

**ONE HUNDRED FOURTH LEGISLATURE - FIRST SESSION - 2015**  
**COMMITTEE STATEMENT**  
**LB275**

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**Hearing Date:** Tuesday January 27, 2015  
**Committee On:** Transportation and Telecommunications  
**Introducer:** Friesen  
**One Liner:** Change penalties for operating a motor vehicle during a revocation period

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**Roll Call Vote - Final Committee Action:**  
Advanced to General File

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**Vote Results:**

**Aye:** 8 Senators Smith, Seiler, Murante, McCoy, Garrett, Friesen, Davis, Brasch  
**Nay:**  
**Absent:**  
**Present Not Voting:**

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**Verbal Testimony:**

**Proponents:**

Senator Curt Friesen  
Lynelle Homolka

**Representing:**

Introducer  
Nebraska County Attorneys Association

**Opponents:**

**Representing:**

**Neutral:**

**Representing:**

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**Summary of purpose and/or changes:**

Amends section 60-6,197.06, operating a motor vehicle during a period of revocation.

Currently subsection (1) of this section provides that if an individual is convicted of operating a motor vehicle while their operating privilege has been revoked for the following reasons they shall be guilty of a Class IV felony:

- 1) Motor vehicle homicide;
- 2) Failure to stop at the scene of an accident; and
- 3) Multiple convictions for DWI or implied consent violations.

In addition to the potential criminal penalty, the court is to revoke the individual's operating privilege for a period of 15 years.

Subsection (2) is the portion of the section that is amended.

Subsection (2) currently provides that any individual having a prior conviction pursuant to subsection (1) or having a prior conviction for operating a motor vehicle during a period of revocation for operating a motor vehicle while subject to a revocation following conviction of two or more DWI or implied consent violations within a 12 year period shall be guilty of a Class III felony and shall have their operating privilege revoked for a period of 15 years.

Subsection (2) is amended to provide that when an individual has had a conviction under this section or sections

60-6,196 or 60-6,197(70 as such sections existed prior to July 16, 2004 and operates a vehicle while their operating privilege has been revoked because of such conviction such person shall, in addition to prescribed criminal penalties, have their operating privilege revoked for an additional period of 15 years.

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Jim Smith, Chairperson