

LEGISLATURE OF NEBRASKA
ONE HUNDRED SIXTH LEGISLATURE
SECOND SESSION

LEGISLATIVE BILL 942

Introduced by Hunt, 8.

Read first time January 13, 2020

Committee: Transportation and Telecommunications

- 1 A BILL FOR AN ACT relating to motor vehicles; to amend sections 60-301,
- 2 60-393, 60-395, 60-396, 60-3,104, and 60-3,130.04, Revised Statutes
- 3 Supplement, 2019; to provide for Support the Arts Plates; to create
- 4 the Support the Arts Cash Fund; to harmonize provisions; and to
- 5 repeal the original sections.
- 6 Be it enacted by the people of the State of Nebraska,

1 Section 1. Section 60-301, Revised Statutes Supplement, 2019, is
2 amended to read:

3 60-301 Sections 60-301 to 60-3,244 and sections 7 and 8 of this act
4 shall be known and may be cited as the Motor Vehicle Registration Act.

5 Sec. 2. Section 60-393, Revised Statutes Supplement, 2019, is
6 amended to read:

7 60-393 Any owner who has two or more motor vehicles or trailers
8 required to be registered under the Motor Vehicle Registration Act may
9 register all such motor vehicles or trailers on a calendar-year basis or
10 on an annual basis for the same registration period beginning in a month
11 chosen by the owner. When electing to establish the same registration
12 period for all such motor vehicles or trailers, the owner shall pay the
13 registration fee, the motor vehicle tax imposed in section 60-3,185, the
14 motor vehicle fee imposed in section 60-3,190, and the alternative fuel
15 fee imposed in section 60-3,191 on each motor vehicle for the number of
16 months necessary to extend its current registration period to the
17 registration period under which all such motor vehicles or trailers will
18 be registered. Credit shall be given for registration paid on each motor
19 vehicle or trailer when the motor vehicle or trailer has a later
20 expiration date than that chosen by the owner except as otherwise
21 provided in sections 60-3,121, 60-3,122.02, 60-3,122.04, 60-3,128,
22 60-3,224, 60-3,227, 60-3,233, 60-3,235, 60-3,238, 60-3,240, 60-3,242, and
23 60-3,244 and section 8 of this act. Thereafter all such motor vehicles or
24 trailers shall be registered on an annual basis starting in the month
25 chosen by the owner.

26 Sec. 3. Section 60-395, Revised Statutes Supplement, 2019, is
27 amended to read:

28 60-395 (1) Except as otherwise provided in subsection (2) of this
29 section and sections 60-3,121, 60-3,122.02, 60-3,122.04, 60-3,128,
30 60-3,224, 60-3,227, 60-3,231, 60-3,233, 60-3,235, 60-3,238, 60-3,240,
31 60-3,242, and 60-3,244 and section 8 of this act, the registration shall

1 expire and the registered owner or lessee may, by returning the
2 registration certificate, the license plates, and, when appropriate, the
3 validation decals and by either making application on a form prescribed
4 by the department to the county treasurer of the occurrence of an event
5 described in subdivisions (a) through (e) of this subsection or, in the
6 case of a change in situs, displaying to the county treasurer the
7 registration certificate of such other state as evidence of a change in
8 situs, receive a refund of that part of the unused fees and taxes on
9 motor vehicles or trailers based on the number of unexpired months
10 remaining in the registration period from the date of any of the
11 following events:

12 (a) Upon transfer of ownership of any motor vehicle or trailer;

13 (b) In case of loss of possession because of fire, theft,
14 dismantlement, or junking;

15 (c) When a salvage branded certificate of title is issued;

16 (d) Whenever a type or class of motor vehicle or trailer previously
17 registered is subsequently declared by legislative act or court decision
18 to be illegal or ineligible to be operated or towed on the public roads
19 and no longer subject to registration fees, the motor vehicle tax imposed
20 in section 60-3,185, the motor vehicle fee imposed in section 60-3,190,
21 and the alternative fuel fee imposed in section 60-3,191;

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

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

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

29 (3) If the transferor or lessee acquires another motor vehicle at
30 the time of the transfer, trade-in, or surrender, the transferor or
31 lessee shall have the credit provided for in this section applied toward

1 payment of the motor vehicle fees and taxes then owing. Otherwise, the
2 transferor or lessee shall file a claim for refund with the county
3 treasurer upon an application form prescribed by the department.

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

8 (5) For purposes of this section, the date of the event shall be:
9 (a) In the case of a transfer or loss, the date of the transfer or loss;
10 (b) in the case of a change in the situs, the date of registration in
11 another state; (c) in the case of a trade-in or surrender under a lease,
12 the date of trade-in or surrender; (d) in the case of a legislative act,
13 the effective date of the act; and (e) in the case of a court decision,
14 the date the decision is rendered.

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

18 (7) If a motor vehicle or trailer was reported stolen under section
19 60-178, a refund under this section shall not be reduced for a lost plate
20 charge and a credit under this section may be reduced for a lost plate
21 charge but the applicant shall not be required to pay the plate fee for
22 new plates.

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

29 Sec. 4. Section 60-396, Revised Statutes Supplement, 2019, is
30 amended to read:

31 60-396 Whenever the registered owner files an application with the

1 county treasurer showing that a motor vehicle, trailer, or semitrailer is
2 disabled and has been removed from service, the registered owner may, by
3 returning the registration certificate, the license plates, and, when
4 appropriate, the validation decals or, in the case of the unavailability
5 of such registration certificate or certificates, license plates, or
6 validation decals, then by making an affidavit to the county treasurer of
7 such disablement and removal from service, receive a credit for a portion
8 of the registration fee from the fee deposited with the State Treasurer
9 at the time of registration based upon the number of unexpired months
10 remaining in the registration year except as otherwise provided in
11 sections 60-3,121, 60-3,122.02, 60-3,122.04, 60-3,128, 60-3,224,
12 60-3,227, 60-3,233, 60-3,235, 60-3,238, 60-3,240, 60-3,242, and 60-3,244
13 and section 8 of this act. The owner shall also receive a credit for the
14 unused portion of the motor vehicle tax and fee based upon the number of
15 unexpired months remaining in the registration year. When the owner
16 registers a replacement motor vehicle, trailer, or semitrailer at the
17 time of filing such affidavit, the credit may be immediately applied
18 against the registration fee and the motor vehicle tax and fee for the
19 replacement motor vehicle, trailer, or semitrailer. When no such
20 replacement motor vehicle, trailer, or semitrailer is so registered, the
21 county treasurer shall forward the application and affidavit, if any, to
22 the State Treasurer who shall determine the amount, if any, of the
23 allowable credit for the registration fee and issue a credit certificate
24 to the owner. For the motor vehicle tax and fee, the county treasurer
25 shall determine the amount, if any, of the allowable credit and issue a
26 credit certificate to the owner. When such motor vehicle, trailer, or
27 semitrailer is removed from service within the same month in which it was
28 registered, no credits shall be allowed for such month. The credits may
29 be applied against taxes and fees for new or replacement motor vehicles,
30 trailers, or semitrailers incurred within one year after cancellation of
31 registration of the motor vehicle, trailer, or semitrailer for which the

1 credits were allowed. When any such motor vehicle, trailer, or
2 semitrailer is reregistered within the same registration year in which
3 its registration has been canceled, the taxes and fees shall be that
4 portion of the registration fee and the motor vehicle tax and fee for the
5 remainder of the registration year.

6 Sec. 5. Section 60-3,104, Revised Statutes Supplement, 2019, is
7 amended to read:

8 60-3,104 The department shall issue the following types of license
9 plates:

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

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

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

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

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

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

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

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

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

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

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

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

30 (13) Farm trucks with a gross weight of over sixteen tons license
31 plates issued pursuant to section 60-3,146;

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

3 (15) Former military vehicle license plates issued pursuant to
4 section 60-3,236;

5 (16) Gold Star Family license plates issued pursuant to sections
6 60-3,122.01 and 60-3,122.02;

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

9 (18) Historical vehicle license plates issued pursuant to sections
10 60-3,130 to 60-3,134;

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

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

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

16 (22) Minitruck license plates issued pursuant to section 60-3,100;

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

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

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

22 (26) Mountain Lion Conservation Plates issued pursuant to sections
23 60-3,226 and 60-3,227;

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

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

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

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

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

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

7 (33) Pearl Harbor license plates issued pursuant to section
8 60-3,122;

9 (34) Personal-use dealer license plates issued pursuant to section
10 60-3,116;

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

15 (36) Prisoner-of-war license plates issued pursuant to section
16 60-3,123;

17 (37) Prostate Cancer Awareness Plates issued pursuant to section
18 60-3,240;

19 (38) Public power district license plates issued pursuant to section
20 60-3,228;

21 (39) Purple Heart license plates issued pursuant to section
22 60-3,125;

23 (40) Recreational vehicle license plates issued pursuant to section
24 60-3,151;

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

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

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

30 (44) Specialty license plates issued pursuant to sections
31 60-3,104.01 and 60-3,104.02;

1 (45) Support the Arts Plates issued pursuant to section 8 of this
2 act;

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

6 (46) Support Our Troops Plates issued pursuant to sections 60-3,243
7 and 60-3,244;

8 (47) Trailer license plates issued for trailers owned or operated by
9 the state, counties, municipalities, or school districts issued pursuant
10 to section 60-3,106;

11 ~~(48)~~ (47) Trailer license plates issued pursuant to section
12 60-3,100;

13 ~~(49)~~ (48) Trailer license plates issued for trailers owned or
14 operated by a metropolitan utilities district or public power district
15 pursuant to section 60-3,228;

16 ~~(50)~~ (49) Trailers exempt pursuant to section 60-3,108;

17 ~~(51)~~ (50) Transporter license plates issued pursuant to section
18 60-378;

19 ~~(52)~~ (51) Trucks or combinations of trucks, truck-tractors, or
20 trailers which are not for hire and engaged in soil and water
21 conservation work and used for the purpose of transporting pipe and
22 equipment exclusively used by such contractors for soil and water
23 conservation construction license plates issued pursuant to section
24 60-3,149;

25 ~~(53)~~ (52) Utility trailer license plates issued pursuant to section
26 60-3,151;

27 ~~(54)~~ (53) Well-boring apparatus and well-servicing equipment license
28 plates issued pursuant to section 60-3,109; and

29 ~~(55)~~ (54) Wildlife Conservation Plates issued pursuant to section
30 60-3,238.

31 Sec. 6. Section 60-3,130.04, Revised Statutes Supplement, 2019, is

1 amended to read:

2 60-3,130.04 (1) An owner of a historical vehicle eligible for
3 registration under section 60-3,130 may use a license plate or plates
4 designed by this state in the year corresponding to the model year when
5 the vehicle was manufactured in lieu of the plates designed pursuant to
6 section 60-3,130.03 subject to the approval of the department. The
7 department shall inspect the plate or plates and may approve the plate or
8 plates if it is determined that the model-year license plate or plates
9 are legible and serviceable and that the license plate numbers do not
10 conflict with or duplicate other numbers assigned and in use. An
11 original-issued license plate or plates that have been restored to
12 original condition may be used when approved by the department.

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

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

20 (4) License plates used pursuant to this section corresponding to
21 the year of manufacture of the vehicle shall not be personalized message
22 license plates, Pearl Harbor license plates, prisoner-of-war license
23 plates, disabled veteran license plates, Purple Heart license plates,
24 amateur radio station license plates, Nebraska Cornhusker Spirit Plates,
25 handicapped or disabled person license plates, specialty license plates,
26 special interest motor vehicle license plates, Military Honor Plates,
27 Nebraska 150 Sesquicentennial Plates, Breast Cancer Awareness Plates,
28 Prostate Cancer Awareness Plates, Mountain Lion Conservation Plates,
29 Choose Life License Plates, Native American Cultural Awareness and
30 History Plates, Sammy's Superheroes license plates for childhood cancer
31 awareness, Support the Arts Plates, Wildlife Conservation Plates, or

1 Support Our Troops Plates.

2 Sec. 7. (1) The department shall design license plates to be known
3 as Support the Arts Plates. The design shall be selected in consultation
4 with the Nebraska Arts Council and shall support the arts in Nebraska.
5 The design shall be selected on the basis of limiting the manufacturing
6 cost of each plate to an amount less than or equal to the amount charged
7 for license plates pursuant to section 60-3,102. The department shall
8 make applications available for this type of plate beginning January 1,
9 2021. The department may adopt and promulgate rules and regulations to
10 carry out this section and section 8 of this act.

11 (2) One type of Support the Arts Plates shall be alphanumeric
12 plates. The department shall:

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

14 (b) Not use a county designation.

15 (3) One type of Support the Arts Plates shall be personalized
16 message plates. Such plates shall be issued subject to the same
17 conditions specified for personalized message license plates in section
18 60-3,118, except that a maximum of five characters may be used.

19 (4) Beginning January 1, 2022, the department shall cease to issue
20 Support the Arts Plates beginning with the next license plate issuance
21 cycle pursuant to section 60-3,101 if the total number of registered
22 vehicles that obtained such plates is less than two hundred fifty per
23 year within any prior consecutive two-year period.

24 Sec. 8. (1) Beginning January 1, 2021, a person may apply to the
25 department for Support the Arts Plates in lieu of regular license plates
26 on an application prescribed and provided by the department for any motor
27 vehicle, trailer, or semitrailer, except for a motor vehicle, trailer, or
28 semitrailer registered under section 60-3,198. An applicant receiving a
29 Support the Arts Plate for a farm truck with a gross weight of over
30 sixteen tons or for a commercial motor vehicle registered for a gross
31 weight of five tons or over shall affix the appropriate tonnage decal to

1 the plate. The department shall make forms available for such
2 applications through the county treasurers. The license plates shall be
3 issued upon payment of the license fee described in subsection (2) of
4 this section.

5 (2)(a) In addition to all other fees required for registration under
6 the Motor Vehicle Registration Act, each application for initial issuance
7 or renewal of alphanumeric Support the Arts Plates shall be accompanied
8 by a fee of five dollars. County treasurers collecting fees pursuant to
9 this subdivision shall remit such fees to the State Treasurer. The State
10 Treasurer shall credit five dollars of the fee to the Support the Arts
11 Cash Fund created under section 9 of this act.

12 (b) 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 personalized message Support the Arts Plates shall be
15 accompanied by a fee of forty dollars. County treasurers collecting fees
16 pursuant to this subdivision shall remit such fees to the State
17 Treasurer. The State Treasurer shall credit twenty-five percent of the
18 fee for initial issuance and renewal of such plates to the Department of
19 Motor Vehicles Cash Fund and seventy-five percent of the fee to the
20 Support the Arts Cash Fund.

21 (3) When the department receives an application for Support the Arts
22 Plates, the department may deliver the plates and registration
23 certificate to the applicant by United States mail or to the county
24 treasurer of the county in which the motor vehicle, trailer, or
25 semitrailer is registered and the delivery of the plates and registration
26 certificate shall be made through a secure process and system. The county
27 treasurer or the department shall issue Support the Arts Plates in lieu
28 of regular license plates when the applicant complies with the other
29 provisions of the Motor Vehicle Registration Act for registration of the
30 motor vehicle, trailer, or semitrailer. If Support the Arts Plates are
31 lost, stolen, or mutilated, the licensee shall be issued replacement

1 license plates upon request pursuant to section 60-3,157.

2 (4) The county treasurer or the department may issue temporary
3 license stickers to the applicant under this section for the applicant to
4 lawfully operate the vehicle pending receipt of the license plates. No
5 charge in addition to the registration fee shall be made for the issuance
6 of a temporary license sticker under this subsection. The department
7 shall furnish temporary license stickers for issuance by the county
8 treasurer at no cost to the counties. The department may adopt and
9 promulgate rules and regulations regarding the design and issuance of
10 temporary license stickers.

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

23 (6) If the cost of manufacturing Support the Arts Plates at any time
24 exceeds the amount charged for license plates pursuant to section
25 60-3,102, any money to be credited to the Support the Arts Cash Fund
26 shall instead be credited first to the Highway Trust Fund in an amount
27 equal to the difference between the manufacturing costs of Support the
28 Arts Plates and the amount charged pursuant to section 60-3,102 with
29 respect to such plates and the remainder shall be credited to the Support
30 the Arts Cash Fund.

31 Sec. 9. (1) The Support the Arts Cash Fund is created. The fund

1 shall consist of all funds credited from the Support the Arts Plates
2 pursuant to section 8 of this act. The Nebraska Arts Council shall
3 administer and distribute the Support the Arts Cash Fund. The fund shall
4 be expended by the Nebraska Arts Council to provide aid to communities
5 that designate a focus area of the city for arts and cultural
6 development, and to defray costs directly related to the administration
7 of the fund.

8 (2) Any money in the fund available for investment shall be invested
9 by the state investment officer pursuant to the Nebraska Capital
10 Expansion Act and the Nebraska State Funds Investment Act.

11 Sec. 10. Original sections 60-301, 60-393, 60-395, 60-396,
12 60-3,104, and 60-3,130.04, Revised Statutes Supplement, 2019, are
13 repealed.