

LEGISLATURE OF NEBRASKA  
ONE HUNDRED SIXTH LEGISLATURE  
FIRST SESSION

**LEGISLATIVE BILL 215**

Introduced by Linehan, 39; Blood, 3; McDonnell, 5.

Read first time January 11, 2019

Committee: Transportation and Telecommunications

- 1 A BILL FOR AN ACT relating to motor vehicles; to amend sections 60-301,
- 2 60-395, 60-3,104, and 60-3,130.04, Revised Statutes Cumulative
- 3 Supplement, 2018; to provide for Prostate Cancer Awareness Plates;
- 4 to harmonize provisions; and to repeal the original sections.
- 5 Be it enacted by the people of the State of Nebraska,

1 Section 1. Section 60-301, Revised Statutes Cumulative Supplement,  
2 2018, is amended to read:

3 60-301 Sections 60-301 to 60-3,235 and sections 5 and 6 of this act  
4 shall be known and may be cited as the Motor Vehicle Registration Act.

5 Sec. 2. Section 60-395, Revised Statutes Cumulative Supplement,  
6 2018, is amended to read:

7 60-395 (1) Except as otherwise provided in subsection (2) of this  
8 section and sections 60-3,121, 60-3,122.02, 60-3,122.04, 60-3,128,  
9 60-3,224, 60-3,227, 60-3,231, 60-3,233, and 60-3,235 and section 6 of  
10 this act, the registration shall expire and the registered owner or  
11 lessee may, by returning the registration certificate, the license  
12 plates, and, when appropriate, the validation decals and by either making  
13 application on a form prescribed by the department to the county  
14 treasurer of the occurrence of an event described in subdivisions (a)  
15 through (e) of this subsection or, in the case of a change in situs,  
16 displaying to the county treasurer the registration certificate of such  
17 other state as evidence of a change in situs, receive a refund of that  
18 part of the unused fees and taxes on motor vehicles or trailers based on  
19 the number of unexpired months remaining in the registration period from  
20 the date of any of the following events:

- 21 (a) Upon transfer of ownership of any motor vehicle or trailer;
- 22 (b) In case of loss of possession because of fire, theft,  
23 dismantlement, or junking;
- 24 (c) When a salvage branded certificate of title is issued;
- 25 (d) Whenever a type or class of motor vehicle or trailer previously  
26 registered is subsequently declared by legislative act or court decision  
27 to be illegal or ineligible to be operated or towed on the public roads  
28 and no longer subject to registration fees, the motor vehicle tax imposed  
29 in section 60-3,185, the motor vehicle fee imposed in section 60-3,190,  
30 and the alternative fuel fee imposed in section 60-3,191;
- 31 (e) Upon a trade-in or surrender of a motor vehicle under a lease;

1 or

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

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

7 (3) If the transferor or lessee acquires another motor vehicle at  
8 the time of the transfer, trade-in, or surrender, the transferor or  
9 lessee shall have the credit provided for in this section applied toward  
10 payment of the motor vehicle fees and taxes then owing. Otherwise, the  
11 transferor or lessee shall file a claim for refund with the county  
12 treasurer upon an application form prescribed by the department.

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

17 (5) For purposes of this section, the date of the event shall be:  
18 (a) In the case of a transfer or loss, the date of the transfer or loss;  
19 (b) in the case of a change in the situs, the date of registration in  
20 another state; (c) in the case of a trade-in or surrender under a lease,  
21 the date of trade-in or surrender; (d) in the case of a legislative act,  
22 the effective date of the act; and (e) in the case of a court decision,  
23 the date the decision is rendered.

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

27 (7) If a motor vehicle or trailer was reported stolen under section  
28 60-178, a refund under this section shall not be reduced for a lost plate  
29 charge and a credit under this section may be reduced for a lost plate  
30 charge but the applicant shall not be required to pay the plate fee for  
31 new plates.

1 (8) The county treasurer shall refund the motor vehicle fee and  
2 registration fee from the fees which have not been transferred to the  
3 State Treasurer. The county treasurer shall make payment to the claimant  
4 from the undistributed motor vehicle taxes of the taxing unit where the  
5 tax money was originally distributed. No refund of less than two dollars  
6 shall be paid.

7 Sec. 3. Section 60-3,104, Revised Statutes Cumulative Supplement,  
8 2018, is amended to read:

9 60-3,104 The department shall issue the following types of license  
10 plates:

11 (1) Amateur radio station license plates issued pursuant to section  
12 60-3,126;

13 (2) Apportionable vehicle license plates issued pursuant to section  
14 60-3,203;

15 (3) Autocycle license plates issued pursuant to section 60-3,100;

16 (4) Boat dealer license plates issued pursuant to section 60-379;

17 (5) Breast Cancer Awareness Plates issued pursuant to sections  
18 60-3,230 and 60-3,231;

19 (6) Bus license plates issued pursuant to section 60-3,144;

20 (7) Choose Life License Plates issued pursuant to sections 60-3,232  
21 and 60-3,233;

22 (8) Commercial motor vehicle license plates issued pursuant to  
23 section 60-3,147;

24 (9) Dealer or manufacturer license plates issued pursuant to  
25 sections 60-3,114 and 60-3,115;

26 (10) Disabled veteran license plates issued pursuant to section  
27 60-3,124;

28 (11) Farm trailer license plates issued pursuant to section  
29 60-3,151;

30 (12) Farm truck license plates issued pursuant to section 60-3,146;

31 (13) Farm trucks with a gross weight of over sixteen tons license

1 plates issued pursuant to section 60-3,146;

2 (14) Fertilizer trailer license plates issued pursuant to section  
3 60-3,151;

4 (15) Gold Star Family license plates issued pursuant to sections  
5 60-3,122.01 and 60-3,122.02;

6 (16) Handicapped or disabled person license plates issued pursuant  
7 to section 60-3,113;

8 (17) Historical vehicle license plates issued pursuant to sections  
9 60-3,130 to 60-3,134;

10 (18) Local truck license plates issued pursuant to section 60-3,145;

11 (19) Metropolitan utilities district license plates issued pursuant  
12 to section 60-3,228;

13 (20) Military Honor Plates issued pursuant to sections 60-3,122.03  
14 and 60-3,122.04;

15 (21) Minitruck license plates issued pursuant to section 60-3,100;

16 (22) Motor vehicle license plates for motor vehicles owned or  
17 operated by the state, counties, municipalities, or school districts  
18 issued pursuant to section 60-3,105;

19 (23) Motor vehicles exempt pursuant to section 60-3,107;

20 (24) Motorcycle license plates issued pursuant to section 60-3,100;

21 (25) Mountain Lion Conservation Plates issued pursuant to sections  
22 60-3,226 and 60-3,227;

23 (26) Native American Cultural Awareness and History Plates issued  
24 pursuant to sections 60-3,234 and 60-3,235;

25 (27) Nebraska Cornhusker Spirit Plates issued pursuant to sections  
26 60-3,127 to 60-3,129;

27 (28) Nebraska 150 Sesquicentennial Plates issued pursuant to  
28 sections 60-3,223 to 60-3,225;

29 (29) Nonresident owner thirty-day license plates issued pursuant to  
30 section 60-382;

31 (30) Passenger car having a seating capacity of ten persons or less

1 and not used for hire issued pursuant to section 60-3,143 other than  
2 autocycles;

3 (31) Passenger car having a seating capacity of ten persons or less  
4 and used for hire issued pursuant to section 60-3,143 other than  
5 autocycles;

6 (32) Pearl Harbor license plates issued pursuant to section  
7 60-3,122;

8 (33) Personal-use dealer license plates issued pursuant to section  
9 60-3,116;

10 (34) Personalized message license plates for motor vehicles,  
11 trailers, and semitrailers, except motor vehicles, trailers, and  
12 semitrailers registered under section 60-3,198, issued pursuant to  
13 sections 60-3,118 to 60-3,121;

14 (35) Prisoner-of-war license plates issued pursuant to section  
15 60-3,123;

16 (36) Prostate Cancer Awareness Plates issued pursuant to sections 5  
17 and 6 of this act;

18 (37) (36) Public power district license plates issued pursuant to  
19 section 60-3,228;

20 (38) (37) Purple Heart license plates issued pursuant to section  
21 60-3,125;

22 (39) (38) Recreational vehicle license plates issued pursuant to  
23 section 60-3,151;

24 (40) (39) Repossession license plates issued pursuant to section  
25 60-375;

26 (41) (40) Special interest motor vehicle license plates issued  
27 pursuant to section 60-3,135.01;

28 (42) (41) Specialty license plates issued pursuant to sections  
29 60-3,104.01 and 60-3,104.02;

30 (43) (42) Trailer license plates issued for trailers owned or  
31 operated by the state, counties, municipalities, or school districts

1 issued pursuant to section 60-3,106;

2 ~~(44)~~ ~~(43)~~ Trailer license plates issued pursuant to section  
3 60-3,100;

4 ~~(45)~~ ~~(44)~~ Trailer license plates issued for trailers owned or  
5 operated by a metropolitan utilities district or public power district  
6 pursuant to section 60-3,228;

7 ~~(46)~~ ~~(45)~~ Trailers exempt pursuant to section 60-3,108;

8 ~~(47)~~ ~~(46)~~ Transporter license plates issued pursuant to section  
9 60-378;

10 ~~(48)~~ ~~(47)~~ Trucks or combinations of trucks, truck-tractors, or  
11 trailers which are not for hire and engaged in soil and water  
12 conservation work and used for the purpose of transporting pipe and  
13 equipment exclusively used by such contractors for soil and water  
14 conservation construction license plates issued pursuant to section  
15 60-3,149;

16 ~~(49)~~ ~~(48)~~ Utility trailer license plates issued pursuant to section  
17 60-3,151; and

18 ~~(50)~~ ~~(49)~~ Well-boring apparatus and well-servicing equipment license  
19 plates issued pursuant to section 60-3,109.

20 Sec. 4. Section 60-3,130.04, Revised Statutes Cumulative Supplement,  
21 2018, is amended to read:

22 60-3,130.04 (1) An owner of a historical vehicle eligible for  
23 registration under section 60-3,130 may use a license plate or plates  
24 designed by this state in the year corresponding to the model year when  
25 the vehicle was manufactured in lieu of the plates designed pursuant to  
26 section 60-3,130.03 subject to the approval of the department. The  
27 department shall inspect the plate or plates and may approve the plate or  
28 plates if it is determined that the model-year license plate or plates  
29 are legible and serviceable and that the license plate numbers do not  
30 conflict with or duplicate other numbers assigned and in use. An  
31 original-issued license plate or plates that have been restored to

1 original condition may be used when approved by the department.

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

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

9 (4) License plates used pursuant to this section corresponding to  
10 the year of manufacture of the vehicle shall not be personalized message  
11 license plates, Pearl Harbor license plates, prisoner-of-war license  
12 plates, disabled veteran license plates, Purple Heart license plates,  
13 amateur radio station license plates, Nebraska Cornhusker Spirit Plates,  
14 handicapped or disabled person license plates, specialty license plates,  
15 special interest motor vehicle license plates, Military Honor Plates,  
16 Nebraska 150 Sesquicentennial Plates, Breast Cancer Awareness Plates,  
17 Prostate Cancer Awareness Plates, Mountain Lion Conservation Plates,  
18 Choose Life License Plates, or Native American Cultural Awareness and  
19 History Plates.

20 Sec. 5. (1) The department shall design license plates to be known  
21 as Prostate Cancer Awareness Plates. The design shall include a light  
22 blue ribbon and the words "early detection saves lives" along the bottom  
23 of the plate.

24 (2) The design shall be selected on the basis of limiting the  
25 manufacturing cost of each plate to an amount less than or equal to the  
26 amount charged for license plates pursuant to section 60-3,102. The  
27 department shall make applications available for this type of plate when  
28 it is designed.

29 (3) One type of plate under this section shall be alphanumeric  
30 plates. The department shall:

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



1           (b) Not use a county designation.

2           (4) One type of plate under this section shall be personalized  
3 message plates. Such plates shall be issued subject to the same  
4 conditions specified for personalized message license plates in section  
5 60-3,118, except that a maximum of five characters may be used.

6           Sec. 6. (1) Beginning January 1, 2021, a person may apply to the  
7 department for Prostate Cancer Awareness Plates in lieu of regular  
8 license plates on an application prescribed and provided by the  
9 department for any motor vehicle, trailer, or semitrailer, except for a  
10 motor vehicle or trailer registered under section 60-3,198. An applicant  
11 receiving a plate under this section for a farm truck with a gross weight  
12 of over sixteen tons shall affix the appropriate tonnage decal to the  
13 plate. The department shall make forms available for such applications  
14 through the county treasurers.

15           (2) In addition to all other fees required for registration under  
16 the Motor Vehicle Registration Act, each application for initial issuance  
17 or renewal of personalized message Prostate Cancer Awareness Plates shall  
18 be accompanied by a fee of forty dollars. No such additional fee shall be  
19 due for the initial issuance or renewal of alphanumeric Prostate Cancer  
20 Awareness Plates. County treasurers collecting fees pursuant to this  
21 subsection shall remit them to the State Treasurer. The State Treasurer  
22 shall credit twenty-five percent of the fee to the Highway Trust Fund and  
23 seventy-five percent of the fee to the Department of Motor Vehicles Cash  
24 Fund.

25           (3) When the department receives an application for Prostate Cancer  
26 Awareness Plates, the department may deliver the plates and registration  
27 certificate to the applicant by United States mail or to the county  
28 treasurer of the county in which the motor vehicle or trailer is  
29 registered and the delivery of the plates and registration certificate  
30 shall be made through a secure process and system. The county treasurer  
31 or the department shall issue plates under this section in lieu of

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

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

18 Sec. 7. Original sections 60-301, 60-395, 60-3,104, and  
19 60-3,130.04, Revised Statutes Cumulative Supplement, 2018, are repealed.