

LEGISLATURE OF NEBRASKA
 ONE HUNDRED SECOND LEGISLATURE
 FIRST SESSION
LEGISLATIVE BILL 215

Final Reading

Introduced by Fischer, 43; Janssen, 15.

Read first time January 10, 2011

Committee: Transportation and Telecommunications

A BILL

1 FOR AN ACT relating to the Motor Vehicle Operator's License Act; to
 2 amend sections 60-462, 60-462.02, 60-479, 60-479.01,
 3 60-484, 60-487, 60-4,113, 60-4,114, 60-4,115, 60-4,117,
 4 60-4,120, 60-4,121, 60-4,122, 60-4,127, 60-4,144,
 5 60-4,149, 60-4,150, 60-4,151, and 60-4,181, Reissue
 6 Revised Statutes of Nebraska; to adopt certain federal
 7 regulations; to provide powers and duties for the
 8 Department of Motor Vehicles regarding the design,
 9 production, issuance, and renewal of operators' licenses
 10 and state identification cards; to provide implementation
 11 dates; to change provisions relating to issuance and
 12 renewal of operators' licenses and state identification
 13 cards; to eliminate obsolete provisions; to harmonize
 14 provisions; to repeal the original sections; and to
 15 declare an emergency.
 16 Be it enacted by the people of the State of Nebraska,

1 Section 1. Section 60-462, Reissue Revised Statutes of
2 Nebraska, is amended to read:

3 60-462 Sections 60-462 to 60-4,188 and sections 6 to 9 of
4 this act shall be known and may be cited as the Motor Vehicle
5 Operator's License Act.

6 Sec. 2. Section 60-462.02, Reissue Revised Statutes of
7 Nebraska, is amended to read:

8 60-462.02 It is the intent of the Legislature that the
9 department develop, implement, and maintain processes for the
10 issuance of operators' licenses and state identification cards
11 designed to protect the identity of applicants for and holders of
12 such licenses and cards and reduce identity theft, fraud, forgery,
13 and counterfeiting to the maximum extent possible with respect to
14 such licenses and cards. ~~The director shall designate an~~
15 ~~implementation date for such processes which date is on or before~~
16 ~~August 1, 2009.~~ The department shall adopt security and technology
17 practices to enhance the enrollment, production, data storage, and
18 credentialing system of such licenses and cards in order to maximize
19 the integrity of the process.

20 Sec. 3. Section 60-479, Reissue Revised Statutes of
21 Nebraska, is amended to read:

22 60-479 Sections 60-479.01 to 60-4,111.01 and 60-4,182 to
23 60-4,188 and sections 6 to 9 of this act shall apply to any
24 operator's license subject to the Motor Vehicle Operator's License
25 Act.

1 Sec. 4. Section 60-479.01, Reissue Revised Statutes of
2 Nebraska, is amended to read:

3 60-479.01 ~~This section applies beginning on an~~
4 ~~implementation date designated by the director pursuant to section~~
5 ~~60-462.02.~~ (1) All persons handling source documents or engaged in
6 the issuance of new, renewed, or reissued operators' licenses or
7 state identification cards shall have periodic fraudulent document
8 recognition training.

9 (2) This subsection applies beginning on an
10 implementation date designated by the director on or before January
11 1, 2014. All persons and agents of the department involved in the
12 recording of verified application information or verified operator's
13 license and state identification card information, involved in the
14 manufacture or production of licenses or cards, or who have the
15 ability to affect information on such licenses or cards shall be
16 subject to a criminal history record information check, including a
17 check of prior employment references, and a lawful status check. The
18 cost of any background check shall be borne by the employer of the
19 person or agent. Any person convicted of any disqualifying offense as
20 provided in 6 C.F.R. part 37, as such part existed on January 1,
21 2011, shall not be involved in the recording of verified application
22 information or verified operator's license and state identification
23 card information, involved in the manufacture or production of
24 licenses or cards, or involved in any capacity in which such person
25 would have the ability to affect information on such licenses or

1 cards. Any employee or prospective employee of the department shall
2 be provided notice that he or she will undergo such criminal history
3 record information check prior to employment or prior to any
4 involvement with the issuance of operators' licenses or state
5 identification cards.

6 Sec. 5. Section 60-484, Reissue Revised Statutes of
7 Nebraska, is amended to read:

8 60-484 (1)(a) ~~This subsection applies until the~~
9 ~~implementation date designated by the director pursuant to section~~
10 ~~60-462.02. Except as otherwise provided in the Motor Vehicle~~
11 ~~Operator's License Act, no resident of the State of Nebraska shall~~
12 ~~operate a motor vehicle upon the alleys or highways of the State of~~
13 ~~Nebraska until the person has obtained an operator's license for that~~
14 ~~purpose.~~

15 ~~(b) Application for an operator's license may be made in~~
16 ~~a manner prescribed by the department. Such application may be made~~
17 ~~to an examiner in any county. The examiner shall personally conduct~~
18 ~~the examination of the applicant and deliver to each successful~~
19 ~~applicant an examiner's certificate containing the statements made~~
20 ~~pursuant to subdivision (c) of this subsection.~~

21 ~~(c) In addition to any other information and questions~~
22 ~~necessary to comply with the requirements and purposes of the act,~~
23 ~~the applicant (i) shall provide his or her name, age, post office~~
24 ~~address, place of residence unless the applicant is a program~~
25 ~~participant under the Address Confidentiality Act, date of birth,~~

1 ~~gender, social security number, and brief description of himself or~~
 2 ~~herself, (ii) may complete the voter registration portion pursuant to~~
 3 ~~section 32-308, (iii) shall be provided the advisement language~~
 4 ~~required by subsection (5) of section 60-6,197, (iv) shall answer the~~
 5 ~~following:~~

6 ~~(A) Have you within the last three months (e.g. due to~~
 7 ~~diabetes, epilepsy, mental illness, head injury, stroke, heart~~
 8 ~~condition, neurological disease, etc.):~~

9 ~~(I) lost voluntary control or consciousness ... yes ...~~
 10 ~~no~~

11 ~~(II) experienced vertigo or multiple episodes of~~
 12 ~~dizziness or fainting ... yes ... no~~

13 ~~(III) experienced disorientation ... yes ... no~~

14 ~~(IV) experienced seizures ... yes ... no~~

15 ~~(V) experienced impairment of memory, memory loss ...~~
 16 ~~yes ... no~~

17 ~~Please explain:~~

18 ~~(B) Do you experience any condition which affects your~~
 19 ~~ability to operate a motor vehicle? (e.g. due to loss of, or~~
 20 ~~impairment of, foot, leg, hand, arm; neurological or neuromuscular~~
 21 ~~disease, etc.) ... yes ... no~~

22 ~~Please explain:~~

23 ~~(C) Since the issuance of your last driver's license/~~
 24 ~~permit has your health or medical condition changed or worsened? ...~~
 25 ~~yes ... no~~

1 Please explain, including how the above affects your
2 ability to drive:, and (v) may answer the
3 following:

4 (A) Do you wish to register to vote as part of this
5 application process?

6 OPTIONAL — YOU ARE NOT REQUIRED TO ANSWER ANY OF THE
7 FOLLOWING QUESTIONS:

8 (B) Do you wish to be an organ and tissue donor?

9 (C) Do you wish to receive any additional specific
10 information regarding organ and tissue donation and the Donor
11 Registry of Nebraska?

12 (D) Do you wish to donate \$1 to promote the Organ and
13 Tissue Donor Awareness and Education Fund?

14 (d) Application for an operator's license shall be made
15 under oath or affirmation of the applicant.

16 (e) The social security number shall not be printed on
17 the operator's license and shall be used only (i) to furnish driver
18 record information to the United States Selective Service System
19 under section 60-483, (ii) with the permission of the director in
20 connection with the verification of the status of an individual's
21 driving record in this state or any other state, (iii) for purposes
22 of child support enforcement pursuant to section 42-358.08 or
23 43-512.06, or (iv) to furnish information regarding an applicant for
24 or holder of a commercial driver's license with a hazardous materials
25 endorsement to the Transportation Security Administration of the

1 ~~United States Department of Homeland Security or its agent.~~

2 ~~(f)(i) Except for an individual under the age of eighteen~~
3 ~~years, each individual applying for an operator's license or a state~~
4 ~~identification card shall furnish proof of date of birth and identity~~
5 ~~by a valid Nebraska operator's license, a valid Nebraska learner's~~
6 ~~permit, a valid Nebraska school permit, a valid operator's license~~
7 ~~from another state or jurisdiction of the United States, a certified~~
8 ~~birth certificate, a certified birth registration, a valid United~~
9 ~~States passport, a valid United States military identification card,~~
10 ~~United States military discharge papers, other United States-based~~
11 ~~identification as approved by the director, or information preserved~~
12 ~~in the digital system implemented under section 60-484.01.~~

13 ~~(ii) Any individual under the age of eighteen years~~
14 ~~applying for an operator's license or a state identification card~~
15 ~~shall provide a certified copy of his or her birth certificate, a~~
16 ~~certified birth registration, or other reliable proof of his or her~~
17 ~~identity and age accompanied by a certification signed by a parent or~~
18 ~~guardian explaining the inability to produce a copy of such birth~~
19 ~~certificate. The applicant may be required to furnish proof to the~~
20 ~~examiner that the parent or guardian signing the certification is in~~
21 ~~fact the parent or guardian of such applicant.~~

22 ~~(2)(a)-(1)(a) This subsection applies beginning on until~~
23 ~~the implementation date designated by the director pursuant to~~
24 ~~section 60-462.02. on or before January 1, 2014. Except as otherwise~~
25 ~~provided in the Motor Vehicle Operator's License Act, no resident of~~

1 the State of Nebraska shall operate a motor vehicle upon the alleys
2 or highways of this state until the person has obtained an operator's
3 license for that purpose.

4 (b) Application for an operator's license or a state
5 identification card shall be made in a manner prescribed by the
6 department. Such application may be made to department personnel in
7 any county. Department personnel shall conduct the examination of the
8 applicant and deliver to each successful applicant an issuance
9 certificate containing the statements made pursuant to subdivision
10 (c) of this subsection.

11 (c) The applicant (i) shall provide his or her full legal
12 name, date of birth, mailing address, gender, race or ethnicity, and
13 social security number, two forms of proof of address of his or her
14 principal residence unless the applicant is a program participant
15 under the Address Confidentiality Act, evidence of identity as
16 required by subdivision ~~(2)(f)~~(1)(f) of this subsection, and a brief
17 physical description of himself or herself, (ii) may complete the
18 voter registration portion pursuant to section 32-308, (iii) shall be
19 provided the advisement language required by subsection (5) of
20 section 60-6,197, (iv) shall answer the following:

21 (A) Have you within the last three months (e.g. due to
22 diabetes, epilepsy, mental illness, head injury, stroke, heart
23 condition, neurological disease, etc.):

24 (I) lost voluntary control or consciousness ... yes ...
25 no

1 (II) experienced vertigo or multiple episodes of
2 dizziness or fainting ... yes ... no

3 (III) experienced disorientation ... yes ... no

4 (IV) experienced seizures ... yes ... no

5 (V) experienced impairment of memory, memory loss ...
6 yes ... no

7 Please explain:

8 (B) Do you experience any condition which affects your
9 ability to operate a motor vehicle? (e.g. due to loss of, or
10 impairment of, foot, leg, hand, arm; neurological or neuromuscular
11 disease, etc.) ... yes ... no

12 Please explain:

13 (C) Since the issuance of your last driver's license/
14 permit, has your health or medical condition changed or worsened? ...
15 yes ... no

16 Please explain, including how the above affects your
17 ability to drive:, and (v) may answer the
18 following:

19 (A) Do you wish to register to vote as part of this
20 application process?

21 OPTIONAL - YOU ARE NOT REQUIRED TO ANSWER ANY OF THE
22 FOLLOWING QUESTIONS:

23 (B) Do you wish to be an organ and tissue donor?

24 (C) Do you wish to receive any additional specific
25 information regarding organ and tissue donation and the Donor

1 Registry of Nebraska?

2 (D) Do you wish to donate \$1 to promote the Organ and
3 Tissue Donor Awareness and Education Fund?

4 (d) Application for an operator's license or state
5 identification card shall include a signed oath, affirmation, or
6 declaration of the applicant that the information provided on the
7 application for the license or card is true and correct.

8 (e) The social security number shall not be printed on
9 the operator's license or state identification card and shall be used
10 only (i) to furnish information to the United States Selective
11 Service System under section 60-483, (ii) with the permission of the
12 director in connection with the verification of the status of an
13 individual's driving record in this state or any other state, (iii)
14 for purposes of child support enforcement pursuant to section
15 42-358.08 or 43-512.06, (iv) to furnish information regarding an
16 applicant for or holder of a commercial driver's license with a
17 hazardous materials endorsement to the Transportation Security
18 Administration of the United States Department of Homeland Security
19 or its agent, or (v) to furnish information to the Department of
20 Revenue under section 77-362.02.

21 (f)(i) Each individual applying for an operator's license
22 or a state identification card shall furnish proof of date of birth
23 and identity with documents containing a photograph or with nonphoto
24 identity documents which include his or her full legal name and date
25 of birth. Such documents shall include, but not be limited to, any

1 valid Nebraska operator's license or Nebraska state identification
2 card, a valid operator's license or identification card from another
3 state or jurisdiction of the United States, a certified birth
4 certificate, a valid United States passport, or any other United
5 States-based identification as approved by the director.

6 (ii) Any individual under the age of eighteen years
7 applying for an operator's license or a state identification card
8 shall provide a certified copy of his or her birth certificate or, if
9 such individual is unable to provide a certified copy of his or her
10 birth certificate, other reliable proof of his or her identity and
11 age, as required in subdivision ~~(2)(f)(i)~~ (1)(f)(i) of this section,
12 accompanied by a certification signed by a parent or guardian
13 explaining the inability to produce a copy of such birth certificate.
14 The applicant also may be required to furnish proof to department
15 personnel that the parent or guardian signing the certification is in
16 fact the parent or guardian of such applicant.

17 (iii) An applicant may present other documents as proof
18 of identification and age designated by the director. Any documents
19 accepted shall be recorded according to a written exceptions process
20 established by the director.

21 (2)(a) This subsection applies beginning on an
22 implementation date designated by the director on or before January
23 1, 2014. Except as otherwise provided in the Motor Vehicle Operator's
24 License Act, no resident of the State of Nebraska shall operate a
25 motor vehicle upon the alleys or highways of this state until the

1 person has obtained an operator's license for that purpose.

2 (b) Application for an operator's license or a state
3 identification card shall be made in a manner prescribed by the
4 department. Such application may be made to department personnel in
5 any county. Department personnel shall conduct the examination of the
6 applicant and deliver to each successful applicant an issuance
7 certificate containing the statements made pursuant to subdivision
8 (c) of this subsection.

9 (c) The applicant shall provide his or her full legal
10 name, date of birth, mailing address, gender, race or ethnicity, and
11 social security number, two forms of proof of address of his or her
12 principal residence unless the applicant is a program participant
13 under the Address Confidentiality Act, evidence of identity as
14 required by subdivision (2)(f) of this subsection, and a brief
15 physical description of himself or herself. The applicant (i) may
16 also complete the voter registration portion pursuant to section
17 32-308, (ii) shall be provided the advisement language required by
18 subsection (5) of section 60-6,197, (iii) shall answer the following:

19 (A) Have you within the last three months (e.g. due to
20 diabetes, epilepsy, mental illness, head injury, stroke, heart
21 condition, neurological disease, etc.):

22 (I) lost voluntary control or consciousness ... yes ...
23 no

24 (II) experienced vertigo or multiple episodes of
25 dizziness or fainting ... yes ... no

1 (III) experienced disorientation ... yes ... no

2 (IV) experienced seizures ... yes ... no

3 (V) experienced impairment of memory, memory loss ...
4 yes ... no

5 Please explain:

6 (B) Do you experience any condition which affects your
7 ability to operate a motor vehicle? (e.g. due to loss of, or
8 impairment of, foot, leg, hand, arm; neurological or neuromuscular
9 disease, etc.) ... yes ... no

10 Please explain:

11 (C) Since the issuance of your last driver's license/
12 permit, has your health or medical condition changed or worsened? ...
13 yes ... no

14 Please explain, including how the above affects your
15 ability to drive:, and (iv) may answer the
16 following:

17 (A) Do you wish to register to vote as part of this
18 application process?

19 OPTIONAL - YOU ARE NOT REQUIRED TO ANSWER ANY OF THE
20 FOLLOWING QUESTIONS:

21 (B) Do you wish to be an organ and tissue donor?

22 (C) Do you wish to receive any additional specific
23 information regarding organ and tissue donation and the Donor
24 Registry of Nebraska?

25 (D) Do you wish to donate \$1 to promote the Organ and

1 Tissue Donor Awareness and Education Fund?

2 (d) Application for an operator's license or state
3 identification card shall include a signed oath, affirmation, or
4 declaration of the applicant that the information provided on the
5 application for the license or card is true and correct.

6 (e) The social security number shall not be printed on
7 the operator's license or state identification card and shall be used
8 only (i) to furnish information to the United States Selective
9 Service System under section 60-483, (ii) with the permission of the
10 director in connection with the verification of the status of an
11 individual's driving record in this state or any other state, (iii)
12 for purposes of child support enforcement pursuant to section
13 42-358.08 or 43-512.06, (iv) to furnish information regarding an
14 applicant for or holder of a commercial driver's license with a
15 hazardous materials endorsement to the Transportation Security
16 Administration of the United States Department of Homeland Security
17 or its agent, or (v) to furnish information to the Department of
18 Revenue under section 77-362.02.

19 (f)(i) Each individual applying for an operator's license
20 or a state identification card shall furnish proof of date of birth
21 and identity with documents containing a photograph or with nonphoto
22 identity documents which include his or her full legal name and date
23 of birth. Such documents shall be those provided in subsection (2) of
24 section 7 of this act.

25 (ii) Any individual under the age of eighteen years

1 applying for an operator's license or a state identification card
2 shall provide a certified copy of his or her birth certificate or, if
3 such individual is unable to provide a certified copy of his or her
4 birth certificate, other reliable proof of his or her identity and
5 age, as required in subdivision (2)(f)(i) of this section,
6 accompanied by a certification signed by a parent or guardian
7 explaining the inability to produce a copy of such birth certificate.
8 The applicant also may be required to furnish proof to department
9 personnel that the parent or guardian signing the certification is in
10 fact the parent or guardian of such applicant.

11 (iii) An applicant may present other documents as proof
12 of identification and age designated by the director. Any documents
13 accepted shall be recorded according to a written exceptions process
14 established by the director.

15 (g) No person shall be a holder of an operator's license
16 and a state identification card at the same time.

17 Sec. 6. This section applies beginning on an
18 implementation date designated by the director on or before January
19 1, 2014. The department shall retain copies of source documents
20 presented by all individuals applying for or holding operators'
21 licenses or state identification cards. Copies retained by the
22 department shall be held in secured storage and managed to meet the
23 requirements of the Uniform Motor Vehicle Records Disclosure Act and
24 sections 60-484 and 60-484.02.

25 Sec. 7. (1) This section applies beginning on an

1 implementation date designated by the director on or before January
2 1, 2014.

3 (2) Before being issued any type of operator's license or
4 a state identification card under the Motor Vehicle Operator's
5 License Act, the department shall require an applicant to present
6 valid documentary evidence that he or she has lawful status in the
7 United States. Lawful status may be shown by:

8 (a) A valid, unexpired United States passport;

9 (b) A certified copy of a birth certificate filed with a
10 state office of vital statistics or equivalent agency in the
11 individual's state of birth;

12 (c) A Consular Report of Birth Abroad (CRBA) issued by
13 the United States Department of State, Form FS-240, DS-1350, or
14 FS-545;

15 (d) A valid, unexpired Permanent Resident Card (Form
16 I-551) issued by the United States Department of Homeland Security or
17 Bureau of United States Citizenship and Immigration Services;

18 (e) An unexpired employment authorization document (EAD)
19 issued by the United States Department of Homeland Security, Form
20 I-766 or Form I-688B;

21 (f) An unexpired foreign passport with a valid, unexpired
22 United States visa affixed accompanied by the approved I-94 form
23 documenting the applicant's most recent admittance into the United
24 States;

25 (g) A Certificate of Naturalization issued by the United

1 States Department of Homeland Security, Form N-550 or Form N-570;

2 (h) A Certificate of Citizenship, Form N-560 or Form
3 N-561, issued by the United States Department of Homeland Security;

4 (i) A driver's license or identification card issued in
5 compliance with the standards established by the REAL ID Act of 2005,
6 Public Law 109-13, division B, section 1, 119 Stat. 302; or

7 (j) Such other documents as the director may approve.

8 (3)(a) If an applicant presents one of the documents
9 listed under subdivision (2)(a), (b), (c), (d), (g), or (h) of this
10 section, the verification of the applicant's identity in the manner
11 prescribed in section 60-484 will also provide satisfactory evidence
12 of lawful status.

13 (b) If the applicant presents one of the identity
14 documents listed under subdivision (2)(e), (f), or (i) of this
15 section, the verification of the identity documents does not provide
16 satisfactory evidence of lawful status. The applicant must also
17 present a second document from subsection (2) of this section or
18 documentation issued by the United States Department of Homeland
19 Security or other federal agencies demonstrating lawful status as
20 determined by the Bureau of United States Citizenship and Immigration
21 Services.

22 (4) An applicant may present other documents as
23 designated by the director as proof of lawful status. Any documents
24 accepted shall be recorded according to a written exceptions process
25 established by the director.

1 Sec. 8. (1) The department shall only issue an operator's
2 license or a state identification card that is temporary to any
3 applicant who presents documentation under section 60-484 and
4 subsection (2) of section 7 of this act that shows his or her lawful
5 presence in the United States is temporary. An operator's license or
6 a state identification card that is temporary shall be valid only
7 during the period of time of the applicant's authorized stay in the
8 United States or, if there is no definite end to the period of
9 authorized stay, a period of one year.

10 (2) An operator's license or state identification card
11 that is temporary shall clearly indicate that it is temporary with a
12 special notation on the front of the license or card and shall state
13 the date on which it expires.

14 (3) An operator's license or state identification card
15 that is temporary may be renewed only upon presentation of valid
16 documentary evidence that the status by which the applicant qualified
17 for the operator's license or state identification card that is
18 temporary has been extended by the United States Department of
19 Homeland Security.

20 Sec. 9. This section applies beginning on an
21 implementation date designated by the director on or before January
22 1, 2014. Before issuing any operator's license or state
23 identification card under the Motor Vehicle Operator's License Act,
24 the department may verify, with the issuing agency, the issuance,
25 validity, and completeness of each document required to be presented

1 by a person pursuant to section 60-484 and section 7 of this act.

2 Sec. 10. Section 60-487, Reissue Revised Statutes of
3 Nebraska, is amended to read:

4 60-487 (1) If any magistrate or judge finds in his or her
5 judgment of conviction that the application or ~~examiner's issuance~~
6 certificate pursuant to which the director has issued an operator's
7 license under the Motor Vehicle Operator's License Act contains any
8 false or fraudulent statement deliberately and knowingly made to any
9 officer as to any matter material to the issuance of such license or
10 does not contain required or correct information or that the person
11 to whom the license was issued was not eligible to receive such
12 license, then the license shall be absolutely void from the date of
13 issue and such motor vehicle operator shall be deemed to be not
14 licensed to operate a motor vehicle. Such license shall be at once
15 canceled of record in his or her office by the director upon receipt
16 of a copy of such judgment of conviction. The director may, upon his
17 or her own motion, summarily cancel any license for any of the
18 reasons set forth in this section if such reason or reasons
19 affirmatively appear on his or her official records.

20 (2) If the director determines, in a check of an
21 applicant's license status and record prior to issuing a commercial
22 driver's license, or at any time after the commercial driver's
23 license is issued, that the applicant falsified information contained
24 in the application, the director may summarily cancel the person's
25 commercial driver's license or his or her pending application as

1 provided in subsection (1) of this section and disqualify the person
2 from operating a commercial motor vehicle for sixty days.

3 Sec. 11. Section 60-4,113, Reissue Revised Statutes of
4 Nebraska, is amended to read:

5 60-4,113 (1) ~~This subsection applies until the~~
6 ~~implementation date designated by the director pursuant to section~~
7 ~~60-462.02. In and for each county in the State of Nebraska, the~~
8 ~~director shall appoint as his or her agents one or more examiners who~~
9 ~~shall examine all applicants for an operator's license as provided in~~
10 ~~section 60-4,114 except as otherwise provided in subsection (8) of~~
11 ~~section 60-4,122. The director may, in his or her discretion, also~~
12 ~~appoint one or more examining officers with similar powers as are set~~
13 ~~forth in section 60-4,114. The same examiner may be assigned to one~~
14 ~~or more counties by the director. Each county shall furnish office~~
15 ~~space for the administration of the operator's license examination.~~
16 ~~The examiner shall conduct the examination of applicants and deliver~~
17 ~~to each successful applicant a certificate entitling such applicant~~
18 ~~to secure an operator's license. If the examiner refuses to issue~~
19 ~~such certificate for cause, he or she shall state such cause in~~
20 ~~writing and deliver the same to the applicant. The successful~~
21 ~~applicant shall, within ninety days, present his or her certificate~~
22 ~~to the county treasurer who shall immediately issue the operator's~~
23 ~~license and collect the fee therefor. The county treasurer shall~~
24 ~~report the issuance of such licenses to the department within five~~
25 ~~days after issuance.~~

1 ~~(2)(a) This subsection applies beginning on the~~
2 ~~implementation date designated by the director pursuant to section~~
3 ~~60-462.02.~~ (1) In and for each county in the State of Nebraska, the
4 director shall appoint as his or her agents one or more department
5 personnel who shall examine all applicants for a state identification
6 card or an operator's license as provided in section 60-4,114 except
7 as otherwise provided in subsection (8) of section 60-4,122. The same
8 department personnel may be assigned to one or more counties by the
9 director. Each county shall furnish office space for the
10 administration of the operator's license examination. The department
11 personnel shall conduct the examination of applicants and deliver to
12 each successful applicant an issuance certificate. The certificate
13 may be presented to the county treasurer of any county within ninety
14 days after issuance, and the county treasurer shall collect the fee
15 and surcharge as provided in section 60-4,115 and issue a receipt
16 which is valid for up to thirty days. If an operator's license is
17 being issued, the receipt shall also authorize driving privileges for
18 such thirty-day period. If the department personnel refuse to issue
19 an issuance certificate for cause, the department personnel shall
20 state such cause in writing and deliver such written cause to the
21 applicant.

22 ~~(b)~~ (2) The department may provide for the central
23 production and issuance of operators' licenses and state
24 identification cards. Production shall take place at a secure
25 production facility designated by the director. The licenses and

1 cards shall be of such a design and produced in such a way as to
2 discourage, to the maximum extent possible, fraud in applicant
3 enrollment, identity theft, and the forgery and counterfeiting of
4 such licenses and cards. Delivery of an operator's license or state
5 identification card shall be to the mailing address provided by the
6 applicant at the time of application.

7 Sec. 12. Section 60-4,114, Reissue Revised Statutes of
8 Nebraska, is amended to read:

9 60-4,114 (1) The county treasurer may employ such
10 additional clerical help as may be necessary to assist him or her in
11 the performance of the ministerial duties required of him or her
12 under the Motor Vehicle Operator's License Act and, for such
13 additional expense, shall be reimbursed as set out in section
14 60-4,115.

15 (2) The director may, in his or her discretion, appoint
16 ~~one or more examining officers who shall personally~~ department
17 personnel to examine all applicants who apply for an initial license
18 or whose licenses have been revoked or canceled to ascertain such
19 person's ability to operate a motor vehicle properly and safely.

20 (3) Except as otherwise provided in section 60-4,122, the
21 application process, in addition to the other requisites of the act,
22 shall include the following:

23 (a) An inquiry into the medical condition and visual
24 ability of the applicant to operate a motor vehicle;

25 (b) An inquiry into the applicant's ability to drive and

1 maneuver a motor vehicle; and

2 (c) An inquiry touching upon the applicant's knowledge of
3 the motor vehicle laws of this state, which shall include sufficient
4 questions to indicate familiarity with the provisions thereof. ~~;~~ ~~and~~

5 ~~(d) An inquiry into the applicant's knowledge of the laws~~
6 ~~for operating a motor vehicle to avoid arrest.~~

7 (4) If an applicant is denied or refused a certificate
8 for license, ~~by the examiners,~~ such applicant shall have the right to
9 an immediate appeal to the director from the decision, ~~of such~~
10 ~~examiners.~~ It shall be the duty of the director to review the appeal
11 and issue a final order, to be made not later than ten days after the
12 receipt of the appeal by the director, except that if the director
13 requests the advice of the Health Advisory Board on the matter, the
14 director shall have up to forty-five days after the day a medical or
15 vision problem is referred to him or her to consult with members of
16 the board to obtain the medical opinion necessary to make a decision
17 and shall issue a final order not later than ten days following
18 receipt of the medical opinion. After consideration of the advice of
19 the board, the director shall make a determination of the applicant's
20 physical or mental ability to operate a motor vehicle and shall issue
21 a final order. The order shall be in writing, shall be accompanied by
22 findings of fact and conclusions of law, and shall be sent by
23 registered or certified mail to the applicant's last-known address.
24 The order may be appealed as provided in section 60-4,105.

25 Sec. 13. Section 60-4,115, Reissue Revised Statutes of

1 Nebraska, is amended to read:

2 60-4,115 (1) Fees for operators' licenses and state
 3 identification cards shall be collected and distributed according to
 4 the table in subsection (2) of this section, except for the ignition
 5 interlock permit and associated fees as outlined in subsection (4) of
 6 this section. County officials shall remit the county portion of the
 7 fees collected to the county treasurer for placement in the county
 8 general fund. All other fees collected shall be remitted to the State
 9 Treasurer for credit to the appropriate fund. The State Treasurer
 10 shall transfer an amount equal to three dollars and fifty cents times
 11 the number of original or renewal Class M licenses issued pursuant to
 12 section 60-4,127 during the previous year from the Department of
 13 Motor Vehicles Cash Fund to the Motorcycle Safety Education Fund.

14 (2) The fees provided in this subsection in the following
 15 dollar amounts apply for operators' licenses and state identification
 16 cards.

		Department			
		County		of Motor	State
Document	Total	General	Vehicles	General	
	Fee	Fund	Cash Fund	Fund	
21 State identification card:					
22 Valid for 1 year or less	5.00	2.75	1.25	1.00	
23 Valid for more than 1 year					
24 but not more than 2 years	10.00	2.75	4.00	3.25	

1	Valid for more than 2 years				
2	but not more than 3 years	14.00	2.75	5.25	6.00
3	Valid for more than 3 years				
4	but not more than 4 years	19.00	2.75	8.00	8.25
5	Valid for more than 4 years				
6	for person under 21	24.00	2.75	10.25	11.00
7	Valid for 5 years	24.00	3.50	10.25	10.25
8	Duplicate or replacement	11.00	2.75	6.00	2.25
9	Class O or M operator's license:				
10	Valid for 1 year or less	5.00	2.75	1.25	1.00
11	Valid for more than 1 year				
12	but not more than 2 years	10.00	2.75	4.00	3.25
13	Valid for more than 2 years				
14	but not more than 3 years	14.00	2.75	5.25	6.00
15	Valid for more than 3 years				
16	but not more than 4 years	19.00	2.75	8.00	8.25
17	Valid for 5 years	24.00	3.50	10.25	10.25
18	Bioptic or telescopic lens restriction:				
19	Valid for 1 year or less	5.00	0	5.00	0
20	Valid for more than 1 year				
21	but not more than 2 years	10.00	2.75	4.00	3.25

1	Duplicate or replacement	11.00	2.75	6.00	2.25
2	Add, change, or remove class,				
3	endorsement, or restriction	5.00	0	5.00	0
4	Provisional operator's permit:				
5	Original	15.00	2.75	12.25	0
6	Bioptic or telescopic lens restriction:				
7	Valid for 1 year or less	5.00	0	5.00	0
8	Valid for more than 1 year				
9	but not more than 2 years	15.00	2.75	12.25	0
10	Duplicate or replacement	11.00	2.75	6.00	2.25
11	Add, change, or remove class,				
12	endorsement, or restriction	5.00	0	5.00	0
13	LPD-learner's permit:				
14	Original	8.00	.25	5.00	2.75
15	Duplicate or replacement	11.00	2.75	6.00	2.25
16	Add, change, or remove class,				
17	endorsement, or restriction	5.00	0	5.00	0
18	LPE-learner's permit:				
19	Original	8.00	.25	5.00	2.75
20	Duplicate or replacement	11.00	2.75	6.00	2.25
21	Add, change, or remove class,				

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1	endorsement, or restriction	5.00	0	5.00	0
2	School permit:				
3	Original	8.00	.25	5.00	2.75
4	Duplicate or replacement	11.00	2.75	6.00	2.25
5	Add, change, or remove class,				
6	endorsement, or restriction	5.00	0	5.00	0
7	Farm permit:				
8	Original or renewal	5.00	.25	0	4.75
9	Duplicate or replacement	5.00	.25	0	4.75
10	Temporary	5.00	.25	0	4.75
11	Add, change, or remove class,				
12	endorsement, or restriction	5.00	0	5.00	0
13	Driving permits:				
14	Employment	45.00	0	5.00	40.00
15	Medical hardship	45.00	0	5.00	40.00
16	Duplicate or replacement	10.00	.25	5.00	4.75
17	Add, change, or remove class,				
18	endorsement, or restriction	5.00	0	5.00	0
19	Commercial driver's license:				
20	Valid for 1 year or less	11.00	1.75	5.00	4.25
21	Valid for more than 1 year				

1	but not more than 2 years	22.00	1.75	5.00	15.25
2	Valid for more than 2 years				
3	but not more than 3 years	33.00	1.75	5.00	26.25
4	Valid for more than 3 years				
5	but not more than 4 years	44.00	1.75	5.00	37.25
6	Valid for 5 years	55.00	1.75	5.00	48.25
7	Bioptic or telescopic lens restriction:				
8	Valid for one year or less	11.00	1.75	5.00	4.25
9	Valid for more than 1 year				
10	but not more than 2 years	22.00	1.75	5.00	15.25
11	Duplicate or replacement	11.00	2.75	6.00	2.25
12	Add, change, or remove class,				
13	endorsement, or restriction	10.00	1.75	5.00	3.25
14	LPC-learner's permit:				
15	Original or renewal	10.00	.25	5.00	4.75
16	Duplicate or replacement	10.00	.25	5.00	4.75
17	Add, change, or remove class,				
18	endorsement, or restriction	10.00	.25	5.00	4.75
19	Seasonal permit:				
20	Original or renewal	10.00	.25	5.00	4.75
21	Duplicate or replacement	10.00	.25	5.00	4.75

1	Add, change, or remove class,				
2	endorsement, or restriction	10.00	.25	5.00	4.75
3	School bus permit:				
4	Original or renewal	5.00	0	5.00	0
5	Duplicate or replacement	5.00	0	5.00	0
6	Add, change, or remove class,				
7	endorsement, or restriction	5.00	0	5.00	0

8 (3) If the department issues an operator's license or a
 9 state identification card, the department shall remit the county
 10 portion of the fees to the State Treasurer for credit to the
 11 Department of Motor Vehicles Cash Fund.

12 (4)(a) The fee for an ignition interlock permit shall be
 13 forty-five dollars. Five dollars of the fee shall be remitted to the
 14 State Treasurer for credit to the Department of Motor Vehicles Cash
 15 Fund. Forty dollars of the fee shall be remitted to the State
 16 Treasurer for credit to the Probation Cash Fund.

17 (b) The fee for a duplicate or replacement ignition
 18 interlock permit shall be ten dollars. Twenty-five cents of the fee
 19 shall be remitted to the county treasurer for credit to the county
 20 general fund. Five dollars of the fee shall be remitted to the State
 21 Treasurer for credit to the Department of Motor Vehicles Cash Fund.
 22 Four dollars and seventy-five cents of the fee shall be remitted to
 23 the State Treasurer for credit to the Probation Cash Fund.

24 (c) The fee for adding, changing, or removing a class,

1 endorsement, or restriction on an ignition interlock permit shall be
2 five dollars. The fee shall be remitted to the State Treasurer for
3 credit to the Department of Motor Vehicles Cash Fund.

4 (5) ~~This subsection applies beginning on the~~
5 ~~implementation date designated by the director pursuant to section~~
6 ~~60-462.02.~~ The department and its agents may collect an identity
7 security surcharge to cover the cost of security and technology
8 practices used to protect the identity of applicants for and holders
9 of operators' licenses and state identification cards and to reduce
10 identity theft, fraud, and forgery and counterfeiting of such
11 licenses and cards to the maximum extent possible. The surcharge
12 shall be in addition to all other required fees for operators'
13 licenses and state identification cards. The amount of the surcharge
14 shall be determined by the department. The surcharge shall not exceed
15 eight dollars. The surcharge shall be remitted to the State Treasurer
16 for credit to the Department of Motor Vehicles Cash Fund.

17 Sec. 14. Section 60-4,117, Reissue Revised Statutes of
18 Nebraska, is amended to read:

19 60-4,117 (1)(a) ~~This subsection applies until the~~
20 ~~implementation date designated by the director pursuant to section~~
21 ~~60-462.02. Upon presentation of the certificate for an operator's~~
22 ~~license issued by the examining officer to the applicant for such~~
23 ~~license, the county treasurer shall issue such license to the~~
24 ~~applicant. The license shall be in full force and effect until the~~
25 ~~expiration date thereon, until officially revoked, suspended,~~

1 ~~canceled by an order of the director, or until ordered revoked or~~
2 ~~impounded by a court of competent jurisdiction.~~

3 ~~(b) The operator's license shall be in a form prescribed~~
4 ~~by the department. The license may include security features~~
5 ~~prescribed by the department. The license shall be conspicuously~~
6 ~~marked Nebraska Operator's License, shall be, to the maximum extent~~
7 ~~practicable, tamper proof, and shall include the following~~
8 ~~information:~~

9 ~~(i) The name and residential and post office address of~~
10 ~~the holder;~~

11 ~~(ii) The holder's color photograph or digital image;~~

12 ~~(iii) A physical description of the holder, including~~
13 ~~sex, height, weight, and eye and hair colors;~~

14 ~~(iv) The holder's date of birth;~~

15 ~~(v) The holder's signature;~~

16 ~~(vi) The class of motor vehicle which the holder is~~
17 ~~authorized to operate and any endorsements or restrictions;~~

18 ~~(vii) The dates between which the license is valid;~~

19 ~~(viii) The organ and tissue donation information~~
20 ~~specified in section 60-494; and~~

21 ~~(ix) Such other facts and information as the director may~~
22 ~~determine.~~

23 ~~(c) Machine readable information encoded on an operator's~~
24 ~~license shall be limited to the information appearing on the face of~~
25 ~~the license.~~

1 ~~(2)(a)~~ This subsection applies beginning on the
2 ~~implementation date designated by the director pursuant to section~~
3 ~~60-462.02.~~ (1) Upon presentation of an issuance certificate for an
4 operator's license or state identification card issued by department
5 personnel to the applicant, the county treasurer shall collect the
6 applicable fee and surcharge as prescribed in section 60-4,115 and
7 issue a receipt which is valid for up to thirty days. If there is
8 cause for an operator's license to be issued, the receipt shall also
9 authorize driving privileges for such thirty-day period. The license
10 or card shall be delivered as provided in section 60-4,113.

11 ~~(b)~~ (2) The operator's license and state identification
12 card shall be in a form prescribed by the department. The license and
13 card may include security features prescribed by the department. The
14 license and card shall be conspicuously marked Nebraska Operator's
15 License or Nebraska Identification Card, shall be, to the maximum
16 extent practicable, tamper and forgery proof, and shall include the
17 following information:

18 ~~(i)~~ (a) The full legal name and principal residence
19 address of the holder;

20 ~~(ii)~~ (b) The holder's full facial digital image;

21 ~~(iii)~~ (c) A physical description of the holder, including
22 gender, height, weight, and eye and hair colors;

23 ~~(iv)~~ (d) The holder's date of birth;

24 ~~(v)~~ (e) The holder's signature;

25 ~~(vi)~~ (f) The class of motor vehicle which the holder is

1 authorized to operate and any applicable endorsements or
2 restrictions;

3 ~~(vii)~~ (g) The issuance and expiration date of the license
4 or card;

5 ~~(viii)~~ (h) The organ and tissue donation information
6 specified in section 60-494; and

7 ~~(ix)~~ (i) Such other marks and information as the director
8 may determine.

9 ~~(e)~~ (3) Each operator's license and state identification
10 card shall contain the following encoded, machine-readable
11 information: The holder's full legal name; date of birth; gender;
12 race or ethnicity; document issue date; document expiration date;
13 principal residence address; unique identification number; revision
14 date; inventory control number; and state of issuance.

15 Sec. 15. Section 60-4,120, Reissue Revised Statutes of
16 Nebraska, is amended to read:

17 60-4,120 (1) Except as provided in subsection (4) of this
18 section for persons temporarily out of the state, any person duly
19 licensed or holding a valid state identification card issued under
20 the Motor Vehicle Operator's License Act who loses his or her
21 operator's license or card may obtain a duplicate upon filing with
22 the county treasurer or the ~~Department of Motor Vehicles~~ department
23 an application showing such loss and furnishing proof of
24 identification in accordance with section 60-484. If satisfied that
25 the loss is genuine, the issuer shall cause to be issued, upon the

1 payment of the fee prescribed in section 60-4,115, a duplicate
2 license or card. ~~No more than two duplicates of a license or card may~~
3 ~~be issued in this manner.~~ Upon the issuance of any duplicate or
4 replacement license or card, the license or card from which the
5 duplicate or replacement is issued shall be void.

6 (2) If any person changes his or her name because of
7 marriage or divorce or by court order or a common-law name change, he
8 or she shall apply to the county treasurer for a replacement
9 operator's license or state identification card and furnish proof of
10 identification in accordance with section 60-484. If any person
11 changes his or her address, the person shall apply to the county
12 treasurer for a replacement operator's license or state
13 identification card and furnish satisfactory evidence of such change.
14 The application shall be made within sixty days after the change of
15 name or address. The license or card shall be issued upon payment of
16 the fee prescribed in section 60-4,115.

17 (3) In the event a mutilated and unreadable operator's
18 license is held by any person duly licensed under the act or a
19 mutilated and unreadable state identification card which was issued
20 under the act is held by a person, such person may obtain a
21 replacement license or card upon showing the original mutilated or
22 unreadable license or card to the county treasurer. A replacement
23 license or card may be issued, without a photograph, to any person
24 who is out of the state at the time of application for the
25 replacement license or card. Such license or card shall state on its

1 face that it shall become invalid thirty days after such person
2 resumes residence in the state. If the county treasurer is satisfied
3 that the license or card is mutilated or unreadable, the county
4 treasurer shall cause to be issued, upon the payment of the fee
5 prescribed in section 60-4,115, a replacement license or card.

6 (4) If any person duly licensed under the act loses his
7 or her operator's license or if any holder of a state identification
8 card loses his or her card while temporarily out of the state, he or
9 she may apply for a duplicate operator's license or card without a
10 photograph by filing with the county treasurer an application and
11 affidavit showing such loss. Upon the officer being satisfied that
12 the loss is genuine, the officer shall cause to be issued, upon the
13 payment of the fee prescribed in section 60-4,115, a duplicate
14 operator's license or card without a photograph. Upon the issuance of
15 the duplicate, the original license or card shall be void.

16 (5) Any person holding a valid operator's license or
17 state identification card without a photograph shall surrender such
18 license or card to the treasurer of his or her county of residence
19 within thirty days after resuming residency in this state. After the
20 thirty-day period, such license or card shall be considered invalid.
21 Upon the timely surrender of the license or card and payment of the
22 fee prescribed in section 60-4,115, such person shall be issued an
23 operator's license or card with a color photograph or digital image
24 of the licensee included.

25 (6) An application form for a replacement or duplicate

1 operator's license or state identification card shall include a voter
2 registration portion pursuant to section 32-308 and the following
3 specific question: Do you wish to register to vote as part of this
4 application process?

5 (7) An applicant may obtain a replacement or duplicate
6 operator's license or state identification card pursuant to
7 subsection (1), (3), or (4) of this section by electronic means in a
8 manner prescribed by the department. If the applicant has a digital
9 image and digital signature preserved in the digital system, the
10 replacement or duplicate shall be issued with the preserved digital
11 image and digital signature.

12 Sec. 16. Section 60-4,121, Reissue Revised Statutes of
13 Nebraska, is amended to read:

14 60-4,121 (1) The operator's license of any person serving
15 on active duty, other than members of the National Guard or reserves
16 activated for training purposes only, outside the State of Nebraska
17 as a member of the United States Armed Forces, or the spouse of any
18 such person or a dependent of such member of the armed forces, shall
19 be valid during such person's period of active duty and for not more
20 than sixty days immediately following such person's date of
21 separation from service, ~~and shall be renewed after the expiration~~
22 ~~date without examination upon written application to the county~~
23 ~~treasurer who issued the license. No person shall be permitted to~~
24 ~~renew a license in such manner more than twice.~~

25 ~~(2) The county treasurer also shall issue a renewal~~

1 ~~license, without examination, to any person who is serving in the~~
2 ~~armed forces of the United States, or the spouse of any such person~~
3 ~~or a dependent of such member of the armed forces, and who makes~~
4 ~~application for renewal within ninety days prior to the expiration~~
5 ~~date of his or her license while the member is still on active duty~~
6 ~~upon proof that such member is still on active duty. If such person~~
7 ~~is twenty years of age, he or she may be issued a renewal license in~~
8 ~~such manner within ten days prior to his or her twenty first~~
9 ~~birthday.~~

10 ~~(3) The county treasurer also shall issue a renewal~~
11 ~~license, without examination, to any person whose license expired~~
12 ~~while serving in the armed forces of the United States, or the spouse~~
13 ~~of any such person or a dependent of such member of the armed forces,~~
14 ~~and who makes application for renewal within sixty days after his or~~
15 ~~her (a) discharge or return to the State of Nebraska to reside,~~
16 ~~whichever is later, or (b) return to the State of Nebraska while the~~
17 ~~member is still on active duty upon proof that such member is still~~
18 ~~on active duty.~~

19 ~~(4)-(2)~~ Each individual who is applying for renewal of
20 his or her operator's license shall submit his or her previous
21 license to the ~~examiner~~ department personnel or, when the previous
22 license is unavailable, furnish proof of identification in accordance
23 with section 60-484.

24 Sec. 17. Section 60-4,122, Reissue Revised Statutes of
25 Nebraska, is amended to read:

1 60-4,122 (1) Except as otherwise provided in subsections
2 (2), (3), and (8) of this section, no original or renewal operator's
3 license shall be issued to any person until such person has
4 demonstrated his or her ability to operate a motor vehicle safely as
5 provided in section 60-4,114.

6 (2) Except as otherwise provided in this section and
7 section 60-4,127, any person who renews his or her Class O or Class M
8 license shall demonstrate his or her ability to drive and maneuver a
9 motor vehicle safely as provided in subdivision (3)(b) of section
10 60-4,114 only at the discretion of department personnel, except that
11 a person required to use bioptic or telescopic lenses shall be
12 required to demonstrate his or her ability to drive and maneuver a
13 motor vehicle safely each time he or she renews his or her license.

14 (3) Any person who renews his or her Class O or Class M
15 license prior to or within one year after its expiration may not be
16 required to demonstrate his or her knowledge of the motor vehicle
17 laws of this state as provided in subdivision (3)(c) of section
18 60-4,114 if his or her driving record abstract maintained in the
19 computerized records of the department shows that such person's
20 license is not suspended, revoked, or canceled.

21 (4) Except for operators' licenses issued to persons
22 required to use bioptic or telescopic lenses, any person who renews
23 his or her operator's license which has been valid for fifteen months
24 or less shall not be required to take any examination required under
25 section 60-4,114.

1 (5) Any person who renews a state identification card
2 shall appear before department personnel and present his or her
3 current state identification card or shall follow the procedure for
4 electronic renewal in subsection (9) of this section. Proof of
5 identification shall be required as prescribed in sections 60-484 and
6 60-4,181 and also, beginning on an implementation date designated by
7 the director on or before January 1, 2014, the information and
8 documentation required by section 7 of this act.

9 (6) A nonresident who applies for an initial operator's
10 license in this state and who holds a valid operator's license from
11 another state which is his or her state of residence may not be
12 required to demonstrate his or her knowledge of the motor vehicle
13 laws of this state if he or she surrenders to the ~~examiner~~department
14 his or her valid out-of-state operator's license.

15 (7) An applicant for an original operator's license may
16 not be required to demonstrate his or her knowledge of the motor
17 vehicle laws of this state if he or she has been issued a Nebraska
18 LPD-learner's permit that is valid or has been expired for no more
19 than one year. The written examination shall not be waived if the
20 original operator's license being applied for contains a class or
21 endorsement which is different from the class or endorsement of the
22 Nebraska LPD-learner's permit.

23 (8) A qualified licensee as determined by the department
24 who is twenty-one years of age or older and less than sixty-five
25 years of age and who has a digital image and digital signature

1 preserved in the digital system may renew his or her Class O or Class
2 M license once by electronic means in a manner prescribed by the
3 department using the preserved digital image and digital signature
4 without taking any examination required under section 60-4,114 if
5 such renewal is prior to or within one year after the expiration of
6 the license and if his or her driving record abstract maintained in
7 the records of the department shows that such person's license is not
8 suspended, revoked, or canceled. Every licensee must apply for
9 renewal in person at least once every ten years and have a new
10 digital image and digital signature taken.

11 (9) Any person who is twenty-one years of age or older
12 and who has been issued a state identification card with a digital
13 image and digital signature may electronically renew his or her state
14 identification card once by electronic means in a manner prescribed
15 by the department using the preserved digital image and digital
16 signature. Every holder of a state identification card shall apply
17 for renewal in person at least once every ten years and have a new
18 digital image and digital signature taken.

19 Sec. 18. Section 60-4,127, Reissue Revised Statutes of
20 Nebraska, is amended to read:

21 60-4,127 (1) No person shall operate a motorcycle on the
22 alleys or highways of the State of Nebraska until such person has
23 obtained a Class M license. No such license shall be issued until the
24 applicant has (a) met the vision and physical requirements
25 established under section 60-4,118 for operation of a motor vehicle

1 and (b) successfully completed an examination, including the actual
2 operation of a motorcycle, prescribed by the director, except that
3 the required examination may be waived, including the actual
4 operation of a motorcycle, if the applicant presents proof of
5 successful completion of a motorcycle safety course under the
6 Motorcycle Safety Education Act within the immediately preceding
7 forty-eight months.

8 ~~(2)(a) This subdivision applies until the implementation~~
9 ~~date designated by the director pursuant to section 60-462.02. Any~~
10 ~~applicant who qualifies for a Class M license shall be issued a~~
11 ~~license for such operation by the county treasurer as provided for~~
12 ~~the issuance of an operator's license. If the applicant is the holder~~
13 ~~of an operator's license, the county treasurer shall, upon receipt of~~
14 ~~the examiner's certificate, have endorsed on the license the~~
15 ~~authorization to operate a motorcycle. Fees for Class M licenses~~
16 ~~shall be as provided by section 60-4,115.~~

17 ~~(b) This subdivision applies beginning on the~~
18 ~~implementation date designated by the director pursuant to section~~
19 ~~60-462.02. (2) Upon presentation of an issuance certificate, the~~
20 ~~county treasurer shall collect the fee and surcharge for a Class M~~
21 ~~license as prescribed by section 60-4,115 and issue a receipt with~~
22 ~~driving privileges which is valid for up to thirty days. The license~~
23 ~~shall be delivered as provided in section 60-4,113. If the applicant~~
24 ~~is the holder of an operator's license, the county treasurer shall,~~
25 ~~upon receipt of the examiner's issuance certificate, have endorsed on~~

1 the license the authorization to operate a motorcycle. Fees for Class
2 M licenses shall be as provided by section 60-4,115.

3 Sec. 19. Section 60-4,144, Reissue Revised Statutes of
4 Nebraska, is amended to read:

5 60-4,144 ~~(1)(a) This subsection applies until the~~
6 ~~implementation date designated by the director pursuant to section~~
7 ~~60-462.02. Application for any original or renewal commercial~~
8 ~~driver's license or application for any change of class of commercial~~
9 ~~motor vehicle, endorsement, or restriction may be made in a manner~~
10 ~~prescribed by the department. Such application may be made to an~~
11 ~~examiner in any county. The examiner shall personally conduct the~~
12 ~~examination of the applicant and deliver to each successful applicant~~
13 ~~an examiner's certificate containing the statements made pursuant to~~
14 ~~subdivision (b) of this subsection.~~

15 ~~(b) The application or examiner's certificate shall~~
16 ~~include the voter registration portion pursuant to section 32-308,~~
17 ~~the advisement language required by subsection (5) of section~~
18 ~~60-6,197, and the following:~~

19 ~~(i) The full name, the current mailing address, and the~~
20 ~~residential address of the applicant, except that if the applicant is~~
21 ~~a program participant under the Address Confidentiality Act, he or~~
22 ~~she need not supply his or her residential address;~~

23 ~~(ii) A physical description of the applicant, including~~
24 ~~sex, height, weight, and eye and hair colors;~~

25 ~~(iii) The applicant's date of birth;~~

- 1 ~~(iv) The applicant's social security number;~~
- 2 ~~(v) The applicant's signature;~~
- 3 ~~(vi) Certification that the commercial motor vehicle in~~
4 ~~which the applicant takes any driving skills examination is~~
5 ~~representative of the class of commercial motor vehicle that the~~
6 ~~applicant operates or expects to operate;~~
- 7 ~~(vii) The certification required pursuant to section~~
8 ~~60-4,145 or 60-4,146;~~
- 9 ~~(viii) Beginning September 30, 2005, the names of all~~
10 ~~states where the applicant has been licensed to operate any type of~~
11 ~~motor vehicle in the ten years prior to the date of application;~~
- 12 ~~(ix) The following specific questions:~~
- 13 ~~(A) Have you within the last three months (e.g. due to~~
14 ~~diabetes, epilepsy, mental illness, head injury, stroke, heart~~
15 ~~condition, neurological disease, etc.):~~
- 16 ~~(I) lost voluntary control or consciousness ... yes ...~~
17 ~~no~~
- 18 ~~(II) experienced vertigo or multiple episodes of~~
19 ~~dizziness or fainting ... yes ... no~~
- 20 ~~(III) experienced disorientation ... yes ... no~~
- 21 ~~(IV) experienced seizures ... yes ... no~~
- 22 ~~(V) experienced impairment of memory, memory loss ...~~
23 ~~yes ... no~~
- 24 ~~Please explain:~~
- 25 ~~(B) Do you experience any condition which affects your~~

1 ~~ability to operate a motor vehicle? (e.g. due to loss of or~~
2 ~~impairment of foot, leg, hand, or arm; neurological or neuromuscular~~
3 ~~disease, etc.) ... yes ... no~~

4 ~~Please explain:~~

5 ~~(C) Since the issuance of your last driver's license/~~
6 ~~permit has your health or medical condition changed or worsened? ...~~
7 ~~yes ... no~~

8 ~~Please explain, including how the above affects your~~
9 ~~ability to drive:~~

10 ~~(x) Do you wish to register to vote as part of this~~
11 ~~application process?~~

12 ~~OPTIONAL — YOU ARE NOT REQUIRED TO ANSWER ANY OF THE~~
13 ~~FOLLOWING QUESTIONS:~~

14 ~~(xi) Do you wish to be an organ and tissue donor?~~

15 ~~(xii) Do you wish to receive any additional specific~~
16 ~~information regarding organ and tissue donation and the Donor~~
17 ~~Registry of Nebraska?~~

18 ~~(xiii) Do you wish to donate \$1 to promote the Organ and~~
19 ~~Tissue Donor Awareness and Education Fund?~~

20 ~~(c) Application shall be made under oath or affirmation~~
21 ~~of the applicant.~~

22 ~~(2) This subsection applies beginning on the~~
23 ~~implementation date designated by the director pursuant to section~~
24 ~~60-462.02.—An applicant for any original or renewal commercial~~
25 ~~driver's license or an applicant for a change of class of commercial~~

1 motor vehicle, endorsement, or restriction shall demonstrate his or
2 her knowledge and skills for operating a commercial motor vehicle as
3 prescribed in the Motor Vehicle Operator's License Act. An applicant
4 for a commercial driver's license shall provide the information and
5 documentation required by this section and section 60-484 and also,
6 beginning on an implementation date designated by the director on or
7 before January 1, 2014, the information and documentation required by
8 section 7 of this act. Such information and documentation shall
9 include:

10 ~~(a)~~-(1) Certification that the commercial motor vehicle
11 in which the applicant takes any driving skills examination is
12 representative of the class of commercial motor vehicle that the
13 applicant operates or expects to operate;

14 ~~(b)~~-(2) The certification required pursuant to section
15 60-4,145 or 60-4,146; and

16 ~~(c)~~-(3) The names of all states where the applicant has
17 been licensed to operate any type of motor vehicle in the ten years
18 prior to the date of application.

19 Sec. 20. Section 60-4,149, Reissue Revised Statutes of
20 Nebraska, is amended to read:

21 60-4,149 (1) The examination for commercial drivers'
22 licenses by the department shall occur in and for each county of the
23 State of Nebraska. Each county shall furnish office space for the
24 administration of the examinations, except that two or more counties
25 may, with the permission of the director, establish a separate

1 facility to jointly conduct the examinations for such licenses.

2 (2) Except as provided for by section 60-4,157, all
3 commercial driver's license examinations shall be conducted by
4 department personnel designated by the director. Each successful
5 applicant shall be issued a certificate entitling the applicant to
6 secure a commercial driver's license. If department personnel refuse
7 to issue such certificate for cause, he or she shall state such cause
8 in writing and deliver the same to the applicant. Department
9 personnel shall not be required to hold a commercial driver's license
10 to administer a driving skills examination and occupy the seat beside
11 an applicant for a commercial driver's license.

12 ~~(3)(a) This subdivision applies until the implementation~~
13 ~~date designated by the director pursuant to section 60-462.02. The~~
14 ~~successful applicant shall, within thirty days, present his or her~~
15 ~~certificate to the county treasurer who shall immediately issue the~~
16 ~~commercial driver's license and collect the fee. The county treasurer~~
17 ~~shall report the issuance of commercial drivers' licenses and LPC-~~
18 ~~learners' permits to the department within five days after issuance.~~

19 (b) ~~This subdivision applies beginning on the~~
20 ~~implementation date designated by the director pursuant to section~~
21 ~~60-462.02.~~ (3) The successful applicant shall, within thirty days,
22 present his or her issuance certificate to the county treasurer who
23 shall collect the fee and surcharge as provided in section 60-4,115
24 and issue a receipt with driving privileges which is valid for up to
25 thirty days. The commercial driver's license shall be delivered to

1 the applicant as provided in section 60-4,113.

2 Sec. 21. Section 60-4,150, Reissue Revised Statutes of
3 Nebraska, is amended to read:

4 60-4,150 (1) Any person holding a commercial driver's
5 license who loses his or her license, who requires issuance of a
6 replacement license because of a change of name or address, or whose
7 license is mutilated or unreadable may obtain a duplicate or
8 replacement commercial driver's license by filing an application and
9 by furnishing proof of identification in accordance with section
10 60-484.

11 (2) The application for a replacement license because of
12 a change of name or address shall be made within sixty days after the
13 change of name or address.

14 ~~(3)(a) This subdivision applies until the implementation~~
15 ~~date designated by the director pursuant to section 60-462.02. Upon~~
16 ~~the examiner being satisfied that a duplicate or replacement~~
17 ~~commercial driver's license should be issued, the applicant shall~~
18 ~~receive such license upon payment of the fee prescribed in section~~
19 ~~60-4,115 to the county treasurer.~~

20 ~~(b) This subdivision applies beginning on the~~
21 ~~implementation date designated by the director pursuant to section~~
22 ~~60-462.02.~~ (3) A duplicate or replacement commercial driver's license
23 shall be delivered to the applicant as provided in section 60-4,113
24 after the county treasurer collects the fee and surcharge prescribed
25 in section 60-4,115 and issues the applicant a receipt with driving

1 privileges which is valid for up to thirty days.

2 (4) Duplicate and replacement commercial drivers'
3 licenses shall be issued in the manner provided for the issuance of
4 original and renewal commercial drivers' licenses as provided for by
5 section 60-4,149. Upon issuance of any duplicate or replacement
6 commercial driver's license, the commercial driver's license for
7 which the duplicate or replacement license is issued shall be void.

8 Sec. 22. Section 60-4,151, Reissue Revised Statutes of
9 Nebraska, is amended to read:

10 60-4,151 (1)(a) The commercial driver's license shall be
11 conspicuously marked Nebraska Commercial Driver's License and shall
12 be, to the maximum extent practicable, tamper and forgery proof.

13 ~~(b) This subdivision applies until the implementation~~
14 ~~date designated by the director pursuant to section 60-462.02. The~~
15 ~~commercial driver's license shall include the following information:~~

16 ~~(i) The name and residential address of the holder;~~

17 ~~(ii) The holder's color photograph or digital image;~~

18 ~~(iii) A physical description of the holder, including~~
19 ~~sex, height, weight, and eye and hair colors;~~

20 ~~(iv) The holder's date of birth;~~

21 ~~(v) The holder's signature;~~

22 ~~(vi) The class of commercial motor vehicle or vehicles~~
23 ~~which the holder is authorized to operate, including any endorsements~~
24 ~~or restrictions;~~

25 ~~(vii) The dates between which the commercial driver's~~

1 ~~license is valid; and~~

2 ~~(viii) The organ and tissue donor information specified~~
3 ~~in section 60-494.~~

4 ~~(c) This subdivision applies beginning on the~~
5 ~~implementation date designated by the director pursuant to section~~
6 ~~60-462.02.~~ (b) The form of the commercial driver's license shall also
7 comply with section 60-4,117.

8 (2) The restricted commercial driver's license shall be
9 conspicuously marked Nebraska Restricted Commercial Driver's License
10 and shall be, to the maximum extent practicable, tamper and forgery
11 proof. The restricted commercial driver's license shall contain such
12 additional information as deemed necessary by the director.

13 (3) The seasonal permit shall contain such information as
14 deemed necessary by the director but shall include the time period
15 during which the commercial motor vehicle operating privilege is
16 effective. The seasonal permit shall be valid only when held in
17 conjunction with a restricted commercial driver's license.

18 Sec. 23. Section 60-4,181, Reissue Revised Statutes of
19 Nebraska, is amended to read:

20 60-4,181 (1)(a) ~~This subsection applies until the~~
21 ~~implementation date designated by the director pursuant to section~~
22 ~~60-462.02. A state identification card shall be issued by the county~~
23 ~~treasurer after the person requesting the card (i) files an~~
24 ~~application or examiner's certificate with an examining officer, (ii)~~
25 ~~furnishes two forms of proof of identification described in section~~

1 ~~60-484, and (iii) pays the fee prescribed in section 60-4,115 to the~~
2 ~~county treasurer. The state identification card shall contain the~~
3 ~~organ and tissue donor information specified in section 60-494.~~

4 ~~(b) The application or examiner's certificate shall~~
5 ~~include the name, age, post office address, place of residence unless~~
6 ~~the applicant is a program participant under the Address~~
7 ~~Confidentiality Act, date of birth, sex, social security number, and~~
8 ~~physical description of the applicant, the voter registration portion~~
9 ~~pursuant to section 32-308, and the following:~~

10 ~~(i) Do you wish to register to vote as part of this~~
11 ~~application process?~~

12 ~~(ii) Do you wish to be an organ and tissue donor?~~

13 ~~(iii) Do you wish to receive any additional specific~~
14 ~~information regarding organ and tissue donation and the Donor~~
15 ~~Registry of Nebraska?~~

16 ~~(iv) Do you wish to donate \$1 to promote the Organ and~~
17 ~~Tissue Donor Awareness and Education Fund?~~

18 ~~(c) Each state identification card shall contain the~~
19 ~~following encoded, machine-readable information: The holder's full~~
20 ~~legal name; date of birth; gender; document issue date; document~~
21 ~~expiration date; principal residence address; unique identification~~
22 ~~number; revision date; inventory control number; and state of~~
23 ~~issuance.~~

24 ~~(2) This subsection applies beginning on the~~
25 ~~implementation date designated by the director pursuant to section~~

1 ~~60-462.02.~~(1) Each applicant for a state identification card shall
2 provide the information and documentation required by section 60-484
3 and also, beginning on an implementation date designated by the
4 director on or before January 1, 2014, the information and
5 documentation required by section 7 of this act. The form of the
6 state identification card shall comply with section 60-4,117. Upon
7 presentation of an applicant's issuance certificate, the county
8 treasurer shall collect the fee and surcharge as prescribed in
9 section 60-4,115 and issue a receipt to the applicant which is valid
10 up to thirty days. The state identification card shall be delivered
11 to the applicant as provided in section 60-4,113.

12 ~~(3)~~(2) The director may summarily cancel any state
13 identification card, and any judge or magistrate may order a state
14 identification card canceled in a judgment of conviction, if the
15 application or ~~examiner's~~issuance certificate for the card contains
16 any false or fraudulent statements which were deliberately and
17 knowingly made as to any matter material to the issuance of the card
18 or if the application or ~~examiner's certificate or~~ issuance
19 certificate does not contain required or correct information. Any
20 state identification card so obtained shall be void from the date of
21 issuance. Any judgment of conviction ordering cancellation of a state
22 identification card shall be transmitted to the director who shall
23 cancel the card.

24 (3) This subsection applies beginning on an
25 implementation date designated by the director on or before January

1 1, 2014. No person shall be a holder of a state identification card
2 and an operator's license at the same time.

3 Sec. 24. Original sections 60-462, 60-462.02, 60-479,
4 60-479.01, 60-484, 60-487, 60-4,113, 60-4,114, 60-4,115, 60-4,117,
5 60-4,120, 60-4,121, 60-4,122, 60-4,127, 60-4,144, 60-4,149, 60-4,150,
6 60-4,151, and 60-4,181, Reissue Revised Statutes of Nebraska, are
7 repealed.

8 Sec. 25. Since an emergency exists, this act takes effect
9 when passed and approved according to law.