

AMENDMENTS TO LB 289

Introduced by Transportation and Telecommunications

1 1. Strike the original sections and insert the following
2 new sections:

3 Section 1. Section 23-187, Revised Statutes Cumulative
4 Supplement, 2010, is amended to read:

5 23-187 (1) In addition to the powers granted by section
6 23-104, a county may, in the manner specified by sections 23-187 to
7 23-193, regulate the following subjects by ordinance:

8 (a) Parking of motor vehicles on public roads, highways,
9 and rights-of-way as it pertains to snow removal for and access by
10 emergency vehicles to areas within the county;

11 (b) Motor vehicles as defined in section 60-339 that are
12 abandoned on public or private property;

13 (c) Low-speed vehicles as described and operated pursuant
14 to section 35 of this act;

15 ~~(e)~~ (d) Graffiti on public or private property;

16 ~~(d)~~ (e) False alarms from electronic security systems
17 that result in requests for emergency response from law enforcement
18 or other emergency responders; and

19 ~~(e)~~ (f) Violation of the public peace and good order of
20 the county by disorderly conduct, lewd or lascivious behavior, or
21 public nudity.

22 (2) For the enforcement of any ordinance authorized by
23 this section, a county may impose fines, forfeitures, or penalties

1 and provide for the recovery, collection, and enforcement of such
2 fines, forfeitures, or penalties. A county may also authorize
3 such other measures for the enforcement of ordinances as may be
4 necessary and proper. A fine enacted pursuant to this section shall
5 not exceed five hundred dollars for each offense.

6 Sec. 2. Section 39-2215, Reissue Revised Statutes of
7 Nebraska, is amended to read:

8 39-2215 (1) There is hereby created in the state treasury
9 a special fund to be known as the Highway Trust Fund.

10 (2) All funds credited to the Highway Trust Fund pursuant
11 to sections 66-489.02, 66-499, 66-4,140, 66-4,147, 66-6,108, and
12 66-6,109.02, and related penalties and interest, shall be allocated
13 as provided in such sections.

14 (3) All other motor vehicle fuel taxes, diesel fuel
15 taxes, compressed fuel taxes, and alternative fuel ~~taxes~~ fees
16 related to highway use retained by the state, all motor vehicle
17 registration fees retained by the state other than those fees
18 credited to the State Recreation Road Fund pursuant to subdivision
19 (3) of section 60-3,156, and other highway-user taxes imposed by
20 state law and allocated to the Highway Trust Fund, except for the
21 proceeds of the sales and use taxes derived from motor vehicles,
22 trailers, and semitrailers credited to the fund pursuant to section
23 77-27,132, are hereby irrevocably pledged for the terms of the
24 bonds issued prior to January 1, 1988, to the payment of the
25 principal, interest, and redemption premium, if any, of such bonds
26 as they mature and become due at maturity or prior redemption
27 and for any reserves therefor and shall, as received by the State

1 Treasurer, be deposited in the fund for such purpose.

2 (4) Of the money in the fund specified in subsection
3 (3) of this section which is not required for the use specified
4 in such subsection, (a) an amount equal to three dollars times
5 the number of motorcycles registered during the previous month
6 shall be placed in the Motorcycle Safety Education Fund, (b) an
7 amount to be determined annually by the Legislature through the
8 appropriations process may be transferred to the Motor Fuel Tax
9 Enforcement and Collection Cash Fund for use as provided in section
10 66-738 on a monthly or other less frequent basis as determined by
11 the appropriation language, (c) an amount to be determined annually
12 by the Legislature through the appropriations process shall be
13 transferred to the License Plate Cash Fund as certified by the
14 Director of Motor Vehicles, and (d) the remaining money may be
15 used for the purchase for retirement of the bonds issued prior to
16 January 1, 1988, in the open market.

17 (5) The State Treasurer shall monthly transfer, from the
18 proceeds of the sales and use taxes credited to the Highway Trust
19 Fund and any money remaining in the fund after the requirements of
20 subsections (2) through (4) of this section are satisfied, thirty
21 thousand dollars to the Grade Crossing Protection Fund.

22 (6) Except as provided in subsection (7) of this
23 section, the balance of the Highway Trust Fund shall be allocated
24 fifty-three and one-third percent, less the amount provided for
25 in section 39-847.01, to the Department of Roads, twenty-three
26 and one-third percent, less the amount provided for in section
27 39-847.01, to the various counties for road purposes, and

1 twenty-three and one-third percent to the various municipalities
2 for street purposes. If bonds are issued pursuant to subsection
3 (2) of section 39-2223, the portion allocated to the Department
4 of Roads shall be credited monthly to the Highway Restoration
5 and Improvement Bond Fund, and if no bonds are issued pursuant
6 to such subsection, the portion allocated to the department
7 shall be credited monthly to the Highway Cash Fund. The portions
8 allocated to the counties and municipalities shall be credited
9 monthly to the Highway Allocation Fund and distributed monthly as
10 provided by law. Vehicles accorded prorated registration pursuant
11 to section 60-3,198 shall not be included in any formula involving
12 motor vehicle registrations used to determine the allocation and
13 distribution of state funds for highway purposes to political
14 subdivisions.

15 (7) If it is determined by December 20 of any year that a
16 county will receive from its allocation of state-collected highway
17 revenue and from any funds relinquished to it by municipalities
18 within its boundaries an amount in such year which is less than
19 such county received in state-collected highway revenue in calendar
20 year 1969, based upon the 1976 tax rates for highway-user fuels and
21 registration fees, the Department of Roads shall notify the State
22 Treasurer that an amount equal to the sum necessary to provide such
23 county with funds equal to such county's 1969 highway allocation
24 for such year shall be transferred to such county from the Highway
25 Trust Fund. Such makeup funds shall be matched by the county as
26 provided in sections 39-2501 to 39-2510. The balance remaining in
27 the fund after such transfer shall then be reallocated as provided

1 in subsection (6) of this section.

2 (8) The State Treasurer shall disburse the money in the
3 Highway Trust Fund as directed by resolution of the commission.
4 All disbursements from the fund shall be made upon warrants drawn
5 by the Director of Administrative Services. Any money in the fund
6 available for investment shall be invested by the state investment
7 officer pursuant to the Nebraska Capital Expansion Act and the
8 Nebraska State Funds Investment Act and the earnings, if any,
9 credited to the fund.

10 Sec. 3. Section 39-2215.01, Reissue Revised Statutes of
11 Nebraska, is amended to read:

12 39-2215.01 (1) There is hereby created in the state
13 treasury a fund to be known as the Highway Restoration and
14 Improvement Bond Fund.

15 (2) If bonds are issued pursuant to subsection (2)
16 of section 39-2223, all motor vehicle fuel taxes, diesel fuel
17 taxes, compressed fuel taxes, and alternative fuel ~~taxes~~ fees
18 related to highway use, motor vehicle registration fees, and other
19 highway-user taxes which are retained by the state and allocated
20 to the bond fund from the Highway Trust Fund shall be hereby
21 irrevocably pledged for the terms of the bonds issued after July
22 1, 1988, to the payment of the principal, interest, and redemption
23 premium, if any, of such bonds as they mature and become due at
24 maturity or prior redemption and for any reserves therefor and
25 shall, as received by the State Treasurer, be deposited directly
26 in the bond fund for such purpose. Of the money in the bond fund
27 not required for such purpose, such remaining money may be used for

1 the purchase for retirement of the bonds in the open market or for
2 any other lawful purpose related to the issuance of bonds, and the
3 balance, if any, shall be transferred monthly to the Highway Cash
4 Fund for such use as may be provided by law.

5 (3) The State Treasurer shall disburse the money in
6 the bond fund as directed by resolution of the commission. All
7 disbursements from the bond fund shall be made upon warrants
8 drawn by the Director of Administrative Services. Any money in the
9 bond fund available for investment shall be invested by the state
10 investment officer pursuant to the Nebraska Capital Expansion Act
11 and the Nebraska State Funds Investment Act.

12 Sec. 4. Section 39-2216, Reissue Revised Statutes of
13 Nebraska, is amended to read:

14 39-2216 The Legislature hereby irrevocably pledges and
15 agrees with the holders of the bonds issued under the Nebraska
16 Highway Bond Act that so long as such bonds remain outstanding
17 and unpaid it shall not repeal, diminish, or apply to any
18 other purposes the motor vehicle fuel taxes, diesel fuel taxes,
19 compressed fuel taxes, and alternative fuel ~~taxes~~ fees related
20 to highway use, motor vehicle registration fees, and such other
21 highway-user taxes which may be imposed by state law and allocated
22 to the fund or bond fund, as the case may be, if to do so would
23 result in fifty percent of the amount deposited in the fund or bond
24 fund in each year being less than the amount equal to the maximum
25 annual principal and interest requirements of such bonds.

26 Sec. 5. Section 60-101, Reissue Revised Statutes of
27 Nebraska, is amended to read:

1 60-101 Sections 60-101 to 60-197 and section 9 of
2 this act shall be known and may be cited as the Motor Vehicle
3 Certificate of Title Act.

4 Sec. 6. Section 60-119.01, Reissue Revised Statutes of
5 Nebraska, is amended to read:

6 60-119.01 Low-speed vehicle means a four-wheeled motor
7 vehicle that (1) cannot travel whose speed attainable in one mile
8 is more than twenty miles per hour and not more than twenty-five
9 miles per hour on a paved, level surface, (2) whose gross vehicle
10 weight rating is less than three thousand pounds, and (3) that
11 complies with 49 C.F.R. part 571, as such part existed on January
12 1, 2007, or (3) is designated by the manufacturer as an off-road or
13 low-speed vehicle, 2011.

14 Sec. 7. Section 60-123, Reissue Revised Statutes of
15 Nebraska, is amended to read:

16 60-123 Motor vehicle means any vehicle propelled by
17 any power other than muscular power. Motor vehicle does not
18 include (1) mopeds, (2) farm tractors, (3) self-propelled equipment
19 designed and used exclusively to carry and apply fertilizer,
20 chemicals, or related products to agricultural soil and crops,
21 agricultural floater-spreader implements, and other implements of
22 husbandry designed for and used primarily for tilling the soil
23 and harvesting crops or feeding livestock, (4) power unit hay
24 grinders or a combination which includes a power unit and a
25 hay grinder when operated without cargo, (5) vehicles which
26 run only on rails or tracks, (6) off-road designed vehicles
27 not authorized by law for use on a highway, including, but

1 not limited to, golf carts, go-carts, riding lawnmowers, garden
2 tractors, all-terrain vehicles, utility-type vehicles, snowmobiles
3 registered or exempt from registration under sections 60-3,207 to
4 60-3,219, and minibikes, (7) road and general-purpose construction
5 and maintenance machinery not designed or used primarily for the
6 transportation of persons or property, including, but not limited
7 to, ditchdigging apparatus, asphalt spreaders, bucket loaders,
8 leveling graders, earthmoving carryalls, power shovels, earthmoving
9 equipment, and crawler tractors, (8) self-propelled chairs used
10 by persons who are disabled, and (9) electric personal assistive
11 mobility devices. 7 and ~~(10) low-speed vehicles.~~

12 Sec. 8. Section 60-137, Reissue Revised Statutes of
13 Nebraska, is amended to read:

14 60-137 (1) The Motor Vehicle Certificate of Title Act
15 applies to all vehicles as defined in the act, except:

- 16 (a) Farm trailers;
- 17 ~~(b) Low-speed vehicles;~~
- 18 ~~(c)~~ (b) Well-boring apparatus, backhoes, bulldozers, and
19 front-end loaders; and

20 ~~(d)~~ (c) Trucks and buses from other jurisdictions
21 required to pay registration fees under the Motor Vehicle
22 Registration Act, except a vehicle registered or eligible to be
23 registered as part of a fleet of apportionable vehicles under
24 section 60-3,198.

25 ~~(2)~~ (2)(a) All new all-terrain vehicles and minibikes
26 sold on or after January 1, 2004, shall be required to have
27 a certificate of title. An owner of an all-terrain vehicle or

1 minibike sold prior to such date may apply for a certificate of
2 title for such all-terrain vehicle or minibike as provided in rules
3 and regulations of the department.

4 (b) All new low-speed vehicles sold on or after January
5 1, 2012, shall be required to have a certificate of title. An
6 owner of a low-speed vehicle sold prior to such date may apply for
7 a certificate of title for such low-speed vehicle as provided in
8 rules and regulations of the department.

9 (3) An owner of a utility trailer may apply for a
10 certificate of title upon compliance with the Motor Vehicle
11 Certificate of Title Act.

12 (4) (a) Every owner of a manufactured home or mobile home
13 shall obtain a certificate of title for the manufactured home or
14 mobile home prior to affixing it to real estate.

15 (b) If a manufactured home or mobile home has been
16 affixed to real estate and a certificate of title was not issued
17 before it was so affixed, the owner of such manufactured home or
18 mobile home shall apply for and be issued a certificate of title
19 at any time for surrender and cancellation as provided in section
20 60-169.

21 (5) All new utility-type vehicles sold on or after
22 January 1, 2011, shall be required to have a certificate of title.
23 An owner of a utility-type vehicle sold prior to such date may
24 apply for a certificate of title for such utility-type vehicle as
25 provided in rules and regulations of the department.

26 Sec. 9. If a low-speed vehicle does not have a
27 manufacturer's vehicle identification number, the owner of the

1 low-speed vehicle may apply for a certificate of title by
2 presenting a manufacturer's statement of origin for the low-speed
3 vehicle, a statement that an inspection has been conducted on the
4 low-speed vehicle, and a vehicle identification number as described
5 in section 60-148. The certificate of title shall indicate the year
6 of the low-speed vehicle as the year application for title was made
7 and the make of the low-speed vehicle.

8 Sec. 10. Section 60-165, Reissue Revised Statutes of
9 Nebraska, is amended to read:

10 60-165 (1) Any security interest in an all-terrain
11 vehicle or minibike perfected pursuant to article 9, Uniform
12 Commercial Code, before, on, or after January 1, 2004, ~~or~~ in a
13 utility-type vehicle so perfected before, on, or after January
14 1, 2011, or in a low-speed vehicle so perfected before, on,
15 or after January 1, 2012, shall continue to be perfected until
16 (a) the financing statement perfecting such security interest is
17 terminated or lapses in the absence of the filing of a continuation
18 statement pursuant to article 9, Uniform Commercial Code, or (b)
19 an all-terrain vehicle, utility-type vehicle, ~~or minibike, or~~
20 low-speed vehicle certificate of title is issued and a notation of
21 lien is made as provided in section 60-164.

22 (2) Any lien noted on the face of an all-terrain vehicle,
23 utility-type vehicle, ~~or minibike, or low-speed vehicle~~ certificate
24 of title or on an electronic certificate of title record pursuant
25 to subsection (1), (3), ~~or (4), (5), or (6)~~ of this section, on
26 behalf of the holder of a security interest in the all-terrain
27 vehicle, utility-type vehicle, ~~or minibike, or low-speed vehicle~~

1 which was previously perfected pursuant to article 9, Uniform
2 Commercial Code, shall have priority as of the date such security
3 interest was originally perfected.

4 (3) The holder of a certificate of title for an
5 all-terrain vehicle, utility-type vehicle, ~~or~~ minibike, or
6 low-speed vehicle shall, upon request, surrender the certificate
7 of title to a holder of a previously perfected security interest
8 in the all-terrain vehicle, utility-type vehicle, ~~or~~ minibike, or
9 low-speed vehicle to permit notation of a lien on the certificate
10 of title or on an electronic certificate of title record and shall
11 do such other acts as may be required to permit such notation.

12 (4) If the owner of an all-terrain vehicle or minibike
13 subject to a security interest perfected pursuant to article 9,
14 Uniform Commercial Code, fails or refuses to obtain a certificate
15 of title after January 1, 2004, the security interest holder may
16 obtain a certificate of title in the name of the owner of the
17 all-terrain vehicle or minibike following the procedures of section
18 60-144 and may have a lien noted on the certificate of title or
19 on an electronic certificate of title record pursuant to section
20 60-164.

21 (5) If the owner of a utility-type vehicle subject
22 to a security interest perfected pursuant to article 9, Uniform
23 Commercial Code, fails or refuses to obtain a certificate of title
24 after January 1, 2011, the security interest holder may obtain a
25 certificate of title in the name of the owner of the utility-type
26 vehicle following the procedures of section 60-144 and may have
27 a lien noted on the certificate of title or on an electronic

1 certificate of title record pursuant to section 60-164.

2 (6) If the owner of a low-speed vehicle subject to
3 a security interest perfected pursuant to article 9, Uniform
4 Commercial Code, fails or refuses to obtain a certificate of title
5 after January 1, 2012, the security interest holder may obtain a
6 certificate of title in the name of the owner of the low-speed
7 vehicle following the procedures of section 60-144 and may have
8 a lien noted on the certificate of title or on an electronic
9 certificate of title record pursuant to section 60-164.

10 ~~(6)~~ (7) The assignment, release, or satisfaction of a
11 security interest in an all-terrain vehicle, utility-type vehicle,
12 ~~or minibike, or low-speed vehicle~~ shall be governed by the laws
13 under which it was perfected.

14 Sec. 11. Section 60-301, Reissue Revised Statutes of
15 Nebraska, is amended to read:

16 60-301 Sections 60-301 to 60-3,222 and sections 15 and 27
17 of this act shall be known and may be cited as the Motor Vehicle
18 Registration Act.

19 Sec. 12. Section 60-306, Reissue Revised Statutes of
20 Nebraska, is amended to read:

21 60-306 Alternative fuel has the same meaning as in
22 ~~section 66-686.~~ includes electricity, solar power, and any other
23 source of energy not otherwise taxed under the motor fuel laws
24 which is used to power a motor vehicle. Alternative fuel does not
25 include motor vehicle fuel as defined in section 66-482, diesel
26 fuel as defined in section 66-482, or compressed fuel as defined in
27 section 66-6,100.

1 Sec. 13. Section 60-336.01, Reissue Revised Statutes of
2 Nebraska, is amended to read:

3 60-336.01 Low-speed vehicle means a four-wheeled motor
4 vehicle that (1) cannot travel whose speed attainable in one mile
5 is more than twenty miles per hour and not more than twenty-five
6 miles per hour on a paved, level surface, (2) whose gross vehicle
7 weight rating is less than three thousand pounds, and (3) that
8 complies with 49 C.F.R. part 571, as such part existed on January
9 1, 2007, or (3) is designated by the manufacturer as an off-road or
10 low-speed vehicle, 2011.

11 Sec. 14. Section 60-339, Reissue Revised Statutes of
12 Nebraska, is amended to read:

13 60-339 Motor vehicle means any vehicle propelled by
14 any power other than muscular power. Motor vehicle does not
15 include (1) mopeds, (2) farm tractors, (3) self-propelled equipment
16 designed and used exclusively to carry and apply fertilizer,
17 chemicals, or related products to agricultural soil and crops,
18 agricultural floater-spreader implements, and other implements of
19 husbandry designed for and used primarily for tilling the soil
20 and harvesting crops or feeding livestock, (4) power unit hay
21 grinders or a combination which includes a power unit and a
22 hay grinder when operated without cargo, (5) vehicles which
23 run only on rails or tracks, (6) off-road designed vehicles
24 not authorized by law for use on a highway, including, but
25 not limited to, golf carts, go-carts, riding lawnmowers, garden
26 tractors, all-terrain vehicles, utility-type vehicles, snowmobiles
27 registered or exempt from registration under sections 60-3,207 to

1 60-3,219, and minibikes, (7) road and general-purpose construction
2 and maintenance machinery not designed or used primarily for the
3 transportation of persons or property, including, but not limited
4 to, ditchdigging apparatus, asphalt spreaders, bucket loaders,
5 leveling graders, earthmoving carryalls, power shovels, earthmoving
6 equipment, and crawler tractors, (8) self-propelled chairs used
7 by persons who are disabled, and (9) electric personal assistive
8 mobility devices. ~~and (10) low-speed vehicles.~~

9 Sec. 15. For the registration of every low-speed vehicle,
10 the fee shall be fifteen dollars.

11 Sec. 16. Section 60-386, Reissue Revised Statutes of
12 Nebraska, is amended to read:

13 60-386 Each new application shall contain, in addition
14 to other information as may be required by the department, the
15 name and residential and mailing address of the applicant and
16 a description of the motor vehicle or trailer, including the
17 color, the manufacturer, the identification number, and the weight
18 of the motor vehicle or trailer required by the Motor Vehicle
19 Registration Act. With the application the applicant shall pay the
20 proper registration fee and shall state whether the motor vehicle
21 is propelled by alternative fuel and, if alternative fuel, the
22 type of fuel. The form shall also contain a notice that bulk
23 fuel purchasers may be subject to federal excise tax liability.
24 The department shall prescribe a form, containing the notice, for
25 supplying the information for motor vehicles to be registered. The
26 county treasurer or designated county official shall include the
27 form in each mailing made pursuant to section 60-3,186. ~~The county~~

1 ~~treasurer or designated county official or his or her agent shall~~
2 ~~notify the Motor Fuel Tax Enforcement and Collection Division of~~
3 ~~the Department of Revenue whenever a motor vehicle powered by an~~
4 ~~alternative fuel is registered. The notification shall include the~~
5 ~~name and address of the registrant, the date of registration, the~~
6 ~~type of motor vehicle registered, and the type of alternative fuel~~
7 ~~used to propel the motor vehicle as indicated on the registration~~
8 ~~application.~~

9 Sec. 17. Section 60-388, Reissue Revised Statutes of
10 Nebraska, is amended to read:

11 60-388 No county treasurer or designated county official
12 shall receive or accept an application or registration fee or
13 issue any registration certificate for any motor vehicle or trailer
14 without collection of the taxes and the fees imposed in sections
15 60-3,185, 60-3,190, and 77-2703 and section 27 of this act and any
16 other applicable taxes and fees upon such motor vehicle or trailer.
17 If applicable, the applicant shall furnish proof of payment, in the
18 form prescribed by the director as directed by the United States
19 Secretary of the Treasury, of the federal heavy vehicle use tax
20 imposed by the Internal Revenue Code, 26 U.S.C. 4481.

21 Sec. 18. Section 60-393, Reissue Revised Statutes of
22 Nebraska, is amended to read:

23 60-393 Any owner who has two or more motor vehicles
24 or trailers required to be registered under the Motor Vehicle
25 Registration Act may register all such motor vehicles or trailers
26 on a calendar-year basis or on an annual basis for the same
27 registration period beginning in a month chosen by the owner. When

1 electing to establish the same registration period for all such
2 motor vehicles or trailers, the owner shall pay the registration
3 fee, the motor vehicle tax imposed in section 60-3,185, ~~and~~
4 the motor vehicle fee imposed in section 60-3,190, and the
5 alternative fuel fee imposed in section 27 of this act on each
6 motor vehicle for the number of months necessary to extend its
7 current registration period to the registration period under which
8 all such motor vehicles or trailers will be registered. Credit
9 shall be given for registration paid on each motor vehicle or
10 trailer when the motor vehicle or trailer has a later expiration
11 date than that chosen by the owner except as otherwise provided in
12 sections 60-3,121, 60-3,122.02, and 60-3,128. Thereafter all such
13 motor vehicles or trailers shall be registered on an annual basis
14 starting in the month chosen by the owner.

15 Sec. 19. Section 60-395, Reissue Revised Statutes of
16 Nebraska, is amended to read:

17 60-395 (1) Except as otherwise provided in subsection
18 (2) of this section and sections 60-3,121, 60-3,122.02, and
19 60-3,128, the registration shall expire and the registered owner or
20 lessee may, by returning the registration certificate, the license
21 plates, and, when appropriate, the validation decals and by either
22 making application on a form prescribed by the department to the
23 county treasurer or designated county official of the occurrence
24 of an event described in subdivisions (a) through (e) of this
25 subsection or, in the case of a change in situs, displaying to
26 the county treasurer or designated county official the registration
27 certificate of such other state as evidence of a change in situs,

1 receive a refund of that part of the unused fees and taxes on
2 motor vehicles or trailers based on the number of unexpired months
3 remaining in the registration period from the date of any of the
4 following events:

5 (a) Upon transfer of ownership of any motor vehicle or
6 trailer;

7 (b) In case of loss of possession because of fire, theft,
8 dismantlement, or junking;

9 (c) When a salvage branded certificate of title is
10 issued;

11 (d) Whenever a type or class of motor vehicle or trailer
12 previously registered is subsequently declared by legislative act
13 or court decision to be illegal or ineligible to be operated or
14 towed on the public roads and no longer subject to registration
15 fees, the motor vehicle tax imposed in section 60-3,185, and the
16 motor vehicle fee imposed in section 60-3,190, and the alternative
17 fuel fee imposed in section 27 of this act;

18 (e) Upon a trade-in or surrender of a motor vehicle under
19 a lease; or

20 (f) In case of a change in the situs of a motor vehicle
21 or trailer to a location outside of this state.

22 (2) If the date of the event falls within the same
23 calendar month in which the motor vehicle or trailer is acquired,
24 no refund shall be allowed for such month.

25 (3) If the transferor or lessee acquires another motor
26 vehicle at the time of the transfer, trade-in, or surrender, the
27 transferor or lessee shall have the credit provided for in this

1 section applied toward payment of the motor vehicle fees and taxes
2 then owing. Otherwise, the transferor or lessee shall file a claim
3 for refund with the county treasurer or designated county official
4 upon an application form prescribed by the department.

5 (4) The registered owner or lessee shall make a claim for
6 refund or credit of the fees and taxes for the unexpired months
7 in the registration period within sixty days after the date of the
8 event or shall be deemed to have forfeited his or her right to such
9 refund or credit.

10 (5) For purposes of this section, the date of the event
11 shall be: (a) In the case of a transfer or loss, the date of
12 the transfer or loss; (b) in the case of a change in the situs,
13 the date of registration in another state; (c) in the case of
14 a trade-in or surrender under a lease, the date of trade-in or
15 surrender; (d) in the case of a legislative act, the effective date
16 of the act; and (e) in the case of a court decision, the date the
17 decision is rendered.

18 (6) Application for registration or for reassignment of
19 license plates and, when appropriate, validation decals to another
20 motor vehicle or trailer shall be made within thirty days of the
21 date of purchase.

22 (7) If a motor vehicle or trailer was reported stolen
23 under section 60-178, a refund under this section shall not be
24 reduced for a lost plate charge and a credit under this section may
25 be reduced for a lost plate charge but the applicant shall not be
26 required to pay the plate fee for new plates.

27 (8) The county treasurer or designated county official

1 shall refund the motor vehicle fee and registration fee from
2 the fees which have not been transferred to the State Treasurer.
3 The county treasurer shall make payment to the claimant from the
4 undistributed motor vehicle taxes of the taxing unit where the
5 tax money was originally distributed. No refund of less than two
6 dollars shall be paid.

7 Sec. 20. Section 60-398, Reissue Revised Statutes of
8 Nebraska, is amended to read:

9 60-398 A nonresident may, if he or she applies within
10 ninety days from his or her original registration date and
11 surrenders the registration certificate and license plates which
12 were assigned to him or her, receive from the county treasurer
13 or designated county official, or the department if registration
14 was pursuant to section 60-3,198, a refund in the amount of fifty
15 percent of the original license fee, fifty percent of the motor
16 vehicle tax imposed in section 60-3,185, and fifty percent of the
17 motor vehicle fee imposed in section 60-3,190, and fifty percent of
18 the alternative fuel fee imposed in section 27 of this act, except
19 that no refunds shall be made on any license surrendered after the
20 ninth month of the registration period for which the motor vehicle
21 or trailer was registered.

22 Sec. 21. Section 60-3,100, Reissue Revised Statutes of
23 Nebraska, is amended to read:

24 60-3,100 (1) The department shall issue to every person
25 whose motor vehicle or trailer is registered fully reflectorized
26 license plates upon which shall be displayed (a) the registration
27 number consisting of letters and numerals assigned to such motor

1 vehicle or trailer in figures not less than two and one-half inches
2 nor more than three inches in height and (b) also the word Nebraska
3 suitably lettered so as to be attractive. Two license plates shall
4 be issued for every motor vehicle, except that one plate shall
5 be issued for dealers, motorcycles, minitrucks, truck-tractors,
6 trailers, buses, and apportionable vehicles. The license plates
7 shall be of a color designated by the director. The color of the
8 plates shall be changed each time the license plates are changed.
9 Each time the license plates are changed, the director shall
10 secure competitive bids for materials pursuant to sections 81-145
11 to 81-162. Motorcycle, minitruck, low-speed vehicle, and trailer
12 license plate letters and numerals may be one-half the size of
13 those required in this section.

14 (2) When two license plates are issued, one shall be
15 prominently displayed at all times on the front and one on the
16 rear of the registered motor vehicle or trailer. When only one
17 plate is issued, it shall be prominently displayed on the rear of
18 the registered motor vehicle or trailer. When only one plate is
19 issued for motor vehicles registered pursuant to section 60-3,198
20 and truck-tractors, it shall be prominently displayed on the front
21 of the apportionable vehicle.

22 Sec. 22. Section 60-3,113, Reissue Revised Statutes of
23 Nebraska, is amended to read:

24 60-3,113 (1) The department shall, without the payment of
25 any fee except the taxes and fees required by sections ~~60-3,100,~~
26 60-3,102, 60-3,185, and 60-3,190, and section 27 of this act, issue
27 license plates for one motor vehicle not used for hire and a

1 license plate for one motorcycle not used for hire to:

2 (a) Any permanently handicapped or disabled person as
3 defined in section 18-1738 or his or her parent, legal guardian,
4 foster parent, or agent upon application and proof of a permanent
5 handicap or disability; or

6 (b) A trust which owns the motor vehicle or motorcycle if
7 a designated beneficiary of the trust qualifies under subdivision
8 (a) of this subsection.

9 Beginning January 1, 2005, an application and proof
10 of disability in the form and with the information required by
11 section 18-1738 shall be filed before license plates are issued or
12 reissued.

13 (2) The license plate or plates shall carry the
14 internationally accepted wheelchair symbol, which symbol is a
15 representation of a person seated in a wheelchair surrounded by a
16 border six units wide by seven units high, and such other letters
17 or numbers as the director prescribes. Such license plate or plates
18 shall be used by such person in lieu of the usual license plate
19 or plates.

20 (3) The department shall compile and maintain a registry
21 of the names, addresses, and license numbers of all persons who
22 obtain special license plates pursuant to this section and all
23 persons who obtain a handicapped or disabled parking permit as
24 described in section 18-1739.

25 Sec. 23. Section 60-3,166, Reissue Revised Statutes of
26 Nebraska, is amended to read:

27 60-3,166 It shall be the duty of all law enforcement

1 officers to arrest all violators of any of the provisions
2 of sections 60-373, 60-374, 60-375, 60-376, 60-378, 60-379, and
3 60-3,114 to 60-3,116. Any person, firm, or corporation, including
4 any motor vehicle, trailer, or boat dealer or manufacturer, who
5 fails to comply with such provisions shall be guilty of a Class
6 V misdemeanor and, in addition thereto, shall pay the county
7 treasurer or designated county official any and all motor vehicle
8 taxes and fees imposed in sections 60-3,185 and 60-3,190 and
9 section 27 of this act, registration fees, or certification fees
10 due had the motor vehicle or trailer been properly registered or
11 certified according to law.

12 Sec. 24. Section 60-3,187, Reissue Revised Statutes of
13 Nebraska, is amended to read:

14 60-3,187 (1) The motor vehicle tax schedules are set out
15 in this section.

16 (2) The motor vehicle tax shall be calculated by
17 multiplying the base tax times the fraction which corresponds
18 to the age category of the vehicle as shown in the following table:

19 YEAR	FRACTION
20 First	1.00
21 Second	0.90
22 Third	0.80
23 Fourth	0.70
24 Fifth	0.60
25 Sixth	0.51
26 Seventh	0.42
27 Eighth	0.33
28 Ninth	0.24

1	Tenth and Eleventh	0.15
2	Twelfth and Thirteenth	0.07
3	Fourteenth and older	0.00

4 (3) The base tax shall be:

5 (a) Automobiles and motorcycles - An amount determined
6 using the following table:

7	Value when new	Base tax
8	Up to \$3,999	\$ 25
9	\$4,000 to \$5,999	35
10	\$6,000 to \$7,999	45
11	\$8,000 to \$9,999	60
12	\$10,000 to \$11,999	100
13	\$12,000 to \$13,999	140
14	\$14,000 to \$15,999	180
15	\$16,000 to \$17,999	220
16	\$18,000 to \$19,999	260
17	\$20,000 to \$21,999	300
18	\$22,000 to \$23,999	340
19	\$24,000 to \$25,999	380
20	\$26,000 to \$27,999	420
21	\$28,000 to \$29,999	460
22	\$30,000 to \$31,999	500
23	\$32,000 to \$33,999	540
24	\$34,000 to \$35,999	580
25	\$36,000 to \$37,999	620
26	\$38,000 to \$39,999	660
27	\$40,000 to \$41,999	700
28	\$42,000 to \$43,999	740

1	\$44,000 to \$45,999	780
2	\$46,000 to \$47,999	820
3	\$48,000 to \$49,999	860
4	\$50,000 to \$51,999	900
5	\$52,000 to \$53,999	940
6	\$54,000 to \$55,999	980
7	\$56,000 to \$57,999	1,020
8	\$58,000 to \$59,999	1,060
9	\$60,000 to \$61,999	1,100
10	\$62,000 to \$63,999	1,140
11	\$64,000 to \$65,999	1,180
12	\$66,000 to \$67,999	1,220
13	\$68,000 to \$69,999	1,260
14	\$70,000 to \$71,999	1,300
15	\$72,000 to \$73,999	1,340
16	\$74,000 to \$75,999	1,380
17	\$76,000 to \$77,999	1,420
18	\$78,000 to \$79,999	1,460
19	\$80,000 to \$81,999	1,500
20	\$82,000 to \$83,999	1,540
21	\$84,000 to \$85,999	1,580
22	\$86,000 to \$87,999	1,620
23	\$88,000 to \$89,999	1,660
24	\$90,000 to \$91,999	1,700
25	\$92,000 to \$93,999	1,740
26	\$94,000 to \$95,999	1,780
27	\$96,000 to \$97,999	1,820
28	\$98,000 to \$99,999	1,860
29	\$100,000 and over	1,900

- 1 (b) Assembled automobiles - \$60
- 2 (c) Assembled motorcycles - \$25
- 3 (d) Cabin trailers, up to one thousand pounds - \$10
- 4 (e) Cabin trailers, one thousand pounds and over and less
5 than two thousand pounds - \$25
- 6 (f) Cabin trailers, two thousand pounds and over - \$40
- 7 (g) Recreational vehicles, less than eight thousand
8 pounds - \$160
- 9 (h) Recreational vehicles, eight thousand pounds and over
10 and less than twelve thousand pounds - \$410
- 11 (i) Recreational vehicles, twelve thousand pounds and
12 over - \$860
- 13 (j) Assembled recreational vehicles and buses shall
14 follow the schedules for body type and registered weight
- 15 (k) Trucks - Over seven tons and less than ten tons -
16 \$360
- 17 (l) Trucks - Ten tons and over and less than thirteen
18 tons - \$560
- 19 (m) Trucks - Thirteen tons and over and less than sixteen
20 tons - \$760
- 21 (n) Trucks - Sixteen tons and over and less than
22 twenty-five tons - \$960
- 23 (o) Trucks - Twenty-five tons and over - \$1,160
- 24 (p) Buses - \$360
- 25 (q) Trailers other than semitrailers - \$10
- 26 (r) Semitrailers - \$110
- 27 (s) Minitrucks - \$50

1 (t) Low-speed vehicles - \$50

2 (4) For purposes of subsection (3) of this section,
3 truck means all trucks and combinations of trucks except those
4 trucks, trailers, or combinations thereof registered under section
5 60-3,198, and the tax is based on the gross vehicle weight rating
6 as reported by the manufacturer.

7 (5) Current model year vehicles are designated as
8 first-year motor vehicles for purposes of the schedules.

9 (6) When a motor vehicle is registered which is newer
10 than the current model year by the manufacturer's designation, the
11 motor vehicle is subject to the initial motor vehicle tax in the
12 first registration period and ninety-five percent of the initial
13 motor vehicle tax in the second registration period.

14 (7) Assembled cabin trailers, assembled recreational
15 vehicles, and assembled buses shall be designated as sixth-year
16 motor vehicles in their first year of registration for purposes of
17 the schedules.

18 (8) When a motor vehicle is registered which is required
19 to have a title branded as previous salvage pursuant to section
20 60-175, the motor vehicle tax shall be reduced by twenty-five
21 percent.

22 Sec. 25. Section 60-3,190, Reissue Revised Statutes of
23 Nebraska, is amended to read:

24 60-3,190 (1) A motor vehicle fee is imposed on all motor
25 vehicles registered for operation in this state. An owner of a
26 motor vehicle which is exempt from the imposition of a motor
27 vehicle tax pursuant to section 60-3,185 shall also be exempt from

1 the imposition of the motor vehicle fee imposed pursuant to this
2 section.

3 (2) The county treasurer or designated county official
4 shall annually determine the motor vehicle fee on each motor
5 vehicle registered in the county based on the age of the motor
6 vehicle pursuant to this section and cause a notice of the amount
7 of the fee to be mailed to the registrant at the address shown upon
8 his or her registration certificate. The notice shall be printed
9 on a form prescribed by the department, shall be combined with the
10 notice of the motor vehicle tax, and shall be mailed on or before
11 the first day of the last month of the registration period.

12 (3) The motor vehicle fee schedules are set out in
13 this subsection and subsection (4) of this section. Except for
14 automobiles with a value when new of less than \$20,000, and for
15 assembled automobiles, the fee shall be calculated by multiplying
16 the base fee times the fraction which corresponds to the age
17 category of the automobile as shown in the following table:

18 YEAR	FRACTION
19 First through fifth	1.00
20 Sixth through tenth	.70
21 Eleventh and over	.35

22 (4) The base fee shall be:

23 (a) Automobiles, with a value when new of less than
24 \$20,000, and assembled automobiles - \$5

25 (b) Automobiles, with a value when new of \$20,000 through
26 \$39,999 - \$20

27 (c) Automobiles, with a value when new of \$40,000 or more

1 - \$30

2 (d) Motorcycles - \$10

3 (e) Recreational vehicles and cabin trailers - \$10

4 (f) Trucks over seven tons and buses - \$30

5 (g) Trailers other than semitrailers - \$10

6 (h) Semitrailers - \$30

7 (i) Minitrucks - \$10-

8 (j) Low-speed vehicles - \$10.

9 (5) The motor vehicle tax, motor vehicle fee, and
10 registration fee shall be paid to the county treasurer or
11 designated official prior to the registration of the motor vehicle
12 for the following registration period. After retaining one percent
13 of the motor vehicle fee collected for costs, the remaining
14 proceeds shall be remitted to the State Treasurer for credit to
15 the Motor Vehicle Fee Fund. The State Treasurer shall return funds
16 from the Motor Vehicle Fee Fund remitted by a county treasurer or
17 designated county official which are needed for refunds or credits
18 authorized by law.

19 (6) (a) The Motor Vehicle Fee Fund is created. On or
20 before the last day of each calendar quarter, the State Treasurer
21 shall distribute all funds in the Motor Vehicle Fee Fund as
22 follows: (i) Fifty percent to the county treasurer of each county,
23 amounts in the same proportion as the most recent allocation
24 received by each county from the Highway Allocation Fund; and
25 (ii) fifty percent to the treasurer of each municipality, amounts
26 in the same proportion as the most recent allocation received by
27 each municipality from the Highway Allocation Fund. Any money in

1 the fund available for investment shall be invested by the state
2 investment officer pursuant to the Nebraska Capital Expansion Act
3 and the Nebraska State Funds Investment Act.

4 (b) Funds from the Motor Vehicle Fee Fund shall be
5 considered local revenue available for matching state sources.

6 (c) All receipts by counties and municipalities from the
7 Motor Vehicle Fee Fund shall be used for road, bridge, and street
8 purposes.

9 (7) For purposes of subdivisions (4)(a), (b), (c), and
10 (f) of this section, automobiles or trucks includes all trucks
11 and combinations of trucks or truck-tractors, except those trucks,
12 trailers, or semitrailers registered under section 60-3,198, and
13 the fee is based on the gross vehicle weight rating as reported by
14 the manufacturer.

15 (8) Current model year vehicles are designated as
16 first-year motor vehicles for purposes of the schedules.

17 (9) When a motor vehicle is registered which is newer
18 than the current model year by the manufacturer's designation, the
19 motor vehicle is subject to the initial motor vehicle fee for six
20 registration periods.

21 (10) Assembled vehicles other than assembled automobiles
22 shall follow the schedules for the motor vehicle body type.

23 Sec. 26. Section 60-3,200, Reissue Revised Statutes of
24 Nebraska, is amended to read:

25 60-3,200 Whenever an apportionable vehicle is registered
26 by the owner under section 60-362 and the motor vehicle tax,
27 and motor vehicle fee, and alternative fuel fee, if any, imposed

1 in sections 60-3,185, ~~and~~ 60-3,190, and section 27 of this act,
2 respectively, have been paid on that apportionable vehicle for
3 the registration period, and then the apportionable vehicle is
4 registered under section 60-3,198, the Division of Motor Carrier
5 Services, upon application of the owner of the apportionable
6 vehicle on forms prescribed by the division, shall certify that the
7 apportionable vehicle is registered under section 60-3,198 and that
8 the owner is entitled to receive the refunds of the unused fees for
9 the balance of the registration period as prescribed in sections
10 60-395 to 60-397.

11 Sec. 27. In addition to any other fee required under
12 the Motor Vehicle Registration Act, a fee for registration of each
13 motor vehicle powered by an alternative fuel shall be charged. The
14 fee shall be seventy-five dollars.

15 Sec. 28. Section 60-471, Reissue Revised Statutes of
16 Nebraska, is amended to read:

17 60-471 Motor vehicle means all vehicles propelled by any
18 power other than muscular power. Motor vehicle does not include
19 (1) self-propelled chairs used by persons who are disabled, (2)
20 farm tractors, (3) farm tractors used occasionally outside general
21 farm usage, (4) road rollers, (5) vehicles which run only on rails
22 or tracks, (6) electric personal assistive mobility devices as
23 defined in section 60-618.02, and (7) off-road designed vehicles
24 not authorized by law for use on a highway, including, but not
25 limited to, golf carts, go-carts, riding lawn mowers, garden
26 tractors, all-terrain vehicles and utility-type vehicles as defined
27 in section 60-6,355, minibikes as defined in section 60-636, and

1 snowmobiles as defined in section 60-663.

2 Sec. 29. Section 60-501, Reissue Revised Statutes of
3 Nebraska, is amended to read:

4 60-501 For purposes of the Motor Vehicle Safety
5 Responsibility Act, unless the context otherwise requires:

6 (1) Department means Department of Motor Vehicles;

7 (2) Judgment means any judgment which shall have become
8 final by the expiration of the time within which an appeal might
9 have been perfected without being appealed, or by final affirmation
10 on appeal, rendered by a court of competent jurisdiction of any
11 state or of the United States, (a) upon a cause of action arising
12 out of the ownership, maintenance, or use of any motor vehicle for
13 damages, including damages for care and loss of services, because
14 of bodily injury to or death of any person or for damages because
15 of injury to or destruction of property, including the loss of
16 use thereof, or (b) upon a cause of action on an agreement of
17 settlement for such damages;

18 (3) License means any license issued to any person under
19 the laws of this state pertaining to operation of a motor vehicle
20 within this state;

21 (4) Low-speed vehicle means a four-wheeled motor vehicle
22 (a) whose speed attainable in one mile is more than twenty miles
23 per hour and not more than twenty-five miles per hour on a paved,
24 level surface, (b) whose gross vehicle weight rating is less than
25 three thousand pounds, and (c) that complies with 49 C.F.R. part
26 571, as such part existed on January 1, 2011;

27 ~~(4)~~ (5) Minitruck means a foreign-manufactured import

1 vehicle or domestic-manufactured vehicle which (a) is powered by
2 an internal combustion engine with a piston or rotor displacement
3 of one thousand cubic centimeters or less, (b) is sixty-seven
4 inches or less in width, (c) has a dry weight of four thousand
5 two hundred pounds or less, (d) travels on four or more tires,
6 (e) has a top speed of approximately fifty-five miles per hour,
7 (f) is equipped with a bed or compartment for hauling, (g)
8 has an enclosed passenger cab, (h) is equipped with headlights,
9 taillights, turnsignals, windshield wipers, a rearview mirror,
10 and an occupant protection system, and (i) has a four-speed,
11 five-speed, or automatic transmission;

12 ~~(5)~~ (6) Motor vehicle means any self-propelled vehicle
13 which is designed for use upon a highway, including trailers
14 designed for use with such vehicles, ~~and minitrucks, and low-speed~~
15 vehicles. Motor vehicle does not include (a) mopeds as defined
16 in section 60-637, (b) traction engines, (c) road rollers, (d)
17 farm tractors, (e) tractor cranes, (f) power shovels, (g) well
18 drillers, (h) every vehicle which is propelled by electric power
19 obtained from overhead wires but not operated upon rails, (i)
20 electric personal assistive mobility devices as defined in section
21 60-618.02, and (j) off-road designed vehicles, including, but
22 not limited to, golf carts, go-carts, riding lawnmowers, garden
23 tractors, all-terrain vehicles and utility-type vehicles as defined
24 in section 60-6,355, minibikes as defined in section 60-636, and
25 snowmobiles as defined in section 60-663;

26 ~~(6)~~ (7) Nonresident means every person who is not a
27 resident of this state;

1 ~~(7)~~ (8) Nonresident's operating privilege means the
2 privilege conferred upon a nonresident by the laws of this state
3 pertaining to the operation by him or her of a motor vehicle or the
4 use of a motor vehicle owned by him or her in this state;

5 ~~(8)~~ (9) Operator means every person who is in actual
6 physical control of a motor vehicle;

7 ~~(9)~~ (10) Owner means a person who holds the legal title
8 of a motor vehicle, or in the event (a) a motor vehicle is the
9 subject of an agreement for the conditional sale or lease thereof
10 with the right of purchase upon performance of the conditions
11 stated in the agreement and with an immediate right of possession
12 vested in the conditional vendee or lessee or (b) a mortgagor of a
13 vehicle is entitled to possession, then such conditional vendee or
14 lessee or mortgagor shall be deemed the owner for the purposes of
15 the act;

16 ~~(10)~~ (11) Person means every natural person, firm,
17 partnership, limited liability company, association, or
18 corporation;

19 ~~(11)~~ (12) Proof of financial responsibility means
20 evidence of ability to respond in damages for liability, on account
21 of accidents occurring subsequent to the effective date of such
22 proof, arising out of the ownership, maintenance, or use of a
23 motor vehicle, (a) in the amount of twenty-five thousand dollars
24 because of bodily injury to or death of one person in any one
25 accident, (b) subject to such limit for one person, in the amount
26 of fifty thousand dollars because of bodily injury to or death of
27 two or more persons in any one accident, and (c) in the amount of

1 twenty-five thousand dollars because of injury to or destruction of
2 property of others in any one accident;

3 ~~(12)~~ (13) Registration means registration certificate or
4 certificates and registration plates issued under the laws of this
5 state pertaining to the registration of motor vehicles;

6 ~~(13)~~ (14) State means any state, territory, or possession
7 of the United States, the District of Columbia, or any province of
8 the Dominion of Canada; and

9 ~~(14)~~ (15) The forfeiture of bail, not vacated, or of
10 collateral deposited to secure an appearance for trial shall be
11 regarded as equivalent to conviction of the offense charged.

12 Sec. 30. Section 60-520, Reissue Revised Statutes of
13 Nebraska, is amended to read:

14 60-520 Judgments in excess of the amounts specified in
15 subdivision ~~(11)~~ (12) of section 60-501 shall, for the purpose
16 of the Motor Vehicle Safety Responsibility Act only, be deemed
17 satisfied when payments in the amounts so specified have been
18 credited thereon. Payments made in settlement of any claims because
19 of bodily injury, death, or property damage arising from a motor
20 vehicle accident shall be credited in reduction of the respective
21 amounts so specified.

22 Sec. 31. Section 60-547, Reissue Revised Statutes of
23 Nebraska, is amended to read:

24 60-547 Proof of financial responsibility may be evidenced
25 by the bond of a surety company duly authorized to transact
26 business within this state, or a bond with at least two individual
27 sureties who each own real estate within this state, which real

1 estate shall be scheduled in the bond approved by a judge of a
2 court of record. The bond shall be conditioned for the payment of
3 the amounts specified in subdivision ~~(11)~~ (12) of section 60-501.
4 It shall be filed with the department and shall not be cancelable
5 except after ten days' written notice to the department. Such bond
6 shall constitute a lien in favor of the state upon the real estate
7 so scheduled of any surety, which lien shall exist in favor of any
8 holder of a final judgment against the person who has filed such
9 bond, for damages, including damages for care and loss of services,
10 because of bodily injury to or death of any person, or for damages
11 because of injury to or destruction of property, including the loss
12 of use thereof, resulting from the ownership, maintenance, use, or
13 operation of a motor vehicle after such bond was filed, upon the
14 filing of notice to that effect by the department in the office of
15 the register of deeds of the county where such real estate shall be
16 located.

17 Sec. 32. Section 60-601, Reissue Revised Statutes of
18 Nebraska, is amended to read:

19 60-601 Sections 60-601 to 60-6,379 and sections 34 and 35
20 of this act shall be known and may be cited as the Nebraska Rules
21 of the Road.

22 Sec. 33. Section 60-605, Reissue Revised Statutes of
23 Nebraska, is amended to read:

24 60-605 For purposes of the Nebraska Rules of the Road,
25 the definitions found in sections 60-606 to 60-676 and section 34
26 of this act shall be used.

27 Sec. 34. Low-speed vehicle means a four-wheeled motor

1 vehicle (1) whose speed attainable in one mile is more than twenty
2 miles per hour and not more than twenty-five miles per hour on a
3 paved, level surface, (2) whose gross vehicle weight rating is less
4 than three thousand pounds, and (3) that complies with 49 C.F.R.
5 part 571, as such part existed on January 1, 2011.

6 Sec. 35. A low-speed vehicle may be operated on any
7 highway on which the speed limit is not more than thirty-five miles
8 per hour. A low-speed vehicle may cross a highway on which the
9 speed limit is more than thirty-five miles per hour. Nothing in
10 this section shall prevent a county, city, or village from adopting
11 more stringent ordinances governing low-speed vehicle operation if
12 the governing body of the county, city, or village determines that
13 such ordinances are necessary in the interest of public safety.
14 Any person operating a low-speed vehicle as authorized under
15 this section shall have a valid Class O operator's license and
16 shall have liability insurance coverage for the low-speed vehicle.
17 The Department of Roads may prohibit the operation of low-speed
18 vehicles on any highway under its jurisdiction if it determines
19 that the prohibition is necessary in the interest of public safety.

20 Sec. 36. Section 60-6,348, Reissue Revised Statutes of
21 Nebraska, is amended to read:

22 60-6,348 Minibikes and all off-road designed vehicles not
23 authorized by law for use on a highway, including, but not limited
24 to, golf carts, go-carts, riding lawnmowers, garden tractors, and
25 snowmobiles, shall be exempt from the provisions of sections 60-678
26 and 60-6,351 to 60-6,353 and section 35 of this act during any
27 public emergency or while being used in parades by regularly

1 organized units of any recognized charitable, social, educational,
2 or community service organization.

3 Sec. 37. Section 60-6,349, Reissue Revised Statutes of
4 Nebraska, is amended to read:

5 60-6,349 All minibikes and similar two-wheeled,
6 three-wheeled, and four-wheeled miniature vehicles offered for sale
7 in this state shall bear the following notice to the customer and
8 user: This vehicle as manufactured or sold is for off-road use
9 only. This section shall not apply to a low-speed vehicle, as
10 applicable to its design, or to an electric personal assistive
11 mobility device.

12 Sec. 38. This act becomes operative on January 1, 2012.

13 Sec. 39. Original sections 39-2215, 39-2215.01, 39-2216,
14 60-101, 60-119.01, 60-123, 60-137, 60-165, 60-301, 60-306,
15 60-336.01, 60-339, 60-386, 60-388, 60-393, 60-395, 60-398,
16 60-3,100, 60-3,113, 60-3,166, 60-3,187, 60-3,190, 60-3,200, 60-471,
17 60-501, 60-520, 60-547, 60-601, 60-605, 60-6,348, and 60-6,349,
18 Reissue Revised Statutes of Nebraska, and section 23-187, Revised
19 Statutes Cumulative Supplement, 2010, are repealed.

20 Sec. 40. The following sections are outright repealed:
21 Sections 66-684, 66-685, 66-686, 66-687, 66-688, 66-691, 66-694,
22 and 66-695, Reissue Revised Statutes of Nebraska.