An employment driving permit shall not
13 be issued to any person subject to an administrative license
14 revocation who submitted to a chemical test pursuant to section
15 60-6,197 which disclosed the presence of a concentration of alcohol
16 in violation of section 60-6,196 if the person's driving record
17 abstract maintained in the department's computerized records shows
18 one or more prior administrative license revocations on which
19 final orders have been issued during the immediately preceding
20 twelve-year period at the time the order of revocation is issued.

21 (2) Any person whose operator's license has been
22 suspended or revoked pursuant to any law of this state, except such
23 sections, shall not be eligible to receive an employment driving
24 permit during the period of such suspension or revocation.

25 (3) An individual who is issued an employment driving

1 permit may operate any motor vehicle, except a commercial motor
2 vehicle, (a) from his or her residence to his or her place
3 of employment and return and (b) during the normal course of
4 employment if the use of a motor vehicle is necessary in the course
5 of such employment. Such permit shall indicate for which purposes
6 the permit may be used. All permits issued pursuant to this section
7 shall indicate that the permit is not valid for the operation of
8 any commercial motor vehicle.

9 (4) The operation of a motor vehicle by the holder of
10 an employment driving permit, except as provided in this section,
11 shall be unlawful. Any person who violates this section shall be
12 guilty of a Class IV misdemeanor.

13 (5) The director shall revoke the employment driving
14 permit for an individual upon receipt of an abstract of conviction,
15 other than a conviction which is based upon actions which resulted
16 in the application for such employment driving permit, indicating
17 that the individual committed an offense for which points are
18 assessed pursuant to section 60-4,182. If the permit is revoked
19 in this manner, the individual shall not be eligible to receive
20 an employment driving permit for the remainder of the period of
21 suspension or revocation of his or her operator's license.

22 Sec. 2. Original section 60-4,129, Reissue Revised
23 Statutes of Nebraska, is repealed.