

AMENDMENTS TO LB263

(Amendments to Standing Committee amendments, AM538)

Introduced by Bolz, 29.

1 1. Insert the following new sections:

2 Sec. 31. Section 60-393, Revised Statutes Cumulative Supplement,
3 2016, is amended to read:

4 60-393 Any owner who has two or more motor vehicles or trailers
5 required to be registered under the Motor Vehicle Registration Act may
6 register all such motor vehicles or trailers on a calendar-year basis or
7 on an annual basis for the same registration period beginning in a month
8 chosen by the owner. When electing to establish the same registration
9 period for all such motor vehicles or trailers, the owner shall pay the
10 registration fee, the motor vehicle tax imposed in section 60-3,185, the
11 motor vehicle fee imposed in section 60-3,190, and the alternative fuel
12 fee imposed in section 60-3,191 on each motor vehicle for the number of
13 months necessary to extend its current registration period to the
14 registration period under which all such motor vehicles or trailers will
15 be registered. Credit shall be given for registration paid on each motor
16 vehicle or trailer when the motor vehicle or trailer has a later
17 expiration date than that chosen by the owner except as otherwise
18 provided in sections 60-3,121, 60-3,122.02, 60-3,122.04, 60-3,128,
19 60-3,224, and 60-3,227 and section 59 of this act. Thereafter all such
20 motor vehicles or trailers shall be registered on an annual basis
21 starting in the month chosen by the owner.

22 Sec. 33. Section 60-395, Revised Statutes Cumulative Supplement,
23 2016, is amended to read:

24 60-395 (1) Except as otherwise provided in subsection (2) of this
25 section and sections 60-3,121, 60-3,122.02, 60-3,122.04, 60-3,128,
26 60-3,224, and 60-3,227 and section 59 of this act, the registration shall

1 expire and the registered owner or lessee may, by returning the
2 registration certificate, the license plates, and, when appropriate, the
3 validation decals and by either making application on a form prescribed
4 by the department to the county treasurer of the occurrence of an event
5 described in subdivisions (a) through (e) of this subsection or, in the
6 case of a change in situs, displaying to the county treasurer the
7 registration certificate of such other state as evidence of a change in
8 situs, receive a refund of that part of the unused fees and taxes on
9 motor vehicles or trailers based on the number of unexpired months
10 remaining in the registration period from the date of any of the
11 following events:

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

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

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

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

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

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

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

29 (3) If the transferor or lessee acquires another motor vehicle at
30 the time of the transfer, trade-in, or surrender, the transferor or
31 lessee shall have the credit provided for in this section applied toward

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

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

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

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

18 (7) If a motor vehicle or trailer was reported stolen under section
19 60-178, a refund under this section shall not be reduced for a lost plate
20 charge and a credit under this section may be reduced for a lost plate
21 charge but the applicant shall not be required to pay the plate fee for
22 new plates.

23 (8) The county treasurer shall refund the motor vehicle fee and
24 registration fee from the fees which have not been transferred to the
25 State Treasurer. The county treasurer shall make payment to the claimant
26 from the undistributed motor vehicle taxes of the taxing unit where the
27 tax money was originally distributed. No refund of less than two dollars
28 shall be paid.

29 Sec. 34. Section 60-396, Revised Statutes Cumulative Supplement,
30 2016, is amended to read:

31 60-396 Whenever the registered owner files an application with the

1 county treasurer showing that a motor vehicle or trailer is disabled and
2 has been removed from service, the registered owner may, by returning the
3 registration certificate, the license plates, and, when appropriate, the
4 validation decals or, in the case of the unavailability of such
5 registration certificate or certificates, license plates, or validation
6 decals, then by making an affidavit to the county treasurer of such
7 disablement and removal from service, receive a credit for a portion of
8 the registration fee from the fee deposited with the State Treasurer at
9 the time of registration based upon the number of unexpired months
10 remaining in the registration year except as otherwise provided in
11 sections 60-3,121, 60-3,122.02, 60-3,122.04, 60-3,128, 60-3,224, and
12 60-3,227 and section 59 of this act. The owner shall also receive a
13 credit for the unused portion of the motor vehicle tax and fee based upon
14 the number of unexpired months remaining in the registration year. When
15 the owner registers a replacement motor vehicle or trailer at the time of
16 filing such affidavit, the credit may be immediately applied against the
17 registration fee and the motor vehicle tax and fee for the replacement
18 motor vehicle or trailer. When no such replacement motor vehicle or
19 trailer is so registered, the county treasurer shall forward the
20 application and affidavit, if any, to the State Treasurer who shall
21 determine the amount, if any, of the allowable credit for the
22 registration fee and issue a credit certificate to the owner. For the
23 motor vehicle tax and fee, the county treasurer shall determine the
24 amount, if any, of the allowable credit and issue a credit certificate to
25 the owner. When such motor vehicle or trailer is removed from service
26 within the same month in which it was registered, no credits shall be
27 allowed for such month. The credits may be applied against taxes and fees
28 for new or replacement motor vehicles or trailers incurred within one
29 year after cancellation of registration of the motor vehicle or trailer
30 for which the credits were allowed. When any such motor vehicle or
31 trailer is reregistered within the same registration year in which its

1 registration has been canceled, the taxes and fees shall be that portion
2 of the registration fee and the motor vehicle tax and fee for the
3 remainder of the registration year.

4 Sec. 49. Section 60-3,130.04, Revised Statutes Cumulative
5 Supplement, 2016, is amended to read:

6 60-3,130.04 (1) An owner of a historical vehicle eligible for
7 registration under section 60-3,130 may use a license plate or plates
8 designed by this state in the year corresponding to the model year when
9 the vehicle was manufactured in lieu of the plates designed pursuant to
10 section 60-3,130.03 subject to the approval of the department. The
11 department shall inspect the plate or plates and may approve the plate or
12 plates if it is determined that the model-year license plate or plates
13 are legible and serviceable and that the license plate numbers do not
14 conflict with or duplicate other numbers assigned and in use. An
15 original-issued license plate or plates that have been restored to
16 original condition may be used when approved by the department.

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

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

24 (4) License plates used pursuant to this section corresponding to
25 the year of manufacture of the vehicle shall not be personalized message
26 license plates, Pearl Harbor license plates, prisoner-of-war license
27 plates, disabled veteran license plates, Purple Heart license plates,
28 amateur radio station license plates, Nebraska Cornhusker Spirit Plates,
29 handicapped or disabled person license plates, specialty license plates,
30 special interest motor vehicle license plates, Military Honor Plates,
31 Nebraska 150 Sesquicentennial Plates, Breast Cancer Awareness Plates, or

1 Mountain Lion Conservation Plates, or Native American Cultural Awareness
2 and History Plates.

3 Sec. 58. (1) The department, in consultation with the Commission on
4 Indian Affairs, shall design license plates to be known as Native
5 American Cultural Awareness and History Plates. The design shall reflect
6 the unique culture and history of Native American tribes historically and
7 currently located in Nebraska. The design shall be selected on the basis
8 of limiting the manufacturing cost of each plate to an amount less than
9 or equal to the amount charged for license plates pursuant to section
10 60-3,102. The department shall make applications available for this type
11 of plate by January 1, 2018. The department may adopt and promulgate
12 rules and regulations to carry out this section and section 59 of this
13 act.

14 (2) One type of Native American Cultural Awareness and History
15 Plates shall be alphanumeric plates.

16 The department shall:

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

18 (b) Not use a county designation.

19 (3) One type of Native American Cultural Awareness and History
20 Plates shall be personalized message plates. Such plates shall be issued
21 subject to the same conditions specified for personalized message license
22 plates in section 60-3,118, except that a maximum of five characters may
23 be used.

24 Sec. 59. (1) Beginning January 1, 2018, a person may apply to the
25 department for Native American Cultural Awareness and History Plates in
26 lieu of regular license plates on an application prescribed and provided
27 by the department for any motor vehicle or trailer, except for a motor
28 vehicle or trailer registered under section 60-3,198. An applicant
29 receiving a Native American Cultural Awareness and History Plate for a
30 farm truck with a gross weight of over sixteen tons shall affix the
31 appropriate tonnage decal to the plate. The department shall make forms

1 available for such applications through the county treasurers. The
2 license plates shall be issued upon payment of the license fee described
3 in subsection (2) of this section.

4 (2)(a) In addition to all other fees required for registration under
5 the Motor Vehicle Registration Act, each application for initial issuance
6 or renewal of alphanumeric Native American Cultural Awareness and History
7 Plates shall be accompanied by a fee of five dollars. County treasurers
8 collecting fees pursuant to this subdivision shall remit them to the
9 State Treasurer. The State Treasurer shall credit five dollars of the fee
10 to the Native American Scholarship and Leadership Fund.

11 (b) In addition to all other fees required for registration under
12 the Motor Vehicle Registration Act, each application for initial issuance
13 or renewal of personalized message Native American Cultural Awareness and
14 History Plates shall be accompanied by a fee of forty dollars. County
15 treasurers collecting fees pursuant to this subdivision shall remit them
16 to the State Treasurer. The State Treasurer shall credit twenty-five
17 percent of the fee for initial issuance and renewal of such plates to the
18 Department of Motor Vehicles Cash Fund and seventy-five percent of the
19 fee to the Native American Scholarship and Leadership Fund.

20 (3) Until January 1, 2019, when the department receives an
21 application for Native American Cultural Awareness and History Plates,
22 the department shall deliver the plates to the county treasurer of the
23 county in which the motor vehicle or trailer is registered. Beginning
24 January 1, 2019, when the department receives an application for Native
25 American Cultural Awareness and History Plates, the department may
26 deliver the plates and registration certificate to the applicant by
27 United States mail or to the county treasurer of the county in which the
28 motor vehicle or trailer is registered and the delivery of the plates and
29 registration certificate shall be made through a secure process and
30 system. The county treasurer or the department shall issue Native
31 American Cultural Awareness and History Plates in lieu of regular license

1 plates when the applicant complies with the other provisions of the Motor
2 Vehicle Registration Act for registration of the motor vehicle or
3 trailer. If Native American Cultural Awareness and History Plates are
4 lost, stolen, or mutilated, the licensee shall be issued replacement
5 license plates upon request pursuant to section 60-3,157.

6 (4) The owner of a motor vehicle or trailer bearing Native American
7 Cultural Awareness and History Plates may apply to the county treasurer
8 to have such plates transferred to a motor vehicle or trailer other than
9 the motor vehicle or trailer for which such plates were originally
10 purchased if such motor vehicle or trailer is owned by the owner of the
11 plates. The owner may have the unused portion of the fee for the plates
12 credited to the other motor vehicle or trailer which will bear the plates
13 at the rate of eight and one-third percent per month for each full month
14 left in the registration period. Application for such transfer shall be
15 accompanied by a fee of three dollars. Fees collected pursuant to this
16 subsection shall be remitted to the State Treasurer for credit to the
17 Department of Motor Vehicles Cash Fund.

18 (5) If the cost of manufacturing Native American Cultural Awareness
19 and History Plates at any time exceeds the amount charged for license
20 plates pursuant to section 60-3,102, any money to be credited to the
21 Native American Scholarship and Leadership Fund shall instead be credited
22 first to the Highway Trust Fund in an amount equal to the difference
23 between the manufacturing costs of Native American Cultural Awareness and
24 History Plates and the amount charged pursuant to section 60-3,102 with
25 respect to such plates and the remainder shall be credited to the Native
26 American Scholarship and Leadership Fund.

27 Sec. 98. The Native American Scholarship and Leadership Fund is
28 created. The fund shall be administered by the Commission on Indian
29 Affairs and shall consist of money credited to the fund pursuant to
30 section 59 of this act. The commission shall use the fund to provide
31 scholarships to Native Americans to attend a postsecondary educational

1 institution in this state and to provide other leadership opportunities
2 to Native Americans as determined by the commission. Any money in the
3 fund available for investment shall be invested by the state investment
4 officer pursuant to the Nebraska Capital Expansion Act and the Nebraska
5 State Funds Investment Act.

6 2. On page 23, line 20, strike "section 25" and insert "sections 25,
7 58, and 59".

8 3. On page 28, after line 7 insert the following new subdivision:

9 "(24) Native American Cultural Awareness and History Plates issued
10 pursuant to sections 58 and 59 of this act;"; in line 8 strike "(24)",
11 show as stricken, and insert "(25)"; in line 10 strike "(25)", show as
12 stricken, and insert "(26)"; in line 12 strike "(26)", show as stricken,
13 and insert "(27)"; in line 14 strike "(27)", show as stricken, and insert
14 "(28)"; in line 17 strike "(28)", show as stricken, and insert "(29)"; in
15 line 20 strike "(29)", show as stricken, and insert "(30)"; in line 22
16 strike "(30)", show as stricken, and insert "(31)"; in line 24 strike
17 "(31)", show as stricken, and insert "(32)"; in line 27 strike "(32)",
18 show as stricken, and insert "(33)"; in line 29 strike "(33)", show as
19 stricken, and insert "(34)"; and in line 31 strike "(34)", show as
20 stricken, and insert "(35)".

21 4. On page 29, line 2, strike "(35)", show as stricken, and insert
22 "(36)"; in line 4 strike "(36)", show as stricken, and insert "(37)"; in
23 line 5 strike "(37)", show as stricken, and insert "(38)"; in line 7
24 strike "(38)", show as stricken, and insert "(39)"; in line 9 strike
25 "(39)", show as stricken, and insert "(40)"; in line 12 strike "(40)",
26 show as stricken, and insert "(41)"; in line 13 strike "(41)", show as
27 stricken, and insert "(42)"; in line 15 strike "(42)", show as stricken,
28 and insert "(43)"; in line 16 strike "(43)", show as stricken, and insert
29 "(44)"; in line 17 strike "(44)", show as stricken, and insert "(45)"; in
30 line 22 strike "(45)", show as stricken, and insert "(46)"; and in line
31 24 strike "(46)", show as stricken, and insert "(47)".

1 5. Renumber the remaining sections and correct internal references
2 accordingly.

3 6. Correct the operative date and repealer sections so that the
4 sections added by this amendment become operative three calendar months
5 after the adjournment of this legislative session.