

LEGISLATURE OF NEBRASKA
ONE HUNDRED NINTH LEGISLATURE
FIRST SESSION

LEGISLATIVE BILL 97

Introduced by Fredrickson, 20.

Read first time January 10, 2025

Committee: Transportation and Telecommunications

1 A BILL FOR AN ACT relating to motor vehicles; to amend 37-1202, 60-101,
2 60-102, 60-121, 60-137, 60-158, 60-167, 60-337, 60-399, 60-4,113,
3 60-4,117, 60-4,118.06, 60-4,120.01, 60-4,123, 60-4,126, 60-4,127,
4 60-636, 60-6,211.05, 60-2904, and 66-1414, Reissue Revised Statutes
5 of Nebraska, and sections 29-2292, 37-1201, 60-146, 60-169, 60-393,
6 60-396, 60-4,115, 60-4,120, 60-4,124, 60-4,148, 60-4,148.01,
7 60-4,149, 60-4,150, 60-4,181, and 60-1513, Revised Statutes
8 Cumulative Supplement, 2024; to change provisions relating to
9 deferred judgments; to change provisions of the State Boat Act
10 relating to amphibious vehicles; to change provisions of the Motor
11 Vehicle Certificate of Title Act relating to junk vehicles and
12 certificates of title, minibikes, applicability of the act to
13 fertilizer trailers, applications for certificates of title,
14 identification inspections, and lienholders and bonded certificates
15 of title; to change provisions of the Motor Vehicle Registration Act
16 relating to minibikes and credit of fees and prohibit modification
17 of license plates; to change provisions of the Motor Vehicle
18 Operator's License Act relating to fees, surcharges, and ignition
19 interlock devices; to change provisions of the Nebraska Rules of the
20 Road relating to minibikes and ignition interlock devices; to change
21 provisions relating to the source of the Department of Motor
22 Vehicles Cash Fund; to change provisions of the Uniform Motor
23 Vehicle Records Disclosure Act relating to personal information and

1 sensitive personal information; to provide for the Department of
2 Motor Vehicles to credit money to the Motor Carrier Services
3 Division Distributive Fund and eliminate certain provisions of the
4 fund relating to the State Treasurer; to define and redefine terms;
5 to eliminate obsolete provisions; to harmonize provisions; to repeal
6 the original sections; and to declare an emergency.

7 Be it enacted by the people of the State of Nebraska,

1 **Section 1.** Section 29-2292, Revised Statutes Cumulative Supplement,
2 2024, is amended to read:

3 29-2292 (1) Upon a finding of guilt for which a judgment of
4 conviction may be rendered, a defendant may request the court defer the
5 entry of judgment of conviction. Upon such request and after giving the
6 prosecutor and defendant the opportunity to be heard, the court may defer
7 the entry of a judgment of conviction and the imposition of a sentence
8 and place the defendant on probation, upon conditions as the court may
9 require under section 29-2262.

10 (2) The court shall not defer judgment under this section if:

11 (a) The offense is a violation of section 42-924;

12 (b) The victim of the offense is an intimate partner as defined in
13 section 28-323;

14 (c) The offense is a violation of section 60-6,196 or 60-6,197 or a
15 city or village ordinance enacted in conformance with section 60-6,196 or
16 60-6,197; ~~or~~

17 (d) The defendant is not eligible for probation; or ~~or~~

18 (e) For any driver holding a commercial driver's license or CLP-
19 commercial learner's permit issued pursuant to the Motor Vehicle
20 Operator's License Act, such deferred judgment would mask the conviction
21 and lead to noncompliance with federal law or regulation and subject this
22 state to possible loss of federal money.

23 (3) Whenever a court considers a request to defer judgment, the
24 court shall consider the factors set forth in section 29-2260 and any
25 other information the court deems relevant.

26 (4) Except as otherwise provided in this section and sections
27 29-2293 and 29-2294, the supervision of a defendant on probation pursuant
28 to a deferred judgment shall be governed by the Nebraska Probation
29 Administration Act and sections 29-2270 to 29-2273.

30 (5) After a hearing providing the prosecutor and defendant an
31 opportunity to be heard and upon a finding that a defendant has violated

1 a condition of his or her probation, the court may enter any order
2 authorized by section 29-2268 or pronounce judgment and impose such new
3 sentence as might have been originally imposed for the offense for which
4 the defendant was convicted.

5 (6) Upon satisfactory completion of the conditions of probation and
6 the payment or waiver of all administrative and programming fees assessed
7 under section 29-2293, the defendant or prosecutor may file a motion to
8 withdraw any plea entered by the defendant and to dismiss the action
9 without entry of judgment.

10 (7) The provisions of this section apply to offenses committed on or
11 after July 1, 2020. For purposes of this section, an offense shall be
12 deemed to have been committed prior to July 1, 2020, if any element of
13 the offense occurred prior to such date.

14 **Sec. 2.** Section 37-1201, Revised Statutes Cumulative Supplement,
15 2024, is amended to read:

16 37-1201 Sections 37-1201 to 37-12,110 and sections 4 and 5 of this
17 act shall be known and may be cited as the State Boat Act. It is the
18 policy of this state to promote safety for persons and property in and
19 connected with the use, operation, and equipment of vessels and to
20 promote uniformity of laws relating thereto.

21 **Sec. 3.** Section 37-1202, Reissue Revised Statutes of Nebraska, is
22 amended to read:

23 37-1202 For the purposes of the State Boat Act, unless the context
24 otherwise requires, the definitions found in sections 37-1203 to 37-1210
25 and section 4 of this act shall be used.

26 **Sec. 4.** Amphibious vehicle means a vehicle that is a means of
27 transport viable on land and on or under water.

28 **Sec. 5.** Sections 37-1211 to 37-1231 and 37-1275 to 37-12,108 shall
29 not apply to an amphibious vehicle if a current and valid registration
30 has been issued for such amphibious vehicle under the Motor Vehicle
31 Registration Act.

1 **Sec. 6.** Section 60-101, Reissue Revised Statutes of Nebraska, is
2 amended to read:

3 60-101 Sections 60-101 to 60-197 and section 8 of this act shall be
4 known and may be cited as the Motor Vehicle Certificate of Title Act.

5 **Sec. 7.** Section 60-102, Reissue Revised Statutes of Nebraska, is
6 amended to read:

7 60-102 For purposes of the Motor Vehicle Certificate of Title Act,
8 unless the context otherwise requires, the definitions found in sections
9 60-103 to 60-136.01 and section 8 of this act shall be used.

10 **Sec. 8.** Junk vehicle means a vehicle that:

11 (1) Is incapable of operating on any highway as defined in section
12 39-101; and

13 (2) Has no value except as scrap or a source of parts.

14 **Sec. 9.** Section 60-121, Reissue Revised Statutes of Nebraska, is
15 amended to read:

16 60-121 (1) Minibike means a two-wheel device that:

17 (a) Has ~~which has~~ a total wheel and tire diameter of less than
18 fourteen inches; ~~or~~

19 (b) Has an engine-rated capacity of less than forty-five cubic
20 centimeters displacement; ~~or~~

21 (c) Has an engine power output of less than three horsepower;

22 (d) Has an engine-rated capacity of less than two thousand two
23 hundred thirty-eight watts; or

24 (e) Was any other two-wheel device primarily designed by the
25 manufacturer for off-road use only.

26 (2) Minibike does not include an electric personal assistive
27 mobility device.

28 **Sec. 10.** Section 60-137, Reissue Revised Statutes of Nebraska, is
29 amended to read:

30 60-137 (1) The Motor Vehicle Certificate of Title Act applies to all
31 vehicles as defined in the act, except:

1 (a) Farm trailers;

2 (b) Fertilizer trailers;

3 (c) ~~(b)~~ Well-boring apparatus, backhoes, bulldozers, and front-end
4 loaders; and

5 (d) ~~(e)~~ Trucks and buses from other jurisdictions required to pay
6 registration fees under the Motor Vehicle Registration Act, except a
7 vehicle registered or eligible to be registered as part of a fleet of
8 apportionable vehicles under section 60-3,198.

9 (2)(a) All new all-terrain vehicles and minibikes sold on or after
10 January 1, 2004, shall be required to have a certificate of title. An
11 owner of an all-terrain vehicle or minibike sold prior to such date may
12 apply for a certificate of title for such all-terrain vehicle or minibike
13 as provided in rules and regulations of the department.

14 (b) All new low-speed vehicles sold on or after January 1, 2012,
15 shall be required to have a certificate of title. An owner of a low-speed
16 vehicle sold prior to such date may apply for a certificate of title for
17 such low-speed vehicle as provided in rules and regulations of the
18 department.

19 (3) An owner of a utility trailer may apply for a certificate of
20 title upon compliance with the Motor Vehicle Certificate of Title Act.

21 (4)(a) Every owner of a manufactured home or mobile home shall
22 obtain a certificate of title for the manufactured home or mobile home
23 prior to affixing it to real estate.

24 (b) If a manufactured home or mobile home has been affixed to real
25 estate and a certificate of title was not issued before it was so
26 affixed, the owner of such manufactured home or mobile home shall apply
27 for and be issued a certificate of title at any time for surrender and
28 cancellation as provided in section 60-169.

29 (5) All new utility-type vehicles sold on or after January 1, 2011,
30 shall be required to have a certificate of title. An owner of a utility-
31 type vehicle sold prior to such date may apply for a certificate of title

1 for such utility-type vehicle as provided in rules and regulations of the
2 department.

3 **Sec. 11.** Section 60-146, Revised Statutes Cumulative Supplement,
4 2024, is amended to read:

5 60-146 (1) An application for a certificate of title for a vehicle
6 shall include a statement that an identification inspection has been
7 conducted on the vehicle unless (a) the title sought is a salvage branded
8 certificate of title or a nontransferable certificate of title, (b) the
9 surrendered ownership document is a Nebraska certificate of title, a
10 manufacturer's statement of origin, an importer's statement of origin, a
11 ~~United States Government Certificate to Obtain Title to a Vehicle,~~ or a
12 nontransferable certificate of title, (c) the application contains a
13 statement that the vehicle is to be registered under section 60-3,198,
14 (d) the vehicle is a cabin trailer, (e) the title sought is the first
15 title for the vehicle sold directly by the manufacturer of the vehicle to
16 a dealer franchised by the manufacturer, or (f) the vehicle was sold at
17 an auction authorized by the manufacturer and purchased by a dealer
18 franchised by the manufacturer of the vehicle.

19 (2) The department shall prescribe a form to be executed by a dealer
20 and submitted with an application for a certificate of title for vehicles
21 exempt from inspection pursuant to subdivision (1)(e) or (f) of this
22 section. The form shall clearly identify the vehicle and state under
23 penalty of law that the vehicle is exempt from inspection.

24 (3) The statement that an identification inspection has been
25 conducted shall be furnished by the county sheriff of any county or by
26 any other holder of a certificate of training issued pursuant to section
27 60-183, shall be in a format as determined by the department, and shall
28 expire ninety days after the date of the inspection. The county treasurer
29 shall accept a certificate of inspection, approved by the superintendent,
30 from an officer of a state police agency of another state unless an
31 inspection is required under section 60-174.

1 (4)(a) Except as provided in subdivision (b) of this subsection, the
2 identification inspection shall include examination and notation of the
3 then current odometer reading, if any, and a comparison of the vehicle
4 identification number with the number listed on the ownership records,
5 except that if a lien is registered against a vehicle and recorded on the
6 vehicle's ownership records, the county treasurer shall provide a copy of
7 the ownership records for use in making such comparison. If such numbers
8 are not identical, if there is reason to believe further inspection is
9 necessary, or if the inspection is for a Nebraska assigned number, the
10 person performing the inspection shall make a further inspection of the
11 vehicle which may include, but shall not be limited to, examination of
12 other identifying numbers placed on the vehicle by the manufacturer and
13 an inquiry into the numbering system used by the state issuing such
14 ownership records to determine ownership of a vehicle. The identification
15 inspection shall also include a statement that the vehicle identification
16 number has been checked for entry in (i) the National Crime Information
17 Center and (ii) the Nebraska Crime Information Service or the National
18 Motor Vehicle Title Information System. In the case of an assembled
19 vehicle, a vehicle designated as reconstructed, or a vehicle designated
20 as replica, the identification inspection shall include, but not be
21 limited to, an examination of the records showing the date of receipt and
22 source of each major component part. No identification inspection shall
23 be conducted unless all major component parts are properly attached to
24 the vehicle in the correct location.

25 (b) Each county sheriff shall establish a process by which to enter
26 into an agreement with any motor vehicle dealer as defined in section
27 60-1401.26 with an established place of business as defined in section
28 60-1401.15 in the county in which the sheriff has jurisdiction in order
29 to collect information for the identification inspection on motor
30 vehicles which are in the inventory of the motor vehicle dealer at the
31 dealer's established place of business in such county. The agreement

1 entered into shall require that the motor vehicle dealer provide the
2 required fee, a copy of the documents evidencing transfer of ownership,
3 and the make, model, vehicle identification number, and odometer reading
4 in a form and manner prescribed by the county sheriff, which shall
5 include a requirement to provide one or more photographs or digital
6 images of the vehicle, the vehicle identification number, and the
7 odometer reading. The county sheriff shall complete the identification
8 inspection as required under subdivision (a) of this subsection using
9 such information and return to the motor vehicle dealer the statement
10 that an identification inspection has been conducted for each motor
11 vehicle as provided in subsection (3) of this section. If the information
12 is incomplete or if there is reason to believe that further inspection is
13 necessary, the county sheriff shall inform the motor vehicle dealer. If
14 the motor vehicle dealer knowingly provides inaccurate or false
15 information, the motor vehicle dealer shall be liable for any damages
16 that result from the provision of such information. The motor vehicle
17 dealer shall keep the records for five years after the date the
18 identification inspection is complete.

19 (5) If there is cause to believe that odometer fraud exists, written
20 notification shall be given to the office of the Attorney General. If
21 after such inspection the sheriff or his or her designee determines that
22 the vehicle is not the vehicle described by the ownership records, no
23 statement shall be issued.

24 (6) The county treasurer or the department may also request an
25 identification inspection of a vehicle to determine if it meets the
26 definition of motor vehicle as defined in section 60-123.

27 **Sec. 12.** Section 60-158, Reissue Revised Statutes of Nebraska, is
28 amended to read:

29 60-158 (1) For each identification inspection conducted by the
30 patrol, the fee shall be ten dollars, which shall be remitted to the
31 State Treasurer for credit to the Nebraska State Patrol Cash Fund.

1 (2) For each identification inspection conducted by a county
2 sheriff, the fee shall be ten dollars, which shall be paid to the county
3 treasurer and credited to the county sheriff's vehicle inspection account
4 within the county general fund.

5 (3) For each identification inspection conducted by the department,
6 the fee shall be ten dollars, which shall be remitted to the State
7 Treasurer for credit to the Department of Motor Vehicles Cash Fund.

8 (4) There shall be no fee for an identification inspection when the
9 ownership document presented is a United States Government Certificate to
10 Obtain Title to a Vehicle.

11 **Sec. 13.** Section 60-167, Reissue Revised Statutes of Nebraska, is
12 amended to read:

13 60-167 (1) The department shall issue a bonded certificate of title
14 to an applicant who:

15 (a) Presents evidence reasonably sufficient to satisfy the
16 department of the applicant's ownership of the vehicle or security
17 interest in the vehicle;

18 (b) Provides a statement that an identification inspection has been
19 conducted pursuant to section 60-146;

20 (c) Pays the fee as prescribed in section 60-160; ~~and~~

21 (d) Files a bond in a form prescribed by the department and executed
22 by the applicant; ~~and -~~

23 (e) Provides proof that written notice as prescribed in subsection
24 (6) of this section has been provided to each party with a secured
25 interest in the vehicle.

26 (2) The bond shall be issued by a surety company authorized to
27 transact business in this state, in an amount equal to one and one-half
28 times the value of the vehicle as determined by the department using
29 reasonable appraisal methods, and conditioned to indemnify any prior
30 owner and secured party, any subsequent purchaser and secured party, and
31 any successor of the purchaser and secured party for any expense, loss,

1 or damage, including reasonable attorney's fees, incurred by reason of
2 the issuance of the certificate of title to the vehicle or any defect in
3 or undisclosed security interest upon the right, title, and interest of
4 the applicant in and to the vehicle. An interested person may have a
5 cause of action to recover on the bond for a breach of the conditions of
6 the bond. The aggregate liability of the surety to all persons having a
7 claim shall not exceed the amount of the bond.

8 (3) At the end of three years after the issuance of the bond, the
9 holder of the certificate of title may apply to the department on a form
10 prescribed by the department for the release of the bond and the removal
11 of the notice required by subsection (4) of this section if no claim has
12 been made on the bond. The department may release the bond at the end of
13 three years after the issuance of the bond if all questions as to the
14 ownership of the vehicle have been answered to the satisfaction of the
15 department unless the department has been notified of the pendency of an
16 action to recover on the bond. If the currently valid certificate of
17 title is surrendered to the department, the department may release the
18 bond prior to the end of the three-year period.

19 (4) The department shall include the following statement on a bonded
20 certificate of title issued pursuant to this section and any subsequent
21 title issued as a result of a title transfer while the bond is in effect:

22 NOTICE: THIS VEHICLE MAY BE SUBJECT TO AN UNDISCLOSED INTEREST, BOND
23 NUMBER

24 (5) The department shall recall a bonded certificate of title if the
25 department finds that the application for the title contained a false
26 statement, if the applicant did not provide written notice to each party
27 with a secured interest in the vehicle, or if a check presented by the
28 applicant for a bonded certificate of title is returned uncollected by a
29 financial institution.

30 (6)(a) Any applicant for a bonded certificate of title shall provide
31 written notice to any party with a secured interest in the vehicle that

1 is the subject of the application. Such written notice shall be provided
2 to the last-known address of each such party through certified mail with
3 return receipt requested and shall include a notice that the security
4 interest will be discharged if the party fails to respond to the notice.
5 If the lienholder responds, the response shall be presented to the
6 department along with the written notice and certified mail receipt.

7 (b) Issuance of a bonded title shall extinguish any lien or security
8 interest regarding a vehicle for which the notice in subdivision (a) of
9 this subsection was provided if the lienholder does not respond to such
10 notice within thirty days after receiving the notice.

11 **Sec. 14.** Section 60-169, Revised Statutes Cumulative Supplement,
12 2024, is amended to read:

13 60-169 ~~(1)(a)(i) (1)(a)~~ Except as otherwise provided in subdivision
14 (c) of this subsection, each owner of a junk vehicle and each person
15 mentioned as owner in the last certificate of title for any junk
16 vehicle , ~~when the vehicle is dismantled, destroyed, or changed in such a~~
17 ~~manner that it loses its character as a vehicle or changed in such a~~
18 ~~manner that it is not the vehicle described in the certificate of title,~~
19 shall surrender his or her certificate of title to any county treasurer
20 ~~or to the department.~~

21 ~~(ii) A If the certificate of title is surrendered to a county~~
22 ~~treasurer, he or she shall, with the consent of any holders of any liens~~
23 ~~noted thereon, enter a cancellation upon the records and shall notify the~~
24 ~~department of such cancellation. Beginning on the implementation date~~
25 ~~designated by the director pursuant to subsection (3) of section 60-1508,~~
26 a wrecker or salvage dealer shall report electronically to the department
27 using the electronic reporting system.

28 (iii) For any certificate of title surrendered under subdivision (1)
29 (a) of this section, the department ~~If the certificate is surrendered to~~
30 ~~the department, it shall, with the consent of any holder of any lien~~
31 noted thereon, enter a cancellation of such certificate of title upon its

1 records.

2 (b) This subdivision applies to all licensed wrecker or salvage
3 dealers and, except as otherwise provided in this subdivision, to each
4 vehicle located on the premises of such dealer. For each vehicle required
5 to be reported under 28 C.F.R. 25.56, as such regulation existed on
6 January 1, 2024, the information obtained by the department under this
7 section may be reported to the National Motor Vehicle Title Information
8 System in a format that will satisfy the requirement for reporting under
9 28 C.F.R. 25.56, as such regulation existed on January 1, 2024. Such
10 report shall include:

11 (i) The name, address, and contact information for the reporting
12 entity;

13 (ii) The vehicle identification number;

14 (iii) The date the reporting entity obtained such motor vehicle;

15 (iv) The name of the person from whom such motor vehicle was
16 obtained, for use only by a law enforcement or other appropriate
17 government agency;

18 (v) A statement of whether the motor vehicle was or will be crushed,
19 disposed of, offered for sale, or used for another purpose; and

20 (vi) Whether the motor vehicle is intended for export outside of the
21 United States.

22 The department may set and collect a fee, not to exceed the cost of
23 reporting to the National Motor Vehicle Title Information System, from
24 wrecker or salvage dealers for electronic reporting to the National Motor
25 Vehicle Title Information System, which shall be remitted to the State
26 Treasurer for credit to the Department of Motor Vehicles Cash Fund. This
27 subdivision does not apply to any vehicle reported by a wrecker or
28 salvage dealer to the National Motor Vehicle Title Information System as
29 required under 28 C.F.R. 25.56, as such regulation existed on January 1,
30 2024.

31 (c)(i) In the case of a mobile home or manufactured home for which a

1 certificate of title has been issued, if such mobile home or manufactured
2 home is affixed to real property in which each owner of the mobile home
3 or manufactured home has any ownership interest, the certificate of title
4 may be surrendered for cancellation to the county treasurer of the county
5 where such mobile home or manufactured home is affixed to real property
6 if at the time of surrender the owner submits to the county treasurer an
7 affidavit of affixture on a form provided by the department that contains
8 all of the following, as applicable:

9 (A) The names and addresses of all of the owners of record of the
10 mobile home or manufactured home;

11 (B) A description of the mobile home or manufactured home that
12 includes the name of the manufacturer, the year of manufacture, the
13 model, and the manufacturer's serial number;

14 (C) The legal description of the real property upon which the mobile
15 home or manufactured home is affixed and the names of all of the owners
16 of record of the real property;

17 (D) A statement that the mobile home or manufactured home is affixed
18 to the real property;

19 (E) The written consent of each holder of a lien duly noted on the
20 certificate of title to the release of such lien and the cancellation of
21 the certificate of title;

22 (F) A copy of the certificate of title surrendered for cancellation;
23 and

24 (G) The name and address of an owner, a financial institution, or
25 another entity to which notice of cancellation of the certificate of
26 title may be delivered.

27 (ii) The person submitting an affidavit of affixture pursuant to
28 subdivision (c)(i) of this subsection shall swear or affirm that all
29 statements in the affidavit are true and material and further acknowledge
30 that any false statement in the affidavit may subject the person to
31 penalties relating to perjury under section 28-915.

1 (2) If a certificate of title of a mobile home or manufactured home
2 is surrendered to the county treasurer, along with the affidavit required
3 by subdivision (1)(c) of this section, he or she shall enter a
4 cancellation upon his or her records, notify the department of such
5 cancellation, forward a duplicate original of the affidavit to the
6 department, and deliver a duplicate original of the executed affidavit
7 under subdivision (1)(c) of this section to the register of deeds for the
8 county in which the real property is located to be filed by the register
9 of deeds. The county treasurer shall be entitled to collect fees from the
10 person submitting the affidavit in accordance with section 33-109 to
11 cover the costs of filing such affidavit. Following the cancellation of a
12 certificate of title for a mobile home or manufactured home, the county
13 treasurer or designated county official shall not issue a certificate of
14 title for such mobile home or manufactured home, except as provided in
15 subsection (5) of this section.

16 (3) If a mobile home or manufactured home is affixed to real estate
17 before June 1, 2006, a person who is the holder of a lien or security
18 interest in both the mobile home or manufactured home and the real estate
19 to which it is affixed on such date may enforce its liens or security
20 interests by accepting a deed in lieu of foreclosure or in the manner
21 provided by law for enforcing liens on the real estate.

22 (4) A mobile home or manufactured home for which the certificate of
23 title has been canceled and for which an affidavit of affixture has been
24 duly recorded pursuant to subsection (2) of this section shall be treated
25 as part of the real estate upon which such mobile home or manufactured
26 home is located. Any lien thereon shall be perfected and enforced in the
27 same manner as a lien on real estate. The owner of such mobile home or
28 manufactured home may convey ownership of the mobile home or manufactured
29 home only as a part of the real estate to which it is affixed.

30 (5)(a) If each owner of both the mobile home or manufactured home
31 and the real estate described in subdivision (1)(c) of this section

1 intends to detach the mobile home or manufactured home from the real
2 estate, the owner shall do both of the following: (i) Before detaching
3 the mobile home or manufactured home, record an affidavit of detachment
4 in the office of the register of deeds in the county in which the
5 affidavit is recorded under subdivision (1)(c) of this section; and (ii)
6 apply for a certificate of title for the mobile home or manufactured home
7 pursuant to section 60-147.

8 (b) The affidavit of detachment shall contain all of the following:

9 (i) The names and addresses of all of the owners of record of the
10 mobile home or manufactured home;

11 (ii) A description of the mobile home or manufactured home that
12 includes the name of the manufacturer, the year of manufacture, the
13 model, and the manufacturer's serial number;

14 (iii) The legal description of the real estate from which the mobile
15 home or manufactured home is to be detached and the names of all of the
16 owners of record of the real estate;

17 (iv) A statement that the mobile home or manufactured home is to be
18 detached from the real property;

19 (v) A statement that the certificate of title of the mobile home or
20 manufactured home has previously been canceled;

21 (vi) The name of each holder of a lien of record against the real
22 estate from which the mobile home or manufactured home is to be detached,
23 with the written consent of each holder to the detachment; and

24 (vii) The name and address of an owner, a financial institution, or
25 another entity to which the certificate of title may be delivered.

26 (6) An owner of an affixed mobile home or manufactured home for
27 which the certificate of title has previously been canceled pursuant to
28 subsection (2) of this section shall not detach the mobile home or
29 manufactured home from the real estate before a certificate of title for
30 the mobile home or manufactured home is issued by the county treasurer or
31 department. If a certificate of title is issued by the county treasurer

1 or department, the mobile home or manufactured home is no longer
2 considered part of the real property. Any lien thereon shall be perfected
3 pursuant to section 60-164. The owner of such mobile home or manufactured
4 home may convey ownership of the mobile home or manufactured home only by
5 way of a certificate of title.

6 (7) For purposes of this section:

7 (a) A mobile home or manufactured home is affixed to real estate if
8 the wheels, towing hitches, and running gear are removed and it is
9 permanently attached to a foundation or other support system; and

10 (b) Ownership interest means the fee simple interest in real estate
11 or an interest as the lessee under a lease of the real property that has
12 a term that continues for at least twenty years after the recording of
13 the affidavit under subsection (2) of this section.

14 (8) Upon cancellation of a certificate of title in the manner
15 prescribed by this section, the county treasurer and the department may
16 cancel and destroy all certificates and all memorandum certificates in
17 that chain of title.

18 **Sec. 15.** Section 60-337, Reissue Revised Statutes of Nebraska, is
19 amended to read:

20 60-337 (1) Minibike means a two-wheel motor vehicle that:

21 (a) Has ~~which has~~ a total wheel and tire diameter of less than
22 fourteen inches; ~~or~~

23 (b) Has an engine-rated capacity of less than forty-five cubic
24 centimeters displacement;

25 (c) Has an engine power output of less than three horsepower;

26 (d) Has an engine-rated capacity of less than two thousand two
27 hundred thirty-eight watts; or

28 (e) Was ~~or any other two-wheel motor vehicle~~ primarily designed by
29 the manufacturer for off-road use only.

30 (2) Minibike shall not include an electric personal assistive
31 mobility device.

1 **Sec. 16.** Section 60-393, Revised Statutes Cumulative Supplement,
2 2024, is amended to read:

3 60-393 Any owner who has two or more motor vehicles or trailers
4 required to be registered under the Motor Vehicle Registration Act may
5 register all such motor vehicles or trailers on a calendar-year basis or
6 on an annual basis for the same registration period beginning in a month
7 chosen by the owner. When electing to establish the same registration
8 period for all such motor vehicles or trailers, the owner shall pay the
9 registration fee, the motor vehicle tax imposed in section 60-3,185, the
10 motor vehicle fee imposed in section 60-3,190, and the alternative fuel
11 fee imposed in section 60-3,191 on each motor vehicle for the number of
12 months necessary to extend its current registration period to the
13 registration period under which all such motor vehicles or trailers will
14 be registered. Credit shall be given for registration paid on each motor
15 vehicle or trailer when the motor vehicle or trailer has a later
16 expiration date than that chosen by the owner except as otherwise
17 provided in sections 60-3,121, 60-3,122.02, 60-3,122.04, 60-3,128,
18 60-3,224, 60-3,227, 60-3,231, 60-3,233, 60-3,235, 60-3,238, 60-3,240,
19 60-3,242, 60-3,244, 60-3,246, 60-3,248, 60-3,250, 60-3,252, 60-3,254,
20 60-3,256, 60-3,258, and 60-3,260. Thereafter all such motor vehicles or
21 trailers shall be registered on an annual basis starting in the month
22 chosen by the owner.

23 **Sec. 17.** Section 60-396, Revised Statutes Cumulative Supplement,
24 2024, is amended to read:

25 60-396 Whenever the registered owner files an application with the
26 county treasurer showing that a motor vehicle, trailer, or semitrailer is
27 disabled and has been removed from service, the registered owner may, by
28 returning the registration certificate, the license plates, and, when
29 appropriate, the validation decals or, in the case of the unavailability
30 of such registration certificate or certificates, license plates, or
31 validation decals, then by making an affidavit to the county treasurer of

1 such disablement and removal from service, receive a credit for a portion
2 of the registration fee from the fee deposited with the State Treasurer
3 at the time of registration based upon the number of unexpired months
4 remaining in the registration year except as otherwise provided in
5 sections 60-3,121, 60-3,122.02, 60-3,122.04, 60-3,128, 60-3,224,
6 60-3,227, 60-3,231, 60-3,233, 60-3,235, 60-3,238, 60-3,240, 60-3,242,
7 60-3,244, 60-3,246, 60-3,248, 60-3,250, 60-3,252, 60-3,254, 60-3,256,
8 60-3,258, and 60-3,260. The owner shall also receive a credit for the
9 unused portion of the motor vehicle tax and fee based upon the number of
10 unexpired months remaining in the registration year. When the owner
11 registers a replacement motor vehicle, trailer, or semitrailer at the
12 time of filing such affidavit, the credit may be immediately applied
13 against the registration fee and the motor vehicle tax and fee for the
14 replacement motor vehicle, trailer, or semitrailer. When no such
15 replacement motor vehicle, trailer, or semitrailer is so registered, the
16 county treasurer shall determine the amount, if any, of the allowable
17 credit for the registration fee and the motor vehicle tax and fee and
18 issue a credit certificate to the owner. When such motor vehicle,
19 trailer, or semitrailer is removed from service within the same month in
20 which it was registered, no credits shall be allowed for such month. The
21 credits may be applied against taxes and fees for new or replacement
22 motor vehicles, trailers, or semitrailers incurred within one year after
23 cancellation of registration of the motor vehicle, trailer, or
24 semitrailer for which the credits were allowed. When any such motor
25 vehicle, trailer, or semitrailer is reregistered within the same
26 registration year in which its registration has been canceled, the taxes
27 and fees shall be that portion of the registration fee and the motor
28 vehicle tax and fee for the remainder of the registration year.

29 **Sec. 18.** Section 60-399, Reissue Revised Statutes of Nebraska, is
30 amended to read:

31 60-399 (1) Except as otherwise specifically provided, no person

1 shall operate or park or cause to be operated or parked a motor vehicle
2 or tow or park or cause to be towed or parked a trailer on the highways
3 unless such motor vehicle or trailer has displayed the proper number of
4 plates as required in the Motor Vehicle Registration Act.

5 (2) In each registration period in which new license plates are not
6 issued, previously issued license plates shall have affixed thereto the
7 validation decals issued pursuant to section 60-3,101. In all cases such
8 license plates shall be securely fastened in an upright position to the
9 motor vehicle or trailer so as to prevent such plates from swinging and
10 at a minimum distance of twelve inches from the ground to the bottom of
11 the license plate. No person shall attach to or display on such motor
12 vehicle or trailer any (a) license plate or registration certificate
13 other than as assigned to it for the current registration period, (b)
14 fictitious or altered license plates or registration certificate, (c)
15 license plates or registration certificate that has been canceled by the
16 department, or (d) license plates lacking current validation decals.

17 (3) ~~(2)~~ All letters, numbers, printing, writing, and other
18 identification marks upon such plates and certificate shall be kept clear
19 and distinct and free from grease, dust, or other blurring matter, so
20 that they shall be plainly visible at all times during daylight and under
21 artificial light in the nighttime.

22 (4) Addition, removal, or modification of design, color, or
23 appearance of any such license plate is prohibited while it is displayed
24 on the vehicle to which it is assigned.

25 **Sec. 19.** Section 60-4,113, Reissue Revised Statutes of Nebraska, is
26 amended to read:

27 60-4,113 (1) The director shall appoint as his or her agents one or
28 more department personnel who shall examine all applicants for a state
29 identification card or an operator's license as provided in section
30 60-4,114, except as otherwise provided in subsection (8) of section
31 60-4,122. The same department personnel may be assigned to one or more

1 counties by the director. In counties in which the county treasurer
2 collects the fees and issues receipts, the county shall furnish office
3 space for the administration of the operator's license examination.
4 Department personnel shall conduct the examination of applicants and
5 deliver to each successful applicant an issuance certificate or receipt.
6 The certificate may be presented to the county treasurer within ninety
7 days after issuance, and the county treasurer shall collect the fees fee
8 ~~and surcharge~~ as provided in section 60-4,115 and issue a receipt which
9 is valid for up to thirty days. If an operator's license is being issued,
10 the receipt shall also authorize driving privileges for such thirty-day
11 period. If department personnel refuse to issue an issuance certificate
12 or receipt, the department personnel shall state such cause in writing
13 and deliver such written cause to the applicant.

14 (2) The department may provide for the central production and
15 issuance of operators' licenses and state identification cards.
16 Production shall take place at a secure production facility designated by
17 the director. The licenses and cards shall be of such a design and
18 produced in such a way as to discourage, to the maximum extent possible,
19 fraud in applicant enrollment, identity theft, and the forgery and
20 counterfeiting of such licenses and cards. Delivery of an operator's
21 license or state identification card shall be to the mailing address
22 provided by the applicant at the time of application and may be provided
23 by secure electronic delivery to specified contact information at the
24 request of the applicant.

25 **Sec. 20.** Section 60-4,115, Revised Statutes Cumulative Supplement,
26 2024, is amended to read:

27 60-4,115 (1) Fees for operators' licenses and state identification
28 cards shall be collected by department personnel or the county treasurer
29 and distributed according to the table in subsection (2) of this section,
30 except for the ignition interlock permit and associated fees as outlined
31 in subsection (4) of this section and the 24/7 sobriety program permit

1 and associated fees as outlined in subsection (5) of this section. County
2 officials shall remit the county portion of the fees collected to the
3 county treasurer for placement in the county general fund. All other fees
4 collected shall be remitted to the State Treasurer for credit to the
5 appropriate fund.

6 (2) Except as otherwise provided in subsection (7) of this section,
7 the fees provided in this subsection in the following dollar amounts
8 apply for operators' licenses and state identification cards.

			Department
			County of Motor
	Document	Total	General Vehicles
		Fee	Fund Cash Fund
13	State identification card:		
14	Valid for 1 year or less	5.00	2.75 2.25
15	Valid for more than 1 year		
16	but not more than 2 years	10.00	2.75 7.25
17	Valid for more than 2 years		
18	but not more than 3 years	14.00	2.75 11.25
19	Valid for more than 3 years		
20	but not more than 4 years	19.00	2.75 16.25
21	Valid for more than 4 years		
22	for a person under 21	24.00	2.75 21.25
23	Valid for 5 years	24.00	3.50 20.50
24	Replacement	11.00	2.75 8.25
25	Class 0 or M operator's license:		
26	Valid for 1 year or less	5.00	2.75 2.25
27	Valid for more than 1 year		
28	but not more than 2 years	10.00	2.75 7.25
29	Valid for more than 2 years		
30	but not more than 3 years	14.00	2.75 11.25

1	Valid for more than 3 years			
2	but not more than 4 years	19.00	2.75	16.25
3	Valid for 5 years	24.00	3.50	20.50
4	Bioptic or telescopic lens			
5	restriction:			
6	Valid for 1 year or less	5.00	0	5.00
7	Valid for more than 1 year			
8	but not more than 2 years	10.00	2.75	7.25
9	Replacement	11.00	2.75	8.25
10	Add, change, or remove class,			
11	endorsement, or restriction	5.00	0	5.00
12	Provisional operator's permit:			
13	Original	15.00	2.75	12.25
14	Bioptic or telescopic lens			
15	restriction:			
16	Valid for 1 year or less	5.00	0	5.00
17	Valid for more than 1 year			
18	but not more than 2 years	15.00	2.75	12.25
19	Replacement	11.00	2.75	8.25
20	Add, change, or remove class,			
21	endorsement, or restriction	5.00	0	5.00
22	LPD-learner's permit:			
23	Original	8.00	.25	7.75
24	Replacement	11.00	2.75	8.25
25	Add, change, or remove class,			
26	endorsement, or restriction	5.00	0	5.00
27	LPE-learner's permit:			
28	Original	8.00	.25	7.75
29	Replacement	11.00	2.75	8.25
30	Add, change, or remove class,			

1	endorsement, or restriction	5.00	0	5.00
2	School permit:			
3	Original	8.00	.25	7.75
4	Replacement	11.00	2.75	8.25
5	Add, change, or remove class,			
6	endorsement, or restriction	5.00	0	5.00
7	Farm permit:			
8	Original or renewal	5.00	.25	4.75
9	Replacement	5.00	.25	4.75
10	Add, change, or remove class,			
11	endorsement, or restriction	5.00	0	5.00
12	Driving permits:			
13	Employment	45.00	0	45.00
14	Medical hardship	45.00	0	45.00
15	Replacement	10.00	.25	9.75
16	Add, change, or remove class,			
17	endorsement, or restriction	5.00	0	5.00
18	Commercial driver's license:			
19	Valid for 1 year or less	11.00	1.75	9.25
20	Valid for more than 1 year			
21	but not more than 2 years	22.00	1.75	20.25
22	Valid for more than 2 years			
23	but not more than 3 years	33.00	1.75	31.25
24	Valid for more than 3 years			
25	but not more than 4 years	44.00	1.75	42.25
26	Valid for 5 years	55.00	1.75	53.25
27	Bioptic or telescopic lens			
28	restriction:			
29	Valid for one year or less	11.00	1.75	9.25
30	Valid for more than 1 year			

1	but not more than 2 years	22.00	1.75	20.25
2	Replacement	11.00	2.75	8.25
3	Add, change, or remove class,			
4	endorsement, or restriction	10.00	1.75	8.25
5	CLP-commercial learner's permit:			
6	Original	10.00	.25	9.75
7	Replacement	10.00	.25	9.75
8	Add, change, or remove class,			
9	endorsement, or restriction	10.00	.25	9.75

10 (3) If the department issues an operator's license or a state
 11 identification card and collects the fees, the department shall remit the
 12 county portion of the fees to the State Treasurer for credit to the
 13 Department of Motor Vehicles Cash Fund.

14 (4)(a) The fee for an ignition interlock permit shall be forty-five
 15 dollars. Five dollars of the fee shall be remitted to the State Treasurer
 16 for credit to the Department of Motor Vehicles Cash Fund. Forty dollars
 17 of the fee shall be remitted to the State Treasurer for credit to the
 18 Department of Motor Vehicles Ignition Interlock Fund.

19 (b) The fee for a replacement ignition interlock permit shall be
 20 eleven dollars. Two dollars and seventy-five cents of the fee shall be
 21 remitted to the county treasurer for credit to the county general fund.
 22 Eight dollars and twenty-five cents of the fee shall be remitted to the
 23 State Treasurer for credit to the Department of Motor Vehicles Cash Fund.

24 (c) The fee for adding, changing, or removing a class, endorsement,
 25 or restriction on an ignition interlock permit shall be five dollars. The
 26 fee shall be remitted to the State Treasurer for credit to the Department
 27 of Motor Vehicles Cash Fund.

28 (5)(a) The fee for a 24/7 sobriety program permit shall be forty-
 29 five dollars. Forty dollars of the fee shall be remitted to the State
 30 Treasurer for credit to the Department of Motor Vehicles Cash Fund. Five
 31 dollars of the fee shall be remitted to the county treasurer for credit

1 to the county general fund.

2 (b) The fee for a replacement 24/7 sobriety program permit shall be
3 eleven dollars. Two dollars and seventy-five cents of the fee shall be
4 remitted to the county treasurer for credit to the county general fund.
5 Eight dollars and twenty-five cents of the fee shall be remitted to the
6 State Treasurer for credit to the Department of Motor Vehicles Cash Fund.

7 (c) The fee for adding, changing, or removing a class, endorsement,
8 or restriction on a 24/7 sobriety program permit shall be five dollars.
9 The fee shall be remitted to the State Treasurer for credit to the
10 Department of Motor Vehicles Cash Fund.

11 (6) The department and its agents may collect an identity security
12 ~~fee surcharge~~ to cover the cost of security and technology practices used
13 to protect the identity of applicants for and holders of operators'
14 licenses and state identification cards and to reduce identity theft,
15 fraud, and forgery and counterfeiting of such licenses and cards to the
16 maximum extent possible. The ~~fee surcharge~~ shall be in addition to all
17 other required fees for operators' licenses and state identification
18 cards. The amount of the ~~fee surcharge~~ shall be determined by the
19 department. The ~~fee surcharge~~ shall not exceed eight dollars. The ~~fee~~
20 ~~surcharge~~ shall be remitted to the State Treasurer for credit to the
21 Department of Motor Vehicles Cash Fund.

22 (7) No fee shall be charged for issuance of an original, renewal, or
23 replacement state identification card to a resident of Nebraska who is
24 also a United States citizen and who does not have a valid Nebraska
25 driver's license.

26 **Sec. 21.** Section 60-4,117, Reissue Revised Statutes of Nebraska, is
27 amended to read:

28 60-4,117 (1) An applicant shall present an issuance certificate to
29 the county treasurer for an operator's license or state identification
30 card. Department personnel or the county treasurer shall collect the
31 applicable ~~fees~~ ~~fee~~ and ~~surcharge~~ as prescribed in section 60-4,115 and

1 issue a receipt which is valid for up to thirty days. If there is cause
2 for an operator's license to be issued, the receipt shall also authorize
3 driving privileges for such thirty-day period. The license or card shall
4 be delivered as provided in section 60-4,113.

5 (2) The operator's license and state identification card shall be in
6 a form prescribed by the department. The license and card may include
7 security features prescribed by the department. The license and card
8 shall be conspicuously marked Nebraska Operator's License or Nebraska
9 Identification Card, shall be, to the maximum extent practicable, tamper
10 and forgery proof, and shall include the following information:

11 (a) The full legal name and principal residence address of the
12 holder;

13 (b) The holder's full facial digital image;

14 (c) A physical description of the holder, including gender, height,
15 weight, and eye and hair colors;

16 (d) The holder's date of birth;

17 (e) The holder's signature;

18 (f) The class of motor vehicle which the holder is authorized to
19 operate and any applicable endorsements or restrictions;

20 (g) The issuance and expiration date of the license or card;

21 (h) The organ and tissue donation information specified in section
22 60-494;

23 (i) A veteran designation as provided in section 60-4,189; and

24 (j) Such other marks and information as the director may determine.

25 (3) Each operator's license and state identification card shall
26 contain the following encoded, machine-readable information: The holder's
27 full legal name; date of birth; gender; race or ethnicity; document issue
28 date; document expiration date; principal residence address; unique
29 identification number; revision date; inventory control number; and state
30 of issuance.

31 **Sec. 22.** Section 60-4,118.06, Reissue Revised Statutes of Nebraska,

1 is amended to read:

2 60-4,118.06 (1) Upon receipt by the director of (a) a certified copy
3 of a court order issued pursuant to section 60-6,211.05, a certified copy
4 of an order for installation of an ignition interlock device and issuance
5 of an ignition interlock permit pursuant to section 60-6,197.03, or a
6 copy of an order from the Board of Pardons pursuant to section
7 83-1,127.02, or beginning January 1, 2026, a certified copy of a court
8 order or administrative license revocation order from another
9 jurisdiction that substantially complies with sections 60-6,197.03 and
10 60-6,211.05 and sufficient proof of residence in this state, (b)
11 sufficient evidence that the person has surrendered his or her operator's
12 license to the department and installed an approved ignition interlock
13 device in accordance with such order, and (c) payment of the fee provided
14 in section 60-4,115, such person may apply for an ignition interlock
15 permit. A person subject to administrative license revocation under
16 sections 60-498.01 to 60-498.04 shall be eligible for an ignition
17 interlock permit as provided in such sections. The director shall issue
18 an ignition interlock permit only for the operation of a motor vehicle
19 equipped with an ignition interlock device. All permits issued pursuant
20 to this subsection shall indicate that the permit is not valid for the
21 operation of any commercial motor vehicle.

22 (2) Upon expiration of the revocation period or upon expiration of
23 an order issued by the Board of Pardons pursuant to section 83-1,127.02,
24 a person may apply to the department in writing for issuance of an
25 operator's license. Regardless of whether the license surrendered by such
26 person under subsection (1) of this section has expired, the person shall
27 apply for a new operator's license pursuant to the Motor Vehicle
28 Operator's License Act.

29 (3) (3)(a) An ignition interlock permit shall not be issued under
30 this section or sections 60-498.01 to 60-498.04 to any person except in
31 cases of a violation of subdivision (3)(b) or (c) of section 28-306,

1 subdivision (3)(b) or (c) of section 28-394, or section 28-1254,
2 60-6,196, 60-6,197, 60-6,197.06, or 60-6,198.

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

5 (4) The director shall revoke a person's ignition interlock permit
6 issued under this section or sections 60-498.01 to 60-498.04 upon receipt
7 of an (a) abstract of conviction indicating that the person had his or
8 her operating privileges revoked or canceled or (b) administrative order
9 revoking or canceling the person's operating privileges, if such
10 conviction or order resulted from an incident other than the incident
11 which resulted in the application for the ignition interlock permit.

12 **Sec. 23.** Section 60-4,120, Revised Statutes Cumulative Supplement,
13 2024, is amended to read:

14 60-4,120 (1) Any person duly licensed or holding a valid state
15 identification card issued under the Motor Vehicle Operator's License Act
16 who loses his or her operator's license or card may make application to
17 the department for a replacement license or card.

18 (2) If any person changes his or her name because of marriage or
19 divorce or by court order or a common-law name change, he or she shall
20 apply to the department for a replacement operator's license or state
21 identification card and furnish proof of identification in accordance
22 with section 60-484. If any person changes his or her address, the person
23 shall apply to the department for a replacement operator's license or
24 state identification card and furnish satisfactory evidence of such
25 change. The application shall be made within sixty days after the change
26 of name or address.

27 (3) In the event a mutilated or unreadable operator's license is
28 held by any person duly licensed under the act or a mutilated or
29 unreadable state identification card which was issued under the act is
30 held by a person, such person may obtain a replacement license or card.
31 Upon report of the mutilated or unreadable license or card and

1 application for a replacement license or card, a replacement license or
2 card may be issued if the department is satisfied that the original
3 license or card is mutilated or unreadable.

4 (4) If any person duly licensed under the act loses his or her
5 operator's license or if any holder of a state identification card loses
6 his or her card while temporarily out of the state, he or she may make
7 application to the department for a replacement operator's license or
8 card by applying to the department and reporting such loss. Upon receipt
9 of a correctly completed application, the department shall cause to be
10 issued a replacement operator's license or card.

11 (5) Any person who holds a valid operator's license or state
12 identification card without a digital image shall surrender such license
13 or card to the department within thirty days after resuming residency in
14 this state. After the thirty-day period, such license or card shall be
15 considered invalid and no license or card shall be issued until the
16 individual has made application for replacement or renewal.

17 (6) Application for a replacement operator's license or state
18 identification card shall include the information required under sections
19 60-484, 60-484.04, and 60-484.07.

20 (7) An applicant may obtain a replacement operator's license or
21 state identification card pursuant to subsection (1) or (3) of this
22 section by electronic means in a manner prescribed by the department. No
23 replacement license or card shall be issued unless the applicant has a
24 digital image and digital signature preserved in the digital system.

25 (8) Each replacement operator's license or state identification card
26 shall be issued with the same expiration date as the license or card for
27 which the replacement is issued. The replacement license or card shall
28 also state the new issuance date. Upon issuance of any replacement
29 license or card, the license or card for which the replacement is issued
30 shall be void.

31 (9) A replacement operator's license or state identification card

1 issued under this section shall be delivered to the applicant as provided
2 in section 60-4,113 after the county treasurer or department collects the
3 ~~fees fee and surcharge~~ prescribed in section 60-4,115 and issues the
4 applicant a receipt with driving privileges which is valid for up to
5 thirty days. The receipt shall contain the digital image of the
6 applicant.

7 **Sec. 24.** Section 60-4,120.01, Reissue Revised Statutes of Nebraska,
8 is amended to read:

9 60-4,120.01 (1)(a) Any person who is at least sixteen years of age
10 but less than eighteen years of age may be issued a provisional
11 operator's permit by the Department of Motor Vehicles. The provisional
12 operator's permit shall expire on the applicant's eighteenth birthday.

13 (b) No provisional operator's permit shall be issued to any person
14 unless such person:

15 (i) Has possessed a valid LPD-learner's permit, LPE-learner's
16 permit, or SCP-school permit for at least a six-month period beginning on
17 the date of issuance of such person's LPD-learner's permit, LPE-learner's
18 permit, or SCP-school permit; and

19 (ii) Has not accumulated three or more points pursuant to section
20 60-4,182 during the six-month period immediately preceding the date of
21 the application for the provisional operator's permit.

22 (c) The requirements for the provisional operator's permit
23 prescribed in subdivisions (2)(a) and (b) of this section may be
24 completed prior to the applicant's sixteenth birthday. A person may apply
25 for a provisional operator's permit and take the driving test and the
26 written examination, if required, at any time within sixty days prior to
27 his or her sixteenth birthday upon proof of age in the manner provided in
28 section 60-484.

29 (2) In order to obtain a provisional operator's permit, the
30 applicant shall present (a)(i) proof of successful completion of a
31 department-approved driver safety course which includes behind-the-wheel

1 driving specifically emphasizing (A) the effects of the consumption of
2 alcohol on a person operating a motor vehicle, (B) occupant protection
3 systems, (C) risk assessment, and (D) railroad crossing safety and (ii)
4 proof of successful completion of a written examination and driving test
5 administered by a driver safety course instructor or (b) a certificate in
6 a form prescribed by the department, signed by a parent, guardian, or
7 licensed driver at least twenty-one years of age, verifying that the
8 applicant has completed fifty hours of lawful motor vehicle operation
9 including at least ten hours of motor vehicle operation between sunset
10 and sunrise, under conditions that reflect department-approved driver
11 safety course curriculum, with a parent, guardian, or adult at least
12 twenty-one years of age, who has a current Nebraska operator's license or
13 who is licensed in another state. If the applicant presents such a
14 certificate, the applicant shall be required to successfully complete a
15 driving test administered by the department. The written examination
16 shall be waived if the applicant has been issued a Nebraska LPD-learner's
17 permit or has been issued a Nebraska LPE-learner's permit and such permit
18 is valid or has been expired for no more than one year. However, the
19 department shall not waive the written examination if the provisional
20 operator's permit being applied for contains a class or endorsement which
21 is different from the class or endorsement of the LPD-learner's or LPE-
22 learner's permit. Upon presentation by the applicant of a form prescribed
23 by the department showing successful completion of the driver safety
24 course, the written examination and driving test may be waived. Upon
25 presentation of the certificate, the written examination but not the
26 driving test may be waived. Licensing staff shall waive the written
27 examination and the driving test if the applicant has been issued a
28 school permit and such permit is valid or has expired no more than one
29 year prior to application. The written examination shall not be waived if
30 the provisional operator's permit being applied for contains a class or
31 endorsement which is different from the class or endorsement of the

1 school permit.

2 (3)(a) The holder of a provisional operator's permit shall only
3 operate a motor vehicle on the highways of this state during the period
4 beginning at 6 a.m. and ending at 12 midnight except when he or she is en
5 route to or from his or her residence to his or her place of employment
6 or a school activity. The holder of a provisional operator's permit may
7 operate a motor vehicle on the highways of this state at any hour of the
8 day or night if accompanied by a parent, guardian, or adult at least
9 twenty-one years of age, who has a current Nebraska operator's license or
10 who is licensed in another state.

11 (b) The holder of a provisional operator's permit shall only operate
12 a motor vehicle on the highways of this state during the first six months
13 of holding the permit with no more than one passenger who is not an
14 immediate family member and who is under nineteen years of age.

15 (c) The holder of a provisional operator's permit shall not use any
16 type of interactive wireless communication device while operating a motor
17 vehicle on the highways of this state.

18 (d) Enforcement of subdivisions (a), (b), and (c) of this subsection
19 shall be accomplished only as a secondary action when the holder of the
20 provisional operator's permit has been cited or charged with a violation
21 of some other law.

22 (4) Department personnel or the county treasurer shall collect the
23 ~~fees fee and surcharge~~ prescribed in section 60-4,115 for the issuance of
24 each provisional operator's permit.

25 **Sec. 25.** Section 60-4,123, Reissue Revised Statutes of Nebraska, is
26 amended to read:

27 60-4,123 (1) Any person who is at least fifteen years of age may
28 apply for an LPD-learner's permit from the department. In order to obtain
29 an LPD-learner's permit, the applicant shall successfully complete a
30 written examination. A person may take the written examination beginning
31 sixty days prior to his or her fifteenth birthday but shall not be issued

1 a permit until he or she is fifteen years of age. The written examination
2 may be waived for any person who has been issued an LPE-learner's permit,
3 LPD-learner's permit, or SCP-school permit that has been expired for no
4 more than one year.

5 (2) Upon successful completion of the written examination and the
6 payment of the fees ~~a fee and surcharge~~ as prescribed in section
7 60-4,115, the applicant shall be issued an LPD-learner's permit as
8 provided in section 60-4,113. The permit shall be valid for twelve
9 months.

10 (3)(a) The holder of an LPD-learner's permit shall only operate a
11 motor vehicle on the highways of this state if he or she is accompanied
12 at all times by a licensed operator who is at least twenty-one years of
13 age and who has been licensed by this state or another state and if (i)
14 for all motor vehicles other than autocycles, motorcycles, or mopeds, he
15 or she is actually occupying the seat beside the licensed operator, (ii)
16 in the case of an autocycle, he or she is actually occupying the seat
17 beside or in front of the licensed operator, or (iii) in the case of a
18 motorcycle, other than an autocycle, or a moped, he or she is within
19 visual contact of and under the supervision of, in the case of a
20 motorcycle, a licensed motorcycle operator or, in the case of a moped, a
21 licensed motor vehicle operator.

22 (b) The holder of an LPD-learner's permit shall not use any type of
23 interactive wireless communication device while operating a motor vehicle
24 on the highways of this state. Enforcement of this subdivision shall be
25 accomplished only as a secondary action when the holder of the LPD-
26 learner's permit has been cited or charged with a violation of some other
27 law.

28 (4) Department personnel or the county treasurer shall collect the
29 fees ~~fee and surcharge~~ prescribed in section 60-4,115 for the issuance of
30 each LPD-learner's permit.

31 **Sec. 26.** Section 60-4,124, Revised Statutes Cumulative Supplement,

1 2024, is amended to read:

2 60-4,124 (1) A person who is younger than sixteen years and three
3 months of age but is older than fourteen years and two months of age may
4 be issued a school permit if such person either resides outside a city of
5 the metropolitan, primary, or first class or attends a school which is
6 outside a city of the metropolitan, primary, or first class and if such
7 person has held an LPE-learner's permit for two months. A school permit
8 shall not be issued until such person has demonstrated that he or she is
9 capable of successfully operating a motor vehicle, moped, or motorcycle
10 and has in his or her possession an issuance certificate authorizing the
11 county treasurer to issue a school permit. In order to obtain an issuance
12 certificate, the applicant shall present (a) proof of successful
13 completion of a department-approved driver safety course which includes
14 behind-the-wheel driving specifically emphasizing (i) the effects of the
15 consumption of alcohol on a person operating a motor vehicle, (ii)
16 occupant protection systems, (iii) risk assessment, and (iv) railroad
17 crossing safety and (b)(i) proof of successful completion of a written
18 examination and driving test administered by a driver safety course
19 instructor or (ii) a certificate in a form prescribed by the department,
20 signed by a parent, guardian, or licensed driver at least twenty-one
21 years of age, verifying that the applicant has completed fifty hours of
22 lawful motor vehicle operation, under conditions that reflect department-
23 approved driver safety course curriculum, with a parent, guardian, or
24 adult at least twenty-one years of age, who has a current Nebraska
25 operator's license or who is licensed in another state. The department
26 may waive the written examination if the applicant has been issued an
27 LPE-learner's permit or LPD-learner's permit and if such permit is valid
28 or has expired no more than one year prior to application. The written
29 examination shall not be waived if the permit being applied for contains
30 a class or endorsement which is different from the class or endorsement
31 of the LPE-learner's permit.

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

3 (a) To and from where he or she attends school, or property used by
4 the school he or she attends for purposes of school events or functions,
5 over the most direct and accessible route by the nearest highway from his
6 or her place of residence to transport such person or any family member
7 who resides with such person to attend duly scheduled courses of
8 instruction and extracurricular or school-related activities at the
9 school he or she attends or on property used by the school he or she
10 attends; or

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

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

26 (4) A person who is younger than sixteen years of age but is over
27 fourteen years of age may be issued an LPE-learner's permit, which permit
28 shall be valid for a period of six months. An LPE-learner's permit shall
29 not be issued until such person successfully completes a written
30 examination prescribed by the department and demonstrates that he or she
31 has sufficient powers of eyesight to safely operate a motor vehicle,

1 moped, or motorcycle or an autocycle.

2 (5)(a) While holding the LPE-learner's permit, the person may
3 operate a motor vehicle on the highways of this state if (i) for all
4 motor vehicles other than autocycles, motorcycles, or mopeds, he or she
5 has seated next to him or her a person who is a licensed operator, (ii)
6 in the case of an autocycle, he or she has seated next to or behind him
7 or her a person who is a licensed operator, or (iii) in the case of a
8 motorcycle, other than an autocycle, or a moped, he or she is within
9 visual contact of and is under the supervision of a person who, in the
10 case of a motorcycle, is a licensed motorcycle operator or, in the case
11 of a moped, is a licensed motor vehicle operator. Such licensed motor
12 vehicle or motorcycle operator shall be at least twenty-one years of age
13 and licensed by this state or another state.

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

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

28 (7) Any person who holds a permit issued under this section and has
29 violated subdivision (3)(b) or (c) of section 28-306, subdivision (3)(b)
30 or (c) of section 28-394, or section 28-1254, 60-6,196, 60-6,197,
31 60-6,197.06, or 60-6,198 shall not be eligible for an ignition interlock

1 permit.

2 **Sec. 27.** Section 60-4,126, Reissue Revised Statutes of Nebraska, is
3 amended to read:

4 60-4,126 (1) Any person who is younger than sixteen years of age but
5 is over thirteen years of age and resides upon a farm in this state or is
6 fourteen years of age or older and is employed for compensation upon a
7 farm in this state may obtain a farm permit authorizing the operation of
8 farm tractors, minitrucks, and other motorized implements of farm
9 husbandry upon the highways of this state if the applicant for such farm
10 permit furnishes satisfactory proof of age and satisfactorily
11 demonstrates that he or she has knowledge of the operation of such
12 equipment and of the rules of the road and laws respecting the operation
13 of motor vehicles upon the highways of this state. The fee for an
14 original, renewal, or replacement farm permit shall be the fees ~~fee and~~
15 ~~surcharge~~ prescribed in section 60-4,115. All farm permits shall be
16 subject to revocation under the terms of section 60-496. Any person who
17 violates the terms of a farm permit shall be guilty of an infraction and
18 shall not be eligible for another school, farm, LPD-learner's, or LPE-
19 learner's permit until he or she has attained the age of sixteen years.

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

25 **Sec. 28.** Section 60-4,127, Reissue Revised Statutes of Nebraska, is
26 amended to read:

27 60-4,127 (1) No person shall operate a motorcycle on the alleys or
28 highways of the State of Nebraska until such person has obtained a Class
29 M license. No such license shall be issued until the applicant has (a)
30 met the vision and physical requirements established under section
31 60-4,118 for operation of a motor vehicle and (b) successfully completed

1 an examination, including the actual operation of a motorcycle,
2 prescribed by the director, except that the required examination may be
3 waived, including the actual operation of a motorcycle, if the applicant
4 presents proof of successful completion of a motorcycle safety course
5 under the Motorcycle Safety Education Act within the immediately
6 preceding twenty-four months.

7 (2) Department personnel shall conduct the examination of the
8 applicants and deliver to each successful applicant an issuance
9 certificate or a receipt. If department personnel issue a receipt,
10 department personnel shall collect the fees ~~fee and surcharge~~ as provided
11 in section 60-4,115 and issue a receipt with driving privileges which is
12 valid for up to thirty days. In counties where the county treasurer
13 collects fees and issues receipts, the certificate may be presented to
14 the county treasurer within ninety days after issuance. Upon presentation
15 of an issuance certificate, the county treasurer shall collect the fees
16 ~~fee and surcharge~~ for a Class M license as prescribed by section 60-4,115
17 and issue a receipt with driving privileges which is valid for up to
18 thirty days. If department personnel refuse to issue an issuance
19 certificate or receipt, the department personnel shall state such cause
20 in writing and deliver such written cause to the applicant. The license
21 shall be delivered as provided in section 60-4,113. If the applicant is
22 the holder of an operator's license, the county treasurer or department
23 personnel shall have endorsed on the license the authorization to operate
24 a motorcycle. Fees for Class M licenses shall be as provided by section
25 60-4,115.

26 (3) For purposes of this section, motorcycle does not include an
27 auticycle.

28 **Sec. 29.** Section 60-4,148, Revised Statutes Cumulative Supplement,
29 2024, is amended to read:

30 60-4,148 (1) All commercial drivers' licenses shall be issued by the
31 department as provided in sections 60-4,148.01 and 60-4,149. Successful

1 applicants shall pay the fees ~~fee and surcharge~~ prescribed in section
2 60-4,115.

3 (2) Any person making application to add or remove a class of
4 commercial motor vehicle, any endorsement, or any restriction to or from
5 a previously issued and outstanding commercial driver's license shall pay
6 the fees ~~fee and surcharge~~ prescribed in section 60-4,115.

7 **Sec. 30.** Section 60-4,148.01, Revised Statutes Cumulative
8 Supplement, 2024, is amended to read:

9 60-4,148.01 (1) The department may develop and offer methods for
10 successful applicants to obtain, renew, and replace commercial drivers'
11 licenses electronically and for the electronic replacement of CLP-
12 commercial learners' permits.

13 (2)(a) An applicant who has successfully passed the knowledge and
14 skills tests for a commercial driver's license pursuant to section
15 60-4,149 and who has a digital image and digital signature preserved in
16 the digital system that is not more than ten years old may obtain a
17 commercial driver's license using the preserved digital image and digital
18 signature by electronic means in a manner prescribed by the department
19 pursuant to this subsection.

20 (b) To be eligible to obtain a license pursuant to this subsection:

21 (i) There shall have been no changes to the applicant's name since
22 his or her most recent application for a CLP-commercial learner's permit;

23 (ii) The new license shall not contain a hazardous materials
24 endorsement;

25 (iii) The applicant shall meet the requirements of section 60-4,144
26 and submit the information and documentation and make the certifications
27 required under section 60-4,144; and

28 (iv) The applicant shall satisfy any other eligibility criteria that
29 the department may prescribe pursuant to subsection (6) of this section.

30 (c) The successful applicant shall pay the fees ~~fee and surcharge~~
31 prescribed in section 60-4,115. Upon receipt of such fees ~~fee and~~

1 ~~surcharge~~ and an application it deems satisfactory, the department shall
2 deliver the license by mail.

3 (3)(a) An applicant whose commercial driver's license expires prior
4 to his or her seventy-second birthday and who has a digital image and
5 digital signature preserved in the digital system may, once every ten
6 years, renew such license using the preserved digital image and digital
7 signature by electronic means in a manner prescribed by the department
8 pursuant to this subsection.

9 (b) To be eligible for renewal under this subsection:

10 (i) The renewal shall be prior to or within one year after
11 expiration of such license;

12 (ii) The driving record abstract maintained in the department's
13 computerized records shall show that such license is not suspended,
14 revoked, canceled, or disqualified;

15 (iii) There shall be no changes to the applicant's name or to the
16 class, endorsements, or restrictions on such license;

17 (iv) The applicant shall not hold a hazardous materials endorsement
18 or shall relinquish such endorsement;

19 (v) The applicant shall meet the requirements of section 60-4,144
20 and submit the information and documentation and make the certifications
21 required under section 60-4,144; and

22 (vi) The applicant shall satisfy any other eligibility criteria that
23 the department may prescribe pursuant to subsection (6) of this section.

24 (c) Every applicant seeking renewal of his or her commercial
25 driver's license shall apply for renewal in person at least once every
26 ten years and have a new digital image and digital signature captured.

27 (d) An applicant seeking renewal under this subsection (3) shall pay
28 the fees ~~fee and surcharge~~ prescribed in section 60-4,115. Upon receipt
29 of such fees ~~fee and surcharge~~ and an application it deems satisfactory,
30 the department shall deliver the renewal license or permit by mail.

31 (4)(a) Any person holding a commercial driver's license or CLP-

1 commercial learner's permit who has a digital image and digital signature
2 not more than ten years old preserved in the digital system and who loses
3 his or her license or permit, who requires issuance of a replacement
4 license or permit because of a change of address, or whose license or
5 permit is mutilated or unreadable may obtain a replacement commercial
6 driver's license or CLP-commercial learner's permit using the preserved
7 digital image and digital signature by electronic means in a manner
8 prescribed by the department pursuant to this subsection.

9 (b) To be eligible to obtain a replacement license or permit
10 pursuant to this subsection:

11 (i) There shall be no changes to the applicant's name and no changes
12 to the class, endorsements, or restrictions on such license or permit;

13 (ii) The applicant shall meet the requirements of section 60-4,144
14 and submit the information and documentation and make the certifications
15 required under section 60-4,144; and

16 (iii) The applicant shall satisfy any other eligibility criteria
17 that the department may prescribe pursuant to subsection (6) of this
18 section.

19 (c) An application for a replacement license or permit because of a
20 change of address shall be made within sixty days after the change of
21 address.

22 (d) An applicant seeking replacement under this subsection (4) of
23 this section shall pay the fees ~~fee and surcharge~~ prescribed in section
24 60-4,115. Upon receipt of such fees ~~fee and surcharge~~ and an application
25 it deems satisfactory, the department shall deliver the replacement
26 license or permit by mail. The replacement license or permit shall be
27 subject to the provisions of subsection (4) of section 60-4,150.

28 (5) An application to obtain, renew, or replace a commercial
29 driver's license or to replace a CLP-commercial learner's permit because
30 of a change of name may not be made electronically pursuant to this
31 section and shall be made in person at a licensing station within sixty

1 days after the change of name.

2 (6) The department may adopt and promulgate rules and regulations
3 governing eligibility for the use of electronic methods for successful
4 applicants to obtain, renew, or replace commercial drivers' licenses and
5 for the replacement of CLP-commercial learners' permits, taking into
6 consideration medical and vision requirements, safety concerns, and any
7 other factors consistent with the purposes of the Motor Vehicle
8 Operator's License Act that the director deems relevant.

9 **Sec. 31.** Section 60-4,149, Revised Statutes Cumulative Supplement,
10 2024, is amended to read:

11 60-4,149 (1) The director shall appoint as his or her agents one or
12 more department personnel who shall examine all applicants for a
13 commercial driver's license or a CLP-commercial learner's permit as
14 provided in section 60-4,144. The same department personnel may be
15 assigned to one or more counties by the director. In counties in which
16 the county treasurer collects the fees and issues receipts, the county
17 shall furnish office space for the administration of the license or
18 permit examination. Department personnel shall conduct the examination of
19 applicants and deliver to each successful applicant an issuance
20 certificate or receipt. The certificate may be presented to the county
21 treasurer within ninety days after issuance, and the county treasurer
22 shall collect the fees ~~fee and surcharge~~ as provided in section 60-4,115
23 and issue a receipt which is valid for up to thirty days. If a commercial
24 driver's license or CLP-commercial ~~CLP-commercial~~ learner's permit is
25 being issued, the receipt shall also authorize driving privileges for
26 such thirty-day period. If department personnel refuse to issue an
27 issuance certificate or receipt, the department personnel shall state
28 such cause in writing and deliver such written cause to the applicant.

29 (2)(a) The segments of the driving skills examination shall be
30 administered and successfully completed in the following order: Pre-trip
31 inspection, basic vehicle control skills, and on-road skills. If an

1 applicant fails one segment of the driving skills examination, the
2 applicant cannot continue to the next segment of the examination.

3 (b) Passing scores for the knowledge and skills tests shall meet the
4 standards contained in 49 C.F.R. 383.135.

5 (3) Except as provided for in sections 60-4,157 and 60-4,158, all
6 commercial driver's license examinations shall be conducted by department
7 personnel designated by the director. Each successful applicant shall be
8 issued a certificate or receipt entitling the applicant to secure a
9 commercial driver's license. If department personnel refuse to issue such
10 certificate or receipt, he or she shall state such cause in writing and
11 deliver the same to the applicant. Department personnel shall not be
12 required to hold a commercial driver's license to administer a driving
13 skills examination and occupy the seat beside an applicant for a
14 commercial driver's license.

15 (4) The successful applicant shall, within ten days after renewal or
16 within twenty-four hours after initial issuance, pay the fees ~~fee~~ and
17 ~~surcharge~~ as provided in section 60-4,115. A receipt with driving
18 privileges which is valid for up to thirty days shall be issued. The
19 commercial driver's license shall be delivered to the applicant as
20 provided in section 60-4,113.

21 (5) In lieu of proceeding under subsection (4) of this section, the
22 successful applicant may pay the fees ~~fee~~ and ~~surcharge~~ as provided in
23 section 60-4,115 and electronically submit an application prescribed by
24 the department in a manner prescribed by the department pursuant to
25 section 60-4,148.01.

26 **Sec. 32.** Section 60-4,150, Revised Statutes Cumulative Supplement,
27 2024, is amended to read:

28 60-4,150 (1) Any person holding a commercial driver's license or
29 CLP-commercial learner's permit who loses his or her license or permit,
30 who requires issuance of a replacement license or permit because of a
31 change of name or address, or whose license or permit is mutilated or

1 unreadable may obtain a replacement commercial driver's license or CLP-
2 commercial learner's permit by filing an application pursuant to this
3 section and by furnishing proof of identification in accordance with
4 section 60-4,144. Any person seeking a replacement license or permit for
5 such reasons, except because of a change of name, may also obtain a
6 replacement license or permit by submitting an electronic application
7 pursuant to section 60-4,148.01.

8 (2) An application for a replacement license or permit because of a
9 change of name or address shall be made within sixty days after the
10 change of name or address.

11 (3) A replacement commercial driver's license or CLP-commercial
12 learner's permit issued pursuant to this section shall be delivered to
13 the applicant as provided in section 60-4,113 after department personnel
14 or the county treasurer collects the fees ~~fee and surcharge~~ prescribed in
15 section 60-4,115 and issues the applicant a receipt with driving
16 privileges which is valid for up to thirty days. Replacement commercial
17 drivers' licenses or CLP-commercial learners' permits issued pursuant to
18 this section shall be issued in the manner provided for the issuance of
19 original and renewal commercial drivers' licenses or the issuance of
20 permits as provided for by section 60-4,149.

21 (4) Upon issuance of any replacement commercial driver's license or
22 permit, the commercial driver's license or CLP-commercial learner's
23 permit for which the replacement license or permit is issued shall be
24 void. Each replacement commercial driver's license or CLP-commercial
25 learner's permit shall be issued with the same expiration date as the
26 license or permit for which the replacement is issued. The replacement
27 license or permit shall also state the new issuance date.

28 **Sec. 33.** Section 60-4,181, Revised Statutes Cumulative Supplement,
29 2024, is amended to read:

30 60-4,181 (1) Each applicant for a state identification card shall
31 provide the information and documentation required by sections 60-484,

1 60-484.04, and 60-484.07. The form of the state identification card shall
2 comply with section 60-4,117. The applicant shall present an issuance
3 certificate to the county treasurer for a state identification card.
4 Department personnel or the county treasurer shall collect the fees fee
5 ~~and surcharge~~ as prescribed in section 60-4,115 and issue a receipt to
6 the applicant which is valid up to thirty days. The state identification
7 card shall be delivered to the applicant as provided in section 60-4,113.

8 (2) The director may summarily cancel any state identification card,
9 and any judge or magistrate may order a state identification card
10 canceled in a judgment of conviction, if the application or information
11 presented by the applicant contains any false or fraudulent statements
12 which were deliberately and knowingly made as to any matter material to
13 the issuance of the card or if the application or information presented
14 by the applicant does not contain required or correct information. Any
15 state identification card so obtained shall be void from the date of
16 issuance. Any judgment of conviction ordering cancellation of a state
17 identification card shall be transmitted to the director who shall cancel
18 the card.

19 (3) No person shall be a holder of a state identification card and
20 an operator's license at the same time.

21 **Sec. 34.** Section 60-636, Reissue Revised Statutes of Nebraska, is
22 amended to read:

23 60-636 (1) Minibike shall mean a two-wheel motor vehicle that:

24 (a) Has ~~which has~~ a total wheel and tire diameter of less than
25 fourteen inches;

26 (b) Has ~~or~~ an engine-rated capacity of less than forty-five cubic
27 centimeters displacement;

28 (c) Has an engine power output of less than three horsepower;

29 (d) Has an engine-rated capacity of less than two thousand two
30 hundred thirty-eight watts; or

31 (e) Was ~~or any other two-wheel motor vehicle~~ primarily designed by

1 the manufacturer for off-road use only.

2 (2) Minibike shall not include an electric personal assistive
3 mobility device.

4 **Sec. 35.** Section 60-6,211.05, Reissue Revised Statutes of Nebraska,
5 is amended to read:

6 60-6,211.05 (1) If an order is granted under section 60-6,196 or
7 60-6,197 and sections 60-6,197.02 and 60-6,197.03, the court may order
8 that the defendant install an ignition interlock device of a type
9 approved by the Director of Motor Vehicles on each motor vehicle operated
10 by the defendant during the period of revocation. Upon sufficient
11 evidence of installation, the defendant may apply to the director for an
12 ignition interlock permit pursuant to section 60-4,118.06. The device
13 shall, without tampering or the intervention of another person, prevent
14 the defendant from operating the motor vehicle when the defendant has an
15 alcohol concentration greater than three-hundredths of one gram or more
16 by weight of alcohol per one hundred milliliters of his or her blood or
17 three-hundredths of one gram or more by weight of alcohol per two hundred
18 ten liters of his or her breath. The Department of Motor Vehicles shall
19 issue an ignition interlock permit to the defendant under section
20 60-4,118.06 only upon sufficient proof that a defendant has installed an
21 ignition interlock device on any motor vehicle that the defendant will
22 operate during his or her release.

23 (2) If the court orders installation of an ignition interlock device
24 and issuance of an ignition interlock permit pursuant to subsection (1)
25 of this section, the court may also order the use of a continuous alcohol
26 monitoring device and abstention from alcohol use at all times. The
27 device shall, without tampering or the intervention of another person,
28 test and record the alcohol consumption level of the defendant on a
29 periodic basis and transmit such information to probation authorities.

30 (3)(a) Prior to January 1, 2026, any ~~(3)~~ Any order issued by the
31 court pursuant to this section shall not take effect until the defendant

1 is eligible to operate a motor vehicle pursuant to subsection (8) of
2 section 60-498.01. A person shall be eligible to be issued an ignition
3 interlock permit allowing operation of a motor vehicle equipped with an
4 ignition interlock device if he or she is not subject to any other
5 suspension, cancellation, required no-driving period, or period of
6 revocation and has successfully completed the ignition interlock permit
7 application process. The Department of Motor Vehicles shall review its
8 records and the driving record abstract of any person who applies for an
9 ignition interlock permit allowing operation of a motor vehicle equipped
10 with an ignition interlock device to determine (a) the applicant's
11 eligibility for an ignition interlock permit, (b) the applicant's
12 previous convictions under section 60-6,196, 60-6,197, or 60-6,197.06 or
13 any previous administrative license revocation, if any, and (c) if the
14 applicant is subject to any required no-drive periods before the ignition
15 interlock permit may be issued.

16 (b) Beginning January 1, 2026, any order issued by the court, or
17 issued pursuant to a court order or administrative license revocation
18 order from another jurisdiction that substantially complies with sections
19 60-6,197.03 and 60-6,211.05, shall not take effect until the defendant is
20 eligible to operate a motor vehicle pursuant to subsection (8) of section
21 60-498.01. A person shall be eligible to be issued an ignition interlock
22 permit allowing operation of a motor vehicle equipped with an ignition
23 interlock device if he or she is not subject to any other suspension,
24 cancellation, required no-driving period, or period of revocation and has
25 successfully completed the ignition interlock permit application process.
26 The Department of Motor Vehicles shall, before the ignition interlock
27 permit may be issued, review its records and the driving record abstract
28 of any person who applies for an ignition interlock permit allowing
29 operation of a motor vehicle equipped with an ignition interlock device
30 to determine (a) the applicant's eligibility for an ignition interlock
31 permit, (b) the applicant's previous convictions under section 60-6,196,

1 60-6,197, or 60-6,197.06 or any previous administrative license
2 revocation, if any, and (c) if the applicant is subject to any required
3 no-drive periods.

4 (4)(a) If the court orders an ignition interlock device or the Board
5 of Pardons orders an ignition interlock device under section 83-1,127.02,
6 the court or the Board of Pardons shall order the defendant to apply for
7 an ignition interlock permit as provided in section 60-4,118.06 which
8 indicates that the defendant is only allowed to operate a motor vehicle
9 equipped with an ignition interlock device.

10 (b) Such court order shall remain in effect for a period of time as
11 determined by the court not to exceed the maximum term of revocation
12 which the court could have imposed according to the nature of the
13 violation and shall allow operation by the defendant of only an ignition-
14 interlock-equipped motor vehicle.

15 (c) Such Board of Pardons order shall remain in effect for a period
16 of time not to exceed any period of revocation the applicant is subject
17 to at the time the application for a reprieve is made.

18 (5) Any person restricted to operating a motor vehicle equipped with
19 an ignition interlock device, pursuant to a Board of Pardons order, who
20 operates upon the highways of this state a motor vehicle without such
21 device or if the device has been disabled, bypassed, or altered in any
22 way, shall be punished as provided in subsection (3) of section
23 83-1,127.02.

24 (6) If a person ordered to use a continuous alcohol monitoring
25 device and abstain from alcohol use pursuant to a court order as provided
26 in subsection (2) of this section violates the provisions of such court
27 order by removing, tampering with, or otherwise bypassing the continuous
28 alcohol monitoring device or by consuming alcohol while required to use
29 such device, he or she shall have his or her ignition interlock permit
30 revoked and be unable to apply for reinstatement for the duration of the
31 revocation period imposed by the court.

1 (7) The director shall adopt and promulgate rules and regulations
2 regarding the approval of ignition interlock devices, the means of
3 installing ignition interlock devices, and the means of administering the
4 ignition interlock permit program.

5 (8)(a) The costs incurred in order to comply with the ignition
6 interlock requirements of this section shall be paid directly to the
7 ignition interlock provider by the person complying with an order for an
8 ignition interlock permit and installation of an ignition interlock
9 device.

10 (b) If the Department of Motor Vehicles has determined the person to
11 be indigent and incapable of paying for the cost of installation,
12 removal, or maintenance of the ignition interlock device in accordance
13 with this section, such costs shall be paid out of the Department of
14 Motor Vehicles Ignition Interlock Fund if such funds are available,
15 according to rules and regulations adopted and promulgated by the
16 department. Such costs shall also be paid out of the Department of Motor
17 Vehicles Ignition Interlock Fund if such funds are available and if the
18 court or the Board of Pardons, whichever is applicable, has determined
19 the person to be indigent and incapable of paying for the cost of
20 installation, removal, or maintenance of the ignition interlock device in
21 accordance with this section. The Department of Motor Vehicles Ignition
22 Interlock Fund is created. Money in the Department of Motor Vehicles
23 Ignition Interlock Fund may be used for transfers to the General Fund at
24 the direction of the Legislature. On October 1, 2017, or as soon
25 thereafter as administratively possible, the State Treasurer shall
26 transfer twenty-five thousand dollars from the Department of Motor
27 Vehicles Ignition Interlock Fund to the Violence Prevention Cash Fund. On
28 October 1, 2018, or as soon thereafter as administratively possible, the
29 State Treasurer shall transfer twenty-five thousand dollars from the
30 Department of Motor Vehicles Ignition Interlock Fund to the Violence
31 Prevention Cash Fund. Any money in the Department of Motor Vehicles

1 Ignition Interlock Fund available for investment shall be invested by the
2 state investment officer pursuant to the Nebraska Capital Expansion Act
3 and the Nebraska State Funds Investment Act.

4 (9)(a)(i) An ignition interlock service facility shall notify the
5 appropriate district probation office or the appropriate court, as
6 applicable, of any evidence of tampering with or circumvention of an
7 ignition interlock device, or any attempts to do so, when the facility
8 becomes aware of such evidence. Failure of the facility to provide
9 notification as provided in this subdivision is a Class V misdemeanor.

10 (ii) An ignition interlock service facility shall notify the
11 Department of Motor Vehicles, if the ignition interlock permit is issued
12 pursuant to sections 60-498.01 to 60-498.04, of any evidence of tampering
13 with or circumvention of an ignition interlock device, or any attempts to
14 do so, when the facility becomes aware of such evidence. Failure of the
15 facility to provide notification as provided in this subdivision is a
16 Class V misdemeanor.

17 (b) If a district probation office receives evidence of tampering
18 with or circumvention of an ignition interlock device, or any attempts to
19 do so, from an ignition interlock service facility, the district
20 probation office shall notify the appropriate court of such violation.
21 The court shall immediately schedule an evidentiary hearing to be held
22 within fourteen days after receiving such evidence, either from the
23 district probation office or an ignition interlock service facility, and
24 the court shall cause notice of the hearing to be given to the person
25 operating a motor vehicle pursuant to an order under subsection (1) of
26 this section. If the person who is the subject of such evidence does not
27 appear at the hearing and show cause why the order made pursuant to
28 subsection (1) of this section should remain in effect, the court shall
29 rescind the original order. Nothing in this subsection shall apply to an
30 order made by the Board of Pardons pursuant to section 83-1,127.02.

31 (10) Notwithstanding any other provision of law, the issuance of an

1 ignition interlock permit by the Department of Motor Vehicles under
2 section 60-498.01 or an order for the installation of an ignition
3 interlock device and ignition interlock permit made pursuant to
4 subsection (1) of this section as part of a conviction, as well as the
5 administration of such court order by the Office of Probation
6 Administration for the installation, maintenance, and removal of such
7 device, as applicable, shall not be construed to create an order of
8 probation when an order of probation has not been issued.

9 **Sec. 36.** Section 60-1513, Revised Statutes Cumulative Supplement,
10 2024, is amended to read:

11 60-1513 The Department of Motor Vehicles Cash Fund is hereby
12 created. The fund shall be administered by the Director of Motor
13 Vehicles. In addition to money paid to the department or credited or
14 remitted to the fund, the fund may also receive reimbursement from
15 counties. The fund shall be used by the Department of Motor Vehicles to
16 carry out its duties as deemed necessary by the Director of Motor
17 Vehicles, except that transfers from the fund to the General Fund or the
18 Vehicle Title and Registration System Replacement and Maintenance Cash
19 Fund may be made at the direction of the Legislature. Any money in the
20 Department of Motor Vehicles Cash Fund available for investment shall be
21 invested by the state investment officer pursuant to the Nebraska Capital
22 Expansion Act and the Nebraska State Funds Investment Act. Beginning
23 October 1, 2024, any investment earnings from investment of money in the
24 fund shall be credited to the General Fund.

25 ~~The State Treasurer shall transfer five million three hundred~~
26 ~~twenty-five thousand dollars from the Department of Motor Vehicles Cash~~
27 ~~Fund to the Vehicle Title and Registration System Replacement and~~
28 ~~Maintenance Cash Fund on or before June 30, 2017, as directed by the~~
29 ~~budget administrator of the budget division of the Department of~~
30 ~~Administrative Services.~~

31 **Sec. 37.** Section 60-2904, Reissue Revised Statutes of Nebraska, is

1 amended to read:

2 60-2904 For purposes of the Uniform Motor Vehicle Records Disclosure
3 Act:

4 (1) Department means the Department of Motor Vehicles or the duly
5 authorized agents or contractors of the department responsible to compile
6 and maintain motor vehicle records;

7 (2) Disclose means to engage in any practice or conduct to make
8 available and make known personal information contained in a motor
9 vehicle record about a person to any other person, organization, or
10 entity by any means of communication;

11 (3) Individual record means a motor vehicle record containing
12 personal information about a designated person who is the subject of the
13 record as identified in a request;

14 (4) Motor vehicle record means any record that pertains to a motor
15 vehicle operator's or driver's license or permit, motor vehicle, trailer,
16 motorboat, all-terrain vehicle, utility-type vehicle, snowmobile, or
17 minibike registration or certificate of title, or state identification
18 card issued by the department or any other state or local agency
19 authorized to issue any of such forms of credentials;

20 (5) Person means an individual, organization, or entity;

21 (6) Personal information means information that identifies a person,
22 including an individual's driver identification number, name, and address
23 excluding zip code, ~~and telephone number,~~ but does not include
24 information on collisions, driving, operating, or equipment-related
25 violations, or operator's license or registration status; and

26 (7) Sensitive personal information means an individual's telephone
27 number, email address, operator's license digital image, social security
28 number, and medical or disability information.

29 **Sec. 38.** Section 66-1414, Reissue Revised Statutes of Nebraska, is
30 amended to read:

31 66-1414 (1) Any fuel tax collected pursuant to the agreement shall

1 be credited ~~remitted to the State Treasurer for credit~~ to the Motor
2 Carrier Services Division Distributive Fund to carry out the
3 International Fuel Tax Agreement Act.

4 (2) The Motor Carrier Services Division Distributive Fund is
5 created. ~~The fund shall be set apart and maintained by the State~~
6 ~~Treasurer to carry out the International Fuel Tax Agreement Act and the~~
7 ~~International Registration Plan Act.~~ Any money in the Motor Carrier
8 Services Division Distributive Fund available for investment shall be
9 invested by the state investment officer pursuant to the Nebraska Capital
10 Expansion Act and the Nebraska State Funds Investment Act. Any interest
11 received on money in the Motor Carrier Services Division Distributive
12 Fund shall be credited to the Highway Trust Fund.

13 **Sec. 39.** Original sections 37-1202, 60-101, 60-102, 60-121, 60-137,
14 60-158, 60-167, 60-337, 60-399, 60-4,113, 60-4,117, 60-4,118.06,
15 60-4,120.01, 60-4,123, 60-4,126, 60-4,127, 60-636, 60-6,211.05, 60-2904,
16 and 66-1414, Reissue Revised Statutes of Nebraska, and sections 29-2292,
17 37-1201, 60-146, 60-169, 60-393, 60-396, 60-4,115, 60-4,120, 60-4,124,
18 60-4,148, 60-4,148.01, 60-4,149, 60-4,150, 60-4,181, and 60-1513, Revised
19 Statutes Cumulative Supplement, 2024, are repealed.

20 **Sec. 40.** Since an emergency exists, this act takes effect when
21 passed and approved according to law.