

**ONE HUNDRED SIXTH LEGISLATURE - FIRST SESSION - 2019**  
**COMMITTEE STATEMENT**  
**LB270**

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**Hearing Date:** Monday February 04, 2019  
**Committee On:** Transportation and Telecommunications  
**Introducer:** Friesen  
**One Liner:** Change licensing, registration, and titling provisions for motor vehicles and other vehicles as prescribed

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**Roll Call Vote - Final Committee Action:**  
Advanced to General File with amendment(s)

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**Vote Results:**  
**Aye:** 8 Senators Albrecht, Bostelman, Cavanaugh, DeBoer, Friesen, Geist, Hilgers, Hughes  
**Nay:**  
**Absent:**  
**Present Not Voting:**

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**Oral Testimony:**

**Proponents:**  
Senator Curt Friesen  
Rhonda Lahm  
Loy Todd

**Representing:**  
Introducer  
Director, NE Dept of Motor Vehicles  
NE New Car & Truck Dealers Assoc

**Opponents:**  
Joe Kohout  
Coleen Nielsen  
Justin Brady

**Representing:**  
Insurance Auto Auctions Inc.  
NE Insurance Information Service  
American Property Casualty Insurance Assoc

**Neutral:**  
Ray Colas

**Representing:**  
LKQ Corporation

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

LB 270 is the Department of Motor Vehicles (DMV) annual cleanup and update bill. It amends implementation dates, updating of electronic certificates of title for vehicles and motorboats, the issuance of "previously salvaged" titles, the types of vehicles that may tow historical trailers, allow evidence for issuance of titles to manufactured homes, eliminate federal references, allow issuance of temporary stickers for persons waiting for specialty plates, provide changes for electronic issuance of operators' licenses and state identification cards, and change point assessment procedures for drunk

Following is a section-by-section summary.

Section 1 Amends Section 37-1214 relating to motorboat registration, and allows the director of DMV to designate an implementation date before January 1, 2021. It also provides an option for an individual to provide the name of the motorboat owner from his or her operator's license or state ID card for registration purposes.

Section 2 Amends Section 37-1278 relating to motorboat titles, and allows the director of DMV to designate an

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implementation date before January 1, 2021. It also provides an option for an individual to provide the name of the motorboat owner from his or her operator's license or state ID card for titling purposes. On an implementation date, the seller of a motorboat may request the DMV to update the electronic certificate of title, if a purchaser has not done so within 30 days. DMV has the discretion to determine what constitutes satisfactory proof of the sale.

Section 3 Amends Section 37-1280 (motorboat titling) to allow DMV permissive authority to issue rules and regulations.

Section 4 Amends Section 37-1292 to remove the definition of "late model" motorboat.

Section 5 Amends Section 37-1293 to require a County Treasurer to issue a "previously salvaged branded certificate of title" if the motorboat has been rebuilt or reconstructed.

Section 6 Amends Section 60-119.01 relating to motor vehicle titles. It removes the requirement that three wheeled, low speed vehicles comply with 49 CFR 571, which defines low speed vehicles as four wheeled.

Section 7 Amends Section 60-144 which relates to motor vehicle titles, and allows the director of DMV to designate an implementation date before January 1, 2021. It also provides an option for an individual to provide the name of the vehicle owner from his or her driver's license or state ID card for titling purposes. It also removes the start date of January 1, 2019 for the owner of a motor vehicle in Nebraska to apply for a certificate of title with any county treasurer.

Section 8 Amends Section 60-149 relating to titles of manufactured homes, and allows alternative documents other than a certificate of title be used to prove ownership.

Section 9 Amends Section 60-151, and provides that, after the implementation date, a seller of a vehicle may request the DMV to update the electronic certificate of title, if the purchase has not requested such action within 30 days of the sale. DMV has the discretion to determine what constitutes satisfactory proof of sale.

Section 10 Amends 60-171 to remove "late model vehicle" from the salvage branded certificate of title provision, and adds the term "built" and removes the term "reconstructed" from the "previously salvaged" definition.

Section 11 Amends Section 60-173 to require a county treasurer to issue a salvage branded title, unless the vehicle has been repaired and inspected, after which time the treasurer could issue a "previously salvaged branded certificate of title."

Section 12 Amends Section 60-174 to include the term "salvaged and rebuilt" to describe some salvage titles.

Section 13 Amends Section 60-336.01, which relates to motor vehicle registration. This change relates to registration of three wheeled low-speed vehicles, and removes the reference to the Federal Motor Vehicle Safety Standards, which define low-speed vehicles as four wheeled.

Section 14 Amends Section 60-386 and allows director of DMV to designate a date on or before January 1, 2021 for electronic registration. It also provides an option for a person to provide his or her name from an operator's license or a state ID card for motor vehicle registration.

Section 15 Amends Section 60-3,104.01 and removes the start date of January 1, 2019 for DMV to deliver specialty plates to the county treasurer of the county where the vehicle is registered. It allows the county treasurer, by a date designated by the director of DMV before January 1, 2021, to issue temporary license stickers while a specialty plate application is pending. The DMV may adopt and promulgate rules and regulations relating to the issuance of those stickers as related to the types of specialty plates in Sections 16 through 23 and 27 through 31.

Section 16 Amends Section 60-3,122 and allows the temporary issuance of stickers for Pearl Harbor Survivor plates while the application is pending.

Section 17 Amends Section 60-3,122.02 by removing the start date of January 1, 2019 for Gold Star Family license plates, and allows of the temporary issuance of stickers for Gold Star plates, by the county treasurer or DMV on or before January 1, 2021 on a date designated by the director of DMV, while an application is pending.

Section 18 Amends Section 60-3,122.04 by removing the start date of January 1, 2019 for Military Honor plates, and allows the issuance of temporary stickers for Military Honor plates while an application is pending.

Section 19 Amends Section 60-3,123 to allow the county treasurer or DMV, by a date designated by the director of DMV on or before January 1, 2021, to issue temporary license stickers for Former Prisoner of War plates while an application is pending.

Section 20 Amends Section 60-3,124 to allow the county treasurer or DMV, by a date designated by the director of DMV on or before January 1, 2021, to issue temporary license stickers for Disabled American Veteran plates while an application is pending.

Section 21 Amends Section 60-3,125 to allow the county treasurer or DMV, by a date designated by the Director on or before January 1, 2021, to issue temporary license stickers for Purple Heart plates while an application is pending.

Section 22 Amends Section 60-3,126 to allow the county treasurer or DMV, by a date designated by the Director on or before January 1, 2021, to issue temporary license stickers for Amateur Radio license plates while an application is pending.

Section 23 Amends Section 60-3,128 by removing the start date of January 1, 2019 for delivery by the DMV to the county treasurer of Cornhusker Spirit license plates, and allows the temporary issuance of stickers for Cornhusker Spirit plates, by the county treasurer or DMV on or before January 1, 2021, on a date designated by the director of DMV, while an application is pending.

Section 24 Amends Section 60-3,162 to clarify provision relating to improper registration of a motor vehicle.

Section 25 Amends Section 60-3,187 to change an internal reference to a salvaged vehicle.

Section 26 Amends Section 60-3,221 to provide that a historical trailer may only be towed by a historical vehicle, a properly registered passenger car, a properly registered commercial motor vehicle, or a properly registered local truck.

Section 27 Amends Section 60-3,224 by removing the start date of January 1, 2019 for the delivery by the DMV to the county treasurer of Nebraska 150 Sesquicentennial plates, and allows the temporary issuance of license stickers for Nebraska 150 Sesquicentennial plates, by the county treasurer or DMV on or before January 1, 2021, on a date designated by the director of DMV, while an application is pending.

Section 28 Amends Section 60-3,227 by removing the start date of January 1, 2019 for the delivery by the DMV to the county treasurer of Mountain Lion Conservation plates, and allows the temporary issuance of license stickers for Mountain Lion Conservation plates, by the county treasurer or DMV on or before January 1, 2001, on a date designated by the director of DMV, while an application is pending.

Section 29 Amends Section 60-3,231 by removing the start date of January 1, 2019 for the delivery by the DMV to the county treasurer of Breast Cancer Awareness plates, and allows the temporary issuance of license stickers for Breast Cancer Awareness plates, by the county treasurer or DMV on or before January 1, 2001, on a date designated by the director of DMV, while an application is pending.

Section 30 -Amends Section 60-3,233 to allow the county treasurer or DMV, by a date designated by the director of DMV on or before January 1, 2021, to issue temporary license stickers for Choose Life license plates while an application is pending.

Section 31 Amends Section 60-3,235 by removing the start date of January 1, 2019 for the delivery by the DMV to the county treasurer of Native American Cultural Awareness and History plates, and allows the temporary issuance of license stickers for Native American Cultural Awareness and History plates, by the county treasurer or DMV on or before January 1, 2021, on a date designated by the director of DMV, while an application is pending.

Section 32 Amends Section 60-482 to provide permissive authority for DMV to issue rules and regulations implementing the Motor Vehicle Operator's License Act.

Section 33 Amends Section 60-495 to provide permissive authority for DMV to issue rules and regulations implementing the Revised Uniform Anatomical Gift Act.

Section 34 Amends Section 60-4,118 to provide permissive authority for DMV to issue rules and regulations relating to vision and the Motor Vehicle Operator's License Act.

Section 35 Amends Section 60-4,122 to allow individuals to renew their Class O and M operator's licenses twice online, if they are between 21 and 72 years old. They must apply for renewal in person at least once every 16 years. It would also allow individuals who are older than 21 years to renew their state ID cards online, as long as they appear in person at least once every 16 years.

Section 36 Amends Section 60-4,146.01 to provide permissive authority for DMV to issue rules and regulations relating to restricted commercial motor vehicle operator's licenses and related seasonal permits.

Section 37 Amends Section 60-4,155 to provide permissive authority for DMV to issue rules and regulations relating to commercial motor vehicle operator's licenses, endorsements, and restrictions.

Section 38 Amends Section 60-4,158 to provide permissive authority for DMV to issue rules and regulations relating to third-party skills testers for commercial operator's licenses.

Section 39 Amends Section 60-4,182 relating to assessment of points for drunk driving convictions. Twelve points will be assessed if disclosed by a court order that it is a third offense.

Section 40 Amends Section 60-501 relating to the Motor Vehicle Safety Responsibility Act, and removes a reference to a federal safety standard for three wheeled low-speed vehicles.

Section 41 Amends Section 60-628.01 relating to Nebraska Rules of the Road, and removes a reference to a federal safety standard for three wheeled low-speed vehicles.

Section 42 Amends Section 60-6,209 provides that, prior to applying for operator license reinstatement after suspension for 15 years, the applicant may present an attestation from a Nebraska certified or licensed counselor of the individual's substantial recovery from drug or alcohol abuse. This requirement applies only if a state-certified treatment program has not been completed. There is also a provision to provide permissive authority for DMV to issue rules and regulations relating to the procedures for making recommendations to the Board of Pardons for license reinstatements, and removes requirements that treatment programs and counselors who provide information about an applicant's recovery must be certified or licensed by the state.

Section 43 Repealer.

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### **Explanation of amendments:**

The committee considered and adopted the following amendment:

AM 369 reinstates language relating to "late model" motorboat (Section 4) and "late

model" vehicle (Section 10) for determining the amount of damage necessary for a boat or vehicle to be required to have a salvage title.

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Curt Friesen, Chairperson