

LEGISLATURE OF NEBRASKA
ONE HUNDRED SIXTH LEGISLATURE
SECOND SESSION

LEGISLATIVE BILL 921

Introduced by Hilkeemann, 4.

Read first time January 10, 2020

Committee: Transportation and Telecommunications

- 1 A BILL FOR AN ACT relating to motor vehicles; to amend section 37-327.03,
- 2 Reissue Revised Statutes of Nebraska, and sections 60-301, 60-393,
- 3 60-395, 60-396, 60-3,104, and 60-3,130.04, Revised Statutes
- 4 Supplement, 2019; to change provisions relating to the Game and
- 5 Parks State Park Improvement and Maintenance Fund; to provide for
- 6 The Good Life Is Outside Plates; to harmonize provisions; and to
- 7 repeal the original sections.
- 8 Be it enacted by the people of the State of Nebraska,

1 Section 1. Section 37-327.03, Reissue Revised Statutes of Nebraska,
2 is amended to read:

3 37-327.03 The Game and Parks State Park Improvement and Maintenance
4 Fund is created. The fund shall consist of transfers made by the
5 Legislature, money credited to the fund pursuant to section 9 of this
6 act, and any gifts, grants, bequests, or donations to the fund. Money in
7 the fund shall be used to build, repair, renovate, rehabilitate, restore,
8 modify, or improve any infrastructure in the state park system. The
9 proceeds remitted to the fund pursuant to section 9 of this act shall be
10 used only for the improvement and maintenance of state recreational
11 trails as defined in section 37-338. Any money in the fund available for
12 investment shall be invested by the state investment officer pursuant to
13 the Nebraska Capital Expansion Act and the Nebraska State Funds
14 Investment Act.

15 Sec. 2. Section 60-301, Revised Statutes Supplement, 2019, is
16 amended to read:

17 60-301 Sections 60-301 to 60-3,244 and sections 8 and 9 of this act
18 shall be known and may be cited as the Motor Vehicle Registration Act.

19 Sec. 3. Section 60-393, Revised Statutes Supplement, 2019, is
20 amended to read:

21 60-393 Any owner who has two or more motor vehicles or trailers
22 required to be registered under the Motor Vehicle Registration Act may
23 register all such motor vehicles or trailers on a calendar-year basis or
24 on an annual basis for the same registration period beginning in a month
25 chosen by the owner. When electing to establish the same registration
26 period for all such motor vehicles or trailers, the owner shall pay the
27 registration fee, the motor vehicle tax imposed in section 60-3,185, the
28 motor vehicle fee imposed in section 60-3,190, and the alternative fuel
29 fee imposed in section 60-3,191 on each motor vehicle for the number of
30 months necessary to extend its current registration period to the
31 registration period under which all such motor vehicles or trailers will

1 be registered. Credit shall be given for registration paid on each motor
2 vehicle or trailer when the motor vehicle or trailer has a later
3 expiration date than that chosen by the owner except as otherwise
4 provided in sections 60-3,121, 60-3,122.02, 60-3,122.04, 60-3,128,
5 60-3,224, 60-3,227, 60-3,233, 60-3,235, 60-3,238, 60-3,240, 60-3,242, and
6 60-3,244 and section 9 of this act. Thereafter all such motor vehicles or
7 trailers shall be registered on an annual basis starting in the month
8 chosen by the owner.

9 Sec. 4. Section 60-395, Revised Statutes Supplement, 2019, is
10 amended to read:

11 60-395 (1) Except as otherwise provided in subsection (2) of this
12 section and sections 60-3,121, 60-3,122.02, 60-3,122.04, 60-3,128,
13 60-3,224, 60-3,227, 60-3,231, 60-3,233, 60-3,235, 60-3,238, 60-3,240,
14 60-3,242, and 60-3,244 and section 9 of this act, the registration shall
15 expire and the registered owner or lessee may, by returning the
16 registration certificate, the license plates, and, when appropriate, the
17 validation decals and by either making application on a form prescribed
18 by the department to the county treasurer of the occurrence of an event
19 described in subdivisions (a) through (e) of this subsection or, in the
20 case of a change in situs, displaying to the county treasurer the
21 registration certificate of such other state as evidence of a change in
22 situs, receive a refund of that part of the unused fees and taxes on
23 motor vehicles or trailers based on the number of unexpired months
24 remaining in the registration period from the date of any of the
25 following events:

- 26 (a) Upon transfer of ownership of any motor vehicle or trailer;
- 27 (b) In case of loss of possession because of fire, theft,
28 dismantlement, or junking;
- 29 (c) When a salvage branded certificate of title is issued;
- 30 (d) Whenever a type or class of motor vehicle or trailer previously
31 registered is subsequently declared by legislative act or court decision

1 to be illegal or ineligible to be operated or towed on the public roads
2 and no longer subject to registration fees, the motor vehicle tax imposed
3 in section 60-3,185, the motor vehicle fee imposed in section 60-3,190,
4 and the alternative fuel fee imposed in section 60-3,191;

5 (e) Upon a trade-in or surrender of a motor vehicle under a lease;
6 or

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

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

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

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

22 (5) For purposes of this section, the date of the event shall be:

23 (a) In the case of a transfer or loss, the date of the transfer or loss;

24 (b) in the case of a change in the situs, the date of registration in
25 another state; (c) in the case of a trade-in or surrender under a lease,
26 the date of trade-in or surrender; (d) in the case of a legislative act,
27 the effective date of the act; and (e) in the case of a court decision,
28 the date the decision is rendered.

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

1 (7) If a motor vehicle or trailer was reported stolen under section
2 60-178, a refund under this section shall not be reduced for a lost plate
3 charge and a credit under this section may be reduced for a lost plate
4 charge but the applicant shall not be required to pay the plate fee for
5 new plates.

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

12 Sec. 5. Section 60-396, Revised Statutes Supplement, 2019, is
13 amended to read:

14 60-396 Whenever the registered owner files an application with the
15 county treasurer showing that a motor vehicle, trailer, or semitrailer is
16 disabled and has been removed from service, the registered owner may, by
17 returning the registration certificate, the license plates, and, when
18 appropriate, the validation decals or, in the case of the unavailability
19 of such registration certificate or certificates, license plates, or
20 validation decals, then by making an affidavit to the county treasurer of
21 such disablement and removal from service, receive a credit for a portion
22 of the registration fee from the fee deposited with the State Treasurer
23 at the time of registration based upon the number of unexpired months
24 remaining in the registration year except as otherwise provided in
25 sections 60-3,121, 60-3,122.02, 60-3,122.04, 60-3,128, 60-3,224,
26 60-3,227, 60-3,233, 60-3,235, 60-3,238, 60-3,240, 60-3,242, and 60-3,244
27 and section 9 of this act. The owner shall also receive a credit for the
28 unused portion of the motor vehicle tax and fee based upon the number of
29 unexpired months remaining in the registration year. When the owner
30 registers a replacement motor vehicle, trailer, or semitrailer at the
31 time of filing such affidavit, the credit may be immediately applied

1 against the registration fee and the motor vehicle tax and fee for the
2 replacement motor vehicle, trailer, or semitrailer. When no such
3 replacement motor vehicle, trailer, or semitrailer is so registered, the
4 county treasurer shall forward the application and affidavit, if any, to
5 the State Treasurer who shall determine the amount, if any, of the
6 allowable credit for the registration fee and issue a credit certificate
7 to the owner. For the motor vehicle tax and fee, the county treasurer
8 shall determine the amount, if any, of the allowable credit and issue a
9 credit certificate to the owner. When such motor vehicle, trailer, or
10 semitrailer is removed from service within the same month in which it was
11 registered, no credits shall be allowed for such month. The credits may
12 be applied against taxes and fees for new or replacement motor vehicles,
13 trailers, or semitrailers incurred within one year after cancellation of
14 registration of the motor vehicle, trailer, or semitrailer for which the
15 credits were allowed. When any such motor vehicle, trailer, or
16 semitrailer is reregistered within the same registration year in which
17 its registration has been canceled, the taxes and fees shall be that
18 portion of the registration fee and the motor vehicle tax and fee for the
19 remainder of the registration year.

20 Sec. 6. Section 60-3,104, Revised Statutes Supplement, 2019, is
21 amended to read:

22 60-3,104 The department shall issue the following types of license
23 plates:

24 (1) Amateur radio station license plates issued pursuant to section
25 60-3,126;

26 (2) Apportionable vehicle license plates issued pursuant to section
27 60-3,203;

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

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

30 (5) Breast Cancer Awareness Plates issued pursuant to sections
31 60-3,230 and 60-3,231;

- 1 (6) Bus license plates issued pursuant to section 60-3,144;
- 2 (7) Choose Life License Plates issued pursuant to sections 60-3,232
- 3 and 60-3,233;
- 4 (8) Commercial motor vehicle license plates issued pursuant to
- 5 section 60-3,147;
- 6 (9) Dealer or manufacturer license plates issued pursuant to
- 7 sections 60-3,114 and 60-3,115;
- 8 (10) Disabled veteran license plates issued pursuant to section
- 9 60-3,124;
- 10 (11) Farm trailer license plates issued pursuant to section
- 11 60-3,151;
- 12 (12) Farm truck license plates issued pursuant to section 60-3,146;
- 13 (13) Farm trucks with a gross weight of over sixteen tons license
- 14 plates issued pursuant to section 60-3,146;
- 15 (14) Fertilizer trailer license plates issued pursuant to section
- 16 60-3,151;
- 17 (15) Former military vehicle license plates issued pursuant to
- 18 section 60-3,236;
- 19 (16) Gold Star Family license plates issued pursuant to sections
- 20 60-3,122.01 and 60-3,122.02;
- 21 (17) Handicapped or disabled person license plates issued pursuant
- 22 to section 60-3,113;
- 23 (18) Historical vehicle license plates issued pursuant to sections
- 24 60-3,130 to 60-3,134;
- 25 (19) Local truck license plates issued pursuant to section 60-3,145;
- 26 (20) Metropolitan utilities district license plates issued pursuant
- 27 to section 60-3,228;
- 28 (21) Military Honor Plates issued pursuant to sections 60-3,122.03
- 29 and 60-3,122.04;
- 30 (22) Minitruck license plates issued pursuant to section 60-3,100;
- 31 (23) Motor vehicle license plates for motor vehicles owned or

1 operated by the state, counties, municipalities, or school districts
2 issued pursuant to section 60-3,105;

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

4 (25) Motorcycle license plates issued pursuant to section 60-3,100;

5 (26) Mountain Lion Conservation Plates issued pursuant to sections
6 60-3,226 and 60-3,227;

7 (27) Native American Cultural Awareness and History Plates issued
8 pursuant to sections 60-3,234 and 60-3,235;

9 (28) Nebraska Cornhusker Spirit Plates issued pursuant to sections
10 60-3,127 to 60-3,129;

11 (29) Nebraska 150 Sesquicentennial Plates issued pursuant to
12 sections 60-3,223 to 60-3,225;

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

15 (31) Passenger car having a seating capacity of ten persons or less
16 and not used for hire issued pursuant to section 60-3,143 other than
17 autocycles;

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

21 (33) Pearl Harbor license plates issued pursuant to section
22 60-3,122;

23 (34) Personal-use dealer license plates issued pursuant to section
24 60-3,116;

25 (35) Personalized message license plates for motor vehicles,
26 trailers, and semitrailers, except motor vehicles, trailers, and
27 semitrailers registered under section 60-3,198, issued pursuant to
28 sections 60-3,118 to 60-3,121;

29 (36) Prisoner-of-war license plates issued pursuant to section
30 60-3,123;

31 (37) Prostate Cancer Awareness Plates issued pursuant to section

1 60-3,240;

2 (38) Public power district license plates issued pursuant to section
3 60-3,228;

4 (39) Purple Heart license plates issued pursuant to section
5 60-3,125;

6 (40) Recreational vehicle license plates issued pursuant to section
7 60-3,151;

8 (41) Repossession license plates issued pursuant to section 60-375;

9 (42) Sammy's Superheroes license plates for childhood cancer
10 awareness issued pursuant to section 60-3,242;

11 (43) Special interest motor vehicle license plates issued pursuant
12 to section 60-3,135.01;

13 (44) Specialty license plates issued pursuant to sections
14 60-3,104.01 and 60-3,104.02;

15 (45) The Good Life Is Outside Plates issued pursuant to section 9 of
16 this act;

17 (46) ~~(45)~~ Trailer license plates issued for trailers owned or
18 operated by the state, counties, municipalities, or school districts
19 issued pursuant to section 60-3,106;

20 (47) ~~(46)~~ Support Our Troops Plates issued pursuant to sections
21 60-3,243 and 60-3,244;

22 (48) ~~(47)~~ Trailer license plates issued pursuant to section
23 60-3,100;

24 (49) ~~(48)~~ Trailer license plates issued for trailers owned or
25 operated by a metropolitan utilities district or public power district
26 pursuant to section 60-3,228;

27 (50) ~~(49)~~ Trailers exempt pursuant to section 60-3,108;

28 (51) ~~(50)~~ Transporter license plates issued pursuant to section
29 60-378;

30 (52) ~~(51)~~ Trucks or combinations of trucks, truck-tractors, or
31 trailers which are not for hire and engaged in soil and water

1 conservation work and used for the purpose of transporting pipe and
2 equipment exclusively used by such contractors for soil and water
3 conservation construction license plates issued pursuant to section
4 60-3,149;

5 ~~(53)~~ ~~(52)~~ Utility trailer license plates issued pursuant to section
6 60-3,151;

7 ~~(54)~~ ~~(53)~~ Well-boring apparatus and well-servicing equipment license
8 plates issued pursuant to section 60-3,109; and

9 ~~(55)~~ ~~(54)~~ Wildlife Conservation Plates issued pursuant to section
10 60-3,238.

11 Sec. 7. Section 60-3,130.04, Revised Statutes Supplement, 2019, is
12 amended to read:

13 60-3,130.04 (1) An owner of a historical vehicle eligible for
14 registration under section 60-3,130 may use a license plate or plates
15 designed by this state in the year corresponding to the model year when
16 the vehicle was manufactured in lieu of the plates designed pursuant to
17 section 60-3,130.03 subject to the approval of the department. The
18 department shall inspect the plate or plates and may approve the plate or
19 plates if it is determined that the model-year license plate or plates
20 are legible and serviceable and that the license plate numbers do not
21 conflict with or duplicate other numbers assigned and in use. An
22 original-issued license plate or plates that have been restored to
23 original condition may be used when approved by the department.

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

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

31 (4) License plates used pursuant to this section corresponding to

1 the year of manufacture of the vehicle shall not be personalized message
2 license plates, Pearl Harbor license plates, prisoner-of-war license
3 plates, disabled veteran license plates, Purple Heart license plates,
4 amateur radio station license plates, Nebraska Cornhusker Spirit Plates,
5 handicapped or disabled person license plates, specialty license plates,
6 special interest motor vehicle license plates, Military Honor Plates,
7 Nebraska 150 Sesquicentennial Plates, Breast Cancer Awareness Plates,
8 Prostate Cancer Awareness Plates, Mountain Lion Conservation Plates,
9 Choose Life License Plates, Native American Cultural Awareness and
10 History Plates, Sammy's Superheroes license plates for childhood cancer
11 awareness, The Good Life Is Outside Plates, Wildlife Conservation Plates,
12 or Support Our Troops Plates.

13 Sec. 8. (1) The department shall design license plates to be known
14 as The Good Life Is Outside Plates. The design shall reflect the
15 importance of safe walking and biking in Nebraska and the value of our
16 recreational trails. The design shall be selected on the basis of
17 limiting the manufacturing cost of each plate to an amount less than or
18 equal to the amount charged for license plates pursuant to section
19 60-3,102. The department shall make applications available for this type
20 of plate beginning October 1, 2020. The department may adopt and
21 promulgate rules and regulations to carry out this section and section 9
22 of this act.

23 (2) One type of The Good Life Is Outside Plates shall be
24 alphanumeric plates. The department shall:

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

26 (b) Not use a county designation.

27 (3) One type of The Good Life Is Outside Plates shall be
28 personalized message plates. Such plates shall be issued subject to the
29 same conditions specified for personalized message license plates in
30 section 60-3,118, except that a maximum of five characters may be used.

31 Sec. 9. (1) Beginning October 1, 2020, a person may apply to the

1 department for The Good Life Is Outside Plates in lieu of regular license
2 plates on an application prescribed and provided by the department for
3 any motor vehicle, trailer, or semitrailer, except for a motor vehicle or
4 trailer registered under section 60-3,198. An applicant receiving a The
5 Good Life Is Outside Plate for a farm truck with a gross weight of over
6 sixteen tons or for a commercial motor vehicle registered for a gross
7 weight of five tons or over shall affix the appropriate tonnage decal to
8 the plate. The department shall make forms available for such
9 applications through the county treasurers. The license plates shall be
10 issued upon payment of the license fee described in subsection (2) of
11 this section.

12 (2)(a) In addition to all other fees required for registration under
13 the Motor Vehicle Registration Act, each application for initial issuance
14 or renewal of alphanumeric The Good Life Is Outside Plates shall be
15 accompanied by a fee of five dollars. County treasurers collecting fees
16 pursuant to this subdivision shall remit such fees to the State
17 Treasurer. The State Treasurer shall credit five dollars of the fee to
18 the Game and Parks State Park Improvement and Maintenance Fund for the
19 purpose of trail improvement and maintenance.

20 (b) In addition to all other fees required for registration under
21 the Motor Vehicle Registration Act, each application for initial issuance
22 or renewal of personalized message The Good Life Is Outside Plates shall
23 be accompanied by a fee of forty dollars. County treasurers collecting
24 fees pursuant to this subdivision shall remit such fees to the State
25 Treasurer. The State Treasurer shall credit twenty-five percent of the
26 fee for initial issuance and renewal of such plates to the Department of
27 Motor Vehicles Cash Fund and seventy-five percent of the fee to the Game
28 and Parks State Park Improvement and Maintenance Fund for the purpose of
29 trail improvement and maintenance.

30 (3) When the department receives an application for The Good Life Is
31 Outside Plates, the department may deliver the plates and registration

1 certificate to the applicant by United States mail or to the county
2 treasurer of the county in which the motor vehicle, trailer, or
3 semitrailer is registered and the delivery of the plates and registration
4 certificate shall be made through a secure process and system. The county
5 treasurer or the department shall issue The Good Life Is Outside Plates
6 in lieu of regular license plates when the applicant complies with the
7 other provisions of the Motor Vehicle Registration Act for registration
8 of the motor vehicle, trailer, or semitrailer. If The Good Life Is
9 Outside Plates are lost, stolen, or mutilated, the licensee shall be
10 issued replacement license plates upon request pursuant to section
11 60-3,157.

12 (4) The county treasurer or the department may issue temporary
13 license stickers to the applicant under this section for the applicant to
14 lawfully operate the vehicle pending receipt of the license plates. No
15 charge in addition to the registration fee shall be made for the issuance
16 of a temporary license sticker under this subsection. The department
17 shall furnish temporary license stickers for issuance by the county
18 treasurer at no cost to the counties. The department may adopt and
19 promulgate rules and regulations regarding the design and issuance of
20 temporary license stickers.

21 (5) The owner of a motor vehicle, trailer, or semitrailer bearing
22 The Good Life Is Outside Plates may apply to the county treasurer to have
23 such plates transferred to a motor vehicle, trailer, or semitrailer other
24 than the motor vehicle, trailer, or semitrailer for which such plates
25 were originally purchased if such motor vehicle, trailer, or semitrailer
26 is owned by the owner of the plates. The owner may have the unused
27 portion of the fee for the plates credited to the other motor vehicle,
28 trailer, or semitrailer which will bear the plates at the rate of eight
29 and one-third percent per month for each full month left in the
30 registration period. Application for such transfer shall be accompanied
31 by a fee of three dollars. Fees collected pursuant to this subsection

1 shall be remitted to the State Treasurer for credit to the Department of
2 Motor Vehicles Cash Fund.

3 (6) If the cost of manufacturing The Good Life Is Outside Plates at
4 any time exceeds the amount charged for license plates pursuant to
5 section 60-3,102, any money to be credited to the Game and Parks State
6 Park Improvement and Maintenance Fund shall instead be credited first to
7 the Highway Trust Fund in an amount equal to the difference between the
8 manufacturing costs of The Good Life Is Outside Plates and the amount
9 charged pursuant to section 60-3,102 with respect to such plates and the
10 remainder shall be credited to the Game and Parks State Park Improvement
11 and Maintenance Fund for the purpose of trail improvement and
12 maintenance.

13 Sec. 10. Original section 37-327.03, Reissue Revised Statutes of
14 Nebraska, and sections 60-301, 60-393, 60-395, 60-396, 60-3,104, and
15 60-3,130.04, Revised Statutes Supplement, 2019, are repealed.