

E AND R AMENDMENTS TO LB 45

Introduced by Wishart, 27, Chairman Enrollment and Review

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

3 Section 1. Section 60-3,122.03, Revised Statutes Cumulative
4 Supplement, 2016, is amended to read:

5 60-3,122.03 (1) The department shall design license plates to be
6 known as Military Honor Plates. The department shall create designs
7 honoring persons who have served or are serving in the United States
8 Army, United States Army Reserve, United States Navy, United States Navy
9 Reserve, United States Marine Corps, United States Marine Corps Reserve,
10 United States Coast Guard, United States Coast Guard Reserve, United
11 States Air Force, United States Air Force Reserve, or National Guard.
12 There shall be ~~eleven~~ ~~six~~ designs, one for each of such armed forces
13 reflecting its official emblem, official seal, or other official image.
14 The issuance of plates for each of such armed forces shall be conditioned
15 on the approval of the armed forces owning the copyright to the official
16 emblem, official seal, or other official image. A person may qualify for
17 a Military Honor Plate by registering with the Department of Veterans'
18 Affairs pursuant to section 80-414. The Department of Motor Vehicles
19 shall verify the applicant's eligibility for a plate created pursuant to
20 this section by consulting the registry established by the Department of
21 Veterans' Affairs.

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

1 60-3,122.04.

2 (3) One type of Military Honor Plates shall be alphanumeric plates.

3 The department shall:

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

5 (b) Not use a county designation.

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

10 Sec. 2. Section 60-3,122.04, Revised Statutes Cumulative Supplement,
11 2016, is amended to read:

12 60-3,122.04 (1) ~~An Beginning January 2, 2016,~~ an eligible person may
13 apply to the department for Military Honor Plates in lieu of regular
14 license plates on an application prescribed and provided by the
15 department for any motor vehicle, trailer, semitrailer, or cabin trailer,
16 except for a motor vehicle or trailer registered under section 60-3,198.
17 An applicant receiving a Military Honor Plate for a farm truck with a
18 gross weight of over sixteen tons shall affix the appropriate tonnage
19 decal to the plate. The department shall make forms available for such
20 applications through the county treasurers. The license plates shall be
21 issued upon payment of the license fee described in subsection (2) of
22 this section and verification by the department of an applicant's
23 eligibility using the registry established by the Department of Veterans'
24 Affairs pursuant to section 80-414. To be eligible an applicant shall be
25 (a) active duty or reserve duty armed forces personnel serving in any of
26 the armed forces listed in subsection (1) of section 60-3,122.03, ~~or~~ (b)
27 a veteran of any of such armed forces who was discharged or otherwise
28 separated with a characterization of honorable or general (under
29 honorable conditions), or (c) a current or former commissioned officer of
30 the United States Public Health Service or National Oceanic and
31 Atmospheric Administration who has been detailed directly to any branch

1 of such armed forces for service on active or reserve duty and who was
2 discharged or otherwise separated with a characterization of honorable or
3 general (under honorable conditions) as proven with valid orders from the
4 United States Department of Defense, a statement of service provided by
5 the United States Public Health Service, or a report of transfer or
6 discharge provided by the National Oceanic and Atmospheric
7 Administration. Any person using Military Honor Plates shall surrender
8 the plates to the county treasurer if such person is no longer eligible
9 for the plates. Regular plates shall be issued to any such person upon
10 surrender of the Military Honor Plates for a three-dollar transfer fee
11 and forfeiture of any of the remaining annual fee. The three-dollar
12 transfer fee shall be remitted to the State Treasurer for credit to the
13 Department of Motor Vehicles Cash Fund.

14 (2)(a) In addition to all other fees required for registration under
15 the Motor Vehicle Registration Act, each application for initial issuance
16 or renewal of alphanumeric Military Honor Plates shall be accompanied by
17 a fee of five dollars. County treasurers collecting fees pursuant to this
18 subdivision shall remit them to the State Treasurer. The State Treasurer
19 shall credit five dollars of the fee to the Nebraska Veteran Cemetery
20 System Operation Fund.

21 (b) In addition to all other fees required for registration under
22 the Motor Vehicle Registration Act, each application for initial issuance
23 or renewal of personalized message Military Honor Plates shall be
24 accompanied by a fee of forty dollars. County treasurers collecting fees
25 pursuant to this subdivision shall remit them to the State Treasurer. The
26 State Treasurer shall credit twenty-five percent of the fee for initial
27 issuance and renewal of such plates to the Department of Motor Vehicles
28 Cash Fund and seventy-five percent of the fee to the Nebraska Veteran
29 Cemetery System Operation Fund.

30 (3) When the Department of Motor Vehicles receives an application
31 for Military Honor Plates, the department shall deliver the plates to the

1 county treasurer of the county in which the motor vehicle or cabin
2 trailer is registered. The county treasurer shall issue Military Honor
3 Plates in lieu of regular license plates when the applicant complies with
4 the other provisions of the Motor Vehicle Registration Act for
5 registration of the motor vehicle or cabin trailer. If Military Honor
6 Plates are lost, stolen, or mutilated, the licensee shall be issued
7 replacement license plates upon request pursuant to section 60-3,157.

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

19 (5) If the cost of manufacturing Military Honor Plates at any time
20 exceeds the amount charged for license plates pursuant to section
21 60-3,102, any money to be credited to the Nebraska Veteran Cemetery
22 System Operation Fund shall instead be credited first to the Highway
23 Trust Fund in an amount equal to the difference between the manufacturing
24 costs of Military Honor Plates and the amount charged pursuant to section
25 60-3,102 with respect to such plates and the remainder shall be credited
26 to the Nebraska Veteran Cemetery System Operation Fund.

27 (6) If the director discovers evidence of fraud in an application
28 for Military Honor Plates or that the holder is no longer eligible to
29 have Military Honor Plates, the director may summarily cancel the plates
30 and registration and send notice of the cancellation to the holder of the
31 license plates.

1 Sec. 3. Section 80-414, Reissue Revised Statutes of Nebraska, is
2 amended to read:

3 80-414 (1) The Department of Veterans' Affairs shall create and
4 maintain a registry of residents of Nebraska who meet the requirements of
5 subsection (1) subdivision ~~(1)(a) or (b)~~ of section 60-3,122.04 or
6 subsection (1) of section 60-4,189. The Department of Veterans' Affairs
7 may adopt and promulgate rules and regulations governing the
8 establishment and maintenance of the registry. The registry may be used
9 to assist the department in carrying out the duties of the department and
10 shall provide for the collection of sufficient information to identify an
11 individual who qualifies for Military Honor Plates or a notation of
12 "veteran" on his or her operator's license or state identification card
13 issued by the Department of Motor Vehicles. The registry may include
14 information such as identifying information on an individual, an
15 individual's records on active duty or reserve duty in the armed forces
16 of the United States, or an individual's status of active duty, reserve
17 duty, retired, discharged, or other.

18 (2) Any resident of Nebraska who meets the requirements of
19 subsection (1) subdivision ~~(1)(a) or (b)~~ of section 60-3,122.04 or
20 subsection (1) of section 60-4,189 shall register with the Department of
21 Veterans' Affairs using the registry created by this section before being
22 eligible for Military Honor Plates or a notation of "veteran" on his or
23 her operator's license or state identification card issued by the
24 Department of Motor Vehicles. No person shall be deemed eligible until
25 his or her status has been verified on the registry.

26 (3) The Department of Motor Vehicles may adopt and promulgate rules
27 and regulations governing use of the registry of the Department of
28 Veterans' Affairs for determination of eligibility for the issuance of
29 Military Honor Plates or the notation of "veteran" on operators' licenses
30 and state identification cards.

31 Sec. 4. This act becomes operative on January 1, 2018.

1 Sec. 5. Original section 80-414, Reissue Revised Statutes of
2 Nebraska, and sections 60-3,122.03 and 60-3,122.04, Revised Statutes
3 Cumulative Supplement, 2016, are repealed.