

E AND R AMENDMENTS TO LB 93

Introduced by Murante, 49, Chairman Enrollment and Review

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

3 Section 1. Section 60-462, Revised Statutes Cumulative
4 Supplement, 2012, is amended to read:

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

8 Sec. 2. Section 60-479, Revised Statutes Cumulative
9 Supplement, 2012, is amended to read:

10 60-479 Sections 60-479.01 to 60-4,111.01 and 60-4,182 to
11 60-4,188 and section 4 of this act shall apply to any operator's
12 license subject to the Motor Vehicle Operator's License Act.

13 Sec. 3. Section 60-484, Revised Statutes Cumulative
14 Supplement, 2012, is amended to read:

15 60-484 (1)(a) This subsection applies until the
16 implementation date designated by the director on or before
17 January 1, 2014. Except as otherwise provided in the Motor Vehicle
18 Operator's License Act, no resident of the State of Nebraska shall
19 operate a motor vehicle upon the alleys or highways of this state
20 until the person has obtained an operator's license for that
21 purpose.

22 (b) Application for an operator's license or a state
23 identification card shall be made in a manner prescribed by the

1 department. Such application may be made to department personnel in
2 any county. Department personnel shall conduct the examination of
3 the applicant and deliver to each successful applicant an issuance
4 certificate containing the statements made pursuant to subdivision
5 (c) of this subsection.

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

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

20 (I) lost voluntary control or consciousness ... yes ...
21 no

22 (II) experienced vertigo or multiple episodes of
23 dizziness or fainting ... yes ... no

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

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

26 (V) experienced impairment of memory, memory loss ... yes
27 ... no

1 Please explain:

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

6 Please explain:

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

10 Please explain, including how the above affects your
11 ability to drive:, and (v) may answer the
12 following:

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

15 (B) Do you wish to have the word "veteran" displayed on
16 the front of your operator's license or state identification card
17 to show that you served in the armed forces of the United States?
18 (To be eligible you must register with the Nebraska Department of
19 Veterans' Affairs registry.)

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

22 ~~(B)~~ (C) Do you wish to be an organ and tissue donor?

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

26 ~~(D)~~ (E) Do you wish to donate \$1 to promote the Organ and
27 Tissue Donor Awareness and Education Fund?

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

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

18 (f) (i) Each individual applying for an operator's license
19 or a state identification card shall furnish proof of date of
20 birth and identity with documents containing a photograph or with
21 nonphoto identity documents which include his or her full legal
22 name and date of birth. Such documents shall include, but not be
23 limited to, any valid Nebraska operator's license or Nebraska state
24 identification card, a valid operator's license or identification
25 card from another state or jurisdiction of the United States, a
26 certified birth certificate, a valid United States passport, or
27 any other United States-based identification as approved by the

1 director.

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

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

17 (g) Any individual applying for an operator's license or
18 a state identification card who indicated his or her wish to have
19 the word "veteran" displayed on the front of such license or card
20 shall comply with section 4 of this act.

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

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

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

19 (A) Have you within the last three months (e.g. due
20 to 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

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

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

1 (V) experienced impairment of memory, memory loss ... yes
2 ... no

3 Please explain:

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

8 Please explain:

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

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

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

17 (B) Do you wish to have the word "veteran" displayed on
18 the front of your operator's license or state identification card
19 to show that you served in the armed forces of the United States?
20 (To be eligible you must register with the Nebraska Department of
21 Veterans' Affairs registry.)

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

24 ~~(B)~~ (C) Do you wish to be an organ and tissue donor?

25 ~~(C)~~ (D) Do you wish to receive any additional specific
26 information regarding organ and tissue donation and the Donor
27 Registry of Nebraska?

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

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

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

20 (f) (i) Each individual applying for an operator's license
21 or a state identification card shall furnish proof of date of
22 birth and identity with documents containing a photograph or with
23 nonphoto identity documents which include his or her full legal
24 name and date of birth. Such documents shall be those provided in
25 subsection (2) of section 60-484.04.

26 (ii) Any individual under the age of eighteen years
27 applying for an operator's license or a state identification card

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

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

14 (g) Any individual applying for an operator's license or
15 a state identification card who indicated his or her wish to have
16 the word "veteran" displayed on the front of such license or card
17 shall comply with section 4 of this act.

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

20 Sec. 4. (1) An operator's license or a state
21 identification card shall include a notation of the word "veteran"
22 on the front of the license or card as directed by the department
23 if the individual applying for such license or card is eligible for
24 the license or card and (a) has served on active duty in the armed
25 forces of the United States, other than active duty for training,
26 and was discharged or otherwise separated with a characterization
27 of honorable or general (under honorable conditions) from such

1 service, (b) registers with the Department of Veterans' Affairs
2 pursuant to section 6 of this act as verification of such service,
3 and (c) indicates on the application under section 60-484 his or
4 her wish to include such notation on his or her license or card.

5 (2) The Department of Motor Vehicles shall consult the
6 registry established pursuant to section 6 of this act before
7 placing the notation of the word "veteran" on the operator's
8 license or state identification card issued to the applicant.
9 Such notation shall not be authorized unless the registry
10 verifies the applicant's eligibility. If the Director of Motor
11 Vehicles discovers evidence of fraud in an application under this
12 section, the director may summarily cancel the license or state
13 identification card and send notice of the cancellation to the
14 licensee or cardholder. If the Department of Motor Vehicles has
15 information that an individual is no longer eligible for the
16 notation, the department may summarily cancel the license and
17 send notice of the cancellation to the licensee or cardholder.
18 The notation shall not be restored until the Department of Motor
19 Vehicles subsequently verifies the applicant's eligibility by
20 consulting the registry of the Department of Veterans' Affairs.

21 (3) The notation authorized in subsection (1) of this
22 section shall continue to be included on the license or card upon
23 renewal of such license or card if the licensee or cardholder, at
24 the time of renewal, indicates the desire to include the notation.

25 (4) An individual may obtain a replacement operator's
26 license or state identification card to add or remove the notation
27 authorized in subsection (1) of this section by applying to the

1 Department of Motor Vehicles for such replacement license or
2 card and, if adding the notation, by meeting the requirements
3 of subsection (1) of this section. The fee for such replacement
4 license or card shall be the fee provided in section 60-4,115.

5 Sec. 5. Section 60-4,117, Revised Statutes Cumulative
6 Supplement, 2012, is amended to read:

7 60-4,117 (1) Upon presentation of an issuance certificate
8 for an operator's license or state identification card issued by
9 department personnel to the applicant, the county treasurer shall
10 collect the applicable fee and surcharge as prescribed in section
11 60-4,115 and issue a receipt which is valid for up to thirty days.
12 If there is cause for an operator's license to be issued, the
13 receipt shall also authorize driving privileges for such thirty-day
14 period. The license or card shall be delivered as provided in
15 section 60-4,113.

16 (2) The operator's license and state identification card
17 shall be in a form prescribed by the department. The license and
18 card may include security features prescribed by the department.
19 The license and card shall be conspicuously marked Nebraska
20 Operator's License or Nebraska Identification Card, shall be,
21 to the maximum extent practicable, tamper and forgery proof, and
22 shall include the following information:

23 (a) The full legal name and principal residence address
24 of the holder;

25 (b) The holder's full facial digital image;

26 (c) A physical description of the holder, including
27 gender, height, weight, and eye and hair colors;

1 (d) The holder's date of birth;

2 (e) The holder's signature;

3 (f) The class of motor vehicle which the holder
4 is authorized to operate and any applicable endorsements or
5 restrictions;

6 (g) The issuance and expiration date of the license or
7 card;

8 (h) The organ and tissue donation information specified
9 in section 60-494; and

10 (i) A notation of the word "veteran" as provided in
11 section 4 of this act; and

12 ~~(i)~~ (j) Such other marks and information as the director
13 may determine.

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

20 Sec. 6. (1) The Department of Veterans' Affairs shall
21 create and maintain a registry of residents of Nebraska who meet
22 the requirements of subsection (1) of section 4 of this act. The
23 Department of Veterans' Affairs may adopt and promulgate rules
24 and regulations governing the establishment and maintenance of the
25 registry. The registry may be used to assist the department in
26 carrying out the duties of the department and shall provide for
27 the collection of sufficient information to identify an individual

1 who qualifies for a notation of "veteran" on his or her operator's
2 license or state identification card issued by the Department
3 of Motor Vehicles. The registry may include information such as
4 identifying information on an individual, an individual's records
5 on active duty in the armed forces of the United States, or an
6 individual's status of active duty, retired, discharged, or other.

7 (2) Any resident of Nebraska who meets the requirements
8 of subsection (1) of section 4 of this act shall register with the
9 Department of Veterans' Affairs using the registry created by this
10 section before being eligible for a notation of "veteran" on his or
11 her operator's license or state identification card issued by the
12 Department of Motor Vehicles. No person shall be deemed eligible
13 until his or her status has been verified on the registry.

14 (3) The Department of Motor Vehicles may adopt and
15 promulgate rules and regulations governing use of the registry
16 of the Department of Veterans' Affairs for determination of
17 eligibility for the notation of "veteran" on operators' licenses
18 and state identification cards.

19 Sec. 7. Sections 1, 2, 3, 4, 5, and 8 of this act become
20 operative on July 1, 2014. The other sections of this act become
21 operative on their effective date.

22 Sec. 8. Original sections 60-462, 60-479, 60-484,
23 and 60-4,117, Revised Statutes Cumulative Supplement, 2012, are
24 repealed.

25 2. On page 1, line 6, after the first semicolon insert
26 "to provide for a registry of veterans;" and after the second
27 semicolon insert "to provide operative dates;".