

AMENDMENTS TO LB 383

Introduced by Transportation and Telecommunications

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

3 Section 1. Section 60-301, Revised Statutes Cumulative
4 Supplement, 2012, is amended to read:

5 60-301 Sections 60-301 to 60-3,222 and sections 9 and 10
6 of this act shall be known and may be cited as the Motor Vehicle
7 Registration Act.

8 Sec. 2. Section 60-393, Revised Statutes Cumulative
9 Supplement, 2012, is amended to read:

10 60-393 Any owner who has two or more motor vehicles
11 or trailers required to be registered under the Motor Vehicle
12 Registration Act may register all such motor vehicles or trailers
13 on a calendar-year basis or on an annual basis for the same
14 registration period beginning in a month chosen by the owner. When
15 electing to establish the same registration period for all such
16 motor vehicles or trailers, the owner shall pay the registration
17 fee, the motor vehicle tax imposed in section 60-3,185, the motor
18 vehicle fee imposed in section 60-3,190, and the alternative fuel
19 fee imposed in section 60-3,191 on each motor vehicle for the
20 number of months necessary to extend its current registration
21 period to the registration period under which all such motor
22 vehicles or trailers will be registered. Credit shall be given for
23 registration paid on each motor vehicle or trailer when the motor

1 vehicle or trailer has a later expiration date than that chosen
2 by the owner except as otherwise provided in sections 60-3,121,
3 60-3,122.02, and 60-3,128 and section 10 of this act. Thereafter
4 all such motor vehicles or trailers shall be registered on an
5 annual basis starting in the month chosen by the owner.

6 Sec. 3. Section 60-395, Revised Statutes Cumulative
7 Supplement, 2012, is amended to read:

8 60-395 (1) Except as otherwise provided in subsection (2)
9 of this section and sections 60-3,121, 60-3,122.02, and 60-3,128
10 and section 10 of this act, the registration shall expire and
11 the registered owner or lessee may, by returning the registration
12 certificate, the license plates, and, when appropriate, the
13 validation decals and by either making application on a form
14 prescribed by the department to the county treasurer of the
15 occurrence of an event described in subdivisions (a) through (e) of
16 this subsection or, in the case of a change in situs, displaying
17 to the county treasurer the registration certificate of such
18 other state as evidence of a change in situs, receive a refund
19 of that part of the unused fees and taxes on motor vehicles or
20 trailers based on the number of unexpired months remaining in the
21 registration period from the date of any of the following events:

22 (a) Upon transfer of ownership of any motor vehicle or
23 trailer;

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

26 (c) When a salvage branded certificate of title is
27 issued;

1 (d) Whenever a type or class of motor vehicle or trailer
2 previously registered is subsequently declared by legislative act
3 or court decision to be illegal or ineligible to be operated or
4 towed on the public roads and no longer subject to registration
5 fees, the motor vehicle tax imposed in section 60-3,185, the motor
6 vehicle fee imposed in section 60-3,190, and the alternative fuel
7 fee imposed in section 60-3,191;

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

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

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

15 (3) If the transferor or lessee acquires another motor
16 vehicle at the time of the transfer, trade-in, or surrender, the
17 transferor or lessee shall have the credit provided for in this
18 section applied toward payment of the motor vehicle fees and taxes
19 then owing. Otherwise, the transferor or lessee shall file a claim
20 for refund with the county treasurer upon an application form
21 prescribed by the department.

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

27 (5) For purposes of this section, the date of the event

1 shall be: (a) In the case of a transfer or loss, the date of
2 the transfer or loss; (b) in the case of a change in the situs,
3 the date of registration in another state; (c) in the case of
4 a trade-in or surrender under a lease, the date of trade-in or
5 surrender; (d) in the case of a legislative act, the effective date
6 of the act; and (e) in the case of a court decision, the date the
7 decision is rendered.

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

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

17 (8) The county treasurer shall refund the motor vehicle
18 fee and registration fee from the fees which have not been
19 transferred to the State Treasurer. The county treasurer shall make
20 payment to the claimant from the undistributed motor vehicle taxes
21 of the taxing unit where the tax money was originally distributed.
22 No refund of less than two dollars shall be paid.

23 Sec. 4. Section 60-396, Revised Statutes Cumulative
24 Supplement, 2012, is amended to read:

25 60-396 Whenever the registered owner files an application
26 with the county treasurer showing that a motor vehicle or trailer
27 is disabled and has been removed from service, the registered owner

1 may, by returning the registration certificate, the license plates,
2 and, when appropriate, the validation decals or, in the case of the
3 unavailability of such registration certificate or certificates,
4 license plates, or validation decals, then by making an affidavit
5 to the county treasurer of such disablement and removal from
6 service, receive a credit for a portion of the registration fee
7 from the fee deposited with the State Treasurer at the time of
8 registration based upon the number of unexpired months remaining
9 in the registration year except as otherwise provided in sections
10 60-3,121, 60-3,122.02, and 60-3,128 and section 10 of this act.
11 The owner shall also receive a credit for the unused portion of
12 the motor vehicle tax and fee based upon the number of unexpired
13 months remaining in the registration year. When the owner registers
14 a replacement motor vehicle or trailer at the time of filing
15 such affidavit, the credit may be immediately applied against
16 the registration fee and the motor vehicle tax and fee for the
17 replacement motor vehicle or trailer. When no such replacement
18 motor vehicle or trailer is so registered, the county treasurer
19 shall forward the application and affidavit, if any, to the State
20 Treasurer who shall determine the amount, if any, of the allowable
21 credit for the registration fee and issue a credit certificate to
22 the owner. For the motor vehicle tax and fee, the county treasurer
23 shall determine the amount, if any, of the allowable credit and
24 issue a credit certificate to the owner. When such motor vehicle
25 or trailer is removed from service within the same month in which
26 it was registered, no credits shall be allowed for such month.
27 The credits may be applied against taxes and fees for new or

1 replacement motor vehicles or trailers incurred within one year
2 after cancellation of registration of the motor vehicle or trailer
3 for which the credits were allowed. When any such motor vehicle or
4 trailer is reregistered within the same registration year in which
5 its registration has been canceled, the taxes and fees shall be
6 that portion of the registration fee and the motor vehicle tax and
7 fee for the remainder of the registration year.

8 Sec. 5. Section 60-3,104, Revised Statutes Cumulative
9 Supplement, 2012, is amended to read:

10 60-3,104 The department shall issue the following types
11 of license plates:

12 (1) Amateur radio station license plates issued pursuant
13 to section 60-3,126;

14 (2) Apportionable vehicle license plates issued pursuant
15 to section 60-3,203;

16 (3) Boat dealer license plates issued pursuant to section
17 60-379;

18 (4) Bus license plates issued pursuant to section
19 60-3,144;

20 (5) Commercial motor vehicle license plates issued
21 pursuant to section 60-3,147;

22 (6) Dealer or manufacturer license plates issued pursuant
23 to sections 60-3,114 and 60-3,115;

24 (7) Disabled veteran license plates issued pursuant to
25 section 60-3,124;

26 (8) Farm trailer license plates issued pursuant to
27 section 60-3,151;

1 (9) Farm truck license plates issued pursuant to section
2 60-3,146;

3 (10) Farm trucks with a gross weight of over sixteen tons
4 license plates issued pursuant to section 60-3,146;

5 (11) Fertilizer trailer license plates issued pursuant to
6 section 60-3,151;

7 (12) Film vehicle license plates issued pursuant to
8 section 60-383;

9 (13) Gold Star Family license plates issued pursuant to
10 sections 60-3,122.01 and 60-3,122.02;

11 (14) Handicapped or disabled person license plates issued
12 pursuant to section 60-3,113;

13 (15) Historical vehicle license plates issued pursuant to
14 sections 60-3,130 to 60-3,134;

15 (16) Local truck license plates issued pursuant to
16 section 60-3,145;

17 (17) Military Honor Plates issued pursuant to sections 9
18 and 10 of this act;

19 ~~(17)~~ (18) Minitruck license plates issued pursuant to
20 section 60-3,100;

21 ~~(18)~~ (19) Motor vehicle license plates for motor vehicles
22 owned or operated by the state, counties, municipalities, or school
23 districts issued pursuant to section 60-3,105;

24 ~~(19)~~ (20) Motor vehicles exempt pursuant to section
25 60-3,107;

26 ~~(20)~~ (21) Motorcycle license plates issued pursuant to
27 section 60-3,100;

1 ~~(21)~~ (22) Nebraska Cornhusker Spirit Plates issued
2 pursuant to sections 60-3,127 to 60-3,129;

3 ~~(22)~~ (23) Nonresident owner thirty-day license plates
4 issued pursuant to section 60-382;

5 ~~(23)~~ (24) Passenger car having a seating capacity of ten
6 persons or less and not used for hire issued pursuant to section
7 60-3,143;

8 ~~(24)~~ (25) Passenger car having a seating capacity of
9 ten persons or less and used for hire issued pursuant to section
10 60-3,143;

11 ~~(25)~~ (26) Pearl Harbor license plates issued pursuant to
12 section 60-3,122;

13 ~~(26)~~ (27) Personal-use dealer license plates issued
14 pursuant to section 60-3,116;

15 ~~(27)~~ (28) Personalized message license plates for motor
16 vehicles and cabin trailers, except commercial motor vehicles
17 registered for over ten tons gross weight, issued pursuant to
18 sections 60-3,118 to 60-3,121;

19 ~~(28)~~ (29) Prisoner-of-war license plates issued pursuant
20 to section 60-3,123;

21 ~~(29)~~ (30) Purple Heart license plates issued pursuant to
22 section 60-3,125;

23 ~~(30)~~ (31) Recreational vehicle license plates issued
24 pursuant to section 60-3,151;

25 ~~(31)~~ (32) Repossession license plates issued pursuant to
26 section 60-375;

27 ~~(32)~~ (33) Special interest motor vehicle license plates

1 issued pursuant to section 60-3,135.01;

2 ~~(33)~~ (34) Specialty license plates issued pursuant to
3 sections 60-3,104.01 and 60-3,104.02;

4 ~~(34)~~ (35) Trailer license plates issued for trailers
5 owned or operated by the state, counties, municipalities, or school
6 districts issued pursuant to section 60-3,106;

7 ~~(35)~~ (36) Trailer license plates issued pursuant to
8 section 60-3,100;

9 ~~(36)~~ (37) Trailers exempt pursuant to section 60-3,108;

10 ~~(37)~~ (38) Transporter license plates issued pursuant to
11 section 60-378;

12 ~~(38)~~ (39) Trucks or combinations of trucks,
13 truck-tractors, or trailers which are not for hire and
14 engaged in soil and water conservation work and used for the
15 purpose of transporting pipe and equipment exclusively used by such
16 contractors for soil and water conservation construction license
17 plates issued pursuant to section 60-3,149;

18 ~~(39)~~ (40) Utility trailer license plates issued pursuant
19 to section 60-3,151; and

20 ~~(40)~~ (41) Well-boring apparatus and well-servicing
21 equipment license plates issued pursuant to section 60-3,109.

22 Sec. 6. Section 60-3,123, Reissue Revised Statutes of
23 Nebraska, is amended to read:

24 60-3,123 (1) Any person who was captured and incarcerated
25 by an enemy of the United States during a period of conflict with
26 such enemy and who was discharged or otherwise separated with a
27 characterization of honorable from or is currently serving in the

1 United States Armed Forces may, in addition to the application
2 required in section 60-385, apply to the department for license
3 plates designed to indicate that he or she is a former prisoner of
4 war.

5 (2) The license plates shall be issued upon the applicant
6 paying the regular license fee ~~and an additional fee of five~~
7 ~~dollars~~ and furnishing proof satisfactory to the department that
8 the applicant was formerly a prisoner of war. ~~The additional~~
9 ~~fee shall be remitted to the State Treasurer for credit to the~~
10 ~~Nebraska Veteran Cemetery System Operation Fund.~~ Any number of
11 motor vehicles, trailers, semitrailers, or cabin trailers owned by
12 the applicant may be so licensed at any one time. Motor vehicles
13 and trailers registered under section 60-3,198 shall not be so
14 licensed.

15 (3) If the license plates issued under this section are
16 lost, stolen, or mutilated, the recipient of the license plates
17 shall be issued replacement license plates upon request and without
18 charge.

19 Sec. 7. Section 60-3,125, Reissue Revised Statutes of
20 Nebraska, is amended to read:

21 60-3,125 (1) Any person may, in addition to the
22 application required by section 60-385, apply to the department
23 for license plates designed by the department to indicate that the
24 applicant has received from the federal government an award of a
25 Purple Heart. The inscription of the plates shall be designed so
26 as to include a facsimile of the award and beneath any numerical
27 designation upon the plates pursuant to section 60-370 the words

1 Purple Heart separately on one line and the words Combat Wounded
2 on the line below.

3 (2) The license plates shall be issued upon payment of
4 the regular license fee ~~and an additional fee of five dollars~~ and
5 furnishing proof satisfactory to the department that the applicant
6 was awarded the Purple Heart. ~~The additional fee shall be remitted~~
7 ~~to the State Treasurer for credit to the Nebraska Veteran Cemetery~~
8 ~~System Operation Fund.~~ Any number of motor vehicles, trailers,
9 semitrailers, or cabin trailers owned by the applicant may be so
10 licensed at any one time. Motor vehicles and trailers registered
11 under section 60-3,198 shall not be so licensed.

12 (3) If license plates issued pursuant to this section are
13 lost, stolen, or mutilated, the recipient of the plates shall be
14 issued replacement license plates upon request and without charge.

15 Sec. 8. Section 60-3,130.04, Reissue Revised Statutes of
16 Nebraska, is amended to read:

17 60-3,130.04 (1) An owner of a historical vehicle eligible
18 for registration under section 60-3,130 may use a license plate
19 or plates designed by this state in the year corresponding to the
20 model year when the vehicle was manufactured in lieu of the plates
21 designed pursuant to section 60-3,130.03 subject to the approval of
22 the department. The department shall inspect the plate or plates
23 and may approve the plate or plates if it is determined that the
24 model-year license plate or plates are legible and serviceable and
25 that the license plate numbers do not conflict with or duplicate
26 other numbers assigned and in use. An original-issued license plate
27 or plates that have been restored to original condition may be used

1 when approved by the department.

2 (2) The department may consult with a recognized car club
3 in determining whether the year of the license plate or plates
4 to be used corresponds to the model year when the vehicle was
5 manufactured.

6 (3) If only one license plate is used on the vehicle, the
7 license plate shall be placed on the rear of the vehicle. The owner
8 of a historical vehicle may use only one plate on the vehicle even
9 for years in which two license plates were issued for vehicles in
10 general.

11 (4) License plates used pursuant to this section
12 corresponding to the year of manufacture of the vehicle shall
13 not be personalized message license plates, Pearl Harbor license
14 plates, prisoner-of-war license plates, disabled veteran license
15 plates, Purple Heart license plates, amateur radio station license
16 plates, Nebraska Cornhusker Spirit Plates, handicapped or disabled
17 person license plates, ~~or~~ specialty license plates, or Military
18 Honor Plates.

19 Sec. 9. (1) The department shall design license plates
20 to be known as Military Honor Plates. The department shall create
21 designs honoring persons who have served or are serving in the
22 United States Army, United States Navy, United States Marine Corps,
23 United States Coast Guard, United States Air Force, or National
24 Guard. There shall be six designs, one for each of such armed
25 forces reflecting its official emblem. The issuance of plates for
26 each of such armed forces shall be conditioned on the approval of
27 the armed forces owning the copyright to the official emblem. A

1 person may qualify for a Military Honor Plate by registering with
2 the Department of Veterans' Affairs pursuant to section 11 of this
3 act. The Department of Motor Vehicles shall verify the applicant's
4 eligibility for a plate created pursuant to this section by
5 consulting the registry established by the Department of Veterans'
6 Affairs.

7 (2) The design shall be selected on the basis of limiting
8 the manufacturing cost of each plate to an amount less than
9 or equal to the amount charged for license plates pursuant to
10 section 60-3,102. The Department of Motor Vehicles shall make
11 applications available for each type of plate when it is designed.
12 The department may adopt and promulgate rules and regulations to
13 carry out this section and section 10 of this act.

14 (3) One type of Military Honor Plates shall be
15 alphanumeric plates. The department shall:

16 (a) Assign a designation up to five characters; and

17 (b) Not use a county designation.

18 (4) One type of Military Honor Plates shall be
19 personalized message plates. Such plates shall be issued subject
20 to the same conditions specified for personalized message license
21 plates in section 60-3,118, except that a maximum of five
22 characters may be used.

23 Sec. 10. (1) Beginning January 2, 2015, an eligible
24 person may apply to the department for Military Honor Plates
25 in lieu of regular license plates on an application prescribed
26 and provided by the department for any motor vehicle, trailer,
27 semitrailer, or cabin trailer, except for a motor vehicle or

1 trailer registered under section 60-3,198. An applicant receiving
2 a Military Honor Plate for a farm truck with a gross weight of
3 over sixteen tons shall affix the appropriate tonnage decal to
4 the plate. The department shall make forms available for such
5 applications through the county treasurers. The license plates
6 shall be issued upon payment of the license fee described in
7 subsection (2) of this section and verification by the department
8 of an applicant's eligibility using the registry established by
9 the Department of Veterans' Affairs pursuant to section 11 of this
10 act. To be eligible an applicant shall be (a) active duty armed
11 forces personnel serving in any of the armed forces listed in
12 subsection (1) of section 9 of this act or (b) a veteran of any
13 of such armed forces who was discharged or otherwise separated
14 with a characterization of honorable or general (under honorable
15 conditions). Any person using Military Honor Plates shall surrender
16 the plates to the county treasurer if such person is no longer
17 eligible for the plates. Regular plates shall be issued to any
18 such person upon surrender of the Military Honor Plates for a
19 three-dollar transfer fee and forfeiture of any of the remaining
20 annual fee. The three-dollar transfer fee shall be remitted to the
21 State Treasurer for credit to the Department of Motor Vehicles Cash
22 Fund.

23 (2) (a) Each application for initial issuance or renewal
24 of alphanumeric Military Honor Plates shall be accompanied by a
25 fee of five dollars. County treasurers collecting fees pursuant to
26 this subdivision shall remit them to the State Treasurer. The State
27 Treasurer shall credit five dollars of the fee to the Nebraska

1 Veteran Cemetery System Operation Fund.

2 (b) Each application for initial issuance or renewal of
3 personalized message Military Honor Plates shall be accompanied by
4 a fee of forty dollars. County treasurers collecting fees pursuant
5 to this subdivision shall remit them to the State Treasurer. The
6 State Treasurer shall credit twenty-five percent of the fee for
7 initial issuance and renewal of such plates to the Department of
8 Motor Vehicles Cash Fund and seventy-five percent of the fee to the
9 Nebraska Veteran Cemetery System Operation Fund.

10 (3) When the Department of Motor Vehicles receives an
11 application for Military Honor Plates, the department shall deliver
12 the plates to the county treasurer of the county in which the
13 motor vehicle or cabin trailer is registered. The county treasurer
14 shall issue Military Honor Plates in lieu of regular license plates
15 when the applicant complies with the other provisions of the Motor
16 Vehicle Registration Act for registration of the motor vehicle
17 or cabin trailer. If Military Honor Plates are lost, stolen, or
18 mutilated, the licensee shall be issued replacement license plates
19 upon request pursuant to section 60-3,157.

20 (4) The owner of a motor vehicle or cabin trailer bearing
21 Military Honor Plates may apply to the county treasurer to have
22 such plates transferred to a motor vehicle other than the vehicle
23 for which such plates were originally purchased if such vehicle is
24 owned by the owner of the plates. The owner may have the unused
25 portion of the fee for the plates credited to the other vehicle
26 which will bear the plates at the rate of eight and one-third
27 percent per month for each full month left in the registration

1 period. Application for such transfer shall be accompanied by a fee
2 of three dollars. Fees collected pursuant to this subsection shall
3 be remitted to the State Treasurer for credit to the Department of
4 Motor Vehicles Cash Fund.

5 (5) If the cost of manufacturing Military Honor Plates at
6 any time exceeds the amount charged for license plates pursuant to
7 section 60-3,102, any money to be credited to the Nebraska Veteran
8 Cemetery System Operation Fund shall instead be credited first
9 to the Highway Trust Fund in an amount equal to the difference
10 between the manufacturing costs of Military Honor Plates and the
11 amount charged pursuant to section 60-3,102 with respect to such
12 plates and the remainder shall be credited to the Nebraska Veteran
13 Cemetery System Operation Fund.

14 (6) If the director discovers evidence of fraud in an
15 application for Military Honor Plates or that the holder is no
16 longer eligible to have Military Honor Plates, the director may
17 summarily cancel the plates and registration and send notice of the
18 cancellation to the holder of the license plates.

19 Sec. 11. (1) The Department of Veterans' Affairs shall
20 create and maintain a registry of residents of Nebraska who meet
21 the requirements of subdivision (1)(a) or (b) of section 10 of
22 this act. The Department of Veterans' Affairs may adopt and
23 promulgate rules and regulations governing the establishment and
24 maintenance of the registry. The registry may be used to assist
25 the department in carrying out the duties of the department and
26 shall provide for the collection of sufficient information to
27 identify an individual who qualifies for Military Honor Plates. The

1 registry may include information such as identifying information
2 on individuals, individual's records on active duty in the armed
3 forces of the United States, or status of active duty, retired,
4 discharged, or other.

5 (2) Any resident of Nebraska who meets the requirements
6 of subdivision (1)(a) or (b) of section 10 of this act shall
7 register with the Department of Veterans' Affairs using the
8 registry created by this section before being eligible for Military
9 Honor Plates. No person shall be deemed eligible until his or her
10 status has been verified on the registry.

11 (3) The Department of Motor Vehicles may adopt and
12 promulgate rules and regulations governing use of the registry
13 of the Department of Veterans' Affairs for determination of
14 eligibility for the issuance of Military Honor Plates.

15 Sec. 12. Original sections 60-3,123, 60-3,125, and
16 60-3,130.04, Reissue Revised Statutes of Nebraska, and sections
17 60-301, 60-393, 60-395, 60-396, and 60-3,104, Revised Statutes
18 Cumulative Supplement, 2012, are repealed.