

LEGISLATURE OF NEBRASKA
ONE HUNDRED FIFTH LEGISLATURE
SECOND SESSION

LEGISLATIVE BILL 347

FINAL READING

Introduced by Geist, 25; at the request of the Governor.

Read first time January 12, 2017

Committee: Transportation and Telecommunications

- 1 A BILL FOR AN ACT relating to school bus permits and qualifications; to
- 2 amend section 79-608, Reissue Revised Statutes of Nebraska, and
- 3 section 60-4,115, Revised Statutes Cumulative Supplement, 2016; to
- 4 eliminate certain fees and requirements duplicated under federal
- 5 law; to change powers and duties of the Department of Motor Vehicles
- 6 and the State Department of Education; to provide an operative date;
- 7 and to repeal the original sections.
- 8 Be it enacted by the people of the State of Nebraska,

1 Section 1. Section 60-4,115, Revised Statutes Cumulative Supplement,
2 2016, is amended to read:

3 60-4,115 (1) Fees for operators' licenses and state identification
4 cards shall be collected by department personnel or the county treasurer
5 and distributed according to the table in subsection (2) of this section,
6 except for the ignition interlock permit and associated fees as outlined
7 in subsection (4) of this section. County officials shall remit the
8 county portion of the fees collected to the county treasurer for
9 placement in the county general fund. All other fees collected shall be
10 remitted to the State Treasurer for credit to the appropriate fund.

11 (2) The fees provided in this subsection in the following dollar
12 amounts apply for operators' licenses and state identification cards.

		Department		
		County	of Motor	State
Document	Total	General	Vehicles	General
	Fee	Fund	Cash Fund	Fund
17 State identification card:				
18 Valid for 1 year or less	5.00	2.75	1.25	1.00
19 Valid for more than 1 year				
20 but not more than 2 years	10.00	2.75	4.00	3.25
21 Valid for more than 2 years				
22 but not more than 3 years	14.00	2.75	5.25	6.00
23 Valid for more than 3 years				
24 but not more than 4 years	19.00	2.75	8.00	8.25
25 Valid for more than 4 years				
26 for person under 21	24.00	2.75	10.25	11.00
27 Valid for 5 years	24.00	3.50	10.25	10.25
28 Replacement	11.00	2.75	6.00	2.25
29 Class 0 or M operator's				
30 license:				

1	Valid for 1 year or less	5.00	2.75	1.25	1.00
2	Valid for more than 1 year				
3	but not more than 2 years	10.00	2.75	4.00	3.25
4	Valid for more than 2 years				
5	but not more than 3 years	14.00	2.75	5.25	6.00
6	Valid for more than 3 years				
7	but not more than 4 years	19.00	2.75	8.00	8.25
8	Valid for 5 years	24.00	3.50	10.25	10.25
9	Bioptic or telescopic lens				
10	restriction:				
11	Valid for 1 year or less	5.00	0	5.00	0
12	Valid for more than 1 year				
13	but not more than 2 years	10.00	2.75	4.00	3.25
14	Replacement	11.00	2.75	6.00	2.25
15	Add, change, or remove class,				
16	endorsement, or restriction	5.00	0	5.00	0
17	Provisional operator's permit:				
18	Original	15.00	2.75	12.25	0
19	Bioptic or telescopic lens				
20	restriction:				
21	Valid for 1 year or less	5.00	0	5.00	0
22	Valid for more than 1 year				
23	but not more than 2 years	15.00	2.75	12.25	0
24	Replacement	11.00	2.75	6.00	2.25
25	Add, change, or remove class,				
26	endorsement, or restriction	5.00	0	5.00	0
27	LPD-learner's permit:				
28	Original	8.00	.25	5.00	2.75
29	Replacement	11.00	2.75	6.00	2.25
30	Add, change, or remove class,				

1	endorsement, or restriction	5.00	0	5.00	0
2	LPE-learner's permit:				
3	Original	8.00	.25	5.00	2.75
4	Replacement	11.00	2.75	6.00	2.25
5	Add, change, or remove class,				
6	endorsement, or restriction	5.00	0	5.00	0
7	School permit:				
8	Original	8.00	.25	5.00	2.75
9	Replacement	11.00	2.75	6.00	2.25
10	Add, change, or remove class,				
11	endorsement, or restriction	5.00	0	5.00	0
12	Farm permit:				
13	Original or renewal	5.00	.25	0	4.75
14	Replacement	5.00	.25	0	4.75
15	Temporary	5.00	.25	0	4.75
16	Add, change, or remove class,				
17	endorsement, or restriction	5.00	0	5.00	0
18	Driving permits:				
19	Employment	45.00	0	5.00	40.00
20	Medical hardship	45.00	0	5.00	40.00
21	Replacement	10.00	.25	5.00	4.75
22	Add, change, or remove class,				
23	endorsement, or restriction	5.00	0	5.00	0
24	Commercial driver's license:				
25	Valid for 1 year or less	11.00	1.75	5.00	4.25
26	Valid for more than 1 year				
27	but not more than 2 years	22.00	1.75	5.00	15.25
28	Valid for more than 2 years				
29	but not more than 3 years	33.00	1.75	5.00	26.25
30	Valid for more than 3 years				

1	but not more than 4 years	44.00	1.75	5.00	37.25
2	Valid for 5 years	55.00	1.75	5.00	48.25
3	Bioptic or telescopic lens				
4	restriction:				
5	Valid for one year or less	11.00	1.75	5.00	4.25
6	Valid for more than 1 year				
7	but not more than 2 years	22.00	1.75	5.00	15.25
8	Replacement	11.00	2.75	6.00	2.25
9	Add, change, or remove class,				
10	endorsement, or restriction	10.00	1.75	5.00	3.25
11	CLP-commercial learner's				
12	permit:				
13	Original or renewal	10.00	.25	5.00	4.75
14	Replacement	10.00	.25	5.00	4.75
15	Add, change, or remove class,				
16	endorsement, or restriction	10.00	.25	5.00	4.75
17	Seasonal permit:				
18	Original or renewal	10.00	.25	5.00	4.75
19	Replacement	10.00	.25	5.00	4.75
20	Add, change, or remove class,				
21	endorsement, or restriction	10.00	.25	5.00	4.75
22	School bus permit:				
23	Original or renewal	5.00	0	5.00	0
24	Replacement	5.00	0	5.00	0
25	Add, change, or remove class,				
26	endorsement, or restriction	5.00	0	5.00	0

27 (3) If the department issues an operator's license or a state
 28 identification card and collects the fees, the department shall remit the
 29 county portion of the fees to the State Treasurer for credit to the
 30 Department of Motor Vehicles Cash Fund.

1 (4)(a) The fee for an ignition interlock permit shall be forty-five
2 dollars. Five dollars of the fee shall be remitted to the State Treasurer
3 for credit to the Department of Motor Vehicles Cash Fund. Forty dollars
4 of the fee shall be remitted to the State Treasurer for credit to the
5 Department of Motor Vehicles Ignition Interlock Fund.

6 (b) The fee for a replacement ignition interlock permit shall be
7 eleven dollars. Two dollars and seventy-five cents of the fee shall be
8 remitted to the county treasurer for credit to the county general fund.
9 Six dollars of the fee shall be remitted to the State Treasurer for
10 credit to the Department of Motor Vehicles Cash Fund. Two dollars and
11 twenty-five cents of the fee shall be remitted to the State Treasurer for
12 credit to the General Fund.

13 (c) The fee for adding, changing, or removing a class, endorsement,
14 or restriction on an ignition interlock permit shall be five dollars. The
15 fee shall be remitted to the State Treasurer for credit to the Department
16 of Motor Vehicles Cash Fund.

17 (5) The department and its agents may collect an identity security
18 surcharge to cover the cost of security and technology practices used to
19 protect the identity of applicants for and holders of operators' licenses
20 and state identification cards and to reduce identity theft, fraud, and
21 forgery and counterfeiting of such licenses and cards to the maximum
22 extent possible. The surcharge shall be in addition to all other required
23 fees for operators' licenses and state identification cards. The amount
24 of the surcharge shall be determined by the department. The surcharge
25 shall not exceed eight dollars. The surcharge shall be remitted to the
26 State Treasurer for credit to the Department of Motor Vehicles Cash Fund.

27 Sec. 2. Section 79-608, Reissue Revised Statutes of Nebraska, is
28 amended to read:

29 79-608 (1) Any person, before operating a school bus, including any
30 school bus which transports students by direct contract with the students
31 or their parents and not owned by or under contract with the school

1 district or nonpublic school, shall submit himself or herself to ~~(a) an~~
2 ~~examination, to be conducted by a driver's license examiner of the~~
3 ~~Department of Motor Vehicles, to determine his or her qualifications to~~
4 ~~operate such bus and (b) an examination by a licensed physician to~~
5 determine whether or not he or she meets the physical and mental
6 standards established pursuant to section 79-607 and shall furnish to the
7 school board or board of education or the governing authority of a
8 nonpublic school ~~and to the Director of Motor Vehicles~~ a written report
9 of each such examination on standard forms prescribed by the State
10 Department of Education, signed by the person conducting the same,
11 showing that he or she is qualified to operate a school bus and that he
12 or she meets the physical and mental standards. ~~If the Director of Motor~~
13 ~~Vehicles determines that the person is so qualified and meets such~~
14 ~~standards, the director shall issue to the person a special school bus~~
15 ~~operator's permit, which shall expire each year on the date of birth of~~
16 ~~the holder, in such form as the director prescribes. No contract shall be~~
17 ~~entered into until such permit has been received and exhibited to the~~
18 ~~school board or the governing authority of a nonpublic school. The holder~~
19 ~~of such permit shall have it on his or her person at all times while~~
20 ~~operating a school bus.~~

21 (2) It shall be unlawful for any person operating a school bus to be
22 or remain on duty for a longer period than sixteen consecutive hours.
23 When any person operating a bus has been continuously on duty for sixteen
24 hours, he or she shall be relieved and not be permitted or required to
25 again go on duty without having at least ten consecutive hours' rest off
26 duty, and no such operator, who has been on duty sixteen hours in the
27 aggregate in any twenty-four-hour period, shall be required or permitted
28 to continue or again go on duty without having had at least eight
29 consecutive hours off duty.

30 (3) Any person violating this section shall be guilty of a Class V
31 misdemeanor. His or her contract with the school district shall be

1 canceled as provided in section 79-607.

2 Sec. 3. This act becomes operative on January 1, 2019.

3 Sec. 4. Original section 79-608, Reissue Revised Statutes of
4 Nebraska, and section 60-4,115, Revised Statutes Cumulative Supplement,
5 2016, are repealed.