

LEGISLATURE OF NEBRASKA
ONE HUNDRED SIXTH LEGISLATURE
FIRST SESSION

LEGISLATIVE BILL 269

FINAL READING

Introduced by Friesen, 34.

Read first time January 15, 2019

Committee: Transportation and Telecommunications

1 A BILL FOR AN ACT relating to operator's licenses; to amend section
2 43-287, Reissue Revised Statutes of Nebraska, and sections
3 60-498.01, 60-4,118.06, 60-4,120.02, 60-4,124, 60-4,125, and
4 60-4,126, Revised Statutes Cumulative Supplement, 2018; to change
5 provisions relating to ignition interlock permits and school
6 permits; and to repeal the original sections.
7 Be it enacted by the people of the State of Nebraska,

1 Section 1. Section 43-287, Reissue Revised Statutes of Nebraska, is
2 amended to read:

3 43-287 (1) When a juvenile is adjudged to be a juvenile described in
4 subdivision (1), (2), (3)(b), or (4) of section 43-247, the juvenile
5 court may:

6 (a) If such juvenile holds any license or permit issued under the
7 Motor Vehicle Operator's License Act, impound any such license or permit
8 for thirty days; or

9 (b) If such juvenile does not have a permit or license issued under
10 the Motor Vehicle Operator's License Act, prohibit such juvenile from
11 obtaining any permit or any license pursuant to the act for which such
12 juvenile would otherwise be eligible until thirty days after the date of
13 such order.

14 (2) A copy of an abstract of the juvenile court's adjudication shall
15 be transmitted to the Director of Motor Vehicles pursuant to sections
16 60-497.01 to 60-497.04 if a license or permit is impounded or a juvenile
17 is prohibited from obtaining a license or permit under subsection (1) of
18 this section. If a juvenile whose operator's license or permit has been
19 impounded by a juvenile court operates a motor vehicle during any period
20 that he or she is subject to the court order not to operate any motor
21 vehicle or after a period of impoundment but before return of the license
22 or permit, such violation shall be handled in the juvenile court and not
23 as a violation of section 60-4,108.

24 (3) When a juvenile is adjudged to be a juvenile described in
25 subdivision (3)(a) of section 43-247 for excessive absenteeism from
26 school, the juvenile court may issue the parents or guardians of such
27 juvenile a fine not to exceed five hundred dollars for each offense or
28 order such parents or guardians to complete specified hours of community
29 service. For community service ordered under this subsection, the
30 juvenile court may require that all or part of the service be performed
31 for a public school district or nonpublic school if the court finds that

1 service in the school is appropriate under the circumstances.

2 (4) A juvenile who holds any license or permit issued under the
3 Motor Vehicle Operator's License Act and has violated subdivision (3)(b)
4 or (c) of section 28-306, subdivision (3)(b) or (c) of section 28-394, or
5 section 28-1254, 60-6,196, 60-6,197, ~~or 60-6,197.06,~~ or 60-6,198 shall
6 not be eligible for an ignition interlock permit.

7 Sec. 2. Section 60-498.01, Revised Statutes Cumulative Supplement,
8 2018, is amended to read:

9 60-498.01 (1) Because persons who drive while under the influence of
10 alcohol present a hazard to the health and safety of all persons using
11 the highways, a procedure is needed for the swift and certain revocation
12 of the operator's license of any person who has shown himself or herself
13 to be a health and safety hazard (a) by driving with an excessive
14 concentration of alcohol in his or her body or (b) by driving while under
15 the influence of alcohol.

16 (2) If a person arrested as described in subsection (2) of section
17 60-6,197 refuses to submit to the chemical test of blood, breath, or
18 urine required by section 60-6,197, the test shall not be given except as
19 provided in section 60-6,210 for the purpose of medical treatment and the
20 arresting peace officer, as agent for the director, shall verbally serve
21 notice to the arrested person of the intention to immediately confiscate
22 and revoke the operator's license of such person and that the revocation
23 will be automatic fifteen days after the date of arrest. The arresting
24 peace officer shall within ten days forward to the director a sworn
25 report stating (a) that the person was arrested as described in
26 subsection (2) of section 60-6,197 and the reasons for such arrest, (b)
27 that the person was requested to submit to the required test, and (c)
28 that the person refused to submit to the required test. The director may
29 accept a sworn report submitted electronically.

30 (3) If a person arrested as described in subsection (2) of section
31 60-6,197 submits to the chemical test of blood or breath required by

1 section 60-6,197, the test discloses the presence of alcohol in any of
2 the concentrations specified in section 60-6,196, and the test results
3 are available to the arresting peace officer while the arrested person is
4 still in custody, the arresting peace officer, as agent for the director,
5 shall verbally serve notice to the arrested person of the intention to
6 immediately confiscate and revoke the operator's license of such person
7 and that the revocation will be automatic fifteen days after the date of
8 arrest. The arresting peace officer shall within ten days forward to the
9 director a sworn report stating (a) that the person was arrested as
10 described in subsection (2) of section 60-6,197 and the reasons for such
11 arrest, (b) that the person was requested to submit to the required test,
12 and (c) that the person submitted to a test, the type of test to which he
13 or she submitted, and that such test revealed the presence of alcohol in
14 a concentration specified in section 60-6,196. The director may accept a
15 sworn report submitted electronically.

16 (4) On behalf of the director, the arresting peace officer
17 submitting a sworn report under subsection (2) or (3) of this section
18 shall serve notice of the revocation on the arrested person, and the
19 revocation shall be effective fifteen days after the date of arrest. The
20 notice of revocation shall contain a statement explaining the operation
21 of the administrative license revocation procedure. The peace officer
22 shall also provide to the arrested person information prepared and
23 approved by the director describing how to request an administrative
24 license revocation hearing or apply for an ignition interlock permit from
25 the department. A petition for an administrative license revocation
26 hearing must be completed and delivered to the department or postmarked
27 within ten days after the person's arrest or the person's right to an
28 administrative license revocation hearing to contest the revocation will
29 be foreclosed. The director shall prepare and approve the information
30 form, the application for an ignition interlock permit, and the notice of
31 revocation and shall provide them to law enforcement agencies.

1 If the person has an operator's license, the arresting peace officer
2 shall take possession of the license and issue a temporary operator's
3 license valid for fifteen days. The arresting peace officer shall forward
4 the operator's license to the department along with the sworn report made
5 under subsection (2) or (3) of this section.

6 (5)(a) If the results of a chemical test indicate the presence of
7 alcohol in a concentration specified in section 60-6,196, the results are
8 not available to the arresting peace officer while the arrested person is
9 in custody, and the notice of revocation has not been served as required
10 by subsection (4) of this section, the peace officer shall forward to the
11 director a sworn report containing the information prescribed by
12 subsection (3) of this section within ten days after receipt of the
13 results of the chemical test. If the sworn report is not received within
14 ten days, the revocation shall not take effect. The director may accept a
15 sworn report submitted electronically.

16 (b) Upon receipt of the report, the director shall serve the notice
17 of revocation on the arrested person by mail to the address appearing on
18 the records of the director. If the address on the director's records
19 differs from the address on the arresting peace officer's report, the
20 notice shall be sent to both addresses. The notice of revocation shall
21 contain a statement explaining the operation of the administrative
22 license revocation procedure. The director shall also provide to the
23 arrested person information prepared and approved by the director
24 describing how to request an administrative license revocation hearing
25 and an application for an ignition interlock permit. A petition for an
26 administrative license revocation hearing must be completed and delivered
27 to the department or postmarked within ten days after the mailing of the
28 notice of revocation or the person's right to an administrative license
29 revocation hearing to contest the revocation will be foreclosed. The
30 director shall prepare and approve the ignition interlock permit
31 application and the notice of revocation. The revocation shall be

1 effective fifteen days after the date of mailing.

2 (c) If the records of the director indicate that the arrested person
3 possesses an operator's license, the director shall include with the
4 notice of revocation a temporary operator's license which expires fifteen
5 days after the date of mailing. Any arrested person who desires an
6 administrative license revocation hearing and has been served a notice of
7 revocation pursuant to this subsection shall return his or her operator's
8 license with the petition requesting the hearing. If the operator's
9 license is not included with the petition requesting the hearing, the
10 director shall deny the petition.

11 (6)(a) An arrested person's operator's license confiscated pursuant
12 to subsection (4) of this section shall be automatically revoked upon the
13 expiration of fifteen days after the date of arrest, and the petition
14 requesting the hearing shall be completed and delivered to the department
15 or postmarked within ten days after the person's arrest. An arrested
16 person's operator's license confiscated pursuant to subsection (5) of
17 this section shall be automatically revoked upon the expiration of
18 fifteen days after the date of mailing of the notice of revocation by the
19 director, and the arrested person shall postmark or return to the
20 director a petition within ten days after the mailing of the notice of
21 revocation if the arrested person desires an administrative license
22 revocation hearing. The petition shall be in writing and shall state the
23 grounds on which the person is relying to prevent the revocation from
24 becoming effective. The hearing and any prehearing conference may be
25 conducted in person or by telephone, television, or other electronic
26 means at the discretion of the director, and all parties may participate
27 by such means at the discretion of the director.

28 (b) The director shall conduct the hearing within twenty days after
29 a petition is received by the director. Upon receipt of a petition, the
30 director shall notify the petitioner of the date and location for the
31 hearing by mail postmarked at least seven days prior to the hearing date.

1 The filing of the petition shall not prevent the automatic revocation of
2 the petitioner's operator's license at the expiration of the fifteen-day
3 period. A continuance of the hearing to a date beyond the expiration of
4 the temporary operator's license shall stay the expiration of the
5 temporary license when the request for continuance is made by the
6 director.

7 (c) At hearing the issues under dispute shall be limited to:

8 (i) In the case of a refusal to submit to a chemical test of blood,
9 breath, or urine:

10 (A) Did the peace officer have probable cause to believe the person
11 was operating or in the actual physical control of a motor vehicle in
12 violation of section 60-6,196 or a city or village ordinance enacted in
13 conformance with such section; and

14 (B) Did the person refuse to submit to or fail to complete a
15 chemical test after being requested to do so by the peace officer; or

16 (ii) If the chemical test discloses the presence of alcohol in a
17 concentration specified in section 60-6,196:

18 (A) Did the peace officer have probable cause to believe the person
19 was operating or in the actual physical control of a motor vehicle in
20 violation of section 60-6,196 or a city or village ordinance enacted in
21 conformance with such section; and

22 (B) Was the person operating or in the actual physical control of a
23 motor vehicle while having an alcohol concentration in violation of
24 subsection (1) of section 60-6,196.

25 (7)(a) Any arrested person who submits an application for an
26 ignition interlock permit in lieu of a petition for an administrative
27 license revocation hearing regarding the revocation of his or her
28 operator's license pursuant to this section shall complete the
29 application for an ignition interlock permit in which such person
30 acknowledges that he or she understands that he or she will have his or
31 her license administratively revoked pursuant to this section, that he or

1 she waives his or her right to a hearing to contest the revocation, and
2 that he or she understands that he or she is required to have an ignition
3 interlock permit in order to operate a motor vehicle for the period of
4 the revocation and shall include sufficient evidence that an ignition
5 interlock device is installed on one or more vehicles that will be
6 operated by the arrested person. Upon the arrested person's completion of
7 the ignition interlock permit application process, the department shall
8 issue the person an ignition interlock permit, subject to any applicable
9 requirements and any applicable no-drive period if the person is
10 otherwise eligible.

11 (b) An arrested person who is issued an ignition interlock permit
12 pursuant to this section shall receive day-for-day credit for the period
13 he or she has a valid ignition interlock permit against the license
14 revocation period imposed by the court arising from the same incident.

15 (c) If a person files a completed application for an ignition
16 interlock permit, the person waives his or her right to contest the
17 revocation of his or her operator's license.

18 (8) Any person who has not petitioned for an administrative license
19 revocation hearing and is subject to an administrative license revocation
20 may immediately apply for an ignition interlock permit to use during the
21 applicable period of revocation set forth in section 60-498.02, subject
22 to the following additional restrictions:

23 (a) If such person submitted to a chemical test which disclosed the
24 presence of a concentration of alcohol in violation of section 60-6,196
25 and has no prior administrative license revocations on which final orders
26 have been issued during the immediately preceding fifteen-year period at
27 the time the order of revocation is issued, the ignition interlock permit
28 will be immediately available fifteen days after the date of arrest or
29 the date notice of revocation was provided to the arrested person, as
30 long as he or she is otherwise eligible for an ignition interlock permit,
31 upon completion of an application process for an ignition interlock

1 permit;

2 (b) If such person submitted to a chemical test which disclosed the
3 presence of a concentration of alcohol in violation of section 60-6,196
4 and has one or more prior administrative license revocations on which
5 final orders have been issued during the immediately preceding fifteen-
6 year period at the time the order of revocation is issued, the ignition
7 interlock permit will be available beginning fifteen days after the date
8 of arrest or the date notice of revocation was provided to the arrested
9 person plus forty-five additional days of no driving, as long as he or
10 she is otherwise eligible for an ignition interlock permit, upon
11 completion of an application process for an ignition interlock permit;

12 (c) If such person refused to submit to a chemical test of blood,
13 breath, or urine as required by section 60-6,197, the ignition interlock
14 permit will be available beginning fifteen days after the date of arrest
15 plus ninety additional days of no driving, as long as he or she is
16 otherwise eligible for an ignition interlock permit, upon completion of
17 an application process for an ignition interlock permit; and

18 (d) Any person who petitions for an administrative license
19 revocation hearing shall not be eligible for an ignition interlock permit
20 unless ordered by the court at the time of sentencing for the related
21 criminal proceeding.

22 (9) The director shall adopt and promulgate rules and regulations to
23 govern the conduct of the administrative license revocation hearing and
24 insure that the hearing will proceed in an orderly manner. The director
25 may appoint a hearing officer to preside at the hearing, administer
26 oaths, examine witnesses, take testimony, and report to the director. Any
27 motion for discovery filed by the petitioner shall entitle the prosecutor
28 to receive full statutory discovery from the petitioner upon a
29 prosecutor's request to the relevant court pursuant to section 29-1912 in
30 any criminal proceeding arising from the same arrest. A copy of the
31 motion for discovery shall be filed with the department and a copy

1 provided to the prosecutor in the jurisdiction in which the petitioner
2 was arrested. Incomplete discovery shall not stay the hearing unless the
3 petitioner requests a continuance. All proceedings before the hearing
4 officer shall be recorded. Upon receipt of the arresting peace officer's
5 sworn report, the director's order of revocation has prima facie validity
6 and it becomes the petitioner's burden to establish by a preponderance of
7 the evidence grounds upon which the operator's license revocation should
8 not take effect. The director shall make a determination of the issue
9 within seven days after the conclusion of the hearing. A person whose
10 operator's license is revoked following a hearing requested pursuant to
11 this section may appeal the order of revocation as provided in section
12 60-498.04.

13 (10) Any person who tampers with or circumvents an ignition
14 interlock device installed pursuant to sections 60-498.01 to 60-498.04 or
15 who operates a motor vehicle not equipped with a functioning ignition
16 interlock device required pursuant to such sections or otherwise is in
17 violation of the purposes for operation indicated on the ignition
18 interlock permit under such sections shall, in addition to any possible
19 criminal charges, have his or her revocation period and ignition
20 interlock permit extended for six months beyond the end of the original
21 revocation period.

22 (11) A person under the age of eighteen years who holds any license
23 or permit issued under the Motor Vehicle Operator's License Act and has
24 violated subdivision (3)(b) or (c) of section 28-306, subdivision (3)(b)
25 or (c) of section 28-394, or section 28-1254, 60-6,196, 60-6,197, ~~or~~
26 60-6,197.06, or 60-6,198 shall not be eligible for an ignition interlock
27 permit.

28 Sec. 3. Section 60-4,118.06, Revised Statutes Cumulative Supplement,
29 2018, is amended to read:

30 60-4,118.06 (1) Upon receipt by the director of (a) a certified copy
31 of a court order issued pursuant to section 60-6,211.05, a certified copy

1 of an order for installation of an ignition interlock device and issuance
2 of an ignition interlock permit pursuant to section 60-6,197.03, or a
3 copy of an order from the Board of Pardons pursuant to section
4 83-1,127.02, (b) sufficient evidence that the person has surrendered his
5 or her operator's license to the department and installed an approved
6 ignition interlock device in accordance with such order, and (c) payment
7 of the fee provided in section 60-4,115, such person may apply for an
8 ignition interlock permit. A person subject to administrative license
9 revocation under sections 60-498.01 to 60-498.04 shall be eligible for an
10 ignition interlock permit as provided in such sections. The director
11 shall issue an ignition interlock permit only for the operation of a
12 motor vehicle equipped with an ignition interlock device. All permits
13 issued pursuant to this subsection shall indicate that the permit is not
14 valid for the operation of any commercial motor vehicle.

15 (2) Upon expiration of the revocation period or upon expiration of
16 an order issued by the Board of Pardons pursuant to section 83-1,127.02,
17 a person may apply to the department in writing for issuance of an
18 operator's license. Regardless of whether the license surrendered by such
19 person under subsection (1) of this section has expired, the person shall
20 apply for a new operator's license pursuant to the Motor Vehicle
21 Operator's License Act.

22 (3)(a) An ignition interlock permit shall not be issued under this
23 section or sections 60-498.01 to 60-498.04 to any person except in cases
24 of a violation of subdivision (3)(b) or (c) of section 28-306,
25 subdivision (3)(b) or (c) of section 28-394, or section 28-1254,
26 60-6,196, 60-6,197, ~~or 60-6,197.06,~~ or 60-6,198.

27 (b) An ignition interlock permit shall only be available to a holder
28 of a Class M or O operator's license.

29 (4) The director shall revoke a person's ignition interlock permit
30 issued under this section or sections 60-498.01 to 60-498.04 upon receipt
31 of an (a) abstract of conviction indicating that the person had his or

1 her operating privileges revoked or canceled or (b) administrative order
2 revoking or canceling the person's operating privileges, if such
3 conviction or order resulted from an incident other than the incident
4 which resulted in the application for the ignition interlock permit.

5 Sec. 4. Section 60-4,120.02, Revised Statutes Cumulative Supplement,
6 2018, is amended to read:

7 60-4,120.02 (1) Any person convicted of violating a provisional
8 operator's permit issued pursuant to section 60-4,120.01 by operating a
9 motor vehicle in violation of subsection (3) of such section shall be
10 guilty of an infraction and may have his or her provisional operator's
11 permit revoked by the court pursuant to section 60-496 for a time period
12 specified by the court. Before such person applies for another
13 provisional operator's permit, he or she shall pay a reinstatement fee as
14 provided in section 60-499.01 after the period of revocation has expired.

15 (2) A copy of an abstract of the court's conviction, including an
16 adjudication, shall be transmitted to the director pursuant to sections
17 60-497.01 to 60-497.04.

18 (3) Any person who holds a provisional operator's permit and has
19 violated subdivision (3)(b) or (c) of section 28-306, subdivision (3)(b)
20 or (c) of section 28-394, or section 28-1254, 60-6,196, 60-6,197, ~~or~~
21 60-6,197.06, or 60-6,198 shall not be eligible for an ignition interlock
22 permit.

23 (4) For purposes of this section, conviction includes any
24 adjudication of a juvenile.

25 Sec. 5. Section 60-4,124, Revised Statutes Cumulative Supplement,
26 2018, is amended to read:

27 60-4,124 (1) A person who is younger than sixteen years and three
28 months of age but is older than fourteen years and two months of age may
29 be issued a school permit if such person either resides outside a city of
30 the metropolitan, primary, or first class or attends a school which is
31 outside a city of the metropolitan, primary, or first class and if such

1 person has held an LPE-learner's permit for two months. A school permit
2 shall not be issued until such person has demonstrated that he or she is
3 capable of successfully operating a motor vehicle, moped, or motorcycle
4 and has in his or her possession an issuance certificate authorizing the
5 county treasurer to issue a school permit. In order to obtain an issuance
6 certificate, the applicant shall present (a) proof of successful
7 completion of a department-approved driver safety course which includes
8 behind-the-wheel driving specifically emphasizing (i) the effects of the
9 consumption of alcohol on a person operating a motor vehicle, (ii)
10 occupant protection systems, (iii) risk assessment, and (iv) railroad
11 crossing safety and (b)(i) proof of successful completion of a written
12 examination and driving test administered by a driver safety course
13 instructor or (ii) a certificate in a form prescribed by the department,
14 signed by a parent, guardian, or licensed driver at least twenty-one
15 years of age, verifying that the applicant has completed fifty hours of
16 lawful motor vehicle operation, under conditions that reflect department-
17 approved driver safety course curriculum, with a parent, guardian, or
18 adult at least twenty-one years of age, who has a current Nebraska
19 operator's license or who is licensed in another state. The department
20 may waive the written examination if the applicant has been issued an
21 LPE-learner's permit or LPD-learner's permit and if such permit is valid
22 or has expired no more than one year prior to application. The written
23 examination shall not be waived if the permit being applied for contains
24 a class or endorsement which is different from the class or endorsement
25 of the LPE-learner's permit.

26 (2) A person holding a school permit may operate a motor vehicle,
27 moped, or motorcycle or an autocycle:

28 (a) To and from where he or she attends school, or property used by
29 the school he or she attends for purposes of school events or functions,
30 and between schools of enrollment over the most direct and accessible
31 route by the nearest highway from his or her place of residence to

1 transport such person or any family member who resides with such person
2 to attend duly scheduled courses of instruction and extracurricular or
3 school-related activities at the school he or she attends or on property
4 used by the school he or she attends; or

5 (b) Under the personal supervision of a licensed operator. Such
6 licensed operator shall be at least twenty-one years of age and licensed
7 by this state or another state and shall (i) for all motor vehicles other
8 than autocycles, motorcycles, or mopeds, actually occupy the seat beside
9 the permitholder, (ii) in the case of an autocycle, actually occupy the
10 seat beside or behind the permitholder, or (iii) in the case of a
11 motorcycle, other than an autocycle, or a moped, if the permitholder is
12 within visual contact of and under the supervision of, in the case of a
13 motorcycle, a licensed motorcycle operator or, in the case of a moped, a
14 licensed motor vehicle operator.

15 (3) The holder of a school permit shall not use any type of
16 interactive wireless communication device while operating a motor vehicle
17 on the highways of this state. Enforcement of this subsection shall be
18 accomplished only as a secondary action when the holder of the school
19 permit has been cited or charged with a violation of some other law.

20 (4) A person who is younger than sixteen years of age but is over
21 fourteen years of age may be issued an LPE-learner's permit, which permit
22 shall be valid for a period of three months. An LPE-learner's permit
23 shall not be issued until such person successfully completes a written
24 examination prescribed by the department and demonstrates that he or she
25 has sufficient powers of eyesight to safely operate a motor vehicle,
26 moped, or motorcycle or an autocycle.

27 (5)(a) While holding the LPE-learner's permit, the person may
28 operate a motor vehicle on the highways of this state if (i) for all
29 motor vehicles other than autocycles, motorcycles, or mopeds, he or she
30 has seated next to him or her a person who is a licensed operator, (ii)
31 in the case of an autocycle, he or she has seated next to or behind him

1 or her a person who is a licensed operator, or (iii) in the case of a
2 motorcycle, other than an autocycle, or a moped, he or she is within
3 visual contact of and is under the supervision of a person who, in the
4 case of a motorcycle, is a licensed motorcycle operator or, in the case
5 of a moped, is a licensed motor vehicle operator. Such licensed motor
6 vehicle or motorcycle operator shall be at least twenty-one years of age
7 and licensed by this state or another state.

8 (b) The holder of an LPE-learner's permit shall not use any type of
9 interactive wireless communication device while operating a motor vehicle
10 on the highways of this state. Enforcement of this subdivision shall be
11 accomplished only as a secondary action when the holder of the LPE-
12 learner's permit has been cited or charged with a violation of some other
13 law.

14 (6) Department personnel or the county treasurer shall collect the
15 fee and surcharge prescribed in section 60-4,115 from each successful
16 applicant for a school or LPE-learner's permit. All school permits shall
17 be subject to impoundment or revocation under the terms of section
18 60-496. Any person who violates the terms of a school permit shall be
19 guilty of an infraction and shall not be eligible for another school,
20 farm, LPD-learner's, or LPE-learner's permit until he or she has attained
21 the age of sixteen years.

22 (7) Any person who holds a permit issued under this section and has
23 violated subdivision (3)(b) or (c) of section 28-306, subdivision (3)(b)
24 or (c) of section 28-394, or section 28-1254, 60-6,196, 60-6,197, ~~or~~
25 60-6,197.06, or 60-6,198 shall not be eligible for an ignition interlock
26 permit.

27 Sec. 6. Section 60-4,125, Revised Statutes Cumulative Supplement,
28 2018, is amended to read:

29 60-4,125 (1) For any minor convicted or adjudicated of violating the
30 terms of an LPD-learner's permit issued pursuant to section 60-4,123 or
31 an LPE-learner's permit issued pursuant to section 60-4,124, the court

1 shall, in addition to any other penalty or disposition, order the
2 impoundment or revocation of such learner's permit and order that such
3 minor shall not be eligible for another operator's license or school,
4 farm, LPD-learner's, or LPE-learner's permit until he or she has attained
5 the age of sixteen years.

6 (2) Any person who holds an LPD-learner's permit issued pursuant to
7 section 60-4,123 and has violated subdivision (3)(b) or (c) of section
8 28-306, subdivision (3)(b) or (c) of section 28-394, or section 28-1254,
9 60-6,196, 60-6,197, ~~or 60-6,197.06,~~ or 60-6,198 shall not be eligible for
10 an ignition interlock permit.

11 (3) A copy of the court's abstract or adjudication shall be
12 transmitted to the director who shall place in an impound status or
13 revoke the LPD-learner's or LPE-learner's permit of such minor in
14 accordance with the order of the court and not again issue another
15 operator's license or school, farm, LPD-learner's, or LPE-learner's
16 permit to such minor until such minor has attained the age of sixteen
17 years.

18 Sec. 7. Section 60-4,126, Revised Statutes Cumulative Supplement,
19 2018, is amended to read:

20 60-4,126 (1) Any person who is younger than sixteen years of age but
21 is over thirteen years of age and resides upon a farm in this state or is
22 fourteen years of age or older and is employed for compensation upon a
23 farm in this state may obtain a farm permit authorizing the operation of
24 farm tractors, minitrucks, and other motorized implements of farm
25 husbandry upon the highways of this state if the applicant for such farm
26 permit furnishes satisfactory proof of age and satisfactorily
27 demonstrates that he or she has knowledge of the operation of such
28 equipment and of the rules of the road and laws respecting the operation
29 of motor vehicles upon the highways of this state. Any person under
30 sixteen years of age but not less than thirteen years of age may obtain a
31 temporary permit to operate such equipment for a six-month period after

1 presentation to the department of a request for the temporary permit
2 signed by the person's parent or guardian and payment of the fee and
3 surcharge prescribed in section 60-4,115. After the expiration of the
4 six-month period, it shall be unlawful for such person to operate such
5 equipment upon the highways of this state unless he or she has been
6 issued a farm permit under this section. The fee for an original,
7 renewal, or replacement farm permit shall be the fee and surcharge
8 prescribed in section 60-4,115. All farm permits shall be subject to
9 revocation under the terms of section 60-496. Any person who violates the
10 terms of a farm permit shall be guilty of an infraction and shall not be
11 eligible for another school, farm, LPD-learner's, or LPE-learner's permit
12 until he or she has attained the age of sixteen years.

13 (2) Any person who holds a permit issued under this section and has
14 violated subdivision (3)(b) or (c) of section 28-306, subdivision (3)(b)
15 or (c) of section 28-394, or section 28-1254, 60-6,196, 60-6,197, ~~or~~
16 60-6,197.06, or 60-6,198 shall not be eligible for an ignition interlock
17 permit.

18 Sec. 8. Original section 43-287, Reissue Revised Statutes of
19 Nebraska, and sections 60-498.01, 60-4,118.06, 60-4,120.02, 60-4,124,
20 60-4,125, and 60-4,126, Revised Statutes Cumulative Supplement, 2018, are
21 repealed.